



PO Box 889, La Jolla, CA 92038

<http://www.LaJollaCPA.org>

Voicemail: 858.456.7900

info@LaJollaCPA.org

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

Thursday, 5 March 2009

La Jolla Recreation Center, 615 Prospect Street

D R A F T AGENDA – ANNUAL MEMBER MEETING

- 6:00p**
1. Welcome and Call To Order: **Joe LaCava**, President
 2. Verify Quorum (Need 20% of total Membership)
 3. Adopt the Agenda
 4. Officer's Reports
 - A. Treasurer: Jim Fitzgerald
 - B. Secretary: Darcy Ashley
 5. **Approve Bylaws as Amended**
 6. Adjournment

D R A F T AGENDA – REGULAR MEETING

- 6:05p**
1. Welcome and Call To Order: **Joe LaCava**, President
 2. Adopt the Agenda
 3. Meeting Minutes Review and Approval: 5 February 2009
 4. **President's Report – Action Items**
 - A. Annual Trustee Election – Voting closes at 7:00pm; Results as soon as ballots are counted.
 - B. CPC - Amateur Antenna Regs, proposal to allow 45 feet, maybe 82 feet, even in coastal zone.
 - C. Oath of Office – Ratify draft language (see attachment)
 - D. Pledge of Allegiance – Should we start mtgs with the pledge, defer action until new trustees are seated.
 - E. Committee Alternates – Under CPA & Committee bylaws alternates are not provided for except PRC.
 - F. Site 653 – Status Update
 - G. Oversized Vehicle Ordinance – Kevin Faulconer is trying to restart the pilot program.
 - H. Fay Avenue Vacation – City on hold, opportunity for community/neighbors to put forth ideas.
 - I. RecycleCoastal Solar Trash Compactors – Request support for grant application (see attached).
 5. **Officer's Reports**
 - A. Treasurer: **Jim Fitzgerald**
 - B. Secretary: **Darcy Ashley**

If a Sign Language Interpreter, aids for the visually impaired, or Assisted Listening Devices (ALDs) are required, please contact the City's Disability Services Coordinator at 619-321-3208 at least (5) five work days prior to the meeting date to insure availability.

6. Agency Reports – Information Only

- A.** UCSD - Planner: **Anu Delouri**, adelouri@ucsd.edu, <http://commplan.ucsd.edu/>
- B.** City Of San Diego – City Planning & Community Investment Department
La Jolla Rep: **Lesley Henegar**, 619.235.5208, lhenegar@saniego.gov
- C.** Council District 2 – Councilperson Kevin Faulconer
Rep: **Thyme Curtis**, 619.236.6622, tcurtis@saniego.gov
- D.** Council District 1 – Councilperson Sherri Lightner
Rep: **Alex Varon**, 619.236.6972, avaron@saniego.gov

7. Non-Agenda Public Comment

Comments on items not on the agenda and within CPA jurisdiction, two (2) minutes or less.

8. CONSENT AGENDA – Ratify or Reconsider Committee Action

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for full discussion.

Items pulled from this Consent Agenda are trailed to the next CPA meeting.

- PDO – Planned District Ordinance Committee, Chair Tiffany Sherer, 2nd Mon, 4pm
- CDP – Coastal Development Permit Committee, Chair Tony Crisafi, 2nd & 3rd Tues, 4pm
- PRC – La Jolla Shores Permit Review Committee, Chair Tony Espinoza, 4th Tues, 4pm
- T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

A. PAYDAR RESIDENCE

CDP ACTION: Findings can be made, 7-0-0.

7229 Fairway Road - Coastal Development Permit for the demolition of an existing single family residence and the construction of a new single family residence located in the RS-1-4 zone.

B. COAST WALK SUBSTANTIAL CONFORMANCE REVIEW

CDP ACTION: Findings can be made, 8-0-0.

1590 Coast Walk - Substantial Conformance Review to revise the footprint of the approved structure (CDP #130085, SDP #530877), proposed reduction in floor area of 732 SF of single family residence on a 21,780 sf site in the RS-1-7 Zone.

C. COHEN RESIDENCE

PRC ACTION: Findings can be made to support the project so long as additional articulation to 1st and 2nd floor of North and South of design are made, 3-2-0.

8130 La Jolla Shores Road – Coastal Development Permit and Site Development Permit to demolish existing residence and construct a 4,015 sf single family residence on a 0.13-acre site.

D. HOLMES RESIDENCE

PRC ACTION: Findings can be made to support the project, 5-0-0.

1925 Soledad Avenue - Site Development Permit for a 1,678 square feet second story addition to an existing single family residence on a 0.22 acre site.

E. GREEN CURB AT 848 GIRARD AVENUE

T&T ACTION: Postpone pending completion of the review of on-street prkng in the Village, 6-0-1.
Request from merchant to convert one parallel on-street parking space to green curb.

F. LA JOLLA SCENIC DRIVE STREET EDGE-LINE STRIPING

T&T ACTION: Moved Approval, 6-0-1

From southbound La Jolla Scenic Dr N to westbound La Jolla Pkwy, a request from the Police Dept. to add an edge-line/shoulder stripe on the right side to keep traffic channeled as it merges.

G. HIDDEN VALLEY ROAD/VIA CAPRI PYLONS

T&T ACTION: Moved Approval, 6-0-1 with condition to return with letter from neighbor
Place orange stick pylons on white edge line on turn from Hidden Valley Rd s/b to Via Capri w/b.

H. LA JOLLA HALF MARATHON

T&T ACTION: Moved Approval, 7-0-0

Approve street closures and traffic plan which are the same as last years.

9. REPORTS FROM OTHER ADVISORY COMMITTEES

Information only unless otherwise noted

A. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD

CPA Delegate: **Orrin Gabsch**, 3rd Wed, 4pm, La Jolla Recreation Center

10. COASTAL PERMIT EXEMPTION

Continued from CPA meeting of July 3, 2008.

Proposed change in Land Development Code to delete current exemption language and replace with new language which exempts projects from a Coastal Development Permit if they don't exceed 90% of allowed height and 90% of allowed Floor Area Ratio (FAR) and second story is no more than 40% of FAR. (Presenter: City of San Diego – Dan Joyce)

11. LA JOLLA SHORES PLANNED DISTRICT ORDINANCE AMENDMENT

Continued from CPA meeting of January 8, 2009.

LJ Shores Permit Review Committee: Support the draft language, 5-0-0.

Proposed amendment to PDO to replace "minor in scope" and differentiate projects that require discretionary permits from those that can be processed via a building permit.

12. ADJOURNMENT

Next Regular Meeting:

Thursday, 2 April 2009, 1st Meeting with Newly Elected Trustees

Possible Agenda Items

- ✓ Election of CPA Officers

Regular Meeting:

Thursday, 7 May 2009

Possible Agenda Items

- ✓ Committee Appointments



PO Box 889, La Jolla, CA 92038

458.456.7900

<http://www.LaJollaCPA.org>

info@LaJollaCPA.org

La Jolla Community Planning Association

Regular Meetings: 1st Thursday of the Month

Thursday, 5 February 2009, 6:00 pm

La Jolla Recreation Center, 615 Prospect Street

D R A F T MINUTES

President: Joe LaCava VP: Glen Rasmussen Secretary: Darcy Ashley

Present: Darcy Ashley, John Berol, Tom Brady, Bob Collins, Mike Costello, Dan Courtney, Tony Crisafi, Jim Fitzgerald, Orrin Gabsch, Joe LaCava, David Little, Tim Lucas, Paul Metcalf, Michael Morton, Alice Perricone, Lance Peto, Glen Rasmussen, Ray Weiss

Absent: none

1. Welcome and Call To Order by Joe LaCava, President at 6:06pm

2. Adopt the Agenda

Approved motion: To adopt the agenda (Gabsch/Collins 14-0-0)

In favor: Ashley, Berol, Brady, Collins, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Morton, Perricone, Rasmussen, Weiss

3. Meeting Minutes Review and Approval: 8 January 2009

Approved motion: To approve the minutes of January 8, 2009 (Brady/Berol 14-0-0)

In favor: Ashley, Berol, Brady, Collins, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Morton, Perricone, Rasmussen, Weiss

4. President's Report – Possible Action Items

- A. Community Planners Committee (<http://www.sandiego.gov/planning/community/cpc/>)
- B. Indemnification Ordinance – Ordinance likely to be approved will only cover trustees, not individuals appointed to subcommittees.
- C. Joint Committee Bylaws – Call for all joint committees and boards bylaws to be updated.
- D. Special Member Meeting – Meeting not held because of bylaw noticing requirements.
- E. Annual Member Meeting – To be held immediately before the regular March meeting to consider ratification of bylaw amendments recommended for approval by the Bylaw Committee.
- F. 45-Year Reviews – Continue to rely on La Jolla Historical Society.
- G. "Balboa Park 2015" - Send your ideas to bp2015celebration@sandiego.gov by April 1, 2009.
- H. LJ Shores PDO – City Policy Change: Threshold for "Minor in Scope" is now <10% increase in square footage; otherwise must seek Site Development Permit. Appealable to the Shores Advisory Board. CPA and other committees continue to work on other language.

5. Officer's Reports

A. Treasurer: Jim Fitzgerald

Beginning balance: \$889.39 Income: \$167.00 Expenses: \$613.27 Ending balance: \$443.12

Expenses included the pre-payment of the rental for the La Jolla Rec. Center for the year in order to avoid an expected rent increase in July.

B. Secretary: Darcy Ashley

- i. Request that the public state their name for the record

ii. You are entitled to attend meetings without signing in, but only by providing proof of attendance can you maintain your membership or become a trustee. If you want your attendance recorded without signing-in at the back, then before the end of the meeting give the Secretary a piece of paper with your full name, signature and a statement that you want your attendance recorded. If a membership expires this month, you will not be eligible to vote unless you sign in at the meeting tonight. Eligible non-members wishing to join and vote in March must have recorded attendance for 1 meeting and must submit an application tonight.

6. Agency Reports – Information Only

- A. UCSD - Planner: Anu Delouri, adelouri@ucsd.edu, <http://commplan.ucsd.edu/> - present, reported on items this month. Calendar online.
- B. City Of San Diego – City Planning & Community Investment Department
La Jolla Rep: Lesley Henegar, 619.235.5208, lhenegar@sandiego.gov- not present, no report
- C. Council District 2 – Councilperson Kevin Faulconer
Rep: Thyme Curtis, 619.236.6622, tcurtis@sandiego.gov- present.
New chief of staff Aimee Faucett
San Diego Speaks Hotline for tips on budget cutting measures 619.236.6934
Announced hearings by the Budget committee that will be held in the communities- there are none scheduled in Council District 1.
- D. Council District 1 – Councilperson Sherri Lightner
Rep: Alex Varon, 619.236.6972, avaron@sandiego.gov
Water Workshops are being sponsored by the Mayors office on Feb 9, 10 & 12
New chief of staff John Rivera

7. CANDIDATE FORUM

Candidates for regular annual election to be held March 5, 2009 will be given 2 minutes to make a statement. This will be the last opportunity to announce candidacy. Candidates must have attended at 3 CPA meetings in the 12 months prior to the March election. Candidate statements are posted at <http://www.LaJollaCPA.org>

The following candidates were present and had the opportunity to speak:

Nancy Manno, Tom Brady, Alice Perricone, Dan Courtney, Ryan Hill, John LaRaia, Phil Merten, Michael Morton, Greg Salmon, Michele Addington
Candidate statements are available on the website.

8. NON-AGENDA PUBLIC COMMENT

Comments on items not on the agenda and within CPA jurisdiction, two (2) minutes or less.

