

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, AUGUST 3, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen Johnson, Hubbard, Gade, Haro, and Mayor Wilson.
Absent--Councilmen O'Connor, Williams, Morrow, and Ellis.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:08 p.m.

(Item 1)

Roll call was taken.

(item 2)

Mayor Wilson introduced Rev. Thomas Griffith, San Diego Church of Christ, who gave the Invocation.

Councilwoman O'Connor entered the Chambers.

(Item 3)

Councilman Gade led the Pledge of Allegiance.

Councilman Morrow entered the Chambers.

There were no requests for continuances.

(Item 20)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of July 20, 1976, for full Council, on the matter of a Joint Public Hearing by the City Council and the Redevelopment Agency of The City of San Diego to consider adopting the Redevelopment Plan for the Market Street Industrial Park Redevelopment Project in an area generally bounded by Market Street on the north, 41st Street on the east, San Diego Arizona Eastern Railway on the south, and Mt. Hope Cemetery on the west. It was reported that no written protests had been received.

(Item 20 - Continued)

Jim Spotts, Engineering and Development Department, answered questions directed by the Council.

Councilman Williams entered the Chambers.

Bill Rick, Jewell Hooper, Mr. Ashcraft, Fred Harrison, and Vance Nate appeared to speak in favor of the matter.

Philip Isaac and Mr. Pisano appeared to speak in opposition.

Jim Spotts, Engineering and Development Department, further answered questions directed by the Council.

Deputy City Attorney Valderhaug, Deputy City Manager Lockwood, and Engineering and Development Director Fowler answered questions directed by the Council.

Jim Battle appeared to speak.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance, approving the Redevelopment Plan for the Market Street Industrial Park Redevelopment Project, and certifying that the First Amendment to Environmental Negative Declaration No. 75-01-00.17 BG has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Amendment has been reviewed and considered by the Council, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Haro, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilman Ellis.

Mayor Wilson recessed the Meeting at 3:54 p.m. Upon reconvening at 4:47 p.m., the roll call showed Councilmen Gade and Ellis absent.

(Item 22 - CASE NO. 7621(b))

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Vivian J. Stiles from the decision of the Old San Diego Planned District Review Board in failing to approve her application, under Case No. 7621(b), for a permit for installation of directional signs on San Diego Avenue at Twiggs, Harney, and Conde Streets, in the Old San Diego Planned District. It was reported that no written protests had been received.

Ken Klein, Planning Department, presented the Planning Department Report. Vivian J. Stiles appeared to speak.

The motion of Councilwoman O'Connor to close the hearing and grant the appeal, not to exceed five signs on each corner at the locations shown by the applicant, received no vote at this time.

City Manager McKinley and Ken Klein, Planning Department, answered questions directed by the Council.

The hearing was closed on motion of Councilwoman O'Connor and the following Resolution adopted:

RESOLUTION 216509, granting the appeal of Vivian J. Stiles from the decision of the Old San Diego Planned District Review Board in Case No. 7621(b) with the condition that not more than five signs per light standard be allowed with not more than six categories of uses listed, said light standards to be located at the southerly intersections of San Diego Avenue with Twiggs Street, Harney Street and Conde Street, consistent with Exhibit A dated August 3, 1976 on file in the office of the Planning Department; reversing the decision of the above-mentioned board denying the application.

(Item 23)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of amending Section 101.0434 SR Zone (Scientific Research) to permit certain types of manufacturing directly related to research and a classification of use provision. It was reported that no written protests had been received.

Ken Klein, Planning Department, presented the Planning Department Report.

The motion of Councilman Johnson to close the hearing, adopt the Environmental Negative Declaration, and introduce the Ordinance with an amendment on Page 2, add on Item B.3, second line "and/or", received no vote at this time.

Mrs. Kelley appeared to speak.

The hearing was closed on motion of Councilman Johnson and the following Resolution adopted:

RESOLUTION 216510, certifying that the information contained in Environmental Negative Declaration No. 76-04-29C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

(Item 23 - Continued)

A proposed Ordinance amending Chapter X, Article 1 of the San Diego Municipal Code by amending Section 101.0434 relating to the SR Zone, was introduced as amended, on motion of Councilman Johnson by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Haro, and Mayor Wilson. Nays-None. Absent-Councilmen Gade and Ellis.

(Item 24)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of amending Chapter X, Article 1 of the San Diego Municipal Code by adding appropriate provisions permitting and regulating Home Occupations in the residential zones as follows: a) Adding Section 101.0101.73 Home Occupation to Division 1, which is definition which defines home occupation as an accessory use; and b) Adding Section 101.0406 Home Occupations in Residential Zones to Division 4, which permits home occupations and sets forth the operational regulations under which home occupations will be permitted to operate as accessory uses to primary residential uses. It was reported that no written protests had been received.

Ken Klein, Planning Department, presented the Planning Department report.

Committee Consultant Wilken and Ken Klein, Planning Department, answered questions directed by the Council.

Judy McKenney, Theresa Eden, and Dean Radich appeared to speak in favor of the matter.

Councilman Gade entered the Chambers.

A motion by Councilman Gade to suspend rules to extend the time of the meeting past 5:30 p.m., passed unanimously.

E. Balmer appeared to speak in opposition.

The motion of Councilman Morrow to close the hearing, adopt the Resolution, and introduce the Ordinance, died for lack of a second.

William Richard and Robert J. Solomon appeared to speak in opposition.

The motion of Councilman Williams to amend the Ordinance to remove the "appeal to Council procedure" on pages 7 and 8, and further direct the Planning Department to report to the Council in one year as to what has happened as a result of working with the Ordinance, and further directing the Planning Department to make quarterly reports to the Council on the denials and the basis for the denials, received no vote at this time.

Discussion followed.

A vote was then taken on the previous motion of Councilman Williams to amend the Ordinance to remove the "appeal to Council procedure" on pages 7 and 8, and further direct the Planning Department to report to the Council in one year as to what has happened as a result of working with the Ordinance and further directing the Planning Department to make quarterly reports to the Council on the denials and the basis for the denials, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Haro, and Mayor Wilson. Nays-Councilman Hubbard, Morrow, and Gade. Absent-Councilman Ellis.

(Item 24 - Continued)

The hearing was closed on motion of Councilman Morrow and the following Resolution adopted:-

RESOLUTION 216511, certifying that the information contained in Environmental Negative Declaration No. 75-12-22C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

A proposed Ordinance, amending Chapter X, Article 1 of the San Diego Municipal Code by adding Sections 101.0101.73 and 101.0406 regarding Home Occupations, was introduced, as amended, on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Ellis.

(Item 21)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearings on paving and otherwise improving Linda Vista Road from Morena Boulevard to 500 feet easterly of Alcalá Knolls Drive - on Resolution of Intention 216192. It was reported that no written protests had been received.

J. F. McLaughlin, Engineering and Development Department, answered questions directed by the Council.

The hearings were closed and the following Resolutions adopted on motion of Councilman Gade:

RESOLUTION 216512, overruling and denying all oral and written protests filed in the office of the City Clerk, determining that the proposed improvement within the limits mentioned in Resolution of Intention 216192 is feasible, and the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and

RESOLUTION 216513, ordering work to improve and to establish the grades in Linda Vista Road from Morena Boulevard to 500 feet easterly of Alcalá Knolls Drive.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Gade at 6:10 p.m.

Deputy John D. Haas
Mayor of The City of San Diego, California

ATTEST:

[Signature]
City Clerk of The City of San Diego, California