

## Torrey Pines Community Planning Board Regular Meeting

Thursday, March 18, 2021 **APPROVED** Minutes

### Zoom Meeting

Board Member	Term Expiration	Continuous Service	Present	Absent	Total Absences*
Troy Van Horst, Chair	3/2022	5	x		
Elizabeth Shopes, Vice Chair	3/2023	2	x		
James Smith, Treasurer	3/2023	1	x		
Susan Lyon, Secretary	3/2024	3	x		1
Eduardo Savigliano	3/2023	1	x		
Jeff Harasha	3/2022	1	x		1
Jake Mumma	3/2022	7	x		3
Brad Remy	3/2024	3	x		
Mike Hastings	3/2024	3	x		2
Deborah Currier	3/2024	1	x		
Jeff Burges (NEW 1/2021)	3/2022			x	1
(OPEN)	3/2021				
(OPEN)	3/2021				

\*Per our bylaws, a fourth cumulative, or a third consecutive, absence in the board year (April-March) will result in a written report from the secretary documenting the seat's vacancy. The absence tally, above, will serve as said report. (Absences will clear with next meeting.)

There is no excused absence, thus the generous policy for our volunteers. Secretary notes attendance at start of Zoom meeting, confirms all attendees still in attendance after each vote to get numbers correct.

There should be 13 board members on the TPCPB.

PRC public members: Daniel Jensvold (present); Adam Gevanthor (present)

**CALL TO ORDER at 7:00 pm: Troy Van Horst, Chair**

### Visiting Speakers

**Officer Briggs, SDPD:** Several recent arrests for burglaries and a catalytic converter theft that were also linked back to crimes in our area. Also upcoming Rx Take Back Day at Northwestern on April 24, 9-12. This is for larger quantities of prescription drugs that can be sitting around unused, e.g., post-surgery. Any juvenile arrested, the SDPD will call the parents, short of a violent crime, they would be released to their parents. Jails are taking less people due to the COVID pandemic.

Torrey Pines Community Planning Board  
www.torreypinescommunity.org

Contact for Officer Briggs: [jbriggs@pd.sandiego.gov](mailto:jbriggs@pd.sandiego.gov).

**District 1 Councilmember Joe LaCava** (contact info at end of minutes):  
**Representative: Brian Elliott.**

-Street resurfacing and pothole repair (<https://www.sandiego.gov/street-div/services/street-resurfacing-pothole-repair>). Use the Get it Done app or website, please continue to report, data is useful for budget as well as getting repairs. Please note the "When will my street be repaved" link as you scroll down in the page, you can put in your address at (<https://streets.sandiego.gov/>) and click on the street to see what's coming and the status and the start and end dates. This is updated daily, so it is current and correct information. It would not show SDG&E projects.

- Utilities undergrounding for Block 1Y is stalled due to the Franchise Agreement coming to an end this June. If more info comes out, Brian will pass it on.
- Question from Adam about the project manager at the city in charge of maintenance assessment district for Del Mar Terrace area.
- Wednesday meetings - 10:00am - 11:00am, <https://sandiego.zoomgov.com/j/1609913049?pwd=RjU3NXdXRzhUTnhlWmcyWTFRNklKdz09> (more time to get into specifics about neighborhood or street-level concerns)

**Miller Saltzman, District 39 State Senator Atkins' office** (contact info at end of minutes): Not Present.

**Cody Petterson, County District 3 Supervisor Terra Lawson-Remer's office:**  
Not Present.

**Rachel Granadino, Christopher Ward**, 78th District Assemblymember representative.

- Liz Shopes asked for more information about the bills regarding single family homes.
- Eduardo Saviglano asked for more information about the water levels statewide.
- Grants not yet funded will automatically rolled over (Small Business Relief: <https://careliefgrant.com/>).

A. Non-Agenda Public Comment: Issues not on the Board Agenda but with the Jurisdiction of the Community Planning Board. Time limit, 3 minutes per speaker. (Board does not respond to speaker per City Council Policy.)

