

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR SPECIAL COUNCIL MEETING
OF
THURSDAY, OCTOBER 1, 1992
AT 1:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

To Council Members Wolfsheimer, Roberts, Hartley, Stevens, Behr, Stallings, McCarty, and Filner, members of the City Council of the City of San Diego, California:

A SPECIAL MEETING of the City Council is hereby called to be held in the Council Chambers, 12th floor City Administration Building, 202 C Street, San Diego, California, on Thursday, October 1, 1992, at the hour of 1:00 p.m. Said meeting has been called for the following purposes: Continued deliberation and Council action on matters relating to the adoption of the North City Future Urbanizing Area Framework Plan (continued from the City Council meeting of September 21, 1992, Item 202). Continuing deliberations on the Fiscal Year 1993 City budget.

Dated September 24, 1992.

MAUREEN O'CONNOR, MAYOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Roberts at 1:12 p.m. The meeting was recessed by Deputy Mayor Roberts at 5:50 p.m. to meet in Closed Session in the 12th floor conference room to discuss meet and confer issues related to the budget. The meeting was reconvened by Mayor O'Connor at 6:48 p.m. with Council Member Wolfsheimer, and Deputy Mayor Roberts not present. Mayor O'Connor adjourned the meeting at 8:34 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present

- (3) Council Member Hartley-present
 - (4) Council Member Stevens-present
 - (5) Council Member Behr-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Lee Mowery regarding televised hearings.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A043-030.)

ITEM-701:

(Continued from the meeting of September 21, 1992, Item 202, at Mayor O'Connor's request, to allow her to be present and for comprehensive consideration of this issue, and for reconsideration from the Planning Commission.) Matter of a proposal to approve the following:

1. Adoption of the North City Future Urbanizing Area Framework Plan as an amendment to the Progress Guide and General Plan, including but not limited to amendments to the Open Space, Transportation, and various land use elements, as well as the Guidelines for Future Development.
2. Amendments to the City of San Diego Local Coastal Program (LCP), Land Use Plan and implementing Ordinances. If adopted by the City, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment will not become effective in the Coastal Zone until after approval by the California Coastal Commission.
3. Amendments to the A-1 zone and Planned Residential Development (PRD) ordinance to eliminate the use of the one-dwelling-unit-per-four-acres option on designated properties (See Zone Map, Drawing No. C-850) and to clarify that retention of future development opportunities under the "Rural Cluster" (one dwelling unit per ten acres) development option does not supersede requirements of the Resource Protection Ordinance for preservation of sensitive resources.
4. Rezoning of seven parcels from agricultural, A-1-1 zone, to agricultural, A-1-10 zone (See Zone Map Drawing No. C-851).
5. Amendments to the Planned Residential Development (PRD) ordinance to reference the subarea plan requirement in the Framework Plan.
6. Amendments to the Planned Residential Development ordinance to reference the Framework Plan regarding facilities requirements that must be satisfied in order for development at a greater intensity than one unit per ten acres to proceed prior to approval of subarea

plans.

7. Adoption of an interim development impact fee for public facilities to be levied in the interim period before a Public Facilities Financing Plan is adopted by the City Council.

8. Amending Council Policies 600-29 and 600-30.

9. Certification of Environmental Impact Report EIR-91-0809 and adoption of Findings and Statement of Overriding Considerations.

10. Adoption of an amendment to the Progress Guide and General Plan, Guidelines for Future Development, to reaffirm and clarify the previous City Council action of October 1990.

11. Certification of Environmental Impact Report EIR-90-0526.

(North City Future Urbanizing Area. District-1.)

Subitem-A: (R-93-332) ADOPTED AS RESOLUTION R-280783

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-91-0809 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-93-333) ADOPTED AS RESOLUTION R-280784

Adoption of a Resolution declaring that Environmental Impact Report EIR-90-0526 has been previously reviewed and certified by this Council on October 1, 1990.

Subitem-C: (R-93-334) ADOPTED AS RESOLUTION R-280785

Adoption of a Resolution amending Council Policy 600-29.

Subitem-D: (R-93-335) ADOPTED AS RESOLUTION R-280786

Adoption of a Resolution amending Council Policy 600-30.

Subitem-E: (R-93-336) ADOPTED AS RESOLUTION R-280787

Adoption of a Resolution adopting the North City Future Urbanizing Area Framework Plan as an amendment to the Open Space and Transportation Elements of the Progress Guide and General Plan, and the Guidelines for Future Development, and incorporating the Framework Plan into the Progress Guide and General Plan for the City of San Diego.

Subitem-F: (R-93-337) ADOPTED AS RESOLUTION R-280788

Adoption of a Resolution amending the Progress Guide and General Plan, Guidelines for Future Development, to reaffirm and clarify previous City Council action of October 1990.

Subitem-G: (O-93-33) TRAILED TO OCTOBER 5, 1992 AS UNFINISHED BUSINESS DUE TO LACK OF FIVE AFFIRMATIVE VOTES

Introduction of an Ordinance adopting various rezonings within the North City Future Urbanizing Area.

