

ORDINANCE NO.9246 (NEW SERIES)

**AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE,
THE BIOLOGICAL MITIGATION ORDINANCE AND THE ZONING ORDINANCE,
RELATING TO THE UPPER SAN DIEGO RIVER IMPROVEMENT PROJECT**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that certain provisions of the Resource Protection Ordinance, the Biological Mitigation Ordinance and The Zoning Ordinance require amendment or deletion. These amendments will assist in the preservation of the San Diego River and its associated habitats and archaeological resources in the community of Lakeside, and will continue the process of restoring the San Diego River to its former biological status.

Section 2. Section 6 of Article V of Ordinance No. 7631, the "Resource Protection Ordinance" (as amended by Ordinances Nos. 7685, 7739 and 7968 [All N.S]), is amended to read as follows:

6. Any project located within the RiverWay Specific Plan boundaries, except that Article IV, Section 7 of this ordinance shall apply thereto.

Section 3. Paragraph (7) of Section A of Article III of the Biological Mitigation Ordinance is hereby deleted, and paragraphs (8) through (12) of said Section A are hereby renumbered as paragraphs (7) through (11), respectively.

- A. This Ordinance shall not apply to the following:

(1. through 6. no change)

Section 4. Section 6878 of The Zoning Ordinance is hereby repealed.

Section 5. Section 5454 of The Zoning Ordinance is hereby amended, to read as follows:

5454 REMOVAL OF FLOOD CHANNEL DESIGNATOR.

If the Director of Public Works determines, based on a written certification from a registered civil engineer, that a parcel is no longer subject to inundation due to the construction of flood control structures or facilities in accordance with Section 5462 and any adopted flood control plan, the Director of Public Works shall waive the application of Sections 5464 through 5472 as to that parcel.

Section 6. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 13th day of September, 2000.