

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

OF

TUESDAY, APRIL 15, 1986

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:14 a.m. The meeting was recessed by Deputy Mayor Struiksma at 12:05 p.m. to convene as the Housing Authority. The meeting was reconvened by Deputy Mayor Struiksma at 12:11 p.m. with Council Members Cleator, McColl, and Jones not present. Deputy Mayor Struiksma adjourned the meeting at 12:13 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-excused by R-265467
(vacation)
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present
Clerk-Abdelnour (mp)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-not present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-310: (R-86-1835) ADOPTED AS RESOLUTION R-265455

Authorizing suggestion awards and making a presentation to

the following employees:

Vincent DeLeva - General Services Department - \$1,245.28.

Mary Tilotta - Library Department - \$765.46.

FILE: MEET

COUNCIL ACTION: (Tape location: A009-044.)

MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-311: (R-86-1836) ADOPTED AS RESOLUTION R-265456

Authorizing suggestion awards to the following employees:

William Trevino - Fire Department - \$90.

Yolanda Garcia - Purchasing Department - \$25.

FILE: MEET

COUNCIL ACTION: (Tape location: A045-068.)

MOTION BY GOTCH TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-330:

A proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by adding, deleting and changing words, sentences and paragraphs which constitute administrative changes to the Zoning Regulations. The proposed amendments are not substantive in nature; they constitute amendments to clarify language in the Code.

Examples of the proposed amendments include:

- a) Removing nurseries as an allowable use in the R-1 Zone but allowing them as an accessory use in that Zone.
- b) The Multi-family Residential Zone minimum yard requirements clarify how a minimum yard is measured and the dimension of the minimum yard for a curved street.
- c) The minimum driveway width is clarified in terms of how the driveway is measured.
- d) In the C-1 Zone, residential development is allowed on the groundfloor City-wide and excluded on the groundfloor in the Coastal Zone. Also in the C-1 Zone, newspaper plants exceeding 5,000 square feet are prohibited in the Coastal Zone.
- e) Out of date sections which have been replaced by new sections have been deleted.

f) Interim Ordinances which have expired have been deleted.
The definition of bedroom size has been changed to conform to the Building Code definition.

Subitem-A: (O-86-136) INTRODUCED, TO BE ADOPTED ON APRIL
28, 1986

Introduction of an Ordinance repealing Ordinances Nos. 7606
N.S., 7607 N.S., 8018 N.S., 8110 N.S., 8150 N.S. and 8601
N.S. relating to Interim Zones.

Subitem-B: (O-86-135) INTRODUCED, TO BE ADOPTED ON APRIL
28, 1986

Introduction of an Ordinance amending Chapters IX and X of
the San Diego Municipal Code.

FILE: - -

COUNCIL ACTION: (Tape location: A137-167.)

Hearing began at 10:26 a.m. and halted at 10:28 a.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND INTRODUCE THE
ORDINANCES. Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-not present,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

ITEM-331:

Rezoning a portion of Section 27, Township 14 South,
Range 2 West, SBBM (an approximately 15.7-acre site),
located to the north of Pomerado Road between Scripps Ranch
Boulevard and Semillon Drive along the future extension of
Spring Canyon Road, in the Scripps Miramar Ranch Community
Plan area, from Zones A1-10 to Zone R1-6000.
(Case-85-0848. District-5.)

19860415

Subitem-A: (R-86-1688) ADOPTED AS RESOLUTION R-265457

Adoption of a Resolution certifying that the information
contained in Environmental Impact Report EIR-85-0848 has
been completed in compliance with the California
Environmental Quality Act of 1970 and State guidelines, and
that said report has been reviewed and considered by the
Council.

Subitem-B: (O-86-163) INTRODUCED, TO BE ADOPTED ON APRIL
28, 1986

Introduction of an Ordinance for R1-6000 Zoning.

Subitem-C: (R-86-2006) ADOPTED AS RESOLUTION R-265458

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-85-0848.

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A168-174.)

Hearing began at 10:28 a.m. and halted at 10:29 a.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING, ADOPT THE RESOLUTIONS, AND

INTRODUCE THE ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-332:

Matters of:

- 1) Rezoning portions of Parcels 1-7, Parcel Map PM-8547; a portion of Parcel 9, Parcel Map PM-13739; and Resubdivision of Villa Mesa Units Nos. 1, 2 and 3, Map-10185, Map-10186 and Map-10187 (approximately 292.2 acres), located generally east of Santo Road, south of the future right-of-way of State Route 52, west of Mission Trails Regional Park and north of Clairemont Mesa Boulevard, in the Tierrasanta Community Plan area, from Zones R1-40000 and R1-5000 (portion HR) to Zones R-2000, R-2500, R-3000 and R1-5000 (portion HR); and
- 2) A proposed amendment to the Tierrasanta Community Plan to redesignate 10.0 acres from neighborhood-commercial use to low-medium density residential (10-15 dwelling units per acre). The subject property is located north of Antigua Boulevard and east of Via Septimo and is further described as a portion of Parcel 3, Parcel Map PM-8547.
(Case-84-0754. District-7.)

