

La Jolla Community Planning Association

PO Box 889, La Jolla CA 92038
<https://lajollacpa.org>
info@lajollacpa.org

Draft Trustee Minutes 5 August 2021, 6pm

President: Diane Kane
1st Vice President: Greg Jackson
2nd Vice President: Brian Will
Secretary: Suzanne Weissman
Treasurer: Larry Davidson

Regular Monthly Meetings: 1st Thursday, LJ Recreation Center, 615 Prospect St
(Executive Order 8-21: Meetings are being held online through 30 Sep 2021)

Links for Registration and Materials pages can be found at <https://lajollacpa.org/2021-agendas/>

Viewing, listening, and speaking at meetings require registration. To have attendance counted toward membership or voting, registration must be in the member's name. Meetings are recorded, and recording is publicly available. **Refer to projects or issues, not to applicants or opponents.** For action items, chair calls on public, then Trustees, closes discussion upon consensus, and calls for motions. Trustees vote by roll call or show of hands.

The public is encouraged to participate in Committee/Board meetings before LJCPA discussion:

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 Andy Fotsch, 3rd Monday, 4:00 pm

Quorum Present: Ahern, Boyden, Costello, Courtney, Davidson, Ish, Jackson, Kane, Manno, Neil, Rasmussen, Rudick, Steck, Weiss, Weissman **Absent:** Hostomska, Shannon, Will

1. Call to Order (6:03pm, action items)

1.1. Approve Agenda (action)

Kane: Postpone item 5.1, Cuvier St. to September; add discussion on appealing the notice for emergency closure of Boomer Beach at Point La Jolla. This is time sensitive since time to file appeal is in 10 days.

Motion: Correct and add these items to the agenda. (Boyden/Costello) Vote: 13-1-1: Motion carries

In favor: Ahern, Boyden, Costello, Courtney, Ish, Jackson, Manno, Neil, Rasmussen, Rudick, Steck, Weiss, Weissman

Opposed: Davidson

Abstain: Kane

Jackson: Item 3.1 PDO vote should be 7-0-0: **Weissman:** Vote counts on items 3.4 – 3.9 should be 7-0-0.

Motion: Approve agenda as amended and corrected (Courtney/Boyden) Unanimous, Chair abstains. Motion carries

1.2. Approve Minutes (action)

Motion: Approve minutes as presented. (Jackson/Courtney) Unanimous, Chair abstains, Motion carries.

2. Non-Agenda Public Comment (information only)

Opportunity for public to speak on matters not on the agenda, 2 minutes or less. No votes or action unless properly noticed at least 72 hours in advance.

Paul Benton: Cormorant Building, 1110 Prospect, west of the La Valencia, under construction for 5 years. Three balconies have been added at the highest level of the building on the west façade facing the extension of Girard Ave. I wish to report that, although I am the architect of record, this is the result of work done by the contractor or possibly a different architect. The issue is that this improvement is greater than 30' above grade and outside the footprint of the building; it requires that a CDP be issued. I am in communication with Gary Geiler; he has offered to investigate this

matter. I will respond to any questions; I am not a neutral party. This matter is being taken seriously by City planning; they have put a hold, but I have no idea what kind. We will be investigating further.

Kim Knox: I am disappointed to learn that this group did not obtain public input before submitting to Community Planners Committee a list of community infrastructure priorities. The Citizen's Guide to Infrastructure says that one can provide input on needed CIP projects through various avenues including attending meetings, contacting representatives of community planning groups, Rec. committees and other groups. Council Policy 000-32 states each community planning group start community input process in July, conduct public outreach and hold 2 or more public hearings to gain community input through outreach, discussion and deliberation and public input to develop consensus on recommendations. I request in future this group conduct outreach and hold at least 2 public hearings to obtain public input on infrastructure priorities before submitting the list.

