

19890912

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 12, 1989
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 11:07 a.m. with Council Members Roberts, Pratt, and Struiksma not present. The meeting was recessed by Mayor O'Connor at 12:00 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:00 p.m. with Council Members Wolfsheimer, Roberts, McColl, Pratt, Struiksma, McCarty and Filner not present. A quorum was present at 2:19 p.m. Mayor O'Connor recessed the meeting at 4:00 p.m. into closed session in the twelfth floor conference room to discuss pending litigation.

The meeting was reconvened by Mayor O'Connor at 4:45 p.m. with Council Members McColl, Pratt and McCarty not present. Mayor O'Connor recessed the meeting at 4:54 p.m. into closed session in the twelfth floor conference room to discuss pending litigation.

The meeting was reconvened by Mayor O'Connor at 5:02 p.m. with Council Members Wolfsheimer, McColl, Pratt and Struiksma not present. Mayor O'Connor recessed the meeting at 5:04 p.m. to convene the Special Joint Council/Redevelopment Agency Meeting. The meeting was reconvened at 5:09 p.m. with Council Members Wolfsheimer, McColl, Pratt and Struiksma not present. Mayor O'Connor recessed the meeting at 5:12 p.m. to convene the Redevelopment Agency Meeting. The meeting was reconvened at 5:44 p.m. with Council Members Wolfsheimer, McColl, Pratt and Struiksma not present. Mayor O'Connor adjourned the meeting at 5:46 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-excused by R-274446
(City business in Washington, D. C.)
- (5) Council Member Struiksma-present

- (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (rb,tm)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksmma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-180: (O-90-3) CONTINUED TO SEPTEMBER 18, 1989

Introduction of an Ordinance amending Chapter II, Article 2, of the San Diego Municipal Code by amending Section 22.0101, entitled "Permanent Rules of the Council", by amending Rule 1 relating to Hours of Meetings, Rule 2 relating to Parliamentary Procedure, Rule 4 relating to Special Order of Business, Rule 17 relating to Conduct of Committee Business, Rule 30 relating to Preparation of the Council Docket, Rule 30.1 relating to Posting, Notice and Items for Consideration; and establishing a new Rule 30.2 relating to Non-Docket Items. (See City Attorney Reports dated 7/13/89 and 2/3/87; City Clerk Report CC-87-02.)

COMMITTEE ACTION: Reviewed by RULES on 7/19/89.

Recommendation to approve the proposed amendment to Rule 1 by specifying that the time of a Council meeting may be extended by the Chair or by a two thirds vote of the Council. Refer all other proposed amendments to the full Council without a recommendation. Districts 3, 4, 6, 7 and Mayor voted yea. District 2 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E399-520.)

MOTION BY HENDERSON TO CONTINUE ALL REMAINING ITEMS EXEPT ITEMS 8, 9 AND 10 OF THE REDEVELOPMENT AGENCY MEETING AGENDA TO SEPTEMBER 18, 1989 DUE TO A LACK OF A QUORUM SINCE HE IS INELIGIBLE TO VOTE ON THESE ITEMS. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-not present, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-90-216) ADOPTED AS RESOLUTION R-274385

(Trailed from the adjourned meeting of September 5, 1989, Item 200; Continued from the meeting of August 1, 1989, Item 336, at the City Manager's request, for further review.)

Accepting and adopting the annual administrative budget for the Southeast Economic Development Corporation ("SEDC"); authorizing the City Auditor and Comptroller to

establish the necessary accounts and to appropriate and allot all monies available in each project fund up to the amount budgeted and to record the expenditure of funds and the recovery of all accrued costs subject to the amount of revenues available in each project fund; authorizing SEDC's Executive Vice President, or his designee, to make budgetary transfers between the budgeted line items in accordance with Section 1.07 of the Operating Agreement with SEDC.

(See memorandum from SEDC Vice President.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E520-F370.)