Subitem-H: (O-93-34) INTRODUCED AS AMENDED, TO BE ADOPTED OCTOBER 19, 1992

Introduction of an Ordinance amending Chapter X, Article 1, Division 9, of the San Diego Municipal Code.

Subitem-I: (O-93-35) INTRODUCED, TO BE ADOPTED OCTOBER 19, 1992

Introduction of an Ordinance amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code.

Subitem-J: (R-93-) CONTINUED TO NOVEMBER 17, 1992

Adoption of a Resolution adopting an interim

development impact fee to be levied in the interim period before a Public Facilities Financing Plan is adopted by the City Council.

FILE LOCATION: LAND - Progress Guide and General Plan

COUNCIL ACTION: (Tape location: A043-G290.)

Motion by Behr to approve the following items as submitted to Council in writing and as read in the record:

1. Certify that Environmental Impact Report No. 91-0809 has been completed in compliance with the California Environmental Quality Act and State CEQA guidelines, that said report reflects the independent judgement of the City of San Diego as lead agency, and that the Council has reviewed and considered said report, and adopts the candidate findings and statement of overriding considerations attached to the final EIR.
2. The Council has reviewed and considered previously Certified Environmental Impact Report No. 90-0526.
3. Approval of staff's recommendation and adoption of the North City Future Urbanizing Area Framework Plan dated September 1992, including the errata sheet, as an amendment to the Progress Guide and General Plan and incorporating the Framework Plan into the Progress Guide and General Plan for the City of San Diego, with the following changes:
 - A. Incorporation of the Citizen Advisory Committee's ("CAC") recommended changes to:
 1. Tables 3.3.F, G, and H on Pages 23 and 24 of the Framework Plan;
 2. The Framework Plan Figure 3-2; and
 3. The Framework Plan's policy issues.

All as described on the two-page attachment to this motion (as submitted to Council) from Mr. Nicholas Delorenzo, Chair of the C.A.C.

- B. Preparation and completion by June 1, 1993, of a Public Facilities Financing and Phasing Plan for the North City Future Urbanizing Area including,

but not limited to, arterial roads, freeways, bridge structures, transit facilities, libraries, community parks, fire stations, sewer and water facilities and open space acquisition.

- C. Preparation and completion by June 1, 1993 of a Master School Facilities Financing and Phasing Plan for schools, including temporary facilities for the transportation of students, in the North City Future Urbanizing Area. This plan shall take into consideration the impact of California Senate Bill 1287, if adopted, on the provision of Schools consistent with need as this area's student population grows.
 - D. Direct City staff to work during this preparation period with the County of San Diego local governmental entities and other affected public and private parties to identify funding sources and, to the extent practicable, establish an equitable funding mechanism that will supplement the Future Urbanizing Area Public Facilities Financing Plan and the Master School Facilities Financing Plan.
 - E. Insure that all applicants and projects (whether or not exempted by Paragraph 9) who proceeded with development in the North City Future Urbanizing Area prior to adoption of the Public Facilities and Master School Facilities and Phasing Plans shall be required to contribute to such plans in a manner consistent with this motion.
- 4. Adopt the amendments to the open space and transportation elements of the Progress Guide and General Plan as depicted on Figure 3-2 in the Framework Plan as amended by this motion.
 - 5. Adopt the amendments to the Progress Guide and General Plan, guidelines for future development, to reaffirm and clarify previous City Council action of October 1990.
 - 6. Adopt the amendments to Council Policy No. 600-29 and 600-30.
 - 7. Introduce the ordinances amending Chapter X, Article 1,

Division 9, of the San Diego Municipal Code; Chapter X, Article 1, Division 4 of the San Diego Municipal Code; and various rezonings within the North City Future Urbanizing Area as amended by this motion.

8. Continue Subitem J and direct staff to return on November 17, 1992, for approval of interim development impact fees which will remain in effect until such time as final development impact fees are adopted by Council.
9. This motion shall not be applicable to any project with discretionary permit applications on file prior to for which the owner executes a Memorandum of Understanding or other such similar agreement that provides assurance that the project will participate in the Public Facilities and Master School Facilities costs and will be consistent with the North City Future Urbanizing Area Framework Plan as amended by this motion. Second by McCarty for discussion purposes.

Motion was later separated and voted on.

Substitute motion by Hartley to recommend conceptual approval of the framework plan, but not the final approval of the framework plan until issues are resolved. No second.

Motion by Behr to certify the E.I.R. and the Statement of Review of the previous E.I.R. (the approval of Subitems-A and B on the docket.)

Second by Roberts. Failed. Yea: 2,4,5,8. Nay: 3,6,7. Not present: 1,M.

