

515

(0-93-177) COR. COPY
07/12/93

ORDINANCE NUMBER O- 17980 (NEW SERIES)
ADOPTED ON SEP 13 1993

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,
DIVISION 22, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 103.2203 RELATING TO THE
SAN YSIDRO IMPLEMENTING ORDINANCE.

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

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

WHEREAS, the Planning Department has reviewed San Diego
Municipal Code section 103.2201 et seq. having to do with the San
Ysidro Implementing Ordinance, 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 10, Article 3, Division 22, of the
San Diego Municipal Code be and the same is hereby amended by
amending Section 103.2203, to read as follows:

SEC. 103.2203 Applicable Requests

A. and B. [No change.]

C. ADMINISTRATIVE REVIEW

The Planning Director may conduct further review
and approve or deny an application for an exception
from the provisions of the San Ysidro Implementing

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The Planning Director may conduct further review
and approve or deny an application for an exception
from the provisions of the San Ysidro Implementing

Ordinance in accordance with "Process Two," when the application is for limited relief in the case of new construction or remodeling which would result in a finished product (all structures on the premises) deviating twenty percent (20%) or less from applicable development regulation pertaining to: required yards or setbacks, offsetting planes, or coverage. However, the Planning Director shall require additional landscaping that may be feasibly placed on the site or parkway according to City-wide landscape standards, and/or other architectural features or improvements.

The Planning Director shall in no case provide Administrative Review or approve an application for an exception from floor area ratio, height, density, amount of parking, or use.

The decision of the Planning Director shall be based upon substantial conformance with the regulations and the Purpose and intent of the San Ysidro Implementing Ordinance. The granting of a deviation shall be for the purpose of providing design flexibility resulting in a project which benefits surrounding properties and the community.

The Planning Director's decision may be appealed to a Hearing Officer in accordance with Section 111.0504.

D. SAN YSIDRO DEVELOPMENT PERMIT

1. A San Ysidro Development Permit shall be required for:

a. through e. [No changes.]

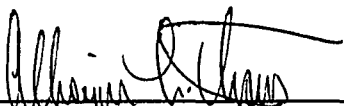
f. Variances from development standards not covered in Section 103.2203(C), or requests for deviations in excess of twenty percent (20%) of standards listed in Section 103.2203(C).

2. through 6. [No changes.]

E. through G. [No changes.]

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 
Allisyn L. Thomas
Deputy City Attorney

ALT:lc
06/02/93
07/07/93 COR.COPY
07/12/93 COR.COPY
Or.Dept:Plan.
O-93-177
Form=o+t

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~
NEW LANGUAGE: ~~Shaded~~

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3,
DIVISION 22, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 103.2203 RELATING TO THE
SAN YSIDRO IMPLEMENTING ORDINANCE.

SEC. 103.2203 Applicable Requests

A. and B. [No change.]

C. ~~VARIANCE AND DEVELOPMENT ADMINISTRATIVE REVIEW~~

~~Applications for variance to the development standards of this Division, for ministerial projects defined by Section 103.2203(B) above, shall be made pursuant to Section 191.0402 of the Municipal Code.~~

~~On an individual project basis, an application for a variance may be approved when one or more of the following situations is applicable: (1) due to special conditions, or exceptional characteristics of the property, or of its location or surroundings, strict interpretation of the criteria of this ordinance would result in unusual difficulties or unnecessary hardship or would be inconsistent with the general purpose of this ordinance; or (2) a superior design can be achieved by altering the adopted standards; or (3) conformance with the "Guidelines for Discretionary Review" necessitates deviation from the adopted standards.~~

~~The Planning Director may conduct further review and approve or deny an application for an exception from the provisions of the San Ysidro Implementing Ordinance in accordance with "Process~~

Two," when the application is for limited relief in the case of new construction or remodeling which would result in a finished product (all structures on the premises) deviating twenty percent (20%) or less from applicable development regulation pertaining to: required yards or setbacks, offsetting planes, or coverage. However, the Planning Director shall require additional landscaping that may be feasibly placed on the site or parkway according to City-wide landscape standards, and/or other architectural features or improvements.

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a. through e. [No changes.]

f. Variances from development standards not covered in ~~paragraph~~ Section 103.2203(C), or requests

for deviations in excess of twenty percent (20%) of standards listed in paragraph ~~Section 103.2203(C)~~.

2. through 6. [No changes.]

E. through G. [No changes.]

ALT:lc:pev:js
05/26/93
07/07/93 COR.COPY
07/12/93 COR.COPY
Or.Dept:Plan.
O-93-177
Form=o+t

RECEIVED
93 JUL 29 AM 11:45
CITY CLERK'S OFFICE
SAN DIEGO, CA

Passed and adopted by the Council of The City of San Diego on **SEP 13 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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 G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By *Charles G. Abdelnour*, 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

AUG 10 1993

SEP 13 1993

....., and on

~~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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **17980** Adopted **SEP 13 1993**

515

RECEIVED

RECEIVED

RECEIVED
93 JUL 29 AM 11:45
CITY CLERKS OFFICE
SAN DIEGO, CA

RECEIVED

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK
93 OCT -1 AM 10:37
SAN DIEGO, CALIF.

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

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION...

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 0-17980 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3, DIVISION 22, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 103.2203 RELATING TO THE SAN YSIDRO IMPLEMENTING ORDINANCE.
This ordinance allows the Planning Director to approve or deny, under "Process Two," exceptions to the San Ysidro Implementing Ordinance, in which construction or remodeling would result in a twenty percent (20%) or less deviation from certain set out development regulations, and the exception shall be for the purpose of providing design flexibility that results in a project which benefits the surrounding properties and the community.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
INTRODUCED ON AUG 10 1993
Passed and Adopted by the Council of The City of San Diego on SEP 13 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
(SEAL) By RHONDAR BARNES, Deputy
Pub. Sept. 28 278895

ORDINANCE NUMBER 0-17980 (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:

SEPT. 28

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

Dated at San Diego, California this 28th day of SEPT., 1993.

Corey Donahue
(Signature)

2 1/2" x 2 = \$ 66.50