



PO Box 889, La Jolla, CA 92038  
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President: Joe LaCava  
Vice President: Tony Crisafi  
Treasurer: Jim Fitzgerald  
Secretary: Nancy Manno

## La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursday of the Month

### Thursday, 1 July 2010

La Jolla Recreation Center, 615 Prospect Street

## D R A F T AGENDA – REGULAR MEETING

6:05p

1. Welcome and Call To Order: **Joe LaCava**, President
2. Adopt the Agenda
3. Meeting Minutes Review and Approval: 3 June 2010
4. **Elected Official Reports** – Information Only
  - A. Council District 2 – Councilmember Kevin Faulconer  
Rep: **Thyme Curtis**, 619.236.6622, [tcurtis@san Diego.gov](mailto:tcurtis@san Diego.gov)
  - B. Council District 1 – Councilmember Sherri Lightner  
Rep: **Erin Demorest**, 619.236.7762, [edemorest@san Diego.gov](mailto:edemorest@san Diego.gov)
5. **Non-Agenda Public Comment**  
Issues not on the agenda and *within CPA jurisdiction*, two (2) minutes or less.
  - A. UCSD - Planner: **Anu Delouri**, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu), <http://commplan.ucsd.edu/>
6. **President's Report** – Action Items Where Indicated
  - A. Community Planners Committee –  
<http://www.sandiego.gov/planning/community/cpc/index.shtml>
  - B. Joint Committee Appointments – Ratify appointments by BRCC and PLJ
  - C. Land Development Code Update #7 – City accepting suggestions
  - D. Amateur Radio Antenna Regulations – Update
  - E. SDG&E Smart Meters – Coming to La Jolla Fall 2010.
  - F. City Redistricting Commission - Application/Nominations due by Aug 2nd
  - G. New City Hall – Public Forum: Thurs, Jul 8, 6pm, Nobel Rec Ctr, 8810 Judicial Drive
  - H. Overhead Projector
7. Officer's Reports
  - A. Secretary
  - B. Treasurer

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*If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.*

## **8. CONSENT AGENDA – Ratify or Reconsider Committee Action**

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for full discussion.

***Items pulled from this Consent Agenda are trailed to the next CPA meeting.***

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2<sup>nd</sup> Mon, 4pm

DPR – Development Permit Review Committee, Chair Tony Crisafi, 2<sup>nd</sup> & 3<sup>rd</sup> Tues, 4pm

PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4<sup>th</sup> Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4<sup>th</sup> Thurs, 4pm

PDO – No Action Items

### **A. Finkelstein Residence**

DPR ACTION: The findings can be made for CDP, 8-0-1.

5862 Box Canyon Road - Coastal Development Permit for an approximate 3,548 sq. ft. addition to an existing single family residence on a 0.51-acre property in the RS-1-4 Zone.

### **B. Hooshmand Residence**

PRC ACTION: Motion to deny, 4-0-1 (See minutes for full motion.)

2480 Rue Denise - Coastal Development Permit and Site Development Permit for a 4,463 sq. ft. addition to an existing single family residence on a 0.29 acre site. Subsequent redesign reduced addition to a total square footage of 4073 sq ft. Note applicant returned with new design after the previous design was denied by PRC 7-0-1.

### **C. 7411 Olivetas Avenue – Proposed New Passenger Loading Zone**

T&T ACTION: Recommend reallocating the current length of white curb to serve both the League House and the Darlington House, 6-0-0. Recommend consideration of special signage at the Darlington House so that the white curb is a loading zone only during events, 6-0-0.

### **D. La Jolla Blvd (Mesa Wy to Palomar Ave) – No Parking Vehicles for Sale Zone**

T&T ACTION: Recommended Approval, 4-2-0.

### **E. Wall Street Closure – 75<sup>th</sup> Anniversary Celebration of Post Office**

T&T ACTION: Recommended Approval, 6-0-0.

Proposal to close Wall Street from Ivanhoe to Alley on Sep 11, 2011 from 1pm to 5pm.

## **9. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only**

### **A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive***

### **B. COASTAL ACCESS AND PARKING BOARD – Meets 1<sup>st</sup> Tues, 4pm, Rec Center**

## **10. Via Casa Alta – Change No Parking Signage from 2a-6a to 10p-7a**

T&T ACTION: To deny proposal, 4-3-1.

*Pulled from Consent Agenda by Applicant*

## **11. Water Ordinance Regulations**

City initiated effort to modify the current emergency regulations to make the current water use restrictions permanent (see attachment).

## **12. La Jolla Shores PDO and Base Zones – Information Only**

Brief presentation of on-going efforts to reintroduce Base Zones for the Shores PDO in order to address issues such as FAR, setbacks, etc.

## **13. Adjourn to Next Regular Meeting on August 5, 2010, 6:00 pm**



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## La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursday of the Month

### Thursday, 3 June 2010

La Jolla Recreation Center, 615 Prospect Street

## D R A F T MINUTES – REGULAR MEETING

Present: Michele Addington, Tom Brady, Devin Burstein, Michael Costello, Tony Crisafi, Laura Ducharme Conboy, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Nancy Manno, Phil Merten, Glen Rasmussen, Greg Salmon, Rob Whittemore, Ray Weiss.

Absent: Dan Courtney,

1. Welcome and Call To Order: **Joe LaCava**, President @ 6:05 PM

2. Swear in of newly re-elected trustee, (Weiss).

**President LaCava** invited the newly re-elected Trustee to come forward and administered the LJCPA Trustees oath to **Trustee Ray Weiss**.

### 3. Adopt the Agenda.

**Approved Motion: Motion to adopt the Agenda, (Addington/Fitzgerald 13/0/1).**

In favor: Addington, Brady, Burstein, Costello, Crisafi, DuCharme Conboy, Fitzgerald, Gabsch, Little, Manno, Merten, Weiss, Whittemore.

Abstain: LaCava

4. Meeting Minutes Review and Approval: 06 May 2010

**Approved Motion: Motion to approve the Minutes of 06 May 2010, with one correction: Agenda Item 7, President's Report: D: Motion to reconsider the previous Motion: Delete word "affirmation" insert word "acclamation." (Brady/Merten 12/0/3).**

In favor: Addington, Brady, Burstein, Costello, Crisafi, DuCharme Conboy, Fitzgerald, Gabsch, Merten, Salmon, Weiss, Whittemore.

Abstain: LaCava, Little, Manno

### 5. Elected Official Reports – Information Only

A. Council District 2 – Councilmember Kevin Faulconer

Rep: **Thyme Curtis**, 619.236.6622, [tcurtis@sandiego.gov](mailto:tcurtis@sandiego.gov)

Ms. Curtis was not present.

B. Council District 1 – Councilmember Sherri Lightner

Rep: **Erin Demorest**, 619.236.7762, [edemorest@sandiego.gov](mailto:edemorest@sandiego.gov)

**Ms. Demorest** presented an update on the Children's Pool, on the Capital Improvement Projects in La Jolla.

Requested community input on the City budget. Additional information on subjects addressed may be accessed on the District One website.

### 6. Non-Agenda Public Comment

Issues not on the agenda and *within CPA jurisdiction*, two (2) minutes or less.

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A. UCSD - Planner: **Anu Delouri**, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu), <http://commplan.ucsd.edu/>

**Ms. Delouri** presented report: Invited comments on University House and the Jacob's Medical Center. The latest issue of the Spring 2010 UCSD Newsletter can be accessed on-line for additional information.

**Mr. John Leek**, secretary, San Diego Council of Divers, announced the S. D. Council of Divers will clean the beaches at Wipeout Beach, South Casa Beach, Children's Pool Beach as a community service. Mr. Leek received verbal support and gratitude from the community in the room and the Trustees.

**Trustee Tim Lucas** reported on the effort to determine and enforce City wide base zones in La Jolla Shores. Thanked **Trustee Rob Whittemore** for his excellent supporting presentation.