19860415

Subitem-A: (R-86-1687 Rev. 1) ADOPTED AS RESOLUTION R-265459

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0749, EIR-84-0754, EIR-85-0272 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-86-162) INTRODUCED, TO BE ADOPTED ON APRIL
28, 1986

Introduction of an Ordinance for R-2000, R-2500, R-3000 and
R1-5000 Zoning.

Subitem-C: (R-86-1647) ADOPTED AS RESOLUTION R-265460
Adoption of a Resolution amending the Tierrasanta Community
Plan.

Subitem-D: (R-86-2007) ADOPTED AS RESOLUTION R-265461
Adoption of a Resolution containing appropriate findings of
mitigation, feasibility or project alternatives pursuant to
California Public Resources Code Section 21081 in connection
with Environmental Impact Report EIR-84-0749/84-0754/85-0272.

FILE:

Subitem-A and -D - ZONE ORD. NO.;

Subitem-B --;

Subitem-C - LAND Tierrasanta Community Plan

COUNCIL ACTION: (Tape location: A177-217.)

Hearing began at 10:29 a.m. and halted at 10:32 a.m.

MOTION BY McCARTY TO CLOSE THE HEARING, ADOPT THE RESOLUTIONS,
AND

INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the
following vote: Wolfsheimer-yea, Cleator-not present, McColl-not
present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Martinez-yea, Mayor-vacant.

ITEM-333: CONTINUED TO MAY 13, 1986, AT 10:00 A.M.

Rezoning Parcels 1, 2 and a portion of Parcel 3 of Parcel Map
PM-12296, and a portion of Section 20, Township 14 South,
Range 2 West, SBBM (an approximately 204-acre site), located
generally south and west of Mercy Road and east of Black
Mountain Road, in the Mira Mesa Community Plan area, from Zone
A-1-10 (portion HR) to Zone R1-10000 (portion HR).
(Case-85-0299. District-5.)

Subitem-A: (R-86-1686)

Adoption of a Resolution certifying that the information
contained in Environmental Impact Report EIR-85-0299 has been
completed in compliance with the California Environmental
Quality Act of 1970 and State guidelines, and that said report

has been reviewed and considered by the Council.

Subitem-B: (O-86-156)

Introduction of an Ordinance for R1-10000 Zoning.

Subitem-C: (R-86-)

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-85-0299.

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A220-B486.)

Hearing began at 10:32 a.m. and halted at 11:31 a.m.

Testimony in opposition by Larry Kueberth, Allan Schaffer, Hank Dorsett, John Allison, Paula Taylor, and Robert Rosen.

Testimony in favor by Bruce H. Warren.

MOTION BY MARTINEZ TO CONTINUE TO MAY 13, 1986, AT 10:00 A.M., AT HIS REQUEST TO ALLOW THE DEVELOPER TIME TO MAKE A PRESENTATION TO THE PENASQUITOS PLANNING GROUP ON MAY 7, 1986, AND TO DIRECT THE PLANNING DEPARTMENT TO REPORT BACK TO THE COUNCIL IN FOUR WEEKS WITH THE FOLLOWING INFORMATION: (1) OPTIONS AVAILABLE WITH

RESPECT

TO THE LOCATION OF THE ROADWAY; AND (2) INFORMATION REGARDING THE PLUSES AND/OR MINUSES IN TERMS OF COST, VISUAL EFFECT, ETC. STAFF IS ALSO DIRECTED TO STRESS THE IMPORTANCE OF THIS ROADWAY TO BOTH THE MIRA MESA AND PENASQUITOS COMMUNITIES. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-334: RETURNED TO THE CITY MANAGER

(Continued from the meetings of March 11, 1986, Item S500; March 17, 1986, Item S413; and March 18, 1986, Item S500; last continued at the City Manager's request.)

Two actions relative to the Farnum and Dana Surplus School Sites:

(Districts-2 and 6.)

Subitem-A: (R-86-1658 Rev.1)

Determining, with regard to the Farnum site, that no other available publicly owned land in the vicinity of the school site is adequate to meet the existing and foreseeable needs of the community for playgrounds, playing fields or other outdoor recreational and open-space purposes, based upon the City

Manager's report and the testimony on the issue; directing the City Manager to notify the School District of the City Council's interest in the acquisition of all or a portion of the Farnum site and to request the School District to offer to lease or sell all or a portion of the site to the City at a sale or lease price determined in accordance with Section 39396 of the Education Code; declaring that the City shall have adopted a plan pursuant to Section 39397.5, prior to any purchase of the site; directing the City Manager to commence preparation of said plan.