Kane: You have mentioned a transportation project that nobody in LJ has heard of. We have no knowledge of its prior approval. If you have something of that nature it needs to go to Traffic & Transportation sub-committee first; it will then be referred on the Consent Agenda at the CPA meeting, the second meeting. Then it would be put automatically on the CIP list. You have not engaged in the process that we already have in place. I am disappointed that you have ignored us. If you have a project, it can still be added. We will have an open call for projects at the September meeting and we would like to hear about what you would like added. I recommend you go to T & T this month and explain what you are doing so we have some knowledge of it.

3. Consent Agenda (consolidated ACTION item)

The Consent Agenda enables LICPA to ratify recommendations from joint Committees or Boards that findings CAN or CANNOT be made. Those recommendations thereby become LICPA's. The public may comment on consent items, but there is no presentation or debate. Anyone may request a consent item be pulled for full discussion by LICPA at a subsequent meeting.

3.1. La Jolla Plaza

Girard & Wall St. One set of non-illuminated FCO letters on mesh background; one set of non-illuminated fabricated channel letters with closed backs mounted to existing structure, 34" tall x 7'- 11 7/8" L x 5" deep; one double faced non-illuminated blade sign for tenants, 11' tall with external illumination; one single-faced digital directory with shell, 6'- 3 1/2" tall x 3' L x 6" deep.

- **PDO 7/12/21: APPROVED, 7-0-0**

3.2. 1627 Kearsarge Rd (688683, Paola/Safdie/Racines)

(Process 2) Coastal Development Permit to construct a new two-story, 1,554-square-foot, single family residence with attached garage carport and convert the existing 1,068-square-foot residence to a companion unit. The 0.14-acre site located 1627 Kearsarge Road is in the RS-1-5 zone, Coastal (Non-Appealable Area 1) and Coastal Height Limit Overlay Zones within the La Jolla Community Plan Area and Council District 1.

- **DPR 7/13/21: findings CAN be made, 7-0-1**

3.3. La Jolla Farms Outfall Repair (687244, Shamoun)

(Process 5) CDP/SDP for installation of approximately 252 linear feet of storm drain, concrete energy dissipator, and inlet. The site is located on La Jolla Farms Road between Blackgold Road and Greentree Lane within the Residential Single Family (RS-1-2) Zone, Coastal (Appealable) Overlay Zone, MHPA adjacency of the La Jolla Community

- **DPR 7/20/21: findings CAN be made, 6-0-1**
- 3.4. **End of Summer Run (Loper)**
Request for Temporary Street Closure and No Parking on portions of Prospect Street and La Jolla Blvd. for the 21st Annual Event on Sunday September 19, 2021
- **T&T 7/21/21: APPROVED, 7-0-0**
- 3.5. **Nautilus Street Beautification (Wilson)**
Proposal for Nautilus from LJ High School to Muirlands Drive
- **T&T 7/21/21: APPROVED, 7-0-0**
- 3.6. **LJ Shores/Vallecitos Intersection (Emerson)**
Install Pedestrian Crosswalk with Activated Lighting at LJ Shores Dr./Vallecitos Intersection and Traffic Study for Roundabout at this Location
- **T&T 7/21/21: APPROVED, 7-0-0**
- 3.7. **Bonair Street Parking (Rasmussen)**
Request by La Jolla Community Center for Two-Hour Parking Restriction along 80 feet of their Bonair Street Frontage
- **T&T 7/21/21: APPROVED, 7-0-0**
- 3.8. **La Jolla Art & Wine Festival (McFarlane)**
Request for Temporary Street Closure and No Parking on Portions of Girard Ave., Wall Street and Silverado for Annual Event October 8-10, 2021
- **T&T 7/21/21: APPROVED, 7-0-0**
- 3.9. **La Jolla Concours d'Elegance (McFarlane)**
Request for Temporary Street Closure and No Parking on Portions of Coast Blvd. Between Cave St. and Girard Av. for Annual Event April 20-24, 2022
- **T&T 7/21/21: APPROVED, 7-0-0**
- Neil:** Pull 3.5, I want to vote separately from rest of Consent Agenda