**Mr. William Robbins** requested the La Jolla community and the LJCPA Trustees formally thank Councilmember Sherri Lightner in recognition of her superb assistance in attempting to resolve the on-going issues regarding the Children's Pool. Mr. Robbins' request elicited applause from the membership and the Trustees.

**Trustee David Little** discussed the ramifications of deviations to the La Jolla Planned District Ordinance.

**Ms. Sally Fuller**, board member of the Riford Center, invited those members of the La Jolla community, over fifty years of age, to join in the Riford Center activities.

**President LaCava**, in Ms. Esther Viti's absence, reminded the community to participate in the very successful monthly "Clean-up La Jolla," Saturday, June 12.

***Agenda item 11 is Time Certain @ 6:20 PM and is heard out of sequence:***

**11. Sewer Rehabilitation Phase L-1 – Information Only**

Muirlands/Nautilus Neighborhood – Brief presentation by City Staff on upcoming sewer work. This includes work in the same area as Water Group 790 presented in April.

Presented: **Mr. Mahyar Navizi**, Project Engineer, City of San Diego. Mr. Navizi described the planned scope of work during 2011. **President LaCava** emphasized the absolute necessity of advance planning regarding street closures, specifically re Nautilus Street and the need to avoid diverting traffic onto West Muirlands Drive.

***Agenda Item 12 is Time Certain @ 6:30 PM and is heard out of sequence:***

**12. Remove 2-hour Time Limit on 7400 & 7500 Blocks of Olivetas Avenue**

T&T ACTION: To approve removal of 2-hour parking, 7-1-1.

*Pulled from May 6 Consent Agenda by Trustee Gabsch.*

**Presented: Mr. Scott Noya**, for the residents of League House, 7468 Olivetas Avenue, and community members adversely affected by the 2-hour Parking Time Limit on the 7400 & 7500 blocks of Olivetas Avenue.

**Mr. Noya** described the problems associated with the Time Limit: presented a petition with ninety-two signatures requesting the removal of the two-hour Restricted Parking Zone. League House residents: Ms. Donna Pearson, **Ms. Elizabeth MacDonough, Mr. Robert Scott, Mr. Robert Andrews, Mr. John Eddy** requested removal of the Time Limit currently in force. **Mr. Ed Ward**, referring to his participation in the La Jolla Community Parking Study, spoke in support of the request. **Trustees Addington, Fitzgerald, Gabsch, Little, Rasmussen, Whittemore** commented. **Trustee Lucas** noted: there had been a "micro experiment" when the time limit had been removed for an extended period during building construction in the immediate area; there had been no adverse effects.

**Approved Motion: Motion to support the removal of the 2 Hour Time Limit on the 7400 & 7500 blocks of Olivetas Avenue, (Whittemore/Weiss 14/2/1).**

In favor: Brady, Burstein, Costello, Crisafi, DuCharme Conboy, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Weiss, Whittemore.

Oppose: Addington, Gabsch.

Abstain: LaCava.

**8. Officer's Reports**

**A. Treasurer – Jim Fitzgerald**

Beginning Balance: \$566.34 + Income \$71.03 – (Expenses \$85.38) = Ending Balance: \$551.99

Expenses: include printing, telephone.

**Trustee Fitzgerald** commented on the generosity of the Membership and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the

## **B. Secretary – Nancy Manno**

Presented by **President LaCava**, for secretary Nancy Manno: If you want your attendance recorded today, please sign-in at the back of the room. You are entitled to attend without signing in, but only by providing proof of attendance can you maintain membership or become a Trustee. If you want your attendance recorded without signing-in at the back, then hand to me before the end of the meeting a piece of paper with your printed full name, signature and a statement that you want your attendance recorded. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, which is available at the membership table and on-line.

### ***Agenda Item 13 heard out of sequence to accommodate the community.***

#### **13. Palazzo Condominiums**

T&T ACTION: To approve as presented with no right turn on red, 7-0-1.

PRC ACTION: The builders have made efforts to conform to the PDO and zoning regulations. Approve as presented. The findings can be made, 3-0-2.

*Pulled from May 6 Consent Agenda: Mr. Nick Sauer*

2402 Torrey Pines Road – Coastal Development Permit for 50 residential condos (previously approved for 30 units, this application originally for 52) on a vacant 1.21 acre site (former Andrea Villa Hotel) in the V Zone of Shores Planned District. Single driveway to align with existing Torrey Pines Road/Ardath Road signalized intersection with modifications to signals with full right in/out, left in/out.

**Presented: Mr. Paul Lamme: for Applicant Intergulf Palazzo Condominium Project, for Architect: Mr. Stephen Jones, for Traffic Engineer: Mr. Scott Ballard: Mr. Lamme** described the history of the Project. **Mr. Jones** continued with a description of the Project, as presently envisioned.

**President LaCava** asked if there were community members who wished to speak in support of the project: there were none.

**Presented: Mr. Nick Sauer**, introduced the organized Del Charro Woods resident's opposition to the Palazzo Condominium Project. Expressed his gratitude to the Trustee for this hearing. Presented a petition signed by 25 Residents of Del Charro Woods. Requested those persons in the audience who wished to register their opposition to the Project, raise their hands. **President LaCava** counted approximately 45 persons.

**Mr. Nick Sauer:** Discussed, illustrated, with supporting documents, addressed residents concerns re: the Bulk and Scale of the Project

**Ms. Sandra Cohen:** Discussed, illustrated, with supporting documents, addressed residents concerns re: Density.

**Mr. Marvin Cohen:** Discussed, illustrated, with supporting documents, addressed residents concerns re: Traffic.

**Ms. Denise McGuire:** Discussed, illustrated with supporting documents, addressed residents concerns re: Landscape & Emergency Access

**Mr. Gary Reisl:** Discussed, illustrated, addressed residents concerns re: Environment and Privacy, noting specific concerns re a 40' high wall at the rear of the property.

Residents, **Ms. Nina Terebinski**, Del Charro Woods, **Ms. Susan Stillings**, Sandpiper, **Mr. Roy Shiepe**, Sandpiper, spoke in opposition to the Project.

**Ms. Helen Boyden**, Chairman PRC committee, expressed concerns re inadequate planning for traffic, Garage entrance, service vehicle access.

**Trustees Crisafi, Whittemore, Lucas, Fitzgerald, Gabsch, Rasmussen, Merten, Burstein, DuCharme Conboy, Little, Salmon, Manno** commented and questioned the Applicants representatives: focusing on the described traffic problems, the absence of adequate provision for service and delivery vehicles, the height of the retaining walls. During the discussion it was discovered that the plans distributed to the trustees by the chair was an old set of plans. **Approved Motion: Motion to deny the Palazzo Condominium Project for the following reasons:**

1. **The project's bulk and scale is not compatible with surrounding properties.**
2. **The relationship of the project and surrounding buildings is so different that the project disrupts the architectural unity of the area.**
3. **The project imposes an unacceptable burden on traffic congestion.**
4. **There is inadequate landscape coverage as a major portion of the landscaped area is set on a concrete "structure."**
5. **There is inadequate provision for service trucks and insufficient loading zone capacity. (Whittemore/Little 12/2/1).**

In favor: Addington, (Item 5 only), Brady, Costello, Crisafi, DuCharme Conboy, Gabsch, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen, Whittemore.

Oppose: Burstein, Salmon

Abstain: LaCava

#### **7. President's Report – Action Items Where Indicated**

**A. Community Planners Committee – <http://www.sandiego.gov/planning/community/cpc/index.shtml>**

**President LaCava** was not present: in his absence he was elected Vice Chair of the CPC.

**B. Neptune Apartments – Planning Commission this morning:**

**President LaCava** reported that the LJCPA appeal was rejected by the Planning Commission, and noted the Planning Commissioners had a very thoughtful discussion before their unanimous vote rejecting the LJCPA appeal 6/0.

