

Ordinance No. 9312 (N.S.)

AN ORDINANCE AMENDING THE ZONING ORDINANCE,
TO REQUIRE APPLICATIONS FOR SITE PLANS
AND MAJOR USE PERMITS TO BE ACCOMPANIED
BY GRADING PLANS

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

Section 1. Purpose and Intent. It is the intention of the Board of Supervisors in enacting this ordinance, to improve the identification, analysis and mitigation of land use, water quality and environmental impacts of development projects by requiring that applications for site plans and major use permits be accompanied by grading plans which will more precisely depict the location and extent of areas of disturbance and the measures to be employed to mitigate impacts.

Section 2. Section 7153 is hereby added to the Zoning Ordinance, to read as follows:

7153 GRADING PLAN REQUIRED.

An application for a Site Plan shall be accompanied by a grading plan conforming to all requirements of Section 87.203 of the San Diego County Code, except that it shall not be required to show the estimated starting and completion dates. The level of detail required may be less than would be required for actual construction, but shall be sufficient to permit analysis of all onsite and offsite environmental impacts and mitigation measures (including Best Management Practices). The authority considering the application for a site plan shall also consider the grading plan, and if the site plan is approved or conditionally approved, a note shall be affixed to the grading plan to identify it as the grading plan which was a basis for approval of the site plan. Any grading permit obtained pursuant to the Grading Ordinance (Section 87.101 and following of this Code) for the project shall conform to the grading plan thus identified, and any substantial deviation therefrom shall require an amendment to the grading plan pursuant to the Grading Ordinance.

Section 3. Section 7354 of the Zoning Ordinance is hereby amended, to read as follows:

An application for the granting of a use permit shall be made as follows:

- a. Persons Eligible. The following persons shall be eligible to apply for the granting of a use permit.
 1. A property owner.
 2. A lessee upon written approval of the property owner.
 3. A person authorized to exercise the power of eminent domain.
- b. Required Documents. An application for the granting of a use permit shall be accompanied by the following documents:
 1. A list of the names of all persons having an interest in the application as well as the names of all persons having any ownership interest in the property involved. If any person identified pursuant to this provision is a corporation or partnership, the names of all persons owning more than 10 percent of the shares in the corporation or owning any partnership interest in the partnership shall be listed. If any person identified pursuant to this provision is a non-profit organization or trust, the names of all persons serving as directors of the non-profit organization or as beneficiaries, trustees and trustors of the trust shall be listed.
 2. Complete plans and description of the property involved and the proposed use permit, including a plot plan and for major use permits, a grading plan which conforms to all requirements of Section 87.203 of the San Diego County Code, except that it shall not be required to show the estimated grading starting and completion dates. The level of detail required may be less than would be required for actual construction, but shall be sufficient to permit analysis of all onsite and offsite environmental impacts and mitigation measures (including Best Management Practices). The authority considering the application for a major use permit shall also consider the grading plan, and if the major use permit is approved or conditionally approved, a note shall be affixed to the grading plan to identify it as the grading plan which was a basis for approval of the major use permit. Any grading permit obtained pursuant to the

Grading Ordinance (Section 87.101 and following of this Code) for the project shall conform to the grading plan thus identified, and any substantial deviation therefrom shall require an amendment to the grading plan pursuant to the Grading Ordinance.

3. Satisfactory evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with the requested use permit within 6 months after it is granted.
4. The appropriate environmental impact review document, as provided by Section 7610.
5. In the case of an application for a Mobilehome Park to be pursuant to the Regional Land Use Element Policy 3.8, evidence satisfactory to the Director that the authorization for filing has been obtained as required by any applicable Board Policy.

c. Application Form, Filing and Fee. An application for the granting or modifying of a use permit shall be made on the prescribed form and shall be filed with whoever has jurisdiction as provided by Section 7352, and shall be accompanied by the fee referenced in Section 7602.

Section 4. Effective Date & Publication. 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.

COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF SAN DIEGO

W Taylor 2-1-01

PASSED, APPROVED and ADOPTED this 14th day of February, 2001, Minute Order No. 3.

BILL HORN, CHAIRMAN
Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Slater, Roberts

ABSENT: Horn

ATTEST my hand and the seal of the Board of Supervisors
this 14th day of February 2001.



THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By *Denise McClendon*
Denise McClendon, Deputy