

ORDINANCE NUMBER O- 17802 (NEW SERIES)

ADOPTED ON JUL 13 1992

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0480 RELATING TO EROSION CONTROL MEASURES FOR THE SENSITIVE COASTAL RESOURCE OVERLAY ZONE.

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

Section 1. That Chapter X, Article 1, Division 4, of the San Diego Municipal Code be and the same is hereby amended by amending Section 101.0480, to read as follows:

**SEC. 101.0480 SCR (Sensitive Coastal Resource) Overlay Zone**

A. and B. [No change.]

C. PERMITTED USES

Permitted uses shall be those permitted by the underlying zone subject to the regulations and restrictions of the underlying zone, except as limited below.

1. [No change.]

2. Coastal Bluff Areas. Permitted uses allowed in the coastal bluff areas, as shown on the SCR Zone maps, shall be limited to the following:

a. [No change.]

b. Bluff repair and erosion control measures which are defined as structures,

devices or other methods necessary to protect existing principal structures or public improvements. Such erosion control measures include, but are not limited to, retaining walls, air-placed concrete and other devices, structures or methods appropriate for controlling or minimizing bluff and soil erosion from natural or man-made causes.

c. through j. [No change.]

3. through 5. [No change.]

D. SPECIAL REGULATIONS

Where a development, grading, landform alteration, the placement or removal of vegetation, except for historic and ongoing agricultural operations, land division or subdivision is proposed on sensitive coastal resource areas, as identified on Map Drawing No. C-713, filed in the office of the City Clerk under Document No. 00-17062, the following regulations shall apply:

1. Coastal Bluffs.

a. No structure or improvement or portion thereof shall be placed or erected, and no grading shall be undertaken, within forty (40) feet of any point along a coastal bluff edge, except for the following uses:

1) [No change.]

2) Bluff repair and erosion

control measures:

(i) Bluff repair and erosion control measures needed to repair damage to or to prevent or retard erosion of the bluff face in order to provide safety protection for existing principal structures or public improvements; provided, however, that no such measures shall cause significant alteration of the natural character of the bluff face. An erosion control measure shall only be allowed if it is determined to be the only feasible means of erosion control necessary to protect the existing principal structure(s) or public improvement(s). A geotechnical report shall be submitted documenting the need for an erosion control measure. The geotechnical report shall identify the type and design of the erosion control measure necessary for protecting the existing principal structure(s), based upon site specific conditions. The use of air-placed concrete as an erosion control measure, either by guniting

or shotcrete, shall be designed and applied in accordance with generally accepted engineering standards and specifications and shall also incorporate existing and adjacent landform characteristics, including but not limited to color coating, texturing, landscape and topographical features.

(ii) The responsible department shall determine if any repair or maintenance activity of an approved and permitted erosion control measure constitutes a minor modification or requires an amendment to the permit(s) or a new permit(s). The responsible department shall require submittal of necessary reports, documents or any other material necessary to make such determination. Repair or maintenance of an erosion control measure which was constructed or placed without City approvals or permits shall necessitate all required approvals and permits to be obtained and reviewed.

3) [No change.]

b. [No change.]

c. Where a proposed development would lie wholly or partially upon a coastal bluff, the following shall apply:

1) through 4) [No change.]

5) All drainage from the improvements of the site shall be directed away from any bluff and either into an existing or newly improved public storm drain system or onto a street developed with a gutter system or right of way designated to carry surface drainage run-off.

2. [No change.]

E. SENSITIVE COASTAL RESOURCE OVERLAY ZONE

PERMIT PROCEDURE

1. through 5. [No change.]

6. Conditions of Permit Approval. In approving the issuance of an SCR Permit, the Planning Director (or Planning Commission or City Council on appeal) shall impose conditions as deemed necessary or desirable to enable the required findings of fact to be fairly made and/or to be sustained in their validity. The conditions imposed shall, where applicable, include but need not be limited to the following:

a. through c. [No change.]

d. Where a shoreline protective device, cliff-retaining wall, air-placed concrete or similar erosion control measure is proposed, the permittee shall, prior to the approval of the SCR Permit, execute and record a waiver of public liability for the approved development. Where a proposed erosion control measure would encroach upon or affect any portion of property owned by The City of San Diego, the permittee shall provide written permission from the City Manager prior to the approval of the SCR Permit. Documentation of this approval shall be recorded with the conditions of permit approval.

e. [No change.]

7. through 10. [No change.]

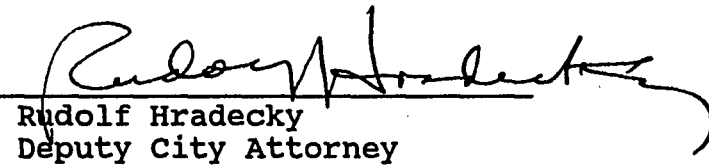
Section 2. This ordinance shall take effect and be in force on the thirtieth day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall not be applicable within the Coastal Zone pending further action of the City Council.

Section 3. No permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefore was made prior to the date the California Coastal

Commission unconditionally certified this ordinance as a local coastal program amendment.

APPROVED: JOHN W. WITT, City Attorney

By

  
Rudolf Hradecky  
Deputy City Attorney

FCC:RH:lc

06/02/92

06/19/92 COR. COPY

06/29/92 COR. COPY

07/01/92 REV. 1

07/10/92 REV. 2

07/15/92 REV. 3

Or. Dept: Plan.

O-92-157

Form=o+t

51c

JUL 13 1992

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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By: *Linda Luzano*, 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  
**JUN 30 1992**, and on **JUL 13 1992**

~~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: *Linda Luzano*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <b>0-17802</b>	Adopted <b>JUL 13 1992</b>



CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
22 JUL 29 AM 11:13  
SAN DIEGO, CALIF.

OFFICE OF THE CITY CLERK  
CITY ADMINISTRATION BUILDING  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

EROSION CONTROL METHODS FOR THE SENSITIVE  
COASTAL RESOURCE OVERLAY ZONE

I, Corey Donahue, 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-17802 (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:

JULY 27

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

Dated at San Diego, California this 27th day of JULY, 1992.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)

**ORDINANCE NUMBER O-17802 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 101.0480 RELATING TO EROSION CONTROL METHODS FOR THE SENSITIVE COASTAL RESOURCE OVERLAY ZONE.  
This ordinance amends the provisions of the Sensitive Coastal Resource Overlay Zone, Municipal Code section 101.0480, to provide regulations relating to the installation of erosion control facilities.  
A complete copy of this ordinance is available for inspection in the office of the City Clerk, City Administration Building, 202 C Street, 2nd floor, San Diego, CA 92101.  
INTRODUCED ON June 30, 1992.  
Passed and Adopted by the Council of the City of San Diego on July 13, 1992.  
AUTHENTICATED BY:  
MAUREEN O'CONNOR  
Mayor of The City of San Diego, CA  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, CA  
(SEAL)  
By Linda Lugano, Deputy  
Pub. July 27 254652

4 3/8" = 58.08