

LA JOLLA SHORES PERMIT REVIEW COMMITTEE AGENDA
LA JOLLA COMMUNITY PLANNING ASSOCIATION

Revision 1

Monday, December 17th, 2018 @ 4:00 p.m.

La Jolla Recreation Center, 615 Prospect St., La Jolla, CA

Meeting Room 1

1. **4:00pm Welcome and Call to Order:** David Gordon, Chair (dgord@aol.com)
 - a. Introduction of committee members
 - b. Committee and public sign in – [please return sign in sheet to chair](#)
2. **Adopt the Agenda**
3. **Approve *November* Minutes**
4. **Non-Agenda Public Comment:** 3 minutes each for items not on the agenda – please limit topics relevant to the LJS Permit Review Committee
5. **Non-Agenda Committee Member Comments**
6. **4:05pm Chair Comments**
 - a. Chair conducts committee review following Robert’s Rules of Order
 - b. [Note that comments from the public are welcome. However, in order to respect others time, it is requested that members of the public limit their comments and questions to 2 minutes. It is also requested members of the public refrain from repeating the same comments others have already made. Any member of the public planning to make a formal presentation or a discussion longer than 2 minutes will need to schedule time on the agenda with the chair prior to the meeting.](#)
7. **Project Review:**
 - a. **5:45-6:15 Charter/ Bylaws - Revision - Review/Approval**
 - **Discussion of existing LJSPRC Charter and Proposed Revision of Charter/ Creation of Bylaws**
 - Proposed new bylaws to replace existing charter were distributed at last month’s LJSPRC meeting. To date, no comments have been received.

Adjourn to [next PRC meeting Tuesday, November 22nd, 2019 @ 4:00 p.m.](#)

MEETING PROTOCOLS FOR PROJECT REVIEW:

- The Project Review part of the meeting will proceed in three parts:
 1. Presentation by the Applicant:
 - a. The applicant presents the proposal and Members of the Committee may request information or clarification. No public comment is heard in this part.
 2. Public Comment:
 - a. Members of the public may address the Committee about the proposal.
 3. Deliberation by the Committee:
 - a. The members of the Committee discuss the proposal. Note that the members of the Committee may initiate questions of the Applicant and the Members of the Public during this part. The deliberation may lead to requests for additional information or to a resolution and voting.
- [The Committee may elect to impose time limits on presentations by the Applicant, comments by Members of the Public, and other participants as judged by the Committee to manage available time.](#)

LA JOLLA COMMUNITY PLANNING ASSOCIATION
La Jolla Shores Permit Review Committee
BYLAWS (Draft) rev1
Adopted January, 2019
Supercedes Charter dated September 2009

I PURPOSE

The La Jolla Shores Permit Review Committee (LJSPRC) is established to review all applications for discretionary or other permits referred to it within the La Jolla Shores Planned District, and to submit its comments or recommendations to the La Jolla Community Planning Association (LJCPA) in writing monthly. The LJS/PRC shall review these applications with the following objectives:

1. Assist applicants in understanding and interpreting the La Jolla Shores Planned District Ordinance, and the permit process.
2. Ensure uniform and consistent enforcement of the Ordinance
3. Adhere to all city ordinances and guidelines established by the San Diego City Council, Planning Commission, and Opinions and Rulings by the City Attorney.

The LJS/PRC shall also act in an advisory role to the La Jolla Community Planning Association to review and comment upon the La Jolla Shores Planned District Ordinance (LJSPDO) pursuant to San Diego Municipal Code Chapter 15, Article 10 and land use matters within the La Jolla Shores Planned District.

The Committee review of applications for discretionary permits is intended to ensure compliance with the La Jolla Community Plan and Local Coastal Program Land Use Plan, the La Jolla Shores Planned District Ordinance (Chapter 15, Article 10), the La Jolla Shores Design Manual, and City of San Diego Municipal Code concerning Sensitive Coastal Resources, Resource Protection, Hillside Review, Zoning Variances, Conditional Use Permits and Special Permits.

