

Karl Rand

Subject: FW: [PBPG Board] Final Draft Minutes of Oct 13th 2021 (minor correction)

PBPG MINUTES
OCT. 13, 2021 MTG

From: **Carolyn Chase** <
Date: Thu, Oct 14, 2021 at 2:29 PM
Subject: [PBPG Board] Final Draft Minutes of Oct 13th 2021 (minor correction)

The Pacific Beach Planning Group Met via Zoom Conference Wednesday, October 13, 2021

Attending:

- 1 Karl Rand, Chair
- 2 Carolyn Chase, Secretary
- 3 Ed Gallagher
- Geoff Hueter, Neighbors for a Better San Diego
- 4 Steve Pruett
- 5 Jason Legros, Vice-Chair
- Scott Spencer, Architect
- L Tomlin
- 6 Paula Gandolfo
- Christian Rice
- 7 Marcella Bothwell
- Vic Salazar
- Cole Reed, Senator Toni Atkins
- 8 Jonathan Cole
- Hector Aramburo
- Tiffany Farnsworth
- 9 Jim Morrison - a quorum was achieved at 6:30pm (17 people in attendance)
- 10 Grant LeBeau, Treasurer
- 11 Scott Chipman
- Eve Anderson
- 12 Greg Daunoras at 6:42pm
- Barbara Bailey
- Maryam Kargar-, City of San Diego
- Kevin Hastings
- Jarrett Linn, Nasland Engineering
- Iain Richardson
- Nico Calavita

Absent: Jessie Beckman, Adrienne Gallo, Paige Hernandez, John Terrell

Item 1 -The Chair called the meeting to order at 6:32pm, A quorum was achieved at 6:30pm with nine members present and 11 members were present when the meeting was called to order

Item 2 - Non-Agenda Public Comments was called at 6:34pm

Issues **not** on the Agenda and within the jurisdiction of PBPG

Marcella Bothwell - next Weds Town Council will have Council member Elo-Rivera to speak at the beginning of the meeting (6:30pm) about the People's Ordinance related to charging fees for trash pick-up for single family homes.

Item 3 - Current Agenda - Modifications and Approval was called at 6:36pm

Request to add an Election Item to the Agenda (applicant for an open residential seat)

MOTION MB/SP to appointing Jonathan Cole as a residential member of the board. **Approved** without objection with JC abstaining.

This fills our residential seats and we have four open commercial seats. If you know a commercial property owner or rep please invite them.

Agenda adopted with objection.

Item 4 - **September 8, 2021 Minutes - Modifications and Approval at 6:40pm**
No changes were suggested. **Minutes were approved without objection.**

Item 5 - 6:35 **PBPG Chair's Report by Karl Rand at 6:41pm**

STVR Ordinance - Council heard short term vacation rentals issue on Monday related to the lottery for Tiers 3 and 4 (investor-owned) and fee structure. The fees passed without controversy. The lottery methodology was sent back and asked to return within a month with a better way to prioritize "good actors". Want to announce lottery winners May 31st - and with only one month of people finding out whether or not they got a permit. Not enough time.

City Redistricting - have been following along with MB. Our District issues appear less controversial....

Trolley Station - opening in November

JPI Murals - can be seen from I-5 - beautiful

CPC Update - Heard presentation by Neighbors for a Better San Diego and CPC adopted resolution recommending basically the City shouldn't go beyond the State's requirements

CicloSDias Booth (Sunday, November 7) - did not occur last year - closing some streets for bikes and walks and some hubs within the closed streets with some booths. 10am - 3pm - PBPG is invited to have a table.

Item 6 - 6:45 **Development Project Reviews (Action Items)** was called at 6:52pm 22 people online
Moderator: Development Subcommittee Chair Ed Gallagher

Item 6a **#690364: 959-963 Braemar Lane – Moore Residence**

Presenter: Christian Rice of Christian Rice Architects

Description: Process 3 Coastal Development Permit for demolition of an existing two story house and construction of a new 6,045 square foot two story home with a guest quarter and an 800 square foot accessory dwelling unit, pool and spa. The 0.26 acre site is in an RS-1-7 Zone. The Subcommittee reviewed at the October 7 meeting and recommended approval.