Subitem-B: (R-86-1659 Rev.1)

Determining, with regard to the Dana site, that no other available publicly owned land in the vicinity of the school site is adequate to meet the existing and foreseeable needs of the community for playgrounds, playing fields or other outdoor recreational and open-space purposes, based upon the City Manager's report and the testimony on the issue; directing the City Manager to notify the School District of the City Council's interest in the acquisition of all or a portion of the Dana site and to request the School District to offer to lease or sell all or a portion of the site to the City at a sale or lease price determined in accordance with Section 39396 of the Education Code; declaring that the City shall have adopted a plan pursuant to Section 39397.5, prior to any purchase of the site; directing the City Manager to commence preparation of said plan.

FILE: --

COUNCIL ACTION: (Tape location: B490-C005.)

Motion by McCarty to instruct the Planning Commission to continue with its timely review of the Institutional Zone and to make its recommendation on June 5th as originally planned. Second by Martinez. Passed by the following vote: Yeas-4,5,6,7,8. Nay-1. Not Present-2,3. Mayor-vacant.

MOTION BY GOTCH TO RETURN TO THE CITY MANAGER FOR REDOCKETING AFTER

COMPLETION AND APPROVAL OF THE WORK PLAN. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-335:

(Continued from the meeting of April 1, 1986, Item 336, at Council Member Cleator's request.)

Two actions relative to the vacation of Via Cortina:

(Torrey Pines Community Area. District-1.)

19860415

Subitem-A: (R-86-1397 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-265462

Vacating Via Cortina north of Via Aprilia and adjacent to Lot 31, Block 1 and Lot 1, Block 2 of Map-1527, Lot 60 of Map-7510, and Lot 2 of Map-6996.

Subitem-B: (R-86-1284) ADOPTED AS RESOLUTION R-265463

Approving the acceptance by the City Manager of that building restriction easement deed of Charles W. and Armida McCann, granting to the City easements in a portion of Lot 31, Block 1 of Del Mar Terrace, Map-1527.

CITY MANAGER REPORT: The applicant has requested the vacation of Via Cortina north of Via Aprilia and adjacent to Lot 31, Block 1, and Lot 1, Block 2 of Map-1527, Lot 60 of Map-7510, and Lot 2 of Map-6996, to facilitate future development. Via Cortina is unimproved. It contains several facilities which include water and sewer lines and other general utilities for which easements are to be reserved. In addition, a pedestrian and non-vehicular easement will also be reserved to accommodate school children who use this right-of-way as a route to the Del Mar Heights elementary school. The portion of Via Cortina being vacated is used currently for parking by the adjacent property owners but is not needed for traffic circulation. This right-of-way is occupied by a 24-inch water main which would be a potential hazard if a structure were to be built in close proximity. At present, a structure is precluded from building too close by the normal setbacks. However, if the street is vacated, this protection will no longer be available. The applicant has agreed to the establishment of a setback through the grant of a building restriction easement. Staff review has indicated that the right-of-way is no longer needed for present or prospective public use and can be vacated conditioned upon obtaining an Engineering Permit for construction of required improvements to Via Aprilia.

FILE LOCATION: Subitem-A - STRT J-2592 DEED F-3322;

Subitem-B - DEED F-3300 DEEDFY86-2

COUNCIL ACTION: (Tape location: C150-304.)

Hearing began at 11:50 a.m. and halted at 12:01 p.m.

Testimony in opposition by Sandra Goldberg and Lawrence Edgar.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING, ADOPT THE RESOLUTIONS

AS AMENDED TO RESERVE A 32.5-FOOT PEDESTRIAN, NON-MOTOR VEHICULAR

EASEMENT RATHER THAN A 15-FOOT PEDESTRIAN, NON-MOTOR VEHICULAR EASEMENT. Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-not present,

Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,

Mayor-vacant.

ITEM-336: (O-86-169) INTRODUCED AND ADOPTED AS ORDINANCE O-16624 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16475 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1985-86 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document 00-16475-1, as amended and adopted therein, by adding one Regional Urban Information System Coordinator and deleting one Principal Planner Position in the General Fund 100, Nondepartmental Expenditures (60100) Personnel Authorization for the Regional Urban Information System Program (60120); exempting said RUIS Coordinator Position from the Classified Service; establishing a salary rate therefor.

CITY MANAGER REPORT: This Ordinance will exempt one RUIS Coordinator position from the Classified Service pursuant to City Charter Section 117. The Civil Service Commission reviewed and commented favorably on this proposed exemption on March 6, 1986. This position will have responsibility for coordinating development and implementation of the Regional Urban Information System within

the City of San Diego pursuant to the RUIS development agreement between the San Diego Data Processing Corporation, the County of San Diego and the City of San Diego.

