

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, OCTOBER 8, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

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

Mayor Wilson called the Regular Meeting to order at 2:16 p.m.

(Item 1)

Roll Call was taken.

Councilman Morrow entered the Chambers.

(Item 2)

Minutes of the Regular Council Meetings of Wednesday, August 6, 1975 and Wednesday, August 13, 1975 were presented by the City Clerk.

On motion of Councilman Martinet, said Minutes were approved without reading, after which they were signed.

(Item 3)

A communication from Cliff Jensen, representing Pacific Beach Rotary, requesting permission to address the Council, regarding working jointly with a high school group to paint the fire hydrants in the Pacific Beach area during the Bicentennial to represent colonial soldiers of the American Revolution, was presented. Cliff Jensen appeared to speak regarding said communication.

Councilman Haro entered the Chambers.

The motion of Councilman Martinet to refer the communication to the City Manager for a report to Council, was not voted on at this time.

Councilwoman O'Connor entered the Chambers.

Discussion followed.

On motion of Councilman Martinet, said communication was referred to the City Manager for a report and to the Public Services and Safety Committee.

The Council considered requests for continuances: Item 20.

(Item 20 - CASE NO. 28-75-3.)

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION: (Continued from the Meeting of September 10, 1975 to give applicant time to pay Park Fees.) Incorporating Lot 1, Pentecost Park and a portion of Lot 17, Rancho Mission of San Diego, SCC 348, into R-3 Zone, located north of Pentecost Way, and east of Westover Place.

Owen Crabtree appeared to speak requesting a continuance.

On motion of Councilman Morrow, the proposed Ordinance was continued to November 5, 1975 to give applicant time to pay Park Fees.

The Council considered the portion of the Consent Agenda dealing with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption, which consisted of Items 21, 22, 23, 24, and 25.

The following Ordinances were introduced at the Meeting of September 25, 1975.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of their passage, written or printed copy of each Ordinance.

The following Ordinances were adopted on motion of Councilman Haro, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 21 - CASE NO. 28-75-1)

AREA 1 - SUBAREA D.

ORDINANCE 11685 (New Series), incorporating that property in the Mid-City Planning Area III, known as College Verde, generally located on both sides of Streamview Drive between Michael Street and Gayle Street, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 22 - CASE NO. 44-75-1)

AREA 2 - SUBAREA A.

ORDINANCE 11686 (New Series), incorporating that property in the Mid-City Planning Area III, known as Lot 641, Redwood Village Unit 5, facing College Avenue, into R-3A Zone, as defined by Section 101.0412 of the San Diego Municipal Code, and repealing Ordinance No. 7641 (New Series), adopted October 24, 1957, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 23 - CASE NO. 7-75-2.)

AREA 3 - SUBAREA C.

ORDINANCE 11687 (New Series), incorporating that property in the Mid-City Planning Area III, located south of El Cajon Boulevard, east of 62nd Street, west of 63rd Street, and north of the Alley between Estelle Street and Madeline Street, into R-3A Zone, as defined by Section 101.0412 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 24 - CASE NO. 33-75-4.)

AREA 4 - SUBAREA C.

ORDINANCE 11688 (New Series), incorporating that property in the Mid-City Planning Area III, located northeasterly of the intersection of 73rd Street and El Cajon Boulevard, into R-3A Zone, as defined by Section 101.0412 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 25)

Nine Ordinances amending Chapter X, Article 1, Division 4 and 1 of the San Diego Municipal Code regarding Single-Family Zones-Floor Area Ratios, Multi-Family Zones-Floor Area Ratios and other related regulations, and new and amended definitions:

ORDINANCE 11689 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0407 relating to the R-1 Zones;

ORDINANCE 11690 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0409 relating to the R-2 Zone;

ORDINANCE 11691 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0410 relating to the R-2A Zone;

ORDINANCE 11692 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0411 relating to the R-3 Zone;

ORDINANCE 11693 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0412 relating to the R-3A Zone;

ORDINANCE 11694 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0413 relating to the R-4 Zone;

ORDINANCE 11695 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0414 relating to the RV Zone;

ORDINANCE 11696 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0415 relating to the R-4C Zone; and

ORDINANCE 11697 (New Series), amending Chapter X, Article 1, Division 1 of the San Diego Municipal Code by amending Sections 101.0101.25 Gross Floor Area; 101.0101.35 Lot Coverage; 101.0101.48 Underground Parking Structure; and 101.0101.50 Yard; and adding Sections 101.0101.50.1 through 101.0101.72 all relating to definitions and interpretations.

The Council considered that portion of the Consent Agenda dealing with Ordinances to be Introduced, which consisted of Item 26.

(Item 26)

A proposed Ordinance, establishing a new parking meter zone - on the west side of Fourth Avenue, between Spruce and Thorn Streets; a parking time limit of two hours shall be in effect between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, and authorizing the installation of parking meters and necessary signs and markings, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

The Council considered the remainder of the Consent Agenda which consisted of Items 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 100, 101, 102, and 103. There was discussion on Item 56.

(Item 50)

The following Resolutions relative to construction of Water and Sewer Main Replacement Group 401, were adopted on motion of Councilman Morrow:

RESOLUTION 214379, awarding a contract to Long, Marker & Howley Construction Co., for the sum of \$204,657.90; authorizing the expenditure of \$163,000 from Water Revenue Fund No. 502 and \$112,000 from Sewer Revenue Fund No. 506, for said purpose and related costs; and

RESOLUTION 214380, authorizing the use of City Forces to perform operational checks and making connections where required; said work shall not exceed \$32,200.

(Item 51)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Morrow:

RESOLUTION 214381, T. B. Penick & Sons, Inc., for Ocean Beach Athletic Area additional tennis courts, Bid Schedule No. 1, 2, 3, for the sum of \$138,309.64; authorizing the expenditure of \$164,100 out of Park and Recreation Bond Fund No. 725 for said purpose and related costs;

RESOLUTION 214382, International Payline Branch, for the purchase of three tractor bulldozers, for a total cost, including tax, terms, less trade-in allowance, of \$379,040;

RESOLUTION 214383, APW Evans Autom, for the purchase of filters and filter elements, as may be required for a period of six months ending March 31, 1976, for an actual estimated cost, including tax and terms, of \$6,667.13;

RESOLUTION 214384, Stationers Corporation, for the purchase of miscellaneous office supplies, for an actual cost, including tax and terms, of \$2,361.67;

(Item 51 - Continued)

RESOLUTION 214385, Hewlett-Packard Company, for the purchase of hardware accessories for calculator computer, for an actual cost, including tax, terms and installation, of \$1,854.48; and

RESOLUTION 214386, Western Fire Equipment, for the purchase of twelve nozzles, for an actual cost, including tax and terms, of \$1,589.87.

(Item 52)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Morrow:

RESOLUTION 214387, Dun & Bradstreet, Inc., for the purchase of a subscription for a period of one year commencing November 1, 1975, for an actual cost of \$1,430;

RESOLUTION 214388, International Harvester, for the purchase of International Harvester Tractor and Industrial Repair Parts, as may be required for a period of one year ending October 31, 1976, for an actual estimated cost, including tax and terms, of \$18,000;

RESOLUTION 214389, United Signal, Inc., for the purchase of one traffic controller cabinet and three switches, for an actual total cost, including sales tax and terms, of \$1,298.50;

RESOLUTION 214390, Fish Breeders, for the purchase of approximately 5,000 pounds of Channel Catfish as may be required for a period of ten months ending September 14, 1976, for an actual estimated cost, including terms, of \$4,700; and

RESOLUTION 214391, Varda Company, for the purchase of 50 pieces of radio equipment, for an actual cost including tax, terms and freight, of \$7,248.

(Item 53)

RESOLUTION 214392, awarding a contract to California-Western States Life Insurance Company, to renew the Group Life Insurance for the employees of The City of San Diego for a period of 52 weeks beginning October 24, 1975, for an estimated cost of \$22,860 exclusive of CETA employees; \$2,558 CETA employees (reimbursed by Federal Government), was adopted on motion of Councilman Morrow.

(Item 54)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Morrow:

RESOLUTION 214393, furnishing four triple combination pumper trucks in accordance with Specifications Document No. 752846;

RESOLUTION 214394, furnishing hardware and fasteners as may be required for a period of one year ending November 30, 1976, in accordance with Specifications Document No. 752847; and

RESOLUTION 214395, furnishing original utility bills and delinquent notices, in accordance with Specifications Document No. 752848.

(Item 55)

RESOLUTION 214396, inviting bids for Balboa Park Golf Course slope restoration-Phase II Irrigation and Landscaping in accordance with Specifications Document No. 752849, was adopted on motion of Councilman Morrow.

(Item 56)

RESOLUTION 214397, declaring Jerry B. Johnson and Marilyn A. Johnson, and College Trade Schools, subdivider of Kniffing Subdivision, to be in default under terms and conditions of agreement entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider; authorizing the City Manager to complete or cause to be completed, said improvements, was adopted on motion of Councilman Morrow.

