PO Box 889, La Jolla, CA 92038
http://www.LaJollaCPA.org
Voicemail: 858.456.7900
info@LaJollaCPA.org

President: Tony Crisafi
Vice President: Rob Whittemore
Treasurer: Jim Fitzgerald
Secretary: Dan Allen

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month
La Jolla Recreation Center, 615 Prospect Street

Thursday, 1 December 2011

D R A F T AGENDA – REGULAR MEETING

6:00p

1. Welcome and Call To Order: **Tony Crisafi**, President

2. Adopt the Agenda

3. Meeting Minutes Review and Approval: 3 Nov 2011

4. Elected Officials Report – Information Only

A. Council District 2 – Councilmember Kevin Faulconer
Rep: **Katherine Miles**, 619.236.6622, kmiles@sandiego.gov

B. Council District 1 – Councilmember Sherri Lightner
Rep: **Erin Demorest**, 619.236.7762, edemorest@sandiego.gov

5. Non-Agenda Public Comment
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.

A. UCSD - Planner: **Anu Delouri,** adelouri@ucsd.edu, http://commplan.ucsd.edu/

6. Non-Agenda Items for Trustee Discussion
Issues not on the agenda and *within LJCPA jurisdiction*, two (2) minutes or less.

7. Officer's Reports

A. Secretary

B. Treasurer

8. President's Report – Action Items Where Indicated

A. Dale Naegle's passing

B. Community Planners Committee

C. 8490 Whale Watch Way – City Council hearing date not set until 12/6/11, tentatively 1/10/12 or 1/17/12

D. Ad Hoc Committee on Bylaws – Action Item
Ratify appointment of Ad Hoc Committee to update bylaws for adoption by membership at the March 2012 membership meeting.
Committee Appointments: Phil Merten, Chair, Mike Costello, Vice Chair, Laura DuCharme Conboy, Joe LaCava, Tim Golba, Tony Crisafi, Mark Lyon, Rob Whittemore

E. Elections Committee – call for volunteers

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.

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 reconsideration and full discussion.

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

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

A. Stedman Residence

DPR ACTION: Findings can be made for a Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish existing residence and construct a 12,379 SF single family residence and guest quarters on a 1.61 acres site at 9030 La Jolla Shores Ln.

9030 La Jolla Shores Lane – CDP & SDP for Environmentally Sensitive Lands to demolish existing residence and construct a 14,800 SF single family residence and guest quarters on a 1.61 acres site.5-0-0

B. Weintraub LL Adjustment

DPR ACTION: Findings can be made for a Coastal Development Permit and Lot Line Adjustment Parcel map at 321 San Colla Street and 334 Ricardo Place. 7-0-1

321 San Colla St & 334 Ricardo Pl - CDP and Lot Line Adjustment Parcel map at 321 San Colla Street and 334 Ricardo Place

C. Pelberg Residence Substantial Conformance Review

PRC ACTION: Project presented to the committee is in substantial conformance with the previously approved Coastal Development Permit #175251 and Site Development Permit #525867. 4-1-1

8335 Camino del Oro - Substantial Conformance Review to Coastal Development Permit #175251 and Site Development Permit #525867.

10. REPORTS FROM OTHER ADVISORY COMMITTEES - Information only

A. COASTAL ACCESS AND PARKING BOARD – Meets 1st Tues, 4pm, Rec Center

B. COMMUNITY PLANNERS COMMITTEE – Meets 4th Tues, 7p, 9192 Topaz Way

11. Ad Hoc Committee on Operating Procedures – Action item

Ad Hoc Action: Consideration to adopt Ad Hoc Committee's recommendations #2 & #3, listed below.
See Procedures created by the ad hoc committee attached to this agenda.

Aug 2011 Recommendations:

2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).

3. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policy of January 4, 2009, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Whittemore/LaCava 4/1/0).

12. 7401 La Jolla Blvd. Mixed Use – Action item

7401 La Jolla Blvd - CDP and SDP to construct a mixed use building with 5,400 sf commercial space and a 4,600 sf single-family residence on a vacant 0.23-acre site

PDO ACTION (OCT 2011): The project as presented conforms to the PDO. 7-0-0

DPR ACTION (OCT 2011): Findings can be made for a Coastal Development Permit and Site Development Permit to construct a mixed use building, 5,200 sf commercial and 5,080 sf residential, 7,070 sf underground garage (13 spaces) on a vacant 0.23-acre site. 5-0-2

13. On Street Parking – Action item

Consideration of Draft of City Council Policy relating to On-Street Parking

T&T ACTION (Sept 2011): See attached draft minutes for approved motions

14. Shahbaz Residence – ***Deferred to January by Applicant***

6412 Avenida Manana - Coastal Development Permit to demolish an existing 3,869 sf residence and construct an 7,884 sf two story single family residence and an attached 3 car garage on a .57 acre site

DPR ACTION (OCT 2011): Findings can be made for a Coastal Development Permit to demolish an existing 3,869 sf residence and construct a 7,884 sf two story single-family residence and an attached 3-car garage on a 0.57-acre site. 4-1-2

15. La Jolla Concours D'Elegance – Action Item

Scripps Park / Street Closure March 31st – April 1st

T&T ACTION (OCT 2011): Motion to approve street closure 8-1-0

16. Valet Parking Public review processing – Action Item

Whether to author letter by PDO stating the shortcoming of city processing of Valet Parking – example project: 7979 Ivanhoe Valet Parking

17. Urban Agriculture LDC Amendments

City-wide Land Development Code amendments supporting urban agriculture to further the goal of improving access to healthy, local & sustainable foods.

See: http://www.sandiego.gov/development-services/industry/landdevcode.shtml#projectsOpen

Presenting: Joe LaCava

18. Pelberg Residence SCR – Action Item

8335 Camino del Oro - SCR to CDP #175251 and SDP #525867. Modifications to the project reduce the overall square footage from 4,600 sf to 4,100 sf while staying in the footprint of the originally approved design. FAR reduced from .75 to .65 and lot coverage reduced from 45% to 34%.

PRC ACTION (NOV 2011): Project presented to the committee is in substantial conformance with the previously approved Coastal Development Permit #175251 and Site Development Permit #525867. 4-1-1

Time Certain: 9:30p

19. Adjourn to next Regular Monthly Meeting, Jan 5, 2011, 6:00 pm

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La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month
La Jolla Recreation Center, 615 Prospect Street

Thursday, 3 November 2011

D R A F T MINUTES – REGULAR MEETING

Present: Dan Allen, Cynthia Bond, Tom Brady, Laura DuCharme-Conboy, Michael Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Phil Merten, Cynthia Thorsen, Rob Whittemore.
Absent: Devin Burstein, Nancy Manno, Ray Weiss.

1. Welcome and Call To Order: Tony Crisafi, President, at 6:04 PM

2. Adopt the Agenda

President Crisafi added three more items under the President's Report.

Approved Motion: Motion to Adopt the Agenda as revised, (Fitzgerald/Merten, 12-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Little, Merten, Thorsen, Whittemore.
Abstain: Crisafi.

3. Meeting Minutes Review and Approval – 6 October 2011

Approved Motion: Motion to approve the Minutes of 6 October 2011, (Fitzgerald/Thorsen, 12-0-2).

In favor: Allen, Bond, Brady, Conboy, Costello, Fitzgerald, Gabsch, LaCava, Little, Merten, Thorsen, Whittemore.
Abstain: Crisafi, Lucas.

4. Elected Officials Report - Information Only

A. Council District 2 - Councilmember Kevin Faulconer
Rep: Katherine Miles, 619.236.6622, kmiles@sandiego.gov

Ms. Miles was not present.

B. Council District 1 - Councilmember Sherri Lightner
Rep: Erin Demorest, 619.236.7762, edemorest@sandiego.gov

Ms. Demorest reported that La Jolla Village Drive was being resurfaced; potholes in the district should be reported to the Councilmember's office; streetlight replacement in central La Jolla is proceeding and the annual City Capital Improvement Project (CIP) process is being streamlined.

5. Non-Agenda Public Comment – Issues not on the agenda and within LJCPA jurisdiction, two (2) minutes or less.

A. UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, http://commplan.ucsd.edu

Ms. Delouri provided written updates on campus development projects and for further information referred to the website physicalplanning.ucsd.edu; announced the Mitigated Negative Declaration for reconstruction of three buildings in SIO Seaweed Canyon, for which public comments are due 10 November; student housing at Revelle College is being expanded toward the overall campus goal of 50% undergraduate housing on-campus.

General Public Comment

LJCPA member **Sally Fuller** advised of the meetings of Rotary, every Tuesday at noon at the La Valencia hotel.

LJCPA member **Peggy Davis** expressed appreciation for LJCPA's consideration of the questions of process concerning the Gatto project.

LJCPA member **Bob Whitney** commented on Trustee action/November meeting with regard to Council Policy 600-24.

6. Non-Agenda Items for Trustee Discussion

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

Trustee Lucas announced two items: the La Jolla Shores Association would discuss student parking in the neighborhoods around UCSD at their meeting next week, and the Hillel student center proposal will be on the agenda of the next meeting of the La Jolla Shores Permit Review Committee (PRC).

7. Officer's Reports

A. Secretary: Dan Allen

Trustee Allen stated that if one wants his or her attendance recorded today, he or she can sign-in at the back of the room. There are two sign-in lists: one for LJCPA members and one for non-members. LJCPA is a membership organization open to La Jolla residents, property owners and local businesspersons at least 18 years of age. This is a meeting of the Trustees, who are elected by the LJCPA members. By providing proof of attendance you maintain membership and become eligible for election as a Trustee. Eligible non-members wishing to join the LJCPA must have recorded attendance for one meeting and must submit an application, copies of which are available from **Trustee Thorsen** and on-line at our website: www.lajollacpa.org. Persons are entitled to have attendance recorded without signing-in and such case must provide the Secretary before the end of the meeting a piece of paper with printed full name, signature and a statement asking attendance be recorded.

B. Treasurer: Jim Fitzgerald

October Beginning Balance: $89.26 + Income $202.63 – Expenses $101.10 = Ending Balance: $190.79. Expenses include Agenda printing and telephone expenses.

Trustee Fitzgerald commented on the special generosity of the Membership and Trustees and reminded Trustees, Members and guests: LJCPA is a non-profit organization and must rely solely on the generosity of the community and the Trustees. All donations must be in cash to preserve anonymity.

8. President's Report – Action Items Where Indicated

A. LJ Parks and Beaches on Coast Walk Parking – Action Item

Whether or not to send a letter to City of San Diego in support of Parks & Beaches, Inc., effort to restore Coast Walk public parking.

A proposed resolution on parking was passed by La Jolla Parks and Beaches, Inc., at their 25 July meeting and was presented for information to the La Jolla Traffic & Transportation Board at their 28 July meeting and given for information to the La Jolla Community Planning Association 4 August. **President Crisafi** provided the Trustees a draft letter of support from LJCPA for the effort of La Jolla Parks and Beaches, Inc..
Trustee Allen and LJCPA members **Brenda Fake** and **Melinda Merryweather** spoke in favor. **Trustee LaCava** expressed concern about the appearance of any expression of priority for City expenditure. **Trustee Conboy** asked for deletion of reference to an attachment in the body of the letter.

Approved Motion: The La Jolla Community Planning Association supports La Jolla Parks & Beaches, Inc., in their efforts to restore the public parking spaces along Coast Walk as identified on page 33 of the La Jolla Community Plan. As there are currently two functioning public parking spaces versus the six spaces identified in the plan, the La Jolla Parks & Beaches, Inc. committee has requested that the city take action. We request that the city provide assistance to their

efforts to achieve objectives of the Community Plan for restoration of public parking spaces for the public use of Coast Walk, (Whittemore/Little, 14-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.
Abstain: Crisafi.

B. 8490 Whale Watch Way– Action Item

Whether or not to appeal the environmental document of 8490 Whale Watch Way project to the City Council; Planning Commission decision on Oct. 20th to certify the Negative Declaration.

LJCPA members **Bob Whitney, Claude-Anthony Marengo, Mark Lyon** and **Michael Morton** commented on LJCPA policy on automatic appeals. **Trustees Whittemore**, **Little,** and **Courtney** discussed general LJCPA policy on appeals.

Approved Motion: To limit debate to the substance of the pending motion, (Costello/Thorsen, 12-1-2).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Little, Lucas, Merten, Thorsen, Whittemore.
Oppose: Gabsch.
Abstain: Crisafi, LaCava.

James Brown of the firm Public Architecture informed that the Planning Commission and City staff did not concur with the LJCPA's exceptions to the Negative Declaration (referring to the letter approved at the July meeting of the Trustees, drafted by **Trustee Merten**). **Mr. Brown** and **Trustee Merten** discussed the specific calculation of floor area ratio (FAR) for this project and others in the general area and significance of FAR. LJCPA member **Michael Morton** elaborated that FAR numbers are not specifically restricted in the La Jolla Shores Planned District Ordinance (PDO). **Trustee Lucas** pointed out that FAR is one measure of bulk and scale, which is a PDO criterion.

Approved Motion: To close debate and proceed to vote on the pending motion, ("Call The Question"), (Whittemore/Gabsch, 12-1-2).

In favor: Allen, Bond, Brady, Conboy, Costello, Fitzgerald, Gabsch, Little, Lucas, Merten, Thorsen, Whittemore.
Oppose: Courtney.
Abstain: Crisafi, LaCava.

Approved Motion: To ratify the appeal of the environmental document filed by the President on 8490 Whale Watch Way, (Whittemore/Merten, 11-2-2).

In favor: Allen, Bond, Brady, Costello, Courtney, Gabsch, Little, Lucas, Merten, Thorsen, Whittemore.
Oppose: Conboy, Fitzgerald.
Abstain: Crisafi, LaCava.

At this point the sequence of the agenda was modified to hear Item 11 on account of a prior commitment to Time Certain

11. San Diego Canyonlands

Whether or not to support dedication of La Jolla sites and dedicating ~10,000 acres City-wide
Presenter: Will Anderson, Programs Manager, (619) 518-6535 email: will@sdcanyonlands.org

Mr. Anderson presented the history and objectives of the organization San Diego Canyonlands, www.sdcanyonlands.org. Their proposal city-wide is to accomplish dedication of a large number of City-owned land or public right of way presently designated as open space in community plans. This would be done by way of state legislation rather than City ordinance, thusly saving significant cost for the City. Their proposal for La Jolla is dedication of 1) four segments comprising most of the Fay Avenue bike path, 14¼ acres in total and 2) a 0.17 acre site on Mount Soledad. A tabular detail of these was provided.

LJCPA member **Roger Wiggans** pointed out that there is a central portion of the Fay Avenue bike path that is the parking lot of and property of the Methodist Church, although there was discussion in years past of the City

acquiring it.

