

ORDINANCE NUMBER O- 17067 (NEW SERIES)

ADOPTED ON APR 18 1988

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 5, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 2, SECTIONS 105.0201, 105.0202, 105.0203, 105.0204, 105.0205, 105.0206, 105.0206.1, 105.0207, 105.0208, 105.0209, 105.0210, 105.0211, 105.0211.1, 105.0212, 105.0213, 105.0214, 105.0215, 105.0216, 105.0217 and 105.0218 RELATING TO COASTAL DEVELOPMENT PERMITS.

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

Section 1. That Chapter X, Article 5, of the San Diego Municipal Code be and the same is hereby amended by adding Division 2, Sections 105.0201, 105.0202, 105.0203, 105.0204, 105.0205, 105.0206, 105.0206.1, 105.0207, 105.0208, 105.0209, 105.0210, 105.0211, 105.0211.1, 105.0212, 105.0213, 105.0214, 105.0215, 105.0216, 105.0217 and 105.0218, to read as follows:

DIVISION 2

COASTAL DEVELOPMENT PERMITS

**SEC. 105.0201 PURPOSE AND INTENT**

It is the purpose and intent of this ordinance to establish a procedure for the processing of coastal development permits within the City's Coastal Zone, consistent with the City's certified Local Coastal Program and pursuant to Public Resources Code Section 30600(d) and Title 14, Division 5.5, Chapter 8, Subchapter 2, Article 17 of the California Administrative Code.

The Coastal Zone is a distinct and valuable natural resource of vital and enduring interest to all people of the City and exists as a delicately balanced ecosystem.

The permanent protection of coastal resources, both natural and scenic, is a paramount concern to the present and future residents of the city, state, and nation.

To promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine resources, and the natural environment, it is necessary to protect the ecological balance of the Coastal Zone and prevent its deterioration and destruction.

Existing developed uses, and future developments that are carefully planned and developed consistent with the City's adopted Local Coastal Program, are essential to the economic and social well-being of the people of the City.

In recognition of the unique qualities of the Coastal Zone, its special communities and fragile natural resources, it is further the intent of this ordinance to provide for maximum public participation in the review of all development which may have a potential to adversely affect such resources.

**SEC. 105.0202 COASTAL DEVELOPMENT PERMIT REQUIRED**

A. A coastal development permit shall be required for all proposed development within the Coastal Zone except for development specifically exempted under SEC. 105.0204.

B. The Coastal Commission shall be exclusively responsible for the issuance of coastal development permits in the area of "Coastal Commission Permit Jurisdiction" as delineated on Map Drawing No. C-730, filed with the City Clerk as Document No. 00-17067-1. Where a proposed development lies partially within the area of "Coastal Commission Permit Jurisdiction" the Coastal Commission shall be exclusively responsible for the issuance of the coastal development permit.

**SEC. 105.0203 DEFINITIONS**

**NOTE: THE FOLLOWING DEFINITIONS SHALL APPLY ONLY FOR THE PURPOSES OF THIS DIVISION**

A. Appealable Area. That area which constitutes the appeal jurisdiction of the Coastal Commission as delineated on Map Drawing No. C-730, filed with the City Clerk as Document No. 00-17067-1, and as defined pursuant to Public Resources Code Section 30603.

B. Development. On land, in or under water, the placement or erection of any solid material or structure; the discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; the grading, removing, dredging, mining, or

extraction of any materials; the change in the density, or intensity of use of land, including, but not limited to the subdivision of land pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code) and any other division of land, including lot splits; change in intensity of use of water, or of access, thereto; the construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes; kelp harvesting.

C. Emergency. A sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services.

D. Intensification of Use. A change in the use of a lot or premises which, based upon the provisions of the underlying zone, requires more off-street parking than did the immediately preceding legal use of such lot or premises.

E. Major Energy Facility. Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy which exceeds one hundred thousand dollars (\$100,000.00) in its estimated cost of construction.

F. Major Public Works Project. Any public works project which exceeds one hundred thousand dollars (\$100,000.00) in its estimated cost of construction.