- A. Judy Paige- Asked that a letter she received from Councilmember Donna Frye be read on the City Council vote on “Bird Rock Station.”
- B. Mary Coakley- There will be a “community build” of the playground at Kellogg Park project tentatively scheduled for the weekend of April 18, 2009.

9. CONSENT AGENDA

Consent Agenda allows the Trustees to ratify actions of our joint committees and boards in a single vote with no presentation or debate. The public may comment on consent items. Anyone may request that a consent item be pulled for full discussion.

Items pulled from the Consent Agenda are trailed to the next CPA meeting.

PDO – Planned District Ordinance Committee, Chair Tiffany Sherer, 2nd Mon, 4pm

CDP – Coastal Development Permit Committee, Chair Tony Crisafi, 2nd & 3rd Tues

PRC – La Jolla Shores Permit Review Committee, Chair Tony Espinoza, 4th Tues, 4pm

T&T – Traffic & Transportation Board, Chair Todd Lesser, 4th Thurs, 4pm

A. PILSBURY RESIDENCE

CDP ACTION (December 2008): Findings can be made, 5-0-4.

7339 Fay Avenue – Coastal Development Permit for a 982 sf addition to an existing single family house on a 3920 square foot lot. RM-1-1 zoning.

B. FAY AVENUE STREET VACATION - Information Only, not yet heard at T&T.

CDP ACTION: Findings for a CDP cannot be made for Street Vacation due to lack of community benefit, 6-0-0.

931 W. Muirlands Drive [sic] - Vacate land reserved for future street at Fay Avenue and West Muirlands Drive on portions of Lots 11-18 map 1750 located in the Zone RS-1-7.

C. MAESCHER RESIDENCE

CDP ACTION: Findings can be made for Variance (see attached for details), 6-0-0.

2020 Via Ladeta - (Process 3) Variance to reduce the front and side yard setback for a 92 sq ft addition and remodel to an existing single family residence on a 0.49 acre site in the RS-1-2 Zone.

D. 945 Coast South Boulevard Map Waiver

CDP ACTION: Findings can be made for CDP and Map Waiver with condition that curb cut and driveway is redesigned to meet Land Development Code and Community Plan, a 15' wide curb cut to create additional on-street parking in the Beach Impact Parking Zone, 6-0-0.

945 Coast South Boulevard - (Process 3) Coastal Development Permit & Map Waiver application to waive requirements of the Tentative Map to create 2 residential condominiums on a 0.09 acre site in the RM-5-12 Zone

E. CARDENO DRIVE

T&T ACTION: Approve striping, provide bike lane where it fits, 8-0.

From La Jolla Alta to La Jolla Scenic, proposal to add white stripe on both sides for traffic calming.

Approved motion: To accept the recommendation of the CDP & T&T committee to approve the (A) Pilsbury Residence, (C) Maescher Residence, (D) 934 Coast Blvd Tentative map waiver and the (E) Cardeno Drive and forward those recommendations to the City of San Diego (Ashley/Fitzgerald 16—0-1)

In favor: Ashley, Berol, Brady, Collins, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Metcalf, Morton, Perricone, Peto, Rasmussen, Weiss

Abstained: Lucas

10. REPORTS FROM OTHER ADVISORY COMMITTEES

Information only unless otherwise noted

A. COMPACT (Community Planners Advisory Committee on Transportation)

CPA Delegate: Vacant, 4th Wed, 6:30pm, 202 C Street 12th floor- vacant, no report

B. LA JOLLA COMMUNITY PARKING DISTRICT ADVISORY BOARD

CPA Delegate: Orrin Gabsch, 3rd Wed, 4pm, La Jolla Recreation Center- not active, no report.

11. Lofts at Bird Rock

CDP ACTION: Findings can be made with condition to add speed limit sign on alley, 5-4-0.

Pulled from January Consent Calendar

5505 La Jolla Boulevard – Coastal Development Permit, Site Development Permit, and Tentative Map. Demo existing building; construct 11 residential condos, 7 commercial condos, underground parking, on a 0.37 acre site.

Presented by Dan Linn, project architect and Jeff Elden, owner. A power point presentation was given on the project. The project is a 16,529 sq ft mixed use development in LJPDO Zone 4. The FAR is slightly below 1.3. There are residential units on Midway. There are two car elevators accessible from the alley- users will use radio or key cards to gain access to the elevators. The topography of the lot provides particular challenges to access of underground parking options, resulting in the current proposal for car elevators. The condominiums have lanai lifestyle "Backyards in the air" with lanais on the rooftop. The lanais have a combination of open deck areas, areas covered with lattice roofs, windows, fireplaces, barbecues and other amenities. The project consists of 1- 3 bedroom unit, 8- 2 bedroom units and 2- 1 bedroom units. The average size of the lanais is 300 sq feet. The alley will be expanded from the 15' current width to 17 1/2" wide. The building will be on the lot line on the alley and 16' from the curb on La Jolla Blvd and Midway. The buildings meet the requirement of the 30 height limit. The ceiling heights are approximately 9 1/2' in the commercial and residential units due to the need to allow height for the lanai's on the rooftop.

Trustee comments:

Ashley- Concerns about the viability of the car elevators in this circumstance

Little- demonstration that there is residential in the front 50% of the project which is not allowed in the code. Also, handed out a copy of the municipal code on the definition of a "Story."

Weiss- Inquired about ground water issues.

Gabsch- Concerned about the lack of onsite retail parking options and also that lanais would be enclosed by heavy plastic sheeting.

Collins- Concerned about requirement that there is public access to the handicapped parking in the underground garage & how this would be accomplished.

Crisafi- asked them to identify the boundary on their drawing that would establish where retail and residential was permitted, spoke about using transparent walls on roofdecks, need to minimize penthouse volumes, no use of gas generators as backup for the elevators, need for better access to car elevators, visual compatibility with surrounding area, thought there could be a more effective way of dealing with the elevation difference of the site that would lessen the footprint, scale and number of stairs.

Peto- information that there is a car elevator in use in the "Living Room building" that takes its access off Coast Blvd.

Metcalf- Thought that the project would not add to Bird Rock parking problems.

Lucas- Concerned about access to residences.

Public comment: Don Schmidt, Frank Leinenhauptel, Sally Miller, Herb Paige, Michele Addington, Beth Ganzel, Michelle Fulks, Joe Parker

Call the question: 17-0-0

In favor: Ashley, Berol, Brady, Collins, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Lucas, Metcalf, Morton, Perricone, Peto, Rasmussen, Weiss

Approved motion: To deny the project and forward the denial vote to the City of San Diego with the following issues:

- 1. Need for solutions for parking problems with tandem parking, car elevator access and retail parking**
- 2. It is effectively a three story building**
- 3. Problems with bulk & scale/footprint**
- 4. Lack of accessible handicapped parking**
- 5. Location of residential unit area in the front 50% of the project which is not consistent with the LJPDO in Zone 4.**

(Weiss/Courtney 14-3-0)

In favor: Ashley, Berol, Brady, Collins, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Lucas, Perricone, Rasmussen, Weiss

Opposed: Metcalf, Morton, Peto

12. Proposed La Jolla PDO Amendment

PDO ACTION: Language approved, 6-2-0.

Public comment:

Mary Coakley, Don Schmidt,

Phil Merten- concerned about the impact on small lots

Trustee comments:

Collins, Morton

Approved motion: To accept the amendment language to the La Jolla Planned District Ordinance approved by the PDO committee and to forward this to the City of San Diego:

159.0201 Project Review Regulations

Insert a new paragraph as follows:

(i) In no case shall a deviation pursuant to a Planned Development Permit pursuant to Chapter 12, Article 7, Division 6 or a variance pursuant to Chapter 12, Article 6, Division 8, or any other division of the code, be granted to exceed the maximum number of stories allowed under 159.0307(d)(2)

(Fitzgerald/Brady 13-1-0)

In favor: Ashley, Berol, Brady, Collins, Costello, Courtney, Crisafi, Fitzgerald, Gabsch, Little, Lucas, Rasmussen, Weiss

Opposed: Morton

13. ADJOURNMENT at 9:05pm to the next regular meeting and Annual member meeting March 5, 2009
6pm. Elections 3-7pm

Submitted by Darcy Ashley 2-7-09

La Jolla Community Planning Association

Oath of Office* (draft) 5 March 2009

I (state your name) do solemnly swear that, I will uphold the highest standards of community service, that I will fairly and impartially consider all points of view, that I will refrain from self-interest, that I will respect all those with whom and for whom I serve, that I will comply with the bylaws of the Community Planning Association and Policy 600-24 of the City of San Diego, and that I will dedicate my service towards the betterment of the community of La Jolla.

*

ARTICLE III Section 5. Oath of Office
Each Trustee shall be sworn in by an oath of office.

Big Belly Solar Trash Compactor Proposal To La Jolla Community Planning Association

Issue: The City of San Diego removed the trash receptacles from ten coastal access points in La Jolla on Camino de la Costa and in the Barber Tract. They have replaced receptacles in three of the most heavily used sites.

Proposal: RecycleCoastal will apply to the State of California, Department of Conservation for a grant to obtain 50 to 70 Big Belly Solar Trash Compactor (BBSTC) units. Each unit would have a trash compactor and a recycle compactor.

If the grant is approved 7 of these units would be placed in the areas where the City of San Diego has recently removed the trash receptacles. The remaining units would be used to replace standard trash receptacles that the City of San Diego is currently servicing.

Since the BBSTC compacts the trash, it decreases the need for pick up of the trash to 1/5th the normal service schedule. The grant will fund the replacement of receptacles that are currently being serviced. Those receptacles will need servicing at a markedly reduced time schedule. Through cost shifting, the personnel time saved by the City of San Diego, would be shifted to pick up the trash receptacles in the sites that the City is currently not servicing due to the removal of the cans on Camino de la Costa and in the Barber Tract.

Prior Actions: La Jolla Parks and Beaches approved the above proposal for RecycleCoastal to apply to the State of California, Department of Conservation, for a grant to obtain combination BBSTC units (9-1 vote). The Parks and Beaches Committee will assist in designating the locations for the trash receptacles to be replaced. The item will be heard March 12th by La Jolla Town Council.

REQUEST: The La Jolla Community Planning Association (LJCPA) support RecycleCoastal's application for the grant to implement the Big Belly Solar Recycling Program.

The LJCPA provide a letter of support for this program to RecycleCoastal, for purposes of the grant application.

La Jolla Planned District Ordinance Committee

A Community Joint Committee of the La Jolla Community Planning Association

Chair: Tiffany Sherer Secretary: Glen Rasmussen

MINUTES – MONDAY, FEBRUARY 9, 2009

4:00 PM, La Jolla Recreation Center, 615 Prospect Street, Room 1

Present: John Berol (LJCPA), Bob Collins (LJTC), Orrin Gabsch (LJCPA), Cristull Hasson (LJTC), Deborah Marengo (PLJ), Glen Rasmussen (LJCPA), Tiffany Sherer (PLJ), Cindy Thorsen (LJTC), Terry Underwood (PLJ)

The meeting was called to order by Chairwoman Tiffany Sherer. There were no items on the agenda other than reviewing the PDO Charter, several different copies of which were provided by the Chair. Discussions were held on several topics before the language of the Charter was discussed. The attached draft revised Charter was adopted from discussions for finalization at the next meeting. There were no formal motions presented.

