

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, SEPTEMBER 10, 1985

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Mitchell at 10:10 a.m. Deputy Mayor Mitchell adjourned the meeting at 11:04 a.m. to meet as the Special Joint Meeting with the Redevelopment Agency.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-excused by R-264036 (vacation)
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Vacant
- (8) Council Member Martinez-present
Clerk-Abdelnour (eb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-not present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Vacant
- (8) Council Member Martinez-present

ITEM-330: CONTINUED TO DECEMBER 3, 1985, 10:00 A.M. TIME
CERTAIN

(Continued from the meeting of July 9, 1985 at John McEvoy's request.)

A Threshold Determination for a proposal to amend the City's Progress Guide and General Plan - Phase Shift Maps, by shifting from "Future Urbanizing" to "Planned

Urbanizing" the following property:

The approximately 97-acre area known as Rancho Del Sol located east of I-5 fronting of Black Mountain Road at its intersection with Via De Pico Alto.

(District-1.)

(R-85-2349)

Adoption of a Resolution denying the Rancho Del Sol Threshold request for the General Plan Amendment - Phase Shift.

FILE: --

COUNCIL ACTION: (Tape location: A020-030.)

MOTION BY GOTCH TO CONTINUE TO DECEMBER 3, 1985, AT JOHN McEVOY'S REQUEST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-331: CONTINUED TO OCTOBER 15, 1985

(Continued from the meeting of July 23, 1985 at the Housing Commission's request for review.)

A proposal to amend Chapter X (Planning and Zoning Regulations), Article 1, Division 5, Section 101.0506 of the San Diego Municipal Code to reference the Locational Criteria Design and Development Standards and Guidelines for Senior Citizen Housing Projects and to approve by resolution the Locational Criteria Design and Development Standards and Guidelines for Senior Citizen Housing Projects.

Subitem-A: (R-85-2473)

Adoption of a Resolution approving Locational Criteria, Design and Development Standards and Guidelines for Senior Citizen Housing Projects.

Subitem-B: (O-85-225)

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE: --

COUNCIL ACTION: (Tape location: A030-062.)

MOTION BY MARTINEZ TO CONTINUE TO OCTOBER 15, 1985, 10:00 A.M. AT HIS REQUEST FOR REVIEW BY THE HOUSING TASK FORCE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-332:

Appeal of Francis J. Michael from the decision of the Planning Commission in approving, as modified, La Jolla Shores Planned District Permit 8519 which proposes demolition of an existing single-family residence and the construction of a new single-family residence with attached three-car garage observing zero-foot side yard setbacks. The site is located at 8550 El Paseo Grande, in the La Jolla Shores Planned District, in Zone SF. The subject property is further described as a portion of Lots 1281 and 1297 of Pueblo Lands.

(Case-8519. District-1.)

(R-86-) ADOPTED AS RESOLUTION R-264037 GRANT APPEAL,
DENY PERMIT

Adoption of a Resolution granting or denying the appeal and the permit with appropriate findings to support Council action.

FILE: PERM LJSPD-8519

COUNCIL ACTION: (Tape location: A105-B066.)

Hearing began 10:19 a.m. and halted 10:58 a.m.

Testimony in opposition by Mark Steele and Philip Merten.

Testimony in favor by Francis J. Michael and Edward Marshall.

MOTION BY GOTCH TO GRANT THE APPEAL AND DENY THE PERMIT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-333: (O-86-5) CONTINUED TO SEPTEMBER 23, 1985, 2:00 P.M.
TIME CERTAIN

Introduction of an Ordinance amending Chapter X, Article 1 (Planning and Zoning Regulations), of the San Diego Municipal Code by adding Division 13, Sections 101.1300 through 101.1309 relating to Light Pollution. The amendment is intended to minimize light pollution by regulating outdoor lighting in commercial, industrial and multi-family zones.

(See City Manager Reports CMR-84-366 and CMR-85-303.)

COMMITTEE ACTION: Initiated by PSS Committee on 6/19/85.

Recommendation to introduce the Ordinance. Districts 3, 4, 6 and 8 voted yea. District 5 not present.

CITY MANAGER REPORT: On June 19, 1985, the Public Services and Safety Committee voted 4-0 to adopt regulations regarding outdoor lighting in commercial, industrial and multi-family zones.

New installations of outdoor lighting are regulated in the following manner: 1) Parking lot and security lighting is generally required to utilize shielded, low-pressure sodium fixtures; 2) Outdoor sales, assembly or repair areas, where color rendition is necessary, may utilize other types of fixtures as long as they are shielded; 3) Lighting for on and off premises signs, decorative purposes and recreational activities must be shielded when feasible and focused to minimize light pollution; and 4) All new fixtures must be provided with automatic timing devices.

Neon tube lighting and low wattage fixtures are exempted and there are provisions for administrative exemptions for unusual installations.

In addition, most outdoor lighting, both new and existing, is required to be turned off from 11:00 p.m. to sunrise.

Exemptions are provided for security lighting and commercial and recreational activities which continue past 11:00 p.m.

It is estimated that over \$80,000 per year would be required to provide staff to actively enforce the 11:00 p.m. "curfew" provision. This expenditure is not recommended. Instead, the Planning and Building Inspection Departments intend to utilize informational notices and form letters to encourage voluntary compliance. The Building Inspection Department will enforce the regulations relating to new installations as a part of their normal permit and inspection procedures.

FILE: --

COUNCIL ACTION: (Tape location: A060-105.)