Approved Motion: The La Jolla Community Planning Association supports the proposal presented by San Diego Canyonlands for dedication as parkland of the indicated sites in La Jolla and supports the dedication City-wide of approximately 10,000 acres of presently designated open space, (Thorsen/Fitzgerald, 14-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.
Abstain: Crisafi.

At this point the sequence of the agenda was restored to complete hearing Item 8

8. President's Report - continued

C. Children' s Pool Lifeguard Station – Action Item

Draft Mitigated Negative Declaration issued 10/6, comments due 11/5
Draft comments on the Draft Mitigated Negative Declaration, prepared by **Trustee Merten**, were included with the material provided to the Trustees. **Trustee Merten** notes design of the lifeguard station was approved by the Trustees a year ago. The pedestrian ramp to the lower level restroom will remove coastal bluffs, and he believes an alternative access for handicapped could be accomplished otherwise.

LJCPA member **Melinda Merryweather** commented on that the present vehicle ramp to the beach ("Baja Road") will be removed by this project. It has been blocked with a locked gate for several years. **Trustee Merten** noted that the vehicle access is outside the scope of the present project.

Approved Motion: Submit the letter provided to the Trustees with the Agenda on the Draft Mitigated Negative Declaration of the Children's Pool Lifeguard Station, specifically, stating that the Mitigated Negative Declaration is flawed and should be corrected to address the issues of Land Use and Planning (X,b) and Asthetics (I,b), which are significantly affected by the proposed project and which require substantial redesign to mitigate those impacts. (LaCava/Conboy, 14-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.
Abstain: Crisafi.

D. Eddie V's

Trustees had been informed by e-mail earlier in the day that the Coastal Commission will hear a request tomorrow an amendment to the CDP for Eddie V's restaurant to convert an existing roof area to outdoor dining space. **Trustee Gabsch** stated he was troubled that this matter did not come before the LJCPA.

E. Lundberg Addition

The project, which LJCPA moved last month to appeal, was heard. The addition was approved, and the Planning Commission supported the configuration changes on which LJCPA based the appeal.

F. Consent Agenda

President Crisafi requests that anyone pulling an item from the Consent Agenda state his or her reason for the benefit of the applicant in preparing for the implied hearing.

Point of Order - LJCPA member **Mark Lyon** questioned whether Agenda Item 16 ought to have been placed on the Consent Agenda, rather than as a separate Item. **President Crisafi** stated Agenda Item 16 was on the agenda at the applicants request.

At this point (8:20PM) President Crisafi recused himself and left the room. Treasurer Fitzgerald assumed the chairmanship of the meeting.

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 reconsideration and full discussion. Items pulled from this Consent Agenda are automatically trailed to the next CPA meeting.

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

A. Opus Bank Signage

PDO ACTION: To approve as conforming to the PDO the proposed building signage at a maximum of 31.9 sf; applicant to return with corrected plans for the free-standing sign. 6-0-1.

1205 Prospect Street - Two face changes of an existing sign cabinet, and one new non-illuminated monument sign.

B. Sauvage Lot Line Adjustment /Demolition

DPR ACTION: Findings can be made for a Coastal Development Permit to construct a 1,214 sf accessory use structure (pool cabana) at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses. 5-1-1

1420 Inspiration Dr. - CDP to construct a 1,214 sf companion unit at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses

C. Shahbaz Residence – *Pulled by Trustee Costello ("Out of neighborhood character.")*

DPR ACTION: Findings can be made for a Coastal Development Permit to demolish an existing 3,869 sf residence and construct a 7,884 sf two story single-family residence and an attached 3-car garage on a 0.57-acre site. 4-1-2

6412 Avenida Manana - Coastal Development Permit to demolish an existing 3,869 sf residence and construct an 7,884 sf two story single family residence and an attached 3 car garage on a .57 acre site

D. The Heritage on Ivanhoe

DPR ACTION: Findings can be made Coastal Development Permit and a Site Development Permit for the Heritage of Ivanhoe Project as described above under "Scope of Work" (see Comm. Rpt). 6-0-1

7714-7742 Ivanhoe Ave. – CDP & SDP for the following: Historic residence, along with the residences at 7722 and 7740 Ivanhoe Ave. will remain. The residents at 7722 Ivanhoe Ave. will also be relocated from the rear of the lot to the front. All other structures will be demolished. The project also proposes the addition of 3 detached dwelling units, 4 duplexes, and accessory structures and improvements in addition to the expansion of the three existing residential structures discussed above. The total final dwelling count will be 14 dwelling units (1 four-bedroom, 1 two bedroom and 12 three-bedroom units).

E. Chao Residence

PRC ACTION: Findings can be made for a Site Development Permit as presented with increase to side yard setback and changes to front entry. 6-0-1

8289 La Jolla Scenic Drive North - Demolish existing 1-story single family residence. Construct new 4,655 sf 2-story single family residence with basement. Changes made to initial plan include increasing south side yard setback to 5′-2″ and remodeling front entry.

F. La Jolla Concours D'Elegance – *Pulled by Trustee Courtney ("Applicant should come to CPA with complete detail of the project.")*

T&T ACTION: Motion to approve street closure 8-1-0

Scripps Park / Street Closure March 31st – April 1st

Approved Motion: Motion:

To accept the recommendation of the Planned District Ordinance Committee: (A) Opus Bank Signage: To approve as conforming to the PDO the proposed building signage at a maximum of 31.9 sf, and to forward the recommendation to the City.

To accept the recommendation of the Development Permit Review Committee: (B) Sauvage Lot Line Adjustment /Demolition: Findings can be made for a Coastal Development Permit to construct a 1,214 sf accessory use structure (pool cabana) at 1410 Inspiration Drive, demolish existing residence at 1420 Inspiration Drive and lot line adjustment between the two addresses., (D) The Heritage on Ivanhoe: Findings can be made Coastal Development Permit and a Site Development Permit for Heritage on Ivanhoe, and to forward the recommendations to the City.

To accept the recommendation of the LJ Shores Permit Review Committee: (E) Chao Residence: Findings can be made for a Site Development Permit as presented with increase to side yard setback and changes to front entry, and to forward the recommendation to the City.

(LaCava/Fitzgerald, 14-0-0-1)

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.
Recused - out of room: Crisafi.

At this point (8:23 PM) President Crisafi returned to chair the meeting.

10. Reports from Other Advisory Committees - Information only

A. La Jolla Community Parking District Advisory Board – Inactive

B. Coastal Access and Parking Board - Meets 1st Tues, 4pm, La Jolla Recreation Center

C. Community Planners Committee – Meets 4th Tues, 7pm, 9192 Topaz Way, San Diego

D. La Jolla Parks & Beaches, Inc. – Meets 4th Mon, 4pm, La Jolla Recreation Center

12. Jersey Mikes – Action Item

7836 Herschel Ave. - Tenant improvement, Trash enclosure and shared parking agreement
PDO ACTION (Sept. 2011): Tenant improvement, trash enclosure approved
PDO ACTION (Oct. 2011) Signage and shared parking agreement reviewed, but not acted on due to a lack of public notice of the issue. See attached October meeting minutes for review comments.
(note the City informed the applicant in writing that the use of the space as a restaurant was not a change in use.)

Trustee Fitzgerald advised that this would have been on the consent agenda, if the PDO had heard it at their October meeting, because the committee's concerns had been addressed. Rather than hear it again at the PDO next month and here in December, it was proposed to proceed with approval.

Approved Motion: Jersey Mikes: Findings can be made that the Tenant improvements conform with the PDO, (Little/Fitzgerald, 12-0-3).

In favor: Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Merten, Thorsen, Whittemore.
Abstain: Allen, Lucas, Crisafi.

13. Hennessey's Sidewalk Café – Action Item

7811 Herschel Ave - Installing wrought iron fence as an encroachment into the PROW
PDO ACTION (Sept 2011): Sidewalk Café Use conforms with the PDO 6-0-0
DPR ACTION (OCT 2011): FINAL REVIEW - motion fails – no recommendation to report

LJCPA member **Claude-Anthony Marengo** presented the proposal and distributed a diagram and photographs with illustrative overlays to explain the project. **Trustee Conboy** iterated the DPR Committee's concern that the continuity of the sidewalk would be interrupted. **Trustees LaCava** and **Courtney** pointed out that a tree in the landscaped "parkway" had been removed and the "parkway" paved. He was disappointed that action was not included in this application. **Trustee Gabsch** objected to the aesthetic and visual interruption caused by corralled sidewalk cafés in the community overall, which is a situation anticipated and supposed to be avoided. **Trustee Merten** disagreed, expressing that sidewalk cafés work well. He asked why not put the café corral in the "parkway". **Trustee Courtney** pointed out use of the public sidewalk is a discretionary action. **Trustee Costello** is concerned about damage to the old sidewalk. **Trustees Thorsen, Lucas, Whittemore** and **Courtney** expressed concern about the safety issue of the jog in the path at the same place as a concrete-to-brick transition, particularly as it would impact visually impaired pedestrians. **Trustee Fitzgerald** did not find that problem significant.

Approved Motion: Hennessey's Sidewalk Café: Findings can *NOT* be made that the sidewalk café use conforms with the PDO, (Courtney/Costello, 11-2-2).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Little, Lucas, Merten, Thorsen, Whittemore.
Opposed: LaCava, Fitzgerald.
Abstain: Gabsch, Crisafi.

14. Encore Trust Residence – Pulled from Consent at October meeting, Action Item

9872 La Jolla Farms Road - Coastal Development Permit and Site Development Permit to construct a 21,592 sf single family residence and 2,149 sf guest quarters on a vacant 1.52 acre site

DPR ACTION (Sept 2011): Findings can be made for Coastal Development Permit and Site Development Permit to construct 21,592 sf single family residence & 2,149 sf guest quarters on vacant 1.52 acre site. 5-0-0

Trustee LaCava presented for the applicant, assisted by LJCPA member **Paul Metcalfe**. It was pointed out that this is technically an amendment to a permit reviewed and granted, but the project has changed considerably. Before that there was a lot split which defined development limitations, particularly steep slope prohibitions. A binder of drawings and photos was distributed to the Trustees. View corridors, orientation to the neighboring Torrey Pines City Park and a section of a trail down "Box Canyon" were identified.

Ms. Evelyn Heidelberg, of Procopio, Cory, Hargreaves & Savitch, representing certain neighbors raised issues of compliance, particularly building envelope, roof plans, elevations, setbacks, view corridors, public views, archeology and paleontology. She asked that the item be referred back to the DPR Committee for further review. Neighboring La Jolla residents **Jim Morris, Mike Bruser, Kiely DuPont, Irv Wheeler** and **Lynn Bruser** spoke objecting to the scale of the structure and concern with public view impacts. **Trustees Thorsen, Costello, Conboy** and **Whittemore** commented.

At this point (8:51PM) Trustee LaCava recused himself and left the room.

Approved Motion: To recommit the Item to the DPR Committee (Whittemore/Brady, 13-0-1-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, Little, Lucas, Merten, Thorsen, Whittemore.
Abstain: Crisafi.
Recused - out of room: LaCava.

At this point (9:45 PM) Trustee LaCava returned to the meeting.

15. Hooshmand Residence – Pulled from Consent at October meeting, Action Item

2480 Rue Denise - CDP and SDP for a 4,463 sq. ft. addition & remodel to an existing single family residence on a 0.29 acre site

PRC ACTION (Sept 2011): Findings can be made for a Site Development Permit and a Coastal Development Permit. 6-0-2

Approved Motion: Findings can be made for a Site Development Permit and a Coastal Development Permit, (Conboy/Courtney, 14-0-1).

In favor: Allen, Bond, Brady, Conboy, Costello, Courtney, Fitzgerald, Gabsch, LaCava, Little, Lucas, Merten, Thorsen, Whittemore.
Abstain: Crisafi.

16. 7401 La Jolla Blvd. Mixed Use – Action item

7401 La Jolla Blvd - CDP and SDP to construct a mixed use building with 5,400 sf commercial space and a 4,600 sf single-family residence on a vacant 0.23-acre site
PDO ACTION (OCT 2011): The project as presented conforms to the PDO. 7-0-0
DPR ACTION (OCT 2011): Findings can be made for a Coastal Development Permit and Site Development Permit to construct a mixed use building, 5,200 sf commercial and 5,080 sf residential, 7,070 sf underground garage (13 spaces) on a vacant 0.23-acre site. 5-0-2

This item is continued to next month.

17. On Street Parking – Pulled from Consent at October meeting, Action item

Consideration of Draft of City Council Policy relating to On-Street Parking
T&T ACTION (Sept 2011): See attached draft minutes for approved motions

This item is continued to next month.

18. Ad Hoc Committee on Operating Procedures – Action item

Ad Hoc Action: Consideration to adopt Ad Hoc Committee's recommendations #2 & #3, listed below.
See Procedures created by the ad hoc committee attached to this agenda.
Aug 2011 Recommendations:

> *2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).*
> *3. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policy of January 4, 2009, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Whittemore/LaCava 4/1/0).*

This item is continued to next month.

19. Adjourn at 9:50 PM. Next Regular Monthly Meeting, 1 December 2011, 6:00 pm.

UNAPPROVED MINUTES OF THE LA JOLLA PLANNED DISTRICT ORDINANCE COMMITTEE
November 14, 2011

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Present: Stiegler (chair), Berwin, Clark, Dershowitz, Fitzgerald, Little, Morengo, Parker. Members of the public present signed in on a sheet retained by the Chair and Secretary.

Acting Secretary: The Chair appointed Jim Fitzgerald as Acting Secretary for the meeting.

1. **Public Comment** – Issues not on today's agenda (2 minutes maximum.)

   There were no non-agenda public comments.

2. **Chair Report / Board Discussion**

   a. Review and Approve October Minutes

      Motion to approve October Minutes: Dershowitz/Morengo 5-0-3

   b. Issues regarding PDO compliance and means to promote enforcement.

      1. 1205 Prospect / 7979 Ivanhoe Avenue discuss issues of code compliance and response from city planner.

      2. Parking

      Discussion:

      - Committee reviewed/discussed: 1) letter sent to the City regarding issues/concerns raised by the Committee and the public regarding the Prospect/Ivanhoe project; 2) the response from the City (Development Services).
      - The Committee had major disagreements with the City's responses, including that being no need for community review of projects of this type and that change of use from retail to restaurant in La Jolla requires no additional parking.
      - The Chair indicated that she had received an e-mail from the Prospect/Ivanhoe project's neighbors/others asking for the Committee's help in making this project subject to community review.
      - The Committee agreed to draft a letter for the CPA to send to the City highlighting the community's issues/concerns regarding the City's practices regarding the community review process and its interpretations of the La Jolla PDO, including parking requirements. A draft of this letter is scheduled to be reviewed by the CPA at its December meeting.

   c. New information items:

      - Chair announced that Sheila Fortune has resigned from the PDO Committee; the replacement representative from the La Jolla Village Merchants Association (LJVMA) will be named later.
      - The Chair noted that applicants can only be held accountable to the version of the La Jolla PDO that is available on the City's website.-

3. **Recommendations to CPA**

A.