John Berol questioned whether any of the copies provided superseded the 1999 signed copy. Deborah Marengo indicated there had been a past discussion about whether PLJ should have 3 seats on the PDOC and there was some controversy whether the Charter had been amended by the parent organizations. Minutes were never provided or were not available from the LJTC showing it had voted on that issue. Mr. Berol indicated the 1999 version does not include PLJ. The PLJ minutes indicate that action was established providing PLJ 3 seats. Bob Collins indicated the President of LJTC searched and found there had been no formal action by LJTC adding more representatives for PLJ. Most members felt that the PLJ ought to have 3 seats.

Also, the BRCC was considered for a seat (the LJSA has its own PDO and so is not involved in this PDO). PLJ took the position that BRCC ought to have seats; apparently LJTC and CPA voted against that. The current President of the BRCC, Joe La Cava, indicated the BRCC does not want seats on the PDOC. Some members felt that the parent organizations can appoint a Bird Rock representative as one or more of its 3 members. It was informally decided that the PDO Chair will attend a BRCC meeting to determine if the BRCC wants 2 seats on the PDOC (so as to keep an odd number of members on the PDOC).

Discussions were held about the provision by the parent organization of alternate committee members. They often do not attend because they can't vote unless the primary members do not attend, so they can be uninformed. They are helpful in establishing and maintaining quorums. It was stated it is rare the PDOC lacks a quorum. Most members felt alternates were not preferable.

It was clarified that emails are considered written communications, legally.

Respectfully submitted,
Glen Rasmussen, PDO Secretary

NEXT MEETING – MONDAY, MARCH 9, 2009

Please check <http://www.lajollacpa.org> 72 hours prior to meeting, meeting may be cancelled if no projects are on the agenda.

-- Trustee Packet --
For additional information, please contact Tiffany Sherer, Chair, 858-454-5718 or tiffany@lajollabythesea.com

LA JOLLA COASTAL DEVELOPMENT PERMIT COMMITTEE
LA JOLLA COMMUNITY PLANING ASSOCIATION

**Committee Report for
FEBUARY 2009**

FINAL REVIEWS:

Project Name:	PAYDAR RESIDENCE	Permits:	CDP
	7229 Fairway Rd.	DPM:	Laura Black 619-446-5112
Project #:	JO#43-1517/163757		lblack@sandiego.gov
Zone:	RS-1-4	Applicant:	Jim Galvin 619-298-8344
			jim@gcparchitects.com

Scope of Work:

(Process 2) Coastal Development Permit for the demolition of an existing single family residence and the construction of a new single family residence located in the RS-1-4 zone, Coastal Overlay (non-appealable), Coastal Height limit Overlay and the La Jolla Community Plan area. Council District 1. Notice Cards =1

Subcommittee Motion:

(Collins, Merten 7-0-0) The findings can be made for CDP.

Ashley left room.

PRELIMINARY REVIEWS:

Project Name:	WEISS RESIDENCE	Permits:	CDP, NUP Variance
	1326 Park Row	DPM:	Laura Black 619-446-5112
Project #:	JO#43-1845/168881		lblack@sandiego.gov
Zone:	RS-1-7	Applicant:	Richard Gatling 619-795-8983
			richard@gatlingdesign.com

Scope of Work:

(Process 3) Coastal Development Permit, Neighborhood Use Permit and Variance to demolish existing garage and guest quarters and construct new 2-car garage with 552 sq.ft. guest quarters above on a .14 acre site in the RS-1-7 Zone within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking, Transit Area. Council District 1. Notice Cards =1

Provide the following for Final Review:

- 1. Findings for Variance OR**
- 2. Provide option for reducing or eliminating need for Variance.**

**La Jolla Coastal Development Permit Committee
Committee Report – February 2009
Page 2**

Project Name: **KAWA RESIDENCE**
1718 Valdes Dr. Permits: CDP, Variance
Project #: JO#43-1778/167745 DPM: Derek Johnson dnjohnson@sandiego.gov
Zone: RS-1-5 Applicant: Bejan Arfaa 619-293-3118
kaivon9@cox.net

Scope of Work:

(Process 2) Coastal Development Permit and Variance to amend CDP# 98-1016 to construct a swimming pool in the northern portion of a .22 acre site with a single family residence under construction in Zone RS-1/5 within the La Jolla Community Plan, Coastal Overlay (non-appealable), Coastal Height Limit. Council District 1. Notice Cards =1

Provide the following for Final Review:

- 1. Findings for Variance**
- 2. Original Coastal Development Permit**

Project Name: **COAST WALK SCR**
1590 Coast Walk Permits: SCR
Project #: JO#163371/43-1478 DPM: Morris Dye 619-446-5201
mdye@sandiego.gov
Zone: RS-1-7 Applicant: CA Marengo 858-459-3769
cmarengo@san.rr.com

Scope of Work:

(Process 2) Substantial Conformance Review to revise the footprint of the approved structure (CDP #1300085, SDP #530877), proposed reduction in ~~basement~~ floor area of 732.2 SF and increase in first and second floors of single family residence on a 21,780 sf site in the RS-1-7 Zone with in the La Jolla Community Plan, Coastal Overlay (appealable), Coastal Height Limit, First Public Roadway. Council District 1. Notice Cards=2.

Subcommittee Motion:

(Merten, Collins 8-0-0) The findings can be made for SCR.

**La Jolla Coastal Development Permit Committee
Committee Report – February 2009
Page 3**

Project Name: **S.D. FRENCH AMERICAN SCHOOL**
6550 Soledad Mtn. Rd. Permits: CUP
Project #: JO#171564/43-2012 DPM: Patrick Hooper 619-557-7992
phooper@sandiego.gov
Zone: RS-1-2 Applicant: Kathi Riser 619-818-0053
kriser@atlantisgrouponline.com

Scope of Work:

(Process 3) Conditional Use Permit to amend CUP 98-0426 for an additional 3 modular classrooms to increase the total on-site student enrollment from 320-650 on a 8.92 acre site in the RS-1-2 zone within the La Jolla Community Plan. Coastal Height Limit. Council District 2. Notice Cards = 3

Provide the following for Final Review:

- 1. Traffic Report**
- 2. Determination of Environmental documentation**
- 3. Who is responsible for landscaping?**
- 4. Clarify enrollment**
- 5. Plan to return in March or April 2009**

2/10/09 - PUBLIC DISCUSSION:

- 1. Review purpose of bylaw revisions.**
- 2. Review bylaw revisions**
- 3. Should subcommittee have alternates?**
Room Vote: 1-8-1
Abstention: Crisafi, Chair

2/17/09 - PUBLIC DISCUSSION:

- 1. Kawa Residence: Swimming pool structure is indicated approved by Land Development Review. Chair to follow up with Applicant/City to schedule final review.
Task complete – not yet approved.**
- 2. Virginia Way Residence Public Notice: Chair to clarify if planner is applicant as well.**
- 3. 50% Rule for Coastal Exemption.**
- 4. Future review procedure for Lofts at Bird Rock (PO#151878) discussion.**

LA JOLLA COMMUNITY PLANNING ASSOCIATION
La Jolla Shores Permit Review Committee
Community Report, Tuesday, February 24, 2009
4:00 p.m.
La Jolla Recreation Center, 615 Prospect St., La Jolla, CA

1. COHEN RESIDENCE

PROJECT NUMBER: 155818

TYPE OF STRUCTURE: Single Family Residence

LOCATION: 8130 La Jolla Shores Rd.

PLANNER: Hanau Andrew

Ph: 619-446-5391

Email:

OWNERS REP: Bejan Arfaa

Ph: 619-293-3118

Email: kaivon9@cox.net

PROJECT DESCRIPTION: Two story, four bed room with underground two car garage.

COMMITTEE FINDINGS 2/24/09:

1. Motion: Morton – Findings can be made to support the project so long as additional articulation to 1st and 2nd floor of North and South of design are made.
2. 2nd: Naegle
3. Approved: 3-2-0

2. HOLMES RESIDENCE

PROJECT NUMBER: 172434

TYPE OF STRUCTURE: Single Family Residence, Type V Wood Construction

LOCATION: 1925 Soledad Ave

PLANNER: Laila Iskandar

Ph: 619-446-5297

Email: LIskandar@sandiego.gov

OWNERS REP: Brain Longmore

Ph: 858-603-9478

Email: brian@permitsolutions.org

PROJECT DESCRIPTION: Remodel of a single family residence.

COMMITTEE FINDINGS 2/24/09:

1. Motion: Lucas – Findings can be made to support the project.
2. 2nd: Morton
3. Approved: 5-0-0

3. Proposed LJS PDO “exempt” language for projects that are subject to Process Three review

COMMITTEE FINDINGS 2/24/09:

1. Note: Committee and public discussion and contribution were finalized. See enclosed document
2. Motion: Boyden – To ratify the proposed DRAFT language to amend the LJS PDO and share with the CPA for adoption.
3. 2nd: Morton
4. Approved: 5-0-0

Source: <http://www.sandiego.gov/development-services/industry/coastal.shtml>

Coastal Development Permit Categorical Exclusion

“Categorical Exclusion” from a coastal development permit (CDP) is a provision of the Coastal Act (Section 13240), which allows certain categories of development to be excluded from the requirement to obtain a CDP where there is no potential for significant adverse effect on coastal resources. After unanimous approval by the City Council, the City submitted a request to the Coastal Commission to allow demolition of non-historic structures and new single dwelling unit development in the least sensitive areas of the coastal zone (in non-appealable areas and areas outside sensitive coastal resource overlay zone) through ministerial, process one approvals. Development projects constrained with sensitive coastal resources would still be subject to the discretionary permit process.

Under the City’s proposal, development must comply with all beach impact regulations of the applicable zone, be exempt from an environmentally sensitive lands development permit, and otherwise, must not be subject to any other discretionary permit or map requirement of the Land Development Code in order to qualify for the categorical exclusion. Single dwelling units utilizing the categorical exclusion would not be permitted to develop to the maximum standards of the base zone. Instead, they would be limited to 90% of the maximum height and 80% of the maximum floor-area-ratio permitted by the underlying base zone. The categorical exclusion would thereby incentivize construction of smaller single dwelling units in the coastal zone by offering a lesser permit process to eligible single dwelling unit proposals, at a cost savings to the City and overall benefit to the community.

The CDP categorical exclusion request went through extensive public outreach in association with the 7-year LDC adoption and certification process. The City’s application was deemed complete by the Coastal Commission in 1997, however, formal action to approve the categorical exclusion language has since been delayed at the Commission staff level. Additional public outreach will be conducted once staff receives notice that this item will be scheduled for public hearing.

Note the exact limits to maximum height, maximum floor-area-ratio, and possible additional limits on the second floor will be part of the discussion.

AGENDA ITEM #11, La Jolla CPA, Meeting of 5 March 2009

Legend:

- §1510.0201 Existing Text
 - PRC proposed New Text (10.13.08), (1.27.09), (2.3.09), (2.10.09) and (2.24.09)
 - Terms Defined by the Municipal Code
-

§1510.0201 Procedures for Permit Application and Review

(d) A La Jolla Shores Planned District Permit may be approved, conditionally approved, or denied by a Hearing Officer, in accordance with Process Three, after receiving written recommendations or comments from the Advisory Board. The decision of the Hearing Officer may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506. Applications for Planned Development Permits shall be processed in accordance with Land Development Code Chapter 11 (Land Development Procedures) and Chapter 12 (Land Development Reviews). Action by the Hearing Officer on applications, other than those for Planned Development Permits, shall follow receipt of recommendation or comments from the Advisory Board and shall include a statement that the Hearing Officer finds that the building, structure, or improvements for which the permit was applied does or does not conform to the regulations contained herein. If the Hearing Officer determines that the proposed development does not conform to the regulations within the La Jolla Shores Planned District, the specific facts on which that determination is based shall be included in the written decision. Applications for La Jolla Shores Planned District Permits for development, improvements, additions or alteration of any structure which are determined to be exempt from a Process Three La Jolla Shores Planned District Permit review as defined in paragraph (h) below, may be approved or denied in accordance with Process One, by the City Manager, without receiving recommendations or comments from the Advisory Board. Notwithstanding the foregoing provision, the City Manager may refer any application for improvement to the Advisory Board for a recommendation before taking action on the application. The City Manager may approve the application if the City Manager determines that the improvement conforms to the architectural criteria and design standards adopted by the City Council.