**SEC. 105.0204 EXEMPTIONS**

For the following types of development, no coastal development permit shall be required:

A. Improvements to an existing structure or structures; provided, however, that such improvements do not involve any of the following:

1. Improvements to any structure located on a beach, wetland or stream, or where the structure or proposed improvements would encroach within fifty (50) feet of a coastal bluff edge.

2. Improvements to any structure that would result in an increase of ten percent (10%) or more of interior floor area or building height where such structure is located between the sea and first public roadway paralleling the sea, or within three hundred (300) feet of the inland extent of any beach, or of the mean high tide line where there is no beach, whichever is the greater distance.

3. An intensification of use, as defined in SEC. 105.0203, Subsection D.

B. Repair or maintenance activities; provided, however, that such activities do not involve any of the following:

1. Repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves substantial alteration to the foundation of such structure; the placement of riprap, artificial berms, or solid materials on a beach or in coastal waters, streams, wetlands, or on a shoreline protective wall; the replacement of twenty percent (20%) or more of the materials of an existing structure; the placement, whether temporary or permanent, of mechanized construction equipment on any sand area, coastal bluff, or within twenty (20) feet of coastal waters or streams, except that the use of such equipment solely for routine beach and park maintenance shall not require a coastal development permit.

2. Any repair or maintenance to facilities or structures or work located within a wetland, within fifty (50) feet of a coastal bluff edge, or within twenty (20) feet of any coastal waters or streams, except that public utility repair and maintenance, as provided under Subsection C., below, shall not require a coastal development permit.

C. Public utility installation of new or increased service to development approved or exempted under this ordinance, and public utility repair or maintenance as exempted under the Coastal Commission's "Interpretive

Guidelines on Exclusions from Permit Requirements" filed with the City Clerk as Document No. 00-17067-2.

D. Any action necessary to abate a nuisance as provided under Public Resources Code Section 30005(b).

E. Agricultural grading on land which has been cultivated within the previous ten (10) years.

**SEC. 105.0205 APPLICATION**

Application for a coastal development permit shall be made to the Planning Director in accordance with the following procedures:

A. The application shall be made by the record owner or by any other person(s) who can demonstrate a legal right, interest, or other entitlement to use the property on which the development is to be located.

B. The application shall be made on forms provided by the Planning Department, and shall include the following information in addition to any other information which, in the opinion of the Planning Director, is necessary to adequately review the proposed development:

1. A site plan showing the topography of the subject property (existing and finished elevations); location of existing and proposed buildings and accessways, including abutting streets and alleys; existing and proposed off-street parking; height, type, and location of existing and proposed walls, fences, and other

improvements; and tabulations of lot area, proposed gross floor area, and proposed coverage.

2. A grading and landscaping plan.

3. Building elevations and finished floor levels, where development includes construction.

C. Prior to the filing of the application, the applicant shall pay to the City a fee/deposit equal to the estimated cost of processing said application. The fee/deposit shall be adjusted periodically by the Planning Director to ensure full cost recovery.

#### **SEC. 105.0206 NOTICE AND PUBLIC HEARING**

A. For all project applications, except those eligible for a consent agenda approval as set forth in SEC. 105.0206.1, the Planning Director or designated representative shall conduct a noticed public hearing in accordance with the provisions of SEC. 101.0220. In addition to the provisions of SEC. 101.0220, notice shall be mailed to each applicant, all tenants within one hundred (100) feet of the exterior boundaries (exclusive of rights-of-way) of the property under consideration, all persons who have requested to be on the mailing list for that development project or for coastal decisions within the City of San Diego and to the Coastal Commission.

B. Where a consolidated public hearing is held pursuant to SEC. 105.0207, notice of such hearing may also be consolidated provided that all information that



would be required for each hearing separately is provided within the consolidated notice.

