

ORDINANCE NUMBER O- 20863 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 25 2017

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2, DIVISION 5 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 112.0504, 112.0506, 112.0508, AND 112.0520; AMENDING CHAPTER 11, ARTICLE 2, DIVISION 6 BY AMENDING SECTION 112.0603, RELATING TO ADMINISTRATIVE APPEAL PROCEDURES.

WHEREAS, the California Environmental Quality Act (CEQA) requires that when an approval of an environmental document or determination that a project is not subject to CEQA is made by a nonelected decision-making body, that approval or determination must be appealable to the elected decision-making body, if any; and

WHEREAS, CEQA allows agencies to establish their own CEQA appeal procedures; and

WHEREAS, the City of San Diego currently does not have any regulations in place to address those circumstances where an appeal is withdrawn, which causes hearings to be held unnecessarily; and

WHEREAS, the City of San Diego intends to amend its CEQA appeal procedures to provide procedural certainty when a CEQA appeal is withdrawn, specifically stating that no hearing will be held if the appeal is withdrawn; and

WHEREAS, because this same efficiency measure is also important to project appeals made to the Planning Commission and to the City Council, the same amendments are proposed to those respective appeal provisions; and

WHEREAS, in order to ensure that appeal hearings are held in a timely manner to facilitate resolution of the issues for all involved parties, the City desires to require the appeal hearing to be held within a certain timeframe; NOW, THEREFORE,

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

Section 1. That Chapter 11, Article 2, Division 5 of the San Diego Municipal Code is amended by amending sections 112.0504, 112.0506, 112.0508, and 112.0520, to read as follows:

**§112.0504 Process Two Appeal Hearing**

(a) The Planning Commission shall hear appeals of Process Two decisions subject to the following requirements, unless otherwise specified in the Land Development Code.

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

(4) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the Planning Commission. The withdrawal of the appeal must be filed in writing with the City Manager. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

(5) Scheduling an Appeal Hearing. The City Manager shall assign a date for an appeal hearing before the Planning Commission no later than 10 calendar days after the date on which an application for the appeal hearing is filed with the City Manager. The appeal hearing shall be held no later than 60 calendar days after the date on which the application for an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled Planning Commission meeting, in which case the appeal hearing shall be held at the first regularly scheduled meeting after the 60 calendar days have passed. Failure to hold the hearing within the

60 calendar days shall not limit the authority of the Planning Commission to consider the appeal. The appeal hearing shall be noticed in accordance with Section 112.0308.

(6) Power to Act on the Decision at Appeal Hearing. At the conclusion of the appeal hearing, the Planning Commission may affirm, reverse, or modify the staff decision.

(b) Exception. Where the Land Development Code specifies that the City Council is the appeal body for a Process Two decision Sections 112.0504(a)(5) and 112.0504(a)(6) shall not apply. Instead, the scheduling of the appeal hearing and the power to act on the decision at the appeal hearing shall be in accordance with Sections 112.0508(d) and 112.0508(e).

**§112.0506 Process Three Appeals**

The Hearing Officer's decision may be appealed to the Planning Commission, as specified in Chapter 12, Article 6 for the type of *development* and review required. An appeal from a Hearing Officer's decision that involves applications consolidated in accordance with Section 112.0103 shall be heard by the Planning Commission. An appeal from a Process Three decision shall be made in the following manner.

(a) through (c) [No change in text.]

(d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the Planning Commission. The withdrawal of the appeal must be filed in writing with the City Manager. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the

appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

- (e) Scheduling the Appeal Hearing. The appeal hearing before the Planning Commission shall be held no later than 60 calendar days after the date on which the application for an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled Planning Commission meeting, in which case the appeal hearing shall be held at the first regularly scheduled meeting after the 60 calendar days have passed. However, appeal hearings regarding tentative maps shall be held no later than 30 calendar days after the date on which the application for the appeal is filed, unless no regularly scheduled Planning Commission meeting will be held within the 30 days for which notice can be provided pursuant to Section 112.0208 and to any tenant, in which case the hearing shall be held as follows: (1) at the next regularly scheduled Planning Commission meeting for which the above notice can be provided, or (2) within 60 calendar days of the date on which the application for the appeal is filed, whichever is shorter. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the Planning Commission to consider the appeal. The appeal hearing shall be noticed in accordance with Section 112.0308.
- (f) Power to Act on Appeal. After the conclusion of the public hearing, the Planning Commission may affirm, reverse, or modify the decision being appealed.

**§112.0508 Process Four Appeals**

The Planning Commission's decision may be appealed to the City Council in the following manner.