(Item 57)

RESOLUTION 214398, awarding a contract to T. B. Penick & Sons, Inc. to pave and otherwise improve the Alleys, Blocks 3 and 4, Las Alturas No. 2; Alley adjacent to Lot 21, Block 13, Normal Heights; and Alley, Block 1, Corella Tract, was adopted on motion of Councilman Morrow.

(Item 58)

RESOLUTION 214399, awarding a contract to G. Spikes Masonry & Cement Contractor to pave and otherwise improve the Alleys, Blocks 169, 180 and 254, Pacific Beach and Alley, Block 2, North Shore Highlands, was adopted on motion of Councilman Morrow.

(Item 59)

RESOLUTION 214400, authorizing an agreement with Lawrence Black & Associates for the purpose of landscape architectural services required for the design of improvements to the East Morley Field Area of Balboa Park; authorizing the expenditure of \$17,000 from Park and Recreation Bond Fund No. 725 for said purpose and related costs, was adopted on motion of Councilman Morrow.

(Item 60)

RESOLUTION 214401, authorizing an agreement with Kawasaki, Theilaker & Associates for the purpose of landscape architectural services for the design of improvements to Palm Canyon in Balboa Park; authorizing the expenditure of \$9,600 from Park and Recreation Bond Fund No. 725 for said purpose and related costs, was adopted on motion of Councilman Morrow.

(Item 62)

RESOLUTION 214402, approving Change Order No. 1, issued in connection with the contract with T. B. Penick & Sons, Inc., for construction of improvements in Hollywood Park; said change amounting to an increase in the contract price of \$2,264, was adopted on motion of Councilman Morrow.

(Item 63)

RESOLUTION 214403, approving Change Order No. 1, issued in connection with the contract with Louetto Construction, Inc., for construction of Standley Park; said changes amounting to a net increase in the contract price of \$5,976.46; was adopted on motion of Councilman Morrow.

(Item 64)

RESOLUTION 214404, approving Change Order No. 1, issued in connection with the contract with Mr. Z Landscape for the construction of Mt. Hope Cemetery - Divisions 6, 7 and 11 improvements; said change amounting to a decrease in the contract price of \$1,554.80, was adopted on motion of Councilman Morrow.

(Item 65)

RESOLUTION 214405, approving Change Order No. 1, issued in connection with the contract with Fritz A. Nachant, Inc., for the development of Villa Monserate Neighborhood Park; said changes amounting to a net decrease in the contract price of \$2,053, was adopted on motion of Councilman Morrow.

(Item 66)

RESOLUTION 214406, approving Change Order No. 1, issued in connection with the contract with Brem Landscaping Company for the construction of South Shores Landscape Development; said changes amounting to a net increase in the contract price of \$1,420.20, was adopted on motion of Councilman Morrow.

(Item 67)

RESOLUTION 214407, authorizing the expenditure of not to exceed \$3,500 from Gas Tax Fund No. 220 for relocation of Robina Spencer, displaced by acquisition for the Imperial Avenue widening project, was adopted on motion of Councilman Morrow.

(Item 68)

RESOLUTION 214408, establishing a Parking Time Limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of Herman Street, between North Park Way and the alley north; authorizing the installation of the necessary signs and markings, was adopted on motion of Councilman Morrow.

(Item 69)

RESOLUTION 214409, establishing a parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of 30th Street, between Meade and Monroe Avenues; authorizing the installation of the necessary signs and markings, was adopted on motion of Councilman Morrow.

(Item 71)

RESOLUTION 214410, excusing Councilwoman Maureen O'Connor from the afternoon session of the Council Meeting of October 9, 1975, in order for her to attend a National League of Cities, Human Resources Committee Meeting in Washington, D. C., was adopted on motion of Councilman Morrow.

(Item 72)

The following Resolutions, relative to the Final Subdivision Map of Division Highlands Unit No. 7, were adopted on motion of Councilman Morrow:

RESOLUTION 214411, authorizing an agreement with Chilcote, Inc., for the completion of improvements in Division Highlands Unit No. 7, a 39-lot subdivision located southerly of Pittsburgh Avenue, northerly of Division Street, and easterly of 61st Street; and

RESOLUTION 214412, approving the final map of Division Highlands Unit No. 7 and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program.

(Item 73)

The following Resolutions, relative to the Final Subdivision Map of Division Highlands Unit No. 8, were adopted on motion of Councilman Morrow:

RESOLUTION 214413, authorizing an agreement with Chilcote, Inc., for completion of improvements in Division Highlands Unit No. 8, a 13-lot subdivision located southerly of Pittsburgh Avenue, northerly of Division Street, and easterly of 61st Street; and

RESOLUTION 214414, approving the final map of Division Highlands Unit No. 8 and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program.

(Item 100)

The following Resolutions, relative to Santa Fe Irrigation District, were adopted on motion of Councilman Morrow:

RESOLUTION 214415, certifying that the information contained in the Environmental Negative Declaration No. 72-12-017C, as amended, 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; and

RESOLUTION 214416, authorizing an agreement with the Santa Fe Irrigation District permitting a connection to the District's water system in Valley Avenue, in the vicinity of Interstate 5 and Via de la Valle Road, and delivering water through the connection to the City's system in exchange for transfer of pipeline and easements surplus to the City's needs.

(Item 101)

RESOLUTION 214417, establishing new recreational use permit fees for Lakes Recreation Programs from and after November 1, 1975; rescinding Resolution No. 207089 adopted on December 19, 1972, was adopted on motion of Councilman Morrow.

(Item 102)

RESOLUTION 214418, authorizing the City Manager, on behalf of the City, to communicate to the Board of Supervisors, County of San Diego, the concurrence of the City Council, in the County's intent to have itself designated the Community Action Agency (CAA) to administer antipoverty programs in the County, was adopted on motion of Councilman Morrow.

(Item 103)

RESOLUTION 214419, authorizing the City Manager to submit to the California Office of Criminal Justice Planning an application for grant for law enforcement purposes; accepting the grant and designating the City Manager to execute the contract for the grant for law enforcement purposes, including any extensions or amendments thereof, in the event the California Office of Criminal Justice Planning consents to fund the above project from funds made available through the Omnibus Crime Control and Safe Streets Act; providing the required matching funds to said project, including any extension or amendments thereof; that grant funds received hereunder shall not be used to supplant ongoing law enforcement expenditures; authorizing the City Manager to execute a contract for the services of a Research Assistant/Typist, on or after the effective date of the grant contract; and authorizing the Police Department to use \$12,924 to meet the cash match requirements of this grant which is budgeted in the Police Department's Fiscal Year 1976 Budget, and is included in the total second-year project cost of \$258,484, was adopted on motion of Councilman Morrow.

(Item 61)

A proposed Resolution, authorizing an agreement with the Inter-Museum Council for the purpose of conducting an advertising and public relations program aimed at increasing attendance at Balboa and Presidio Parks' Museums, was presented.

City Manager McKinley answered questions directed by the Council.

Discussion followed.

RESOLUTION 214420, authorizing an agreement with the Inter-Museum Council for the purpose of conducting an advertising and public relations program aimed at increasing attendance at Balboa and Presidio Parks' Museums, was adopted on motion of Councilman Morrow.

(Item 70)

A proposed Resolution, declaring that the City Council does not intend to modify or repeal Council Policy 600-14, entitled "Development Proposals within Flood Plains" within the predictable future, was presented.

Mayor Wilson answered questions directed by the Council.

Harold Tebbits appeared to speak.

City Attorney Witt answered questions directed by the Council.

Harold Tebbits appeared to speak further.

RESOLUTION 214421, declaring that the City Council does not intend to modify or repeal Council Policy 600-14, entitled "Development Proposals Within Flood Plains" within the predictable future, was adopted on motion of Councilman Haro.

(Item 104)

A proposed Resolution, continued from the Meetings of August 13 and 27, September 17 and October 1, 1975, for changes in language in agreement, authorizing the City Manager to approve revision of the Sea World Master Plan to include development of a children's playground in place of a previously proposed maritime museum on the premises of Sea World's existing lease, was presented.

City Manager McKinley and Property Director McFarlane answered questions directed by the Council.

The motion of Councilman Martinet to adopt a Resolution authorizing a sixth amendment to lease agreement with Sea World, was not voted on at this time.

Nancy Bradshaw appeared to speak in opposition.

Discussion followed.

Property Director McFarlane answered questions directed by the Council.

Dave DeMott and Al Moshin appeared to speak in favor of the proposed Resolution.

RESOLUTION 214422, authorizing a Sixth Amendment to Lease Agreement with Sea World, Inc., incorporating clauses for a General Development Plan, Affirmative Action, and an Educational Program, was adopted on motion of Councilman Martinet.

Mayor Wilson-recessed the Meeting at 3:12 p.m. Upon reconvening at 3:29 p.m., the Roll Call showed-Councilmen O'Connor and Williams absent.

(Item 105)

A proposed Resolution, authorizing an agreement with the San Diego Historical Society for future utilization of the Marston House, 3525 Seventh Avenue, San Diego, as the Society's headquarters and as a center for the development of recreational, educational, cultural, social and historical activities beneficial to the general public, was presented.

City Manager McKinley answered questions directed by the Council.

Councilmen O'Connor and Williams entered the Chambers.

Jim Moss appeared to speak.