-Mike Hastings announced March 30<sup>th</sup> meeting to talk about the North Lot at TP State Beach. (See agenda attached to our minutes.) More info on [their site](#). Also, last storm blew open the outlet, good, not great flow. Currently the annual big cleanup with heavy equipment is mid-May (conditions may cause this to change).

-Jim Smith let us know Crest Canyon will be mostly done, and next month we'll see an update to the trails as it has changed.

- B. Report by Treasurer: No new information from Jim Smith. We have not spent any money.
- C. General Announcements: Conduct at meetings follows City Council 600-24. The planning group is encouraged to work on the document presented for the 600 - 24 document to be returned to CPC.
- D. Motion to Approve the March Agenda passed unanimously, 10-0.

**OFFICIAL INFORMATION CONTACTS** (reports handled earlier in meeting):

1. District 1 Councilmember Joe LaCava, Policy Advisor Brian Elliott ([belliott@sandiego.gov](mailto:belliott@sandiego.gov)), (619) 510-6874 (cell), <https://www.sandiego.gov/citycouncil/cd1>  
  
Facebook: <https://www.facebook.com/joelacavad1>  
Twitter: [@JoeLaCavaD1](https://twitter.com/JoeLaCavaD1)  
Instagram: [@JoeLaCava\\_D1](https://www.instagram.com/JoeLaCava_D1)
2. SD County District 3 Supervisor Terra Lawson-Remer's representative, Cody Petterson ([cody.petterson@sdcounty.ca.gov](mailto:cody.petterson@sdcounty.ca.gov)) (858) 289-9206
3. District 39 State Senator Toni Atkins' representative, Miller Saltzman, [Miller.Saltzman@sen.ca.gov](mailto:Miller.Saltzman@sen.ca.gov)
4. 78th District Assemblymember Christopher Ward's representative, Rachel Granadino [Rachel.Granadino@asm.ca.gov](mailto:Rachel.Granadino@asm.ca.gov), cell: (619) 431-0674, District Office: 619-645-3090  
<https://a78.asmdc.org>

**ACTION ITEMS**

1. **Action to approve and seat the four candidates up for re-election** (Deborah Currier, Susan Lyon, Brad Remy, and Mike Hastings)-(Minutes note: These four terms and all consecutive years of service were updated above.) Passed, 10-0
2. **Annual organization meeting** (no board members were interested in assuming any of the officer positions, and the current officers are willing to continue. Motion was made to continue with the four members remaining

in the current positions, as listed above in the attendance grid. Passed, 10-0

3. 11330 Sorrento Valley Rd. Bakery Sorrento. Applicant asked to remove this from the consent agenda and present, which was granted. Applicant's previously had approval at 11189 Sorrento Valley Rd.

**Project Review Committee Motion: Recommended a denial.**

The PRC believes that the project does not comply with the Industrial Element of the Torrey Pines Community Plan as summarized by PRC. Furthermore, four dispensaries allowed within District 1, per current code, are all located within Sorrento Valley. This is inequitable, bad planning, and unfair to the disenfranchised who rely on public transportation. These retail outlets should be distributed within the District such that they are accessible to the maximum number of people that rely on them. The project should also not be located in a highly visible area in proximity to youth-oriented businesses as it will serve as an attractive nuisance. PRC drafted a letter for the board to consider sending to Councilmember Joe LaCava's office. Attached to minutes at end.

Board discussion regarding the density in one area and the non-supportive retail not being part of our plan. Residents expressed concerns about cannabis proximity to youth audience businesses in Sorrento Valley as well as repeated concerns with the "cookie" name. Density is also a concern for residents—repeatedly noted that there are already four cannabis businesses in this small area. Several shout outs to the PRC for such a great draft letter, from the board and the residents. Motion to delay this project as we need a complete package for PRC and also send the letter to Councilmember Joe LaCava's office. Passed 10-0.

4. Code Update Recommendations.

**Project Review Committee Motion: Recommended approving lending support to La Jolla CPB as shown in the provided grid.** Motion passed 7-2 (Eduardo Savigliano had to leave the meeting, thus the total is 9.)