(h) Exemptions from Process Three La Jolla Shores Planned District Permit review

(1) Any improvement(s) to any existing structure(s) may be exempt from Process Three review, except if the improvements involve any of the following:

(A) Improvement(s) to any structure located on a beach, wetland, stream, or seaward of the mean high tide line, where the structure or proposed improvements would encroach within 50 feet of a coastal bluff edge.

(B) Improvements to any structure that would result in:

- i. an addition of more than 800 square feet of gross floor area to any existing structure, or
- ii. an increase of 20 percent or more of the existing second story gross floor area to an existing 2nd story of an existing two story structure, or
- iii. an increase of gross floor area to any existing 3rd story gross floor area, or
- iv. any increase in gross floor area where an improvement to the structure had previously been exempted (this is intended to prevent incremental development of structures without community organization oversight regardless of change in ownership), or

Legend:

- **§1510.0201** Existing Text
 - PRC proposed New Text (10.13.08), (1.27.09), (2.3.09), (2.10.09) and (2.24.09)
 - Terms Defined by the Municipal Code
-

- v. any increase of gross floor area that would result in a structured setback not in general accordance with other structure(s) in the general vicinity, or
 - vi. an increase in structure height by more than 20 percent, or
 - vii. an increase in structure height to greater than 24 feet (27 feet for a chimney including arrestor), or
 - viii. the addition of a story to any structure, or
 - ix. a structure that would represent a third story (This is not intended to restrict a two-story design that may have multiple grade/levels. For example, a basement as defined by the Municipal Code is not a story), or
 - x. the conversion or addition of a roof deck to an existing structure that is greater than 16 feet in structure height (from existing grade), greater than 200 square feet or has non-transparent railings, or
 - xi. the demolition, addition, replacement or removal of more than 30 percent of gross floor area or more than 50 percent of the exterior walls of the existing structure.
- (C) Improvements that result in an intensification of use. For purposes of Section 1510.0201, intensification of use means a change in the use of a lot or premises which, based upon the provisions of the applicable zone, requires more off-street parking than the most recent legal use on the property. Any significant alteration of land forms including, but not limited to, removal or placement of vegetation, on a beach, wetland or sand dune, or within 100 feet of the edge of a coastal bluff.
- (D) The expansion or construction of water wells or septic systems.
- (E) Development or Improvement of any balcony in excess of 200 feet of gross floor area.
- (F) Development or Improvement of any patio covers, decks, fences, retaining walls, uncovered swimming pools, unlighted tennis courts, which have elements greater than twelve (12) feet in height or encroach into any average setback as defined by the existing primary structure.
- (G) Any improvement to a structure where a permit issued under the La Jolla Shores Planned District Ordinance indicated that any future improvements would require a development permit.
- (H) Development or Improvement of a companion unit as described in Section 141.0302.

Legend:

- **§1510.0201** Existing Text
 - PRC proposed New Text (10.13.08), (1.27.09), (2.3.09), (2.10.09) and (2.24.09)
 - Terms Defined by the Municipal Code
-

(I) Any net additions or changes to a structure which would result in a *gross floor area* Ratio (F.A.R.) in excess of .60.

(i) Development exempted from Process Three La Jolla Shores Planned District Permit review shall not be otherwise exempt from the requirements under this Ordinance.

La Jolla Community Planning Association Corporate Bylaws

Adopted & Effective ~~5 March 2009~~ ~~November 1, 2007~~

ARTICLE I Name, Boundaries & Definition of Terms

Section 1. Name

The official name of this corporation is the La Jolla Community Planning Association, abbreviated as LJCPA. All activities of this corporation shall be conducted in its official name as registered with the Secretary of the State of California in its Articles of Incorporation.

Section 2. Boundaries & Meeting Places

The community planning area boundaries for the LJCPA are the boundaries of the La Jolla Community Plan, as shown on Exhibit "A" and on file in the offices of the City Clerk and the Planning Department of The City of San Diego. Meetings of the LJCPA shall be held within these boundaries, except that when the LJCPA does not have a meeting facility within its boundary that is accessible to all members of the public, they may meet at the closest meeting facility.

Section 3. Authority to Represent the LJCPA

The official positions and opinions of the LJCPA shall not be established or determined by any organization other than the corporation, nor by any elected Trustee of the LJCPA, other than one authorized to do so by the corporation as a result of a vote taken at a noticed LJCPA meeting.

Section 4. Definitions

A. Board of Trustees: The group of elected Trustees who administer the affairs of the LJCPA.

B. Elected Member: An individual elected by the Members of the LJCPA to serve on the Board of Trustees to represent the La Jolla community. "Elected members" referred to in San Diego City Council Policy No. 600-24 are referred to as Trustees in these Bylaws.

C. Eligible Member of the Community: An individual at least 18 years of age and affiliated with the community as a:

- (1) Property owner, who is an individual identified as the sole or partial owner of record, or his/her designee, of real property (either developed or undeveloped), within the La Jolla Community Plan boundaries, or
- (2) Resident, who is an individual whose primary address of residence is an address within the La Jolla Community Plan boundaries, or
- (3) Local businessperson, who is a local business or not-for-profit owner, or a single designee of that owner, at a non-residential real property address within the La Jolla Community Plan boundaries.

D. Member: An Eligible Member of the Community who has complied with the membership requirements of Article III, Section 1 of these Bylaws.

E. Planning Department: Planning Department is used in these Bylaws to refer to the San Diego City Planning & Community Investment Department (CPCI).

F. Planning Group: Community planning groups have been formed and recognized by the San Diego City Council and must conform to City Council Policy No: 600-24, effective 05/22/2007 with deviations as approved by the City Council. The LJCPA is a planning group conforming to said policy with the

exception of approved deviations and is the recognized planning group for the La Jolla Community Plan area. The LJCPA is a planning group within the City of San Diego consisting of all its Members.

G. Quorum: A majority of seats of the Board of Trustees must be present in order to conduct business or to vote on projects or to take actions at regularly or specially scheduled meetings. Twenty percent of the membership of the LJCPA must be present in order to conduct business or to take actions at annual or special meetings of the membership.

H. Recusal: The act of removing oneself from participation in the voting, discussion or other consideration of an agenda item in which the individual has, or may have, a conflict of interest, direct economic interest, or prejudice in the outcome.

I. Trustee: An elected Member who serves on the Board of Trustees per Article III, Section 2 of these Bylaws.

ARTICLE II Corporate Purposes and General Provisions

Section 1. Purposes
The purposes for which this corporation is formed are those as set forth in the Articles of Incorporation. The LJCPA has been recognized by the City Council to make recommendations to the City Council, Planning Commission, City staff and other governmental agencies on land use matters, specifically concerning the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to the La Jolla Community Plan boundaries. The LJCPA also advises on other land use matters as requested by the City or other governmental agency.

Section 2. Project Review
In reviewing individual development projects, the LJCPA shall focus such review on conformance with the adopted Community Plan and/or the General Plan. Preliminary comments on projects may be submitted to the City during the project review process. Whenever possible, the LJCPA recommendation shall be submitted no later than the end of the public review period offered by the environmental review process. Upon receipt of plans for projects with substantive revisions, the LJCPA may choose to rehear the project, and may choose to provide a subsequent formal recommendation to the City.

Section 3. Non-Discrimination
All activities of the LJCPA shall be nonpartisan and nonsectarian and shall not discriminate against any person or persons by reason of race, color, sex, creed, national origin, sexual orientation, or physical or mental disability. In addition, meeting facilities must be accessible to disabled persons.

Section 4. Non-Participation in Candidate Elections for Public Office
The LJCPA shall not take part in, officially or unofficially, or lend its influence in, the election of any candidate for political office. Trustees shall not identify affiliation with the LJCPA when endorsing candidates for public office.

Section 5. Ballot Measures
The LJCPA may take a position on a ballot measure.

Section 6. Failure to Review Projects, Plans
Pursuant to the provisions of City Council Policy 600-5, the LJCPA failure to

respond to the City's request for input on the preparation of, adoption of, implementation of, or amendment to, the General Plan or a community, precise, or specific plan, or failure to review and reply to the City in a timely manner on development projects shall result in the forfeiture of rights to represent the La Jolla community for these purposes. Such a determination resulting in the forfeiture of rights to represent the community for these purposes shall be made only by the City Council upon the recommendation of the Mayor's Office.

Section 7. Ralph M. Brown Act, California Corporations Code, Council Policy 600-24, Administrative Guidelines, Robert's Rules of Order

The LJCPA Board of Trustees operates under the authority of the Ralph M. Brown Act, which requires that meetings of the LJCPA are open and accessible to the public. In addition, the California Corporations Code governing Nonprofit Public Benefit Corporations, Council Policy 600-24 "Standard Operating Procedures and Responsibilities of Recognized Community Planning Groups" with the exception of deviations therefrom approved by the City Council, and these Bylaws govern the operations of the LJCPA. The Administrative Guidelines for Implementation of Council Policy 600-24 provide explanations of Council Policy 600-24's minimum standard operating procedures and responsibilities of the LJCPA. *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.

Section 8. Brown Act Violations

Some provisions of these bylaws constitute requirements under the Brown Act, as outlined in Council Policy 600-24. A Member of the LJCPA Board of Trustees who participates in a meeting of the Board of Trustees where actions are alleged to have been in violation of the Brown Act may be subject to civil or criminal consequences.

Section 9. Loss of Indemnification

A member found to be out of compliance with the provisions of Council Policy 600-24 [excluding any City Council approved deviations from Council Policy 600-24] and these bylaws risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS, and any future amendments thereto.

Section 10. Amendments

These Bylaws may be repealed or amended, or new Bylaws may be adopted (actions collectively referred to as "amendments" for the purposes of this section), by a majority vote of the Members of the LJCPA in attendance at any annual meeting of the Members or at any special meeting of the Members called for that purpose. Upon adoption by the LJCPA of the proposed amendments, the LJCPA shall submit them to the Director of City Planning and Community Investment (CPCI) for review, with a copy to La Jolla's Council District elected representative. CPCI staff shall, within thirty (30) days, review the proposed amendments to determine if they comply with Council Policy 600-24 and CPCI shall obey the following procedures:

At or before the expiration of the thirty (30) day period, CPCI shall issue a letter to inform the LJCPA whether each proposed amendment complies with Council Policy 600-24. In the event that CPCI does not respond in writing to the LJCPA regarding the proposed amendments within thirty (30) days, the LJCPA shall be entitled to submit the amendments directly to the City Council for review.

Conforming Proposed Amendments: If CPCI determines that a particular

proposed amendment complies with Council Policy 600-24, CPCI shall, in conjunction with the City Attorney, approve those proposed amendments at or before the expiration of the thirty (30) day period. CPCI shall issue a written determination to inform the LJCPA of its approval within that thirty (30) day period. Upon receipt by the LJCPA of this written determination, the conforming proposed amendment(s) shall be immediately effective.