MOTION BY McCARTY TO ADOPT ITEM-11 OF THE REDEVELOPMENT AGENCY AGENDA. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-not present, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-90-304) ADOPTED AS RESOLUTION R-274378

Approving the following Building Inspection Department fees and charges:

(See City Manager Report CMR-89-408.)

Structural plan check
Factory built housing-building permit and plan check
fees
Building permit-structural inspection
Building permit-penalty fee
Building permit-reinspection fee
Examination fee for relocated structures
Board of Appeals fee
Structural Removal permit fee
Permit fee to replace expired permit
Mechanical permit fee
Electrical plan recheck fee
Electric permit fee
Plumbing and mechanical plan recheck fee
Plumbing permit fee
Combination permit fee
Housing permit fee
No permit penalty fee

Reinspection services fee
Ownership transfer/revised permit issuance fee
Delinquent payment fee
Mobilehome park annual operating permit fee
Mobilehome park permit penalty fee
Mobilehome and commercial coach permit fees
Mobilehome construction permit fees
Mobilehome construction permit reinspection fee
Mobilehome construction permit penalty fee
Demolition permit fee
Special inspector certification fee
Mobile food unit certification fee
Mobile food unit certification reinspection fee
Noise permit fees
Utilities plan review fee
Energy conservation plan check fee
Energy conservation inspection fee
Access plan check fee
Access inspection fee
Hazardous materials processing fee
Publication fees
Seminar fees
Document copy fees
Structural Relocation permit fee

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E249-259.)

Hearing began at 3:59 p.m. and halted at 3:59 p.m.

MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-207:

Proposal to amend the Multi-Family Parking Regulations by:

1) Amending Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by adding Section 101.0824 (Multi-Family Parking Requirements), which includes an increase to the off-street resident parking requirement and an additional supplemental parking requirement (guest, services and overflow parking) for all multi-family

development City-wide, excluding Centre City and selected planned districts. This may result in up to a 60 percent increase for required parking subject to availability of transit, mix of use, achieved density and quantity of adjacent on-street parking. Planned Residential Development, Planned Commercial Development, Beach Impact Area projects and Housing Commission projects are also under consideration for modification.

2) Consolidating proposed requirements and all shared parking procedures within Municipal Code Sections 101.0822 (Shared Parking) and 101.0823 (Shared Parking Guidelines).

3) Adoption of a resolution specifying that staff initiate a review of the effectiveness of the ordinance within six (6) months of Council adoption.

4) Adoption of a resolution amending Council Policy 600-04.

5) The proposed amendments to the above referenced parking requirements are applicable to the Coastal Zone and therefore constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If approved, the proposed LCP amendment must be transmitted to the California Coastal Commission for review and final approval. The proposed LCP amendment would not become effective until after approval by the California Coastal Commission.

(City-wide)

Today's actions are:

Subitem-A: (O-90-47) INTRODUCED AS AMENDED, TO BE
ADOPTED SEPTEMBER 25, 1989

Introduction of an Ordinance amending the Municipal Code.

Subitem-B: (R-90-368) ADOPTED AS RESOLUTION R-274371

Adoption of a Resolution directing staff to initiate a
review of the effectiveness of the ordinance within six (6)
months of Council adoption.

Subitem-C: (R-90-367) ADOPTED AS RESOLUTION R-274372

Adoption of a Resolution amending Council Policy 600-04.

Subitem-D: (R-90-366) ADOPTED AS RESOLUTION R-274373

Adoption of a Resolution amending the Local Coastal Program
(LCP) and authorizing transmittal to the California Coastal
Commission.

FILE LOCATION: SUBITEM-A: --; SUBITEMS-B&C: MEET;
SUBITEM-D: LAND - LCP

COUNCIL ACTION: (Tape location: A020-540.)

Hearing began at 11:10 a.m. and halted at 11:47 a.m.

Testimony in opposition by Mark Spitzer, Gary Taylor, Olen
Mercer, and Ray Purser.