II MEMBERSHIP

The LJSPRC shall consist of five representatives from the La Jolla Shores Association (LJSA) and three representatives from the LJCPA.

Each organization shall establish its own method and requirements for making nominations. The nominations shall be submitted to the trustees of the LJCPA, in accordance with its Bylaws, for approval. Said approval shall not be unreasonably withheld. The Chair shall track attendance and report excessive absences to the LJCPA. Committee Members who are absent from three consecutive meetings or four meetings in a twelve month period will be determined to have resigned from the LJSPRC.

Committee members should attend the City of San Diego's Community Orientation Workshop (COW) in accordance with Ordinance O-19883. Members are encouraged to participate in any other training that may be arranged by the appointing organizations.

III TERM

All members shall be nominated for appointment for a term of one year, beginning June 1 of each year. Any current member may be re-nominated or may be asked to continue serving until a nomination for appointment can be made. In the event a position on the Committee becomes vacant prior to the end of a term, a replacement member shall be nominated by the organization making the original nomination for the remainder of that original term. Appointments will be confirmed by the LJCPA.

The Committee will choose their Chair, Vice-Chair and Recording Secretary by majority vote of a quorum. The elections will be held in July or the first meeting available after which all members have been appointed and confirmed by the LJCPA.

IV CHAIR

The LJSPRC shall choose its own Chair, who shall be responsible for seeing that all the provisions of these Bylaws are met.

The Chair is authorized to communicate with the City of San Diego for information regarding all proposed Projects that are currently being reviewed by the LJSPRC, as well as any Projects that will be reviewed in the future. However, neither the Chair nor the committee shall transmit findings or recommendations directly to the City.

V VICE CHAIR

The Vice Chair will assume the duties of the Chair when the Chair is absent or unable to perform their duties.

VI RECORDING SECRETARY

The Recording Secretary will track attendance of the committee members and will retain the public sign in sheet for each meeting. He/ she will record the minutes for each meeting and provide the minutes to the Chair for approval within one week of the meeting.

VII MEETINGS

The business of the LJSPRC shall be conducted at public meetings scheduled on a regular basis, such as the 3rd Monday of the month at 4:00 pm. The Chair shall arrange a suitable place for the LJSPRC's regular meetings, including as criteria the following:

1. Public accessibility, so that the meetings are open to all.
2. Appropriate size to accommodate the LJSPRC, applicants and visitors.
3. Appropriate facilities, such as Lighting, space for examining drawings, and quiet surroundings.
4. The LJSPRC can change the regular meeting date by consensus or a majority vote of the committee but must provide at least one month's notice to the public and to the President of the LJCPA prior to making the change.

Hearing on a project shall be scheduled so that the applicant or the applicant's representative can attend and be allowed a reasonable opportunity to present their project. If the Chair believes the City will take action on a project before LJSPRC's considers the project, the Chair shall notify the LJCPA and may schedule a hearing even if the applicant is not present.

The Committee operates under the authority of the Ralph M. Brown Act, which requires that meetings of the Committee are open and accessible to the public. The Administrative Guidelines for Implementation of Council Policy 600-24 provide explanations of Council Policy 600-24's minimum standard operating procedures and responsibilities and are a guideline for the Committee. Robert's Rules of Order Newly Revised is used when State law, Council Policy, the Administrative Guidelines, and these Bylaws do not address an area of concern or interest.

VIII QUORUM

A majority of the voting seats of the LJSPRC must be present in order to conduct business or to vote on projects or to take actions at regularly or specially scheduled meetings. Unless otherwise stated, a majority of the members present is required for project approval or disapproval.

IX AGENDA

An agenda containing a brief general description of Projects and/or topics to be heard and date, time and location of the meeting shall be posted at the La Jolla Recreation Center (615 Prospect Street) a minimum of 72 hours prior to each meeting. The agenda will also be made available for publication through the La Jolla Community Planning Association website, City website and as much as practical, via electronic communication to all groups and/or individuals requesting notification.

