

# Community Planners Committee

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## CPC DRAFT MINUTES FOR SPECIAL MEETING OF DECEMBER 14, 2021

### MEMBERS PRESENT:

Philomena, Barrio Logan (BL)	Deborah Watkins, Mission Beach (MB)
Barry Schultz, Carmel Valley (CV)	Jim Baross, Normal Heights (NH)
Sally Small, Chollas Valley (CVE)	Andrea Schlageter, Ocean Beach (OB)
Russ Connelly, City Heights (CH)	Jason Legros, Pacific Beach (PB)
Ellen Bevier, College Area (COL)	Korla Eaquinto, Peninsula (PEN)
Naveen Waney, Clairemont (CLMT)	Robin Kaufman, Rancho Bernardo (RB)
Linda Godoy, Eastern (EAS)	Jon Becker, Rancho Penasquitos (RP)
Paul Schumacher, Golden Hill (GH)	Marc Lindshield, San Pasqual/Lake Hodges (SP/LH)
Diane Kane, La Jolla (LJ)	Wally Wulfeck, Scripps Ranch (SR)
Deborah Sharpe, Ken-Tal (KT)	Eduardo Savigliano, Torrey Pines (TP)
Howard Wayne, Linda Vista, (LV)-	Chris Nielsen, University (UN)
Dike Anyiwo, Midway (MW)	Tom Mullaney, Uptown (UT)
Jeff Stevens, Mira Mesa (MM)	

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

**City Staff/Representatives:** Tony Kempton, Kelly Stanco, and Seth Litchney

### **Guests:**

Sandy Wetzel-Smith, Kathleen Lippitt, Becky Rapp, and Peggy Walker

**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, CV, CVE, CH, COL, CLMT, DWNTN, EAS, GH, LJ, KT, LV, MW, MM, MB, NH, OB, PB, PEN, RB, RP, SP/LH, SR, TP, UN and UT.

### 2. NON-AGENDA PUBLIC COMMENT:

Much comment focused on the marijuana industry and how it poses a danger to San Diego youth with the expansion of processing facilities throughout the city. An amendment to the Municipal Code is apparently being considered to allow marijuana facilities to locate close to sensitive uses. Another member said the proposal should be stopped. One member supported responsible marijuana use but complained that the amendment to the Municipal

Code amendment is being rushed through without community planning group input. He claimed the Planning Commission wants to rehear the amendment with community input. Another member said street vendors are overrunning San Diego. One owner of a marijuana facility said he supports opposition to Municipal Code amendments and is working to form community partnerships. A San Diego County commissioner said he is concerned about infrastructure in Mira Mesa regarding deferred maintenance for roads. He supports the height limit in Midway

**3. Roll Call:** BI, CV, CVE, CH, CLMT, COL, EAS, GH, KT, LJ, LV, MM, MW, MB, MV, NH, OB, PB, PEN, RB, RP, SP/H, SR, TP, UN, and UT

**4. DAM MAINTENANCE PROGRAM PTS 696140 (ACTION ITEM)** (Tiffany Lavan, Associate Planner, Public Utilities Department) said Public Utilities is establishing a program that provides guidelines for the regular inspection and maintenance of 13 of the City's dams, Dulzura Conduit, and associated infrastructure located throughout San Diego County on City property. Ms. Lavan said dams are part of California resources. DSD prepares plans for inspection and maintenance. Six dams are located in San Diego. All facilities are maintained by the Public Utilities Department. Maintenance includes vegetation; dredging around towers to improve safety and visibility; and maintenance of vehicle roads. Three hundred fourteen acres have been identified for resources, including biological resources (upland habitat, wetland habitat) where mitigation credits are used. Other species include toad and vireo bird habitat. Also included are artifacts that have been identified as environmentally sensitive. Historical resources, including dams have been identified. Concrete repair on the dams must meet Secretary of Interior standards

**Board Comment:**

- Member asked how insecticide infected water from adjacent communities and rainwater into Lake Hodges can be mitigated? Staff said improvements are being made around Lake Hodges but will consider other concerns
- The CPC had not heard of this program and appreciated the information. Presenter said ten new resources include SR94

**Motion :** Marc Lindshield moved to approve; Tom Silva seconded. Ayes, BL, CV, CVE, CH, CLMT, COL, EAS, GH, KT, LJ, LV, MM, MB, NAV, NH OB, PB, PEN, RB, RP, SP/LH, SR, TUP, UN, and UT. Passed unanimously