NOTE: Six votes required. See Item 203 on the docket of Monday, April 14, 1986.

FILE: MEET

COUNCIL ACTION: (Tape location: C006-011.)

MOTION BY GOTCH TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT

THE ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-337: (R-86-1300) FILED

(Continued from the meeting of February 18, 1986, Item 114, at Council Member McCarty's request.)

Expressing support for the past efforts of the SANDAG Military Housing Task Force to locate alternative sites for Navy housing in San Diego; recommending that the SANDAG Military Housing Task Force be reactivated to review the existing site inventory and to identify additional sites for Navy housing; designating Council Member Judy McCarty, City Council District 7, as the liaison to work with SANDAG on the issue of Navy housing.

(See City Manager Report CMR-86-9. Mid-City Community Area. District-3.)

COMMITTEE ACTION: Reviewed by PFR on 1/8/86. Recommendation to reestablish the Naval Housing Task Force to reevaluate proposed sites, and identify new sites, and recommend Council Member McCarty as the City liaison. Districts 1, 2 and 7 voted yea. Districts 5 and 6 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: A070-130.)

MOTION BY McCARTY TO FILE THE ITEM. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S500: (O-86-173) CONTINUED TO APRIL 21, 1986

Introduction and adoption of an Ordinance amending Ordinance O-16475 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1985-86 and

Appropriating the Necessary Money to Operate the City for said Fiscal Year," by amending Documents No. 00-16475-1 and No. 00-16429-2, as amended and adopted therein, by transferring the sum of \$1,111,650 from the Unappropriated Fund Balance of the Sewerage Utility Revenue Fund (41506); amending Section 2, Subsection VI, Item 3, entitled "Sewerage Utility Revenue Fund (41506)" to increase non-personnel expense and total by said \$1,111,650; and directing the Auditor and Comptroller to set aside, transfer, and allocate the \$1,111,650 appropriated above to the Wastewater Operation Engineering Program (70820.) (Tia Juana River Valley Community Area. District-8.)
Aud. Cert. 86815.

NOTE: See Item S402.

FILE: MEET

COUNCIL ACTION: (Tape location: C012-148.)

MOTION BY MARTINEZ TO CONTINUE FOR ONE WEEK AT HIS REQUEST.

Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-not present,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

ITEM-S501: (R-86-1931) ADOPTED AS RESOLUTION R-265464

Designating April as the "Month of the Coast" to celebrate and honor one of the state's and the country's greatest resources, the California coast.

FILE: MEET

COUNCIL ACTION: (Tape location: A069-125.)

MOTION BY GOTCH TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-UC-2: (R-86-1994) ADOPTED AS RESOLUTION R-265465

A Resolution presented to the City Council with UNANIMOUS CONSENT:
Excusing Council Member Uvaldo Martinez from the Transportation and Land Use Committee and City Council meetings of April 14, 1986, for the purpose of representing the City before the Senate Committee on Toxics and Public Safety Management on the issue of AB-1012, in Sacramento.

FILE: MEET

COUNCIL ACTION: (Tape location: C312-322.)

MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the

following vote: Wolfsheimer-yea, Cleator-not present,
McColl-not present, Jones-not present, Struiksma-yea, Gotch-yea,
McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-UC-3: (R-86-1948) ADOPTED AS RESOLUTION R-265466

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Proclaiming April 20, 1986, through April 27, 1986, as
"Crime Victims Awareness Week" in San Diego.

FILE: MEET

COUNCIL ACTION: (Tape location: C323-330.)

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the
following vote: Wolfsheimer-yea, Cleator-not present,
McColl-not present, Jones-not present, Struiksma-yea, Gotch-yea,
McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-UC-4: (R-86-1995) ADOPTED AS RESOLUTION R-265467

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Excusing Council Member Gloria D. McColl from the Council
meetings of April 14 and 15, 1986, for the purpose of
vacation.

FILE: MEET

COUNCIL ACTION: (Tape location: C395-401.)

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the
following vote: Wolfsheimer-yea, Cleator-not present,
McColl-not present, Jones-not present, Struiksma-yea, Gotch-yea,
McCarty-yea, Martinez-yea, Mayor-vacant.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Struiksma at
12:13 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: C305-311).

MOTION BY GOTCH TO ADJOURN IN HONOR OF THE MEMORY OF MERRITT Q.
UPHAM. Second by Martinez. Passed by the following vote:
Wolfsheimer-yea, Cleator-not present, McColl-not present,
Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea,
Martinez-yea, Mayor-vacant.