Project Name - Opus Bank
Address - 7979 Ivanhoe Avenue, suite 150 La Jolla CA
PN - 350-100-29-00
PDO Zone - ?
Applicant - Integrated Signs
Agent - Integrated Signs
City PM - N/A
Date of App Notice N/A
Scope of work - Parking for Change of Use
Tenant's Lease Space - 2,167 sqft.

Motion: No representative of the applicant was present at the meeting. As a result, no action was taken on this project.

B.

Project Name: The Rush Indoor Cycle Studio
Address: 5628 La Jolla Blvd
PN - **?**
PDO Zone - LJPDO -4
Applicant: Tim Suski, Corey Spangler
Agent: Chris Musgjerd – The Irving Group
City PM - N/A
Date of App Notice N/A
Scope of Work: Storefront Glass Remodel, Building Color Change, Signage, Parking
No structural work will be done to the building. Aesthetic only.

Discussion:

- The project use (cycle studio/gym) is an allowable use under the PDO.
- The proposed color scheme (red/gray) is also allowable under the PDO.
- Applicant informed that allowable signage limited to 2 square feet per linear frontage foot.
- Parking: Cycling studio represents an increase in intensity of use for this property, which will require additional parking. Total required parking for this use (in the transit overlay zone) is 4.35 spaces per 1,000 square feet of space (estimated currently at 1,600 square feet).
- Applicant informed that off-site parking will require a Shared Parking Agreement.

Action: None. Committee indicated that the project could not be approved without construction drawings, which were not available to the Committee.

4. **Recommendations to DPR Committee**

A. None

5. Information Only

Note: For this item, Acting Secretary Fitzgerald recused himself in light of a long-standing relationship with the applicant. For this item only, the Chair appointed Joe Parker as Acting Secretary.

Project Name: 7720-7728 Fay Avenue.
Address: 7720-7728 Fay Avenue
PN: (N/A)
PDO Zone: LJPD-3
Applicant:
Agent: Joe LaCava, Avetterra
City PM: (N/A)
Date of App Notice: (N/A)
Scope of Work: Following submitted by the Applicant's Agent: Adding residential units. The existing retail building is over 35 years old. Since it pre-dates the PDO it is "previously conforming" although in almost all respects it conforms to the current PDO. The proposal envisions leaving the retail building untouched and continuing to meet the retail parking requirements on-site. Our question for the Committee's consideration and advice is whether the "previously conforming" retail building will have to conform to the PDO requirement of a "loading zone". The property has never had a commercial loading zone onsite. The contemplated project of adding new residential units would fully conform to the PDO including onsite parking. We will bring a sketch that will explain the current property and what is being proposed. Understanding the issue of the commercial loading zone is issue is critical as to whether the Client will proceed with the proposal.

Applicant represented by Joe LaCava.

- 5 unit retail building on Fay Ave. The building pre-dates the PDO. The intent is to develop property by constructing apartment units over the rear parking lot. The current building does not have a loading zone. Because the building was constructed prior to enactment of the PDO, it is grandfathered in and can operate without a loading zone. The parking lot in its current state has the capacity to serve as a loading zone. However, the project as proposed would not allow use of the parking lot for a loading zone as the intent is to put a “lid” over the parking and place the units on top. Once a lid is in place, delivery trucks will not be able to enter the parking lot. More importantly, all of the parking spaces are needed to maintain compliance with the PDO, so the height of the lid is not the issue. Entrance to the retail space from the parking lot will continue through rear of property.

Issue: Will a loading zone be required if the apartments are developed?

Discussion: The committee had mixed opinions:

1) One view is that, because the proposed new structure will not touch the existing building, it is not an expansion of the permitted use and therefore no loading zone is required—in other words, it is a previously conforming use because the proposed project does not affect the existing retail.
2) Public safety issues require minimization of impact on traffic and vehicle circulation and, therefore, a loading zone is required under the Municipal Code exception.
3) In general, the project is creating a condition that eliminates the existence of a de-facto loading zone.
4) Apartments in the alley should not be supported.

Action: No vote or action taken.

The meeting was adjourned at 5:45 p.m. The next PDO meeting is scheduled for December 12, 2011 at 4:00 p.m. at the La Jolla Recreation Center, Room 1.

Respectfully submitted,

Jim Fitzgerald, Acting Secretary

LA JOLLA DEVELOPMENT PERMIT REVIEW COMMITTEE
LA JOLLA COMMUNITY PLANNING ASSOCIATION

COMMITTEE REPORT
FOR
NOVEMBER 2011

11/8/2011 Present: Benton (Chairman), Collins, DuCharme-Conboy, Costello, Kane, Hayes, Merten, Thorsen
11/15/2011 Present: Benton (Chairman), Collins, DuCharme-Conboy, Costello, Gaenzle, Kane, Thorsen

1. NON-AGENDA PUBLIC COMMENT
11/8/11 Recorder setting 20/20 00 00 00
Thorsen: Provided a copy of the SD City Tree Removal Permit for **Hennessey's** dated 4-25-11. It allows the removal of two Ficus trees (large mature trees) from the parkway in front of Hennessey's on the expressed condition that they be replaced with two Magnolias immediately upon removal. The current state of the parkway is that it has been cemented over, the South tree was replaced with a very small Magnolia (trunk diameter about one inch) the tree from the North-central position was not replaced. The very small Magnolia at the South end of the parkway is placed so close to the concrete that it is unlikely to thrive. The conditions of the permit were not filled.
Kane: UCSD Student Intern project. Is seeking UCSD or SDSU students do an intern project to quantify Community/Neighborhood Character using a strategy from the Form Based Codes. LJ Shores and Barber Track are potential test areas.
11/15/11 None

2. PRELIMINARY REVIEW 11/8/11 + FINAL REVIEW 11/15/11

Project Name:	**STEDMAN RESIDENCE**		
	9030 La Jolla Shores Lane	Permits:	CPD & SDP
Project #:	253561	DPM:	Jeanette Temple 619-557-7908 jtemple@sandiego.gov
Zone:	RS-1-1 & RS-1-4	Applicant:	Brandon Ebel 619-398-7518 Guy West 619-293-7640

Scope of Work:
(Process 3) Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish existing residence and construct a 14,800 SF single family residence and guest quarters on a 1.61 acres site at 9030 La Jolla Shores Lane in the RS-1-1 & RS-1-4 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway, Parking Impact, Residential Tandem Parking. Council District 1

APPLICANT PRESENTATION 11/8/11: Recorder setting 20/20 00 08 41
Presented a materials board with stone to match sand and bluffs. Presented cardboard model of project. Project house is basically below street level. Roof will be matte finished Titanium. Geological Tech report: did a slope stability analysis, has done coring to 80 ft, will observe the 40 ft bluff setback, there will be a 5 ft safety barrier to prevent people falling down bluff (~ 240 ft down to beach). By driveway, 3 garage doors, stairwell, elevator shaft.

DISCUSSION 11/8/11: ***Applicant response in italics.***
DuCharme: Will Titanium roof be raised seams or what type pattern? ***Several possibilities.***
Hayes: Will there be roof vents? ***Not located yet***
Hayes: Does the roof overhang into the sideyard setback? Provide a section next time.
DuCharme: What are floor to ceiling heights? ***About 13.5 ft***
Ann ____: What about landscaping? There are a lot of non-native plants. The driveway is very unattractive, can you replant? Will the Torrey pine be removed? ***Existing landscaping will be removed (mostly non-native), will replant the driveway. Replanting with native plants.***

Andrew Thompson: Will the access trail to the North remain open? ***Yes***
Jim Fitzgerald: What about storm water drainage? ***It will be collected and pumped to the street.***
Cindy Bond: What percentage of the 1.61 acre lot is flat or build able? ***< ½ or 40%***
Hayes: 14,800 SF includes the guest quarters? ***The FAR of .35 was changed by the City to .45***
Kane: Can you explain more about the reflective qualities of the glass? ***A high performance laminate double thickness, glass with solar exposure will be recessed way back of the overhangs so there shouldn't be reflections.***
Thorsen: Can this be seen from beach? ***Not much because of height, one needs to be way up the beach.***
Merten: Structures need to separated by > 6 ft. Your South side looks like it is all tied together, if so, you need to correct.
Merten: Property without alley access must have at least one driveway access to the street. **Currently non-conforming*, we are making a compliant driveway thru here.*** Recorder setting 20/20 00 54 50
DuCharme: Is the front greenscape >60% ***Yes*** What is the railing on the South?
Unknown: What is your square footage? ***Main house 12,600 SF ,3 bedrooms, original plan had "guest bedrooms" which were mistaken for "quest quarters", but are contiguous with the inside. 1,250 SF guest house.***
Collins: Will the Ti roof be reflective? ***We will continue to study, it is metal, but a matte finish.***
Costello: You likely did the steep slope percentage of lot and FAR calc with the City, can you provide to us? ***Yes***

APPLICANT PRESENTATION 11/15/11:
Presented cardboard model of project. Project house is basically below street level. Roof will be matte finished Titanium. By driveway, six openings: 3 garage doors, stairwell, elevator shaft, bathroom light well.

Provided for Final Review 11/15/11: ***Applicant response in italics.***
a. Provide detailed calculations; lot SF, steep slope reduction of lot SF, FAR, roof overhangs, phantom floors, etc.
Lot size = 70,357 SF, area not steep hillside = 26,135 + .25 of remaining site area (11,055 SF) = 37.190 SF
GFA = 12,379 SF all area enclosed by exterior walls, balconies, phantom floors.
Proposed FAR = 0.33 = 12,379/37,357. Allowed FAR =0.45 = 16,735/37,357. Lot coverage 16%
b. Clarify Titanium roof patterns, if not raised seams what, provide eave detail what is vertical surface ***low gloss, matte finish Ti, bluest hue color, surface will be flush, panel to panel, little indentations. Gutters***
c. Provide a section(s) along both property lines, closest approach to perpendicular to property line, illustrate relationship of roof overhang, and sideyards setbacks. ***Done, eaves well back of setback. Roof eaves below street level.***
d. Provide railing detail at South East corner. ***Stainless steel railing mounted to concrete walkway.***
e. Verify that structures, pool house & main house, are separated > 6 ft. ***They are separated, clearly demonstrated.***
f. Compare existing to proposed footprints. ***Shown superimposed drawing of existing – proposed footprints***
g. Will the side yard Torrey Pines be allowed by City? ***Torrey Pine approved by City.***
h. Provide a landscaping plan, include intention for driveway landscaping. ***Will relocate palm.***
i. House and Ti roof will be down low, do study or survey of surrounding houses to determine if reflection will be a problem. ***May be some flash at certain times of day, but the velveteen matte is intended to be non-glare.***

DISCUSSION 11/15/11: ***Applicant response in italics.***
DuCharme: Bedroom opening into the garage is a Code violation. ***Yeah, we'll fix that.***
DuCharme: likes house, did a nice job setting house down the slope, out of neighbors view.
Sally Miller: What is the size of the old structure? ***I don't know exactly. Replacing about 4,000 SF with 14,000SF house.***

SUBCOMMITTEE MOTION 11/15/11: Findings can be made for a Coastal Development Permit and Site Development Permit for Environmentally Sensitive Lands to demolish existing residence and construct a 12,379 SF single family residence and guest quarters on a 1.61 acres site at 9030 La Jolla Shores Ln.
(Thorsen /Kane 5-0-0)

In Favor: Benton, DuCharme, Costello, Kane,Thorsen.
Oppose: 0
Abstain: 0
MOTION PASSES Recorder setting 21/21 02 41 11

3. PRELIMINARY + FINAL REVIEW 11/8/11 Recorder setting 20/20 01 03 43

Project Name:	**WEINTRAUB LL ADJUSTMENT**		
	321 San Colla St & 334 Ricardo Pl	Permits:	CPD & Lot Line Adjustment
Project #:	33838	DPM:	Sandra Teasley 619-446-5245 steasley@sandiego.gov
Zone:	RS-1-1 & RS-1-4	Applicant:	Muareen Pallamary 858-454-4094

Scope of Work:
(Process 2) Coastal Development Permit and Lot Line Adjustment Parcel map at 321 San Colla Street and 334 Ricardo Place in the RS-1-7 Zone in the La Jolla Community Plan, Coastal Overlay (nonappealable), Coastal Height Limit, Parking Impact, Residential Tandem Parking, Transit Area. Council District 1.

APPLICANT PRESENTATION 11/8/11:
Fence was placed 2 ft off the property line years ago. Construction was done on this, faulty, basis. Photographs shown of problem. Title company paid one home owner for their property.
Costello asked for proof that both property owners agreed to lot line adjustment, Pallamary provided proof.

SUBCOMMITTEE MOTION 11/8/11: to combine Preliminary and Final Reviews.
(Collins/Thorsen 8-0-0)

In Favor: Benton, Collins, DuCharme, Costello, Kane, Hayes, Merten, Thorsen
Oppose: 0
Abstain: 0
MOTION PASSES

SUBCOMMITTEE MOTION 11/8/11: Findings can be made for a Coastal Development Permit and Lot Line Adjustment Parcel map at 321 San Colla Street and 334 Ricardo Place.
(Collins/Kane 7-0-1)

In Favor: Collins, DuCharme, Costello, Kane, Hayes, Merten, Thorsen
Oppose: 0
Abstain: Benton (as Chair)
MOTION PASSES Recorder setting 20/20 01 09 29

4. PRELIMINARY REVIEW 11/8/11 + FINAL REVIEW 11/15/11

Project Name:	**ENCORE TRUST RESIDENCE**		
	9872 La Jolla Farms Road	Permits:	CDP & SDP
Project #:	PO#237107	DPM:	Glenn Gargas 619-446-5142 ggargas@sandiego.gov
Zone:	RS-1-2	Applicant:	Julia Metcalf 858-945-8486

Scope of Work:
(Process 3) Coastal Development Permit and Site Development Permit to construct a 21,592 SF single family residence and 2,149 SF guest quarters on a vacant 1.52 acre site at 9872 La Jolla Farms Road in the RS-1-2 Zone within the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway, Parking Impact, Residential Tandem Parking. Council District 1. Notice Cards=1

Chairman Benton: This Project has been returned to us by the LJCPA, so it is a de novo review. By Robert's Rules of Order, we need a motion to rescind in order to hear this again.
Merten: The reason the LJCPA sent this project back to us is that many neighbors attended the LJCPA meeting expressing that they had not been properly notified about this project and/or had not been able to provide input. Urged Committee to vote to rescind.