- (a) through (c) [No change in text.]
- (d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the City Council. The withdrawal of the appeal must be filed in writing in the Office of the City Clerk. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.
- (e) Scheduling Appeal Hearings. The appeal hearing before the City Council shall be held no later than 60 calendar days after the date on which the application for an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled City Council meeting, in which case the appeal hearing shall be held at the first regularly scheduled City Council meeting after the 60 calendar days have passed. However, appeal hearings regarding tentative maps shall be held no later than 30 calendar days after the date on which the application for the appeal is filed, unless no regularly scheduled City Council meeting will be held within the 30 days for which notice can be provided pursuant to Section 112.0208 and to any tenant, in which case the hearing shall be held as follows: (1) at the next regularly scheduled City Council meeting for which the above notice can be provided, or (2) within 60 calendar days of the date on which the

application for the appeal is filed, whichever is shorter. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the City Council to consider the appeal. The appeal hearing shall be noticed in accordance with Section 112.0308.

- (f) Power to Act on Appeal. After the conclusion of the public hearing, the City Council may affirm, reverse, or modify the decision being appealed.

**§112.0520 Environmental Determination Appeals**

(a) through (b) [No change in text.]

- (c) Scheduling Appeal Hearings. The appeal hearing before the City Council shall be held no later than 60 calendar days after the date on which the application for an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled City Council meeting, in which case the appeal hearing shall be held at the first regularly scheduled City Council meeting after the 60 calendar days have passed. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the City Council to consider the appeal. The appeal hearing shall be noticed in accordance with Section 112.0308.
- (d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the City Council. The withdrawal of the appeal must be filed in writing in the Office of the City Clerk. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.



- (e) Power to Act on Appeal. After the conclusion of the public hearing, the City Council may take action as follows:
  - (1) By majority vote deny the appeal, approve the *environmental determination* and adopt the CEQA findings and statement of overriding considerations of the previous decision-maker, where appropriate; or
  - (2) By majority vote grant the appeal and set aside the *environmental determination*, in accordance with Section 112.0520(f).
- (f) If the City Council grants the appeal under Section 112.0520(e)(2):
  - (1) through (3) [No change in text.]

Section 2. That Chapter 11, Article 2, Division 6 of the San Diego Municipal Code is amended by amending section 112.0603, to read as follows:

**§112.0603 Process CIP-Two Appeal Hearing**

The City Council shall hear appeals of Process CIP-Two decisions subject to the following requirements.

- (a) [No change in text.]
- (b) Request for a Process CIP-Two Appeal Hearing. A Process CIP-Two decision may be appealed by filing an application for a Process CIP-Two appeal hearing with the City Clerk no later than 12 *business days* after the *decision date*.
- (c) [No change in text.]
- (d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the City Council. The withdrawal of the appeal must be filed in writing with the City Manager. If

all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

- (e) Scheduling an Appeal Hearing. The City Manager shall assign a date for an appeal hearing before the City Council no later than 60 calendar days after the date on which an application for the appeal hearing is filed, unless there are more than 60 calendar days until the next regularly scheduled City Council meeting, in which case the appeal hearing shall be held at the first regularly scheduled City Council meeting after the 60 calendar days have passed. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the City Council to consider the appeal. The appeal hearing shall generally be held within 60 calendar days following the filing of the application for the hearing. The appeal hearing shall be noticed in accordance with Section 112.0308.
- (f) Power to Act on the Decision at Appeal Hearing. At the conclusion of the appeal hearing, the City Council may affirm, reverse, or modify the staff decision.

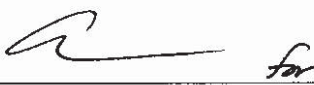
Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

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 both the six weeks' Notice of Availability of the local coastal program amendment has been provided prior to the final action by the City pursuant to Title 14, California Code of Regulations, section 13515 and until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

APPROVED: MARA W. ELLIOTT, City Attorney

By  \_\_\_\_\_  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
07/11/2017  
09/22/2017 Cor. Copy  
11/27/2017 Cor. Copy.1  
Or.Dept: SG&LU  
Doc. No.: 1467508\_6

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 24 2017.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

(Note: Please see attached memo and signature page.)

Office of  
The City Attorney  
City of San Diego

MEMORANDUM

**DATE:** November 27, 2017  
**TO:** Elizabeth Maland, City Clerk  
**FROM:** Shannon M. Thomas *CW*  
**SUBJECT:** Item #601B – O-2017-137 – Amending Chapter 11, Article 2, Division 5 relating to Administrative Appeal Procedures – Council Meeting of July 24, 2017

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We are submitting a corrected copy of Ordinance No. O-2017-137 to correct the typographical error made on §112.0520(d), to read as follows:

**§112.0520 Environmental Determination Appeals**

- (d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the ~~Planning Commission~~ City Council. The withdrawal of the appeal must be filed in writing with ~~the City Manager~~ in the Office of the City Clerk. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

SMT:als  
Doc. No.: 1633780

of San Diego Local Coastal Program amendment, shall not take effect until both the six weeks' Notice of Availability of the local coastal program amendment has been provided prior to the final action by the City pursuant to Title 14, California Code of Regulations, section 13515 and until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

APPROVED: MARA W. ELLIOTT, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
07/11/2017  
09/22/2017 Cor. Copy  
Or.Dept: SG&LU  
Doc. No.: 1467508\_5

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 24 2017.

