

# La Jolla Community Planning Association

Regular Meetings: 1<sup>st</sup> Thursday of the Month | La Jolla Recreation Center, 615 Prospect Street

Contact Us:

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President: Diane Kane

Vice President: Greg Jackson

2<sup>nd</sup> Vice President: Helen Boyden

Secretary: Suzanne Weissman

Treasurer: Mike Costello

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## DRAFT MINUTES

Regular Meeting | Thursday, May 7, 2020 – 6: 03 p.m.

Meeting held by teleconference

### 1.0 Welcome and Call to Order: Diane Kane – President

**This is a full agenda, recorded meeting therefore, the following rules will be enforced:**

- Mobile devices off or on silent mode.
- All public and trustee comment will be addressed to the chair. Public & trustee comment will be limited to 2 minutes.
- Comments will be directed to the project or matter stated in third person for the purpose of respect & clarity
- Chair may ask for member votes. Please keep hands raised until the vote tally is announced.
- Chair will alternate order of trustee comment. Upon consensus, Chair will close discussion and call for a motion.
- Please notify chair of any organized public presentation requests prior to meeting

**Quorum present:** Ahern, Boyden, Costello, Davidson, Fitzgerald, Ish, Jackson, Kane, Little, Mangano, Neil, Shannon, Steck, Weiss, Weissman. **Absent:** Brady, Manno, Courtney

### 2.0 Adopt the Agenda

**Neil:** Motion to amend agenda to remove action item 11.1, 5911 La Jolla Mesa Dr. because there is no CPA protocol for review of such a complicated project by teleconference. Second: Davidson.

**Peterson:** Project in process for years. What is objection? Will you not hear land use projects in this format? This is no more complicated than any other LU project.

**Neil:** No protocol for this type of meeting with a complex project. DPR vote and significance of the vote was not clear to members of subcommittee.

**Boyden:** oppose motion DPR minutes and material was on CPA website. Not fair to applicant.

Vote: 2-10-3, **Motion fails**

**In favor:** Davidson, Neil

**Opposed:** Ahern, Boyden, Costello, Fitzgerald, Ish, Jackson, Mangano, Steck, Weiss, Weissman

**Abstain:** Kane, Little, Shannon

**Motion:** Adopt agenda: (Jackson/Weiss) Unanimous, Chair abstains. **Motion carries.**

### 3.0 Meeting Minutes Review and Approval:

3.1 April 2, 2020– Regular meeting minutes

**Motion:** approve minutes, (Fitzgerald/Boyden) Unanimous, Chair abstains. **Motion carries.**

### 4.0 Consent Agenda – 4.1 – 4.5

The Consent Agenda allows the LJCPA to ratify recommendations of the community joint committees and boards in a single vote with no presentation or debate. It is not a decision regarding the item but a decision whether to accept the recommendation of the committee/board as the recommendation of the LJCPA. Projects may be pulled from consent agenda by anyone present. Items will be moved to full review at the present of following regular LJCPA meeting.

The public is encouraged to attend and participate in Community Joint Committee & Board meetings before the item/project is considered by the LJCPA.

PDO – Planned District Ordinance Committee, Chair Deborah Marengo, 2nd Monday, 4:00 pm

DPR – Development Permit Review Committee, Chair Brian Will, 2nd & 3rd Tuesday, 4:00 pm

PRC – La Jolla Shores Permit Review Committee, Chair David Gordon, 3rd Monday, 4:00 pm

T&T – Traffic & Transportation Board, Chair David Abrams, 3rd Wednesday, 4:00 pm

MEMBERSHIP COMMITTEE – Meets quarterly

See Committee minutes and/or agenda for description of projects, deliberations, and vote.

Anyone may request a consent item be pulled for full discussion by the LJCPA.

#### 4.1. 7365 Remley Place (McNeil)

LA JOLLA (Process 3) Coastal Development Permit and Site Development Permit for slope stabilization with soil nail wall located at 7365 Remley Place. The 0.49-acre site is in the RS-1-4 Base Zone and the Coastal (Non-Appealable) Overlay Zone within the La Jolla Community Planning Area, and Council District 1.

DPR action: Passes 5-1-1

#### 4.2. 5623 La Jolla Hermosa Ave (Naviaux)

LA JOLLA (Process 2) Coastal Development Permit to convert an existing 365-square-foot accessory structure into a companion unit located at 5623 La Jolla Hermosa Ave. The 0.12-acre site is in the RS-1-7 Zone and Coastal Overlay (Non-Appealable) Zone within the La Jolla Community Plan area. Council District 1.