SUBCOMMITTEE MOTION 11/8/11: to rescind the Committee to actions of 13 Sept 2011 on the Encore Trust Residence.
(Thorsen/ Costello 7-0-1)

In Favor: Collins, DuCharme, Costello, Kane, Hayes, Merten, Thorsen
Oppose: 0
Abstain: Benton (as Chair)
MOTION PASSES Recorder setting 20/20 01 15 52

APPLICANT PRESENTATION 11/8/11:
Applicant distributed a 96-page booklet, describing the Project, to all Committee Members and a few to the public. This is a Coastal Development Permit Amendment, which is just the same as a new CDP. The site was previously the Box Canyon Ranch, demo'ed in 2005, lot split into Parcels 1 & 2. Parcel 1 (to South) has CDP, is currently under construction. Parcel 2 previously approved for CDP, with FAR .20, 13,456 SF , as "Isakow". There is a 15 ft View Corridor, thru the center of the property, aligned with Black Gold Rd. The beach access, surfer's trail, will be preserved. There is a "Building Restricted Easement". Statement about neighbors: Recorder setting 20/20 01 33 37 "We have spoken to all the neighbors. They do not necessarily agree with the project. There is a meeting tomorrow." (Note: 13 Sept 2011 statements about neighbors is available recorder setting 15/15 01 58 07 to 02 05 53. Written transcript can provided on request.)

DISCUSSION 11/8/11: : ***Applicant response in italics.***
Allowed FAR = .45, proposed FAR = .36 23,600 SF GFA, Building Restricted Easement reduced lot
Benton: View from street? ***Shown, story poles are there too.***
Costello: Looking at N-1, what % of lot area is the "Building Restricted Easement"? ***Close to ½ or .72 acre BRE is non-build able.***
Kane: Is this a spec house? ***No, a family will live there.***
Tony Crisafi, AIA: representing neighbors. These neighbors have been thru a number of CDPs before, but this time they are concerned about Bulk & Scale. Distributed a seven page handout with six requested action items and provided detail for each request:

1. request DSD to clarify correct process for current proposed design.
2. request applicant to produce public view study from Blackgold and LJ Farms Rd.
3. request applicant to provide public view study from city open space & park.
4. request applicant to comply with visual corridor requirement at south property line and to complement the dedicated view corridor along the property line of 9862 LJ Farms Rd.
5. request applicant to comply with LDC gross floor area calculation requirements.
6. request applicant to comply with building envelope especially at bedrooms along South side yard setback line and entry at front setback line.

Evelyn Heidelberg, Attorney: FARs out of scale. ref erences the LJ Community Plan, pg 81 Residential. Land Use, Goals, Maintain the character of LJ residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk & scale of new and older structures. pg 82 maintain character of Bulk & Scale in infill development to existing single dwelling units, pg 84 Community Character, avoid extreme Changes., pg 84 Dev Near Coastal Bluffs, prevent walled off appearance between streets and ocean..
Laura Wheeler: How close is the trail to the guest house? How big the screening? ***Trail outlined***
Michael Bruser: Not concerned about the house to be built, per se, but the Bulk & Scale, does not fit into Community. It's a precious piece of property. We will lose the last open vista, house too big.
Susan Mooris: Her house is 7,000 SF home on a 2 acre lot, FAR = .1, she "could" build 80,000 SF house. Doesn't mean one "should". Encore will be out of character, over shadow every thing else in area, block views, out of Bulk & Scale, like a "Home Depot"
Benton: Recommend the Applicant provide a summery FAR, lot size, Build able lot area. For next time.
Rob Whittemore: Story poles are up, DPR Members should see them.
Mrs. Bruser: This is the last most magnificent view, and it will be obliterated.
Crisafi: Discussed public views in the area
Hayes: Do you have the Isakow packet? How does this compare in height to Isakow? ***It is 6 inches higher*** Can you superimpose what was approved and proposed?

Kyla DuPont: What will the relationship be Torrey Pine be to the guest house? ***It is next to it, will hang over guest house.***

APPLICANT PRESENTATION 11/15/11:
Applicant distributed a 96-page description of the Project and its surroundings. Owner wanted to be present, be part of community. The site was previously the Box Canyon Ranch, demolished in 2005, lot split into Parcels 1 & 2. Parcel 1 (to South) has CDP, is currently under construction. Parcel 2 previously approved for CDP in 2009, with FAR .20, 13,456 SF , as "Isakow". A 15 ft View Corridor (VC), thru the center of the property, aligned with Black Gold Rd. The surfer's trail beach access will be preserved. Trail to guest house, 5 ft. Trail gives VC too.
"Building Restricted Easement" of 0.72 acre. Story poles are in place. Sideyard setback issue addressed, ~8 ½ ft, Setback to respect neighbor; nearest neighbor ~ 65 ft distance provided by lot patterns, geometry. Building Envelope - addressed: a chimney stack and wing wall about 1 ft too far, changed. FAR calculation: some phantom floor area added, some deck area removed, Proposed FAR = .36 Allowed FAR = .45, 23,600 ft^2 GFA, the pool vessel included = .377. the Building Restricted Easement (BRE) includes steeper part of hillside, plus the 15 ft wide VC = 0.72 acre (not subtracted from lot SF for FAR calc). Lot coverage is 31 % (33%?)
Public View show on graphic of LJ Com. Plan pg 157, fig A, photos shown. Occluding trees on neighbor's property. Did meet with neighbors on Wed. Had separate meeting with Tony Crisafi on Friday. Asks that criticism be specific beyond "too big". Recorder setting 21/21 00 25 15

DISCUSSION 11/15/11: ***Applicant response in italics.***
Gaenzle: You have a large footprint, roof area, what energy conservation measures are you using? ***Nothing specific yet.*** It is really important on a project this size….
Costello: Presented a bell curve showing position of average, one standard deviation = 68% of homes, two st dev = 95% of homes, three st dev = 99.7% of homes. Histogram 1 shows Encore's FAR greater than 95% of area homes. Histogram 2 identifies the problem, Encore's SF greater than 95% of area homes. Histogram 3 shows Encore's lot size is average for area homes (if one is to build a very large home, this might be the neighborhood).
Thorsen: Recorder setting 21/21 00 34 19 For B&S looked at % of lot sizes, lot coverages. 12 homes similar, lot coverages are somewhat comparable. "They are not leading the pack, as far as lot coverage."
Collins: what is your lot coverage ***31%, maybe up to 33%***
Jim Mooris: not saying just "too big", useable lot is too small, making FAR too big.
Tony Crisafi, AIA: representing neighbors.
Hired to meet with applicant, help neighbors understand implications of issues. Recorder setting 21/21 00 39 55
Proposed design is much larger than the approved CDP, main and upper level, 9, 000 SF to 19,000 SF.
Not about private views, houses are widely separated, lots of setback, wide open views, lots of landscaping in between. House is pushed up against the setbacks on all sides.
Basically two important issues:
1. Scenic overlook from Crisafi handout, based on views from story poles and simulation in Encore booklet.
2. Bulk & Scale. pushes up against all the setbacks. Is encumbered by VC. How landscaping and lighting fits in neighborhood. Provided updated neighborhood lot area, house SF, FAR data.
To use the VC as LaCava said , will need to go thru 2 private properties … only intended to be seen by people from trail. There will be large trees on Isenberg property.
Benton: Is any one here for Stedman Residence? Seeing none, that eases up the schedule a little bit.
Evelyn Heidelberg, Attorney: Recorder setting 21/21 00 45 29
Asked Thorsen about data. Is that GFA or FAR? ***GFA*** Is data from Assessor Office or Zillow**,** ***Zillow*** Last time we received criticism for using Zillow, that's why we are now using Assessor's data. How Zoning implements the Community Plan, not correct. Zoning RS-1-2 is throughout the City, no relationship to location or Community Characteristics. The Community Plan is an overlay over the Zoning Ordinance. If all that mattered was the Zoning Ordinance, decision makers would not need to consider the Community Plan, if Zoning implemented the Community Plan. Same with CEQA review. Zoning and FAR are not all that matter, the Community Plan has precedence.
SD Muni Code 132.0403 Coastal Overlay (a) If there is an existing or potential public view and the site is designated in the applicable land use plan as a public view to be protected.

(1) The applicant shall design and site the coastal development in such a manner as to preserve, enhance or restore the designated public view, and

(2) The decision maker shall condition the project to ensure that critical public views to the ocean and shoreline are maintained or enhanced.

In Heidelberg's handout, reference to LJ Community Plan.

pg 39 Goals. Preserve the natural amenities …, Maintain identified public views…., Enhance existing public access…., Protect the eviron sensitive resources….

pg 50 2. Visual Resources a. Public views, identified vantage points b. Public views, first public roadway, preserve & enhance

pg 56 Plan Recommendations. 2. Visual Resources especially, Where existing streets serve as public vantage points, fig 9 & App G, … view ocean and scenic overlooks and associated view sheds, <u>set back and terrace development</u> …. away from street in order to preserve and enhance public view …..

pg 81 Residential Land Use Maintain the character of LJ residential areas by ensuring that redevelopment occurs in a manner that protects natural features, preserves existing streetscape themes and allows a harmonious visual relationship to exist between the bulk & scale of new and older structures

pg 82 Com Character. ... maintain character of Bulk & Scale in infill development to existing single dwelling units.

In Summary**…**Impact on public views and Bulk & Scale will make this a real game changer in this neighborhood.

DuCharme: where photos taken, it looks you are away from where the arrow is in the Com Plan figure.

Collins: Are setbacks in violation? **Crisafi:** no, didn't see that. Don't look at all Code compliance issues. Neighbors concerned with Bulk & Scale, view shed, scenic overlook, VC.

Couldn't tell if comply with envelope sloping from plans … 24 ft then 45 degree angle. Crisafi asked to advise neighbors what they would get and what it would look like.

Kane: Are there height limits on vegetation? ***Not aware of any.*** Would veg limits help keep views?

Jenny Kruger: Pull guesthouse back to increase "setback", doesn't want to be forced to use large trees for privacy. Concerned with B&S too.

Jim Mooris: this is a smaller usable lot, with the second largest home. Walls off view.

Lynn Bruser: Environment impact includes lighting. Expects excessive lighting. Main thing is losing view.

LaCava: Landscape Plan, Isenberg (Parcel 1) easement restricts plants to 325'. Read Resolutions to Com Plan Nov 4, 2003. 3 of 5, 4 of 5. Recorder setting 21/21 01 12 29

Benton: We are free to make decisions on Bulk & Scale, Community Character if we choose to do so.

We have significant Community Character issues because of height, that portion immediately adjacent to the street. We should see the building envelope on drawings. Asked Members to focus on Community Character, B&S.

Gaenzle: Was VC - trail designated before the lot split? ***Yes.*** This project will be right up next to the setbacks, where the surrounding houses have generous setbacks. The running trail/ surfers trail will be hugging the two guest houses, that shouldn't be. If the guesthouse was removed, it would enhance the neighborhood by VC, trail, setbacks.

Kane: Difficult to imagine this 21,000 SF single family home, beyond scale of single family. Could become a destination resort. De facto densification of LJ this way. Can't control future use. Need a definition from the City of this kind of home, and single family home.

Benton: Would you consider reducing (Upper level) 7 ft?

Dreier: That 7 ft structure is back into the lot, not close to street.

SUBCOMMITTEE MOTION 11/15/11: Findings can be made for a Coastal Development Permit and Site Development Permit to construct a 21,592 SF single-family residence and 2,149 SF guest quarters on a vacant 1.52-acre site at 9872 La Jolla Farms Road.

(DuCharme / Collins 3-4-0)

In Favor: Collins, DuCharme, Thorsen
Oppose: Costello, Gaenzle, Kane
Abstain: Benton (as Chair)

MOTION TIES (FAILS) Recorder setting 21/21 01 27 53

In Favor: Collins, DuCharme, Thorsen
Oppose: Costello, Gaenzle, Kane, Benton (Chair)
MOTION FAILS

5. FINAL REVIEW 11/15/11

Project name: **Proposed Removal of Trees Obstructing a Designated View Corridor**
Public right of way on north side of Prospect Place at the foot of Park Row
Applicant: Mark Evans 858-454-6527
Scope of Work: Permit to remove trees on public land to restore a currently obstructed public view corridor designated in the Community Plan.

APPLICANT PRESENTATION 11/15/11

At the Oct 11, 2011 meeting the Applicant passed out a handout with photographs, pages from the LJ Community Plan and a City tree removal application. LJ Com. Plan identifies this as a View Corridor. This time, the Applicant passed out a detailed Management Plan to manage several trees, with photos of each tree, plan for each tree and a PhotoShop simulation of the restored View Corridor. Residents will establish a 501(c)(3) to fund a semi-annual maintenance program, and work subject to the oversight of the City Urban Forester. No stump grinding, roots will help prevent erosion. Will leave a 6 – 8 ft hedge. Glenn Gargas, DSD, said Coastal Permit not needed. Dan Daneri, said City Parks & Rec has no supervisory role over tree removal. Went to LJ Parks & Beaches, will return at end of Nov.