Nonconforming Proposed Amendments: In the event that CPCI staff determines that a particular proposed amendment does not comply with Council Policy 600-24, CPCI staff shall, at or before the expiration of the thirty (30) day period, issue a letter to identify the non-conforming elements of the proposed bylaw amendment. In order to address the compliance issues, the LJCPA and CPCI staff shall use the ensuing sixty (60) day period to make a good faith effort to resolve those issues, with the help of the Community Planners Committee whenever possible. If the LJCPA and CPCI are not able to resolve the outstanding compliance issues within that sixty (60) day period, the CPCI shall, upon receipt of a written request from the LJCPA, forward the outstanding proposed amendments for consideration by City Council within a maximum 60 calendar day period. City Council shall approve or deny the section(s) in dispute within said sixty (60) day period and if City Council fails to so approve or deny said section(s) in dispute within this designated timeline, the disputed section(s) shall be deemed approved.

ARTICLE III Membership, Board of Trustees, Trustee Terms, Oath of Office

Section 1. Membership

A. Member: An individual may become a Member of the LJCPA if the individual attends at least one monthly or special meeting of the LJCPA and submits a valid membership application to the Secretary demonstrating he or she is an Eligible Member of the Community. Such an individual becomes a Member twenty-eight days after submission of said valid membership application.

B. Membership Rights: A Member shall be entitled to vote at any meeting of the membership, may be appointed by the Board of Trustees to any Standing, Ad Hoc or Community Joint Committee or Board and is eligible for election to the Board of Trustees in accordance with the requirements of these Bylaws.

C. Membership Term: The Membership Year shall run from March 1 through February 28 (or 29 in a leap year). Upon becoming a Member, an individual shall enjoy all rights of membership for the balance of the Membership Year in which they became a Member and continuing through the end of the next Membership Year.

D. Membership Renewal: Other than as provided for initial membership in Article III, Section 1.C above, membership shall be renewed annually by attending at least one LJCPA monthly or special meeting within each Membership Year and providing evidence of such attendance to the Secretary.

E. Lapse of Membership: If membership lapses by failure to renew, the individual is required to reapply for membership pursuant to Article III, Section 1.A., above.

F. Loss of Membership Due to Lack of Eligibility:
(1) An individual shall lose membership, effective immediately, upon failure to meet the requirements of being an Eligible Member of the Community as defined

in Article I, Section 4.C. Such an individual should notify the Secretary to ensure records of the LJCPA are current. The individual can reapply for membership pursuant to the procedures in Article III, Section 1.A above.

(2) If the Secretary discovers that a Member is no longer eligible, then the Member in question shall be notified and given the opportunity to present evidence of eligibility. If the individual does not provide satisfactory evidence of eligibility, then membership shall be removed upon a majority vote of the Board of Trustees at the next regular meeting of the LJCPA. Such loss of membership shall be recorded in the membership records. The individual losing said membership may reapply for membership upon becoming an Eligible Member of the Community and following the procedures set forth in Article III, Section 1.A above.

Section 2. LJCPA Board of Trustees

The LJCPA Board of Trustees shall consist of a total of eighteen Trustees. Trustees shall be elected by the Members of the LJCPA. The Members of LJCPA and the Board of Trustees of the LJCPA shall constitute the officially recognized La Jolla community planning group for the purpose of these Bylaws and Council Policy 600-24.

Trustee Representation

The Trustees of the LJCPA shall, to the extent possible, be representative of the various geographic sections of the community and diversified community interests, including, but not limited to, residents, property owners and local businesspersons. Trustees of the LJCPA are representatives of the La Jolla community and as such will perform their duties in the public trust.

Section 3. Trustee Terms

Trustees of LJCPA shall be elected to serve for fixed terms of 3 years with expiration dates during successive years to provide continuity. Except as noted in this Section, no person may serve on the LJCPA for more than six consecutive years. After a one-year break in service as an LJCPA Trustee, an individual who has served for six consecutive years shall again be eligible for election to the LJCPA Board of Trustees.

The LJCPA will actively seek new members to the extent feasible. If not enough new members are found to fill all vacant seats on the LJCPA Board of Trustees, the LJCPA may retain some Trustees who have already served for six consecutive years to continue on the Board of Trustees without a break in service. Such Trustees must receive a 2/3 majority of the votes cast in order to serve more than six consecutive years.

All Trustees must retain eligibility during their entire term of service.

[Trustee Terms shall otherwise conform to Council Policy 600-24, Article III, Section 3.](#)

Section 4. Trustee Removal for Lack of Eligibility

A Trustee shall be removed from the Board of Trustees, upon a majority vote of the Board of Trustees, if, during a regularly scheduled public meeting, the Secretary presents documentation and has notified the Trustee in question, that the Trustee is (a) no longer an Eligible Member of the Community; (b) the Trustee is no longer eligible to serve as a Trustee due to not meeting the member attendance requirements in Article VI, Section 1.F of these Bylaws; or (c) the Trustee fails to attend an orientation training session pursuant to Article VI,

Section 7 of these Bylaws.

Section 5. Oath of Office
Each Trustee shall be sworn in by an oath of office.

ARTICLE IV Vacancies

Section 1. The LJCPA shall find that a vacancy exists upon (a) the receipt of a resignation in writing from a Trustee; (b) removal of a Trustee pursuant to Article III, Section 4; or, (c) removal of a Trustee pursuant to Article IX, Section 3.

Section 2. Vacancies that may occur on LJCPA shall be filled not later than 120 days following the date of the determination of the vacancy. The term of office of any Member filling a Trustee vacancy shall be for the balance of the vacated term.

The LJCPA shall fill Trustee vacancies by an advertised special election pursuant to Article V.

Section 3. When the LJCPA is unable to fill a Trustee vacancy within 120 days, as specified above, and the LJCPA has more than twelve Trustees, either the seat may remain vacant until the next LJCPA election, or these Bylaws may be amended to permit decreased Trusteeship to a minimum of 12 Trustees.

If a Trustee vacancy remains for more than 60 days from the time a vacancy is declared, and there are less than 12 elected LJCPA Trustees in good standing, the LJCPA shall report in writing the efforts made to fill the vacancy to the City.

ARTICLE V Elections

Section 1. Election Policies for Annual and Special Elections

A. Annual Elections: Annual elections of LJCPA Trustees shall be held during the month of March in accordance with the election procedures found in this Article.

B. Special Elections: Special elections shall be called as required by these Bylaws. The election and voting policies and procedures for special elections shall be the same as the policies and procedures for annual elections with the exception of applicable dates and times for the special election. An ad hoc election committee shall be appointed to provide time for an election to replace vacancies within the 120-day time limit required by Article 4, Section 2.

Section 2. Elections Committee and Candidate Forum for Annual Elections

The LJCPA's Election Committee shall be established no later than the first week of January and shall solicit Members to become candidates. The LJCPA shall make a good faith effort to utilize means appropriate to publicize the LJCPA's eligibility requirements for candidacy and the upcoming election. A candidate forum shall be advertised and held at the regularly scheduled February meeting or at a special meeting in February. In February, the Election Committee shall present to the Board of Trustees a complete list of interested candidates collected up to that point in time including verification that each interested individual is qualified to be a candidate.

Section 3. Candidate Qualifications

Persons interested in running for a Trustee seat shall express their interest in writing or by electronic communication to the Election Committee. The deadline

to qualify for candidacy in the March election shall be at the conclusion of the regular or special February LJCPA meeting. Candidates may announce their interest in running and be added to the list at the February meeting subject to their being qualified as a candidate. In order to be a candidate in an election to become a Trustee, a Member of the LJCPA must have documented attendance at three of the LJCPA's meetings in the preceding 12-month period.

In the election process, the LJCPA shall seek enough new Trustee candidates to exceed the number of Trustee seats open for election in order to allow those who have served for six consecutive years to leave the group for at least one year.

Section 4. Voting Policies

All voting policies are established with the goal of assuring fair access to the election process and to avoid voting improprieties.

The LJCPA holds its annual election at the La Jolla Recreation Center from 3 p.m. to 7 p.m. on the day of the March regular meeting.

The LJCPA will require proof of identity of those LJCPA Members who are seeking to vote in Trustee elections.

The ballot presented to LJCPA Members to vote will clearly identify which candidates are running, how many candidates can be selected, and which candidates, if any, must receive a 2/3 majority of the vote due to service beyond six consecutive years of service.

Write-in candidates are allowed. If it is later determined that the write-in candidate is ineligible, any vote cast for an ineligible write-in candidate is an invalid vote and will not be counted.

Voting shall be by secret written ballot. Proxy voting for elections is not allowed under any circumstances. Development and promotion of "slates" of candidates is contrary to the intent of Council Policy 600-24.

No person may campaign for votes within ~~two~~one hundred feet of the building in which a polling place is located. Election Committee officials may provide for the removal of persons violating this prohibition.

Section 5. Election Procedures

The Elections Handbook, which is an attachment to the Administrative Guidelines, provides general guidance for Planning Group elections. The following are procedures pertaining to all LJCPA elections:

A. The President of the LJCPA will appoint and the Board of Trustees shall ratify an Election Committee consisting of 4 to 7 members. Said Election Committee shall not include any Trustee who will stand for re-election or any Member that is running in the election. The primary purpose of this committee is to supervise the election preparation as well as the election itself. The Election Committee shall also review the eligibility of candidates between the time a candidate applies to run and the preparation of the ballot.

B. Voting is done by secret ballot placed in a box, with the Election Committee monitoring to ensure voters that their ballot has been cast in secrecy. A plurality of votes cast will determine the election of candidates. Six (6) of the eighteen (18) elected Trustees shall be elected by written secret ballot at each annual meeting and shall hold office for three (3) years thereafter. Each LJCPA

Member may cast votes equal to the number of vacant Trustee positions. They may cast fewer votes than the number of vacant positions, but not more. They may not cast more than one vote for any candidate. If any ballot is received which indicates votes exceeding the number of positions available or more than one vote per candidate, then that ballot will be void and will not be counted. The individuals who receive the most votes will be elected, with those receiving the greatest number of votes being assigned the longest available term. The Election Committee is responsible for determining the validity of ballots.

C. The Election Committee shall create a clear and simple ballot. The ballot must clearly state the number of open seats available and how many candidates for which to vote. The ballots must stipulate that only pens may be used to mark the ballots. Write-in candidates are allowed and space must be provided on the ballot for write-ins.

D. The polling location shall be the La Jolla Recreation Center located at the intersection of Prospect Street and Draper Avenue. The polls shall be open and monitored from 3 p.m. to 7 p.m. on the date of the election. Proxy and absentee ballots are not allowed.

E. The President of the LJCPA will announce the close of the elections and shall state that ballots will not be accepted after the polls close. All the ballots will be collected and counted by the Election Committee. In the event of a tie vote, a coin toss will determine the winner, with the candidates having an opportunity to be present. Upon final verification of the count, the Election Committee shall report the results to the LJCPA President who shall certify and immediately announce the results. The President shall cause the results to be posted on the LJCPA website and offer the results for publication in the local newspapers.

Section 6. Election Results and Challenges

The annual election becomes final one week after announcing the validated election results at the conclusion of the noticed, regular March monthly LJCPA meeting if no challenge to the election results has been filed. The President is responsible for preparing, certifying, and forwarding the election results to the City. New Trustees shall be seated in April at the start of the regular meeting in order to allow their full participation as Trustees at the April LJCPA meeting.

Special elections become final one week after the votes are tabulated following the election if no challenge to the election results has been filed. Trustees elected at special elections shall be seated at the next regular or special meeting of the Board of Trustees.