Note: the two opposed had questions about the basement issue only.

**CPC update** – Passed due to time. It was noted the mayor spoke and it was an excellent meeting.

**Motion to extend the Meeting:** Extend the meeting for a few minutes. Passed 9-0. Information Items and TPCPB Reports (As available, maximum 5 minutes)

NON-AGENDA ITEMS (Constituting new or future business) NONE

Chair adjourned the meeting. 9:12 pm.



**Addendum**

TPCPB is happy to add information from government and other representatives that supplement the meeting minutes above in order to make our minutes a more valuable resource for the community. Any notes below are printed as supplied.

If you present to us, we will happily add your slide deck to the end of the presentation, please post it in the chat on Zoom.



**LOS PEÑASQUITOS LAGOON FOUNDATION**  
Lospenasquitos.org

**PRESERVING PUBLIC ACCESS TO  
TORREY PINES STATE NATURAL RESERVE:  
MANAGED RETREAT OF THE NORTH BEACH PARKING LOT  
PUBLIC WORKSHOP 2**

**March 30, 2021**

**6:30 pm – 8:00 pm**

**Join Zoom Meeting:**

<https://us02web.zoom.us/j/86922432673?pwd=TGJkQnhUM3REV3hZM0RNYUIKQ0UxQT09>

**Join by phone: (669) 900-6833 US (tolls may apply)**

**Meeting ID: 869 2243 2673**

**Passcode: 772060**

**AGENDA**

- 1. Welcome & Introduction to Panel (6:30pm-6:40pm)**
- 2. Presentation and Input: Managed Retreat Options for the North Beach Parking Lot (6:40pm - 7:40 pm)**
  - a. Summary of Presentation from Public Workshop 1
  - b. Breakout Groups to review, evaluate and provide input on proposed approaches:
    - i. Reduced Footprint.
    - ii. Upland Relocation.
    - iii. Offsite Relocation and Hybrid Approaches.
- 3. Questions & Answers for the Panel\* (7:40pm-7:55pm)**
- 4. Adjourn (8:00pm)**

\* Questions can be submitted at any time through the chat option on Zoom but will not be answered until after the presentation.

Date

Salutation

Re: PTS 665588, Cookies Bakery (Cannabis Retail Outlet), Sorrento Valley

Dear Councilmember LaCava,

We urge you to discuss this matter with staff ~~and to help~~ stop the disconnect between ~~our~~ the Torrey Pines Adopted Community Plan (Plan) and what is the City is approving ~~being approved~~ within our Subarea.

With regard to this project, ~~in this case~~ a retail cannabis outlet within prime industrial lands, our Plan specifically states that "retail commercial uses be restricted to those uses that serve only the immediate Sorrento Valley industrial area." Clearly this project is a retail commercial use and is also one of four (4) already approved in our subarea.

Our ~~c~~Community ~~p~~Plan ~~(Plan)~~ was developed through a partnership between the Torrey Pines Community Planning Group, the public, City staff, and other interested parties, working together to develop policies and recommendation to guide future development of our community. Our purview as a Board is to ensure that projects before us follow this Plan so It concerns us when we see a projects approved by the City that clearly disregards Plan policies and recommendations. How is this possible without a General Plan Amendment and why is it tolerated? ~~without at least a General Plan Amendment to bring land use policies into alignment?~~ Please help us by directing staff to bring project approvals into better alignment with the adopted policies of our plan.

~~Regarding this project, the Torrey Pines Community Planning Board (TPCPB) found the following:~~ For your information I've summarized the sentiments of the Board as well as a summary of the Plan goals and policies that pertain this project.