The listing of the agenda item shall include the intended action of the Committee regarding that item; that is, information item, action item, etc. The Committee may not, as a condition of placing an item on the agenda, require applicants to submit additional information and materials beyond that which the applicant has been required to submit as part of the City's project review application process. However, nothing shall prevent the Committee from seeking additional material deemed pertinent to the project or to better understand apparent code violations.

X SPECIAL MEETINGS

The Chair with the concurrence of a majority of the committee may schedule special public meetings, as necessary, for committee business. The agenda for a special meeting shall be posted at least one (1) week prior to the meeting. Special meetings shall otherwise conform to the requirements of a regular meeting.

XI PROJECT REVIEW

The Committee shall review projects seeking discretionary permits. The Chair shall provide a written summary of the review to the LJCPA in sufficient time to be included in the agenda at the LJCPA's next regularly schedule meeting. Further, a LJSPRC representative should attend the LJCPA Trustee meeting to answer questions.

The written summary shall include:

1. A description of the proposed project.
2. The recommendation by the Committee to approve or disapprove the project including the maker of the motion and the vote.
3. If conditionally approved, recommendations of conditions for consideration by the LJCPA.
4. If disapproval, the reasons for recommending disapproval of the project.

Where any of the following situations exist, the LJSPRC shall notify the President of the LJCPA:

1. The LJSPRC is unable to resolve compliance of a proposed project with the LJSPDO and it appears the applicant will attempt to secure a LJSPDO Permit for a non-compliant project.
2. When a conflict of interest (see Section XIII) exists which prevents a quorum from performing a review of the project.
3. When a majority consensus cannot be reached by the Committee regarding compliance of a proposed project, technical specifications, or intended use.
4. When assistance is needed in dealing with either the City or a project applicant.

XII CHANGES TO PROJECTS AFTER LJSPRC VOTE

Substantial changes to proposed projects after the LJSPRC has voted on the project, shall require the applicant to re-present the project for reconsideration or at least a substantial conformance review. The LJSPRC shall develop procedures to monitor such changes to a project on a case-by-case basis. If any committee member or member of the public becomes aware of such changes, they should notify the LJSPRC Chair. If the Chair determines that it appears substantial changes have been made, he/ she shall notify the President of the LJCPA. He/ she shall also contact the applicant for the subject project and request that the re-present the project to the LJSPRC.

XIII CONFLICT OF INTEREST

The LJSPRC members shall guard against conflicts of interest. In particular, a LJSPRC member may not vote on any project with which he/ she has a conflict of interest, or may need to appear as a proponent/ opponent for/ against the project, or represents the applicant, or has a financial or other interest in the proposed project.

If the LJSPRC member has a conflict of interest, the member shall recuse themselves for the presentation and deliberations on the project in accordance with City Council Policy 600-24. As such, the member must (1) disclose to the group that interest, (2) must recuse himself or herself from voting prior to the project being presented or discussed, (3) must not participate in any manner as a committee member for that agenda item, and (4) must physically leave the committee seating area. A recused committee member is not required to leave the room as they have the same rights as any other member of the public to view the presentation, discussion and deliberations.

If the LJSPRC member is part of a presentation, then the member must precede each appearance or discussion with a clear statement on the reason for recusal and that the LJSPRC member is appearing as a proponent/ opponent of a project, not as a LJSPRC member.

It is particularly important that casual observers, members of the public, and City staff are clear on the LJSPRC member relationship to a particular project. If the LJSPRC committee member is appearing before the LJCPA (or any other of its committees), then the individual rules on Conflicts of Interest of each committee member's parent organization shall be scrupulously followed.

XIV COLLECTIVE CONCURRENCE

Any attempt to develop a collective concurrence of the committee members as to action to be taken on an item by the LJSPRC, either by direct or indirect communication, by personal contact or via intermediaries, by serial meetings or by technological devices **is prohibited**, other than at a properly noticed public meeting. LJSPRC members are cautioned to avoid any detailed discussions with others regarding projects that will appear before the LJSPRC unless they can ensure that the other individual will not further discuss that with other committee members which could likely result in a serial meeting.