DISCUSSION 11/15/11: ***Applicant response in italics.***

DuCharme: If you cut a tree down to 5 ft, won't you kill it? ***No, it will actually come back, the cambial tissue is still there***
Gaenzle: Why not lace? ***Lacing was tried 6 years ago, growth came right back.*** Rather you lace.
Collins: There are many trees below on the slope that will protect from erosion.
Brenda ___: Has been working to restore the bluff, helped form Coast Walk, worked on trail.
Unk: We had a homeless camp removed from below**.**
Sally Miller: (LJP&B Member) This Project has been to LJP&B. How will do maintenance? Do you have signatures of the neighbors? ***Yes, all but one who can't be reached, eventually will reach.***
Evans: ***Has a packet of signatures, all of Street. 501(c)(3) Coast Walk for semi-annual maintenance, Evans, Passer Co-Managers.***
Benton: Has talked to Patrick Ahern. Will take report from this Committee to LJP&B, will go to LJCPA.
Kane: Is this long term? ***Yes, it is to the advantage of the property owners to keep view.***
Benton: Concerned with creation of hedge, hedge may be over-ruled.
Collins: A designated VC doesn't do any good if there is a 6 – 8 ft hedge. Need to address the hedge.
Applicant asked to return with plan without a hedge. Recorder setting 21/21 02 07 12

La Jolla Shores Permit Review Committee Minutes

Tuesday November 22, 2011

1. Non-Agenda Public Comment – None

2. Chair Comments

- The chair acknowledged the passing of longtime PRC member Dale Naegle and his many contributions to the community
- The next meeting of the LJSPRC will be held on Monday, December 19 from 4:00PM to 5:45 PM. Agenda will be posted by December 12.
- To date we have no information on when the Torrey Pines Road Slope Repair between Little and Roseland, southeast side of road and Avenida de la Playa/Beach Storm drain project
- Cto Bello has deferred until they make another submission to the City.
- LJCPA appeal of 8490 Whale Watch was denied at the October 20th Planning Commission meeting. It is believed that the LJCPA has appealed the environmental determination to the City Council. See November LJCPA minutes when available.
- In its denial of the Lundberg appeal on November 3, the Planning Commission required that the visibility triangles issues be corrected.
- The new appeals policy of the LJCPA can be viewed on its website: http://www.lajollacpa.org/bylaws.html in a redline/strikeout version/
- The LJCPA approved the Hooshmand project at its November 3 meeting. It and the Rialto Storm Drain Project are scheduled for a Hearing Officer hearing on November 30.
- NOA and plans for a 3984 sf addition at 2712 Costebelle Dr have been received.
- Also received plans and NOA for a project at 2075 Soledad Avenue CDP/SDP. These and a a lot split for two lots into three on Sugarman Drive backing up to Gilman Drive are tentatively scheduled for the meeting on December 19.
- New plans have been received for the Gaxiola residence –No contact

3A. 8440/8450 Whale Watch Way – 2nd hearing (heard second due to readiness issues)

- Project No. 254765
- Type of Structure: Single Family Residence
- Location: 8440 and 8450 Whale Watch Way
- Project Manager: Glenn Gargas; 619-446-5142; ggargas@sandiego.gov
- Owner's rep: Mark House,House & Dodge; 619-557-0575; markhouse@houseanddodge.com

Project Description: Demolition of single family residences at 8440 and 8450 Whale Watch Way; construction of new two story SFR with portions of lower level subterranean garage defined as basement; site work to include 2 driveways & curb cuts, site walls, hardscape, landscaping, site grading, fences, pool & spa. [Applicant] (demolish existing residence and construct a 10,755 square foot, two-story, single family residence on a 0.92 acre site. . . . . , Coastal Overlay (non-appealable), Coastal Height Limit, [Campus]Parking Impact Overlay Zones. [City])

Seeking: Coastal Development Permit (CDP) and Site Development Permit (SDP)

Previous Action PRC October 25; please see minutes for full discussion
Motion: Morton Second: Emerson
Project to be continued to the next committee meeting with the following additional info provided:

- landscape plan that addresses the concerns of the public vistas – allows more views
- More street elevations renderings
- Elevations/renderings from down below including the retaining walls.
- Address the impact of this house from the public right of way.
- Request a complete materials board
- Verify project information and descriptions (height, sq footage, bedrooms)
- Delineate the height limits and datum points in the sections.
- Render in the elevations to make them more visible

Motion carries: 6-0-1
Approve: Donovan, Emerson, Lucas, Morton, Naegle, Schenck; Oppose: none; Abstain: Boyden

Presented by owner's representative: Mark House
Landscape architect: Victoria Bovard
Civil Engineer: Miles Cooper

The main changes from previous presentation are with the landscaping at the corners of the lot.
Elevations that were requested by the board in the first review were presented, including renderings of the entire length of the house as seen from the street (Whale Watch), and from below. The renderings reflect the proposed planting and landscaping. A section drawing through house was shown and ridge heights and dimensions were given in response to board questions.

House configuration:

- 5 bedrooms on lower level
- 2 on main level plus exercise room
- 8 parking spaces in the garage

The FAR = 0.39. Square footage is as shown on the agenda.

Changes in the landscaping were discussed. Strawberry tree will be used in front as hedges. Some of the proposed bamboo hedges have been removed. Trees with smaller canopies will be used. There should be a better sight line to the blue water from the south driveway.

A materials board was presented to the committee: Window and door frames are brushed nickel. Wood accents around entry, teak style finish. Insulated glass. White stone/marble blocks will be used for accents. Zinc roofing, flat gray finish, non-reflective.

With all the glass windows in the house design, and especially the 2 clerestories, there will be partial ocean views to the blue water as one drives down the street.

Public comment:
Tony Crisafi representing neighbors on south, the Woolfs
Will the view corridors at the north and south property lines be filed with the city? *Response: View corridors will not be filed with the city. They are not view corridors, they are intermittent public vistas or vantage points. No easements will be recorded.* Crisafi: Requests that these view exhibits they are presenting should be filed along with Exhibit A to the city (referring to 2 site plans that show the public vistas, overlook). These will show the public vistas as depicted in the Community Plan: Identified public vantage points, page 46, item 12: Intermittent or partial vistas. This is required by the Land Development Code. [Reference to be researched.] *Response: The applicant and Mr. Woolf have been talking regarding vista issues and privacy. The applicant will include these two drawings along with Exhibit A as part of the plan package to city.*

Tom & Mike Colarusso, 8460 Whale Watch Way, neighbors on north:
How is view impacted? From their yard it appears that the house extends west. How will their current view to the Cove affected? *Response: They are trimming the plantings so the views should be improved.* Q: How far does the new structure extend out to the west? *Response: 15 fee further than now*. Q: This is a major area of concern. This will block the views to the Cove from a third of the rooms in their house. The current trees are blocking the views. The renderings show that the landscaping and the canopies have been increased from the existing structure. Still need to know what the view to the Cove will be. *Response: the roof heights are lower than the present structure, so there will be a view over the roof. They can adjust the planting and tree canopies, but they do want to have privacy for the pool and spa area. They will be happy to meet with the Colarussos at their house and see if they can work out the issues.*

Boyden: Private views are not protected by the SD Municipal Code.

Question: Where in the approval process is this proposed project? *The process regarding community review and city approval was outlined by Boyden.*

Motion: Donovan **Second:** Emerson
Continue item.

Motion carries 3-2-1
Approve: Donovan, Emerson, Lucas
Oppose: Schenck, Morton
Abstain: Boyden (chair)

3B Pelberg Residence Substantial Conformance Review (heard first)

- Project No. 258959
- Type of Structure: Single Family Residence - Wood
- Location: 8335 Camino del Oro
- Project Manager: Jeannette Temple; 619-0557-7908; jtemple@sandiego.gov
- Owner's rep: Alcorn & Benson Architects; 858-495-0805; lindsayclayton@sbcglobal.net

Project description: Substantial Conformance Review to Coastal Development Permit #175251 and Site Development Permit #525867. [Formerly called Kusman residence PN 59450]. Modifications to the project reduce the overall square footage from 4,600 sf to 4,100 sf while staying in the footprint of the originally approved design. Changes to the elevations do not adversely affect public views. FAR reduced from .75 to .65 and lot coverage reduced from 45% to 34%. The approved setbacks are observed. Overall height has been reduced. The style has been changed from "modern" to a more traditional "cape cod" in order to fit in with neighborhood character. [Applicant] Coastal Overlay (non-appealable), Coastal Height Limit and Coastal Parking Impact Overlay Zones. [City]

Seeking: Substantial Conformance Review Approval

Presented by Paul Benton & Lindsay Clayton

The approved original design and the proposed design were presented. The older design was more modern and the new design is in the Cape Cod style. A plan view and several elevations were shown that had the outlines of the approved and proposed designs superimposed.

General house statistics:

- Height of chimney is 26'10"
- Driveway 18' to sidewalk from middle of driveway, narrowest point (north side) of driveway is 16'.
- Side setbacks: 9'10" and 5'.

Landscaping was shown. New landscaping shows palm tree on west being removed due to visibility triangle issues. Other trees heights and canopies were discussed. Softscape has been increased by 25% over previous design. The total softscape for the project is 54%.

Morton: Site drainage plan? *Response: They don't have one as yet. The difference in elevation on the lot is 8 inches.* Trash containers? *Response: They will be stored in the garage.*

Boyden: Letter sent to the City from Brian & Denise Caster, neighbors 2 doors away, was read: They approve the new design and think it will improve the neighborhood.

Donovan: Has heard several complaints that neighbors were not notified.

Public comment:
Peggy Davis, representing Carol Saikhon, neighbor on south side: Ms. Saikhon did not receive notice. She has concerns that the neighbors have not been shown plans. *Response: They mailed out notices to all owners on record. In this case, a notice was sent to the local address and to a post office box out of town. Two notices were placed on the property, one on the Camino del Oro side and the other on the El Paseo Grande side. (Boyden confirmed that she had seen the posted notices)* Question: What is the closest from the structure to the property line? *Response: A post 6'5" from property line, the rest of the house is 11'.* Q: Setback on second story? *Response: 11'1".*

Liz Wills: Has concerns that the intersection is pretty dangerous and has limited visibility. She is concerned that pulling out of driveway will be an issue. *Response: Planting on the north corner will be trimmed down or replaced due to visibility triangle issues – the changes conform to the city codes and visibility triangle regulations.*

Committee:
Morton: Questions regarding tree species and their canopies. Response: New Zealand Christmas trees will be planted, typical 15' canopy.

Donovan: Concerned that the neighbors didn't get notified. Can this review be postponed? *Boyden: No. There is a 20 day extension on this SCR for community review which expires Dec 7. This issue must be decided now by the PRC or there will be no community input.*

Emerson: Agrees that the noticing system the city has should be better. Commends architect for designing a smaller project than previously approved.

Donovan: Motion to continue item due to noticing issues of the neighbors. (No second, motion dies)

Motion: Emerson; **Second:** Schenck
Project presented to the committee is in substantial conformance with the previously approved Coastal Development Permit #175251 and Site Development Permit #525867.

Motion Carries: 4-1-1
Approve: Emerson, Lucas, Morton, Schenck
Oppose: Donovan
Abstain: Boyden (chair)

3C. UCSD Hillel Center for Jewish Life

- Project No. 212995
- Type of Structure: Phased Project for Religious Student Center and Offices
- Locations:
  - Phase 1 (and if Phase 2 not approved)-- 8976 Cliffridge Avenue
  - Phase II; Bounded by LJ Village Dr., LJ Scenic Way, LJ Scenic Drive, Cliffridge Avenue, Torrey Pines Road
- Project Manager: John S. Fisher; 619-446-5231; jsfisher@sandiego.gov
- Owner's rep: Robert Lapidus: rlapidus@sherlap.com

Project Description: Phased project for a 6,600 square foot Jewish student center on a vacant 0.76-acre site. Phase I would use an existing residence at 8976 Cliffridge Avenue as a temporary student center until the main center is built in Phase II. The property is located on the south side of La Jolla Village Drive, between Torrey Pines Road and La Jolla Scenic Way in the SF Zone of La Jolla Shores Planned District within the La Jolla Community Plan area, Coastal Height Limit. [City] Campus Impact Parking Zone. Process Five.

Following info is taken from Page A0.00

Phase 1. Occupancy of Hillel of San Diego in SF home at 8976 Cliffridge Avenue, Two parking alternatives: Preferred alternative is the temporary parking alternative during the construction of Phase 2. Should Phase 2 not be approved, the project consists of converting the SF home into the permanent office for Hillel of San Diego.

Deviations: 12' driveway curb cut instead of 24' for preferred alternative; 20' driveway curb cut instead of 24' if Phase 2 is not approved. Only 4 surface parking spaces allowed in Campus Impact Parking Zone, but six spaces needed.

Phase 2: Construction of 3 buildings, totaling approx. 6,600 sf to be occupied as a new student center for Jewish students at UCSD. A 27-space surface parking lot is located along the east portion of the site. Construction of a parklike amenity near the corner of LJ Village Dr. and Torrey Pines Rd.

Deviations: Lacks shower facilities and bicycle lockers required, wants to substitute 2 extra bicycle spaces.

Seeking:

- Site Development Permit (SDP) for Sustainable Building Development
- Street Vacation
- Right of Way Dedication
- Change of Occupancy Permit
- Deviations from Development Regulations

Boyden: Disclosure: She is on record as being opposed to previous project. However, this is a new project and she will proceed as usual. Many of the committee have reviewed or heard the previous project as well. No objection stated by applicant.

Boyden – noted that the

- Project is not in the coastal zone.
- City has provided the completion plans from 2010, similar to those shown at the scoping meeting; a set of responses from the applicant to the initial mandatory review; Letter of assessment and cycles from August 2011.
- What the applicant is seeking (see above)

Presented by: Robert Lapidus, Keri Copans
A general project description and usage information packet was passed out to the committee. The packet included background on the UCSD Hillel Center for Jewish life including the areas of activity, essential to Jewish religion, identity, and living, that are contemplated for the center. Materials showing a typical weekly use of the center were provided. The Hillel Center for Jewish Life will be a vibrant center for Jewish students at UCSD. They will hold services with small attendance, observe holidays and provide Torah studies. Large events, such as weekly Shabat services will be held on facilities located on the UCSD campus. Expect maximum attendance may be 50 persons.

The project will be in two phases.

Phase 1:

- Seeking deviations for the Phase 1 - Width of the driveway and parking spaces.
- Deviations will be temporary if Phase 2 is approved. If not, 6 spaces will be permanent and house will function as the student center.
- If Phase 2 approved, the temporary house reverts back to an office.

Phase 2:

- Street vacation of part of cul de sac and part of LJ Scenic Drive North
- Landscaping of cul de sac and bicycle path to provide a park for public use
- Three structures arranged around a central courtyard area
    - Student center building: 1st floor, student center, kitchen, showers, 2nd floor student activity center
    - Chapel building.
    - Professional leadership building
- 27 standard spaces – surface parking, bicycle and motorcycle parking.
- Programs scheduled during off peak hours typically, some weekend events
- Usage estimated to be 100 persons per day
- Larger Friday services would be hosted on campus in a rented facility.
- Parking study was completed, concluding that the onsite parking spaces are adequate. Study based on 1 car per 5 visitors.
- Landscape uses California native species and torrey pines
- Signage will be according to LJS PDO guidelines.
- Project will be expedited under the sustainable building LEEDS certification. Photovoltaic panels on the carports will produce 30 – 50% of onsite energy demands.

Old versus new project comparison:

- 12,100 sq ft versus 5,291 sq ft ground floor.
- 60 parking spaces underground vs. 27 spaces surface.
- Removal of the large congregation/meeting area from project. Large events will be held on campus.
- Smaller facility will results in less parking demand and neighborhood congestion.

Morton: This project is on more of a residential scale compared with the previous design. He has to leave meeting early and hopes that the item will be continued.

Boyden: The City is concerned about the trash receptacle in the driveway view triangle. *Response: No comment on that on this time.*

Emerson: There look to be view triangle issues for the driveway on both sides. On one side due to the trash receptacles, on the other due to trees and other proposed plantings. [To be verified from site plan.]