Courtney: Pull 3.9

Motion: Approve items 3.1, 3.2, 3.3, 3.4, 3.6, 3.7, 3.8 on Consent Agenda. (Jackson/Boyden) **Vote:** Unanimous, Chair abstains. **Motion carries.**

Shannon arrives

4. Elected Officials, Agencies & Other Entity Representatives

- 4.1. **Council 1 (Joe LaCava):** Steve Hadley, 619-236-6611, srhadley@sandiego.gov no report
- 4.2. **SD Mayor's Office (Todd Gloria):** Matt Griffith, griffithm@sandiego.gov not present
- 4.3. **Assembly 78 (Chris Ward):** Rachel Granadino, 619-413-0674, rachel.granadino@asm.ca.gov not present
- 4.4. **Senate 39 (Toni Atkins):** Cole Reed, 619-645-3133, cole.reed@sen.ca.gov
Cole Reed: July 12, Gov. Newsom signed the majority of the budget bill. Benefitting San Diego: \$35M to SIO to replace the SIO Research vessel; \$100M to San Diego to address homelessness and to extend mental health resources; \$27.3M the first year and remainder the next year; \$50M to

support pure water infrastructure project; \$8.4M to renovate Ocean Beach Pier; \$2.5M for a Billy Jean King tennis court in Point Loma; \$1M to support a gun violence restraining order program through the SD City Attorney's office, \$18M to support San Vicente pump station to create renewable energy storage structure; \$30M for UCSD Hillcrest Medical Center; \$30M for local grants to address sea level rise.

SB9: no amendments added. It is currently in Senate Appropriations Committee. The summer recess ends August 16; the last day to pass legislation is September 10.

SB 10: 2 amendments: 1. The definition of high-quality bus corridor was changed from service interval of no more than 20 minutes between 6am and 10am to between 6am to 10pm. 2. Local voter initiative definition expanded.

Merten: How much money is available to turn ocean water into potable water: **Reply:** There are some desalination plants under construction by private companies, but no major efforts to allocate state funds towards that.

Courtney: Clarify the number of units allowed under SB9. **Reply:** Currently SB9 allows a maximum of 4 units on one lot, one ADU each

4.5. **SD Planning:** Marlon Pangilinan, mpangilinan@sandiego.gov not present

4.6. **UCSD Planning:** Anu Delouri, 858-610-0376, adelouri@ucsd.edu not present

5. Local Project Reviews (action items as noted)

These may be de novo considerations. Actions by committees are listed for information only. Written comments can be submitted via the Materials & Comments page, link above. In general, applicants for each project have 10-15 minutes to present, an individual representing organized opponents (if there are such) has 10 minutes to respond, and members of the public have 15 minutes for 2-minute comments not already covered in presentations. Trustees then discuss the project for 20 minutes, at which point the President may call for motions and vote.

5.1. **Cuvier St Vacation (679621, Williams) ACTION**

(Process 5) Cuvier Street right-of-way vacation, CDP, and lot-line adjustment located south of Prospect Street, next to the La Jolla Recreational Center (615 Prospect) and The Bishop's School. The site is located in the LJPD-6 and OP-1-1 Zones, and Coastal (Non-appealable-2) Overlay zone within the La Jolla Community Plan and CD 1.

- ~~DPR 5/11/21: findings CAN be made, 5-0-2~~
- ~~T&T 5/19/21: APPROVE the proposed vacation of Cuvier St and the redistribution of diagonal parking spaces on Prospect Street and La Jolla Blvd, 10-0-0~~
- ~~PDO 4/12/21: APPROVE, 10-0-0~~

6. City/State/UCSD Project Reviews (action items as noted)

None

Weissman left

7. Policy Discussions, Reviews, & Recommendations (action items as noted)

Discussion on Appeal of Notice of Emergency Closure of Boomer Beach at Pt. La Jolla. Action item added to agenda.