Mayor O'Connor closed the hearing.

MOTION BY ROBERTS TO APPROVE AND TO DISALLOW THE PARKING
REDUCTIONS FOR TRANSIT CORRIDORS AND THOSE WITHIN THE CAMPUS
IMPACT AREAS. TO ACCEPT THE CHANGES RECOMMENDED BY THE PLANNING
DEPARTMENT AS FOLLOWS: 1) ADD TO SECTION 101.0835D.2.c(1),
"THIS REDUCTION MAY NOT BE USED IN CAMPUS PARKING IMPACT AREAS
AS SHOWN ON MAP NO. C-795;" 2) CHANGE SECTION 101.0101.55.E TO
READ: "TRANSIT HUB. ANY AREA GREATER THAN ONE SQUARE MILE WITH
AN AGGREGATE DENSITY OF TRANSIT NODES AVERAGING MORE THAN FIVE
TRANSIT NODES PER SQUARE MILE." TO ACCEPT COUNCIL MEMBER
McCOLL'S DIRECTIVE TO THE PLANNING DEPARTMENT TO REVIEW THE
TRANSIT CORRIDOR MAP FOR ACCURACY. Second by McCarty. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-not present, Mayor
O'Connor-yea.

ITEM-330:

Two actions relative to 54th Street (Laurel Street to

Streamview Drive) Underground Utility District:
(Mid-City Community Area. District-3.)
Subitem-A: (R-90-84) ADOPTED AS RESOLUTION R-274374

Establishing an Underground Utility District to be known
and denominated as the 54th Street (Laurel Street to
Streamview Drive) Underground Utility District.
Subitem-B: (R-90-85) ADOPTED AS RESOLUTION R-274375

Authorizing the expenditure of an amount not to exceed
\$3,500 from CIP-37-028, Gas Tax Fund 32191, for the purpose
of administering the 54th Street (Laurel Street to
Streamview Drive) Underground Utility District, minor City
Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district
will underground the overhead utility facilities on 54th Street
between Laurel Street and Streamview Drive. This is a scheduled
project in the Calendar Year 1990 Capital Improvements Program.
The formation of this district will require the affected
property owners to underground the portion of their utilities on
their parcel prior to removal of the overhead utilities. The
total number of affected properties in this district is 42.
Council Policy 800-2 provides for the use of San Diego Gas and
Electric Company's Annual Allocation Funds (Case 8209) to make
reimbursement payments to affected property owners based on the
length of their electrical service trench. A future resolution
will establish the date for removal of overhead utilities as the
undergrounding work approaches completion.
Aud. Cert. 9000062.

FILE LOCATION: STRT K-190

COUNCIL ACTION: (Tape location: A543-B058.)
Hearing began at 11:48 a.m. and halted at 11:54 a.m.
Testimony by a representative from the Oak Park Community Town
Council.

MOTION BY McCOLL TO ADOPT THE ITEM AND TO REFER THE MATTER OF
NOTICING RESIDENTS TO THE CITY MANAGER. THE CITY MANAGER IS
ALSO DIRECTED TO ARRANGE FOR A STAFF MEMBER TO ATTEND THE
OCTOBER 5, 1989, OAK PARK COMMUNITY MEETING TO EXPLAIN THE
UNDERGROUND PROCEDURE. Second by McCarty. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-not present, Struiksmma-not present, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: CONTINUED TO OCTOBER 16, 1989

Two actions relative to Governor Drive (Regents Road to Genesee Avenue) Underground Utility District:
(University Community Area. District-1.)

Subitem-A: (R-90-75)

Establishing an Underground Utility District to be known and denominated as the Governor Drive (Regents Road to Genesee Avenue) Underground Utility District.

Subitem-B: (R-90-76)

Authorizing the expenditure of an amount not to exceed \$5,500 from CIP-37-028, Gas Tax Fund 32191, for the purpose of administering the Governor Drive (Regents Road to Genesee Avenue) Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Governor Drive between Regents Road and Genesee Avenue. This is a scheduled project in the Calendar Year 1990 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 22. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9000063.