**SEC. 105.0206.1 CONSENT AGENDA APPROVAL**

An application for a development located within the "nonappealable" area, as delineated on Map No. C-730, may be placed on the Planning Commission consent agenda, provided that the Planning Director has determined from the available evidence that the project as proposed, or as modified by conditions (acceptable to the applicant) will be consistent with the findings of fact set forth in SEC. 105.0208. A noticed public hearing, in accordance with the provisions of SEC. 101.0220, shall be conducted by the Planning Commission for the consent agenda. In addition to the provisions of SEC. 101.0220, notice shall be mailed to each applicant, all tenants within one hundred (100) feet of the exterior boundaries (exclusive of right-of-ways) of the property under consideration, all persons who have requested to be on the mailing list for that development project or for coastal decisions within the City of San Diego and the Coastal Commission.

At the consent agenda public hearing any member of the public may address the Planning Commission relative to the consistency of an application with the findings of fact set forth in SEC. 105.0208. The Planning Commission shall limit its actions to the removal of individual applications from the consent agenda and to the approval of the consent agenda in its entirety.

An application may be removed from the consent agenda by a motion and second from any two (2) members of the Planning Commission. A project which is removed from the consent agenda will be set for a Planning Director public hearing within thirty (30) days. The decision of the Planning Director on any item removed from the Planning Commission consent agenda may be appealed in accordance with SEC. 105.0211. A decision of the Planning Commission to approve an application on the consent agenda shall be final.

**SEC. 105.0207 PUBLIC HEARINGS CONSOLIDATION**

A. In order to achieve more efficient processing of proposed developments, the Planning Director shall have the authority to consolidate any public hearing on a coastal development permit application with any other public hearing required in connection with another permit application relating to the same development; provided, however, that such authority shall be limited to consolidating hearings for those permit applications upon which the Planning Director is empowered to make a determination under this chapter.

B. Following the consolidated hearing, the determination shall be made on the coastal development permit application by the Planning Director. In order for the application to be approved, all findings required in SEC. 105.0208 must be made apart from the findings required for any other permits that are under consideration as part of the consolidated hearing.

**SEC. 105.0208 DECISION OF THE PLANNING DIRECTOR**

A. The Planning Director shall have the authority to either approve, conditionally approve, or deny the application for a coastal development permit.

B. The Planning Director shall approve or conditionally approve the application only if all of the following findings of fact are made:

FINDINGS

1. The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in an adopted local coastal program land use plan; nor will it obstruct views to and along the ocean and other scenic coastal areas from public vantage points.

2. The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources.

3. The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources.

4. The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.

5. The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geological and erosional forces and/or flood and fire hazards.

6. The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas.

7. The proposed development will conform with the General Plan, the Local Coastal Program, or any other applicable adopted plans and programs.

C. A copy of all findings shall be filed with the City Clerk, Zoning Administrator, Building Official, and City Engineer, and mailed within seven (7) days of such action to the Coastal Commission and any person or group requesting notice of such final action.

D. In approving an application for a coastal development permit, the Planning Director (or Planning Commission or City Council on appeal) may impose conditions necessary to enable the required findings of fact to be fairly made and/or to be sustained in their validity. Such conditions may include, but need not be limited to, provision for public access and open space or conservation easements and the relocation and/or redesign of proposed site improvements. When conditions pertaining to public access and/or open space or conservation easements are imposed, notification of such

action shall be submitted to the Executive Director of the Coastal Commission in accordance with SEC. 105.0213.

E. The determination of the Planning Director shall be final and the coastal development permit shall be issued on the eleventh (11th) working day following the Coastal Commission's receipt of the notice of final action, except where appealed in accordance with the procedures set forth in SEC. 105.0211, or where conditions pertaining to public access and/or open space or conservation easements are involved pursuant to SEC. 105.0213.

