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(0-93-156)

ORDINANCE NUMBER O- 17919 (NEW SERIES)

ADOPTED ON JUN 01 1993

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 62.0206 RELATING TO PUBLIC IMPROVEMENTS INCIDENTAL TO A BUILDING PERMIT OR STRUCTURE.

WHEREAS, May 18, 1993, has been declared "Regulatory Relief Day"; and

WHEREAS, one purpose of Regulatory Relief Day is to streamline and consolidate, where appropriate, the City's land use and environmental regulatory procedures; and

WHEREAS, the Building Inspection Department has reviewed San Diego Municipal Code section 62.0206 having to do with public improvements incidental to a building permit or structure, and has suggested several amendments to the code section to streamline the regulatory process; NOW, THEREFORE,

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

Section 1. That Chapter VI, Article 2, Division 2, of the San Diego Municipal Code be and the same is hereby amended by amending Section 62.0206, to read as follows:

SEC. 62.0206 Public Improvements Incidental to a Building Permit or Structure

(a) No building or structure shall be erected or enlarged, and no building permit shall be issued therefor, unless the streets and alleys adjacent to such lot have been

dedicated and improved along the abutting frontage to the then prevailing standards of The City of San Diego; provided, however, that in Centre City said prevailing standards shall be supplemented by the standards of the Urban Design Program. (San Diego Municipal Code section 62.0102)

Street improvements shall include but not be limited to curbs, gutters, sidewalk, pedestrian access ramps, and half width paving. Alley improvements shall consist of full width paving. Where such improvements do not exist or are not to the prevailing standard, a building permit may, nevertheless, be issued under any of the following circumstances after any needed dedication has been granted:

1. When a permit for the required improvements has been issued in accordance with the provisions of this Code, provided, however, that the public improvements covered by such permit shall be installed and accepted prior to final inspection by the Building Official of the structure permitted under the building permit.

2. When improvements constructed to less than the prevailing standard exist and the Permit Issuing Authority finds that they are in substantial conformance with the requirements of this section.

3. When the Permit Issuing Authority determines that the amount of work associated with the requested building permit is of such limited scope that it should be deferred until such time as adjacent improvements are installed.

Whenever it is determined that the abutting public improvements are to be deferred, no building permit shall, nevertheless, be issued until the property owner executes a waiver of his, or any successor is in interest, right to protest a future assessment project for installation of the required improvements, said waiver to be recorded against the property on which the building permit is issued.

(b) The provisions of section 67.0206 shall not apply to:

1. The construction of accessory buildings such as residential garages.

2. The construction of accessory structures such as swimming pools or patio decks.

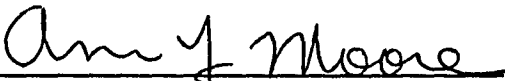
3. The alteration of existing buildings where the proposed improvements have a total value, as estimated by the Building Official of \$50,000 or less, provided, however, that in Centre City the value threshold shall be \$250,000.

4. Neighborhood revitalization projects operated by the City Housing Commission.

5. The construction of residential additions of less than or equal to 500 square feet in floor area.

Section 2. 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 
Ann Y. Moore
Deputy City Attorney

AYM:ps
04/28/93
Or.Dept:Bldg.Insp.
O-93-156
Form=o+t

OLD LANGUAGE STRUCKOUT
NEW LANGUAGE UNDERLINED

(O-93-156)

STRIKEOUT ORDINANCE

**SEC. 62.0206 Public Improvements Incidental to a Building
Permit or Structure**

(a) No building or structure shall be erected or enlarged, and no building permit shall be issued therefor, ~~on any R-1 or less restrictively zoned lot as such zones are set forth in Chapter X of this Municipal Code~~ unless the streets and alleys adjacent to such lot have been dedicated and improved along the abutting frontage to the then prevailing standards of The City of San Diego; provided, however, that in Centre City said prevailing standards shall be supplemented by the standards of the Urban Design Program. (San Diego Municipal Code section 62.0102)

Street improvements shall include but not be limited to curbs, gutters, sidewalk, pedestrian access ramps, and half width paving. Alley improvements shall consist of full width paving. Where such improvements do not exist or are not to the prevailing standard, a building permit may, nevertheless, be issued under any of the following circumstances after any needed dedication has been granted:

1. When a permit for the required improvements has been issued in accordance with the provisions of this Code, provided, however, that the public improvements covered by such permit shall be installed and accepted

prior to ~~the issuance~~ final inspection by the Building Official of a ~~Certificate of Occupancy~~ for the structure permitted under the building permit.

2. When improvements constructed to less than the prevailing standard exist and the Permit Issuing Authority finds that they are in substantial conformance with the requirements of this section.

3. When the Permit Issuing Authority determines that the amount of work associated with the requested building permit is of such limited scope that it should be deferred until such time as adjacent improvements are installed.

Whenever it is determined that the abutting public improvements are to be deferred, no building permit shall, nevertheless, be issued until the property owner executes a waiver of his, or any successor is in interest, right to protest a future assessment project for installation of the required improvements, said waiver to be recorded against the property on which the building permit is issued.

(b) The provisions of ~~this~~ section 67.0206 shall not apply to:

1. The construction of accessory buildings such as residential garages.

2. The construction of accessory structures such as swimming pools or patio decks.

3. The alteration of existing buildings where the proposed improvements have a total value, as estimated by the Building Official of ~~\$20,000~~ \$50,000 or less,

provided, however, that in Centre-City the value threshold shall be \$250,000.

4. Neighborhood revitalization projects operated by the City Housing Commission.

5. The construction of residential additions of less than or equal to 500 square feet in floor area.

Passed and adopted by the Council of The City of San Diego on JUN 01 1993
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING
 Mayor of The City of San Diego, California.

(Seal)

CHARLES C. 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 MAY 18 1993, and on JUN 01 1993

~~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 C. ABDELNOUR
 City Clerk of The City of San Diego, California.
 By [Signature], Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-17919</u>	Adopted <u>JUN 01 1993</u>

RECEIVED
CITY CLERK'S OFFICE
93 MAY -5 PM 4:54
SAN DIEGO, CALIF.

MAY 1993

MAY 18 1993

MAY 18 1993

MAY 18 1993

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
93 JUN 16 AM 9:46
SAN DIEGO, CALIF.

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

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2...

ORDINANCE NUMBER O-17919 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 62.0206 RELATING TO PUBLIC IMPROVEMENTS INCIDENTAL TO A BUILDING PERMIT OR STRUCTURE.
This ordinance amends Chapter VI, Article 2, Division 2, of the San Diego Municipal Code by amending section 62.0206 to increase the threshold in project valuation before requiring repair or improvement of the right-of-way.
A copy of the full text of the ordinance is on file in the Office of the City Clerk of the City of San Diego, second floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, second floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Passed and adopted by the Council of the City of San Diego on JUN 01 1993.
AUTHENTICATED BY:
SUSAN GOLDING
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
By Suzanne Oliva, Deputy
Pub. June 16 274874

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-17919 (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:

JUNE 15

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

Dated at San Diego, California this 15th day of JUNE, 19 93.

Corey Donahue

(Signature)

2 1/4 " x 2 = \$ 64.00