**5. DRAFT HOUSING ACTION PACKAGE – AMENDMENTS TO THE MUNICIPAL CODE** (ACTION ITEM) (Kelly Stanco, Seth Litchney, Program Managers, Planning Department Melissa Garcia, Senior Planner, Planning Department, Rene Mezo, Assistant Deputy Director, Development Services Department) The Draft Housing Action Package includes a variety of local housing programs and incentives; implementing regulations for California Senate Bill 9 (SB 9), passed by the legislature in 2021 and effective State-wide on January 1,

2022; and amendments to the City Municipal Code by Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Regulations that address privacy, enhancement of the urban tree canopy, and contributions to needed infrastructure. Mezo began by describing major revisions of what the package will do for the lack of affordable housing in San Diego. The package would allow 100% affordable/middle income housing developments in communities with less than 5% deed restricted affordable housing and allow off-site density bonus for unit construction. The location must be in high/highest Resource Areas and Transit Priority Areas. It would also allow non-residential development in Transit Priority Areas to build affordable housing or pay into the Affordable Housing Trust Fund in exchange for incentives. There is a Housing Accessibility Program that would offer incentives for housing developments to include more accessible housing than required by the Californian Building Code.

Another proposal would allow by-right affordable and middle-income housing developments on existing and new publicly owned sites. Also, incentives would be provided for housing that provides 3 or more bedrooms. There are certain areas outside of SB9 jurisdiction, such as agricultural and historical sites. A new 1-story dwelling would also have a 0' rear set back if adjacent to a non-residential use. Litchfield further described new setback requirements and other regulatory features of SB9 designed to enhance density and create affordable housing, as well as parking requirements for new dwellings outside and inside of a TPA. The City encourages trees for every 5 feet of SB9 development. Assembly Bill 9 would waive DIF for a third unit developed under SB9. Litchfield described four scenarios with varying lot splits and units possible under SB9. Some changes SB9 will bring include for a 5,000-sf lot – 40% of lot would be scaled to 60% of DIF. The proposal is scheduled to go to Land Use & Housing and City Council in January/February of 2022.

Stanco reported that the City has received several concerns over privacy regarding ADU's. These concerns have led to the 0' rear setback being increased to 4'.

Geoff Hueter-Neighbors for a Better San Diego. Hueter said San Diego will allow 4 dwelling units total on a lot under SB9 with SB9 units being disallowed in high fire zones. Hueter said the Municipal Code is not clear of the ordering of SB9 units and needs clarification. The Accessory Dwelling Units ordinance needs to be updated to take advantage of SB9. Hueter said a TPA should be one-half mile walking distance from a dwelling unit, not as the crow flies measurement. Several TPA's don't meet the distance requirement to transit. Regarding height, the state allows 60' but the City should limit height in TPA's to 16'. The Density Bonus program would allow 7-8 ADU's on a property at an affordable range proposed of 80% AMI. The parking requirement for SB9 should allow 4 ADU's on a property. Hueter recommended getting rid of the requirement SB9 units in TPA's, replacing the density bonus program and revising the high fire requirement for SB9.

**Board Comment:**

- Where ADU's can be developed was an issue. A member said there are no regulations for ADU's on steep hillsides. Presenter said developable area is required and mentioned a City Bulletin as providing information
- A member said 4 units on properties with no parking in high fire areas is an issue the City should address
- The 0 setback was an issue and could the front setback be paved over. Presenter said new buildings under SB9 would be required to include 4' setbacks adjacent to a residential building and that this could result in 4 ADU's adjacent to a non-residential building with a 0' setback. Presenter said the Municipal Code requires a separation requirement between buildings
- The sixteen-foot height limit proposed would not be supported in areas with the 30' existing limit
- A member said ADU's would be allowed in high fire areas but SB9 could allow up to 8 dwelling units per lot
- Eliminating DIF would result in a lack of infrastructure with developers charging market rate not paying DIF
- Lack of affordable housing in coastal areas is s problem. Presenter acknowledged the Housing Package does not address this
- Chair suggested continuing discussion

**Motion:** Wulfbeck move to table discussion, Silva seconded. Ayes: CV, CVE, CH, CLMT, COL, EAS, PEN, KT, LJ, LV, MM, PB, RB, RP, SR, UN, UT, Nays: OB, GH, NAV, NH, PEN, SP/LH, and TP. Abstain: MRN, MB. Motion passed 17-7-2

**Reports to CPC:** None

**ADJOURNMENT TO NEXT REGULAR MEETING: FEBRUARY 22, 2022:**

The meeting was adjourned by Chair Wally Wulfbeck at 8:35 PM