#### ~~Motion~~ Summary Position:

The TPCPB believes that the project does not comply with the Industrial Element of the Torrey Pines Community Plan as summarized below. Furthermore, four dispensaries ~~allowed~~ are already located ~~within District 1~~ in Sorrento Valley, ~~per current code, are all located within Sorrento Valley.~~ This is inequitable, bad planning, and unfair to the disenfranchised, seriously ill, and others seeking medical marijuana who rely on public transportation. These retail outlets should be distributed within the District such that they are accessible to the maximum number of people that rely on them. The project should also not ~~be located in~~ be in a highly visible area in close proximity to youth-oriented businesses ~~as it will~~ such that it has the potential of serving ~~serve~~ as an attractive nuisance.

With regard to specific Community Plan Goals and Policies, we find the following:

#### Plan Industrial Element Goals:

**Plan Goal #1:** Emphasize the citywide importance of and encourage the location of scientific research, biotechnology, and light manufacturing uses in Sorrento Valley



because of its proximity to UCSD and the University and Mira Mesa communities' industrial areas. Ensure adequate transit/transportation facilities are provided.

Response:

Sorrento Valley is home to manufacturing firms, research and development, laboratories, offices, industrial services, incubator industry and business uses, and support (emphasis added) commercial and retail uses. Allowing additional **NON SUPPORT retail** uses in prime industrial lands negates the importance of this area in relation to UCSD and our Mira Mesa industrial neighbors.

**Plan Goal #2:** Ensure that industrial land needs as required for a balanced economy and balanced land use are met consistent with environmental considerations.

Response:

Industrial land availability is limited and should be utilized in the best way possible as noted in response above. Furthermore, locating all the allotted dispensaries within Sorrento Valley is bad planning and unfair to the disenfranchised who rely on public transportation. These retail outlets should be located in retail areas, not prime industrial lands, and should be distributed throughout the District such that they are accessible to the maximum number of people who rely on them. They should not be located in prime industrial lands nor should they be located adjacent youth-oriented business, i.e. martial arts studios, youth volleyball, such that they serve as attractive nuisances.

**Plan Goal #3:** Contain industrial development within areas specifically designated for industrial usage.

Response:

See responses above.

**Plan Goal #7:** Minimize traffic impacts ...

Response:

Adding NON-SUPPORT retail uses that draw vehicle trips from outside the subarea will increase traffic rather than minimize traffic impacts as noted by this Goal.

**Industrial Element Policies:**

**Plan Policy #1:** Development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area.

Response:

This project clearly does not comply with this policy. It is a retail use that will draw users from within the entire County. Unless the Community Plan is Amended, this use does not comply with Policy #1 of our Industrial Element.

Your attention to this matter is greatly appreciated.



Troy Von Horst  
Chair, Torrey Pines Community Planning Group

**BACKGROUND:**

Once a year the City accepts suggested changes to the Municipal Code. The La Jolla Community Planning Group has been working with other coastal planning groups to figure out how to bring the municipal code into better alignment with our respective community plans. Several areas of concern have been identified and suggested code amendments prepared (see attached Matrix). It is our hope that the TPCPB will support the following Motion and join La Jolla, and other Coastal Communities, to request that staff consider the attached code amendments we believe will improve architectural compatibility within our neighborhoods, minimize adverse impacts associated with new development, improve transparency through better project noticing, and help to preserve the character of our subarea for generations to come.

**MOTION:**

The Torrey Pines Community Planning Board supports the following code amendments and request that City Staff consider them in their next code update.

