

La Jolla Community Planning Association

PO Box 889, La Jolla CA 92038

<https://lajollacpa.org>

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Final Minutes

Trustee Agenda

6 January 2022, 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
(In accordance with AB361, meetings are being held online during the California public health emergency)

Links for Registration and Materials pages can be found at <https://lajollacpa.org/2022-agendas-minutes/>

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

T&T – Traffic & Transportation Board, Chair Brian Earley, 3rd Wednesday, 4:00 pm

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

1. Call to Order (6:10pm, ACTION items)

1.1. Approve Agenda (ACTION)

Jackson: Request from member of public for agenda change. This needs a trustee motion.

Motion: Add to agenda to send the Goodman Residence project back to DPR recommended by Mr. Merten. (Neil/Davidson): Vote: 7-3-1. 2/3 requirement met, Motion carries

In favor: Costello, Davidson, Hostomska, Ish, Neil, Rudick, Shannon

Opposed: Boyden, Jackson, Weissman

Abstain: Kane (chair)

Motion: Approve agenda as amended. (Neil/Costello). Vote: unanimous, Motion carries.

1.2. Approve Minutes (ACTION)

Motion: Approve minutes as presented. (Neil/Davidson), Vote: unanimous, Motion carries.

2. Non-Agenda Public Comment (information only)

Items not on the agenda. 2 minutes or less. No votes or action.

Emerson: The election for trustees will be held on March 3, 2022. The committee has sent email letters to people who have 2 or 3 or more meetings inviting them to run as candidates for trustee. My email is in the chat for questions or for anyone who wants to run. Please contact me. The February meeting will be a town hall forum for people who are running to present their position and why they want to be a trustee. Anyone who cannot attend can send their statement to be read at the meeting.

The La Jolla Shores Permit Review Committee will be meeting on Tuesday after the 3rd Monday regular meeting due to Martin Luther King and Presidents' Day holidays in January and February. Jan. 18 & Feb. 22.

Kurt Hoffman: City of Coronado has worked with the University of Long Beach Shark Lab and their local lifeguards to install some shark buoys. I ask the LJCPA request to have shark buoys installed in LJ as part of the shark lab study to monitor the 175 white sharks that have been tagged by the Shark Lab. Having scientific data included here makes sense. They have buoys in Carpentaria, Long Beach, Huntington Beach and Del Mar.

Joe Dicks: On several occasions, I see orange, yellow and/or blue streamers tied to some of my trees. Does anyone know about this? **Boyden:** Sometimes the county agricultural department will tag a tree that may be carrying a pest. I've seen that next door to me.

Larry Asakawa: I appreciate the professionalism of your meetings. I am distressed by how late some of the materials arrive. How can the public and volunteer board members review these complicated materials in such a short time? **Kane:** We depend on presenters to provide materials. Greg Jackson who handles agendas and materials does a yeoman's job to gather materials as early as possible.

Robin Davidoff: In conversations with Shark Lab, there have been no sightings of white sharks in LJ Cove or Pt. LJ. There are only juvenile sharks who only eat fish and sting rays near Torrey Pines and Del Mar.

Boyden: Redistricting Committee approved a plan for District 1 that includes part of PB to Bay incl Crown Point by a vote of 7-2. Golden Triangle has been added to Dist. 6 and some minor changes in the north end of the city. This is not final until mid-Jan. See complete plan on City Clerk website.

Melinda Merryweather: The turn-around on Coast Walk has been stalled once by need to create a handicapped space and now by the Coastal Commission request to see that cars are on east side of CW, not the bluff. After many years the City has done a study to determine where the property lines on CW are. Now there are questions about that study. More next month.

Item 7.1 Update on Proposed Actions at Point La Jolla (LaCava – Time certain 6:15 – 6:30

Joe LaCava: I promised that we would return to Planning Group with an update about where we were in our process before CDP application was final and submitted. We met earlier today with LJ Town Council and Parks and Beaches and appreciate your hosting this town hall. When I came into office, I started a process recognizing issues that I personally saw at Pt. LJ with interaction between public and sea lions that I thought needed to be addressed. I took early steps trying to call for responsible tourism, first time visitors not cognizant of problems, but that was not paying off. We then tried more specific signage but that didn't have an effect, then we did emergency closure in August for 4 to 6 weeks. This has informed us as to how to go forward. City staff, Mayor's office, Planning Dep't in concert with Coastal Commission have been working hard to determine

what to do next. In light of what we learned last year, the situation now, of what legal authority the City has in our regulations and resources you will see bringing back the closure from last year but with more sophistication and detail. We are asking PG and anyone else here for your input. This is a draft document. Situation is not tenable now; the CC agrees. We need to act during pupping season which is necessary action going forward. There will be more follow up after the CDP application is finalized and submitted for approval and we will circle back to these groups then.

