

(0-92-63)

ORDINANCE NUMBER O- 17708 (NEW SERIES)

ADOPTED ON NOV 12 1991

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING DIVISION 24 TO REPEAL SECTIONS 22.2401 AND 22.2402; AND ADDING A NEW SECTION 22.2401 RELATING TO THE PLANNING DEPARTMENT.

WHEREAS, on October 22, 1991, the City Council accepted and approved the recommendations of the City Manager and City Auditor and Comptroller, contained in City Manager's Report No. 91-404, relating to the Management Review of the Planning Department; and

WHEREAS, California Government Code section 65100 provides:

SEC. 65100. Planning agencies; assignment of functions

There is in each city and county a planning agency with the powers necessary to carry out the purpose of this title. The legislative body of each city and county shall by ordinance assign the functions of the planning agency to a planning department, one or more planning commissions, administrative bodies or hearing officers, the legislative body itself, or any combination thereof, as it deems appropriate and necessary. In the absence of an assignment, the legislative body shall carry out all the functions of the planning agency.

and

WHEREAS, the Council, after deliberating and discussion on the matter, directed that the Planning Department and Planning

CH-35
MU-15
BY-35
JE-35
NO 20

RECEIVED
CITY CLERK'S OFFICE

91 NOV 18 PM 1:10

SAN DIEGO, CALIF.

11-18-91

Director be placed under the operational control of the City Manager; and

WHEREAS, the Council directed the City Attorney to prepare the necessary ordinance revisions to the San Diego Municipal Code to effectuate the decision to place the Planning Director and department under the City Manager; NOW, THEREFORE,

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

Section 1. That Chapter II, Article 2, of the San Diego Municipal Code be and the same is hereby amended by amending Division 24 to repeal sections 22.2401 and 22.2402.

Section 2. That Chapter II, Article 2, of the San Diego Municipal Code be and the same is hereby further amended by amending Division 24 to add a new section 22.2401 to read as follows:

DIVISION 24

PLANNING DEPARTMENT

SEC. 22.2401 PLANNING DEPARTMENT - POWERS AND DUTIES OF THE PLANNING DIRECTOR - ENVIRONMENTAL SECTION

a. The Planning Department is a City department. The Director is the administrative head of the department and shall be appointed by and may be removed by the City Manager.

b. The Director of the Planning Department, under the direction of the City Manager and with policy direction of the City Council and policy guidance and recommendations of the Planning Commission, shall be

responsible for performing those duties and functions as assigned and directed by the City Manager. Such activities, as may be assigned, shall be performed as required by federal, state, and local law and regulations as may be promulgated by the City Manager.

c. The Planning Director, under direction of the City Manager, shall be responsible for enforcing the provisions of chapter X of this code.

d. An environmental section shall serve as a section of the Planning Department. Any reference as is contained in chapter VI, article 9 of this code to the Environmental Quality Division shall be read as if it applies to the environmental section of the Planning Department.

e. The environmental section of the Planning Department shall maintain that degree of independence in the performance of its functions and duties as will assure the City Manager, the City Council, Planning Commission and the people of the City of San Diego that its review and analysis of the environmental consequences of projects under its purview, whether beneficial or detrimental, are independent and wholly objective and are not prepared for the purpose of either supporting or detracting from any project, plan or position, whether advanced by the City, any other governmental agency, a developer, a citizen or a group of citizens.

Section 3. 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

Janis Sammartino
for Jack Katz
Senior Chief Deputy

CMF:JK:smm

10/25/91

10/28/91 Cor. Copy

Or. Dept: Clerk

0-92-63

Form=o.code

Passed and adopted by the Council of The City of San Diego on **NOV 12 1991** by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Maureen O'Connor*, 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

OCT 29 1991

NOV 12 1991

~~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 *Maureen O'Connor*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance **0-17708** Adopted **NOV 12 1991**
Number Adopted.....