The Chair of the Elections Committee shall take custody of election ballots. Any challenge to the election results must be filed with the Chair of the Elections Committee in writing within one week of the announcement of the results of the election. If no challenge to the election results has been made within said time period, the ballots shall then be destroyed.

ARTICLE VI LJCPA Trustee Duties; Meetings and Committees

Section 1. A. General Duties and Public Meetings

It is the duty of the LJCPA to work cooperatively with the City throughout the planning process, including but not limited to the formation of long-range community goals, objectives and proposals or the revision thereto for inclusion in a General or Community Plan.

It is the duty of the LJCPA Trustees to conduct official business of the LJCPA in a public setting. Officers of the LJCPA may oversee administrative business such as the assembling of the draft agenda in preparation for public discussions. Trustees may assist permit applicants on issues of law and procedure; however, all substantive discussions about possible LJCPA positions on agenda items shall occur only at noticed LJCPA meetings.

It is the duty of the LJCPA as a whole, and of each Trustee to refrain from conduct that is detrimental to the LJCPA or its purposes under Council Policy 600-24. No Trustee shall be permitted to disturb the public meeting so as to disrupt the public process as set forth on the LJCPA's agenda.

B. Regular Meetings

The LJCPA shall hold regularly scheduled meetings on the first Thursday of every month unless rescheduled by the President with at least ten (10) days prior notice. It is the duty of each LJCPA Trustee to attend all regularly scheduled LJCPA meetings.

C. Annual Meetings

Annual meetings of the Members of LJCPA shall be held in March of each year at such place in La Jolla, California, as may be designated by the Board of Trustees in a notice of such meeting given at least fifteen (15) and not more than ninety (90) days prior to such meeting.

D. Special Meetings

Special meetings of the Trustees may be called at any time by the President, or shall be called by the President upon written application of a majority of the three (3) Trustees within fourteen (14) days of said written application.

Special meetings of the Members may be called at any time by the President, subject to noticing requirements, or shall be called by the President upon written application of a majority of the three (3) Trustees within thirty (30) days of said written application.

An agenda for a special meeting of the Trustees shall be specified as such, and shall be prepared in conformance with Section 2.A.(1) below and posted at least one week before a special meeting. Each Trustees of the LJCPA shall be sent by electronic transmission (email) or other means ~~the written~~ notice of the meeting at least one week before the time of the meeting as specified in the notice unless the Trustee files with the LJCPA Secretary a written waiver of notice at, or prior to the time of, the meeting.

An agenda for a special meeting of the Members shall be specified as such, and shall be prepared in conformance with Section 2.A.(1) below and posted at least fifteen days and not more than ninety days before a special meeting. Each Member of the LJCPA shall be sent by electronic transmission (email) or other means ~~the written~~ notice of the meeting at least fifteen days and not more than ninety days before the meeting unless the Member files with the LJCPA Secretary a written waiver of notice at, or prior to the time of, the meeting.

Written notice shall be delivered sent to each local newspaper of general circulation ~~and radio or television station requesting notice in writing~~ at least 15 days 24 hours before the time of prior to the meeting. The notice shall identify the business to be transacted or discussed at the meeting. No other business may be considered at this meeting. Public testimony on agenda items must be allowed; however, the non-agenda public comment period may be waived.

E. Emergency Meetings – Emergency meetings, requiring no public notice, are called for matters related to public health and safety. These matters are outside the purview of the LJCPA and are prohibited under these bylaws.

F. Meeting Attendance

Trustees shall attend regularly scheduled and special meetings of the LJCPA. The Secretary shall record in the minutes of each meeting the Trustees in attendance. The LJCPA shall find that a vacancy exists upon receipt of a written report from the LJCPA's Secretary reporting the third consecutive absence or fourth absence in any 12-month period of a Trustee from the LJCPA's regular meetings. Special meetings shall not be counted in the tally of absences.

Section 2.

A. Meeting Procedures

(1) REGULAR AGENDA POSTING – At least 72 hours before a regular meeting, the agenda containing a brief general description of each agenda item shall be posted. Publicity regarding the time, place, and agenda of the next Regular Meeting shall be arranged through the local newspapers, the LJCPA website and via electronic communication to all groups and/or individuals requesting notification. The brief general description of each agenda item need not exceed 20 words per item unless the item is complex. The agenda shall also provide notice of the date, time and location of the meeting. The agenda shall be posted in a place freely accessible to the general public and shall include information on how a request for accessible accommodation may be made. The listing of the agenda item shall include the intended action of the LJCPA regarding that item [e.g., information item, action item].

(2) PUBLIC COMMENT – Any interested member of the public may comment on agenda items during regular or special LJCPA meetings. In addition, each agenda for a regular LJCPA meeting shall allow for a public comment period at the beginning of the meeting for items not on the agenda but within the scope of authority of the LJCPA. Public comments on items not listed on the agenda are not debatable. LJCPA Members may make brief announcements or reports to the LJCPA on their own activities under the public comment section of the agenda. The President may adopt time limits for public comment to ensure operational efficiencies.

(3) ADJOURNMENTS AND CONTINUANCES – If the LJCPA does not convene a regularly scheduled meeting, there shall be a copy of a “Notice of Adjournment” of the meeting posted on or near the door of the place where the adjourned meeting was to be held within 24 hours after the time the meeting was to be held.

If a meeting is adjourned because less than a quorum was present, a new regular meeting agenda must be prepared. If a meeting is adjourned because no Trustees of the LJCPA were present, the subsequent meeting, if not a regular meeting, must be noticed as if it is a special meeting.

(4) CONTINUED ITEMS – If an item is continued from a prior regular meeting to a subsequent meeting more than 5 days from the original meeting, a new agenda must be prepared as if it is a regular meeting; otherwise the original meeting agenda is adequate.

(5) CONSENT AGENDA – Consent items may be placed on the Consent Agenda based upon the recommendations of both Standing and Community Joint Committees and Boards. For items to be considered for a “Consent Agenda” all

of the following are required:

- (a) A committee of the LJCPA or a Community Joint Committee or Board has discussed the item at a noticed meeting,
- (b) All interested members of the public were given an opportunity to address the Committee or Board, and
- (c) The item has not substantially changed since the Committee or Board consideration.

The comments of the Committee or Board and those made by interested members of the public should be reflected in the minutes of the Committee or Board. Any interested member of the public may comment on a consent agenda item. ~~If a motion is made by a Trustee to pull an item from the consent agenda, and the motion is seconded~~ If any interested member of the public takes a consent agenda item off the consent agenda by request, this item will be placed on the Trustees' next monthly or special meeting for a full discussion, subject to subparagraph (7) below, or referral to a Standing Committee or Community Joint Committee or Board.

(6) QUORUM AND PUBLIC ATTENDANCE – A quorum, defined as a majority of seats of the Board of Trustees for regular or special meetings of the Trustees and twenty percent of the membership of the LJCPA for annual or special meetings of the membership, must be present in order to conduct business, to vote on projects or to take actions at said meetings.

No member of the public shall be required, as a condition of attendance at any meeting of the LJCPA, to register or provide any other information. Any attendance list or request for information shall clearly state that completion of such information is voluntary. No member of the public may be charged a fee for admittance.

(7) DEVELOPMENT PROJECT REVIEW – The LJCPA 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 LJCPA or its committees from seeking additional material addressing code or permit violations.

When reviewing development projects, the LJCPA shall allow participation by affected property owners, residents, business establishments within proximity to the proposed development and other interested members of the public.

The LJCPA shall directly inform the project applicant or representative in advance each time that such review will take place and provide the applicant with an opportunity to present the project.

(8) ACTION ON AGENDA ITEMS – An item not noticed on the agenda may be added if either two-thirds of the entire Board of Trustees, or every Trustee if less than two-thirds are present, determine by a vote that there is a need to take an immediate action, but only if the need for action came to the attention of the Board of Trustees subsequent to the agenda being posted.

The President of the LJCPA or the Trustee acting in the capacity of President participates in discussions but does not vote except to make or break a tie.

The LJCPA shall not engage in, or allow, secret ballot or proxy voting on any agenda item. Other methods of absentee voting on agenda items, such as by telephone or by e-mail are also prohibited.

Votes taken on agenda items shall reflect the positions taken by the Trustees of the LJCPA.

(9) COLLECTIVE CONCURRENCE – Any attempt to develop a collective concurrence of the Trustees of the LJCPA as to action to be taken on an item by Trustees of the LJCPA, 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.

(10) RIGHT TO RECORD- Any person attending a meeting of the LJCPA must be allowed to record or photograph the proceedings in the absence of a reasonable finding by the LJCPA that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the meeting.

(11) DISORDERLY CONDUCT – In the event that any LJCPA meeting is willfully interrupted by a person or group of persons, so as to make the orderly conduct of the meeting infeasible, the Board of Trustees may first cause removal of the individual or individuals. If that is unsuccessful then the Board of Trustees may order the meeting room cleared and continue in session on scheduled agenda items without an audience, except that representatives of the media shall be allowed to remain. The Board of Trustees may also readmit an individual or individuals who were not responsible for the disruption.

B. Committees

The LJCPA may establish standing and ad hoc committees when their operation contributes to more effective discussions at regular LJCPA meetings. Such committees shall be appointed by the President and ratified by the Board of Trustees. Every member of any standing committee established by the LJCPA shall be a Member of the LJCPA. The LJCPA President shall be an ex officio member of all standing committees. A quorum for standing and ad hoc committees shall be a majority of the committee members.

(1) STANDING COMMITTEE - The LJCPA has established the following standing committee:

MEMBERSHIP COMMITTEE

This committee shall meet quarterly at the La Jolla Recreation Center. This committee shall consist of 4 to 7 members, appointed by the President of the LJCPA and ratified by a majority of the Trustees of the LJCPA. The purpose of the Membership Committee is to maintain a current roster of LJCPA Members and periodically update the list. This Committee shall be responsible to document all individuals that choose to register their attendance at the monthly LJCPA meetings and to ensure that the sign-in sheets at each LJCPA meeting are properly executed and retained for record keeping by the Secretary. The Membership Committee shall advise the Trustees of the LJCPA on the status of Members and shall cause the Member list to be posted on the LJCPA website.

(2) AD HOC COMMITTEES – Ad hoc committees may be established for finite periods of time to review more focused issue areas and shall be disbanded following their review.

(3) COMMUNITY JOINT COMMITTEES AND BOARDS

In order to achieve the diversity and equality of representation of the La Jolla community and to meet the objectives of Council Policy 600-24 regarding broad

representation of the various geographic sections of the community and diversified community interests, Community Joint Committees and Boards have been formed and are required. The LJCPA shall appoint its Members to the following Community Joint Committees and Boards as long as each Community Joint Committee and/or Board continues to meet.

a. COMMUNITY JOINT COMMITTEES

(i) COASTAL DEVELOPMENT PERMIT (CDP) COMMITTEE

Trustees of the LJCPA shall appoint five Members of the LJCPA to serve on the CDP Committee. The purpose of the Coastal Development Permit Committee is to review and make recommendations regarding all discretionary permit applications filed for projects located within the La Jolla Community Plan boundaries, excluding the La Jolla Shores Planned District. This Committee receives public input in a review process that uses the regulations and guidelines established in the San Diego Municipal Code and La Jolla Community Plan in effect at the time of the project submittal to the City of San Diego. The CDP Committee holds regularly scheduled public meetings. The CDP Committee will normally consist of ten members, five appointed by the LJCPA and five members appointed by the La Jolla Town Council.