FILE LOCATION: STRT K-189

COUNCIL ACTION: (Tape location: E236-249.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS-331 AND 338 TO OCTOBER 3, 1989. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-332:

Proposal to amend Article 1, Division 5, Section 101.0550 (Sidewalk Cafes) of the San Diego Municipal Code to:

*permit musical instruments and sound reproduction devices on sidewalk cafes if the sound level does not exceed fifty-five decibels;

*permit temporary railings, instead of permanent railings to define the sidewalk cafe boundary, if fixed to the sidewalk and in place when the cafe is in operation; and,

*permit expansion of sidewalk cafes to adjacent businesses if the clear path and railing requirements are met and permission is obtained from the adjacent property owner(s) and first floor tenant(s).

Because the Sidewalk Cafe Ordinance applies City-wide, including all areas of the coastal zone, the proposed amendments also constitute an amendment to the City of San Diego's Local Coastal Program. To become effective, in the coastal zone, the amendments must also be approved by the California Coastal Commission.

(Citywide)

Subitem-A: (O-90-23) INTRODUCED AS AMENDED, TO BE ADOPTED SEPTEMBER 25, 1989

Introduction of an Ordinance amending the Sidewalk Cafe Ordinance.

Subitem-B: (R-90-205) ADOPTED AS RESOLUTION R-274379

Adoption of a Resolution amending the Local Coastal Program (LCP) and authorizing transmittal to the California Coastal Commission.

FILE LOCATION: SUBITEM-A: --; SUBITEM-B: LAND - LCP

COUNCIL ACTION: (Tape location: B049-118; C049-393.)

Hearing began at 11:54 a.m. and recessed at 12:00 p.m.

Testimony in opposition by Jane Lattin.

Hearing resumed at 2:20 p.m. and halted at 2:46 p.m.

Testimony in opposition by Jack Whitman and George Clarke.

MOTION BY HENDERSON TO APPROVE THE SIDEWALK CAFES WITHOUT MUSIC.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, McColl-not present,

Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

ITEM-333: CONTINUED TO DECEMBER 12, 1989

Three actions relative to the Florence Riford Library
Parking Expansion (La Jolla) - Condemnation:
(See City Manager Report CMR-89-406. La Jolla Community
Area. District-1.)

Subitem-A: (R-89-2548)

Determining that the public interest and necessity require
the construction of a parking lot at 7571 Draper Avenue, in
the City of San Diego; declaring the intention of the City
to acquire that property under eminent domain proceedings;
directing the City Attorney to commence an action in the
Superior Court of the State of California to condemn and
acquire immediate possession of that property.

Subitem-B: (R-90-306)

Authorizing the expenditure of an amount not to exceed
\$424,000 from CIP-35-057.0, Florence Riford Library Center
(La Jolla), consisting of \$199,000 from Capital Outlay Fund
302453 and a \$225,000 cash gift from Florence Riford
(contingent upon receipt of funds), pledged in an agreement
signed by Mrs. Riford on May 4, 1988 and accepted by
Resolution R-271427 on July 20, 1988.

Subitem-C: (R-90-307)

Certifying that the information contained in Environmental
Negative Declaration END-88-0873, dated November 8, 1988,

in connection with Florence Riford Library Expansion (La
Jolla), has been completed in compliance with the
California Environmental Quality Act of 1970, as amended,
and State guidelines, and that said Declaration has been
reviewed and considered by the Council.

Aud. Cert. 8901007.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B087-093.)

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO DECEMBER 12, 1989,
TO RE-EVALUATE THE APPRAISAL AS RECOMMENDED BY JACK McGRORY,
ASSISTANT CITY MANAGER. Second by Filner. Passed by the
following vote: Wolfsheimer-yea, Roberts-not present,
McCull-not present, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (O-90-24) CONTINUED TO SEPTEMBER 18, 1989

(Continued from the meeting of August 8, 1989, Item 341, at the City Manager's request.)