ISSUE	PROBLEM	PROPOSED CODE CHANGE	TPCPB POSITION
50% Rule CDP Exemption	The current rule seeks to exempt modest remodeling from CDP requirements. Instead, it permits massive expansion of small buildings, promotes awkward designs, and inhibits certain kinds of reasonable remodeling such as replacement of solid walls with windows	Limit 50%-rule CDP exemptions to projects that (a) increase existing GFA by no more than 50%, (b) whose result is a building using not more than 50% of allowable FAR, and (c) do not involve a property that has used the 50%-rule exemption within the past <del>12-xx</del> months <b>(NEEDS TO BE OF LONGER DURATION 36-60 MONTHS)</b> .	<b>AGREE THAT 50% RULE EXEMPTION SHOULD NOT BE ALLOWED SUCH THAT IT ENCOURAGES APPLICANTS TO SKIRT THE CDP PROCESS. TIME PERIOD BETWEEN APPLICATIONS SHOULD BE LENGTHEND TO DISCOURAGE SERIAL PROCESSING.</b>
Serial Permitting	Currently a succession of 50%-rule exemptions can be obtained without any interval, each relying on the augmented walls allowed by earlier permits. Entire structures can be thus replaced without ever obtaining a CDP	Once a 50%-rule exemption is granted, another cannot be obtained until either (a) <del>12</del> <b>(36-60 MONTHS??, NEEDS TO BE LONGER DURATION)</b> months have passed since a certificate of occupancy has been obtained following an earlier project, or (b) the subsequent permit leaves at least 50% of the original structure (the <b>ORIGINAL STRUCTURE RETAINED</b> base for the earlier permit) intact.	<b>AGREE THAT 50% RULE EXEMPTION SHOULD NOT BE ALLOWED SUCH THAT IT ENCOURAGES APPLICANTS TO SKIRT THE CDP PROCESS. TIME PERIOD BETWEEN APPLICATIONS SHOULD BE LENGTHEND TO DISCOURAGE SERIAL PROCESSING.</b>
Carports	Carports (and open sided garages) are routinely used to increase the GFA of a home without exceeding FAR restrictions. Carports often feature pitched roofs and garage doors and are often illegally enclosed after final inspection.	Except in very limited circumstances, the GFA of carports or open-sided garages that are attached to buildings must be counted against allowable FAR.	<b>AGREE</b>

ISSUE	PROBLEM	PROPOSED CODE CHANGE	TPCPB POSITION
Basements	<p>Basements add considerable density to the community while currently being exempt from FAR. Moreover, especially in hilly areas basements can create or exacerbate geological problems stemming from water flows, seismic faults, and the like (DOES NOT APPEAR TO BE APPLICABLE TO OUR AREA).</p>	<p>The GFA of all basements (as defined by the current height above grade limitations) should count towards FAR at a 50% discount. This provides some benefit to the developer to be able to increase overall project size by going underground, but also provides benefit to the community by partially reducing the size of development above ground. Furthermore, due to the high seismic sensitivity throughout San Diego we believe all projects with basements should provide a geotechnical study prior to requesting a CDP.- (GEOTECHNICAL STUDIES ARE ALREADY REQ'D).</p>	<p>CONCEPTUALLY AGREE THAT USE OF BASEMENTS CAN INCREASE BULK AND SCALE RESULTING IN PROJECTS THAT ARE OUT OF SCALE WITH SURROUNDING DEVELOPMENT. SUPPORT CODE CHANGES THAT ENCOURAGE IMPROVED NEIGHBORHOOD COMPATIBILITY and HELP TO REDUCE BULK AND SCALE.</p>
Project Noticing	<p>Currently only small, uninformative notices are required when projects request a CDP. Additional information on projects is very difficult for neighbors and other interested parties to obtain.</p>	<p>Projects seeking a CDP should be required to post a large sign on the site, as many other cities do, including a project rendering, basic project data, and a link to view the complete set of plans.</p>	<p>AGREE, BETTER NOTICING IS NEEDED.</p>
Prop D Height Limit	<p>Currently the Prop D height limit is measured differently than the City's residential height limit, and in a way that encourages gaming the system.</p>	<p>The Coastal Prop D Height Limit shall be measured from the lower of existing or proposed grade, exactly as the zoning height limits are measured.</p>	<p>AGREE</p>
Residential Height Limit	<p>The 30' residential height limit was intended for steeply pitched roofs and chimneys but permits flat-roofed structures that are too large.</p>	<p>No more than 50% of the building footprint should be allowed to exceed a 25 ft. height limit</p>	<p>AGREE THAT THIS SHOULD BE CONSIDERED TO ENCOURAGE ROOF ARTICULATION, MAINTAIN VIEWSHED, AND DISCOURAGE BOXLIKE STRUCTURES WITHOUT SUFFICIENT VISUAL RELIEF.</p>