They are taking two properties and combining into one. Just east of the Catamaran and on Bayside Way, Mission Bay
3-car garage;

GD - any opposition from the neighbors?

A - they met with neighbors and only issue was inquiring about extending the utilities underground further than required.

They were in support of the house.

PG - the house with the blue tile house will no longer be there?

A - yes and the rust colored home too

JM Motion to approve/GD at 7:01pm

SP - no sidewalks required in the alley?

A - correct; sidewalk is on Braemar lane and not the alley

EA - why am I thinking Really Large Vacation Rental? It is a big house!

A - it IS a big house and my client plans to live there and I doubt you'll see it listed for short-term rentals

Call the question at 7:04pm

Motion passed 10-1-0 with PG voting no and Chair not voting

Item 6b #695748: 976 Missouri Street (at corner of Cass Street) called at 7:06pm

Presenter: Scott Spencer Architect

Description: Process 2 Coastal Development Permit for demolition of an existing residence and the construction of a new two story 4,840 square foot duplex with garage attached to an existing one story commercial building. The 0.12 acre site is in the Cass Street Planned District Base Zone. The Subcommittee reviewed at the October 7 meeting and recommended approval.

At Cass & Missouri, 79-years old - attached to it is a one-story commercial building, a hair salon, a family ownership.

Demo existing and keep commercial as-is, fronting Cass St, and do two new units - top floor and bottom floor. Two tandem car spaces (total 4 cars possible); setbacks of 4 feet on the west and 15 ft rear yard with landscape and also some on Missouri St. 2200 sq ft is the larger, upstairs unit with terraces. Height limit is 30 ft and majority is 25 ft going up to 28 ft.

7:13pm call for questions

GD - any opposition from neighbors?

A - not that we know of - only a couple of inquiries

Motion SP/JC to approve project at 7:14pm

A - that is the intent of our client

EG - the plan to remove the big mature in the parkway

A - it's actually a bush that went crazy - and have pushed up the sidewalk so that it's higher from the driveway and puddles

and EG requested to make conditional on planting appropriate trees and supporting them into maturity and SP/JC OK with change

MOTION passed 10-0-0 with Chair not voting at 7:18pm at PG not voting

Item 7 – 7:15 Senate Bill 9 Review (Information Item) was called at 7:19pm with 24 people online

The Chair introduced Cole Reed of Senator Atkins' office who reviewed SB 9 as amended and signed into law 7:21pm SB 9 California H.O.M.E Act signed into law on Sept 16

- Creates options for homeowners
- streamlines process for owners to create a duplex or do a lot split
- no more than four units on what is currently a single family parcel
- a tool intended to empower property owners to add units or become landlords
- Criteria must be located in part of an urbanized or urban cluster
- does not supercede Coastal Act and preserved Historic Districts
- prohibits development of small subdivisions and lot splits on adjacent parcels...to prevent speculation
- prevents evicting displaing tenants....

Recent Amendments

- owner must occupy the property for at least three years in order to split a property
 - local gov may deny an app if find a project would have a "specific, adverse impact" on public health and safety or the physical environment" and there are no feasible and satisfactory mitigation options
 - Turner Report estimated the number of parcels that could be developed - and parcel feasibility
- Didn't see much of an impact in terms of new numbers of units compared to business-as-usual
In San diego 10,000 units would be market feasible giving about 13, 000 in the City.

In the County - 54,000 feasible, countywide - about 37,500 single family parcels would be considered market feasible.

Cole.Reed@sen.ca.gov --

Presentation ended at 7:32pm

KR - having gone through a redevelopment project myself recently, I really thought the impact of these changes, in terms of numbers wasn't going to be nearly as great as anyone anticipated. But if it happens next door to you, you might not like it. About the residency requirement - why no retroactive - to be only available to those who had been there already say about a year - and what happens if they sign it, built it and not end of living there.

A - would be perjury; not sure about the second question - email me and I'll can get back to you

Q - CDC - Given that the vast majority of the urban forest in the City of San Diego is located on single family lots being targetted for adding density, and given the importance of mature trees to climate adaptation, did the Senator consider require any mitigation for removal of mature trees?