Discussion followed.

City Manager McKinley answered questions directed by the Committee.

(Item 105 - Continued)

Jim Moss and James Henderson appeared to speak.

Discussion followed.

The motion of Councilman Martinet to adopt the proposed Resolution died for lack of a second.

Discussion followed.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Ellis to approve in concept the designation of the Marston House as the Historical Society's headquarters at such time the facility becomes available was not voted on at this time.

Martin Dickinson appeared to speak.

Assistant City Attorney Teaze answered questions directed by the Council.

Councilman Ellis added to the motion that the terms and upkeep be determined at public hearing.

Councilman Morrow withdrew the second to the motion of Councilman Ellis.

Councilman Hubbard seconded the motion made by Councilman Ellis.

Discussion followed.

The motion of Councilwoman O'Connor to amend the proposed Resolution and/or continue it so that a new agreement can be drawn up, died for lack of a second.

The motion of Councilman Hubbard to refer the matter to the City Attorney and the City Manager to make it a full time lease, died for lack of a second.

City Manager McKinley answered questions directed by the Council.

Discussion followed.

Assistant City Attorney Teaze answered questions directed by the Council.

Councilman Williams left the Chambers.

Councilman Ellis changed the motion to adopt a proposed Resolution, authorizing the City Manager and City Attorney to draw up an agreement with the Historical Society for a twenty-five year lease with a ten-year option to renew and designating who will be responsible for maintenance, upkeep and capital improvements, which was not voted on.

Assistant City Attorney Teaze and City Manager McKinley answered questions directed by the Council.

By common consent, the question was divided.

Councilman Ellis moved to amend the Resolution to authorize the City Manager to negotiate a 25-year lease with a 10-year option to renew with San Diego Historical Society,

which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, and Haro. Nays-Mayor Wilson. Absent-Councilman Williams.

RESOLUTION 214423, authorizing the City Manager to negotiate a lease for a term of 25 years with an option to renew for 10 years with the San Diego Historical Society for future utilization of the Marston House, 3525 Seventh Avenue, as the Society's headquarters and as a center for the development of recreational, educational, cultural, social and historical activities beneficial to the general public; the lease to specify the uses to be made of the premises and the responsibilities of the parties, was adopted, as amended, on motion of Councilman Ellis.

(Item 106)

A proposed Resolution, approving in principle, payment by the City of the initial cost of installation of sewer facilities for development of the administration center and middle school site by the San Ysidro School District, such costs to be recouped by the City on the occasion of future developments and hookups to these facilities; approving in principle, payment by the City of the School District's share of future costs for enlargement of the water facilities, should enlargement be required for future development; directing the City Manager to negotiate an agreement with the San Ysidro School District providing for City financial participation in said development, was presented.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Haro to adopt the proposed Resolution was not voted on at this time.

City Manager McKinley and Deputy City Manager Lockwood answered questions directed by the Council.

RESOLUTION 214424, approving in principle, payment by the City of the initial cost of installation of sewer facilities for development of the administration center and middle school site by the San Ysidro School District, such costs to be recouped by the City on the occasion of future developments and hookups to these facilities; approving in principle, payment by the City of the School District's share of future costs for enlargement of the water facilities, should enlargement be required for future development; directing the City Manager to negotiate an agreement with the San Ysidro School District providing for City financial participation in said development, was adopted on motion of Councilman Haro.

The following Ordinances were introduced at the Meeting of September 25, 1975.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of their passage, a written or printed copy of each Ordinance.

The following Ordinances were adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Ellis, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Williams.

(Item 150 - CASE NO. 28-75-1)

AREA 1, SUBAREA A

ORDINANCE 11698 (New Series), incorporating that property in the Mid-City Planning Area III, generally bounded on the west by 54th Street, on the north by Trojan Avenue, on the east by 55th Street, and on the south by University Avenue, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 151 - CASE NO. 28-75-1)

AREA 1, SUBAREA B

ORDINANCE 11699 (New Series), incorporating that property in the Mid-City Planning Area III, known as Belleview Center 1 and Security Heights, generally located north of University Avenue, and west of 60th Street, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

The following Ordinances were adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen O'Connor and Haro. Absent-Councilman Williams.

(Item 152 - CASE NO. 28-75-1)

AREA 1, SUBAREA C

ORDINANCE 11700 (New Series), incorporating that property in the Mid-City Planning Area III, known as Belleview Center Unit 2, and Waterville Heights, generally located south of University Avenue and north of Hughes Street, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 153 - CASE NO. 44-75-1)

AREA 2, SUBAREA B

ORDINANCE 11701 (New Series), incorporating that property in the Mid-City Planning Area III, located on both sides of College Avenue between Billman Street and College Grove Drive, into R-3A Zone, as defined by Section 101.0412 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

The following Ordinance was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Ellis, Haro, and Mayor Wilson. Nays-Councilmen Hubbard. Absent-Councilman Williams.

(Item 154 - CASE NO. 7-75-2)

AREA 3, SUBAREA A

ORDINANCE 11702 (New Series), incorporating that property in the Mid-City Planning Area III, lying to the north and south of Adelaide Avenue adjacent to 56th Street, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

The following Ordinances were adopted on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Haro, and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-Councilman Williams.

(Item 155 - CASE NO. 7-75-2)

AREA 3, SUBAREA B

ORDINANCE 11703 (New Series), incorporating that property in the Mid-City Planning Area III, located on the southwest and southeast corners of the intersection of El Cajon Boulevard and College Avenue, generally located between 58th Street and Acorn Street and Tarragona Drive, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 156 - CASE NO. 7-75-2)

AREA 3, SUBAREA D

ORDINANCE 11704 (New Series), incorporating that property in the Mid-City Planning Area III, located east and west of Seminole Drive between El Cajon Boulevard and Stanley Avenue, into R-3 Zone, as defined by Section 101.0411, of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 157 - CASE NO. 33-75-4)

AREA 4, SUBAREA A

ORDINANCE 11705 (New Series), incorporating that property in the Mid-City Planning Area III, located south of El Cajon Boulevard, east and west of Amherst Street and 67th Street, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 158 - CASE NO. 33-75-4)

AREA 4, SUBAREA B

ORDINANCE 11706 (New Series), incorporating that property in the Mid-City Planning Area III, located south of El Cajon Boulevard, generally located between 68th Street and 70th Street, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

The following Ordinance was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Ellis, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Williams.

(Item 159 - CASE NO. 33-75-4)

AREA 4, SUBAREA D

ORDINANCE 11707 (New Series), incorporating that property in the Mid-City Planning Area III, located south and west of Alvarado Canyon Road, known as Lots 11, 12, 13, 14 and 15, Alvarado Plaza Unit 3, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

Councilman Williams entered the Chambers.

(Item 160)

A proposed Resolution, authorizing an agreement with the Department of Labor (DOL), Manpower Administration, for the period of November 10, 1975 through November 9, 1976, for the purpose of assigning Erika E. Streuer to serve temporarily as Special Assistant to the Director of the Human Resources Department; authorizing the sum of \$15,300 to provide for reimbursement to DOL from CETA Administration funds, was presented.

City Manager McKinley answered questions directed by the Council.

The motion of Councilwoman O'Connor to adopt the proposed Resolution, was not voted on at this time.

Discussion followed.

RESOLUTION 214425, authorizing an agreement with the Department of Labor (DOL), Manpower Administration, for the period of November 10, 1975 through November 9, 1976, for the purpose of assigning Erika E. Streuer to serve temporarily as Special Assistant to the Director of the Human Resources Department; authorizing the sum of \$15,300 to provide for reimbursement to DOL from CETA Administration funds, was adopted on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Haro, and Mayor Wilson. Nays-Councilmen Hubbard, Morrow, and Ellis. Absent-None.

(Item 161)

RESOLUTION 214426, approving the annexation to the City of El Cajon of certain land owned by The City of San Diego within Johnson Avenue Annexation No. 2 and identified as those portions of parcels 483-021-02 and 483-021-28, more particularly described in Resolution of Local Agency Formation Commission Approving a Proposed Annexation of Territory to the City of El Cajon "Johnson Avenue Annexation No. 2," was adopted on motion of Councilwoman O'Connor.

(Unanimous Consent No. 1)

By Unanimous Consent granted to City Manager McKinley, a proposed Resolution, cosponsoring with San Diego Civic Light Opera Association, Inc. (Starlight Opera) its annual Awards Banquet in Casa Del Prado Auditorium on Tuesday, October 14, 1975; waiving the rental fee, was presented.

RESOLUTION 214427, cosponsoring with San Diego Civic Light Opera Association, Inc. (Starlight Opera) its annual Awards Banquet in Casa Del Prado Auditorium, on Tuesday, October 14, 1975; waiving the rental fee, was adopted on motion of Councilman Martinet.

At this time, the Mayor read the General Notice item relative to the appointment of Patricia C. Dwinell to the Historical Site Board, which will be placed on the Council docket of Thursday, October 23, 1975, for Council confirmation.

There being no further business to come before the Council at this time,
the Regular Meeting was adjourned at 5:15 p.m., on motion of Councilman Martinet.