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year", by amending Document No. 00-17326-1, as amended and adopted therein, by amending the personnel authorization of the Engineering and Development Department (540), in General Fund 100, by adding one (1.00) Deputy Director position; exempting the Deputy Director position from the Classified Service; and establishing a salary rate therefor.

CITY MANAGER SUPPORTING INFORMATION: This Ordinance will add one Deputy Director to the Engineering and Development Department. This additional Deputy Director position will allow the Department to implement the Mobility Planning Program recently approved by Council and included in the FY 1990 budget by creating a new Transportation Demand Management Division with staffing currently funded in the FY 1990 budget. It will also coordinate activities with other Divisions of the Department leading to improved traffic flow on the existing street system. Today's action will provide authorization to establish the

division. Staff will subsequently define a specific work program which will be brought forward for action within 60 days. Once Council approval has been obtained for that work program, the balance of required staffing will be hired. On July 26, 1989 the Civil Service Commission will consider exempting the additional Deputy Director position from the Classified Service. The results of that action will be presented to Council on August 7, 1989.

NOTE: See Item 201 on the docket of Monday, September 11, 1989 for the first public hearing. Today's action is the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E259-262.)

MOTION BY STRUIKSMA TO CONTINUE FOR ONE WEEK. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-335:

Rezoning approximately 0.188 acres of land located on the southeast corner of La Cuenta Drive and Baroque Lane from Zone R1-40000 to CO, and a proposed amendment to the Tierrasanta Community Plan, redesignating the property from Fire Station to Office Commercial use. This action would allow the construction of a 3,900 square-foot, two-story medical office building on a currently vacant lot. The subject property is further described as a portion of Lot 29, Rosedale Tract, Map-825. A Planned Commercial Development Permit for the proposed medical office building has been approved by the Planning Director and will become final pending approval of the plan amendment and rezone.

(Case-88-1037. District-7.)

Subitem-A: (R-90-318) ADOPTED AS RESOLUTION R-274380

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-1037 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.

Subitem-B: (O-90-36) INTRODUCED, TO BE ADOPTED
SEPTEMBER 25, 1989

Introduction of an Ordinance for CO Zoning.

Subitem-C: (R-90-317) ADOPTED AS RESOLUTION R-274381

Adoption of a Resolution amending the community plan.

NOTE: This is a companion item to the Tierrasanta Gateway project, Item 336.

FILE LOCATION: SUBITEM-A - ZONE Ord. No.; SUBITEM-B --;
SUBITEM-C - LAND - Tierrasanta Community Plan

COUNCIL ACTION: (Tape location: C393-471.)

Hearing began at 2:46 p.m. and halted at 2:51 p.m.

Testimony in favor by Deanna Spehn, Dr. Edwin Yorobe and Bruce Wyman.

MOTION BY McCARTY TO CLOSE THE HEARING AND ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-yea.

ITEM-336:

- 1) Rezoning Case 88-1036, on the property described below, proposing to change the zoning on the 2.82 acre site from Zone CN to CC and to change the zoning on the 7.33 acre site from Zone R1-40000 to CC.
- 2) Proposed amendments to the Tierrasanta Community Plan and the Progress Guide and General Plan to redesignate 2.82 acres of land from Neighborhood Commercial to Specialized Commercial use and to designate, for Specialized Commercial use, 7.33 acres of land left over from the construction of SR-52, for the property described below.

The subject property is located at the southwest corner of SR-52 and Santo Road and is further described as a portion of Lot 9 of Parcel Map PM-8547 and Lot 150 of Villa Barbados North Unit 1, Map-7236, in the Tierrasanta Community Plan area.

(Case-88-1036. District-7.)

Subitem-A: (R-90-321) ADOPTED AS RESOLUTION R-274382

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-1036 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.