MOTION BY BEHR TO CERTIFY THE E.I.R., ADOPTING SUBITEMS-A AND B, (PARAGRAPHS 1 AND 2 OF BEHR'S ORIGINAL MOTION AS SUBMITTED). Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY BEHR TO ADOPT SUBITEM-E (PARAGRAPH 3, SUBPARAGRAPHS A, B, C, D, AND E OF BEHR'S ORIGINAL MOTION AS SUBMITTED), AND TO DIRECT STAFF TO INCORPORATE THE C.A.C. RECOMMENDED CHANGES AS OUTLINED IN SUBPARAGRAPHS 1 AND 2 TO BE ADDRESSED IN THE SUBAREA PLANNING AFTER THE CHANGES IN DENSITY. ADOPT THE CHANGES REGARDING THE FRAMEWORK PLAN'S

POLICY ISSUES AS ATTACHED TO MY MEMO. Second by McCarty.

Passed by

MOTION BY BEHR TO ADOPT THE AMENDMENTS TO THE OPEN SPACE AND TRANSPORTATION ELEMENTS OF THE PROGRESS GUIDE AND GENERAL PLAN AS DEPICTED ON FIGURE 3-2 IN THE FRAMEWORK PLAN AS AMENDED BY THIS MOTION (PARAGRAPH 4 OF BEHR'S ORIGINAL MOTION). Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY BEHR TO ADOPT THE AMENDMENTS TO THE PROGRESS GUIDE AND GENERAL PLAN (SUBITEM-F; PARAGRAPH 5 OF BEHR'S ORIGINAL MOTION). Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY BEHR TO ADOPT THE AMENDMENTS TO COUNCIL POLICY NO. 600-29 AND 600-30 (PARAGRAPH 6 OF BEHR'S ORIGINAL MOTION), WHICH IS CONSISTENT WITH SUBITEMS-C AND D ON THE DOCKET. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Motion by Behr to approve Paragraph 7 and 8 of the original motion (Subitems-G, H, and I on the docket) to introduce the ordinances and various rezonings and direct staff to return with Subitem-J on November 17, 1992 with the interim impact fees. Second by McCarty. Vote not taken. Subitems were voted on in separate motions.

Motion by Behr to approve Subitem-H amending Paragraph 101.0901 E.7.g. (Paragraph 7 of Behr's original motion). Second by Roberts. Failed. Yea: 2,4,5,8. Nay: 3,6,7. Not Present: 1,M.

Motion by Behr to approve Subitems-G and I (Paragraph 7 of Behr's original motion). Second by Roberts. Failed. Yea: 2,4,5,8. Nay: 6,7. Not present: 1,3,M.

MOTION BY BEHR TO CONTINUE SUBITEM-J (PARAGRAPH 8 OF BEHR'S ORIGINAL MOTION) TO NOVEMBER 17, 1992, AND DIRECT STAFF TO RETURN AT THAT TIME WITH THE INTERIM IMPACT FEES. Second by Roberts. Passed by the following vote: Wolfsheimer-not

present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY BEHR TO APPROVE SUBITEM-H AS MODIFIED BY COMMENTS MADE BY THE CITY ATTORNEY WITH RESPECT TO THE PRD PROCEDURES. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Motion by Behr to introduce Subitems-G and I. Second by McCarty. Failed. Yea: 4,5,8. Nay: 2,6,7. Not present: 1,3,M.

MOTION BY BEHR TO INTRODUCE SUBITEM-I (PARAGRAPH 7 OF BEHR'S ORIGINAL MOTION). Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ADDITIONAL BUSINESS: (R-93-653) ADOPTED AS RESOLUTION R-280846

During consideration of the above regular business item, the following resolution was adopted. (Note: refer to the previous motion related to Subitem-E; Paragraph 3, subparagraphs B, C, D, and E of the original motion as submitted for the record. The preparation and completion by June 1, 1993, of a Public Facilities Financing and Phasing Plan for the North City Future Urbanizing Area and a Master School Facilities Financing and Phasing Plan for schools.

FILE LOCATION: LAND - Progress Guide and General Plan

COUNCIL ACTION: Tape location: A043-G290.)

MOTION BY BEHR TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ADDITIONAL BUSINESS: (R-93-654) ADOPTED AS RESOLUTION R-280847

During consideration of the above regular business item, the following resolution was adopted. The

inclusion of a fair housing plan as part of the subarea plans.

FILE LOCATION: LAND - Progress Guide and General Plan

COUNCIL ACTION: Tape location: A043-G290.)

MOTION BY STEVENS TO INCLUDE THE FAIR HOUSING PLAN AS PART OF THE SUBAREA PLAN. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-702: TRAILED TO OCTOBER 5, 1992 AS UNFINISHED BUSINESS

Continuing deliberations on the Fiscal Year 1993 City budget.

FILE LOCATION:

COUNCIL ACTION: (Tape location: G300-I644.)

Staff report given by the City Manager.

Public testimony taken. Mayor O'Connor closed the public testimony and trailed the item to October 5, 1992, as unfinished business, for continued deliberations by Council.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 8:34 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: I645).