Schenck: Is there a neighborhood setback survey for houses within 300'? *Response: Not yet.*

Lucas: Have street vacations changed from original project? *Response: No, they are proposing the same street vacation. La Jolla Scenic North will narrow from 26' to 24' of right of way, with parking on both sides still possible. The parcel was originally sold by the city with the street vacation approved.*

Boyden:
Letter from Sue Moore presented: Moore thinks that the committee should not review the project until the EIR environmental document has been presented. The committee had declined to review or take action on a previous project before the environmental document was presented. The current use of the house as an office is out of compliance with a single-family zone. Complaints have been made to code compliance for years and the out of compliance use continues. Moore also feels that this is several different uses being proposed by two organizations and feels that these are not acceptable uses as permitted in the La Jolla Shores PDO. *Response: There is one applicant, Hillel, and this is a religious center for Jewish students. The EIR is in process and should be available by year end. Afterwards, there will be a 30-calendar day review period of the EIR document.*

Opposition presentation by: Julie Hamilton, Taxpayers for Responsible Land Use (TRLU)

TRLU is opposed to project in this neighborhood. This Single Family Zone site is not proper for this project. They are trying to use the section in the LJS PDO that allows for churches, synagogues, and other religious uses in the single family zone. The main use however is as a student center, not as a religious center, and will function differently than a church, synagogue….

Key points:

- 7 years later there is still a non compliant office operating in the single family zone.
- The Phase 1 administrative offices may be for a religious organization, but they are still administrative offices which are not permitted in a single family zone under the PDO.
- If Phase 1 was allowed, other organizations with a religious affiliation (Salvation Army, etc.) could put offices in residential areas as well.
- Phase 2 not allowed in a single family zone by the LJS PDO.
- If this project is to be classified as primarily for religious services, then under the SD Municipal Code, 30 spaces per 1,000 sq ft are required. The center would need 195 spaces under the code not the 27 proposed. This is in the Campus Parking Impact Overlay Zone.
- Parking spaces are required based on the square footage, not the size of the congregation.
- You can not have it both ways: classifying this as a primary religious use to meet the PDO requirements, but not having the required parking spaces for religious use specified in the SD Municipal Code.
- The LJS Design Manual describes houses in residential neighborhoods as having a low rambling silhouette. This 7,000+ sq feet (including phantom floor.) 2-story project does not fit with other ranch style houses in the immediate neighborhood.
- June 7, 1977 memo from Senior City Planner Mike Stepner recommended that because of location and size, this land should be retained as a landscaped traffic island and not be sold or developed.
- TRLU has hired a traffic engineer and is in the process of conducting a traffic study.
- The original street vacation has been set aside by the courts, so will need to be reviewed in full and meet all four of the criteria.
- For street vacations there are 4 findings that must be met. TRLU does not feel that the project meets all the findings.
- For a SDP specific findings must be met. TRLU does not feel that the project meets all the findings.
- This project is the wrong use for this location. The committee should deny the project.

Ross Starr, Cliffridge Avenue resident:
There are 57 student organizations for UCSD with religious affiliations. If this was approved, every one of the 57 organizations could convert houses in the area to offices. Hillel is a student organization with a religious affiliation. This is a student center and is not primarily for religious uses. After Mr. Starr read a section of the SDMC stating that a Conditional Use Permit was required for religious use in the LJSPD, the chair stated that the provision went into effect after this application was complete.

Oliver William Jones, representing TRLU. Resident since 1966. He has been involved with UCSD and the medical school for many years. UCSD is responsible for bringing cultural diversity and resources to the community, but there are some negative impacts such as traffic and parking issues as a result of campus operations. The theatre uses UCSD parking lots. Every day students park everywhere in the area, not just on campus. This proposed student center project is way beyond

compatibility with the single family neighborhood. If this is permitted, he worries that several years down the road the center will expand the size of the buildings. He doesn't want the new slogan for the neighborhood to be: "Buy a home, build an office".

The chair asked if Mr. Lapidus wished to respond.

Response from Lapidus:
He is offended that they are questioning the religious nature of the project. Hillel is a 501(c)(3) non-profit religious organization, similar to other churches or religious organizations. They will serve students and faculty, some of whom live in the area. There are adequate facilities on campus to accommodate larger gatherings, which will ease the effect on the neighborhood. This is a religious center.

The chair asked if he wanted to add anything more and he said that he had nothing more at this time.

Bert Lazerow, (Kilbourn corner of Sugarman):
1. Wants a written commitment from UCSD and signed by the General Counsel for the Regents saying that they will continue to rent the campus facilities to Hillel for services. *Response: They currently rent out the International Center and don't anticipate this changing. They do alternate High Holiday services with SDSU. They can't have a permanent space on campus, hence this center off campus. Staff and clergy need offices that need to be off campus.*

2. How many on-street parking spaces will be lost by phase 1 or by phase 2? *Response: don't have the exact number, but parking in the cul de sac would be lost. The community benefit is that they are creating a public park in the area.*

3. LJ Scenic Drive North: bounded by hill that is 3' high to 8' high. Will this hill be graded down? *Response: Surface parking will be graded down. (Julie Hamilton: Has looked at the plans and there is very little grading). There is a grading plan.* Q: driveway configuration? *R: Driveway at grade, and steps leading up to the buildings.*

Jessie Attiyeh (8900 block of Nottingham)**:** Would like to see plans for the exterior lighting? Some of the SF homes in the area may be affected. Would like to see the effects of lighting from all directions.

Julie Hamilton: Parking spaces will also be lost on LJ Scenic Way. *Response: thinks that there will be 7 to 9 parking spaces lost. The city is still determining the visibility triangle issues and other parking spaces could be lost near the driveway.*

Lucas: Has Project changed from the scoping meeting? *Response: Not significantly.* Lucas: At that time the project was presented as the Hillel Student Center. From what has been presented today, there appear to be no changes in activities or uses from the scoping meeting.

Boyden: This project includes a right of way/street vacation and therefore the whole project will be heard by the City Council under Process 5. She agreed to research the issue of whether the EIR was needed for the PRC to vote on the project-to inquire of Mr. Crisafi and the City. The written materials and letter provided will be part of the LJSPRC/LJCPA record. She asked the committee to review these materials that they were given copies of.

The applicant stated that he was willing to wait till the January meeting of the LJSPRC to re-present the project.

Motion: Emerson; **Second:** Donovan

> **Continue item. Item to next be heard no sooner than the scheduled January PRC meeting. The applicant is advised to provide the following information:**

- Visibility triangle shown on plans
- Neighborhood setback study
- Materials board
- The design and operation of the lighting for the parking lot and buildings.

Motion carries: 4-0-1
Approve: Donovan, Emerson, Lucas, Schenck
Oppose:
Abstain: Boyden (chair)

<u>La Jolla Traffic and Transportation Board</u>: Minutes of Meeting, September 29, 2011

Election of Officers

A vote was taken on nominations made at the August meeting. On unanimous vote, the following officers were elected to office:

Todd Lesser, Chair

Tom Brady, Vice Chair

Van Inwegen,

The Board extends its heartfelt gratitude to these community members for their tireless efforts to make our community a finer place to live and work. Thank you.

Voting Agenda Items

1. After discussion, Joe Dicks moved, Keith Kelman seconded and the board unanimously resolved that:

   The Directors of the La Jolla Traffic and Transportation Board believe it is in the best interests of the La Jolla Community that any request for the installation, modification or removal of an On-Street Parking zone within the La Jolla footprint shall be presented first to the La Jolla Traffic and Transportation Board, and second, to the La Jolla Community Planning Association for review and approval prior to the implementation of said installation, modification or removal.

2. After discussion, Joe Dicks moved, Keith Kelman seconded and the board unanimously resolved that:

   The Directors of the La Jolla Traffic and Transportation Board approve Draft City Counsel Policy dated August 30, 2011, dealing with the installation, modification or removal of an On-Street Parking zone, modified as follows: **"It is the policy of the Counsel that any request for the installation, modification or removal of an On-Street Parking zone shall be presented to the appropriate Community Planning Groups for approval. If the appropriate Community Planning Group(s) makes a recommendation concerning a request, that recommendation shall be included in the final recommendation presented by the Traffic Engineer and considered by the appropriate decision maker as an additional factor in granting, denying or modifying the request."** The Directors of the La Jolla Traffic and Transportation Board believe that the references to "Community Parking District Advisory Boards" is unnecessary, as if a community decides that it wishes to have such an Advisory Board, such a Board would fall under the definition of an "appropriate Community Planning Group."

Public Comment

Comment was heard on the on-street parking issues in and around the Darlington House on Olivetas Avenue. No action item was calendared as a result of said discussion.

La Jolla Community Planning Association
~~3 November 2011~~ 12-1-11
Agenda Item No. ~~17~~ 13

To support adoption of a draft city council policy establishing a consistent practice throughout the city on soliciting community input on Installation, Modification or Removal of On-Street Parking Zones. Specifically, that such policy include the following language: "It is the policy of the Council that any request for the installation, modification or removal of an On-Street Parking zone shall be presented to the appropriate community planning group(s) for approval. If those community planning group(s) makes a recommendation concerning a request, that recommendation shall be included in the final recommendation presented by the Traffic Engineer and considered by the appropriate decision maker as an additional factor in granting, denying or modifying the request."

AD HOC COMMITTEE ON OPERATING POLICIES
LA JOLLA COMMUNITY PLANNING ASSOCIATION
August 2011

POLICY RECOMMENDATIONS

After significant review and discussion, the ad hoc committee on operating policies and procedures offers the following recommendations to replace the policies currently in effect, which appear on the LJ Community Planning Association website:[1]

1. The ad hoc committee recommends that the LJ Community Planning Association retain the flexibility to use operating policies, adopted by a majority vote of the Trustees, and submitted by the President to the City for review and approval. (LaCava/Boyden 5/0/0).
   Sept 2011: Approved by La Jolla Community Planning Association, 14-0-1

2. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policies of January 8, 2009 and March 6, 2008, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Boyden/Conboy 5/0/0).

3. The ad hoc committee recommends that the LJ Community Planning Association eliminate the policy of January 4, 2009, and leave it to the Community Joint Committees and Boards to develop their own policies and procedures. (Whittemore/LaCava 4/1/0).

4. The ad hoc committee recommends that the LJ Community Planning Association adopt the Appeal Procedures created by the ad hoc committee. (Whittemore/LaCava 4/0/0) (These procedures are set forth in full in the Sept. 2011 La Jolla Community Planning Association minutes).
   Sept 2011: Approved by La Jolla Community Planning Association, 12-2-1

[1] References to prior policies by date refer to the manner in which they are listed on the LJ Community Planning Association website:

THE CITY OF SAN DIEGO

REPORT TO THE CITY COUNCIL

DATE ISSUED: September 28, 2011 REPORT NO: 11-124

ATTENTION: Committee on Land Use and Housing

SUBJECT: Urban Agriculture – Potential Regulatory and General Plan Amendments

REFERENCE: Land Use and Housing Committee Agenda of July 20, 2011

REQUESTED ACTION:

This is an information item, no action is required. Staff is requesting the Committee provide input on each of the potential amendments discussed in this report.

BACKGROUND:

In March of this year the City of San Diego was awarded a $50,000 grant to pursue Land Development Code amendments supporting urban agriculture. The grant is funded through SANDAG on behalf of the County of San Diego Health and Human Services Agency, which is implementing Healthy Works^{SM} program. The purpose of the grant program is to combat rising obesity rates in the San Diego region by planning communities in ways that support increased physical activity and access to healthy foods.

Healthy WorksSM is a countywide initiative making systems and environmental changes promoting wellness and addressing the nationwide obesity epidemic. Healthy WorksSM, administered by the County of San Diego Health and Human Services Agency, is funded by the American Recovery and Reinvestment Act of 2009 and includes the University of California San Diego, SANDAG, San Diego County Office of Education, Community Health Improvement Partners, and San Diego State University, along with numerous community-based partners. The project is part of the County's "Live Well, San Diego! Building Better Health" initiative, a 10-year vision for healthy communities. For more information see the website at www.healthyworks.org.

SUMMARY:

At the July 20 Land Use and Housing Committee meeting Development Services staff presented several potential regulatory amendments to further the goal of improving access to healthy, local, and sustainable foods. The items presented and discussed at the hearing addressed creation of a new use "retail farms", reconsideration of certain animal husbandry regulations (chickens, goats,

and bees), simplification of the regulations for conducting a farmers market on private property, and minor adjustments to the regulations for community gardens. The proposals for these potential amendments as well as others are provided in attachment 1(Urban Agriculture Regulatory Summary Table).

Additional Items

Five items, in addition to those presented by staff, were mentioned at the July 20 hearing. Council members requested staff look into those items which are listed below with a summary of the item and a proposed action.

1. "Green" Pushcarts

Issue: The permitting process for pushcarts in the public right-of-way is too expensive ($5,000 deposit for a Neighborhood Use Permit). "Green pushcarts" should not be subject to the Neighborhood Use Permit requirement.

Summary: The issue of the permit relates to the use of the public right-of-way. Staff has discussed the issue with the City Attorney's Office and it has been determined that the City cannot carve out an exception for a pushcart in the right-of-way based solely on the product sold. It would be inequitable to allow a pushcart that sells organic produce without a permit while requiring a permit for a pushcart that sells non-organic produce, baked goods, or other food product.

Action: Staff proposes to create a new use, the "Daily Farmers' Market Stand" (a subheading under Farmers' Markets). These small scale markets could be located on private or public rights-of-way consistent with fixed locational and size requirements.

2. Composting

Issue: A member of the public stated that the composting regulations need clarification and the process for permitting large scale commercial composting should be made simpler including increasing the amount of compost that triggers a permit.

Summary: There can be some further clarification of terms used throughout the Municipal Code however the current language is not inconsistent. With regard to composting for purposes of urban agriculture, the Municipal Code permits up to 500 cubic yards of compost without a permit. To provide some scale this equates to an area 67 feet by 67 feet and three feet deep. This should be sufficient for the scale of urban agriculture proposed.

Action: With regard to simplifying the process for commercial composting in the City and increasing the amount of compost that would trigger a permit, staff directed the individual to the Environmental Services Department, the City specialists in the area of composting. Staff often relies on experts in other departments and then works with them as needed to amend the Municipal Code.

3. Rooftop Gardens and Height Limits

Issue: City height limits restrict urban agriculture.

Summary: The city does not regulate rooftop gardens. A garden can be planted on any roof top space that is available with approval of the building owner provided

the roof is structurally sound. The potential issue relates to garden structures placed on rooftops such as green houses and arbors that have the potential of increasing the total height of the building. Height limits within the City vary based on zone and many buildings are not built to the maximum allowable height. The City of San Diego includes all building appurtenances within the height limit. This means that items on the rooftops such as rooftop water cisterns, elevator equipment, heating and air conditioning facilities fall within the total height. As a result those areas of the roof top without these facilities are below the height limit, these areas may accommodate structures provided the rooftop is structurally sound and the appropriate building permits have been obtained. It should also be noted that within the 30-foot Coastal Height Limit Overlay Zone gardens can be grown on rooftops but structures may be difficult since they cannot exceed the height limit without voter approval regardless of the base zone height limit.

