

(O-89-65)

ORDINANCE NUMBER O- 17254 (NEW SERIES)

ADOPTED ON FEB 27 1989

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0204 RELATING TO DELETION OF THE SUNSET CLAUSE PROVIDING RECOGNIZED PLANNING GROUPS A FEE WAIVER FOR APPEAL FEES.

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

Section 1. That Chapter X, Article 1, Division 2, of the San Diego Municipal Code be and the same is hereby amended by amending Section 101.0204, to read as follows:

**SECTION 101.0204 FEES/DEPOSITS**

Prior to the filing of any application, the applicant shall pay to the City a fee/deposit equal to the cost of processing said application. Fees/deposits will be adjusted periodically by resolution of the City Council to ensure full cost recovery for the services. A list of current fees/deposits is on file in the office of the City Clerk. Where deposits are required, if the deposit is insufficient to cover the actual cost to the City, the applicant shall be required to make additional deposits with the City which, in the opinion of the Planning Director, will be sufficient to cover incurred costs. Actual City costs will be itemized in a statement to the depositor, and any portion of the deposit not required to cover the actual costs of the

City in processing plus an applicable percentage thereof to cover costs of general overhead will be returned to the applicant.

Any application filed pursuant to this Section shall be accompanied by a fee/deposit equal to one and one-half times the the fee/deposit set forth in the schedule on file in the office of the City Clerk if the application is filed after the use of the property has commenced and such use is in violation of the zoning regulations of the Municipal Code. An amount equal to one-half the fee or one-half of the costs incurred by the City in processing the application, whichever is applicable, shall be charged against the fee/deposit of the application in addition to the fee or the costs incurred by the City.

An additional charge will not be assessed if the applicant provides evidence that the use of the property for which a permit is required was begun prior to the applicant's acquisition of the property.

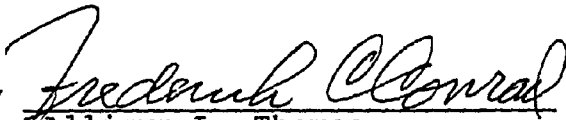
Appeal fees shall be waived for community planning groups recognized under Council Policy 600-24 when appealing a decision of the Zoning Administrator or Board of Zoning Appeals.

The Conditional Use Permit fees shall be waived for nonprofit institutions or organizations whose primary purpose is the promotion of public health and welfare.

The Planning Director, pursuant to this authority granted by the City Council, may, where project delays are caused by the actions of government agencies, waive fees/deposits.

Section 2. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its passage.

APPROVED: John W. Witt, City Attorney

By   
for Allisyn L. Thomas  
Deputy City Attorney

ALT:wk  
09/20/88  
Or.Dept:Plan.  
O-89-65  
Form=o.none

FEB 27 1989

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 Struikma	<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 *June G. Blackhall* 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

FEB 14 1989

FEB 27 1989

~~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 *June G. Blackhall* Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17254

Adopted FEB 27 1989