DPR Action: Passes 6-1-1

#### 4.3. 2521 Calle del Oro (Lowther/Barba)

La Jolla Shores (Process 3) Site Development Permit for the addition of 4,047 square feet and remodel of 5,920 square feet to an existing 5,920 square-foot, single family residence at 2521 Calle Del Oro. The 0.46-acre site is in La Jolla Shores Planned District SF Zone and Coastal (Non-Appealable 2) Overlay Zone within the La Jolla Community Plan area, and Council District 1.

PRC Action: Passes 3-2-1

None pulled. **Motion:** approve consent agenda, (Jackson/Weiss) **Vote:** unanimous, chair abstains. **Motion carries.**

*Courtney arrives*

## 5. Officer Reports:

### 5.1 Treasurer - Mike Costello's report –

La Jolla Community Planning Association		
Treasurer's Report for May 7, 2020 Regular Meeting		
Beginning Balance as of April 1, 2020		\$826.21
Income		
Collections, May 2020		\$25.00
CD Sales	\$00.00	
Total Income		<u>\$25.00</u>
Expenses		
Agenda printing	\$00.00	
Rec Center	\$00.00	
Total Expenses		<u>\$00.00</u>
Net Income/(Loss)		\$25.00
Ending Balance of April 30, 2020		\$851.21

As long as the Covid 19 restrictions last, donations can be made to the LJCPA by check. Email the treasurer for instructions and address to send your check to donate to the LJCPA.

### 5.2 Secretary -

If you register and attend an online meeting your attendance will count towards your meeting attendance requirement.

LJCPA is a membership organization open to La Jolla residents, property owners and local business and non-profit owners at least 18 years of age.

Eligible visitors wishing to join the LJCPA need to submit an application, copies of which are available at on-line at the LJCPA website: [www.lajollacpa.org/](http://www.lajollacpa.org/).

We encourage you to join so that you can vote in the Trustee elections and at the Annual Meeting in March.

You can become a Member after completing the application and attending one meeting. You can maintain your membership by documented attendance at one meeting per year. If you do not attend one meeting per year, your membership will expire.

To qualify as a candidate in an election to become a Trustee, a Member must have documented attendance at **three** LJCPA meetings in the preceding 12-month period.

## 6. Non-agenda Public Comment.

Opportunity for public to speak on matters not on the agenda, 2 minutes or less.

**Emerson:** LJSA meeting next Wednesday. We will elect officers and discuss beach policy going forward. The four groups, LJCPA, LJTC, LJ&T, and LJSA have postponed the community meeting until we are able to meet in person. The UCSD Chancellor has agreed to that and has agreed to the town hall forum.

**Dicks:** Has LJCPA taken a position on beach policy regarding masks, social distancing and enforcement? I ask that be on your next agenda regarding your stance and writing a letter to the Mayor and City Council if we can get a consensus on social distancing and mask requirements at the Shores.

**Kane:** instructed Secretary to put on next month's agenda.

**Costello:** This is a health issue and we are land use. This is not in our purview.

Several trustees commented that this subject could be heard next month.

**LaCava:** I finished first in the March primary, three other candidates have endorsed my campaign. Not campaigning now but reaching out to more vulnerable folds. I appreciate your support and will resume campaign later. Thanks to Diane and Greg for running successful Zoom meetings.

**Moore:** I am also running with a strong showing in the primary. I have been endorsed by firefighter Aaron Bren. Yours was best Zoom meeting so far.

**Ahern:** City of SD is developing a new Parks Master Plan. It was previously based on 2.8 acres per 1000 people; now a point system is recommended. The new plan will affect shoreline parks, rec centers, normal parks and Little Italy's Piazza de la Famiglia which could affect our Belvedere project. Community groups are collaborating to come up with ideas. I encourage all to look at the plan and send link to the Master Plan for review and comments to the community. The deadline is May 25.

## 7 Elected Officials, City Agencies, & Other Entities

Information only

7.1 Council District 1: Councilmember Barbara Bry. Rep: Steven Hadley, 619-236-6972, [srhadley@sandiego.gov](mailto:srhadley@sandiego.gov)

**Hadley:** The City is in budget approval cycle. The city received \$249 million from the Federal Government and Council Member is trying to save as much as she can and is putting out another assistance package for small businesses in San Diego. Your last month's meeting was the first Zoom meeting anyone has tried. Thanks to Greg for letting the Council office forward your information to other communities in the First District. Others are now following the lead of La Jolla which is not surprising.