Subitem-B: (O-90-37) INTRODUCED, TO BE ADOPTED
SEPTEMBER 25, 1989

Introduction of an Ordinance for CC Zoning.

Subitem-C: (R-90-320) ADOPTED AS RESOLUTION R-274383

Adoption of a Resolution amending the community plan and the general plan to become effective after the next omnibus hearing.

NOTE: This is a companion to Tierrasanta/Yorobe project, Item 335.

FILE LOCATION: SUBITEM-A - ZONE - Ord. No.; SUBITEM-B --;
SUBITEM-C - LAND - Tierrasanta Community Plan

COUNCIL ACTION: (Tape location: C471-D313.)

Hearing began at 2:51 p.m. and halted at 3:14 p.m.

Testimony in favor by John Carter, Bruce Wyman and Deanna Spehn.
MOTION BY McCARTY TO APPROVE. Second by Henderson. Passed by
the following vote: Wolfsheimer-not present, Roberts-yea,
McColl-not present, Pratt-not present, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

Sep-12-1989

ITEM-337: CONTINUED TO SEPTEMBER 18, 1989

Matter of the rescission of the existing West Clairemont
Height Limitation Overlay Zone and the adoption of the
Clairemont Mesa Height Limitation Overlay Zone. The
Clairemont Mesa Height Limitation Overlay Zone recommends a
30-foot-height limit over the entire community, except for
the industrial areas on Santa Fe Street, north of Damon
Avenue and Morena Boulevard, north of Avati Drive.

(Districts-5 and 6.)

Subitem-A: (R-90-363)

Adoption of a Resolution establishing \$1,200 deposit for a
height limitation exception.

Subitem-B: (O-90-43)

Introduction of an Ordinance amending the S.D. Muni. Code
relating to the Clairemont Mesa Height Limitation.

FILE LOCATION: ZONE - Clairemont Mesa Height Limitation
Overlay Zone

COUNCIL ACTION: (Tape location: D313-E236.)

Hearing began at 3:14 p.m. and halted at 3:58 p.m.

Testimony in favor by Marguerite Ferrante.

Testimony in opposition by Doris Sorensen, Jim Milch, Linda
Maskovich, Don Wood, Merlin Osterhaus, Elfreda Reese and
Rick Dentt.

MOTION BY HENDERSON TO CLOSE THE HEARING AND CONTINUE TO
SEPTEMBER 18, 1989 TO ALLOW TIME FOR STAFF TO REVISE THE
RESOLUTION AND ORDINANCE. Second by Struiksma. Passed by the
following vote: Wolfsheimer-nay, Roberts-yea, McColl-not
present, Pratt-not present, Struiksma-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-338: CONTINUED TO OCTOBER 3, 1989 AT 2:00 P.M.

(Continued from the meeting of August 8, 1989, Item 338, at
the Planning Department's request, for further review.)

Matters relating to the following:

A proposal to adopt the "Landscape Technical Manual" and the following ordinance amendments to the San Diego Municipal Code in order to implement the "Landscape Technical Manual":