James D. Hays
Deputy Mayor of The City of San Diego, California

ATTEST:

James B. Bly
City Clerk of The City of San Diego, California

ORDINANCE NO. 14218
(New Series)

122
NOV 23 1977

0.78-107

AN ORDINANCE INCORPORATING THOSE HILLSIDES EAST OF INTERSTATE 15 AND WEST OF THE WESTERLY BOUNDARY OF SECTIONS 21, 28, and 33, TOWNSHIP 14 SOUTH, RANGE 2 WEST, AND BETWEEN POWAY ROAD ON THE NORTH AND MARY ELLEN ROAD ON THE SOUTH, IN THE MIRA MESA COMMUNITY/SCRIPPS RANCH AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO HR (HILLSIDE REVIEW) OVERLAY ZONE AS DEFINED BY SECTION 101.0454 OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. Those hillsides east of Interstate 15 and west of the westerly boundary of Sections 21, 28, and 33, Township 14 South, Range 2 West, and between Poway Road on the north and Mary Ellen Road on the south, in the Mira Mesa Community/Scripps Ranch Area, in the City of San Diego, California, within the boundary of the district designated "HR" on Zone Map Drawing NO. C-540, filed in the office of the City Clerk as Document No. 761688, be, and they are hereby incorporated into HR Zone, as such zone is described and defined by Section 101.0454 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

By 

Frederick C. Conrad, Chief Deputy

FCC:clh
61-77-1
11/3/77
Or.Dept.:Clerk

00365

ORDINANCE NO.
(New Series)

12219

122
NOV 23 1977
0.78-108

AN ORDINANCE INCORPORATING THOSE HILLSIDES EAST OF THE WESTERLY BOUNDARY OF SECTIONS 21 AND 28, TOWNSHIP 14 SOUTH, RANGE 2 WEST AND WEST OF THE CITY BOUNDARY, AND BETWEEN POWAY ROAD ON THE NORTH AND THE SOUTHERLY BOUNDARY OF SECTIONS 27 AND 28, TOWNSHIP 14 SOUTH, RANGE 2 WEST ON THE SOUTH, IN THE MIRA MESA COMMUNITY/SCRIPPS RANCH AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO HR (HILLSIDE REVIEW) OVERLAY ZONE AS DEFINED BY SECTION 101.0454 OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. Those hillsides east of the westerly boundary of Sections 21 and 28, Township 14 South, Range 2 West and west of the City Boundary, and between Poway Road on the north and the southerly boundary of Sections 27 and 28, Township 14 South, Range 2 West on the south, in the Mira Mesa Community/Scripps Ranch Area, in the City of San Diego, California, within the boundary of the district designated "HR" on Zone Map Drawing No. C-541.1, filed in the office of the City Clerk as Document No. 761689, be, and they are hereby incorporated into HR Zone, as such zone is described and defined by Section 101.0454 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

CC:clh
1/3/77
1-77-2
Clerk

00366

PLANNING

REPORTS

CITY PLANNING DEPARTMENT - SAN DIEGO, CALIF. 92101

236-6460

April 29, 1977

SUBJECT: HR ZONING-MIRA MESA/SCRIPPS RANCH

BACKGROUND

On February 18, 1971, the Land Conservation (LC) Overlay Zone became effective in the City of San Diego. On June 19, 1975, the City Council adopted amendments to the LC Zone which changed its name to the Hillside Review (HR) Overlay Zone and which changed its applicability to slopes of greater than 25% gradient. The Planning Department is now proceeding to examine areas of the City for possible inclusion in the zone. This matter represents the twelfth community-wide project of applying the HR amendments, and involves the addition of approximately 5,560 acres.

On March 24, 1977, the Planning Commission continued the public hearing on this matter to May 5, 1977.

RECOMMENDATION

That the Planning Commission approve the additions to the Hillside Review (HR) Overlay Zone as indicated on Exhibit A, based on the belief that these areas are consistent with the purpose and intent of the HR Zone and that the Zone, when applied, would provide for reasonable use of the property while protecting the public health, safety, and general welfare.

ANALYSIS

In June 1975, the City Council adopted amendments to the Land Conservation (LC) Zone which permit its application to slopes in excess of 25% gradient and which changed its name to the "Hillside Review (HR)" Zone.

00367

In July 1975, the Planning Commission initiated public hearings on the related matters of:

1. Applying the HR Zone to the slopes in excess of 25% within the urbanized and non-urbanized area;
2. Removing the HR Zone from areas not meeting the criteria of the HR Ordinance.

The Department has completed the topographic review in the Mira Mesa Community Plan Area and Scripps Ranch area and has identified slopes which now qualify for inclusion in the HR Zone. The Department believes that the areas proposed for addition are consistent with the purpose and intent of the HR Zone and would recommend approval of the delineations represented on Exhibit A.

For the purpose of Planning Commission analysis, the proposed additions and area locations are as follows:

ZONING CASE	C-SHEET NUMBER	GENERAL LOCATION	ACRES PROPOSED FOR ADDITION
60-77-1	C-532	Sorrento Valley East	573.54
60-77-2	C-533	Carroll Canyon West	409.10
60-77-3	C-534	Penasquitos Canyon South	607.00
60-77-4	C-535	Lopez Canyon	670.18
60-77-5	C-536	El Camino East	314.67
60-77-6	C-537	Carroll Canyon	376.37
60-77-7	C-538	Mesa Northeast	488.73
60-77-8	C-539	Jade Coast South	27.95
61-77-1	C-540	I-15 East	565.53
61-77-2	C-541	Poway South	849.42
61-77-3	C-542	Pomerado North	<u>718.16</u>
Total			5,560.65

The Environmental Quality Division has determined that this project is a Class 8 categorically exempt activity and has reported its findings in report No. 76-03-08EX.

00368

PLANNING REPORTS

CITY PLANNING DEPARTMENT - SAN DIEGO, CALIF. 92101

236-6460

March 18, 1977

SUBJECT: HR ZONING-MIRA MESA/SCRIPPS RANCH

BACKGROUND

On February 18, 1971, the Land Conservation (LC) Overlay Zone became effective in the City of San Diego. On June 19, 1975, the City Council adopted amendments to the LC Zone which changed its name to the Hillside Review (HR) Overlay Zone and which changed its applicability to slopes of greater than 25% gradient. The Planning Department is now proceeding to examine areas of the City for possible inclusion in the zone. This matter represents the twelfth community-wide project of applying the HR amendments, and involves the addition of approximately 5,560 acres.

RECOMMENDATION

That the Planning Commission approve the additions to the Hillside Review (HR) Overlay Zone as indicated on Exhibit A, based on the belief that these areas are consistent with the purpose and intent of the HR Zone and that the Zone, when applied, would provide for reasonable use of the property while protecting the public health, safety, and general welfare.

ANALYSIS

In June 1975, the City Council adopted amendments to the Land Conservation (LC) Zone which permit its application to slopes in excess of 25% gradient and which changed its name to the "Hillside Review (HR)" Zone.

In July 1975, the Planning Commission initiated public hearings on the related matters of:

1. Applying the HR Zone to the slopes in excess of 25% within the urbanized and non-urbanized area;

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SAN DIEGO, CALIF.

00369

2. Removing the HR Zone from areas not meeting the criteria of the HR Ordinance.

The Department has completed the topographic review in the Mira Mesa Community Plan Area and Scripps Ranch area and has identified slopes which now qualify for inclusion in the HR Zone. The Department believes that the areas proposed for addition are consistent with the purpose and intent of the HR Zone and would recommend approval of the delineations represented on Exhibit A.

For the purpose of Planning Commission analysis, the proposed additions and area locations are as follows:

ZONING CASE	C-SHEET NUMBER	GENERAL LOCATION	ACRES PROPOSED FOR ADDITION
60-77-1	C-532	Sorrento Valley East	573.54
60-77-2	C-533	Carroll Canyon West	409.10
60-77-3	C-534	Penasquitos Canyon South	607.00
60-77-4	C-535	Lopez Canyon	670.18
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60-77-7	C-538	Mesa Northeast	488.73
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61-77-1	C-540	I-15 East	565.53
61-77-2	C-541	Poway South	849.42
61-77-3	C-542	Pomerado North	<u>718.16</u>

Total 5,560.65

The Environmental Quality Division has determined that this project is a Class 8 categorically exempt activity and has reported its findings in report No. 76-03-08EX.

REZONING MOTION, SECOND, VOTE

On motion of MR. DEL PRINCIPLE, seconded by MRS. WIDMAN, the Commission voted six to zero to rezone this property to CE as recommended by the Department.

PCD MOTION, SECOND, VOTE

On motion of MR. DEL PRINCIPLE, seconded by MRS. WIDMAN, the Commission voted six to zero to adopt the findings contained in the report of the Planning Department dated March 17, 1977 and found beginning on Page 3 of said report be adopted as the findings of the Planning Commission and the PCD be approved according to the Planning Department's recommendation with the condition that the sign and landscape plan be approved by the Planning Director.

SPECIAL HEARING/APPLICATION OF HR OVERLAY ZONE IN MIRA MESA AND SCRIPPS RANCH

MR. WOLFSHEIMER stated that Mr. Frank had requested a one-month continuance because he did not receive notification of the subject rezonings until March 18. He stated this would be applicable to Items 17 through 27.