7.2 78th Assembly District: Assembly member Todd Gloria

Rep: Mathew Gordon 619-645-3090, [mathew.gordon@asm.ca.gov](mailto:mathew.gordon@asm.ca.gov) Not present

7.3 39th Senate District: State Senator Toni Atkins, Senate President pro Tempore Rep: Miller Saltzman, 619-518-8188, [MillerSaltzman@sen.ca.gov](mailto:MillerSaltzman@sen.ca.gov) Not present

7.4 City of San Diego Community Planner: Marlon Pangilinan, [mpangilinan@sandiego.gov](mailto:mpangilinan@sandiego.gov) No report

7.5 UCSD Planner: Anu Delouri, [adelouri@ucsd.edu](mailto:adelouri@ucsd.edu)

**Anu:** We are still hopeful that we will present an overview of the Future College Living and Learning Neighborhood at the June meeting. As of 5:30 this evening I have not been notified by the Chancellor's office that they are postponing to an in-person meeting as Janie mentioned earlier. I just want to clarify that.

## 8 President's Report – Information only unless otherwise noted

Information only unless otherwise noted.

Kane: I am working on appointees to the joint committees and appointees from the various La Jolla community groups trying to clean up the records to determine who our appointees were and whom the other groups had appointed. Some groups had appointed the same person to two committees and other committees had vacancies. Anyone interested in serving on a committee please contact me or the representative of the other La Jolla community organizations. I hope to have appointments in place for the June meeting.

## 9 Non-Agenda Trustee Comment

Opportunity for trustees to comment on matters not on the agenda, 2 minutes or less

**Little:** Fiesta Island has not been opened up; it is the people's playground. Please put in a good word to open this up.

**Courtney:** LJ Shores beach traffic has picked up, lots of traffic at night. Large crowds on the beach not wearing masks. Cars driving onto the beach. I am concerned about what is going on.

**Kane:** I agree. The areas outside the beach are crowded. Please pass this on about the management at the La Jolla Shores Beach and surrounding areas.

## 10.0 Reports from Ad Hoc and non-LJCPA Committees

Information only unless noted.

### 10.1 Membership Committee

**Weissman:** We intend to meet this month to go over the attendance records. The attendance records are now on the website in two forms: the full spreadsheet or a list searchable by name. The records will be updated shortly to reflect this evening's attendance.

### 10.2 Community Planners Committee No report

### 10.3 Hillside Drive Ad Hoc Committee

**Kane:** We met yesterday. We got a surprise resurfacing in 3 spots a few weeks ago. We now have a new geological feature called Lake Hillside; it looks like runoff from Mt. Soledad. The City is now trying to drain it. **Hadley.** We are told the water came from a reservoir they are trying to flush.

### 10.4 La Jolla Shores PDO Update Ad Hoc Committee

**Weissman:** We had our 1<sup>st</sup> meeting April 29. We made a laundry list of issues for members of the committee to look into to determine possible updates to the LJSPDO. Minutes of that meeting are included on the website. We will meet again on May 14, to narrow down the list.

The following agenda items are ACTION ITEMS unless otherwise noted and may be *de novo* considerations. Prior actions by committees/boards are listed for information only. Supporting materials from applicants or other interested parties, in any, are available via <https://lajollacpa.org/ljcpa-5-7-2020-documents/>

## 11.0 – LJCPA Review and Action Matters

### 11.1. 5911 La Jolla Mesa (O'Shea)

LA JOLLA - (Process 3) Coastal Development Permit and Site Development Permit for an addition to an existing 4,135 SF one-story single-family residence over a basement at 5911 La Jolla Mesa Dr. The scope includes construction of a 1,175 SF master suite to the existing home, and a 907 SF accessory structure over a basement. The 0.77-acre site contains ESL and is in the RS-1-2 Zone and the Coastal (Non-APP. 1) Overlay Zone within the La Jolla Community Plan Area, and Council District 1.

DPR Action: Passes 4-2-2

**Matt Peterson:** Attorney for applicant: Presented overview of project from exhibits provided on LJCPA website supporting materials:

- In the Community Plan there are maps that show canyon areas called 'designated and private open space' based on Map C-720 which Ms. Hamilton and the neighbor say includes much of this site and does not allow structures to be built. This is incorrect.

- Those maps were done with gross mapping on satellite scale and were never intended to be used to determine definitively where the open space is and should never be used to determine what can be built on a property.
- You must look to the zoning, then get a survey to determine the steep slopes, a biologist to determine biology all resulting in an easement against the property to protect the sensitive resources.
- This has been done on this project and the protected sensitive slope area has been carefully mapped and an easement will be recorded. The structures proposed do not encroach into the sensitive slope area. Slides showing the sensitive slope easement were presented.
- Many properties shown on these gross maps as open space throughout LJ have been developed as shown on these exhibits.
- Further exhibits showing views of the canyon, trees planted as buffer to cabana, comparable neighborhood development and architectural drawings were presented.

