

**Attachment B**

**AN ORDINANCE AMENDING SECTION 7609 OF  
THE COUNTY OF SAN DIEGO ZONING  
ORDINANCE RELATING TO MINOR DEVIATION  
OF PLAN (Clean Copy)**

## ORDINANCE NO. \_\_\_\_\_ (NEW SERIES)

AN ORDINANCE AMENDING SECTION 7609 OF THE COUNTY OF SAN DIEGO ZONING ORDINANCE  
RELATING TO MINOR DEVIATION OF PLAN

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

**Section 1.** The Board of Supervisors finds and determines that the County of San Diego Zoning Ordinance should be updated by amending Section 7609. Minor Deviation of Plan. The Board finds that these amendments are reasonable and necessary to streamline operations and business efficiency; provides consistency between California Code of regulations and local permit processes; and supports efforts to protect environmental resources.

**Section 2.** Section 7609 of the County of San Diego Zoning Ordinance is hereby amended to read as follows:

## 7609 MINOR DEVIATION FROM PLAN.

A Minor Deviation to an Administrative Permit, Variance, Site Plan Permit or Use Permit may be authorized in accordance with the following provisions:

- vi. In calculating the cumulative increase or decrease from the original approved plan, project change(s) required to comply with changes in State or Federal regulatory requirements shall be provided an additional 10 percent change allowance if all of the following are met:
  - i. A determination shall be made that the project change(s) do not result in a new or substantially increased significant impact in accordance with the California Environmental Quality Act (CEQA).
  - ii. A determination shall be made that the project change(s) do not result in the creation of a situation that would be detrimental to the health, safety, or welfare of the public.
  - iii. A determination shall be made that the project change(s) do not result in the elimination of project features required to meet other County of San Diego code requirements, including, but not limited to the following:
    - (1) Elimination of a trail that provides a connection through the project that is needed for regional connectivity.
    - (2) Reduction in the overall amount of parkland approved with the original project.
    - (3) Elimination of roads that are needed for emergency access, travel time, or to handle the traffic generated by the project.
    - (4) Reduction of area needed for required water supply well or onsite wastewater treatment system and reserve area.

**Section 3.** This ordinance shall take affect 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 by the Board of Supervisors of the County of San Diego this \_\_\_\_<sup>th</sup> day of \_\_\_\_, 2021.

Approved as to form and legality

By: Randall Sjoblom, Senior Deputy County Counsel