No one objected to the continuance.

MR. KLEIN recommended a six week continuance.

MOTION, SECOND, VOTE

On motion of MS. DAHLIN, seconded by MR. PADILLA, the Commission voted six to zero to continue Items 17 through 27 to May 5, 1977 at 1:30 p.m.

3/24/77

HEARING/REZONING CASE 49-77-1 AND PLANNED RESIDENTIAL PERMIT NO. 106 - PORTION PARCEL 2, LAKESHORE UNIT-5, RESUB NO. 1, MAP 6683; LOCATED NORTH SIDE OF JACKSON DRIVE BETWEEN NAVAJO ROAD AND GOLF CREST DRIVE. (MAYER CONSTRUCTION CORPORATION).

MR. KLEIN presented the following reports:

"

March 17, 1977 .

SUBJECT: REZONING CASE NO. 49-77-1. On the north side of Jackson Drive between Navajo Road and Golfcrest Drive. A portion of Parcel 2, Lake Shore Unit 5 Resub. No. 1, Map 6683, from the CA to the R-2A zone. Applicant: Mayer Construction Corp. EQD No. 76-11-27P

00371

MOTION

Based on the testimony and documentary evidence presented to the Planning Commission, MS. DAHLIN moved that the findings contained in the report of the Planning Department dated April 28, 1977 and found beginning on page 2 of said report be adopted as the findings of the Planning Commission and that the HRP be approved according to the Planning Department recommendations.

SECOND, VOTE

Seconded by MRS. LEONARD, the Commission voted 4 to 0 to approve the subject HRP.

SPECIAL HEARING/APPLICATION OF HR OVERLAY ZONE TO THE MIRA MESA AND SCRIPPS RANCH AREA,

MR. KLEIN presented the following report:

"

April 29, 1977

SUBJECT: HR ZONING-MIRA MESA/SCRIPPS RANCH

BACKGROUND

On February 18, 1971, the Land Conservation (LC) Overlay Zone became effective in the City of San Diego. On June 19, 1975, the City Council adopted amendments to the LC Zone which changed its name to the Hillside Review (HR) Overlay Zone and which changed its applicability to slopes of greater than 25% gradient. The Planning Department is now proceeding to examine areas of the City for possible inclusion in the zone. This matter represents the twelfth community-wide project of applying the HR amendments, and involves the addition of approximately 5,560 acres.

On March 24, 1977, the Planning Commission continued the public hearing on this matter to May 5, 1977.

RECOMMENDATION

That the Planning Commission approve the additions to the Hillside Review (HR) Overlay Zone as indicated on Exhibit A, based on the belief that these areas are consistent with the purpose and intent of the HR Zone and that the Zone, when applied, would provide for reasonable use of the property while protecting the public health, safety, and general welfare.

5-5-77

ANALYSIS

In June 1975, the City Council adopted amendments to the Land Conservation (LC) Zone which permit its application to slopes in excess of 25% gradient and which changed its name to the "Hillside Review (HR)" Zone.

In July 1975, the Planning Commission initiated public hearings on the related matters of:

1. Applying the HR Zone to the slopes in excess of 25% within the urbanized and non-urbanized area;
2. Removing the HR Zone from areas not meeting the criteria of the HR Ordinance.

The Department has completed the topographic review in the Mira Mesa Community Plan Area and Scripps Ranch area and has identified slopes which now qualify for inclusion in the HR Zone. The Department believes that the areas proposed for addition are consistent with the purpose and intent of the HR Zone and would recommend approval of the delineations represented on Exhibit A.

For the purpose of Planning Commission analysis, the proposed additions and area locations are as follows:

ZONING CASE	C-SHEET NUMBER	GENERAL LOCATION	ACRES PROPOSED FOR ADDITION
60-77-1	C-532	Sorrento Valley East	573.54
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60-77-8	C-539	Jade Coast South	27.95
61-77-1	C-540	I-15 East	565.53
61-77-2	C-541	Poway South	849.42
61-77-3	C-542	Pomerado North	<u>718.16</u>

Total 5,560.65

00373

5-5-77

The Environmental Quality Division has determined that this project is a Class 8 categorically exempt activity and has reported its findings in report No. 76-03-08EX."

MR. KLEIN advised that the application of the overlay zone did not encourage nor preclude development. He further noted one area in Mira Mesa that may be considered for sand and gravel operation under a conditional use permit. He stated that at the present time, the slopes were natural and they do meet all the requirements for the HR overlay zone and the Department would recommend that area be included. He noted the other question was located in the Scripps Ranch area and how the Department applied the overlay zone to the slopes. He noted that in many cases, the Department does include contiguous properties with less than a 25 percent slope because they are related. He stated with a few reduced areas, the Department believes that all the slopes are under the conditions provided for in the HR Zone or within 300 feet and are related slopes. He further noted that the proposed application of the HR overlay zone in no way bears any relationship to the possible growth management program nor comments made with respect to Dr. Freilich's presentation and this was the HR overlay zone program the Commission has overgone for some time.

REZONING CASE 60-77-5 - APPLICATION OF HR OVERLAY ZONE TO THOSE HILLSIDES EAST OF THE WESTERLY BOUNDARY OF SECTION 3, T14S, R3W, AND WEST OF CAMINO RUIZ AND BETWEEN THE WESTERLY EXTENSION OF MIRA MESA BOULEVARD IN THE NORTH AND THE NORTHERLY BOUNDARY OF SECTIONS 10 AND 11, T14S, R3W ON THE SOUTH (CITY) AND

REZONING CASE 60-77-6 - APPLICATION OF HR OVERLAY ZONE TO THOSE HILLSIDES EAST OF THE EASTERLY BOUNDARY OF SECTION 9, T14S, R3W, AND WEST OF CABOT STREET AND BETWEEN THE NORTHERLY BOUNDARY OF SECTIONS 1, 2 AND 3, T15S, R3W ON THE NORTH AND THE AT&SF RAILROAD ROW AND MIRAMAR ROAD ON THE SOUTH (CITY).

RUSS CRANE, Fenton Material Company, stated his company owned 325 acres located between Mira-Mesa Unit 2 and the cemetery and some of this had been designated for excavation. He noted they had a lifetime permit to excavate sand and rock in Carroll Canyon but when they ran out of water, operations were curtailed. He stated the property was annexed to the City in 1958 and had been operating under a nonconforming use permit. He stated that this area had been worked for years and they were now in the final planning stages of revising their operations. He noted they would be coming before the Commission to request a permit to continue their

00374

operation and they did not want an overlay zone to jeopardize their application. He noted this would be in accord with the Commission's policies. He further noted that most of the property lies within the 65 CNEL contours which were too high for residential development so he was asking that this area be excluded. He requested that the Commission acknowledge this operation and their forthcoming application.

MOTION

MR. DELAWIE moved to include those areas in the HR overlay zone as recommended by staff noting that discussion of the extraction of sand and rock was considered and recognizing that this was one of the last resources with such material in the area and it would be taken into consideration when this item comes before the Commission.

SECOND, VOTE

Seconded by MS. DAHLIN, the Commission voted 6 to 0 to approve the motion.

REZONING CASE 61-77-3 - APPLICATION OF HR OVERLAY ZONE TO THOSE HILLSIDES EAST OF THE WESTERLY BOUNDARY OF SECTIONS 28 AND 33, T14S, R2W AND WEST OF THE CITY BOUNDARY AND BETWEEN THE NORTHERLY BOUNDARY OF SECTIONS 27 AND 28, T14S, R2W ON THE NORTH AND POMERADO ROAD ON THE SOUTH (CITY).

LLOYD HILL, McMillian Construction Company, stated they owned 600 acres known as Scripps Ranch II. He noted much of the area proposed for inclusion in the HR overlay zone represented about 14 percent grade which was not very steep. He noted the proposed amendments to the HR overlay zone as suggested by Dr. Freilich and stated that he would hope that consideration be given that steeper grades, 35 percent or over, would be more appropriate. He noted that the zone was intended to regulate those slopes in excess of 25 percent but noted the wording in the ordinance that also stated that areas could be included at the hearing and they were already added on the map presented to the Commission. He also suggested that those slopes included in the HR overlay zone which were less than 25 percent be designated separately or shown in some other fashion.

MR. DELAWIE noted that area within 300 feet of the slopes that qualifies for HR overlay zoning could be included.

~~5-12-77~~

5-5-77

MR. KLEIN advised the Commission that in determining the HR overlay zone, staff first plots all 25 percent or steeper slopes and after that they determine what topography located within the 300 feet related to the slope and which would require concurrent grading. He stated the most obvious example would be a V-canyon. MR. KLEIN stated that staff did find a few areas that did not qualify for the HR overlay zone and they did recommend that those areas be deleted. He stated that maps were used to determine the application of the zone rather than field trips.

MR. HILL stated that it would be easier if in the future slopes which are related slopes be shown in a different manner.

MR. DELAWIE acknowledged the problem but stated the HR overlay zone had been applied to many areas of the City and it would be difficult to reconsider all those areas.

MR. WOLFSHEIMER suggested that staff review the feasibility of Mr. Hill's suggestion.