**SEC. 105.0209 LOS PENASQUITOS WATERSHED RESTORATION AND ENHANCEMENT FEE**

An applicant for a coastal development permit for a project located in the watershed of Los Penasquitos Lagoon shall, as a condition of development approval, be required to pay a fee to the Los Penasquitos Lagoon Enhancement Fund for restoration of the Los Penasquitos Lagoon and watershed. The watershed restoration and enhancement fee shall be computed on the basis of the site surface affected by grading for urban development, agriculture, transportation, and other public service facility improvements, exclusive of habitat restoration or enhancement areas, at a rate of \$0.005/square foot for all areas to be graded, with an additional rate of \$0.03/square foot for any impervious surfaces to be created by the finished development. The watershed

restoration and enhancement fee shall be based on the grading and impervious surfaces proposed under the initial coastal development permit and for any additional development increments (grading and/or impervious surfaces) for which permits are required. The watershed and enhancement fee shall not be required for developments which are exempted under SEC. 105.0204 of this ordinance. The required restoration and enhancement fee shall be computed by the applicant and such information shall be included with the permit application. The calculations shall be verified by the Planning Director. The applicant shall deposit the required fee in an escrow account established by The City of San Diego and the State Coastal Conservancy. The applicant shall provide evidence satisfactory to the Planning Director that such deposit has been made prior to the issuance of the coastal development permit. Administration of the funds shall be the responsibility of the State Coastal Conservancy in accordance with the terms of the escrow account.

**SEC. 105.0210 LOS PENASQUITOS WATERSHED MAINTENANCE AND CONSERVATION FUND**

An applicant for a coastal development permit for a project located in the watershed of Los Penasquitos Lagoon shall, as a condition of the permit, agree to participate in any benefit assessment district or other financing mechanism created to fund the permanent

maintenance and conservation of the stream channels and related habitats located within both the City of San Diego and the Los Penasquitos Lagoon watershed.

**SEC. 105.0211 APPEALS**

A. Appeals to the Planning Commission. The decision of the Planning Director may be appealed to the Planning Commission in accordance with SEC. 101.0230 of this Code.

B. Appeals to the City Council. The decision of the Planning Commission may be appealed to the City Council in accordance with SEC. 101.0240 of this Code.

C. Appeals to the Coastal Commission.

1. As specified under Public Resources Code Section 30603, any determination on an application for the following types of developments may be appealed to the Coastal Commission within ten (10) working days from the date of Coastal Commission receipt of the notice of final action; provided, however, that no determination relating to a development categorizable under Subsections a., b., or c., below, may be appealed to the Coastal Commission unless the permit application was approved by the City.

a. Development located between the sea and first public roadway paralleling the sea, or within three hundred (300) feet of the inland extent of any beach or the mean high

tide line where there is no beach, whichever is the greater distance.

b. Developments that are located on tidelands, submerged lands, or public trust lands, or within one hundred (100) feet of any wetland, estuary, or stream; or within three hundred (300) feet of any coastal bluff edge.

c. Developments not categorizable under Subsections a. or b., above, that are located in a sensitive coastal resource area as defined under Public Resources Code Section 30116.

d. Any development which constitutes a major public works project or a major energy facility.

2. As specified under Public Resources Code Section 30603(b), the grounds for appeal of developments categorizable under Subsection C.1.a. of this section, shall be limited to one or more of the following allegations:

a. The development fails to provide adequate physical access, or public or private commercial use, or interferes with such uses.

b. The development fails to protect public views from any public road or from a recreational area to, and along, the coast.



c. The development is not compatible with the established physical scale of the area.

d. The development may significantly alter existing natural landforms.

e. The development does not comply with shoreline erosion and geologic setback requirements.

3. As specified under Public Resources Code Section 30603(c), the grounds for appeal of development categorizable under Subsections C.1.b., C.1.c., or C.1.d. of this section, shall be limited to an allegation that the development does not conform to the certified Local Coastal Program.

4. Appeals to the California Coastal Commission may be made only after appeals to the City Council, provided for in Subsection B., above, have been exhausted.

