

# Community Planners Committee

Planning Department • City of San Diego  
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## **CPC DRAFT MINUTES FOR MEETING OF SEPTEMBER 28, 2021**

### **MEMBERS PRESENT:**

Philomena Moreno, Barrio

Logan (BL)

Eric Edelman, Carmel Mtn.  
Rnch. (CMR)

Mary Young, Chollas Valley  
(CHV)

Naveen Waney, Clairemont  
(CLMT)

Russ Connelly, City Heights (CH)

Tom Silva, College Area (COL)

Bill Orabone, Downtown  
(DNTN)

Paul Schumacher, Golden Hill (GH)

Kathleen Neil, La Jolla (LJ)

Deborah Sharpe, Ken-Tal (KT)

Fellicity Senofsky, Linda Vista,  
(LV)

Dike Anyiwo, Midway (MW)

Jeff Stevens, Mira Mesa (MM)

Brian Gile, Navajo (NAV)

Michelle Abella-Shon, Miramar Rnch. North  
(MRN)-Late

Michele Addington, Mission Valley (MV)

Deborah Watkins, Mission Beach (MB)

Jim Baross, Normal Heights (NH)

Andrea Schlageter, Ocean Beach (OB)

Karl Rand, Pacific Beach (PB)

Mandy Havlik, Peninsula (PEN)

Robin Kaufman, Rancho Bernardo (RB)

Jon Becker, Rancho Penasquitos (RP)

Wally Wulfeck, Scripps Ranch (SR)

Marc Lindshield, San Pasqual/Lake  
Hodges (SP/LHJ)

Catherine Stempel, Serra Mesa (SM)

Mario Ingrasi, Torrey Pines (TP)

Chris Nielsen, University (UN)

Tom Mullaney, Uptown (UT)

**VOTING INELIGIBILITY/RECUSALS:** Otay Mesa, Torrey Hills, Kearny Mesa, Skyline/Paradise Hills, San Ysidro

**City Staff/Representatives:** Tony Kempton, Sameera Rao, Seth Litchney

**Guests:** Sandy Wetzel-Smith, Joe La Cava, Terri Enscali, Diane Grace, Tommy Hough

**NOTE:** *The sign-in sheets provided at the entrance to the meeting are used to list CPC Representatives, guest speakers, and staff present at the meeting.*

### **1. CALL TO ORDER/INTRODUCTIONS:**

Chair Wally Wulfeck called the meeting to order at 6:00 pm. Roll Call: BL, CMR, CHV, CH, CLMT, COL, DWNTN, GH, KT, LJ, LV, MW, MM, MB, MV, NAV, NH, OB, PB, PEN, RB, RP, SM, SR, TIRSN, TP, UN, UT

**2. NON-AGENDA PUBLIC COMMENT:**

Joe La Cava gave an update on Council Policy 600-24 being in conflict with the City charter. La Cava said most of what the CPC wants will remain except the CPG's will be more independent. His group is now considering Council Policy 600-09 too and will present their recommendations on both to the CPC at a future meeting.

The chair mentioned amending the City charter to address concerns raised by La Cava.

Guest spoke on marijuana facilities and how access to addictive substances will cause harm to children. Flavors, colors, advertising direct to youth should be stopped. She requested a ban on billboards advertising marijuana.

Guest discussed Carmel Mountain Ranch Trails project and how it represented a disenfranchisement of community residents, especially at Planning Commission where the public voice was stifled. She said the Planning Commission liked the consultant but was not objective.

Tommy Hough, county council candidate, said housing is needed but putting cars on the road is a problem and developments are car oriented. He said more transit is needed.

**3. APPROVAL OF THE MINUTES OF 08-24-21**—Ayes: BL, CMR, CHV, CH, CO, GH, KT, LJ, MW, MM, MB, MV, NAV, NH, OB, PB, RB, RP, SR, SM, UN, UT, Nays: 0, Abstain: CLMT, DNTN, TP, SP.LH, TP, PEN. Passed 22-0-7

**4. MODIFICATIONS AND APPROVAL OF AGENDA.**

Approved without modification.

**5. SPACES AS PLACES (ACTION ITEM).**

Sameera Rao, Development Project Manager, Planning Department presented an update on "Spaces as Places" from the August agenda. Rao said the proposed changes are operational including: hours for streetaries; noise levels within streetaries should be compatible with adjacent uses; streets with streetaries should have a speed limit of 30 mph; streetaries should be permitted on classified streets but not those equal to or greater major streets; a new exclusive use fee is being considered; there should be a minimum 5-foot clear path of travel for ADA compliance.

**Public Comment:**

- The width of the travel lane needs to be defined
- Who pays for retrenching utilities in the public R-O-W? Staff replied that the burden will be on business owners to remove streetaries to allow utility access
- Can K-rails be used as barriers: Staff said there is no plan for K-rails  
Guest said streetaries amount to giving public property to private business owners and that enforcement is an issue, particularly for scooters. Staff replied they are considering including Code Compliance with the fee, as well as fire and R-O-W access and prohibition of overhead structures.

- Would businesses need to acquire a CUP for each entertainer or for the district? Staff replied that a live entertainment permit is currently required. A new regulation would allow music with a CUP with interior insulation to keep noise compatible with neighboring residential and mixed-use.