XV AMENDING THE BYLAWS

These Bylaws may be amended by a majority vote of the current LJSPRC Members (not just a majority of a quorum). A minimum of fourteen (14) days notice of the proposed changes shall be made. The vote can take place at a regularly scheduled meeting or a special meeting provided the noticing requirements of Section VII, IX and X are followed. The revised Bylaws will become effective upon approval of the Trustees of the LJCPA and the Directors of the LJSA.

These Bylaws are hereby adopted and become effective on _____, 2018

La Jolla Shores Permit Review Committee
Chair

La Jolla Shores Association
Chair

La Jolla Community Planning Association
President

LA JOLLA COMMUNITY PLANNING ASSOCIATION

La Jolla Shores Permit Review Committee Charter Approved September, 2009

I PURPOSE

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1. Assist applicants in understanding and interpreting the La Jolla Shores Planned District Ordinance, and the permit process.
2. Ensure uniform and consistent enforcement of the Ordinance
3. Adhere to all city ordinances and guidelines established by the San Diego City Council, Planning Commission, and Opinions and Rulings by the City Attorney.

The LJS/PRC shall act in an advisory role to the La Jolla Community Planning Association to review and comment upon the La Jolla Shores Planned District Ordinance (LJSPDO) pursuant to San Diego Municipal Code Chapter 15, Article 10; applications for discretionary permits and land use matters within the La Jolla Shores Planned District.

The Committee in its review of applications for discretionary permits shall use the guidelines established in the La Jolla Community Plan, the La Jolla Shores Planned District Ordinance (Chapter 15, Article 10), and all other applicable sections of the Municipal Code.

II MEMBERSHIP

The LJS/PRC shall consist of five representatives from the La Jolla Shores Association (LJSA) and three representatives from the LJCPA.

Each organization shall establish its own method and requirements for making nominations. The nominations shall be submitted to the trustees of the LJCPA, in accordance with its Bylaws, for approval. Said approval shall not be unreasonably withheld. The Chair shall track attendance and report excessive absences to the LJCPA.

Committee members are encouraged to attend the City of San Diego's Community Orientation Workshop (COW) along with any training that may be arranged by the appointing organizations.

III TERM

All members shall be nominated for appointment for a term of one year, beginning June 1 of each year. Any current member may be renominated, or may be asked to continue serving until a nomination for appointment can be made. In the event a position on the Committee becomes vacant prior to the end of a term, a replacement member shall be nominated by the organization making the original nomination for the remainder of that original term.

IV CHAIR

The LJSPRC shall choose its own Chair, who shall be responsible for seeing that all the provisions of this Charter are met.

The Chair is authorized to communicate with the City of San Diego for information regarding all proposed Projects that are currently being reviewed by the LJSPRC, as well as any Projects that will be reviewed in the future. However, neither the Chair nor the committee shall transmit findings or recommendations directly to the City.

V MEETINGS

The business of the LJSPRC shall be conducted at public meetings scheduled on a regular basis, such as the 4th Tuesday of the month at 4:00 pm. The Chair shall arrange a suitable place for the LJSPRC's regular meetings, including as criteria the following:

1. Public accessibility, so that the meetings are open to all.
2. Appropriate size to accommodate the LJSPRC, applicants and visitors.
3. Appropriate facilities, such as Lighting, space for examining drawings, and quiet surroundings.

Hearing on a project shall be scheduled so that the applicant or the applicant's representative can attend and be allowed a reasonable opportunity to present their project. If the Chair believes the City will take action on a project before LJSPRC's considers the project, the Chair shall notify the LJCPA and may schedule a hearing even if the applicant is not present.

The Committee operates under the authority of the Ralph M. Brown Act, which requires that meetings of the Committee are open and accessible to the public. The Administrative Guidelines for Implementation of Council Policy 600-24 provide explanations of Council Policy 600-24's minimum standard operating procedures and responsibilities and are a guideline for the Committee. Robert's Rules of Order Newly Revised is used when State law, Council Policy, the Administrative Guidelines, and these Bylaws do not address an area of concern or interest.