Action: No change is proposed since a garden can be grown on any rooftop that is flat with permission of the building owner; and many structures are either built below the height limit of the zone or include rooftop area that is les than the height limit.

4. Limited Agriculture in the MHPA

Issue: A member of the public was under the impression that the Municipal Code allowed "limited agriculture" in the MHPA and wanted to also allow community gardens and other agriculture in the MHPA as well.

Summary: The Municipal Code does not address "limited agriculture" in the MHPA. The issue of limited agriculture in the MHPA is addressed in the MHPA Guidelines. The statement in the MHPA Guidelines is intended to clarify that the only agriculture permitted to occur in the MHPA is limited amount of agriculture that was located within the MHPA when the MHPA was created. It is not intended to allow new agricultural uses in the MHPA.

Action: No change is proposed. Any changes would require concurrence with state and federal wildlife agencies.

5. Alleys and Urban Agriculture (in Barrio Logan)

Issue: Can unused alleys (in Barrio Logan) be used for urban agriculture uses?

Summary: If the alleys are still part of the public right-of-way, this includes undeveloped paper streets), a street vacation, which removes the alley from the City right-of-way, would need to occur first. A street vacation is a Process 5 hearing (City Council approval). Once vacated ownership of the alley would revert to the adjacent property owners.

Action: If a vacation is submitted and approved the use would be dictated by the underlying base zone and the desire of the property owner.

Animal Husbandry

In addition to meeting with the various advocates for urban agriculture, staff has had meetings with, and is continuing to dialog with other public agencies that have expertise in the issues related to animal husbandry.

More on Chickens
The San Pasqual Planning Board contacted staff and shared a concern about the potential for spreading Avian Influenza and Exotic Newcastle Disease. Based on discussions with San Diego County and California State officials, it appears that this not an issue of significant concern. Staff contacted Dr. Gurfield, the San Diego County Veterinarian, and Dr. Pici one of the California State Veterinarians (Ontario Office) to discuss the issue of backyard chickens and these diseases. Staff also participated in a conference call with Dr. Whiteford, DVM, State Veterinarian & Director of California Animal Health and Food Safety Services. First, there are no known animal to human transmissions of the diseases in North America. Second, the only real concern is the potential transmission of disease from a backyard chicken to a chicken ranch. In different conversations it was explained that the risk of transmission is very, very low provided the backyard chickens are properly handled and the handlers abide by standards for cleaning themselves, their clothing, and the coop, and chickens are purchased from reputable breeders. Additionally, the proposed ban on roosters would add greater protection. The last disease outbreak to affect chicken ranches in San Diego County (2003) was traced to a diseased rooster, illegally brought into the country for cockfighting (also illegal) by an individual who also worked at a chicken ranch.

More on Goats
Dr.Whiteford, Director of California Animal Health and Food Safety Services and Elizabeth Pozzebon, Assistant Director of San Diego County Department of Environmental Health have expressed significant concerns regarding consumption of raw milk and products made from raw milk. When not property produced these food products can result in disease causing germs such as Salmonella, Escherichia coli 0157, and Campylobacter. The risks generally arise when those handling the goats do not exercise proper techniques for cleanliness. Although it is relatively easy to eliminate such germs through pasteurization, by heating the milk to 161 degrees for about 20 seconds the State and the County want to eliminate the potential for sale and communal sharing of raw milk and its byproducts. With regard to sales, only a dairy that has been certified by the California Department of Food and Agriculture may sell raw milk in the California (there are only two such dairies in the State). The agencies are requesting that the goats not be included in the regulations for community gardens and retail farms. Staff has removed them from consideration in these areas.

With regard to keeping backyard goats, both agencies continue to express concern. Dr. Whiteford did point out that the State is not involved in regulation at that minute level. However the concern is still valid with regard to consumption of raw dairy products. Staff has kept the regulations for backyard goats as part of the current proposal with the requirement that the products are for personal consumption and sale is prohibited. If the issue of backyard goats continues to move through the amendment process it should be noted that staff proposes to provide best practices information via pamphlets and web posting for each husbandry issue. These would be available for review prior to adoption of any amendments.

More or Less on Bees
Regarding beekeeping, staff has had three meetings with San Diego County staff, including the County Agriculture Commissioner and the County Entomologist. We are currently in the process of developing regulations that we believe are safe for both the public and the local bee

populations. The primary issue that remains under discussion relates to appropriate distances from neighboring residences and public rights-of-way.

General Plan Amendments

The scope of the Urban Agriculture grant also includes reviewing the City's policy framework and determining if amendments are needed to address urban agriculture. The 2008 General Plan discusses community farms and gardens in the Recreation and Conservation elements, and includes a section on agriculture in the Conservation Element, but does not specifically address urban agriculture. Staff proposes amending the General Plan to provide a stronger policy base in support of urban agriculture. Amendments are proposed to the Conservation Element sections A and L to cover the following topics:

- General Description - introduce the practice of urban agriculture and describe how it contributes to environmental, economic, and public health goals
- Resources – recognize the benefits of urban agriculture while balancing competing demands for water and other resources
- Opportunities – increase opportunities for urban agriculture in appropriate locations, with parameters designed to address potential impacts, and to monitor performance
- Food System Planning - support continued food systems planning to increase food system security, link local producers to local markets, create jobs, and re-circulate food dollars in the local economy.
- Collaboration – continue to collaborate with public health professionals and advocates to maximize the public health benefits of an urban agriculture system.

An initial draft of potential General Plan language is included as Attachment 2.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On June 7, 20112 the City Council amended the community garden regulations to simplify the garden approval process, to allow gardens in commercial zones, and to allow gardens in commercial and industrial zones to sell produce onsite. On July 20, 2011 the Land Use and Housing Committee held an information item on urban agriculture and requested staff return with some draft proposals for amendments to the Municipal Code.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Staff will follow the LU&H directed procedure for amending the Land Development Code and Planned District Ordinances in additional to other public outreach. The outreach program includes the following:

- Code Monitoring Team – presentation and recommendation
- Community Planners Committee - presentation and recommendation
- Web Posting – once drafted the regulations will be posted on the DSD Land Development Code page at http://www.sandiego.gov/development-services/industry/landdevcode.shtml#amend
- E-Blast – e-mailing the draft to approximately 2,000 individuals including all community planning group members for a review and comment period
- Planning Commission – Presentation and recommendation
- City Council – For action on the items.

- Airport Authority - certification of issues related to retail farms, farmers' markets and community gardens
- California Coastal Commission - certification of issues related to retail farms, farmers' markets and community gardens

KEY STAKEHOLDERS AND PROJECTED IMPACTS:
Key stakeholders include neighborhood and community planning groups, organizations that work to create local food sources, the public health community, and businesses interested in providing increased fresh food options. California State and San Diego County departments and agencies dealing with public health, animal safety, and food safety are also major stakeholders in the proposed amendments.

Respectfully submitted,

Kelly G. Broughton
Development Services Director

Broughton/DPJ

Attachments:

1. Urban Agriculture Regulatory Summary Table
2. Draft General Plan Language in Strikeout/Underline

URBAN AGRICULTURE REGULATORY SUMMARY TABLE

TOPICS		DESCRIPTION	PROPOSED REQUIREMENTS	
FARMERS MARKETS	**Daily Farmers Market Stands**	Daily farmers markets are small scale markets where a local farmer(s) may sell produce either within the right-of-way or adjacent to the right-of-way. The market may be open 7 days/week. Could be permitted as a Limited Use in all commercial zones (except the commercial parking zone) and in the IL-3-1 industrial zone.	***On Private Property*** • Permission of property owner • Parking o No additional parking shall be required o No parking shall be displaced • No value added or prepared foods may be sold	***On Public Property (rights-of-way)*** • Permission of fronting property owner • Obtain & submit for review a Certificate of Insurance for a public liability insurance policy of at least $500,000 • No additional parking shall be required • No value added or prepared foods • An area no greater than five feet in depth and sixteen feet in length • Locational requirements o Min. 4-foot wide clear path in r-o-w o Min. 8-foot wide paved clear sidewalk o Maintain access to adjacent use. o Located as close as feasible to the existing storefront. o Not located parallel to areas for loading, bus stops, taxi zones, and pedestrians loading.
	Weekly Farmers Markets	Weekly farmers' markets are establishments where farmers and other vendors sell produce and other goods directly to consumers. They are limited to one day per week per location. Could be permitted as a Limited Use in all commercial zones (except the commercial parking zone) and in the IL-3-1 industrial zone	***On Private Property*** • Permission of property owner • One day event per week per location. • Monday through Friday • Access to property maintained • One restroom per 250 persons • No onsite cooking • Parking o No additional Parking required o Parking space for persons with disabilities temporarily replaced o No more than ___ percent of existing parking may be displaced	***On Public Property (rights-of-way)*** Farmers markets on public property are regulated by the City of San Diego Office of Special Events and are not subject to the use regulations of the Land Development Code.

TOPICS		DESCRIPTION	PROPOSED REQUIREMENTS
FARMERS MARKETS	**Fulltime Farmers Markets**	Full time farmers' markets are primarily located within a structure where farmers and other vendors sell produce and other goods directly to consumers. located in are permanent markets	***No need to make a regulatory change currently permitted as follows:*** • Currently classified as "Food, Beverages, and Groceries." • Currently permitted in all commercial zones (except the commercial parking zone) and in the IL-3-1 industrial zone subject to existing regulations per the base zones. • Also currently permitted in a limited number of multi-family zones provided they comprise no more that 25% of the ground floor in a mixed use development of 25 or more dwelling units.
RETAIL FARMS	**Retail Farm**	A commercial/agriculture use where the primary purpose is to produce and sell food and related products on the same premises with only limited local distribution. Could be permitted as a Limited Use in all of the Commercial Regional, Commercial Office, and Community Commercial zones, and in the IL-3-1 Industrial zone.	• Maximum area is 4 acres • Use of pesticides is prohibited • Seventy-five percent of the products sold must be produced onsite • Parking o Retail area use retail parking ratios, "Pick your own" assumes 1,000 s.f. retail per acre o Agricultural area one parking space per employee based on shift with most employees • Retail component o May be conducted in a built structure, temporary shade structure, or as a "pick-your-own", or any combination of the three o Permanent or temporary structures shall be located according the street frontage requirements of the base zone o Must be accessible • All storage, equipment, and repair areas must be completely enclosed, secured, and located outside of all required setbacks
HUSBANDRY	**Chickens**	Keeping "backyard chickens" in single-family zones, on lots developed with single family homes, within community gardens, and within retail farms.	• Roosters prohibited • Up to 5 chickens o No setback from onsite house o Coop outside required setbacks • Up to 15 chickens o No setback from onsite house o Adjacent to residential 15-foot coop setback • Existing language o Up to 25 chickens o 50 feet from residence • Coop o Predator proof o Easy access for cleaning o Sufficient space for fee movement o Water tight o Ventilated • Enclosure o Predator proof & contain chickens o Easy access for cleaning o Min.10 s.f. area per chicken

TOPICS		DESCRIPTION	PROPOSED REQUIREMENTS
HUSBANDRY	**Miniature Goats**	Keeping miniature goats in single-family zones and on lots developed with single family homes.	• Miniature goats only o Must have two goats, except offspring up to 12 weeks of age • Must be dehorned • Males to be neutered • Shed o Predator proof o Easy access for cleaning o Watertight and draft free o Ventilated o Min. 5 s.f. per goat o Located outside required setbacks • Enclosure o Minimum fence height 5 feet o Minimum pen area 400 square feet excluding shed o Secured from outside o No objects within to enable a goat to climb out o Easily accessed for cleaning • Goats' milk, cheese, and other food products for personal consumption only, sale of goat food products are prohibited.
	Honey Bees	Keeping beehives in single-family zones, on lots developed with single family homes, within community gardens, and within retail farms.	Staff is continuing to meet with the San Diego County Agriculture Commissioner, Health Department, Entomologist, and other staff regarding best practices for beekeeping. The following are under consideration subject to change based on additional discussions with San Diego County staff. • Appropriate setbacks are still under discussion with San Diego County • Reliable water source within 10 feet • 6-foot tall screen unless elevated at least 8 feet above grade • Hive opening must face away from closest property line • Hive must be located within a secured area to protect the colony and members of the public • Compliance with recognized best practices for beekeeping • No more than 1 hive per lot except 1 additional hive per each additional 5,000 s.f. of lot area
COMMUNITY GARDENS	**Community Gardens**	Minor modifications to recently approved regulations	• Allow community gardens in residential zones to sell produce consistent with the regulations for garage sales in residential zones • Allow for Community Gardens with an Neighborhood Use permit in the IL-21- industrial zone (the IL-1-1- and IL-3-1 allow with an NUP)

A. Climate Change & Sustainable Development

Goals

- To reduce the City's overall carbon dioxide footprint by improving energy efficiency, increasing use of alternative modes of transportation, employing sustainable planning and design techniques, and providing environmentally sound waste management.
- To be prepared for, and able to adapt to adverse climate change impacts.
- To become a city that is an international model of sustainable development and conservation.

Discussion

The energy requirement to maintain the built environment contributes nearly half of the GHG emissions nationally, and the second highest source is from vehicle emissions. In San Diego, vehicle emissions constitute more than half of the region's GHG emissions and are also responsible for almost 80 percent of the smog-forming emissions (see Table CE-2). While climate change is a global problem, at the local level, it is possible to reduce greenhouse gas emissions by fostering sustainable communities through the implementation of sustainable development policies and practices. Climate change goals can be more effectively met when the principles of sustainability are integrated into land use, transportation, conservation, and economic policies.

The City of Villages strategy focuses the City's growth into compact, mixed-use centers of various scales that are linked to the regional transit system, and preserves open space lands. This strategy creates opportunities for more convenient travel by transit, bicycles and foot, which will help reduce local contributions to greenhouse gas emissions that might otherwise occur by reducing the length and number of auto trips. Since the City of Villages strategy seeks to accommodate most of the City's growth needs through infill and redevelopment, it provides an alternative to lower density, auto-oriented development in the outlying areas of the City and region. Close coordination of land use and transportation planning are fundamental for establishing an urban form that integrates principles of sustainability.

There are also opportunities for new structures to reduce energy consumption by adhering to "sustainable building" practices. "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs."[1] The City is implementing sustainable development policies that will reduce its environmental footprint, including: conserving

[1] World Commission on Environment and Development, Brundtland Report, 1987.

resources, following "sustainable building" practices, reducing greenhouse gas emissions, and encouraging clean technologies. In sustainable development practices, economic growth is closely tied with environmental, "clean," or "green" technologies and industries. Environmental and economic initiatives are planned and managed together, each reinforcing and being an integral component of the other.