**Motion:**

None taken

**6. 2021 CODE UPDATE (ACTION ITEM)**

Seth Litchney, Program Manager, Planning Department, gave a presentation as part of the annual update to the Land Development Code. Seth mentioned there will be 6 workshops from July to August to present the items and get feedback. There are 36 items proposed, 16 corrections, 18 regulatory reforms, 2 in compliance with state law. Most are general zoning changes (ie. Centre City PDO). Nicole Pare discussed regulatory reform for the Centre City PDO including employing overlay zones to incentivize housing, requiring greenway improvements, adding limited use regulations for pet boarding, day care and vet clinics. Other items include allowing artisan food and beverage producers in all zones, update of the green building incentive standards, clarify FAR calculation historic buildings, add flexibility to allow commercial to residential projects, apply active transportation in-lieu fee for residential development that exceeds maximum parking, and eliminate electronic game limit for entertainment establishments in the Gaslamp quarter. Seth continued with an amendment to the La Jolla PDO, adding language, removing regulations regarding fence height, and other reforms in the PDO regarding parks and the development fee process, personal storage (remove the personal storage requirement for multi-family uses o increase housing development), transit priority area implementation (prohibit new drive thru uses in transit areas to implement CAP and mobility goals, making public notice signs readable and weather proof, childcare incentives, fiber optics within the R-O-W to be ministerial, community gardens in open space zones, complete communities (trees and spacing options for recreational amenities, adding clarification regarding site distance from highways. The update is to be consistent with state law. Next step is to present at Planning Commission on October 27 and Land Use and Housing in November/December 2021.

**Board Comment:**

- Concerns expressed over accessibility regarding the drive-thru ban
- With COVID still impacting the restaurant industry drive-thru's are safer
- Removing storage requirement in multi-family housing would only result in residents putting their storage things in the garage and then parking on the street
- Clarification requested that location of gardens will not be in or adjacent to environmentally sensitive lands of MSCP. Staff replied the regulations do not override protections of MSCP and any exceptions in OP zones would be subject to Park and Recreation
- Concern over prohibition of drive-thru's in Mira Mesa, which is auto-oriented. OK in downtown but outlying areas need drive thru's.

- City needs to recognize a TPA could be two miles from a transit stop based on path of travel, though state law is based on measurement as the crow flies
- Chair proposed continuing to October 26 CPC meeting

**Motion:**

City Heights moved to have Item 32 (storage), Item 34 (drive thru's) , Item 27 (industrial next to housing) be removed from Code Update. La Jolla seconded. Ayes: BL, CMR, CHV, CH, COL, KT, LJ, LV, MW, MM, MB, MV, NAV, NH, OB, PB, PEN, RB, RP, SP/H, SM, Nays: CLMT, DWNTN, GH, UN, UT, Abstain: SR, TP. Motion passed 21-5-2

**7. CITY ADU ORDINANCES (ACTION Item)**

Geoff Hueter, Neighbors for a Better San Diego, presented an update on the City's laws regarding Auxiliary Dwelling Units (ADU). Hueter said that the ADU ordinance could allow up to 5 addresses on one property. Hueter called the density bonus program 'egregious' and questioned its necessity. Hueter proposed reducing the square footage on market rate ADU's to no more than 1,000 square feet, replacing the ADU density bonus with a 200 sf size bonus, restrict affordable incentives for very low and low-income, increase affordable deed restriction from 15 years to 30 years, waive the DIF on ADU's greater than 75 sf of deeded affordable, increase the side yard and rear yard setback on new ADU's and Junior ADU's and limit ADU height to 16 feet. Hueter said the current 30-foot height limit is not in keeping with neighborhood character and that the number of ADU's be limited to 4 per lot. He also recommended opposing SB-10, the new state law allowing multiple ADU's in single-family zones.

**Board Comment:**

- There was general hesitancy to vote on this with more discussion called for

**Motion:**

Uptown moved to stick with state guidelines, approve a total of 4 ADU's and not support the ordinance/SB-10 allowing 10 ADU's on a single-family lot. Normal Heights seconded. Ayes: CMR, CH, COL, DWNTN, EAS, MM, NAV, NH, OB, PEN, RP, SP/LH, SR, SM UN, UT, NAV, GH, TP, Nays: 0, Abstain: BL, CHV, CLMT, KT, LJ, LV, MRN, MB, MV, PB, RB. Motion passed 19-0-11

**REPORTS TO CPC:**

- Staff Report – Tony Kempton discussed the teleconference provisions under the Brown Act for the anticipated expiration of the governor's order temporarily suspending the Brown Act. The teleconferencing provisions of the Brown Act are somewhat onerous and would present issues for many members when the Brown Act again becomes active. Members also felt that the alternative to teleconferencing of in-person meetings would present a health hazard for many CPG's with elderly memberships, due to COVID, and that could easily result in many CPG's becoming inactivated. The

chair advised members to contact their state representative and City Council members to request continued suspension of the Brown Act.

- Subcommittee Report – None
- CPC Member Comments – None
- Chair Report – None

**ADJOURNMENT TO NEXT REGULAR MEETING: OCTOBER 26, 2021:**

The meeting was adjourned by Chair Wally Wulfeck at 8:25 PM.