**C. Aroma Bakery & Sidewalk Café – Planning Commission scheduled for June 17<sup>th</sup>**

**President LaCava** reported on the explanation received from the City Attorney's Office that clarifies how the PDO reads. That is, the language of the Sidewalk Café in the Municipal Code is in fact part of the PDO.

**Trustee Gabsch** discussed his opposition to the City Attorney's Office interpretation and his support of the PDO and urged the Trustees to be particularly vigilant in defending the PDO. **Trustee Fitzgerald** discussed his opposition to the City Attorney's Office interpretation. **Trustee Whittemore** commented on the responsibility of the LJCPA to act as an advisory committee. **President LaCava** commented and noted the LJCPA action narrowly focused on upholding the integrity of the PDO. A general discussion amongst the Trustees focused on the advisability of pursuing an action that would appear to be ultimately unsuccessful.

**Approved Motion: Motion to reconsider the May 06, 2010 Motion to appeal decision of San Diego City Staff, (Aroma Bakery & Barfly Café), (Lucas/Burstein 10/5/1)**

In favor: Addington, Brady, Burstein, Costello, Crisafi, DuCharme Conboy, Lucas, Merten, Rasmussen, Whittemore.

Oppose: Fitzgerald, Gabsch, Little, Manno, Merten.

Abstain: LaCava

**Approved Motion: Motion to withdraw appeal, (Aroma Bakery & Barfly Café), based on new information received from City Attorney, (Burstein/Brady 10/5/1).**

In favor: Addington, Brady, Burstein, Costello, Crisafi, DuCharme Conboy, Lucas, Rasmussen, Salmon, Whittemore.

Oppose: Fitzgerald, Gabsch, Little, Manno, Merten

Abstain: LaCava

**D. Sorokin Duplex – LJCPA denied on consent, City approved, Appeal?**

**Failed Motion: Motion to direct LJCPA President LaCava to not file an appeal: Sorokin Duplex / Project No. 190364, (DuCharme Conboy/Crisafi 6/7/3).**

In favor: Addington, Brady, Burstein, Crisafi, DuCharme Conboy, Salmon.

Oppose: Costello, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen.

Abstain: Gabsch, LaCava, Whittemore

**Trustee Costello:** re the Sorokin Project, noted the proposed projects lack of transition, expressed strong sentiment advocating an appeal. **Trustee Merten:** Advocated an appeal: To maintain our credibility as a planning organization we must base our decisions on the stated rules and regulations, adhere to the Community Plan, noted it is inherently unfair to make decisions to enforce or ignore arbitrarily.

**Approved Motion: Motion to direct LJCPA President LaCava to file an appeal: Sorokin Duplex / Project No. 190364, (Costello/Little 7/6/3).**

In favor: Costello, Fitzgerald, Little, Lucas, Manno, Merten, Rasmussen.  
Oppose: Addington, Brady, Burstein, Crisafi, DuCharme Conboy, Salmon.  
Abstain: Gabsch, LaCava, Whittemore

**9. CONSENT AGENDA – Ratify or Reconsider Committee Action**

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for full discussion.

***Items pulled from this Consent Agenda are trailed to the next CPA meeting.***

PDO – Planned District Ordinance Committee, Chair Ione Stiegler, 2<sup>nd</sup> Mon, 4pm  
DPR – Development Permit Review Committee, Chair Tony Crisafi, 2<sup>nd</sup> & 3<sup>rd</sup> Tues, 4pm  
PRC – LJ Shores Permit Review Committee, Chair Helen Boyden, 4<sup>th</sup> Tues, 4pm  
T&T – Traffic & Transportation Board, Chair Todd Lesser, 4<sup>th</sup> Thurs, 4pm

***Note: Approving Benson Glass House on Consent will require a waiver of the CPA policy prohibiting Conditional Approvals.***

PDO – No Action Items

**A. Beyster Residence**

DPR ACTION: The findings can be made for CDP, 7-0-0  
9321 La Jolla Farms Road - Coastal Development Permit for a 330 square foot addition to an existing single family residence on a 0.46 acre site in the RS-1-2 Zone

**B. Benson Glass House**

DPR ACTION: The findings can be made for a CDP requested to include in addition to Development Services Department prescribed side yard view corridor condition: side yard be modified to "maintain a 5' high x 10' wide view corridor from the front property (sidewalk) line to the ocean.", 6-0-0.  
5960 – 5970 Camino de la Costa - Coastal Development Permit to demolish existing residences on properties and construct a 9,931 sq. ft. single-family residence w/basement on a 1.45 acre site in the RS-1-5 Zone.

**C. Bird Rock Sprint/Clearwire**

DPR ACTION: The findings can be made for NUP, 6-0-0. (See minutes for full motion.)  
5639 La Jolla Boulevard - Neighborhood Use Permit for a Wireless Communication Facility consisting of an existing Sprint/Nextel facility with the addition of Clearwire antennas.

**D. Hooshmand Residence: Pulled: Applicant**

PRC ACTION: Motion to deny, 7-0-1. (See minutes for full motion.)  
2480 Rue Denise - Coastal Development Permit and Site Development Permit for a 4,463 sq. ft. addition to an existing single family residence on a 0.29 acre site. Subsequent redesign reduced addition to a total square footage of 4073 sq ft.

**E. Ninkovic Residence**

PRC ACTION: Findings can be made for an SDP, 7-0-1. (See minutes for full motion.)  
8902 Nottingham Place - A 1,494 square feet second story addition and remodel to an existing 1,853 single family residence on a 0.18 acre site.

**F. T-Mobile La Jolla Shores/Cliffridge Park**

PRC ACTION: Findings can be made, 7-0-1. (See minutes for full motion.)  
8311 Cliffridge Avenue - Wireless Communication Facility (WCF) consisting of a 20.5' high pole supporting three antennas and associated equipment in the OP-1-1 zone. Dedicated parkland. Same location as previously approved Sprint/Clearwire wireless installation.

**G. Via Casa Alta – Change No Parking Signage from 2a-6a to 10p-7a Pulled: Applicant**

T&T ACTION: To deny proposal, 4-3-1.

**H. Sewer and Water Construction in the Village**

T&T ACTION: To approve extension to end of June, 6-0-1 (See minutes for full motion).  
Whether to extend construction through June or halt for the Summer Moratorium and finish in September.

**I. 16th Annual San Diego Triathlon Challenge (Oct 24 2010)**

T&T ACTION: To approve as presented, 7-0-0.  
Proposed closure of Coast Boulevard and on-street parking.

**Consent Agenda:**

**Approved Motion: Motion:**

To accept the recommendations of the Development Permit Review Committee:

(A) Beyster Residence, 9321 La Jolla Farms Road - Coastal Development Permit for a 330 square foot addition to an existing single family residence on a 0.46 acre site in the RS-1-2 Zone, findings can be made for CDP, and forward the recommendation to the City.

(B) Benson Glass House. The findings can be made for a CDP requested to include in addition to Development Services Department prescribed side yard view corridor condition: side yard be modified to "maintain a 5' high x 10' wide view corridor from the front property (sidewalk) line to the ocean. 5960 – 5970 Camino de la Costa - Coastal Development Permit to demolish existing residences on properties and construct a 9,931 sq. ft. single-family residence w/basement on a 1.45-acre site in the RS-1-5 Zone, and forward the recommendation to the City.

(C) Birdrock Sprint /Clearwire: 5639 La Jolla Boulevard: Findings can be made for: Neighborhood Use Permit for a Wireless Communication Facility consisting of an existing Sprint/Nextel facility with the addition of Clearwire antennas, and forward the recommendation to the City.

To accept the recommendations of the Permit Review Committee:

(E) Ninkovic Residence: 8902 Nottingham Place: Findings can be made for an SDP: A 1,494 square feet second story addition and remodel to an existing 1,853 single family residence on a 0.18 acre site, and forward the recommendation to the City.