MOTION BY CLEATOR TO CONTINUE TO SEPTEMBER 23, 1985, AT THE REQUEST OF THE SMALL BUSINESS ADVISORY BOARD AND DIRECT STAFF TO MAKE A PRESENTATION AT THE SEPTEMBER 18, 1985, MEETING OF THE SMALL BUSINESS ADVISORY BOARD. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-334: (O-85-231) INTRODUCED, TO BE ADOPTED SEPTEMBER 23,
1985

(Continued from the meeting of August 13, 1985 at Council Member Struiksmayea's request.)

Introduction of an Ordinance approving the Development Agreement.

Proposal to approve the McMillin Scripps Three and Four Development Agreement.

The proposed development agreement would apply to approximately 180 acres in the Scripps Miramar Ranch

Community Plan area. The primary purpose of the development agreement is to provide for the funding of public facilities. The owner would agree to pay its fair share of development impact fees for public improvements within the community, including street improvements, traffic signals, a library and fire station. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The payment of development impact fees would be in addition to the provision of public improvements, facilities and services required by the approved tentative subdivision map.

The development agreement would assure the owner that the property could be developed in conformance with Scripps Miramar Ranch Community Plan, the R1-6000 Zone, Tentative Map TM-83-0559.1 and Planned Residential Development Permits PRD-84-0631 and PRD-84-0632 (resulting in a total of 548 residential units) for the 10-year term of the agreement. Additional provisions are included in the draft development agreement.

The property is located between the existing termini of Scripps Lake Drive and Charbono Street, north of the existing termini of Avenida Magnifica and Semillon Boulevard in Zone A-1-10 (proposed R1-6000) in the Scripps Miramar Ranch Community Plan area. The subject property is further described as a portion of Sections 27, 28, 33 and 34, Township 14 South, Range 2 West, S.B.B.M. (Case-85-0071. Scripps Miramar Ranch Community Area. District-5.)

FILE: --

COUNCIL ACTION: (Tape location: B067-074.)

Hearing began 10:59 a.m. and halted 11:00 a.m.

MOTION BY STRUIKSMA TO INTRODUCE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-335: (R-86-377) ADOPTED AS RESOLUTION R-264038

Consenting to a joint public hearing between the City Council and the Redevelopment Agency on October 22, 1985 on the proposed Redevelopment Plan for the Southcrest Redevelopment Project.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: California Community Redevelopment Law (Section 33355 of the Health and Safety Code) authorizes the

City Council and Redevelopment Agency to hold a joint public hearing to consider the proposed Southcrest Redevelopment Project. The date of the joint public hearing is to be October 22, 1985.

FILE:

COUNCIL ACTION: (Tape location: B075-094.)

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-S405: (R-86-455) ADOPTED AS RESOLUTION R-264039

Approving the revised San Diego Lakes Rules and Regulations, as provided by Municipal Code Sections 67.40, 67.41, 67.42 and 67.45, which authorize the City Manager to approve and adopt rules and regulations regulating use of the City Water Impounding System (Reservoirs).

CITY MANAGER REPORT: Last year the State Department of Health Services authorized and City Council approved an experimental sailboat program on two of the City reservoirs. In view of the successful completion of the experimental program, the State Department of Health Services is agreeable to allowing sailboats on City lakes on a permanent basis providing adequate controls are maintained by the City to preclude body contact with the water. Accordingly, the Lakes Recreation Rules and Regulations have been revised to permit sailboating at all open reservoirs. In addition, a section has been added to the rules prohibiting glass containers and bottles at the lakes/reservoirs to reduce injuries and litter.

WU-U-85-319.

FILE: MEET

COUNCIL ACTION: (Tape location: B079-091.)

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-UC-4: (R-86-483) ADOPTED AS RESOLUTION R-264041

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Commending and recognizing William Osborne for his past fourteen years of service as political reporter for the Tribune; wishing him the best of luck in Washington, D.C. and commissioning him as a goodwill ambassador on behalf of

San Diego to all in this nation's capital and charging him with the duty of good representation of the people of this City to all those he shall meet.

FILE: MEET

COUNCIL ACTION: (Tape location: B097-105.)

MOTION BY STRUIKSMA TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-not present.

ITEM-CS-1: (R-86-478) ADOPTED AS RESOLUTION R-264042

A Resolution adopted by the City Council in Closed Session on September 10, 1985:

Authorizing and empowering the City Manager to pay the total sum of \$8,500 in settlement of each and every claim against The City of San Diego, its agents and employees in the Superior Court Case No. 519968, Durand v. City of San Diego, et al., resulting from the personal injury to William Durand; authorizing the Auditor and Comptroller to issue one check in the amount of \$8,500 made payable to William Durand and Ruth Durand and their attorney, Charles Roseman, in full settlement of the lawsuit and all claims.

FILE: MEET

ITEM-CS-2: (R-86-460) ADOPTED AS RESOLUTION R-264043

A Resolution adopted by the City Council in Closed Session on September 10, 1985:

Authorizing and empowering the City Manager to pay the total sum of \$30,000 in settlement of each and every claim against The City of San Diego, its agents and employees in the Superior Court Case No. 528952, in the case of Eleanor Snoddy v. the City of San Diego et al. resulting from the personal injury to Eleanor Snoddy; authorizing the Auditor and Comptroller to issue one check in the amount of \$30,000 made payable to Eleanor Snoddy and her attorney Dennis P. Dorman in fulfillment of the lawsuit and all claims .

FILE: MEET

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Mitchell at 11:04 a.m.

FILE: MEET

COUNCIL ACTION: (Tape location: B110).