

51 (F)
(O-2012-86)
4/1/24

ORDINANCE NUMBER O- 20157 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 07 2012

AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 11, DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 1511.0202 AND 1511.0204; AMENDING CHAPTER 15, ARTICLE 11, DIVISION 3 BY AMENDING SECTION 1511.0302, ALL RELATING TO THE MARINA PLANNED DISTRICT.

WHEREAS, the City Council of the City of San Diego has, by ordinance, determined that certain land use processing and approvals required participation or approvals by the Redevelopment Agency of the City of San Diego; and

WHEREAS, due to the passage of Assembly Bill x1 26 (AB 26), Statutes of 2011, the Redevelopment Agency of the City of San Diego was dissolved, effective February 1, 2012; and

WHEREAS, amendments are now necessary to remove reference to the authority of the Redevelopment Agency of the City of San Diego to review or approve development projects;

NOW, THEREFORE,

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

Section 1. That Chapter 15, Article 11, Division 2 of the San Diego Municipal Code is amended by amending sections 1511.0202 and 1511.0204, to read as follows:

§1511.0202 Marina Planned District Permit Process

- (a) Permit Required

[No change in text.]

- (b) Application for Marina Planned District Permit

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(1) A Marina Planned District Permit shall be issued after the applicant has completed a three-step design review process consisting of the submission of:

(A) through (B) [No change in text.]

(C) One hundred percent Construction Drawings.

CCDC may issue a Marina Planned District Permit after review of the drawings based on the size of the project or the nature of the improvement CCDC may, at its discretion, consolidate Steps 2 or 3 to facilitate review of the project.

(2) [No change in text.]

(c) Review Procedures.

Application for a Marina Planned District Permit shall begin with the applicant's submission of Basic Concept/Schematic Drawings to CCDC. Basic Concept/Schematic Drawings shall be reviewed according to the following process:

(1) [No change in text.]

(2) The City Council shall review all projects that request or require financial assistance, are governed by either a Disposition and Development Agreement or an Owner Participation Agreement, or request an exception to the Marina Planned District Ordinance.

(3) [No change in text.]

(d) Determination -- Conditions of Approval

The approval, modification or disapproval of Basic Concept/Schematic Drawings shall be as follows:

- (1) [No change in text.]
- (2) CCDC shall advise the City Council and the City Council may approve, modify or disapprove any application for a Marina Planned District Permit, described in Section 1511.0202(c)(2), which has been initiated by the submission of Basic Concept/Schematic Drawings. In recommending approval of a Marina Planned District Permit, CCDC may propose to the City Council reasonable conditions to ensure compliance with these regulations.

(e) through (h) [No change in text.]

§1511.0204 Exceptions to the Provisions of the Marina Planned District Ordinance Regulations

- (a) The CCDC may recommend and the City Council may approve permit exceptions from certain limits, restrictions and controls of this Planned District Ordinance as provided in Sections 1511.0302(b)(3) and 1511.0302(c).
- (b) [No change in text.]
- (c) Review Procedures
Application for exceptions to the provisions of the Marina Planned District Ordinance regulations shall follow the review procedures outlined in Section 1511.0202(c), with the following additional requirements:
Two public hearings are required, the first before CCDC's Board of Directors and the subsequent hearing before the City Council. Notice shall

be given at least 10 working days prior to the hearing of the time, place and purpose of the hearing in the following manner:

(1) through (2) [No change in text.]

Section 2. That Chapter 15, Article 11, Division 3 of the San Diego Municipal Code is amended by amending section 1511.0302, to read as follows:

§1511.0302 Property Development Regulations

(a) Planning Standards and Urban Design Guidelines.

Architectural and design standards titled, "Marina Urban Design Plan and Development Guidelines," on file in the office of the City Clerk as Document No. OO-17123, are to be used in the evaluation of the appropriateness of any development for which a permit is applied under this Planned District Ordinance.

(b) Regulations

The following regulations shall apply to the specific areas as indicated:

(1) through (3) [No change in text.]

(4) Conditions for Exceptions to FAR

(A) through (B) [No change in text.]

(C) Exceptions to either FAR or mixed land use standards may be recommended by CCDC's Board and approved by the City Council in accordance with Section 1511.0204, where the project complies with the development standards contained in this Planned District Ordinance and the Marina Urban Design Plan and Development Guidelines provided that three of the following seven conditions set

forth in Section 1511.0302(b)(4)(C)(i) through (vii) are met.

In the event that exceptions are requested for both land use mix and FAR, four of the seven conditions set forth in Section 1511.0302(b)(4)(C)(i) through (vii) must be met.

(i) through (vi) [No change in text.]

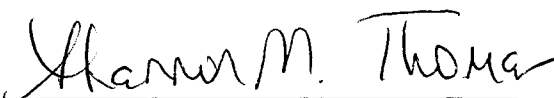
(vii) No financial assistance involving Community Redevelopment Law funds, excluding off-site public improvements, is required for the project.

(c) [No change in text.]

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this ordinance applicable inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

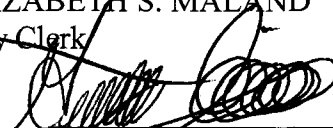
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
3/12/2012
Or.Dept:DSD

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 24 2012.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5-7-12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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TO: S. MALAND
FROM: JERRY SANDERS
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