5. Decisions which are appealable to the Coastal Commission shall become effective upon expiration of a ten (10) working day appeal period which shall commence upon receipt in the Coastal Commission's district office of the notice of final action specified in SEC. 105.0211.1. The effective date shall be suspended if: 1) an appeal is filed in the Coastal Commission office within the ten (10) working day appeal period; or 2) the Planning

Director is notified by the Coastal Commission that the notice of final action is insufficient to meet the requirements set forth in SEC. 105.0211.1. If on appeal, the Coastal Commission finds no substantial issue with the City decision, the City action shall become effective upon receipt of notice of the no substantial issue determination from the Coastal Commission office. If the Coastal Commission hears the appeal and issues a modified coastal development permit, said modification may be incorporated into the City issued coastal development permit through an administrative action at the discretion of the Planning Director.

D. Persons who may appeal. In addition to the provisions of SEC. 101.0230 and SEC. 10<sup>1</sup>~~0~~.0240 a decision <sup>COM</sup><sub>DEA</sub> of the Planning Director, Planning Commission or City Council on a coastal development permit may be appealed by the following persons:

1. The applicant.
2. Any person who protested the application by filing written comments prior to the consideration of the matter, or appeared and protested at the public hearing.
3. Any City officer, board, or commission.
4. Any two (2) members of the Coastal Commission where the permit is appealable to the Coastal Commission.

**SEC. 105.0211.1 NOTICE OF FINAL ACTION TO COASTAL  
COMMISSION**

A. The City's decision on the coastal development permit application shall be considered final when:

1) all required findings have been adopted; and 2) all rights to appeals before the Planning Commission and City Council have been exhausted.

B. Within seven (7) calendar days of the final City decision, a notice of the final City action shall be sent by first class mail to the Coastal Commission and to any person or group requesting notice of such action. The notice shall include conditions of approval and written findings. For decisions on developments which are appealable to the Coastal Commission the notice shall include procedures for appeal of the City decision.

C. If it is determined by the Planning Director or through a judicial action that the time limits established pursuant to Government Code Sections 65950 through 65957.1 have expired, within seven (7) calendar days of such determination any person or group entitled to receive notice shall be notified that the application has been approved by operation of law and the application may be appealed to the Coastal Commission. This provision shall apply only to City decisions which are appealable to the Coastal Commission.

**SEC. 105.0212 DETERMINATION OF APPEAL JURISDICTION**

The determination as to whether any proposed development, for which a permit is sought, lies within the appealable area shall be made by the Planning Director on the basis of the map filed with the City Clerk as Document No. 00-17067-1<sup>C-730</sup>, at the time the application is submitted. The Planning Director's determination may be challenged by the applicant or any interested person, and a determination requested from the Executive Director of the Coastal Commission in accordance with Coastal Commission regulations.

**SEC. 105.0213 COASTAL COMMISSION REVIEW OF PUBLIC ACCESS, OPEN SPACE OR CONSERVATION EASEMENTS**

A. Any legal documents used in complying with required conditions pertaining to public access and open space or conservation easements shall be forwarded to the Executive Director of the Coastal Commission for review and approval of the format of such legal documents prior to the issuance of the coastal development permit.

B. The coastal development permit shall be issued on the fifteenth (15th) working day after mailing such documents to the Executive Director of the Coastal Commission, unless the Executive Director has notified the Planning Director that any such legal documents are inadequate.

C. If the Executive Director has recommended revisions to the format of legal documents, the coastal development permit shall not be issued until deficiencies have been resolved to the satisfaction of the Executive Director.

D. Documents for the recording of any easements shall also be submitted to the Executive Director for review and approval as to the format of such documents, and the coastal development permit shall not be issued to the applicant until the easements have been recorded and verification of such recordation has been sent to, and receipt acknowledged by, the Executive Director.

**SEC. 105.0214 EXPIRATION OF COASTAL DEVELOPMENT PERMITS**

Any coastal development permit granted herein shall be conditioned upon the privileges being utilized within thirty-six (36) months after the effective date thereof, except as otherwise provided within a phasing program contained in: 1) a development agreement entered into between the City and the owners of the subject property; 2) a specific plan applicable to the subject property; or 3) as otherwise provided by resolution approved by the City Council upon recommendation of the Planning Commission. Failure to utilize such permit within such period will automatically void same, unless an extension of time has been granted as set forth in SEC. 105.0216. Construction must actually be commenced within the stated period and must be diligently prosecuted to completion, pursuant to SEC. 101.0508.