(F) T-Mobile La Jolla Shores/ Cliffridge Park - 8311 Cliffridge Avenue Findings can be made: Wireless Communication Facility (WCF) consisting of a 20.5' high pole supporting three antennas and associated equipment in the OP-1-1 zone. Dedicated parkland. Same location as previously approved Sprint/Clearwire wireless installation, and forward the recommendation to the City.

To accept the recommendations of the Traffic & Transportation Committee:

(H) Sewer and Water Construction in the Village: Whether to extend construction through June or halt for the Summer Moratorium and finish in September: To approve extension to end of June, and forward the recommendation to the City.

(I) 16th Annual San Diego Triathlon Challenge (Oct 24 2010): Proposed closure of Coast Boulevard and on-street parking: To approve as presented, and forward the recommendation to the City.

**(Addington/Salmon 15/0/1)**

In favor: Addington, Brady, Burstein, Costello, Crisafi, DuCharme Conboy, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Salmon, Whittemore.

Abstain: LaCava

**10. REPORTS FROM OTHER ADVISORY COMMITTEES** - Information only

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD – *Inactive*: No report

B. COASTAL ACCESS AND PARKING BOARD – Meets 1<sup>st</sup> Tues, 4pm, Rec Center: No report

**14. FY2011 Capital Improvements Program Budget**

City staff seeks community input on the FY2011 budget as assembled by the Mayor for conformance with the La Jolla Community Plan as well as other action we may choose to take. Possible Action Item. (See attachment).

**President LaCava** reviewed the document, answered Trustees questions. **Trustee Merten** reiterated his position that the design of the Children's Pool lifeguard station does not comply with the Community Plan.

**Approved Motion: Motion to approve Fiscal Year 2011 Capital Improvement Program, Community of La Jolla: Capital Improvement budget is consistent with the Community Plan with deletion of Item (1): Community Parking Structure, Item (10): Prospect Street/Silverado Street Roundabout, Item (13): Children's Pool Lifeguard Station: (Manno/Little 11/2/3)**

In favor: Addington, Brady, Burstein, Costello, Fitzgerald, Gabsch, Little, Manno, Merten, Salmon, Whittemore.

Oppose: Lucas, Rasmussen,

Abstain: Crisafi, DuCharme Conboy, LaCava



***Agenda Item 7/E, (Presidents Report), was heard out of sequence:***

E. Joint Committee Appointments – Ratify appointments by LJTC, PLJ, and LJSA

**La Jolla Town Council:**

**Development Permit Review Committee:**

1. Beth Gaenzle, 2. Angeles Leira, 3. Cindy Thorsen, 4. John A. Frangos, Ph.D., 5. Diane Kane, Ph.D.

**Planned District Ordinance Committee:**

1. Pancho Dewhurst, 2. Jim Fitzgerald, CPA, 3. Cristull Hasson

**Traffic & Transportation Committee:**

1. Rob Hildt, 2. "Van" Van Inwegen

**La Jolla Shores Association:**

**La Jolla Shores Permit Review Committee:**

Helen Boyden, Ed Furtek, Tim Lucas, Betty Morrison, Dale Naegle

**La Jolla Traffic & Transportation Board:**

Todd Lesser, Joe Dicks

**Approved Motion: Motion to ratify 2010-2011 Joint Committee appointments submitted by the La Jolla Town Council, Promote La Jolla, La Jolla Shores Association: (Costello/Fitzgerald 14/0/2).**

In favor: Addington, Brady, Burstein, Costello, Crisafi, DuCharme Conboy, Fitzgerald, Gabsch, Little, Lucas, Manno, Merten, Rasmussen, Whittemore.

Abstain: LaCava, Salmon.

**15. Adjourn** to Next Regular Meeting on July 1, 2010, 6:00 pm



4. Floor areas of neighboring homes
5. Proposed vs. existing storm runoff patterns & quantities
6. Geology report sections pertinent to neighborhood.
7. Provide findings for setback variance

Project Name: **CAVE STREET PARKING LOT AND RELOCATION OF HISTORIC STRUCTURES TO ARDATH ROAD**  
1261 / 1263 Cave St. Permits: CDP, SDP, CUP, Ammendmt  
Project #: JO#00-0000/1042 DPM: Glenn Gargas 619-446-5142, ggargas@sandiego.gov  
Zone: RM-1-1 Applicant: James Alcorn 858-459-0805, James@jamesalcorn.com

Scope of Work:

(Process 4) Coastal Development Permit & Site Development Permit to relocate 2 historical structures from a 7,700 sf lot at 1261 / 1263 Cave St. to a 16,460.65 SF lot at 2503 Ardath Road (in the La Jolla Shores Planned District). A Conditional Use Permit to add a parking lot to the site Cave St. site in the RM-1-1 Zone of the La Jolla Community Plan, Coastal Overlay Zone, the Coastal Height Limit Overlay Zone, Parking Impact, Residential Tandem Parking, Transit Area. Council District 1.

**Please provide the following for Final Review:**

1. Switch direction of entrance
2. Ensure proposed parking is available on short term basis to community
3. Consider moving back cottage to street on adjacent lot to enhance existing / remaining historical texture
4. Redesign parking in back of lot.

**6/15/10 PUBLIC DISCUSSION:**

**1.) Chairman appointee for La Jolla Development Permit Review Committee:**

**Subcommittee Motion:**

**(Costello, DuCharme Conboy) Motion to nominate Tony Crisafi as Chairman of La Jolla Development Permit Review Committee. 7-0-3 new appointees abstain**

**2.) Secretary appointee for La Jolla Development Permit Review Committee:**

**Subcommittee Motion:**

**Thorsen, DuCharme Conboy) Motion to nominate Mike Costello as Chairman of La Jolla Development Permit Review Committee. 7-0-3 new appointees abstain**

**La Jolla Shores Permit Review Committee–Minutes**  
Tuesday June 22, 2010  
La Jolla Recreation Center, 615 Prospect Street, La Jolla, CA

**Committee Members present:** Lucas, Merten, Morton (chair), Naegle, Schenck

**1. Non-Agenda Public Comment**

Phil Merten: The LJ (La Jolla) PDO limits mixed use to 1.7 FAR. Citywide, two pedestrian oriented neighborhood commercial zone designators limit the maximum FAR to 1.5 and 1.75. Although the LJS (La Jolla Shores) PDO does not have FAR guidelines for mixed use, should not the city-wide guidelines be considered when deciding bulk and scale and issues of fitting into the existing neighborhoods? For example, the proposed Whitney project is 2.3 FAR, which is 30% more than could be built anywhere else in the city for mixed use.

**2. Chair Comments – Boyden in absentia**

For July we anticipate hearing the McLeod residence at 8484 LJ Shores Drive-plans received, awaiting cycle. We will also likely hear the relocation of historic structures to 2503 Ardash Road- awaiting noticing confirmation and receipt of plans. Please confirm attendance at this meeting

**3. Project Review – Hooshmand Residence – Third Review –**

- PROJECT NUMBER: 198459
- TYPE OF STRUCTURE: Existing Single family residential
- LOCATION: 2480 Rue Denise
- PLANNER: Glenn Gargas; Ph: 619-446-5142; [ggargas@saniego.gov](mailto:ggargas@saniego.gov)
- OWNERS REP: Scott Spencer; 858-8898; [scottspencerarchitect@yahoo.com](mailto:scottspencerarchitect@yahoo.com)

**PROJECT DESCRIPTION:** An addition and remodel to an existing residence (Applicant)

Note: The NOA dated December 28, 2009 cites a (PROCESS 3) Coastal Development Permit and Site Development Permit for a 4,463 sq. ft. addition to an existing single family residence on a 0.29 acre site at 2480 Rue Denise in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan, Coastal Overlay Zone (non-appealable), Coastal Height Limit Overlay Zone. However, the applicant stated that a revised plan reducing the additional square footage by 1500 sq. ft. and including additional changes was planned to be submitted to the City as of March 9.