Karen Dennison, Assistant Director with City of SD Parks & Recreation Department, presented slides and described public outreach process:

- Description of the Emergency Coastal Development Permit for temporary closure August 10 through September 15, 2021, showing maps of the site, descriptions and photos of signage, and description of duties of park rangers employed during the closure.
- Timeline for permit process.
 - Aug. 15 – Sept. 15, temporary closure
 - Fall 2021, Coordinating with stakeholders, outside agencies and biology consultant.
 - Jan. 2022, Public input and finalizing CDP, webpage, community groups, Environment Committee, City Council, update Municipal Code.
 - Feb. 6, 2022, Deadline to submit CDP Application, 180 days after emergency CDP
- Further description of the site with maps and description of necessity for closure, listing of websites for more information and contact emails. See Materials page for full presentation.

LaCava: We seek input on anything: what people think of the general idea, specific comments on what is unique about Pt. LJ, access and existing water conditions, biology, extra eyes, and ears are important.

Community input:

Name	Organization	Agenda Item	Comment summary
John Leek	Resident	7.1	Public information request shows only Sierra Club lobbyists & I commented. No fact checking.
Kurt Hoffman	Resident	7.1	Shark injuries documented. Sharks will be in LJ
Moeni	Docent Pt. La Jolla	7.1	Observed sea lion harassment. No injuries from sharks

Andrew Leach	Resident	7.1	Boomer Beach access shown on map not feasible. Not against seals. just want access to public land and water.
Melinda Merryweather	Resident	7.1	Obvious problem is tourists. Eliminate tourists; problem solved.
Carol Toye	Resident	7.1	Shark Lab at Cal State Univ. monitors shark activity. Del Mar, Torrey Pines, Solana Beach established nursery for juvenile sharks feeding on sting rays. No evidence of Great Whites near LJ Cove.
Elena Tillman	Resident	7.1	Agree with Ms. Toye. Fear mongering will ruin LJ business reputation.
Robyn Davidoff	Sierra Club, Seal Society Docent	7.1	Closure essential. Documented evidence, 4,000 people daily within rookery; impossible to control without closure.
Larry Asakawa	Resident	7.1	Is City open to other solutions? Sea lions could be moved, many legal alternatives.
Dan Walsh	Coastal Conservation Assn. Scuba instructor	7.1	Goal to allow local people to continue to fish.
Luke Emerson	Resident	7.1	Agree with Mr. Asakawa. Huge range of coast available to sea lions.
Thomas Keener	Resident	7.1	Shark attacks have occurred in Pt. LJ
Seonaid McArthur	Resident	7.1	Don't encourage increased seal lion population. Keep coastline natural as possible.
Durdam Rocherolle	Resident	7.1	Avoid human manipulation and control of nature.
Kyle Dunleavy	Resident	7.1	Access to ocean should be open to public.
Morgan Launer	Resident	7.1	Need to look at environmental impact of sea lions.
Ruth Phillips	Resident	7.1	Keep this small area pristine. Sea lions don't belong here.
Glen Rasmussen	Trustee	7.1	I haven't seen instance of humans harming sea lions. Letter from CPA should satisfy both sides. We need scientific report of effect on the environment. Do not deny public right to access of our coastline without understanding the reasons for it. City is responsible for closure; they should muster resources of state and Coastal Commission to do an unbiased EIR.

Kathleen Neil	Trustee	7.1	Map presented shows no changes from the previous map. Our comments were not heard.
Mike Costello	Trustee	7.1	Natural place for pinnipeds to breed is the Channel Islands. Previous memo gave City authority to clear pinnipeds from beaches. Which other beaches will be closed in the future? History of pinniped expansion in LJ reviewed.
Kane	Trustee	7.1	Concerned about quality of marine preserve adjacent to this pupping area. Problems not outside jurisdiction of City. This discretionary permit needs environmental review.

Motion: Support our previous position: open access to Boomer Beach and provide EIR. (Rasmussen/Rudick) **Vote:** unanimous, Motion carries.