**Weissman:** Appendix L in the Community Plan, “Encroachment Limitation Standards for Open Space Shown on Figure 7” which describes allowable development in Open Space. How does that relate to your presentation? **Peterson:** Those limitations were intended to be encroachment limitations for ESL and we are not encroaching into ESL, so those limitations do not apply. This canyon was never rezoned to OR – Open Space Residential – it is zoned RS-1-2, standard residential zoning.

**Courtney:** What is the amount of cut and fill on the slope, the location of open space, existing development? **Peterson:** These maps are not precise, never intended to define open space. Location of open space is done on case by case basis after extensive surveys to define ESL where the easement should be recorded.

**Julie Hamilton:** Attorney for neighbor:

- Stated purpose of CPA: to make recommendation to the City of what they believe the Community Plan says.
- She quoted the language in the Community Plan that says the open space designation and zoning are not limited to ESL regulations as Mr. Peterson says.
- Figure 7 in the Community Plan shows lands included but not limited to those shown in the City of SD Map C-720 dated 12/24/85. This was an important consideration when the Coastal Commission and the City adopted the Community Plan in 2004.
- The intent of the Policies listed in the Community Plan adopted in 2004 was to limit encroachment into these designated open spaces further than previous development had done.
- Do you want to say that everyone can build out to the limit of the steep slopes and environmentally sensitive vegetation? That will dramatically change the character of La Jolla.

**Little:** Creeping development into the canyons must be stopped now.

**Merten:** Overall structure height? If cabana is connected by retaining walls, overall structure height would be measured from 5’ beyond the lower retaining wall to top of house; you may be over the allowable structure height. **Reply:** plans indicate less than 40’.

**Morton:** Consider disturbed areas in the slope.

**Frangos:** Designated open space line is different from ESL line.

Further comments from trustees split between difficult but legally compliant and not compliant with the Community Plan.

**Motion:** Findings CANNOT be made because the project does not follow the intent of the Community Plan and sets a precedent. (Little/Davidson) **Vote:** 6-9-1, **Motion fails.**

**In Favor:** Courtney, Davidson, Ish, Little, Neil, Weissman

**Opposed:** Ahern, Boyden, Costello, Fitzgerald, Jackson, Mangano, Shannon, Steck, Weiss

**Abstain:** Kane (chair)

**Motion:** DPR findings CAN be supported in favor of a CDP and an SDP for this project. (Costello/Steck)

**Vote:** 9-6-1, **Motion carries.**

**In favor:** Ahern, Boyden, Costello, Fitzgerald, Jackson, Mangano, Shannon, Steck, Weiss

**Opposed:** Courtney, Davidson, Ish, Little, Neil, Weissman

**Abstain:** Kane (chair)

### 11.2. Movable Tiny Homes Ordinance Amendment

Discussion and possible recommendation to the City regarding process and content for the proposed ordinance amendment (Municipal Code Sec. 141.0302) adding “movable Tiny Homes” as a permissible type of additional dwelling unit (ADU).

**Kane:** We are hearing this item at the request of Council President Pro Tem Barbara Bry to help her to develop her position for council deliberations. This will likely go to council late May/early June. This ordinance is for the City as a whole. Images from supporting materials on LJCPA website were shown; these images were from a presentation at the Land Use & Housing committee by Mr. Tetlow from Scott Sherman’s staff who are backing this issue.

Description of Movable Tiny Houses:

- A hybrid type of housing product manufactured in a factory to look like a house but moved to the site on wheels.
- Not considered an RV because it has no engine, must be towed; not a trailer because it looks like a house; not a manufactured house because it has wheels.
- It is covered in the Municipal code in 2 parts: by the materials and by where it can be located.
- They are considered a vehicle by DMV; must have a license and be registered.
- Does not fit into existing code provisions for manufactured houses, trailers or RV’s, but more like a house than a vehicle.
- Main reason to include in ADU regs is that they could help with affordable housing.
- They have been used previously where quick, affordable housing is needed that could be trucked in.

Discussion followed on necessity for design regulations, lack of residential permanence, not eligible for mortgage, may not be as affordable as thought, how to connect to undergrounded utilities, may be sweetheart deal.

**Motion:** Present list shown in supporting materials as “Conditions to mitigate cumulative physical impacts to SFR Zone” as the concerns and recommendations of the LJCPA for Movable Tiny Homes. (Boyden/Ish)

**Vote:** Unanimous: 16-0-0: **Motion carries.**

XX. Adjourn at 9:00 pm. to next regular LJCPA Meeting: Thursday, June 4, 2020 at 6:00 pm.