The changes listed above were in fact submitted and reviewed in March. However, subsequently, additional changes have been made and applicant states they were shown to City on May 17. New values are in parenthesis in red. The plans outlined in red were in fact dated and submitted to the City as of May 25, 2010. City copy has been received. These were denied by the committee, see motion below.

As of May 28 the applicant had decided to revise and the project was slated to be pulled from the LJCPA agenda by President Joe LaCava. On June 1, applicant e-mailed that there would be a revision ready for public view by June 15.

**On June 14, information was received indicating the first story addition was increased to 2064 sq. ft. and the subterranean (lower level) square footage was eliminated, with the total square footage increasing slightly to 4551 sq. ft.-including garage. These plans were delivered in a timely fashion, but had not been re-dated.**

- Lot Size: 12,660 s. f. or 0.29 acres
- Existing Sq/Ft: 2015 plus 420 garage
- Addition Sq/Ft: 1<sup>st</sup> story 1981 s.f. plus 52 s.f. garage (1953 plus 52 garage) June 14<sup>th</sup> changed see above
- Subterranean: 212 (Lower level?) (105.1 at lower level) June 14<sup>th</sup> eliminated, see above
- Total Sq/Ft 3996 plus 472 garage, except subterranean (4545 incl. garage; 4073 without)
- Percent of lot covered: 36% (37.2%) on June 14 now 37.9%
- Floor area ratio: .369 (.359) on June 14 still .359
- Height: 29.6' (30' & 29'6") on June 14<sup>th</sup> still the same
- Front yard setback: 7' 0" on June 14<sup>th</sup> still the same
- Side yard setback: 5'6" (Existing)/ 10'0" new, June 14<sup>th</sup> the same again
- Percent of green softscape: 55% (54.6%) June 14<sup>th</sup> the same
- Off street parking: 2
- SEEKING: Site Development Permit (SDP) and Coastal Development Permit (CDP)

**Previous action March 22. See March 22 PRC minutes for more information**

**Motion:** Schenck; Second Morton

To continue this item to a future meeting. The applicant should consider design issues raised by the Luetzow letter. We recommend meeting with neighbors and putting up story poles.

The applicant should bring next time:

- Neighborhood FAR and setback calculations for properties within 300 ft.
- Percentage of property on a 25% or greater slope and a percentage of coverage over that area.
- Elevations of the front of the house.

**The motion is approved: 6-1-1.** Approve: Lucas, Morrison, Merten, Morton, Schenck, Naegle; Oppose: Furtek; Abstain: Boyden (chair)

**Previous action: May 25, 2010. See May 25 PRC Minutes for more information**

**Motion: Furtek; Second: Lucas – amendment by Merten accepted.**

Motion to deny. Project does not conform to LJS PDO section 1510.0301(b): Specifically: “Conversely, no structure will be approved that is so different in quality, form, materials, color, and relationship as to disrupt the architectural unity of the area.”

It also does not abide by the three principles on Page 4, three on Page 5, and the first principle on Page 6 of LJ Shores Design Manual. The perceived bulk and relationship of the northward (rear) expansion and extension of the house in relationship to the development on adjacent properties disrupts the architectural unity of the area.

Motion carries: 7-0-1

Approve: Furtek, Morton, Merten, Morrison, Naegle, Lucas, Schenck; Oppose: None;

Abstain: Boyden (chair)

**Presentation by Scott Spencer: Plans dated 5/24/2010**

The board had raised issues about whether the under-floor area was to be included in the Gross Floor Area calculations. If lower level area could be considered as gross floor area (under-floor gross floor area), it would be around 2,000 sq ft and would be out of character with the neighborhood. In response the lower floor and stairs have been removed and it will be left natural below. Essentially, the new design is a “one floor house on stilts.”

To recap the design changes: The floor area below has been removed. The new design is a 2,054 addition with respect to the present house. The house is now 4079 sq. ft. and the garage 472 sq. ft., giving 4551 sq ft total to the design. The under-floor area was increased 145 sq ft. as a result of removing the existing un-permitted space and putting wall in to support above structure.

The existing grade below the house is approx. 20 - 25%. Merten expressed concerns that anything less than 25% grade should be counted in Gross Floor Area calculation. Scott Spencer responded that the City staff told him that anything of slope greater than 5% under a structure is not counted as GFA. He will go back and get a clarification.

Other architectural changes were made. An Italian Villa façade has been added in the front and Villa details added to various point of the structure. The height of the façade is 13’ 4” in the front. The house is 15’ at the ridgeline.

The corner that was previously cut at 45 deg. as a compromise to increase the neighbors’ views has been put back and master bedroom restored to previous plans. The house at the master bedroom area has been extended 3’. The deck is out an additional 2’. The neighbor opposition seemed to be increased after the previous compromises so the owner decided to revert back to the original design. A chimney that had been removed is now back and another has been moved and is 2’ above the ridgeline.

Existing ridge is 604 ft above sea level and the property baseline is at 590 ft. This makes the original house ridge 14 ft high. Under the new design the ridge has been increased 1ft on SE side.

Average setbacks in neighborhood:

- Front: 15 – 16’, but in cul-de-sac the average is closer to 11. This project is at 11’.
- Side: 9.5’, project: 10 ft,
- Rear: 45’, project: 23 ft

**Public comment:**

Carrie & Bill Luetzow (neighbors to the south).

Carrie: They have received emails from Dr. Hooshmand's attorney and were prevented from further dialog with Dr. Hooshmand. The public library was closed on Monday so they couldn't see the plans until now. They are basing their objections on the original design which is similar to this one. Pictures were presented of the views from the Luetzow's property that showed the northern view being significantly blocked due to the house projecting over the hillside. They realize that private views are not protected in the Municipal Code; however, they are entitled to protect their property values, privacy, and usage. The LJSPDO is concerned about preserving the community character and having house fit the neighborhoods. This project has bulk and scale issues. The house will extend out over the ridge and stand out, and will be totally different from the rest of this neighborhood. This project shows no consideration for the neighborhood and neighbors.

Bill: All progress that was previously made has now been reversed.

Ione Stiegler, architect for Luetzows:

This third set of plans is disappointing in that it went back to original design that was voted down by committee. This new project is even 3 feet extended from the original design! We were close to a compromise, within 80 sq. ft. of a good compromise. With this new design there is a fully perceived bulk and scale issue and it is encroaching on privacy and use. The LJSPDO was designed to control development and preserve the natural terrain, ocean setting... This house on stilts does not conform to the natural terrain. Google aerial photos show that neighbors have been working together on remodels to preserve each other's views. This new design is just the opposite and sticks out over the canyon blocking views of several houses.

Joyce Cutler Shaw:

Her family has been here over 40 years with a nice view and a good relationship with neighbors. They have removed trees and replanted due to 15' high limits and the desire to preserve neighbors' views. The chimney that was removed in previous plan is now back and there is an additional chimney to block views.

Jerome Shaw:

They overlook the house. This is a much bigger house, bigger in sq footage and a wider area than any other house in their immediate neighborhood. It will extend past the existing lot as it now stands, and completely block out beach views. Points of the roof line block the views.

James Alcorn (architect): The City is not concerned with private views, only public views. Whether the area underneath counts or not towards gross floor area is not really interesting when viewed from down the hill. The front elevation shows the issue clearer. The roof is now a foot taller over a large portion of the house. The pitch could be lowered to reduce the effect. The basic problem is doubling the house size for a single story house, but this site is really for a 2 story house. The design is 10 lbs sugar in a 5 lb bag. The whole design doesn't work.