LaCava: The action that has been taken is the evolution of several attempts to control the activities at Pt. La Jolla in relation to the sea lions. Park rangers, interns, signage, and a media

campaign to enlighten folks about preventing interaction with the sea lions has not been effective. Encouraged by the California Coastal Commission the City has taken a more assertive step by issuing an emergency coastal development permit to close access to Pt. La Jolla until September 15. After that a long term solution can be discussed.

Costello: Our coast is not a natural place for Pinnipeds. He reviewed the history of the intrusion of these animals on our coast. We have allowed them to take over our beaches to the point that many of our treasured beaches are no longer accessible by people. These animals are not endangered.

Kurt Hoffman: I agree with Mr. Costello. We have seen a huge change in the local ecosystem. The population of sea urchins has exploded because sea lions are eating the lobster and sheephead that were the only predators, along with man, of the sea urchins. It is ill advised, unscientific to expand this change to the ecosystem.

Claudia Baranowski: LJ Parks & Beaches approved a letter supporting the City's efforts to promote responsible tourism. Boomer Beach is a unique area for body surfers; it was made a no floatation device zone because of the quality of the waves at this unique beach. The close proximity to kelp beds makes Pt. LJ an important access point for divers and spear fisherman. We request that the historic access for Boomer Beach be preserved for body surfers, fishermen, divers, swimmers, and sun bathers.

Courtney: As this has been a controversial issue for a long time, we should not act without advance public notice.

Several further comments about the undesirable consequences of the loss of beaches in LJ to seals and sea lions by closing beaches, the necessity to keep the animals away from the people, not to keep the people from the animals and support for an appeal.

LaCava: Stressed that this is a short term, emergency measure to control interaction between the public and the sea lions; we can work later for measures to decrease the animal populations after this closure ends. The City and lifeguards are working to allow continued access to Boomer Beach.

Motion: Appeal the permit to close Pt. La Jolla. (Costello/Rasmussen) **Vote** 12-2-1. Motion carries

In favor: Ahern, Costello, Courtney, Davidson, Ish, Jackson, Manno, Neil, Rasmussen, Rudick, Shannon, Steck

Opposed: Boyden, Weiss

Abstain: Kane

7.1. **Code Compliance (Kane) ACTION**

There are several additional cases of intentional skirting of DSD permitting requirements and permit conditions in La Jolla beyond those already mentioned in meetings and letters to Trustees. Community members, their representatives and the LJ CPA are clearly having no effect one project at a time. However, a pattern of egregious behavior is harder to ignore. The CPA Trustees will determine how to proceed. Options include informing both City Council and the Mayor about DSD's inadequacies and petitioning for more Code Compliance resources, changes in administrative processes, codes, etc.

Meredith Baratz, ad hoc Committee to Review Coastal View Corridors in LJ: The Coastal Act and the La Jolla Community Plan make clear that the Calif. Coast is to be preserved and made accessible to the public. Four ways to implement this: physical beach access; scenic overlooks;

views over private property; view corridors to the ocean from the first public roadway from the ocean. The latter is what this committee has looked at – view corridors between houses. Since the early 2000's the LDC has required a view corridor easement in the side setback to be included as part of a Coastal Development Permit for new construction or a change in the footprint for properties on the first public roadway along the coast. We looked at 133 properties along the coast in Bird Rock, Lower Hermosa, LJ Shores and LJ Farms. We found 19 view corridor easements recorded with the City, but on observation 80% had obstructions to the view or had not been maintained. Another 20 properties with significant construction activity since 2000 that appeared to require a view corridor easement but did not have the easement or the easement was not recorded. She showed photographs of properties that had obstructions in the view corridor, explained the status of the view corridors and presented a list of recommendations for consideration. See Materials page.

Melinda Merryweather: proud to be on this committee; the City needs to do a better job with Code Compliance.