3. Consent Agenda (consolidated ACTION item)

The Consent Agenda enables LJCPA unanimously to ratify recommendations from joint Committees or Boards that findings CAN or CANNOT be made. Those recommendations become LJCPA’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 LJCPA at a subsequent meeting.

3.1. 5655 La Jolla Hermosa (694482, Bentley)

(Process 2) Coastal Development Permit to remodel existing detached garage and add an ADU above at a site with an existing single family residence located at 5655 La Jolla Hermosa Avenue. The 0.14-acre site is in the RS-1-7 Base Zone, Coastal Height Limit Overlay Zone, Coastal Overlay Zone (N-APP-2), Parking Impact Overlay Zone within the La Jolla Community Plan area. Council District 1.

- **DPR 12/14: findings CAN be made, 6-0-1**

3.2. La Jolla Improvement 2 Project (Rendon Roja)

Replace approximately 3.37 miles (17,792 feet) of water distribution mains, replace 1.22 miles (6,458 feet) of sewer mains. The project is in Council District 1, within La Jolla Planning Group

- **T&T 12/15: APPROVE 8-0-0**

3.3. La Jolla Streetscape Plan (Steele)

The plan intends to create a pedestrian promenade along Prospect Street, improve crosswalk safety and corner pop-out areas on Girard Avenue, expand art offerings and enhance overall street experience in The Village.

- **PDO 11/8: Appears to CONFORM to the PDO**
- **DPR 12/14: APPROVE in concept, 6-0-1**

- **T&T 12/15: APPROVE 6-1-0**

3.4. 7330-7336 La Jolla Blvd (Liem)

Homeowner requesting that half or all of the curb that fronts 7330-7336 La Jolla Blvd. become a red curb again. Extreme challenges in seeing oncoming traffic from alley exit to La Jolla Blvd.

- **T&T 12/15: APPROVE 7-0-0**

3.5. 8421 La Jolla Scenic Drive North (695953, Spencer)

(Process 3) Site Development Permit for an 844 first floor and 1,982 square foot 2nd floor addition to an existing single family residence located at 8241 La Jolla Scenic Drive North. The 0.23-acre site is located in the LJSPD-SF Base Zone, Coastal Height Limit Overlay and Airport Influence Area (MCAS Miramar) Zones within the La Jolla Community Plan area and Council District 1.

- **PRC 12/20: findings CAN be made, 5-0-1**

3.6. 7687 Hillside Drive (692374, Pallamary)

(Process 2) CDP and Public Service Easement Vacation to vacate 6-foot-wide utility easements on lots, 58, 59 and 60 of Map 1479 at 7687 Hillside Drive. The 0.63-acre site is in the LJSPD-SF Zone and the Coastal (Non-Appealable) Overlay Zone within the La Jolla Community Plan and Council District 1.

- **PRC 12/20: findings CAN be made, 4-1-2**

3.7. 8070 La Jolla Shores Drive (696789, Pierce)

(Process 3) Conditional Use Permit for the sale of off-site beer and wine (ABC Type 20 license) and general merchandise at The Corner Specialty Shoppe, located at 8070 La Jolla Shores Drive. The 0.25-acre site is in the La Jolla Shores Planned District - Commercial Centre Base Zone and Coastal (Non-Appealable) Overlay and Coastal Height Limit Overlay Zones within the La Jolla Community Plan area. Council District 1.

- **PRC 12/20 : findings CAN be made, 4-2-1**

Neil: Pull item 3.3, LJ Streetscape plan. No reason required for pulling an item.

Motion: Approve items 3.1, 3.2, 3.4, 3.5, 3.6, 3.7. (Boyden/Jackson) **Vote:** unanimous, Motion carries.

Goodman Residence Project added to agenda above:

Phil Merten: As explained in my email, the DPR erroneously approved the Goodman Residence Project based on drawings that inaccurately depicted the overall structure height of the project and depicted illegal retaining wall configurations in the rear yard. DPR Committee should take another look and question applicant on questions raised in my email. *See comments on Materials page.*

Jackson: There was a note in the minutes that this issue was discussed so it is not true that DPR did not review.

Davidson: Was erroneous information provided?