- 1) City-wide Landscape Ordinance - Amendments to Chapter X, Article 1, Division 7, Sections 101.0701, 101.0702, 101.0703, 101.0704, 101.0705, 101.0706, 101.0707 and 101.0708. The proposed amendments to the City-wide Landscape Ordinance are in response to recurring conditions on projects that have been permitted within the past year in addition to referencing the "Landscape Technical Manual". The plant point schedule changes are designed to reflect current market conditions for plant prices.
- 2) Resource Protection Ordinance - Amendments to Chapter X, Article 1, Division 4, Section 101.0462. The proposed amendments to the Resource Protection Ordinance would: a) make the definitions for clearing and grubbing consistent with definitions in the Land Development Ordinance and the "Landscape Technical Manual"; b) establish that landscaping required by RPO would be per the guidelines and criteria as set forth in the "Landscape Technical Manual"; and c) require the applications for RPO to be prepared in accordance with the submittal guidelines of the "Landscape Technical Manual".
- 3) Land Development Ordinance - Amendments to Chapter VI, Article 2, Division 1, Sections 62.0101, 62.0102, 62.0112, and Division 4, Sections 62.0401, 62.0402, 62.0402.1, 62.0402.2, 62.0402.3, 62.0403, 62.0404, 62.0404.5, 62.0404.6, 62.0405, 62.0406, 62.0407, 62.0408, 62.0409, through 62.0410, 62.0414, 62.0416.5, 62.0417 and 62.0418. The proposed amendments to the Land Development Ordinance would require that revegetation plans be prepared in compliance with the "Landscape Technical Manual" and that agronomic soils test reports be submitted as part of the permit application. Maintenance of up to 25 months will also be required for non-permanently irrigated revegetated slopes. This is necessitated by the slower and more unpredictable establishment of temporary and non-irrigated slope revegetation efforts.
- 4) Planned Development Ordinances - Amendments to Chapter X, Article 1, Division 9, Sections 101.0900, 101.0910, 101.0920 and 101.0930 (PRD, PCD, PID, PIRD). The

proposed amendments to the Planned Development Ordinances would implement the "Landscape Technical Manual".

- 5) Planned Districts - Amendments to Chapter X, Article 3; Division 3 (La Jolla Shores); Division 5 (Mission Beach); Division 7 (Golden Hill); Division 9 (Barrio Logan); Division 10 (Mt. Hope); Division 11 (Otay Mesa); Division 12 (La Jolla); Division 13 (West Lewis); and Division 14 (Cass Street). The proposed amendments to the Planned Districts referenced would implement the "Landscape Technical Manual".
- 6) Public Rights-of-Way and Land Development - Amendments to Chapter VI, Article 2, Division 6, Section 62.0611 (Street Planting). The proposed amendments to the Street Planting Ordinance reference Section 8 (Public Rights-of-Way and Open Spaces) of the "Landscape Technical Manual". The proposed reference would create consistency between current and proposed regulations.
- 7) Basic Zones - Amendments to Chapter X, Article 1, Division 4, Sections 101.0410, 101.0414, 101.0418, 101.0421, 101.0423, 101.0426, 101.0426.1, 101.0427, 101.0428, 101.0430, 101.0432, 101.0433, 101.0434, 101.0434.1, 101.0435.1, 101.0435.2, 101.0436, 101.0437, 101.0440 and 101.0441. The proposed amendments to the basic zones add specific references to the City-wide Landscape Ordinance and to the "Landscape Technical Manual". The addition of the City-wide Landscape Ordinance reference is in response to a prior City Council action on May 27, 1986 which adopted the City-wide Landscape Ordinance for all underlying zones City-wide.
- 8) Hillside Review Ordinance - Amendments to Chapter X, Article 1, Division 4, Section 101.0454. The proposed amendments to the Hillside Review Ordinance would implement the "Landscape Technical Manual".
- 9) LCP Amendment - The proposed amendments also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.

(City-wide.)

Subitem-A: (R-90-93)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-1023 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 and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-90-92)

Adoption of a Resolution adopting the proposed "City of San Diego's Landscape Technical Manual".

Subitem-C: (O-89-245)

Introduction of an Ordinance amending Chapter V of the San Diego Municipal Code relating to Appendix II A of the Uniform Fire Code.

Subitem-D: (O-90-11)

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code relating to the City-wide Landscape Ordinance; Chapter X, relating to Planned Development Ordinances (PRD, PCD, PID, PIRD); and Chapter X, relating to Planned Districts (La Jolla Shores, Mission Beach, Golden Hill, Barrio Logan, Mt. Hope, Otay Mesa, La Jolla, West Lewis and Cass Street).

Subitem-E: (O-90-8)

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code, relating to the Resource Protection Ordinance.