ELIZABETH S. MALAND  
City Clerk

By Linda Drwin  
Deputy City Clerk

Approved: 10/25/17  
(date)

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck-Out~~**

**NEW LANGUAGE: Double Underline**

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2, DIVISION 5 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 112.0504, 112.0506, 112.0508, AND 112.0520; AMENDING CHAPTER 11, ARTICLE 2, DIVISION 6 BY AMENDING SECTION 112.0603, RELATING TO ADMINISTRATIVE APPEAL PROCEDURES.

**§112.0504 Process Two Appeal Hearing**

(a) The Planning Commission shall hear appeals of Process Two decisions subject to the following requirements, unless otherwise specified in the Land Development Code.

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

(4) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the Planning Commission. The withdrawal of the appeal must be filed in writing with the City Manager. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

(4)(5) Scheduling an Appeal Hearing. The City Manager shall assign a date for an appeal hearing before the Planning Commission no later than 10 calendar days after the date on which an application

for the appeal hearing is filed with the City Manager. The appeal hearing shall ~~generally~~ be held no later than within 60 calendar days after the date on which the application for an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled Planning Commission meeting, in which case the appeal hearing shall be held at the first regularly scheduled meeting after the 60 calendar days have passed. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the Planning Commission to consider the appeal following the filing of the application for the hearing. The appeal hearing shall be noticed in accordance with Section 112.0308.

~~(5)(6)~~ Power to Act on the Decision at Appeal Hearing. At the conclusion of the appeal hearing, the Planning Commission may affirm, reverse, or modify the staff decision.

- (b) Exception. Where the Land Development Code specifies that the City Council is the appeal body for a Process Two decision Sections 112.0504(a)~~(4)(5)~~ and 112.0504(a)~~(5)(6)~~ shall not apply. Instead, the scheduling of the appeal hearing and the power to act on the decision at the appeal hearing shall be in accordance with Sections 112.0508(d) and 112.0508(e).

#### **§112.0506 Process Three Appeals**

The Hearing Officer's decision may be appealed to the Planning Commission, as specified in Chapter 12, Article 6 for the type of *development* and review required. An appeal from a Hearing Officer's decision that involves applications



consolidated in accordance with Section 112.0103 shall be heard by the Planning Commission. An appeal from a Process Three decision shall be made in the following manner.

(a) through (c) [No change in text.]

(d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the Planning Commission. The withdrawal of the appeal must be filed in writing with the City Manager. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

~~(d)~~(e) Scheduling the Appeal Hearing. The appeal hearing before the Planning Commission shall be held, ~~or the City Manager shall set a date for the appeal hearing,~~ no later than ~~30~~ 60 calendar days after the date on which the application for an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled Planning Commission meeting, in which case the appeal hearing shall be held at the first regularly scheduled meeting after the 60 calendar days have passed. However, appeal hearings regarding tentative maps shall be held no later than 30 calendar days after the date on which the application for the appeal is filed, unless no regularly scheduled Planning Commission meeting will be held within the 30 days for which notice can be provided pursuant to Section 112.0208 and to any tenant, in which case the hearing



shall be held as follows: (1) at the next regularly scheduled Planning Commission meeting for which the above notice can be provided, or (2) within 60 calendar days of the date on which the application for the appeal is filed, whichever is shorter. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the Planning Commission to consider the appeal. The appeal hearing shall be noticed in accordance with Section 112.0308.

- (e)(f) Power to Act on Appeal. After the conclusion of the public hearing, the Planning Commission may affirm, reverse, or modify the decision being appealed.

**§112.0508 Process Four Appeals**

The Planning Commission's decision may be appealed to the City Council in the following manner.

- (a) through (c) [No change in text.]