Merten: A detailed look at plans showed that applicant indicated overall structure height contrary to way overall structure height is required to be measured in the MC. Email from Brian Will said he had discussed this with G.Geiler retaining walls and structures under 6 ft. were not to be considered in determining the overall structure height. Merten explained that this was not correct and said the City has supported this interpretation in two examples and required construction changes to separate structures by 6 ft so as not to exceed overall structure height.

Neil: Where is this project in the permitting process? **Reply:** As of yesterday, open DSD website indicated no issues have been signed off.

Motion: Remand the project back to DPR for further review. (Neil/Rasmussen) **Vote:** 10-2-2: Motion carries.

In favor: Ahern, Costello, Davidson, Hostomska, Ish, Neil, Rasmussen, Rudick, Shannon, Weissman

Opposed: Boyden, Jackson

Abstain: Courtney, Kane (chair)

4. Elected Officials, Agencies & Other Entity Representatives

4.1. Council 1 (Joe LaCava): Steve Hadley, 619-236-6611, srhadley@sandiego.gov

Hadley: Mayor sent list of priorities for street repairs; LJ Parkway is at top of list. Scripps Park pavilion opening planned for Dec. 22 is now planned for late January.

Kane: What is happening to code compliance regarding blocking public access to Green Dragon Colony? **Reply:** Melinda Merryweather was talking to Gary Geiler at DSD; he was going to help open this up. I suggest we work with Coastal Commission at the same time so two organizations can work together.

Kane: This coming year we are going to take closer look at coastal view and access points blocked to find other remedies to open these because Code Compliance route is not helping.

4.2. SD Mayor's Office (Todd Gloria): Matt Griffith, 619-964-7748, griffithm@sandiego.gov
Not Present

4.3. County 4 (Nathan Fletcher): Aaron Burgess, 619-531-5022,
Aaron.Burgess@sdcounty.ca.gov Not present

4.4. Assembly 78 (Chris Ward): Rachel Granadino, 619-413-0674,
rachel.granadino@asm.ca.gov

Granadino: Chris Ward and his team are pushing two pieces of legislation; AB 991 to expand certain benefits for SD lifeguards, and AB 311 about firearms. They will also release new legislation package which will be included. Visit my website for details. We will be hosting a virtual town hall with lieutenant Governor Kounalakis on January 18 at 5:30 pm. If you would like to attend, please send me an email.

4.5. Senate 39 (Toni Atkins): Cole Reed, 619-645-3133, cole.reed@sen.ca.gov Not present

4.6. SD Planning: Marlon Pangilinan, 619-235-5293, mpangilinan@sandiego.gov Not present

4.7. 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.

(none)

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

(none)

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

7.1. Update on Proposed Actions at Point La Jolla (LaCava) TIME CERTAIN 6 :15-6 :30
ACTION See above

Councilmember Joe LaCava will introduce the current proposal for a coastal development permit to be filed in early February and seeks community input before the application is finalized.

7.2. Update on ADU ordinance (Heuter/Courtney) ACTION

Geoffrey Hueter: CPC passed resolution of support for our recommendations by a vote 18-5-2. On Dec. 16 the Planning Commission reviewed the Housing Plan and our recommendations for changes to the ADU ordinance. There was a large turnout with 2 hours of public testimony mostly supporting our recommended changes. We haven't weighed in on the first section of the housing plan about affordable housing. The next section about implementing SB 9 was not discussed by us. Our focus is on the deficiencies in the SD ADU ordinance. A motion by Commissioner Whelan, 2nd by Malbrough to consider some substantial changes the ADU density bonus, setback limits, fire safety was torpedoed by City staff and the other commissioners. In the end one minor change was recommended to the threshold to replace a tree. This is warm up the LU & H committee on Jan. 13, to take this up. Our group will meet with all four committee members individually to discuss these complicated issues. We hope the Council realizes the extent

to which these decisions were solely at the discretion of SD City and they own it. We appreciate your assistance.

Kane: This group has voted in past to support your recommendations to do only what is required by the state. Do we want to keep our recommendations from several months ago or do we want to add in specifics? The two items that were most persuasive were density bonuses not required by state, and definition of TPA which should be 1/2 mile from high quality transit to consider walkability, topography, accessibility.

Neil: I commend Mr. Hueter and the group on how much they have already influenced in positive way issues our group is interested in. Can you confirm that your group is willing to reconsider the 16 ft height limit on ADUs to allow for over the garage units? How important are high fire zone severity zone rules?