MOTION, SECOND, VOTE

On motion of MR. DELAWIE, seconded by MS. DAHLIN, the Commission voted 6 to 0 to apply the HR overlay zone to those areas recommended by staff.

REZONING - APPLICATION OF HR OVERLAY ZONE - REZONING CASE NOS. 60-77-1, 60-77-2, 60-77-3, 60-77-4, 60-77-5, 60-77-6, 60-77-7, 60-77-8, 61-77-1, 61-77-2, AND 61-77-3.

MOTION

MR. DELAWIE moved to apply the HR overlay zones to those areas recommended by staff and further including the tentative motions previously made by the Commission.

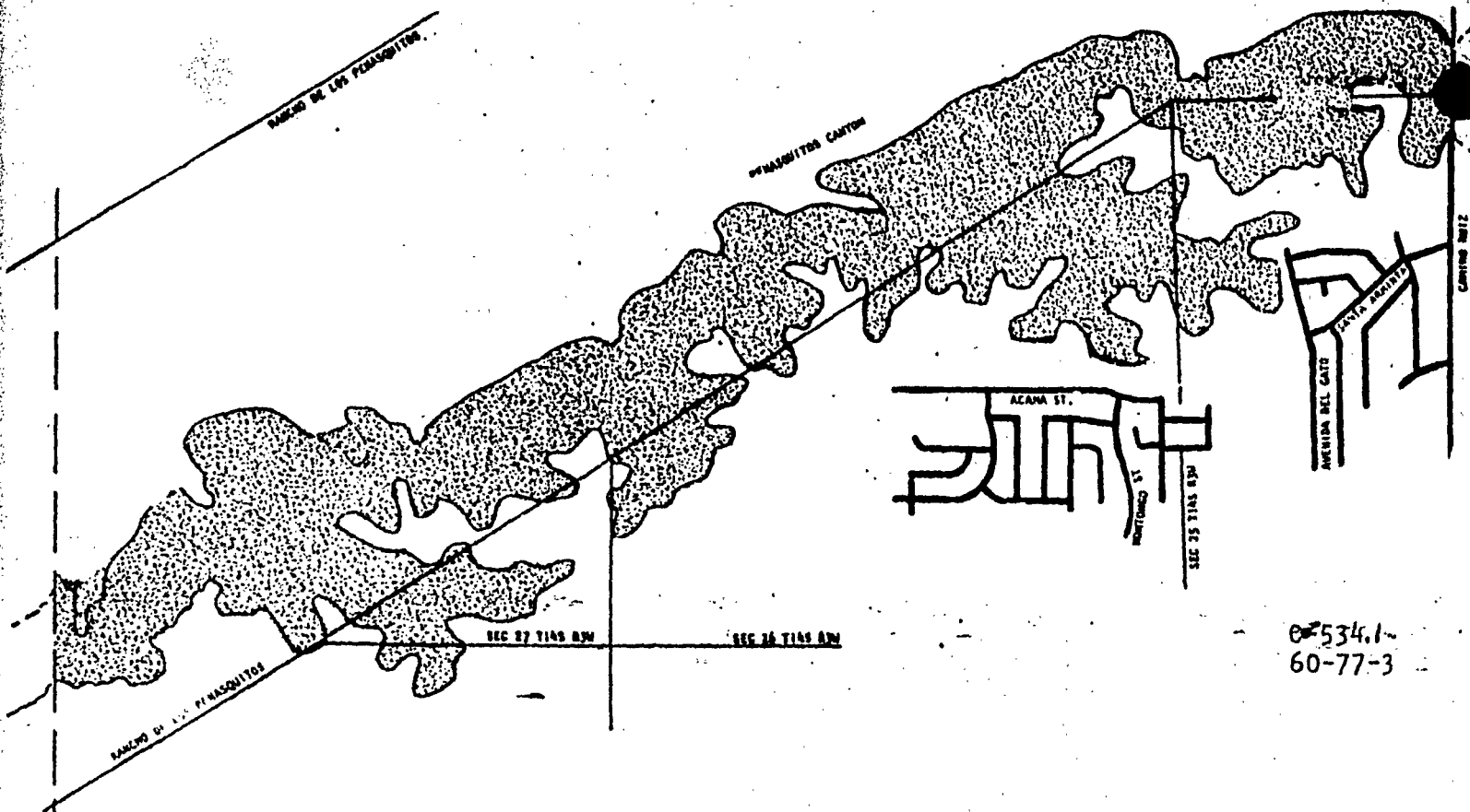
SECOND, VOTE

Seconded by MRS. LEONARD, the Commission voted 6 to 0 to approve the motion.

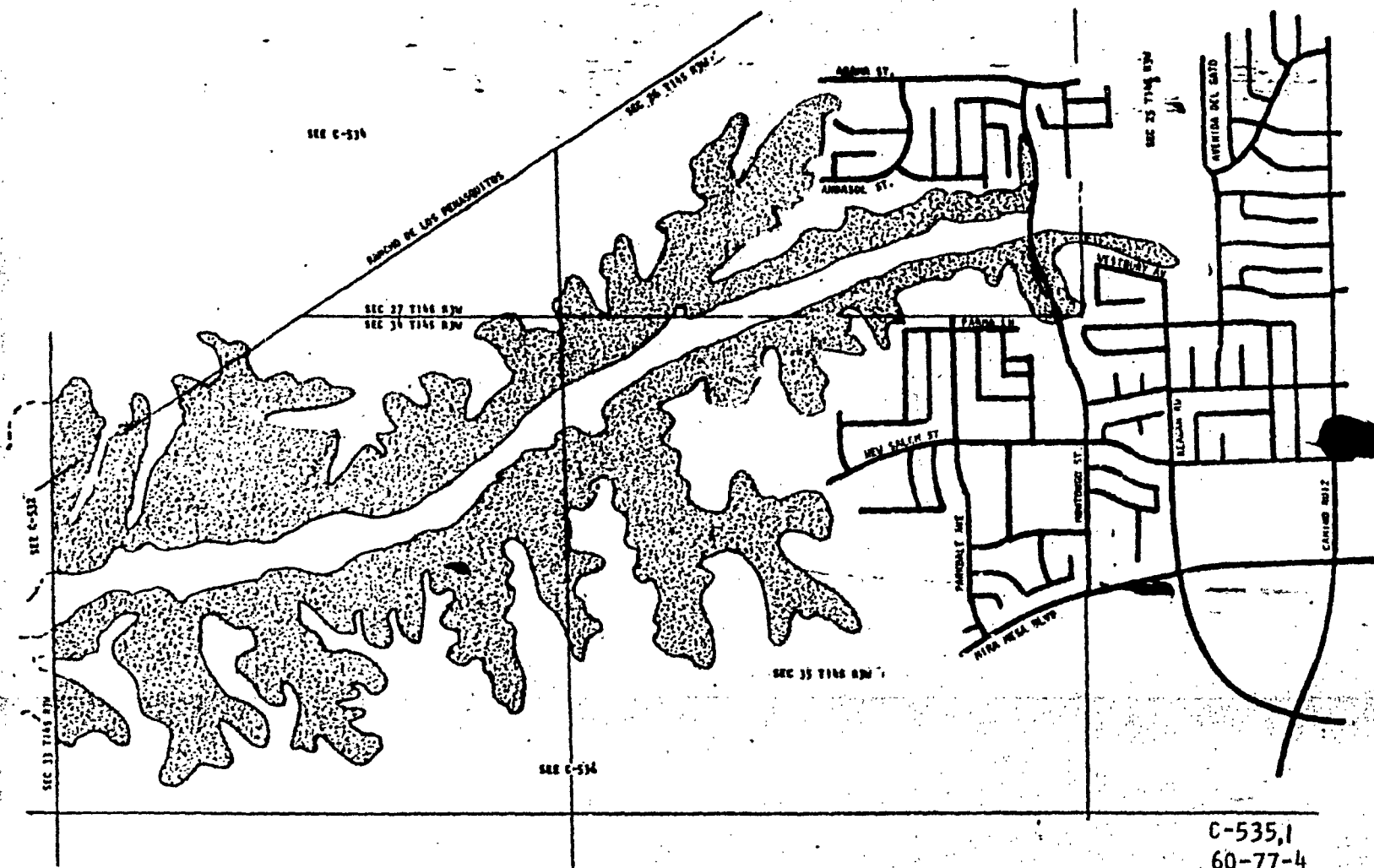
RECESS

The Commission recessed at 2:55 p.m.