Dr. Hooshmand, owner:

They met with the neighbors before the closing of the property purchase. They told Carrie Luetzow before property was bought that they were going to extend out 15 feet and Carrie had no objections then. They cut the trees at request of neighbors. They did not get thanked, but were harassed. They tried to make compromises, but the Luetzows were not happy. The Luetzows built a fence, which did not follow the grade, without a permit. They were cited by city. They offered to drop their opposition for money. His attorney says not to talk with neighbors, that they are harassing you. The roof was changed to a hip roof at the request of the Shaws. This design has the basement removed due to committee concerns. The fireplace is existing. They are moving the location but not the height. The neighbors have other views, not just the ocean. This only cuts out 1 degree of view, like 269 deg vs. 270 degrees. Other houses on the slope are on caissons. The houses on Rue Denise are getting bigger. 231 homes sold since 2008. 40% are larger than 4,000 sq ft.

Ali Fahkimi:

He faced a similar situation when building their house. The neighbors objected; he compromised, but neighbors still complained. There is going to be change in La Jolla as houses get remodeled. The caissons help prevent sliding of the homes. They can be dressed up with stonework and landscaping. They keep the house stable. The Hooshmand ceiling height is only going up 1 ft, where it could go far higher. There are much larger houses in the neighborhood. Side setback on South side is 5 ft, which is consistent with other houses to South.

*Carrie Luetzow response:*

*Fence was agreed to with prior owners.*

*The language barrier is causing problems. We were offering to pay Dr. Hooshmand for the design compromises to compensate for the changes and potential loss of space.*

Committee comments:

La Jolla Shores Permit Review Committee

Naegle: Curb to front door approx 15 ft. This is a triangular lot. If house was moved back on right (east) property line it would improve parking, allow a greater main living room space and increase distance from neighbor to west. It wouldn't hurt neighbor to the right. Response: *They explored this with the neighbors and Jim Alcorn... The problem was this is a remodel with an existing floor level and this would be more expensive to demo and start from scratch... This project is processed as an addition and remodel, not a demo and build from scratch.*

Merten:

When the city adopted the LJSPDO, it also adopted architectural design standards. The design standards are in the LJS Design Manual. There are sections that have guidelines. The idea presented is to create the best design to fit the topography (fit the house to the land). This is a flat house on stilts, where it should be 2-story. In the Design Manual, with respect to placement on curves: Houses that relate to the street create awkward transitions – houses should be related to each other. Roof forms in any locale should be consistent and compatible. On this low-pitched low-gabled house design, the façade masks the roof pitch. It is a ranch house in one part with then Italian style mask on the front. This doesn't exist elsewhere in the neighborhood. From the street the roof is not visible, but looking down there are different styles. The LJSPDO states that building structure and setbacks should be in general conformance with neighborhood. The south side conforms but the north side does not. On the cul-de-sac, extending the house and wall does not meet the setback requirements. "No structure will be approved that is so different on an adjacent property that" This project disrupts the architectural unity of the neighborhood.

*Scott Spencer response: This is a difficult part of the project. He met with Glen Gargas and Stenko and solicited advice. The City staff opinion is that the Design Manual guidelines can be used to mean anything. The DM shows a house with a deck on stilts. LJS DM: "there should be neighborhood diversity." What is neighborhood conformity: immediate versus 300 ft range? The City staff is supporting the project.*

Morton: Is this a remodel? Yes. Does this project conform to the 50ft façade rule? Yes. Are there any planes longer than 50 ft? No.

Naegle: The remodeling plan is hurting itself by trying to conform to the existing structure. You can cherry pick the guidelines, but overall there is not enough to have this project conform. The problem is the city unfortunately does not support the guidelines. The design guidelines add value to every residence. Are we not supposed apply the guidelines to remodels?

Schenck: Not satisfied with the rear yard setback. Thinks it is too small with respect to the existing neighborhood.

Lucas: The building appearance is not just at street level. On a hillside, the neighbors above constantly look down on houses below. They need to fit in not only from street appearance but from the above perspective. The Google Earth photos show that the houses in this immediate neighborhood were developed at around the same time and were places in such a way as to preserve the views and privacy of the neighbors. This proposed design clearly breaks the neighborhood unity and character.

Morton: This house is a remodel not a new structure. As such they are building off of what was done in the 70s. In adding to an existing house, you have to look at it in a slightly different way. I have concerns about the setbacks and would have liked more photos of the neighborhood to show how this proposed design fits in. It does meet the landscape and coverage requirements. It appears to meet the height requirements. The setback information is not decisive.

This review is based on undated plan revisions and information received as of June 14, 2010. Confirmation of submittal to the City has not been received.

**Motion: Naegle Second: Merten**

**This project does not conform to the design guidelines in the La Jolla Shores Design Manual. It is non-compliant with the expansion of a flat lot design, inappropriately placed on a sloping hillside. There is non-compliance with the north side setback, non-compliance with the front (east) side setback, and non-compliance with the western extent of the house in relationship to the immediate neighbors, and non-compliance with the proposed façade and its relationship to the sloping roofs as they are incompatible with those of the immediate neighbors.**

**Motion is approved: 4-0-1**

Approve: Lucas, Merten, Naegle, Schenck

Deny: None

Abstain: Morton

# La Jolla Traffic & Transportation Board

## DRAFT MINUTES

**Chairman: Todd Lesser**

**Vice Chairman: Vacant**

**Secretary: Vacant**

### MEETING – 24 June 2010

**PRESENT:** Daisy Fitzgerald (PLJ), Rob Hildt (LJTC), Keith Kelman (PLJ), Patrick Ryan (BRCC), George Sutton (LJSA), Earl Van Inwegan (LJTC),

**ABSENT:** Michele Addington (CPA), Dan Courtney (CPA), Joe Dicks (LJSA), Todd Lesser (LJSA)

**PUBLIC COMMENTS:** Ester Viti reminded everyone of the next community clean-up on July 10<sup>th</sup>.

By acclamation Joe LaCava chaired and called the meeting to order at 4:10 pm.

1. Election of Officers of LJTC – Item deferred until next meeting. Todd Lesser has agreed to chair for another year, Michele Addington and Dan Courtney will share Secretary duties, looking for someone to be Vice Chair.

#### 2. 7411 Olivetas Avenue – White Zone – Voting Item

Presented by Nick Bernal of Preferred Valet Parking. Nick has the contract for valet parking the events at the Darlington House. Notes that there are about 100 events a year primarily on Friday through Sunday. Generally 50 to 100 cars queue up for the valet. Having a dedicated loading zone would reduce stacking into the street as well as avoid double parking. Noted that using the driveway which goes through to the rear alley isn't viable because of narrow dimensions. Group discussed the existing 60 foot loading zone currently in front of League House which hosts a number of residents and perhaps 2 major events a year. Social Service League owns both facilities. Discussion about the shortage of parking in the area and the need for League House residents to have access to on-street parking. This board approved converting this block from 2 hour parking to no time limits earlier this year. There was no one in the audience to speak to this issue.

#### MOTION:

**Recommend reallocating the current length of white curb to serve both the League House and the Darlington House (Ryan/Sutton), 6-0-0.**

**Recommend consideration of special signage at the Darlington House so that the white curb is a loading zone only during events (Kelman/Ryan), 6-0-0.**

#### 3. No Parking Vehicles for Sale Zone – La Jolla Boulevard between Mesa Way and Palomar Avenue

There was no one to present this item. Bob Collins spoke in support of this proposal. The request had been filed directly with the city. General debate about whether this was needed as it did not seem to be a problem. This solution was employed successfully on La Jolla Scenic Drive North. Concern that a resident in this stretch would be prohibited from parking in front of their home and having a for sale sign in their vehicle. Concern re the number of commercial vehicles and oversize vehicles that park in this stretch. Unknown how many signs the City would place to create this zone, but estimated at least 2 signs on each side of the street.

#### MOTION:

**Recommend approval of the proposal for a No Parking Vehicle for Sale Zone on La Jolla Boulevard between Mesa Way and Palomar Avenue (Fitzgerald/Hildt), 4-2-0**



#### **4. Village Street Restriping**

There was no one to speak to this item. This item was not discussed as the decision had been previously made to restripe the village streets on the evenings of July 7th and 8<sup>th</sup>.