(d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the City Council. The withdrawal of the appeal must be filed in writing in the Office of the City Clerk. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

- ~~(d)(e)~~ Scheduling Appeal Hearings. The appeal hearing before the City Council shall be held, ~~or the City Clerk shall set a date for the appeal hearing, no~~

later than ~~30~~ 60 calendar days after the date on which the application for an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled City Council meeting, in which case the appeal hearing shall be held at the first regularly scheduled City Council meeting after the 60 calendar days have passed. However, appeal hearings regarding tentative maps shall be held no later than 30 calendar days after the date on which the application for the appeal is filed, unless no regularly scheduled City Council meeting will be held within the 30 days for which notice can be provided pursuant to Section 112.0208 and to any tenant, in which case the hearing shall be held as follows: (1) at the next regularly scheduled City Council meeting for which the above notice can be provided, or (2) within 60 calendar days of the date on which the application for the appeal is filed, whichever is shorter. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the City Council to consider the appeal. The appeal hearing shall be noticed in accordance with Section 112.0308.

- (~~e~~)(f) Power to Act on Appeal. After the conclusion of the public hearing, the City Council may affirm, reverse, or modify the decision being appealed.

**§112.0520 Environmental Determination Appeals**

- (a) through (b) [No change in text.]
- (c) Scheduling Appeal Hearings. The appeal hearing before the City Council shall be held, ~~or the City Clerk shall set a date for the appeal hearing,~~ no later than ~~30~~ 60 calendar days after the date on which the application for

an appeal is filed, unless there are more than 60 calendar days until the next regularly scheduled City Council meeting, in which case the appeal hearing shall be held at the first regularly scheduled City Council meeting after the 60 calendar days have passed. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the City Council to consider the appeal. The appeal hearing shall be noticed in accordance with Section 112.0308.

(d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the City Council. The withdrawal of the appeal must be filed in writing in the Office of the City Clerk. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.

~~(d)~~(e) Power to Act on Appeal. After the conclusion of the public hearing, the City Council may take action as follows:

- (1) By majority vote deny the appeal, approve the *environmental determination* and adopt the CEQA findings and statement of overriding considerations of the previous decision-maker, where appropriate; or
- (2) By majority vote grant the appeal and set aside the *environmental determination*, in accordance with Section 112.0520~~(e)~~(f).

~~(e)~~(f) If the City Council grants the appeal under Section 112.0520~~(d)~~(e)(2):

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

**§112.0603 Process CIP-Two Appeal Hearing**

The City Council shall hear appeals of Process CIP-Two decisions subject to the following requirements.

- (a) [No change in text.]
- (b) Request for a Process CIP-Two Appeal Hearing. A Process CIP-Two decision may be appealed by filing an application for a Process CIP-Two appeal hearing with the City ~~Manager~~ Clerk no later than 12 *business days* after the *decision date*.
- (c) [No change in text.]
- (d) The appellant(s) may withdraw an appeal at any time prior to the commencement of the appeal hearing before the City Council. The withdrawal of the appeal must be filed in writing with the City Manager. If all appellants withdraw their appeals, no appeal hearing shall be conducted. The withdrawal of the appeal does not entitle the appellant(s) to any refund of appeal-related costs or fees incurred as of the date of the withdrawal.
- ~~(d)~~(e) Scheduling an Appeal Hearing. The City Manager shall assign a date for an appeal hearing before the City Council no later than ~~40~~ 60 calendar days after the date on which an application for the appeal hearing is filed with the City Manager, unless there are more than 60 calendar days until the next regularly scheduled City Council meeting, in which case the appeal hearing shall be held at the first regularly scheduled City Council

meeting after the 60 calendar days have passed. Failure to hold the hearing within the 60 calendar days shall not limit the authority of the City Council to consider the appeal. The appeal hearing shall generally be held within 60 calendar days following the filing of the application for the hearing. The appeal hearing shall be noticed in accordance with Section 112.0308.

(e)(f) Power to Act on the Decision at Appeal Hearing. At the conclusion of the appeal hearing, the City Council may affirm, reverse, or modify the staff decision.

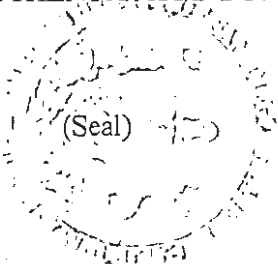
SMT:als  
07/11/2017  
09/22/2017 Cor. Copy  
11/27/2017 Cor. Copy.1  
Or.Dept: SG&LU  
Doc. No.: 1467502\_6

Passed by the Council of The City of San Diego on OCT 24 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 25 2017

AUTHENTICATED BY:



KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

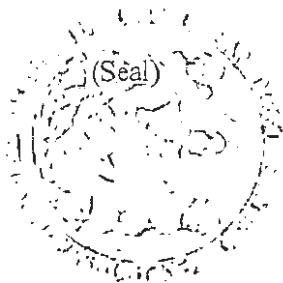
ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Hinda Bruin*, 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

JUL 24 2017, and on OCT 25 2017.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.



ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Hinda Bruin*, Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 20863