A - not specificaly - the criteria for being to able to use SB9 in a high fire zone you'd have to comply with state law

CDC - would she consider doing something about it

A - I'll let her know

SC - one tangent - that 40% of cost of housing is related to regulation

KH - visiting from OB - re the affadavit to have to live there for three years - I don't think you can enforce a statement related to intent - it will be flouting by developers. Re not allowing short-term-rentals - is that for ADUs?

A - would be any unit designed for rent - the minimum would be for 30 days for all units created vis SB9?

Q - is that going to be a deed restriction? How will that be recorded?

A - I don't know - it's a thoughtful question

KH - trees used to be required for ADUs but this went away during the recent ADU update and it's on the City to add that.

SP - I think a lot of the pushback are around a lack of affordability language and the reality is that it will be market-rate and does nothing to help low or moderate income situation. Bills SB5 and SB15 - does she support those?

A- SB9 is not the end-all, be-all for housing. SB2 created fees toward Affordable Housing funds and also for the Homeless. She does care about the affordability crisis. No votes have taken place on SB5 and it's a two-year bill. She did vote for SB15?

PG - when you mention Historic - do you know anything in PB

A - don't know

EA - re enforcement - the city is lax - there is the STVR ordinance - will take nine position - the state should fund that - how is anyone going to know the three years is going to happen. Investors are buying up single family homes.

CDC - so trying to understand - you can split a lot and live in one and sell the other, correct?

A - techncally, yes

Item 8 – 7:45 San Diego Accessory Dwelling Units Presentation (Action Item) called at 7:46pm 24 people online

Geoff Hueter of Neighbors for a Better San Diego will review the City's current ADU laws, compare them to State requirements, offer proposed responses, and answer board member questions.

GH addressed the requirement of the State Law - Cities are not required to allow ADUs on split lots, but whatever the city does applies to the split lots after SB9. There might be Coastal Zone process, but the City doesn't need to implement anything for AB9 to go into effect. SB9 does not forbid ADUs but it doesn't require them either.

Why this is important - under the City's ADU ordinance, if you have a multi-family dwelling unit, you're allowed to convert a garage or an attic, ministerial and get above 2 units/lot up to what the FAR allows. It's a backdoor way to turn any single family lot into apartments at market rate.

Begins presentation at 7:52pm "Correcting the Record"

San Diego is NOT "Just Following State Law"

San Diego did ZERO Side/Rear Setbacks - California defined 4-ft Side/Rear setbacks

San Diego 3 ADUs where California said 1 ADU

On track for more than 700 units/year

San Diego's ADU Code Disregards Quality of Life of All Residents

- Ministerial - no review
 - Clear cutting of urban canopy
 - Fee waivers mean no funds for parks, libraries etc
 - No parking for ADU renters required
 - No considerations of high fire hazard zones
 - More outside investors, not home owners
 - Market-rate bonus units on single-family lots
 - Affordable units can charge \$1800 or more and that's even close to market ...so asked to change the AMI program
 - Draws development AWAY from transit corridors
 - TPA - defined as half-mile of transit (as the crow flies!) with 60% of the City in a TPA - we're not doing dense enough to support transit - we're just filling in neighborhoods, filling them with cars that people still need to get around.
 - San Diego isn't required to adopt the density bonus that they did (called it "Covert Upzoning) either 3 ADUs or Unlimited ADUs inside a TPA)
 - They are requesting that the City change the ADU code to comply with State's including 1 ASU only - replace unit bonus with size bonus, Fee waivers only as required by CA of if deemed affordable; 4-foot side and backyard setbacks, Height limit 15 feet.
- Exempt ADUs based on high-risk fire hazard; "4 means 4" no more than 4 total units on a lot split under SB9 - requests Sen Atkins come out and support this to the City. Council member Elo-River's put out a memo with changes - Makes some ADUs more affordable; Requires uprooted tree replantment ; allows neighbors to build higher fences for privacy.
- They do not support the SER proposal as writ and have their list of changes they are working for including having to address issues with the density bonus as well as other.
- End presentation at 8:06pm

Recommendations are to Change the San Diego ADU code to: 1 ADU only; 4-foot

EG Motion to table at 8:09pm SC seconds - or suggests Chair brings it back and have a recommendation to go to CPC.