#### **6. 75<sup>th</sup> Birthday Celebration of the La Jolla Post Office**

Angeles Liera presented this item and offered a sketch of the street closure and ADA parking. La Jolla Historical Society is requesting the temporary closure of Wall Street between the Alley and Ivanhoe for four hours in the afternoon of Sept 11th, 2010 between 1pm and 5 pm. She has spoken to all the merchants on the block between Ivanhoe and Herschel and received enthusiastic support (exception was Burger Lounge who needed to talk with their general manager). She submitted signed petition from the three businesses that front on the street closure as further evidence of their support. She noted the post office would be open for its regular Saturday hours and the celebration would include a tour of the post office. No one in the audience on this item. Queries from the board about the details of the closure.

#### **MOTION:**

**Recommend of the proposed street closure of Wall Street between Ivanhoe and the alley on September 11, 2010 from 1:00 pm to 5:00 pm as presented (Sutton/Kelman) 6-0-0.**

#### **6. Tour Bus Loading/Unloading – Non voting Item**

Tim Schenk presented his business proposal to run a tour bus from downtown to bring tourists to the village and La Jolla Shores. Tim has made numerous presentations at T&T, LJTC, PLJ, and LJSA over the past several months. This issue is where to locate a bus loading/unloading zone (30 minutes in the morning, 30 minutes in the afternoon). His original idea was to change about 50 feet of the 15 minute parking at the La Jolla Visitor Center (On Herschel, near Prospect) to a loading zone because of its central location in the business district and proximity to the Cove. Several thought the 15 minute parking is heavily used and critical to the surrounding businesses. Tim noted that the existing private bus parking zone on Kline near Fay was too far from where tourists want to be. He looked into using the apparently oversized city bus zone on Silverado behind Chase Bank but the MTS rejected the idea. He learned that MTS is abandoning the old city bus stop in front of Mary Star of the Sea on Girard. He spoke to the valet at the loading zones in front of Georges and La Valencia and received lukewarm support; however the Board thought this was a great solution since the tour bus loading was for such short duration and on a rigid schedule. The Board encouraged him to talk directly with the owners of Georges and La Valencia. Everyone agreed that bringing tourists into the Village via bus was good for the merchants and reiterated encouragement to consider extending the stay into the dinner hour (he currently schedules departure at 4:00 pm. A couple residing in the Shores commented on their frustration with the number of tour buses in the Shores commercial district including excessive idling, too many tour buses at one time, buses using narrow streets, rude behavior on bus drivers. They were urged to bring their concerns to the La Jolla Shores Association.

Meeting adjourned about 5:15 pm.

Respectfully submitted  
Joe LaCava

**2010-2011 Committee Appointees  
Bird Rock Community Council**

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**La Jolla Planned District Ordinance Committee:**

Joe Parker  
Ione Stiegler

**La Jolla Traffic & Transportation Board:**

Patrick Ryan  
George Sutton

**2010-2011 Committee Appointees  
Promote La Jolla**

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**La Jolla Planned District Ordinance Committee:**

Jennifer Clark  
Deborah Marengo  
Trent Wagenseller

**La Jolla Traffic & Transportation Board:**

Daisy Fitzgerald  
Keith Kelman

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 7,  
DIVISION 38 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 67.3803, 67.3805 AND 67.3806,  
RELATING TO EMERGENCY WATER REGULATIONS.

WHEREAS, article 10, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, permanent regulation of the time of certain water use, manner of certain water use, method of application of water for certain uses, installation and use of water-saving devices, provides an effective and immediately available means of conserving water; and

WHEREAS, making certain current temporary restrictions permanent will continue to allow the City of San Diego to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 *et seq.*; and

WHEREAS, making certain current temporary restrictions permanent and making improvements to the comprehensive drought response program provides certainty to water users and enables the City of San Diego to control water use, provide water supplies, and plan and implement water management measures in a fair and orderly manner for the benefit of the public; NOW, THEREFORE,

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

Section 1. That Chapter 6, Article 7, Division 38 of the San Diego Municipal Code is hereby amended by amending section 67.3803 to read as follows:

**§67.3803 Water Waste Prohibitions**

- (a) [No change in text.]
- (b) A *customer* shall repair or stop a water leak upon discovery or within seventy-two hours of notification by the City of San Diego.
- (c) through (i) [No change in text.]
- (j) Customers shall limit all landscape irrigation to no more than three assigned *Days* per week on a schedule established and posted by the Mayor. This limitation does not apply to commercial *growers* or nurseries, nor to the irrigation of golf course greens and tees.
- (k) Customers shall limit lawn watering and landscape irrigation using sprinklers to no more than ten minutes maximum per watering station per assigned *Day* during the months of June through October and no more than seven minutes maximum per watering station per assigned *Day* during the months of November through May. This limitation does not apply to landscape irrigation systems using water efficient devices, including drip/micro-irrigation systems and stream rotor sprinklers.
- (l) Landscaped areas, including trees and shrubs not irrigated by a landscape irrigation system governed by Section 67.3806(b)(2), shall be watered no more than three assigned days per week by using a hand held container, hand-held hose with positive shut-off nozzle, or low volume non-spray irrigation (soaker hose).
- (m) *Potted plants*, non-commercial vegetable gardens and fruit trees may be irrigated on any *day*, but must be irrigated only before 10:00 a.m. or after 6:00 p.m. during the months of June through October and only before

10:00 a.m. and after 4:00 p.m. during the months of November through May.

- (n) Irrigation is permitted any *day* at any time, as follows:
  - (1) as required by a landscape permit;
  - (2) for erosion control;
  - (3) for establishment, repair or renovation of public use fields for schools and parks; or
  - (4) for landscape establishment following a *disaster*. Such irrigation is permitted for a period of up to two months, after which a hardship variance is required in accordance with Section 67.3810.

Section 2. That Chapter 6, Article 7, Division 38, of the San Diego Municipal Code is amended by amending section 67.3805 to read as follows:

**§67.3805 Drought Response Level 1 – Drought Watch Condition**

(a) through (b) [No change in text.]

- (1) The washing of automobiles, trucks, trailers, airplanes and other types of mobile equipment is permitted only before 10:00 a.m. or after 6:00 p.m. during the months of June through October and only before 10:00 a.m. and after 4:00 p.m. during the months of November through May, with a hand-held container or a hand-held hose equipped with a positive shut-off nozzle for quick rinses. Boats and boat engines are permitted to be washed down after use. Washing is permitted at any time on the immediate premises of a commercial car wash. The use of water by all types of commercial car washes which do not use partially recirculated water will be reduced in volume by an amount determined by resolution of the City

Council. Mobile equipment washings are exempt from these regulations where the health, safety and welfare of the public are contingent upon frequent vehicle cleanings, such as garbage trucks and vehicles to transport food products, livestock and perishables.

- (2) Use recycled or non-potable water for construction purposes when available.
- (3) Use of water from fire hydrants will be limited to fire fighting, meter installation by the Water Department as part of its Fire Hydrant Meter Program, and related activities or other activities necessary to maintain the health, safety and welfare of the citizens of San Diego.
- (4) Construction operations receiving water from a fire hydrant meter or water truck will not use water beyond normal construction activities, consistent with Section 67.3803 and that required by regulatory agencies.  
  
Construction projects requiring watering for new landscaping materials shall adhere to the designated irrigation hours of only before 10:00 a.m. and after 6:00 p.m. during the months of June through October and only before 10:00 a.m. and after 4:00 p.m. during the months of November through May.
- (5) Irrigation is not permitted during a rain event.

Section 3. That Chapter 6, Article 7, Division 38, of the San Diego Municipal Code is amended by amending section 67.3806 to read as follows:

**§67.3806 Drought Response Level 2 – Drought Alert Condition**

- (a) [No change in text.]

(b) Driving a Level 2 Drought Alert, all City of San Diego water *customers* shall:

- (1) Comply with all Level 1 Drought Watch *water conservation* practices.
- (2) Stop operating ornamental fountains except to the extent needed for maintenance.