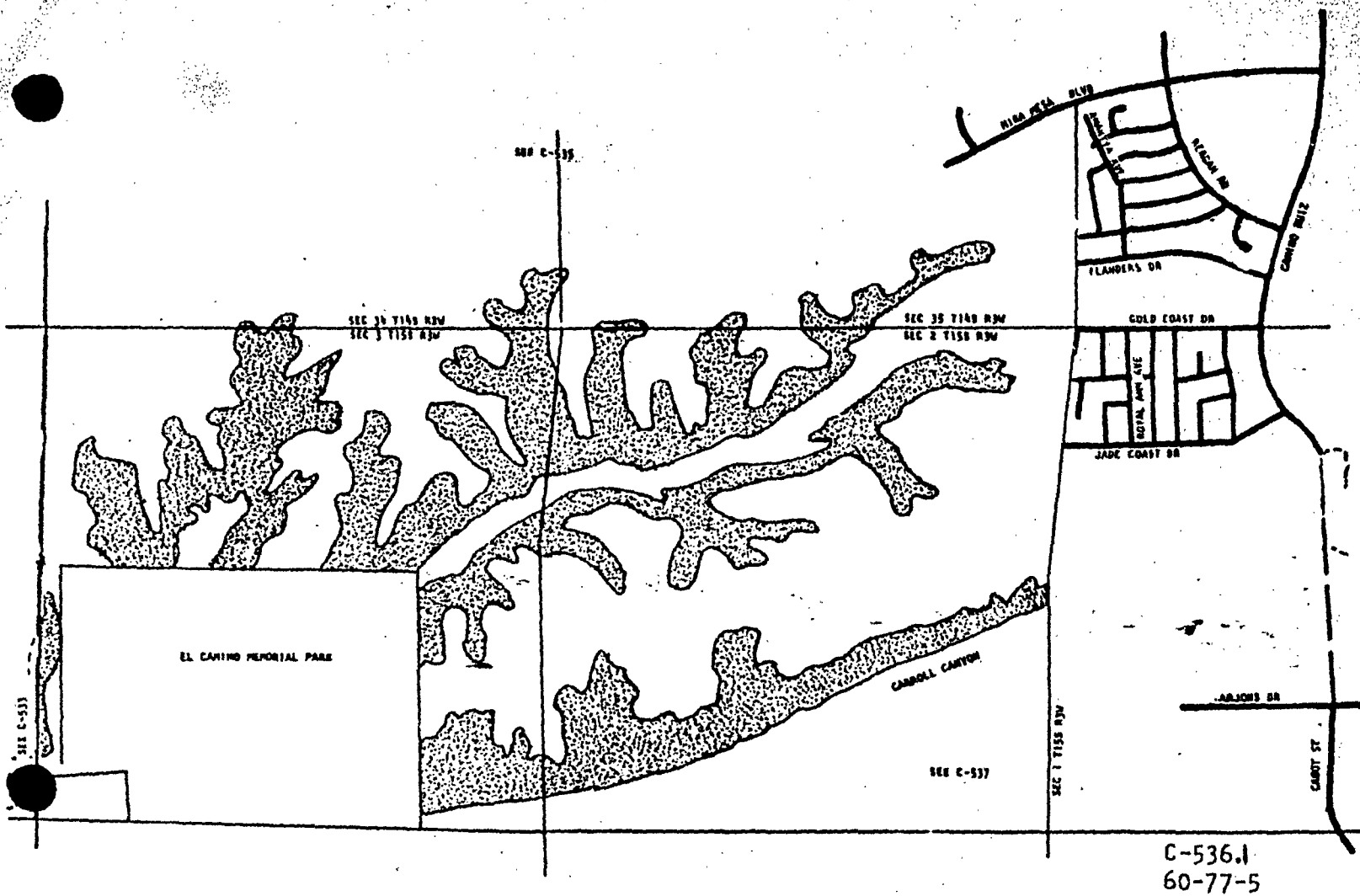
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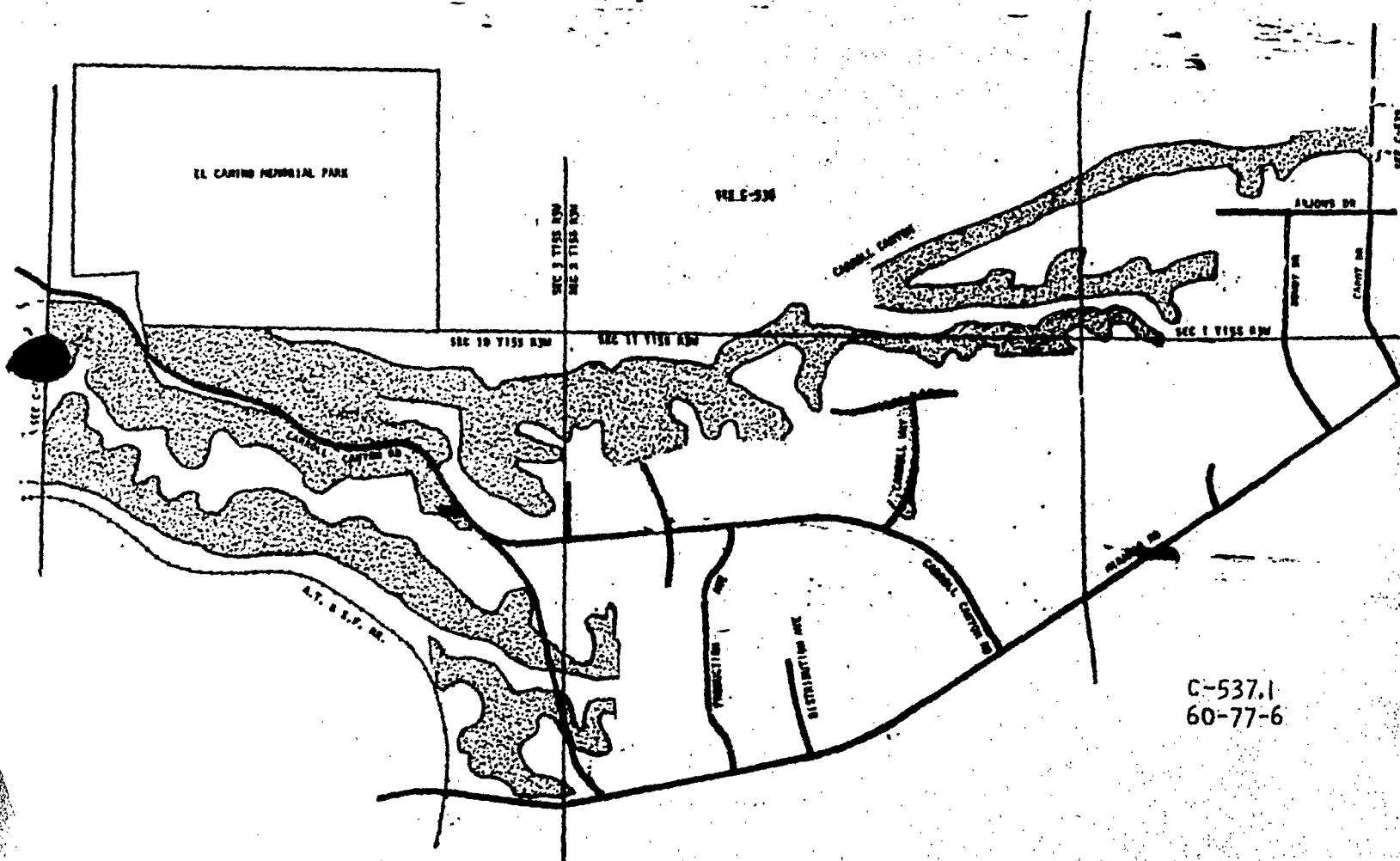
AREAS TO BE ADDED



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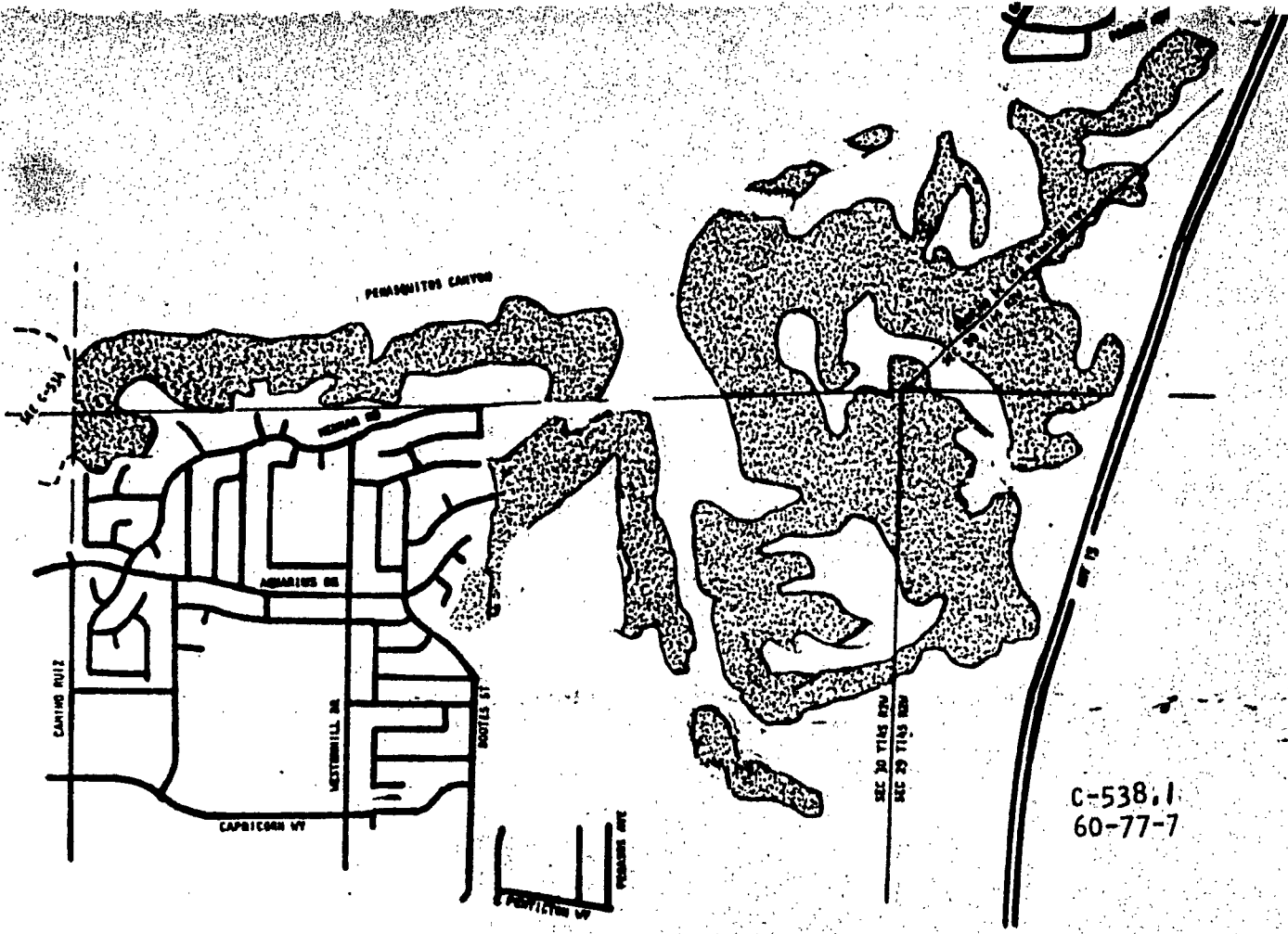