San Diego is well positioned to become a leader in clean technology industries due to its highly qualified workforce, world-class universities and research institutions, and established high technology industries (see also Economic Prosperity Element, Section A). "Clean technologies" incorporate those practices and/or produce products that ultimately meet the goals of a sustainable community. Clean technology encompasses advancements in solar power, wind power, hybrid vehicles, fuel cell technology, tidal and wave power, bioenergy, energy efficient building materials and technologies, and water treatment systems. It often involves substituting biologically-based materials and processes for chemically-based approaches. Clean technology is becoming cost-competitive with its traditional counterparts and offers promising opportunities for new businesses, job creation, and technological innovation in San Diego. Clean technology industries demonstrate that environmental protection and economic competitiveness goals are aligned and mutually beneficial.

Buildings account for nearly half of the total energy used in the United States, and represent a significant portion of the nation's consumption of energy and raw materials, and waste output. Sustainable or "green" buildings use resources such as building materials, water, energy, and land more efficiently than other buildings. "Green" buildings provide an array of environmental, economic and health benefits for building owners and occupants, and help the broader community by conserving resources and reducing pollution. The City's Sustainable Building Policy requires City government projects to achieve the U.S. Green Building Council's LEED silver standard for all buildings and major renovations over 5,000 square feet (Council Policy 900-14), and encourages private developers to use sustainable practices through a permit expedite program.

City of San Diego Refuse and Recyclables Materials

Chapter 14, Article 2, Division 8 of the City of San Diego Municipal Code requires all new multiple unit residential, commercial, and industrial development to provide on-site areas for the storage of refuse and recyclable materials. The purpose of the regulations is to provide permanent, adequate, and convenient space for the collection of refuse and recyclable material.

See also the "Recycling Ordinance"

The design of commercial and residential developments is a significant factor in creating what is known as an "Urban Heat Island Effect." Heat islands form as cities replace natural land cover with dark-colored impermeable pavement for roads and parking lots; construct buildings that block natural cooling from wind; and otherwise collect and retain heat so much that a city can be up to ten degrees warmer than nearby open spaces. The hotter it is, the more ground level ozone is created and the more energy is used for cooling. Ground level ozone results in public health impacts that seriously affect sensitive members of the population including people with respiratory problems, the elderly, and children. Implementation of sustainable development practices, including heat island mitigation measures, may reduce temperature increases and the associated Urban Heat Island effects in San Diego.

Policies

CE-A.1. Influence state and federal efforts to reduce greenhouse gas emissions so that implementation requirements are equitably applied throughout the state, and to address actions that are beyond the jurisdiction of local government.

CE-A.2 Reduce the City's carbon footprint. Develop and adopt new or amended regulations, programs, and incentives as appropriate to implement the goals and policies set forth in the General Plan to:

- Create sustainable and efficient land use patterns to reduce vehicular trips and preserve open space;
- Reduce fuel emission levels by encouraging alternative modes of transportation and increasing fuel efficiency;
- Improve energy efficiency, especially in the transportation sector and buildings and appliances;
- Reduce the Urban Heat Island effect through sustainable design and building practices, as well as planting trees (consistent with habitat and water conservation policies) for their many environmental benefits, including natural carbon sequestration;
- Reduce waste by improving management and recycling programs;
- Plan for water supply and emergency reserves.

Refer to Table CE-1, Issues Related to Climate Change Addressed in the General Plan, for a comprehensive list of policies related to each of the above issues.

CE- A.3. Collaborate with climate science experts on local climate change impacts, mitigation, and adaptation, including sea level changes, to inform public policy decisions.

CE- A.4. Pursue the development of "clean" or "green" sector industries that benefit San Diego's environment and economy.

CE-A.5. Employ sustainable or "green" building techniques for the construction and operation of buildings.

a. Develop and implement sustainable building standards for new and significant remodels of residential and commercial buildings to maximize energy efficiency, and to achieve overall net zero energy consumption by 2020 for new residential buildings and 2030 for new commercial buildings. This can be accomplished through factors including, but not limited to:

- Designing mechanical and electrical systems that achieve greater energy efficiency with currently available technology;
- Minimizing energy use through innovative site design and building orientation that addresses factors such as sun-shade patterns, prevailing winds, landscape, and sun-screens;
- Employing self generation of energy using renewable technologies;
- Combining energy efficient measures that have longer payback periods with measures that have shorter payback periods;
- Reducing levels of non-essential lighting, heating and cooling; and
- Using energy efficient appliances and lighting.

b. Provide technical services for "green" buildings in partnership with other agencies and organizations.

CE-A.6 Design new and major remodels to City buildings, and where feasible, long term building leases for City facilities, to achieve at a minimum, the Silver Rating goal identified by the Leadership in Energy and Environmental Design (LEED™) Green Building Rating System to conserve resources, including but not limited to energy and renewable resources.

CE-A.7. Construct and operate buildings using materials, methods, and mechanical and electrical systems that ensure a healthful indoor air quality. Avoid contamination by carcinogens, volatile organic compounds, fungi, molds, bacteria, and other known toxins.

a. Eliminate the use of chlorofluorocarbon-based refrigerants in newly constructed facilities and major building renovations and retrofits for all heating, ventilation, air conditioning, and refrigerant-based building systems.

b. Reduce the quantity of indoor air contaminants that are odorous or potentially irritating to protect installers and occupants' health and comfort. Where feasible, select low-emitting adhesives, paints, coatings, carpet systems, composite wood, agri-fiber products, and others.

CE-A.8. Reduce construction and demolition waste in accordance with Public Facilities Element, Policy PF-I.2, or by renovating or adding on to existing buildings, rather than constructing new buildings.

CE-A.9. Reuse building materials, use materials that have recycled content, or use materials that are derived from sustainable or rapidly renewable sources to the extent possible, through factors including:

- Scheduling time for deconstruction and recycling activities to take place during project demolition and construction phases;

- Using life cycle costing in decision-making for materials and construction techniques. Life cycle costing analyzes the costs and benefits over the life of a particular product, technology, or system;
- Removing code obstacles to using recycled materials in buildings and for construction; and
- Implementing effective economic incentives to recycle construction and demolition debris (see also Public Facilities Element, Policy PF-I.2).

CE-A.10. Include features in buildings to facilitate recycling of waste generated by building occupants and associated refuse storage areas.

a. Provide permanent, adequate, and convenient space for individual building occupants to collect refuse and recyclable material.

b. Provide a recyclables collection area that serves the entire building or project. The space should allow for the separation, collection and storage of paper, glass, plastic, metals, yard waste and other materials as needed.

CE-A.11. Implement sustainable landscape design and maintenance.

a. Use integrated pest management techniques, where feasible, to delay, reduce, or eliminate dependence on the use of pesticides, herbicides, and synthetic fertilizers.

b. Encourage composting efforts through education, incentives, and other activities.

c. Decrease the amount of impervious surfaces in developments, especially where public places, plazas and amenities are proposed to serve as recreation opportunities (see also Recreation Element, Policy RE-A.6 and A.7).

d. Strategically plant deciduous shade trees, evergreen trees, and drought tolerant native vegetation, as appropriate, to contribute to sustainable development goals.

e. Reduce use of lawn types that require high levels of irrigation.

f. Strive to incorporate existing mature trees and native vegetation into site designs.

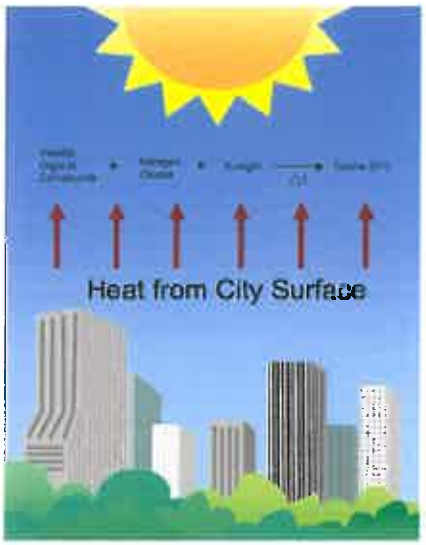
g. Minimize the use of landscape equipment powered by fossil fuels.

h. Implement water conservation measures in site/building design and landscaping.

i. Encourage the use of high efficiency irrigation technology, and recycled site water to reduce the use of potable water for irrigation. Use recycled water to meet the needs of development projects to the maximum extent feasible. (see Policy CE-A.12).

CE-A.12. Reduce the San Diego Urban Heat Island, through actions such as:

- Using cool roofing materials, such as reflective, low heat retention tiles, membranes and coatings, or vegetated eco-roofs to reduce heat build-up;
- Planting trees and other vegetation, to provide shade and cool air temperatures. In particular, properly position trees to shade buildings, air conditioning units, and parking lots; and
- Reducing heat build up in parking lots through increased shading or use of cool paving materials as feasible (see also Urban Design Element, Policy UD-A.12).



Heat islands contribute to ground level ozone formation or smog.
Source: www.epa.gov

CE-A.13. Regularly monitor, update and implement the City's Climate Protection Action Plan to ensure, at a minimum compliance with all applicable federal, state and local laws.

a. Inventory greenhouse gas emissions, including emissions for the City community-at-large, and for the City as an organization.

b. Identify actions and programs designed to reduce the climate change impacts caused by the community-at-large and the City as an organization.

CE-A.14 Support expansion of urban agriculture to realize environmental, economic, and public health benefits including: increasing access to fresh local food; reducing energy used for food transportation and distribution; and increasing opportunities for economic development and local enterprise (see also Conservation Element, Section L, and Recreation Element, Sections A and E).

L. Agricultural Resources

Goals

- Retention of productive agricultural lands.
- Greater use of sustainable agriculture practices.
- Reduction in land use conflicts between agriculture and other land uses.
- Retention of the rural agricultural character of river valleys.
- Expansion of urban agriculture uses

Discussion

Agriculture has been an important factor in the history and local economy of San Diego. San Diego's unique location and combination of climate, soil types, and international border location have created an agricultural industry which produces off-season and specialty crops, including avocados, citrus, tomatoes, flowers and nursery stock.

The approximately 14,000-acre San Pasqual Valley Plan Area, largely owned by the City of San Diego Water Department, is within the San Dieguito River Basin and contains the Hodges Reservoir and significant groundwater resources. The City of San Diego acquired the valley in the late 1950s for water supply purposes. The valley also serves as a valuable agricultural, biological, scenic, and recreational resource. The San Pasqual Valley Plan (1995) calls for: optimization of water supply and quality, preservation of rural character, retention of agriculture, habitat preservation, and creation of an open space park among other goals. The City of San Diego has reaffirmed its commitment to

Soils in San Diego vary appreciably in origin, degree of weathering, depth and texture. The Natural Resource Conservation Service (formerly Soil Conservation Service) has classified lands according to their productive capability, taking into account specific qualities of the soil slope of the land, degree of wetness, flooding hazards and other factors. There are still many locations in San Diego which have the productive soil and the other requisites to be especially well suited for agricultural purposes. In San Diego, the best remaining agricultural soils are found in broad river valleys. The City has developed programs to keep these valleys predominately agricultural through lease agreements, such as in San Pasqual Valley where agriculture comprises approximately 30 percent of the land use.

There is also increased public interest in urban agriculture, which includes community farms and gardens, the growing and selling of produce, and small-scale animal husbandry within cities. Urban agriculture offers potential to: further sustainability goals; improve public health and equity through better access to fresh healthy food; promote food system security by reducing reliance on long-distance supply chains; reduce the amount of energy used to transport food; and to foster economic

development opportunities, including micro-enterprise. A core principle of sustainability involves meeting basic human needs, such as food, shelter, and water, via renewable sources as close to their consumption as possible. Although the City has limited options for additional large-scale agriculture because of its urbanized nature, it can help support the availability of sustainable local food choices by providing opportunities for urban agriculture, community farms and gardens, and ~~public~~ spaces suitable for local farmers' markets. (see also Recreation Element, Policies RE-E.8 and RE-A.6.~~b~~, and Urban Design Element, Policy UD-E.1). ~~Farmer's markets provide access to local, and potentially healthier, food choices.~~

Policies

CE-L.1. Manage agricultural activity to minimize soil erosion and minimize the release of contaminants into surface and groundwater resources.

CE-L.2. Limit retail activity in agriculturally-designated areas to uses that are reasonably related to agriculture (e.g., sale of locally grown farm products).

CE-L.3. Encourage agricultural operations such as community farms and gardens (especially on City-leased lands) to provide for educational experiences which demonstrate the history, importance and value of agricultural operations.

CE-L.4. Continue water reclamation research programs to develop realistic methods of providing inexpensive means of leaching soils, irrigating crops and preventing salt water intrusion.

CE-L.5. Integrate agriculture and sustainability principles that promote clean air and water, and healthy soils, habitats, and ecosystems.

a. Encourage sustainable agricultural and water quality best management practices, such as tillage, use of grass filter strips, runoff detention basins, and organic farming, on all private land and require BMPs on new or renewed City land leased for agricultural purposes. Provide the minimum amount of flood control/channelization.

b. Encourage sustainable agricultural operations, especially on City-leased lands, to offer more sustainable, local food choices.

CE-L.6. Provide mechanisms to permit private land owners of prime agricultural lands to take advantage of the Williamson Act.

CE-L.7. Balance the economic benefits provided by traditional agricultural as well as urban agricultural uses, with the competing water resource, biological and cultural resource management and recreation priorities.

- Encourage the use of urban agricultural techniques that require reduced land and water use as compared to conventional methods.

- Recognize the cultural and economic benefits of providing opportunities for residents to grow healthy, affordable, culturally appropriate foods, and to augment their food budget through gardening.
- Reduce waste and increase agricultural productivity through increased composting of organic waste.

CE-L.8 Increase opportunities for urban agriculture.

- Develop land development regulations that allow urban agriculture uses in appropriate locations, with parameters designed to control potential impacts to neighboring uses and properties.
- Develop land development regulations that increase opportunities for farmers markets on public and private lands
- Monitor community garden regulations and processes to help ensure that community members and gardeners' objectives are being met (see also RE-A.6, E.7, and E.8).
- Support rooftop gardens and the use of edible landscape materials.
- Encourage the use of vacant lots for urban agriculture.
- Explore potential locations for urban agricultural uses as a part of long range plans and other projects.

CE-L.9 Support food system planning that increases food system security, links local producers to local markets, creates jobs, and re-circulates food dollars in the local economy.

- Participate in policy-making, and public education and outreach efforts related to food system planning.
- Support County of San Diego efforts to establish a food distribution center
- Encourage the development of a permanent Public Market in the City of San Diego
- Plan for and preserve areas needed for local food processing, wholesaling, and distribution through the use of zoning and economic development incentives.

CE-L.10 Collaborate with public health professionals and others to maximize the public health benefits of an urban agriculture system. Seek the participation of public health professionals and advocates in the community plan update process.