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Street) and made available for publication through the La Jolla Community Planning Association website a minimum of 72 hours prior to each meeting. Publicity regarding the time, place, and agenda of the next Regular Meeting shall also be arranged via electronic communication to all groups and/or individuals requesting notification.

The listing of the agenda item shall include the intended action of the Committee regarding that item; that is, information item, action item, etc.

The Committee may not, as a condition of placing an item on the agenda, require applicants to submit additional information and materials beyond that which the applicant has been required to submit as part of the City's project review application process. However, nothing shall prevent the Committee from seeking additional material deemed pertinent to the project or to better understand apparent code violations.

VII SPECIAL MEETINGS

The Chair with the concurrence of a majority of the committee may schedule special public meetings, as necessary, for committee business. The agenda for a special meeting shall be posted at least one (1) week prior to the meeting. Special meetings shall otherwise conform to the requirements of a regular meeting.

VIII PROJECT REVIEW (NON-MINISTERIAL)

The Committee shall review projects seeking discretionary permits. The Chair shall provide a written summary of the review to the LJCPA in sufficient time to be included in the agenda at the LJCPA's next regularly schedule meeting. Further, a LJSPRC representative should attend the LJCPA Trustee meeting to answer questions.

The written summary shall include:

1. A description of the proposed project.
2. The recommendation by the Committee to approve or disapprove the project including the maker of the motion and the vote.
3. If conditionally approved, recommendations of conditions for consideration by the LJCPA.
4. If disapproval, the reasons for recommending disapproval of the project.

Where any of the following situations exist, the LJSPRC shall notify the President of the LJCPA:

1. The LJSPRC is unable to resolve compliance of a proposed project with the LJSPDO and it appears the applicant will attempt to secure a LJSPDO Permit for a non-compliant project.
2. When a conflict of interest (see Section X) exists which prevents a quorum from performing a review of the project.
3. When a majority consensus cannot be reached by the Committee regarding compliance of a proposed project, technical specifications, or intended use.
4. When assistance is needed in dealing with either the City or a project applicant.

IX CHANGES TO PROJECTS AFTER COMMITTEE VOTE

Substantial changes to a proposed Project subsequent to the Committee vote shall require the proposed Project to be re-presented to the Committee for at least a Substantial Conformance Review (SCR.) The Committee shall develop procedures to monitor subsequent changes to the Project on a case-by-case basis to determine if they re considered substantial. If the changes are deemed substantial then the Committee shall re-hear the project and reconsider the original vote.

X CONFLICT OF INTEREST

The LJSPRC members shall guard themselves at all times against any conflicts of interest. In particular, a LJSPRC member may not vote on any project with which he or she has a conflict of interest, or may need to appear as a proponent for the project, or represents the applicant of the project, or has a financial interest in the proposed project in the La Jolla Shores Planned District.

If a Committee member has a conflict of interest, the member shall recuse and leave the room during presentations and deliberations on the project, except if presenting as provided for as the paragraph below.

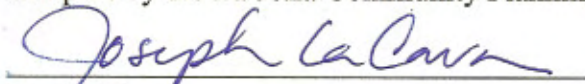
If the LJSPRC member is part of a presentation, then the member must precede each appearance or discussion, both in front of the LJSPRC or any other group, with a clear statement on the nature of the conflict and that the LJSPRC member is appearing as a proponent of a project, and not as a LJSPRC member.

It is particularly important that casual observers, members of the public, and City staff are clear on the LJSPRC member relationships to a particular project. If the LJSPRC member is appearing before the LJCPA (or any other of its committees), then the individual rules on Conflicts of Interest of each committee member's parent organization shall be scrupulously followed.

XI COLLECTIVE CONCURRENCE

Any attempt to develop a collective concurrence of the committee members as to action to be taken on an item by the Committee, either by direct or indirect communication, by personal intermediaries, by serial meetings, or by technological devices, is prohibited, other than at a properly noticed public meeting

Adopted by the La Jolla Community Planning Association, September, 2009



President

La Jolla Community Planning Association