Adamently opposed to no setbacks. It's horrible. I endorse all their recommendations.

GH - CPC made a motion to support our effort to revise the City's code and to be more in line with State's and to make sure that "4 means 4" and they also added urging the City not to adopt SB10 - which doesn't apply at the moment.

Draft Resolution is: <PG> asks the Mayor & CC to immediately amend the ADU ordinance to bring it closer to the parameters of the state's ADU laws, including consideration of the revisions that have been proposed by Neighbors For A Better San Diego (nfabsd.org)

Chair declares we will continue to assess this at 8:14pm

Item 8a – 8:15 **Manway Improvements on Beryl, Pico and Damon (Informational) called at 8:15pm**
Vic Salazar reported on the City's Engineering & Capital Projects manways work to be done from November to March.

Kearny Mesa Manway project with Maryam Kargar, City of SD and Jarrett Linn, Masland Engineering. Pipeline runs from KM to PB and will be working on 3 manway access points to the potable water pipeline. One on Pico Street, Navy property, and on private property of Price Self Storage and on Beryl St near Soledad Mtn Rd. Schedule - Jan - Mar/Apr and is fluid due to supply shortage and potential weather delays. Some night work when water demand is lowest. No shutdowns, main impacts will be traffic bypasses.

Item 9 – 8:25 **Streets & Sidewalks Subcommittee (Informational) at 8:21pm**

Eve Anderson reported on recent actions by the Garnet Block Captains. We have a newsletter. We have ten block captains.

Ron Walker, Leslie Dufour and I have put out flyers about Ciclos Dias encouraging them to participate. 25 of City's trash cans have been repainted. We want to paint during CiclosDias. We watered 3 buckets of water per week for trees and Leslie is planting more trees. We put together a "Problem Solver" for businesses and handed them out and it includes a list of problems and who to call about the most common problems. Contact: eandersonPB@gmail.com

Item 10 – 8:35 **Government Representatives' Reports was called at 8:27pm**

Kohta Zaiser for Mayor Gloria - emailed a report

Cole Reed for State Senator Atkins. - Leg year ended Sept 10th. Updates on Huntington Beach oil spill.

Reports from residents getting tar balls at the beach. Sen Atkins is in contact getting updates. The CA Dept of Fish & Wildlife is main agency and also Coastkeeper, Surfrider and Sea Worlds are doing their parts. Do not touch tar balls - report them via email or phone.

If you see tar balls on San Diego Beaches, please report the incident and provide your contact information to officials by emailing tarballreports@wildlife.ca.gov or calling 1-877-823-6926.

SB1 - Sea Level Rise Mitigation and Adaptation Act set up local grant program up to \$100 million annually to local jurisdictions

GD - I noted a discussion in Carlsbad about the future issue being discussed in 30-40 years related to eliminate of coastal housing....

A - I don't know about that - there are efforts to prepare for the effects of sea level rise

EG - What about still allowing people to sell stuff on the boardwalk....

A - the state law that allows for street vending allows for local jurisdictions to adopt their own permitting system.

KR - it is in the City's court and they are working on it and I think Council member Campbell wanted to introduce this month but it's been pushed back. I expect by the end of November to see the City's ordinance.

SCA3 is a Senate Constitutional amendment to address problems with Recalls - please ask the Senator move this forward.

KH - in the chat: These cliffside homes allowed to armor the cliffs should be getting bought by eminent domain with SB1 funds to remove them, not spent adding more concrete walls.

Closing remarks at 8:38pm

JM - Trolley event was great! Can't wait to ride it to UTC. Give it a try!

IR - the last Minutes for PBPG online are from April ..

KR - I'll make sure they are updated on our website

IR - When will work conclude on sewer lateral projects?

KR - Contact Monique Tello in Council member Campbell's office to inquire.

Item 11 – 8:45 **The meeting was adjourned at 8:41pm 20 people still online**

Upcoming Meetings:

Streets & Sidewalks Subcommittee – October 27, 2021 at 6:30 pm

Development Review Subcommittee – November 4, 2021 at Noon

Full PBPG – November 10, 2021 at 6:30 pm