

ORDINANCE NUMBER O- 17828 (NEW SERIES)
ADOPTED ON SEP 14 1992

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,
DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 103.0101 RELATING TO
PLANNED DISTRICT PUBLIC NOTICING
REQUIREMENTS.

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

Section 1. That Chapter X, Article 3, Division 1, of the San Diego Municipal Code be and the same is hereby amended by amending Section 103.0101, to read as follows:

SEC. 103.0101 Definitions and Procedures

A. through D. [No change.]

E. NOTICE OF HEARING

Upon receipt of an application filed pursuant to Section 103.0101(D), the Planning Commission shall set a date for a public hearing and give notice of time, place and purpose of such hearing, by:

1. [No change.]
2. Depositing in the United States mail, postage prepaid, at least ten (10) calendar days prior to the date of the hearing, a notice addressed to the owner of each parcel of land within the boundaries of the proposed Planned District and to the owner of each parcel of land within three hundred (300) feet of the boundaries

of the proposed Planned District. If the number of owners to whom the notice would be mailed or delivered pursuant to this paragraph is greater than 1,000, in lieu of the mail or delivered notice a one-eighth page notice may be published in a newspaper of general daily circulation within the City not less than ten (10) calendar days prior to the date of the hearing. This notice shall be published in a newspaper meeting the requirements of San Diego City Charter section 113. In addition to the notice in a newspaper of general circulation, 1/8 page notices shall also be published in community-based newspapers.

The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice.

3. Notice required in Section 103.0101(E)(2) shall be headed "NOTICE OF PUBLIC HEARING" in letters not less than one-quarter inch in height. The notice shall briefly describe the boundaries of the proposed Planned District and shall state that the Planning Commission, at the conclusion of the hearing, reserves the right to make any of the following findings to the City Council:

a. That all or any portion of the property be placed in a Planned District and

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CITY CLERK'S OFFICE

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that appropriate development controls be made applicable to the said property.

b. That none of the property be placed in a Planned District.

4. In addition to the notices required by Section 103.0101(E)(1) and (E)(2), the City may publish notice in a newspaper of general or limited circulation that serves the community or communities affected by the proposed action(s).

5. A copy of the notice prescribed in Section 103.0101(E)(3) shall also be mailed to each officially recognized community planning group for the area or areas concerned and to any individuals, groups or newspapers which request such notice. However, any failure to provide the notice specified in this Section 103.0101(E)(5) is not a procedural defect and does not impair the validity of the notice provided for in Section 103.0101(E)(3).

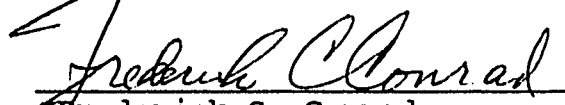
F. through L. [No change.]

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, however, the provisions of this ordinance shall not be applicable within the Coastal Zone until 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 be null and

void within the Coastal Zone pending further action of the City Council.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
07/10/92
08/05/92 REV. 1
08/10/92 REV. 2
Or.Dept:Plan.
O-93-10
Form=o+t

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~
NEW LANGUAGE: ~~Redlined~~

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0101 RELATING TO PLANNED DISTRICT PUBLIC NOTICING REQUIREMENTS.

SEC. 103.0101 Definitions and Procedures

A. through D. [No change.]

E. NOTICE OF HEARING

Upon receipt of an application filed pursuant to ~~paragraph "D." of this section, Section 103.0101(D),~~ the Planning Commission shall set a date for a public hearing and give notice of time, place and purpose of such hearing, by:

1. [No change.]

2. Depositing in the United States mail, postage prepaid, at least ten (10) calendar days prior to the date of the hearing, a notice addressed to the owner of each parcel of land within the boundaries of the proposed Planned District and to the owner of each parcel of land within ~~three hundred (300) feet of the boundaries of the proposed Planned District. If the number of owners to whom the notice would be mailed or delivered pursuant to this paragraph is greater than 1,000, in lieu of the mail or delivered notice a one-eighth page notice may be published in a newspaper of general daily circulation within the City not less than ten (10) calendar days prior to the date of~~

the hearing. This notice shall be published in a newspaper meeting the requirements of San Diego City Charter section 113. In addition to the notice in a newspaper of general circulation, 1/8 page notices shall also be published in community-based newspapers.

The last known name and address of each owner as shown on the records of the County Assessor may be used for this notice.

3. Notice required in paragraph "E.2." of this section Section 103.0101(E)(2) shall be headed "NOTICE OF PUBLIC HEARING" in letters not less than one-quarter inch in height. The notice shall briefly describe the boundaries of the proposed Planned District and shall state that the Planning Commission, at the conclusion of the hearing, reserves the right to make any of the following findings to the City Council:

1-a. That all or any portion of the property be placed in a Planned District and that appropriate development controls be made applicable to the said property.

2-b. That none of the property be placed in a Planned District.

4. In addition to the notices required by Section 103.0101(E)(1) and (E)(2), the City may publish notice in a newspaper of general or limited circulation that serves the community or communities affected by the proposed action(s).

5. A copy of the notice prescribed in Section 103.0101(E)(3) shall also be mailed to each officially

recognized community planning group for the area or areas concerned and to any individuals, groups or newspapers which request such notice. However, any failure to provide the notice specified in this Section 103.0101(E)(5) is not a procedural defect and does not impair the validity of the notice provided for in Section 103.0101(E)(3).

F. through L. [No change.]

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07/10/92
08/05/92 REV. 1
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Or.Dept:Plan.
SO-93-10
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t 50
(a)

Passed and adopted by the Council of The City of San Diego on SEP 14 1992
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 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"/>
Valerie Stallings	<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.

(Seal)

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

By [Signature], 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 JUL 28, 1992, and on SEP 14 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.

(Seal)

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

By [Signature], Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-17828</u>	SEP 14 1992
Adopted	

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CITY CLERK'S OFFICE
SAN DIEGO, CA

CERTIFICATE OF PUBLICATION

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CITY OF SAN DIEGO
22 SEP 29 AM 9:45
SAN DIEGO, CALIF.

Ch

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

IN THE MATTER OF

NO.

PLANNED DISTRICT PUBLIC NOTICING REQUIREMENTS

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-17828 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.0101 RELATING TO PLANNED DISTRICT PUBLIC NOTICING REQUIREMENTS.
This ordinance amends Municipal Code section 103.0101 to provide that in those cases where notices of public hearings would result in mailed notices being sent to over 1,000 addressees, the City may, as an alternative, provide notice of public hearings by publishing such notices in a newspaper of general circulation and may provide additional publication in a newspaper of limited circulation within the affected community.
INTRODUCED ON 8/10/92
Passed and Adopted by the Council of the City of San Diego on 9/14/92.
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 Suzanne Oliva, Deputy
Pub. Sept. 28 257379

ORDINANCE NUMBER O-17828 (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:

SEPTEMBER 28

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

Dated at San Diego, California this 28th day of SEPT., 1992.

Corey Donahue

(Signature)

4" = 56.32