(ii) LA JOLLA SHORES PERMIT REVIEW COMMITTEE (LJSPRC)

The Trustees of the LJCPA shall appoint one Member and one alternate of the LJCPA to serve on the La Jolla Shores Permit Review Committee. The purpose of the La Jolla Shores Permit Review Committee is to review and make written monthly recommendations regarding all applications for permits referred to it within the boundaries of the La Jolla Shores Planned District. This review is intended to insure compliance with the La Jolla Community Plan and Local Coastal Program Land Use Plan, the La Jolla Shores Planned District Ordinance, the La Jolla Shores Planned District Urban Design Manual, and City of San Diego ordinances concerning Sensitive Coastal Resources, Resource Protection, Hillside Review, Zoning Variances, Conditional Use Permits and Special Permits. The LJSPRC holds regularly scheduled public meetings. The LJSPRC will normally consist of five members, two members and one alternate appointed by the La Jolla Shores Association, two members and one alternate appointed by the Community Planning Committee of the La Jolla Shores and one member and one alternate appointed by the LJCPA.

(iii) PLANNED DISTRICT ORDINANCE (PDO) COMMITTEE: The Trustees of the LJCPA shall appoint three Members of the LJCPA to serve on the PDO Committee. The purpose of the PDO Committee is to insure uniform and consistent enforcement of the La Jolla Planned District Ordinance (LJPDO), to assist the City of San Diego City in clarifying the LJPDO, to assist applicants in understanding and interpreting the LJPDO and the permit process, and to develop recommendations for changes to the ordinance. The PDO Committee reviews and makes written monthly recommendations regarding all applications for Coastal Development Permits within the La Jolla Planned District to the LJCPA, the La Jolla Town Council, and Promote La Jolla, Inc. This committee forwards its recommendations to the Coastal Development Permit Committee where applicable to enable the Coastal Development Committee to incorporate these recommendations in its review and public comment discussion. The PDO Committee holds regularly scheduled public meetings. The PDO Committee will normally consist of nine members, three appointed by the LJCPA, three appointed by the La Jolla Town Council and three appointed by Promote La Jolla, Inc.

b. COMMUNITY JOINT BOARDS

(i) LA JOLLA COASTAL ACCESS AND PARKING (LJCAP) BOARD

The Trustees of the LJCPA shall appoint three Members of the LJCPA to serve on the LJCAP Board. The purpose of the LJCAP Board is to review and make recommendations concerning all coastal access and parking issues within the La Jolla Community Plan boundaries. The LJCAP Board holds regularly scheduled public meetings. The LJCAP Board normally consists of nine members, three members appointed by the LJCPA, three members appointed by the La Jolla Town Council, and three members appointed by Promote La Jolla, Inc.

(ii) LA JOLLA TRAFFIC AND TRANSPORTATION (T & T) BOARD: The Trustees of the LJCPA shall appoint two Members of the LJCPA to serve on the T & T Board. The purpose of the Traffic and Transportation Board is to serve as the focal point for traffic and transportation matters concerning the community of La Jolla with governmental agencies and with the public, and to investigate, evaluate and propose recommendations to the LJCPA, the La Jolla Town Council, Promote La Jolla, Inc., the La Jolla Shores Association, and the Bird Rock Community Council. The T & T Board holds regularly scheduled public meetings. The T & T Board will normally consist of ten members, two members appointed by the LJCPA, two members appointed by the La Jolla Town Council, two members appointed by the La Jolla Shores Association, two members appointed by Promote La Jolla, Inc., and two members appointed by the Bird Rock Community Council.

(iii) LA JOLLA COMMUNITY PARKING DISTRICT (LJCPD) ADVISORY BOARD

The La Jolla Community Parking District Advisory Board was established by resolution of the City of San Diego. Trustees of the LJCPA shall appoint one Member of the LJCPA to serve on the La Jolla Community Parking District Advisory Board. The purpose of the LJCPD is to advise the City of San Diego on the creation of parking policies and practices that are in the best interests of the community of La Jolla. The LJCPD normally consists of nine members, one appointed by the LJCPA, three appointed by Promote La Jolla, Inc., one appointed by the La Jolla Town Council, one appointed by the La Jolla Shores Association, one appointed by the Bird Rock Community Council and two at large.

C. Rules Regarding All Committees and Boards

The Board of Trustees of the LJCPA shall review recommendations of each Community Joint Committee and Board and take action as the Board of Trustees deems appropriate. All committee appointees appointed by the LJCPA shall be appointed by the President and ratified by the Trustees. The President, with the ratification of the Board of Trustees, may appoint representatives of the LJCPA to other community joint committees or boards as deemed to be in the best interest of the community of La Jolla.

Members of the LJCPA, who are duly appointed to serve on a Community Joint Committee or Board, may be indemnified by the City in accordance with Ordinance No. O-17086 NS, and any future amendments thereto, provided they satisfy any and all requirements of the Administrative Guidelines.

All committee recommendations to the City must be brought forth to the Board of Trustees for formal vote at a noticed public meeting. In no case may a committee or subcommittee recommendation be forwarded directly to the City as the formal recommendation of the LJCPA without a formal vote of the Board of

Trustees.

D. Abstentions and Recusals

(1) RECUSALS - Any Trustee of the LJCPA with a direct economic interest in any project that comes before the LJCPA or any committee must disclose the economic interest, and must recuse from voting and not participate in any manner as a Trustee for that item on the agenda. In the event of a recusal, the individual must remove him or herself from the room prior to discussion if that individual is not part of the presentation. Section 3.5 of the Administrative Guidelines is the LJCPA's reference for determining direct economic interest.

(2) ABSTENTIONS - In limited circumstances, LJCPA Trustees may abstain from either voting on an action item, or from participating and voting on an action item. The Trustee must state, for the record, the reason for the abstention.

E. Meeting Documents and Records

(1) AGENDA BY MAIL – Requests to mail copies of a regular agenda, and any accompanying material, shall be granted. Such materials shall be mailed when the agenda is posted, or upon distribution to a majority of the Trustees of the LJCPA, whichever occurs first. A request to receive agendas and materials may be made for each calendar year and such request is valid for that entire year, but must be renewed by January 1 of the following year. A cost-recovery fee may be charged for the cost of providing this service.

(2) AGENDA AT MEETING – Any written documentation, prepared or provided by City staff, applicants, or LJCPA Trustees, that is distributed at the LJCPA meeting, shall be made available upon request for public inspection without delay. If such material is distributed at the LJCPA meeting, then it shall be made available upon request at the meeting. If such material is prepared by someone other than City staff, applicants, or LJCPA Trustees, or is received from a member of the public during public testimony on an agenda item, then the material shall be made available for public inspection at the conclusion of the meeting. A cost-recovery fee may be charged for the cost of reproducing any of the materials requested by an individual or individuals.

(3) MINUTES – For each Board of Trustees meeting, a report of LJCPA Trustee attendance and a copy of approved minutes shall be retained by the LJCPA, and shall be available for public inspection. The minutes of each Board of Trustees meeting shall include the votes taken on each action item and reflect the names for, against and abstaining when the vote is not unanimous. Recusals shall also be recorded. Minutes should record speakers and public testimony, and whether each project applicant (whose project was subject to Board of Trustee action) appeared before the Board of Trustees. If an applicant did not appear before the Board of Trustees then the meeting minutes must indicate the date and type of notification (e.g. electronic, telephonic, facsimile) that was provided to the applicant requesting his or her appearance at the Board of Trustees meeting. The Board of Trustees shall submit a copy of the approved minutes to the City within 14 days of approval.

The LJCPA is not required to audio or videotape meetings but if recordings are made, they are subject to public request to inspect without charge. A cost-recovery fee may be charged for copies of recordings.

(4) RECORDS RETENTION – The LJCPA records must be retained for public

review utilizing the City staff records retention schedule and method for collection and storage of materials utilized by all planning groups.

Section 3. Community Input

It shall be the duty of the LJCPA and its Trustees to periodically seek community-wide understanding of and participation in the planning and implementation process as specified in Article II, Section 1. The Board of Trustees shall give due consideration to all responsible community attitudes insofar as these are deemed to be in the best long-range interest of the community at large.

Section 4. Current Roster of Trustees

It shall be the duty of the LJCPA to maintain a current, up-to-date roster of the names, terms, and category/qualifications of Trustees in its possession, and to forward the current roster, as well as updates, to the City.

Section 5. Annual Report of Accomplishments

The Board of Trustees shall submit to the City, by the end of March each year, an annual report of accomplishments for the past calendar year and anticipated objectives for the coming year related to Article II, Section 1. Rosters and annual reports constitute disclosable records under the Brown Act.

Section 6. Dues and Contributions

The LJCPA may develop a policy for financial contributions from the citizens of the community for the purposes of furthering the efforts of the LJCPA to promote understanding and participation in the planning process. However, no membership dues shall be required and no fee may be charged as a condition of attendance at any LJCPA meeting. All contributions must be voluntarily made, and no official LJCPA correspondence may be withheld based on any individual's desire not to make a voluntary contribution.

Section 7. Trustee Training

Each LJCPA Trustee is required to attend an orientation training session administered by the City as part of planning group and individual member indemnification pursuant to Ordinance No. O-17086 NS, and any future amendments thereto. Newly seated Trustees must complete a basic orientation training session within 12 months of being elected or to the Board of Trustees or the Trustee will be ineligible to serve.

ARTICLE VII LJCPA Officers

Section 1. Officers

The officers of the LJCPA shall be elected from and by the Trustees of the LJCPA at the April meeting. Officers shall be a President, Vice President, Secretary and Treasurer. The length of an officer's term shall be one year. No person may serve in the same LJCPA office for more than (3) three consecutive years.

Section 2. President

The President shall be the principal officer of the LJCPA and shall preside over all LJCPA and communitywide meetings organized by the LJCPA. The President is responsible for all committee appointments subject to ratification by a majority of Trustees at a meeting.

Section 3. Vice President

In the absence of the President, the Vice President shall perform all the duties and responsibilities of the President.

- Section 4. Secretary
 The Secretary shall verify that an individual applying for membership is an Eligible Member of the Community. The Secretary shall be responsible for the LJCPA's correspondence, attendance records, minutes and actions [including identification of those Trustees that constitute a quorum, those Trustees who vote on an action item, and those Trustees who abstain or recuse and the reasons], and shall assure that Trustees, LJCPA members and members of the public have access to this information. The Secretary may take on these responsibilities or may identify individuals to assist in these duties.
- Section 5. Treasurer
 The Treasurer shall be responsible for general supervision of the financial affairs of the LJCPA and shall make regular financial reports to the Board of Trustees and Members. The Treasurer shall also be responsible for filing all financial reports and shall perform such other duties as may be prescribed.
- Section 6. Community Planners Committee Representative
 The President shall be the LJCPA's representative to the Community Planners Committee (CPC). However, by vote of the Trustees, a Trustee other than the President may be selected as the official representative to CPC with the same voting rights and privileges as the President. Designation of a Trustee other than the President as the official representative, as well as for an alternate to CPC, shall be forwarded in writing to the staff representative of CPC prior to extension of voting rights and member attendance. The LJCPA representatives to CPC shall promptly disseminate to all Trustees pertinent information regarding CPC's official business.