Hueter: Direct garage conversion is most common ADU request and second is building over a garage. We propose raising the height limit when building upon an existing structure. 16ft height limit will apply to new detached structures only. Regarding very high fire zone severity zone the city requirements were very close to state requirements. State also uses 1/2 mile walking distance. ADU development should be consistent with SB9 requirements.

Davidson: Would simply asking to adhere to state requirements give an easier chance to get this accepted by the City rather than adding many other requirements? **Reply:** Planning Commission seemed to want to look at specific items.

Hueter: Our recommendations:

- Reduce or replace density bonus. No one envisioned 7 units on one lot.
- Eliminate TPA distinction (fix TPA definition regardless)- 1/2 mile walkability.
- Incentive for low vs. moderate income affordability - 110% to 80%.
- 4-foot side and back yard setbacks –
- Height limit 16 feet for new detached ADU.
- Fee waivers only as required by CA or if deemed affordable .
- Exempt ADUs based on high-risk fire hazard.
- Match parking requirements to SB 9 implementation.
- Tree replacement (reduce threshold from 3 to 2).
- Owner Occupancy - needs enforcement.

Motion: LJCPA support list of recommendations as presented to Mayor and City Council. (Boyd/Neil) **Vote:** unanimous, Motion carries

Motion: Send letter stating that we support items presented above to Mayor and City Council. (Boyd/Costello) **Vote:** unanimous, Motion carries

Kurt Hoffman: This ADU explosion is going on in Clairemont and it will come to your neighborhood unless you act strongly and dramatically. It is pushing up value of our homes.

Affordability disappearing. Not enough parking, 50-year-old sewer pipes, it is going to be a mess.

8. Officer Reports (action items as noted)

8.1. President

8.1.1. Ratify LJCPA letter concerning CPG reforms ACTION

Motion: Ratify letter Diane sent on behalf of CPA concerning CPG reforms. (Boyden/Jackson)
Vote: unanimous, Motion carries

8.1.2. Approve letter supporting Friends of Coast Walk nomination for a national advocacy award from Vernacular Architecture Forum ACTION

Kane: I prepared this draft letter supporting nomination of Coast Walk for a Vernacular Architectural Forum advocacy award. This a national group, national award. Friends of Coast Walk Trail have done a superior job of rehabilitating the trail and getting public and media input. It would be a great honor to them and to LJ.

Motion: Support sending the letter. (Weissman/Ahern) **Vote:** unanimous, Motion carries

8.2. Secretary

Weissman: LJCPA is an organization open to La Jolla residents, property owners, local business, and non-profit owners at least 18 years of age. Everyone is invited to attend and participate in the meetings. The La Jolla Community Planning Association welcomes the community to our public meetings and encourages expression and discussion of all viewpoints in our open forums. I encourage everyone here tonight to sign up to give us a strong voice at city hall and show that you support the work of the Community Planning Groups. Please encourage your friends and neighbors to participate and attend meetings to let our City officials know that La Jolla residents support the La Jolla Community Planning Group. For information on how to participate in this group, the application is on the Website – LaJollaCPA.org. Attendance & Membership. To be eligible to vote in the March 3, 2022, election you must have completed a membership application and attended one meeting between February 2021 and February, 2022. If you register and attend an online meeting your attendance will count towards your meeting attendance requirement.

8.3. Treasurer

Beginning Balance as of Dec 1, 2021	\$ 796.23
Total Income	0.00
<u>Total Expenses</u>	<u>0.00</u>
Net Income/(Expenditure)	0.00

Ending Balance of Dec 31, 2021	\$ 796.23
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Davidson: There will be some expenses coming up in the new year. Donations can be made by mailing a check made out to the LJCPA. Email the Treasurer via info@lajollacpa.org for instructions and address.

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

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.

Costello: We should look at what we can do to encourage people to build nicer homes in LJ and not split lots to take advantage of SB 9 and 10. Single family homes will become rarer; what can we do to encourage them? We have not sent a list to Mr. LaCava on the many projects this group has reviewed where we have pointed out violations of the Municipal Code. Would someone like to help me prepare this list?

Jackson: Zoom has added a new feature to limit the number of registrants as well as the number of attendees. When they hit the maximum number of registrants, they didn't allow anyone else to register. If everyone had registered earlier, I would have discovered problem earlier. I have fixed the problem now. but please register earlier next time.

11. Adjourn to next LJCPA meeting

Regular meeting 3 February 2022, 6pm.