Several more comments on need for enforcement.

Kane: This is a preliminary report. We plan to meet with DSD staff to go over the properties that we feel should have a view corridor and develop a system to implement and monitor. The Calif. Coastal Commission has promised cooperation. My concern about the lack of code compliance is whether the failures are due to individual acts of incompetence or systemic failure. It appears to be a city-wide problem. One aspect of infrastructure is code compliance and that has failed over many years. Citizens have nowhere to turn.

Motion: We support the recommendations of the Coastal View Corridor Committee and their findings that the view corridor easements required on properties located along the first street before the ocean are not included in the permits and maintenance by property owners is not enforced and will engage DSD to review these recommendations. (Boyden/Davidson)

Discussion: Neil: We need to have more focused recommendations.

Rudick: I request we have someone from Code Compliance come to a meeting to speak on their behalf.

Hadley: I will ask Mayor's office if someone can come out to speak and address your concerns. I am not sure what the response will be.

Davidson: It would be helpful if other planning groups participated.

Kane: I have approached other planning groups to see if they had similar issues and got no response.

Vote: Unanimous, Chair abstains. Motion carries

Kane: Continued the discussion showing slides describing projects that had been approved without required permits, requesting after the fact permits, no public review, exceeding the overall maximum height limit and other code violations.

Merten: Told anecdote that current DSD director was appointed by previous mayor to get projects approved regardless and that idea has influenced the entire department. The cure is to replace the director with someone who will enforce the laws as written.

Kane: There is a major problem with the entire DSD including Code Enforcement. The City has failed to follow its own laws for a long time.

Ahern: This a complex problem that has been going on a long time. I suggest we establish a committee to develop recommendations and actions for a motion.

Jackson: Three explanations to consider causing the City's failures: management, corruption, incompetence. The solutions are political, legal, and training respectively. We must consider how each account for the failures. We must be careful to consider all aspects. My observation is that nothing gets enforced in SD. During the campaign, the Mayor commented that this was a large city being run like a small town. This is different perspective from "evil people out to get us" explanation heard earlier.

Further discussion on need to have Mayor informed and held accountable for City's failures, need to work up chain of command, possible different philosophical views on land development process, systemic problem from lowest level staff to Mayor. Also discussion about difference between strong mayor form of governing and city manager form. Under strong mayor instituted in SD in 2006, the City Council has no authority over DSD activities.

Kane: Another issue is money. DSD is an enterprise department. People whose projects are being reviewed are paying the bills so they are never turned down. Planning groups are left out because they are not paying bills. I suggest going to The Grand Jury – the one who investigates problems and issues reports, not criminal matters.

Discussion tabled

7.2. **Blueprint SD (Kane) ACTION**

Name and empower subcommittee to track and prepare comments on this initiative. Blueprint San Diego is a new approach to community planning that will help meet the City's housing and climate goals, while providing greater and more inclusive opportunities for public input. This data-driven, citywide framework will allow San Diegans to shape how climate-friendly community development will occur in their neighborhoods. Blueprint San Diego will further the City's Climate Action Plan goals by encouraging housing and new development where people can walk, bike, or take transit. This approach will provide an equitable framework for future development throughout the City that provides access to opportunity and housing for everyone.

Kane I have appointed a committee to follow this and report back to us how this will affect LJ: Larry Davidson, Glen Rasmussen, Angeles Leira, Joe Terry, Dave Ish, Trace Wilson and Jim Fitzgerald (undecided). Two meetings have been held: yesterday the meeting was about changes to the LDC to implement the plan; Today's meeting was a scoping meeting for the program EIR and some community plan EIR's. The meetings were general providing no details. The program is moving fast and we need to be involved.

Motion: Approve committee members listed above. (Jackson/Boyden) **Vote:** Unanimous, Chair abstains. Motion carries.

Motion: Approve this committee to send a letter to the scoping committee by August 19, if possible. (Jackson/Steck). **Vote:** Unanimous, Chair abstains. Motion carries.