ARTICLE VIII LJCPA Policies and Procedures, Community Participation

- Section 1. Policies
 The LJCPA Bylaws incorporate policies and procedures directed by Articles I through VII of Council Policy 600-24. These Bylaws also contain some policies and procedures recommended in Article VIII of Council Policy 600-24. Additional procedures are found in Council Policy 600-24 Administrative Guidelines and Election Handbook, listed as attachments to these Bylaws. Where there is a conflict between these Bylaws, Council Policy 600-24, the Administrative Guidelines and the Election Handbook, these Bylaws shall prevail.
- Section 2. Procedures
 Any procedures found in Exhibits to these Bylaws have the same effect as if they were incorporated directly into Articles I through VII of these Bylaws.
- Section 3. Community Participation
- (1) Public Input
 During all discussions, the President shall solicit testimony from the public attending each meeting. Votes taken on public issues shall include a tabulation of the votes of those in attendance, recorded as such in the minutes of the meeting.
- (2) Community Outreach
 Regularly scheduled meetings and annual elections shall be publicized in local neighborhood newspapers as well as on the LJCPA website. Announcements shall be sent via electronic communications to all organizations, including but not limited to the La Jolla Town Council, Promote La Jolla, Inc., The La Jolla

Shores Association, the Bird Rock Community Council, and individuals who have notified the Membership Committee of their interest in receiving any and all electronic notices. Notices shall be posted publicly at the La Jolla ~~Public Library~~Recreation Center.

ARTICLE IX Rights and Liabilities of the LJCPA

Section 1. Indemnification and Representation

Members of the LJCPA and its duly elected Trustees have a right to representation by the City Attorney and a right to indemnification by the City under Ordinance O-17086 NS, and any future amendments thereto, if the claim or action against them resulted from their obligation to advise and assist the City and its agencies with land use matters as specified in Policy 600-24, Article II, Section 1; their conduct was in conformance with Policy 600-24 [excluding any City Council approved deviations from Council Policy 600-24] and these Bylaws; and all findings specified in the ordinance can be made.

Section 2. Brown Act Remedies

The Board of Trustees may be subject to both Council Policy 600-24 violations as described in Section 3 below and penalties provided for in the Brown Act. The Brown Act includes criminal penalties and civil remedies. Both individual Trustees, as well as the Board of Trustees, may be subject to civil remedies. Under certain circumstances, individual Trustees may face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, and where the Trustee intended to deprive the public of information to which the Trustee knows or has reason to know the public is entitled. Alleged violations will be reviewed and evaluated on a case-by-case basis.

Section 3. Council Policy 600-24 Violations and Remedies

A. In cases of alleged violations of the LJCPA Bylaws or Council Policy 600-24 by a Trustee, the Board of Trustees shall conduct an investigation consistent with the Administrative Guidelines and these Bylaws.

B. A complaint that a Trustee violated one or more provisions of the LJCPA's Bylaws or Council Policy 600-24 may be submitted to the LJCPA President by any individual, including another Trustee. The complaint should be filed within 90 days of knowledge of the alleged violation.

C. If, after a thorough investigation by the President and at least two other Officers, the Board of Trustees determines that a Trustee has violated a provision of these Bylaws or Council Policy 600-24, the Board of Trustees shall, where feasible, seek a remedy that corrects the violation and allows the Trustee to remain on the Board of Trustees.

D. If corrective action or measures are not feasible, the Board of Trustees may remove a Trustee by a two-thirds vote of the Board; except for specific cases outlined in Article III, Section 4 where a majority vote is sufficient for removal.

E. The vote to remove the Trustee shall occur at a regularly scheduled public meeting subject to the procedures outlined in the Administrative Guidelines and these Bylaws.

F. A Trustee found to be out of compliance with the provisions of these Bylaws or Council Policy 600-24 risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS and any future

amendments thereto.

Section 4. Investigations

Any action by the LJCPA to discipline or remove a Trustee must occur at a scheduled Board of Trustees meeting and be advertised on the agenda as an action item. Due to the significant nature of removing a Trustee, and to ensure a fair and public process, the procedures for investigating a violation of a Trustee are listed below.

A. Documenting a violation:

- (1) A complaint that a violation of these Bylaws or Council Policy 600-24 has occurred will be presented to the LJCPA President. If the complaint is about the President, it may be presented to any other Officer of the LJCPA.
- (2) The complaint should be detailed enough to provide a description of, and timeframe within which, the alleged violation was committed and who was responsible for the violation.
- (3) The complaint should provide a citation of the LJCPA Bylaws or Council Policy 600-24 provisions that the action is claimed to violate. If the complaint is from someone other than another LJCPA Trustee, the President [or other Officer] may assist in providing appropriate citations to assist the complainant.
- (4) The President will confer with the LJCPA Officers [exception: if an officer is the subject of the grievance or has a business or personal relationship with the alleged violator] regarding the complaint.
- (5) The President shall create a written record of the complaint and alleged violation to share with the alleged violator.

B. Procedures for administering and acting on investigating a violation:

While the authority for this process rests with the LJCPA, City staff may be contacted for assistance at any point in the process.

- (1) Once the information about an alleged violation is completed in writing, the President, with assistance from the LJCPA Officers, will meet and talk with the Trustee against whom the violation is alleged. The allegations will be presented and the Trustee shall be given opportunity for rebuttal.
- (2) If the President, with assistance from the LJCPA Officers, determines that no violation has actually occurred, the President may record this in the written record of the complaint.
- (3) If the President, with assistance from the LJCPA Officers, determines that a violation has occurred but the situation can be remedied either by action of the Board of Trustees or by the Trustee, then the President will outline the necessary actions in writing to achieve the remedy.
- (4) If the President, with assistance from the LJCPA Officers, determines that the situation cannot be remedied and that the interests of the community and LJCPA would best be served by the removal of the Trustee, then the President shall set the matter for discussion at the next Board of Trustees meeting. The Trustee who committed the violation shall be given adequate notice about the meeting discussion, and will be given the opportunity to resign prior to docketing the matter for discussion by the Board of Trustees.

C. Presenting a violation to the Board of Trustees:

- (1) The matter of removing a seated Trustee will be placed on the Board of Trustee's agenda as a potential action item. Supporting materials from the President or from the offending Trustee will be made available to the Board of Trustees prior to the meeting.
- (2) The matter will be discussed at the Board of Trustees' regular meeting with opportunity given to the Trustee who allegedly committed the violation to present his or her case and/or rebut documentation gathered by the President with the assistance of the LJCPA Officers. The Trustee may also request a continuance of the item to gather more information to present to the Board of Trustees by a specified date.
- (3) At the end of the discussion, the Board of Trustees may, by a 2/3 vote, choose to remove the Trustee.

D. Recourse for expelled Trustee:

- (1) There is no appeal available to a Trustee removed by a 2/3 vote the Board of Trustees.
- (2) The Trustee's seat shall be immediately declared vacant and subject to provisions of Article IV.
- (3) The removal of a Trustee by a 2/3 vote of the Board of Trustees will prohibit the Trustee from running for a LJCPA seat for at least 12 months after the removal.

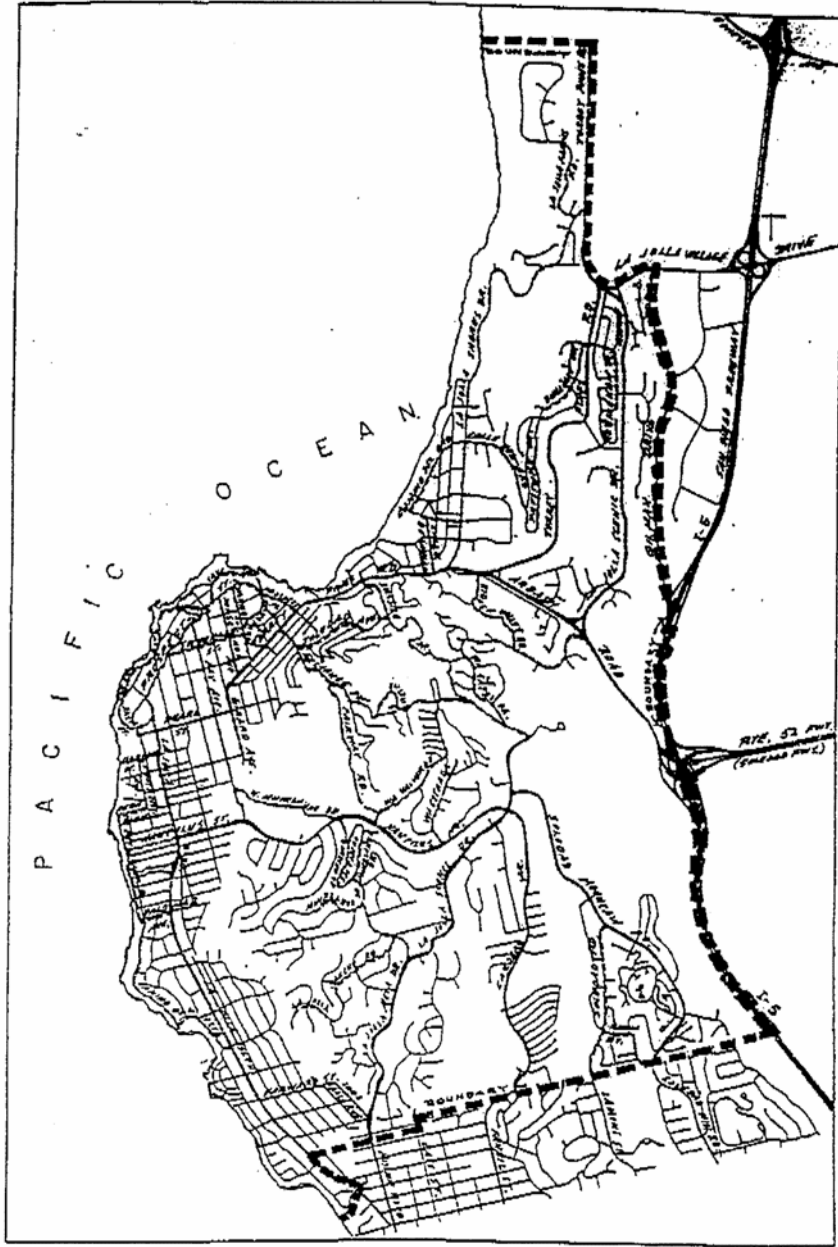
E. Alleged Violations By the LJCPA as a Whole:

In the case of an alleged violation of the LJCPA's Bylaws or of Council Policy 600-24 by the LJCPA as a whole or multiple Trustees of the LJCPA, the violation shall be forwarded in writing to the City. The Mayor's Office will engage in a dialogue with the Board of Trustees, determining the validity of the complaint, and seeking resolution of the issue or dispute. The LJCPA will work with the City toward a solution and the LJCPA recognizes that, in accordance with Council Policy 600-24, the City may consult with the Community Planners Committee.

If a violation against the LJCPA as a whole is proven and there is a failure of the LJCPA to take corrective action, the LJCPA will forfeit its rights to represent its community as a community planning group recognized under Council Policy 600-24. Such a determination resulting in the forfeiture of a seated group's rights to represent its community shall be based on a recommendation by the Mayor's Office to the City Council. The LJCPA shall not forfeit its recognized status until there is an action by the City Council to remove the status. The City Council may also prescribe conditions under which official recognition will be reinstated.

If the LJCPA is found to be out of compliance with the provisions of Council Policy 600-24, with the exception of Council-approved deviations thereto, or its adopted Bylaws, it risks loss of indemnification [legal protection and representation] pursuant to Ordinance No. O-17086 NS, and any future amendments thereto.

APPROVED 1/2/92



La Jolla Community Planning Association
Boundary Map
Exhibit A

List of Attachments to these Bylaws

1. City Council Policy 600-24:
http://docs.sandiego.gov/councilpolicies/cpd_600-24.pdf
2. City Council Policy 600-24 Administrative Guidelines
<http://www.sandiego.gov/planning/community/pdf/cpg/adminguidelinesfinal2006.pdf>
3. Election Handbook
<http://www.sandiego.gov/planning/community/pdf/cpg/electionhandbook.pdf>