Subitem-F: (O-90-9)

Introduction of an Ordinance amending Chapter VI of the San Diego Municipal Code, relating to the Land Development Ordinance.

Subitem-G: (O-90-12)

Introduction of an Ordinance amending Chapter VI of the San Diego Municipal Code relating to Street Planting.

Subitem-H: (O-90-13)

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code relating to the Basic Zones.

Subitem-I: (O-90-14)

Introduction of an Ordinance amending Chapter X of the San Diego Municipal Code relating to the Hillside Review Ordinance.

Subitem-J: (R-90-121)

Adoption of a Resolution amending the City of San Diego's Local Coastal Program and authorizing transmittal to the Coastal Commission.

Subitem-K: (O-90-)

First public hearing in the matter of amending O-17326 (NS), as amended, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year", by amending the personnel authorization of the Planning Department (065) in General Fund 100, by adding: 2.0 Senior Planners; 4.0 Associate Planners; 2.0 Junior Planners and 1.0 Clerical Assistant II and related non-personnel expenses to Program Element (06533) for expenses related to administering the Landscape Technical Manual. Authorizing the Auditor and Comptroller to increase the Planning Department (065) Fiscal 1990 appropriation in the General Fund (100) by transferring \$438,258 from the General Fund (100) Unallocated Reserve.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E236-249.)

MOTION BY STRUIKSMA TO CONTINUE ITEMS-331 AND 338 TO OCTOBER 3, 1989. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: RECOMMENDATIONS ACCEPTED

In the matter of:
Recommendations of the Blue Ribbon Committee appointed to implement Proposition C (voter approved Regional Planning and Growth Control Measure).

(See Planning Department Report PDR-89-422.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E293-399.)

MOTION BY STRUIKSMA TO SUPPORT STAFF'S RECOMMENDATIONS. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: (R-90-423) ADOPTED AS RESOLUTION R-274384

Directing the Planning Department to immediately proceed with all the necessary prerequisites to process a plan amendment to reclassify Pomerado Road, within the Scripps-Miramar Ranch Community Plan Area, to a two-lane collector street.

(Scripps-Miramar Ranch Community Area. District-5.)

FILE LOCATION: LAND - Scripps-Miramar Ranch Community Plan

COUNCIL ACTION: (Tape location: E280-293.)

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTION DIRECTING THE PLANNING DEPARTMENT TO IMMEDIATELY PROCEED WITH ALL NECESSARY PREREQUISITES TO A PLAN AMENDMENT TO RECLASSIFY POMERADO ROAD WITHIN THE SCRIPPS-MIRAMAR RANCH COMMUNITY PLAN AREA TO A TWO-LANE COLLECTOR STREET AND TO BRING THE MATTER TO PUBLIC HEARING AS EXPEDITIOUSLY AS POSSIBLE. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-90-449) ADOPTED AS RESOLUTION R-274376

A Resolution adopted by the City Council in Closed Session on September 12, 1989

Authorizing the City Manager to pay the total sum of \$27,829.83 in the settlement of each and every claim against the City, its agents and employees, resulting from property damage to the residence of Shaul Cohen; authorizing the City Auditor and Comptroller to issue one check in the amount of \$27,829.83, made payable to Luth & Turley, Inc. in settlement of all claims.
Aud. Cert. No. 9000221

FILE LOCATION: MEET

ITEM-CS-2: (R-90-428) ADOPTED AS RESOLUTION R-274377

A Resolution adopted by the City Council in Closed Session on September 12, 1989.

Authorizing the City Manager to pay the total sum of \$65,000 in the settlement of each and every claim against the City, its agents and employees, resulting from personal injury to Debbie Reader; authorizing the City Auditor and Comptroller to issue one check in the amount of \$65,000 to Debbie Reader and her attorney Samuel Jefferson Frazier, III, in full settlement of all claims.

Aud. Cert. No. 9000274

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 5:46 p.m. in honor of the memory of Mike Walker.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F372).