**SEC. 105.0215 AMENDMENTS TO COASTAL DEVELOPMENT PERMITS**

A. The Planning Director, or the Planning Commission or City Council on appeal, may grant an amendment to a valid coastal development permit if, after considering facts presented in the application and at the hearing, the Director makes all the findings set forth in SEC. 105.0208.

B. An application for an amendment to a coastal development permit shall be in writing and shall be filed by the owner of the property covered by the permit. The application shall be filed with the Planning Director. In the case of all amendments, the noticing and public hearing requirements of SEC. 105.0206 shall apply. The decision of the Planning Director shall be by resolution and shall contain the findings of fact relied upon in reaching that decision.

C. The decision of the Planning Director may be appealed pursuant to the procedures specified in SEC. 105.0211.

**SEC. 105.0216 EXTENSION OF TIME**

A. The Planning Director may grant one or more extensions of time, with no single extension to exceed thirty-six (36) months, for a valid coastal development permit if the Director finds that there has been no material change of circumstances since the original granting of the permit.

B. An application for an extension of time shall be in writing and shall be filed by the record owner or by any other person(s) who can demonstrate a legal right, interest, or other entitlement to use the property covered by the permit. The request shall be filed with the Planning Director. In the case of all extensions, the noticing and public hearing requirements of SEC. 105.0206 shall apply. The decision of the Planning Director shall contain the findings of fact relied upon in reaching the decision.

**SEC. 105.0217 EMERGENCY PERMITS**

A. Application.

1. Applications for an emergency coastal development permit shall be made by letter to the Planning Director, or in person; or by telephone if time constraints do not allow either of those two (2) alternatives to be used.

2. The following information shall be included in the request:

- a. Nature of emergency.
- b. Cause of emergency.
- c. Location of emergency.
- d. Remedial, protective, or preventative work required to deal with the emergency.
- e. Circumstances during the emergency that justify the course of action taken or to be taken, including probable consequences of failing to take emergency action.

B. Verification. The Planning Director shall verify the facts, including the existence and nature of the emergency, to the extent that time allows.

C. Granting an Emergency Permit.

1. The Planning Director shall grant the emergency permit with reasonable terms and conditions, including an expiration date and the necessity for a regular permit application later, where the Planning Director finds that:

a. An emergency exists that requires action more quickly than would be permitted by the normal procedures for acquiring a coastal development permit.

b. Public comment on the proposed emergency action has been solicited and reviewed to the extent feasible.

c. The proposed emergency work would be consistent with the certified Local Coastal Program.

2. The Planning Director shall provide public notice of the emergency work, with the extent and type of notice determined by the nature and time constraints of the emergency.



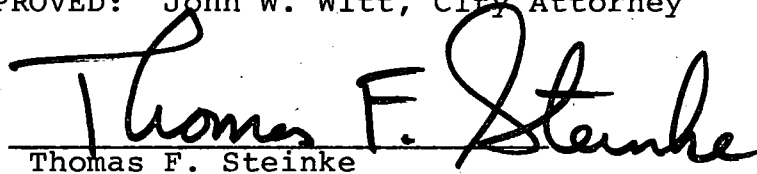
**SEC. 105.0218 PRIOR COASTAL COMMISSION APPROVAL**

No development that has a valid permit approval from the California Coastal Commission or the San Diego Coast Regional Commission, granted prior to the effective date of this ordinance, shall be required to obtain a coastal development permit pursuant to the provisions of this ordinance; provided, however, that no substantial change may be made in any such development without prior approval having been obtained from the California Coastal Commission under this ordinance and, provided further, that if construction has not commenced pursuant to the permit issued by the Coastal Commission within a two (2) year period from the date of issuance or other period as specified within such permit, the coastal development permit shall be deemed to be void.

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-88-166  
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 Bovard*, 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

~~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 Bovard*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

*1-17067*

Adopted

APR 18 1988