AREAS TO BE ADDED



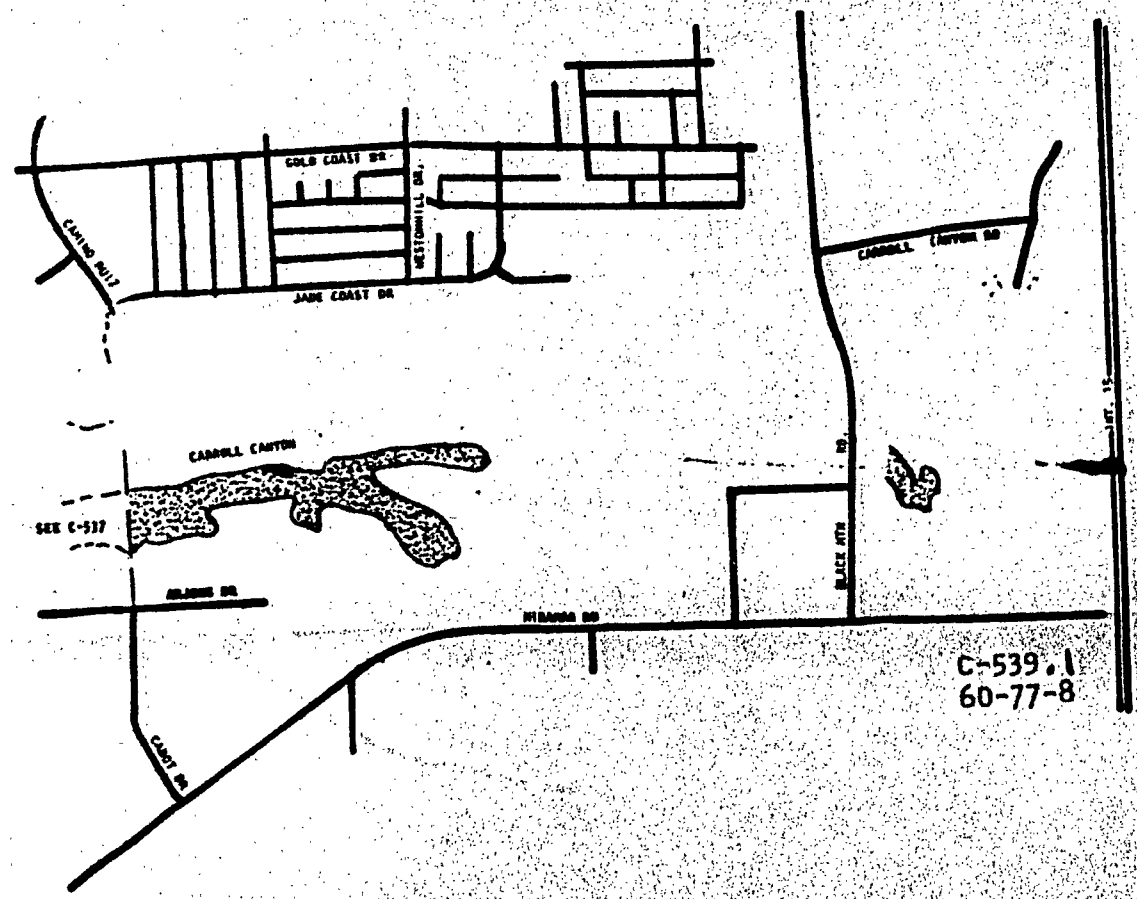
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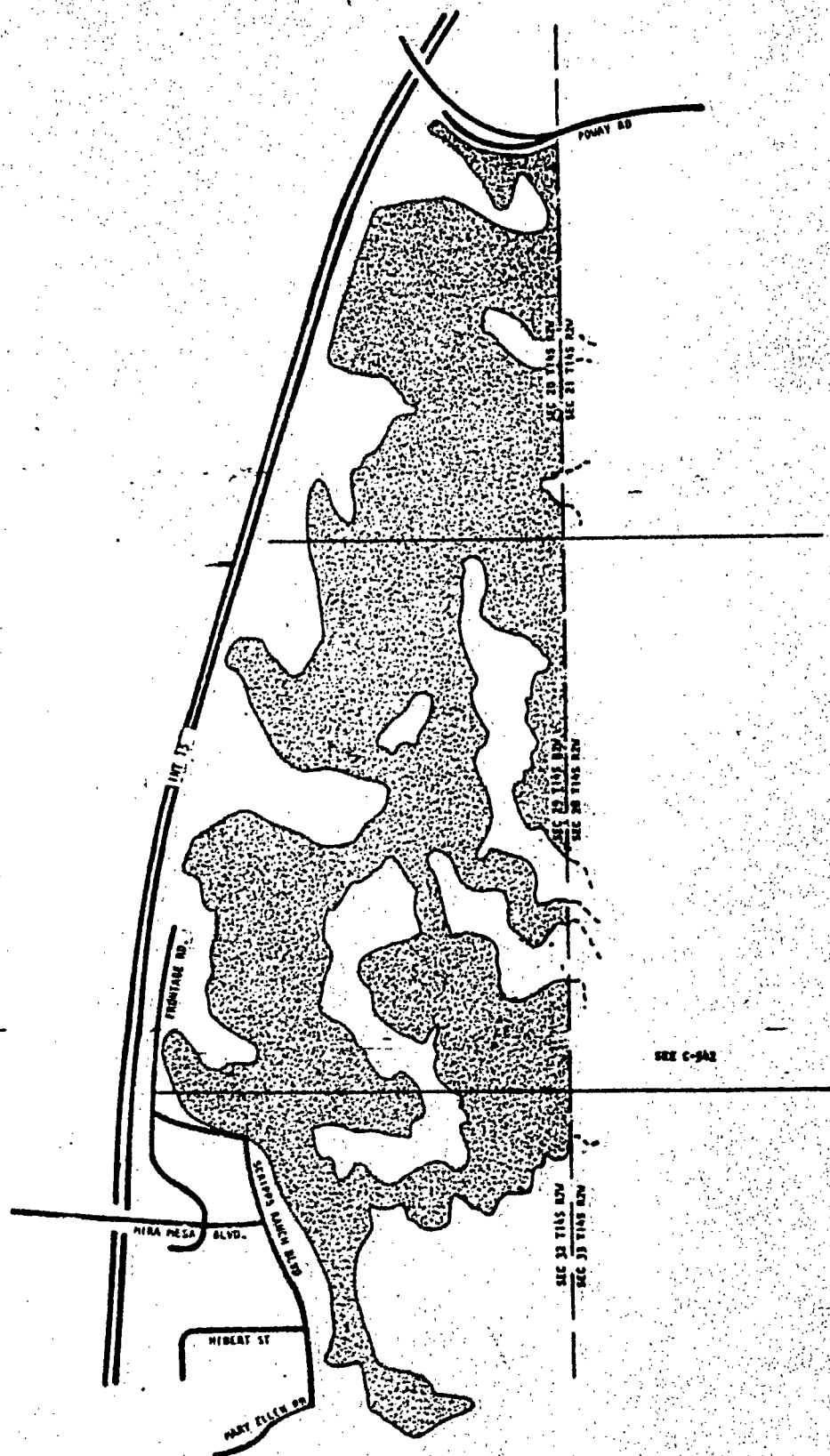
AREAS TO BE ADDED



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C-540

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AREAS TO BE ADDED



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