7.3. **Land Development Code Update (Neil/Weissman)**

Suzanne Weissman and Kathleen Neil presented at the 2021 Land Development Code Update Workshop (7/22/2021, the 4th Workshop covering topics regarding La Jolla Shores PDO). The 7/22/2021 workshop went very well. Of the 5 topics that were recommendations from La Jolla Shores PDO Ad Hoc committee, 4 of them made it to this level. The most discussion was regarding Angled Stepped Back Building Envelope. This was a ZOOM Gov. Seminar, so there was no list of attendees, only the panel members and speakers. Janie Emerson, Dede Donovan, Diane Kane, Myrna Naegle, Jim Fitzgerald, and Phil Merten were all there to speak in support of the requests.

When all of the workshops finish (one more workshop left; it had been originally scheduled for July 29 but now the City's website indicates August), the recommendations will then go to Community Planners Committee and then to City Council/Planning Department. More information can be found at this website: <https://www.sandiego.gov/lcd-updates>.

Neil: Scheduling for the update process is being consumed by the Blueprint project and meeting dates have been moved back from earlier schedule.

Weiss left

8. Officer Reports (action items as noted)

8.1. Treasurer

Beginning Balance as of July 1, 2021	\$729.70
Total Income	\$00.00
Total Expenses	<u>\$00.00</u>
Net Income/(Loss)	\$00.00
Ending Balance of July 31, 2021	\$729.70

Davidson: Donations can be made by mailing a check made out to the LJCPA. Email the Treasurer via info@lajollacpa.org for instructions and address. The check for \$251 was received from the City and will be on next month's report.

8.2. **Secretary** no report

8.3. **President (ACTION as noted)**

8.3.1. **Parks Master Plan update ACTION**

Support PARC's revisions to 3rd draft of PMP

8.3.2. **ADU regulations ACTION**

Endorse letter supporting Neighbors for a Better San Diego recommendations

8.3.3. **Beach Parking ACTION**

Endorse letter supporting additional night parking regulations at LJ beaches

Motion: Approve the three letters shown above. (Jackson/Courtney) **Vote:** 12-0-1 Unanimous: Motion carries

9. Reports from Standing, Ad Hoc, and Other Committees (information only)

Kane: Redistricting: District One is estimated to be about 8% over recommended size for a district. We don't have the final count from various council districts. Some districts will need to have their boundaries adjusted. We want to keep District One as intact as possible and keep UTC within the district. What ties us together are environmental concerns of coastline, canyons, and nature preserves.

10. Non-Agenda Trustee Comment (information only)

Opportunity for Trustees to comment on matters not on the agenda, 2 minutes or less. No votes or action unless properly noticed at least 72 hours in advance.

Rasmussen: Coast Walk survey released on June 4, 2021, shows Public Right of Way boundary is about 30 to 60' south of where the road is and encompasses the front yards of several properties on Coast Walk. See map on Materials page on CPA website. The Coastal Commission has directed

the City to provide parking away from the bluff onto what has been the front yards of some of those homes. This will become a contentious issue soon.

Merryweather: In 1978 Karl Zobel took over a parking lot on his property without a permit. We have been trying to get a survey for 29 years and finally it has been done showing we were right. It shows that these problems with the City are not new.

Ahern: The 3.1-million-gallon water reservoir project in LJ Natural Park now has an EIR in place. There has been a very collaborative relationship with the City that we hope could set a precedent for future projects. The committee has been working with the city to reassess the location outside the Natural Park and the size of the reservoir. We recently received correspondence that the City Engineering and Public Works Department is working with the Client Relationship Department to address the contingency storage and safety factors regarding water demand and forecast to 2050. They will return with an amendment to change the project and updated scope later this month.

11. Adjourn to next LJCPA meeting 9:09pm

Regular meeting 2 September 2021, 6pm

Prepared by:

Suzanne Weissman

Secretary