(c) [No change in text.]

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By \_\_\_\_\_  
Ray Palmucci  
Deputy City Attorney

RCP:cq  
06/08/10  
Or.Dept:xxx  
O-2010-xxx

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor



**STRIKEOUT ORDINANCE**

**OLD LANGUAGE: ~~Struck Out~~**

**NEW LANGUAGE: Underline**

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 7,  
DIVISION 38 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 67.3803, 67.3805 AND 67.3806,  
RELATING TO EMERGENCY WATER REGULATIONS.

**§67.3803 Water Waste Prohibitions**

No change in text.

(a) [No change in text.]

(b) *A customer shall repair or stop a water leak upon discovery or within seventy-two hours of notification by the City of San Diego.*

(c) through (i) [No change in text.]

(j) Customers shall limit all landscape irrigation to no more than three assigned Days per week on a schedule established and posted by the Mayor. This limitation does not apply to commercial growers or nurseries, nor to the irrigation of golf course greens and tees.

(k) Customers shall limit lawn watering and landscape irrigation using sprinklers to no more than ten minutes maximum per watering station per assigned Day during the months of June through October and no more than seven minutes maximum per watering station per assigned Day during the months of November through May. This limitation does not apply to landscape irrigation systems using water efficient devices, including drip/micro-irrigation systems and stream rotor sprinklers.

- (l) Landscaped areas, including trees and shrubs not irrigated by a landscape irrigation system governed by Section 67.3806(b)(2), shall be watered no more than three assigned days per week by using a hand held container, hand-held hose with positive shut-off nozzle, or low volume non-spray irrigation (soaker hose).
- (m) Potted plants, non-commercial vegetable gardens and fruit trees may be irrigated on any day, but must be irrigated only before 10:00 a.m. or after 6:00 p.m. during the months of June through October and only before 10:00 a.m. and after 4:00 p.m. during the months of November through May.
- (n) Irrigation is permitted any day at any time, as follows:
  - (1) as required by a landscape permit;
  - (2) for erosion control;
  - (3) for establishment, repair or renovation of public use fields for schools and parks; or
  - (4) for landscape establishment following a disaster. Such irrigation is permitted for a period of up to two months, after which a hardship variance is required in accordance with Section 67.3810.

**§67.3805 Drought Response Level 1 – Drought Watch Condition**

(a) through (b) [No change in text.]

~~(1) Irrigate potted plants, non-commercial vegetable gardens and fruit trees, residential and commercial landscapes, including golf courses, parks, school grounds and recreation fields, only before 10:00 a.m. and after 6:00 p.m. during the months of June through October and only before 10:00~~

~~a.m. and after 4:00 p.m. during the months of November through May, except for renovation or repair of the irrigation system with an operator present.~~

~~(2) Use a hand-held hose equipped with a positive shut-off nozzle or hand held container or a garden hose sprinkler system on a timer to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system.~~

~~(3) Irrigate nursery and commercial grower's products only before 10:00 a.m. and after 6:00 p.m. during the months of June through October and only before 10:00 a.m. and after 4:00 p.m. during the months of November through May. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a hand-held container, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time.~~

(14) The washing of automobiles, trucks, trailers, airplanes and other types of mobile equipment is permitted only before 10:00 a.m. or after 6:00 p.m. during the months of June through October and only before 10:00 a.m. and after 4:00 p.m. during the months of November through May, with a hand-held container or a hand-held hose equipped with a positive shut-off nozzle for quick rinses. Boats and boat engines are permitted to be washed down after use. Washing is permitted at any time on the immediate premises of a commercial car wash. The use of water by all types of commercial car washes which do not use partially recirculated water will

be reduced in volume by an amount determined by resolution of the City Council. Mobile equipment washings are exempt from these regulations where the health, safety and welfare of the public are contingent upon frequent vehicle cleanings, such as garbage trucks and vehicles to transport food products, livestock and perishables.

~~(5) Customers shall repair or stop all water leaks upon discovery or within five days of notification by the City of San Diego.~~

(26) Use recycled or non-potable water for construction purposes when available.

(37) Use of water from fire hydrants will be limited to fire fighting, meter installation by the Water Department as part of its Fire Hydrant Meter Program, and related activities or other activities necessary to maintain the health, safety and welfare of the citizens of San Diego.

(48) Construction operations receiving water from a fire hydrant meter or water truck will not use water beyond normal construction activities, consistent with Section 67.3803 and that required by regulatory agencies.

Construction projects requiring watering for new landscaping materials shall adhere to the designated irrigation hours of only before 10:00 a.m. and after 6:00 p.m. during the months of June through October and only before 10:00 a.m. and after 4:00 p.m. during the months of November through May.

(59) Irrigation is not permitted during a rain event.

**§67.3806 Drought Response Level 2 – Drought Alert Condition**

(a) [No change in text.]

(b) Driving a Level 2 Drought Alert, All City of San Diego water customers shall:

(1) comply with all Level 1 Drought Watch water conservation practices during a Level 2 Drought Alert, and shall also comply with the following conservation measures:

(1) Limit all landscape irrigation to no more than three assigned Days per week on a schedule established and posted by the City Manager. This provision does not apply to commercial growers or nurseries, nor to the irrigation of golf course greens and tees.

(2) Limit lawn watering and landscape irrigation using sprinklers to no more than ten minutes maximum per watering station per assigned Day during the months of June through October and no more than seven minutes maximum per watering station per assigned Day during the months of November through May. This provision does not apply to landscape irrigation systems using water efficient devices, including drip/micro irrigation systems and stream rotor sprinklers.

(3) Landscaped areas, including trees and shrubs not irrigated by a landscape irrigation system governed by Section 67.3806(b)(2) shall be watered no more than three assigned days per week by using a hand held container, hand held hose with positive shut-off nozzle, or low volume non-spray irrigation (soaker hose.)

(4) Repair or stop all leaks upon discovery or within seventy-two hours of notification by the City of San Diego.

~~(2)(5)~~ Stop operating ornamental fountains except to the extent needed for maintenance.

~~(6)~~ ~~Potted plants, non-commercial vegetable gardens and fruit trees may be irrigated on any day, but must be irrigated only before 10:00 a.m. or after 6:00 p.m. during the months of June through October and only before 10:00 a.m. and after 4:00 p.m. during the months of November through May.~~

~~(7)~~ Irrigation is permitted any day at any time, as follows:

~~(A)~~ as required by a landscape permit;

~~(B)~~ for erosion control;

~~(C)~~ for establishment, repair or renovation of public use fields for schools and parks; or

~~(D)~~ for landscape establishment following a *disaster*. Such irrigation is permitted for a period of up to two months, after which a hardship variance is required in accordance with Section 67.3810.

(c) [No change in text.]

RCP:cq  
06/08/10  
Or.Dept:xxx  
O-2010-xxx

CITY ATTORNEY DIGEST

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

EFFECTIVE DATE \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 7,  
DIVISION 38 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 67.3803, 67.3805 AND 67.3806,  
RELATING TO EMERGENCY WATER REGULATIONS.

This ordinance amends the Municipal Code by amending Sections 67.3803, 67.3805 and 67.3806 and repealing Sections 67.3806 (b) (1) through (7) and Sections 67.3805 (b) (1) through (3) and (5), all relating to Drought Response Level 1 and 2 water use restrictions.

This ordinance makes Drought Response Level 2 water use restrictions which are currently temporary, permanent, by repealing Sections 67.3806 (b) (1) through (7) in Level 2 and placing them in Section 67.3803, which delineates permanent, year-round water use restrictions. It also repeals Sections 67.3805 (b) (1) through (3) and (5), of Drought Response Level 1, as they are less restrictive than the new sections.

This ordinance contains a notice that a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

RCP:cfq  
06/08/2010  
Or.Dept:xxx  
O-2010-xxx