

CITY OF SOLANA BEACH

SOLANA BEACH CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,
PUBLIC FINANCING AUTHORITY, & HOUSING AUTHORITY



MINUTES

Joint REGULAR Meeting
Wednesday, October 26, 2022 * 6:00 p.m.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California

Minutes contain a summary of significant discussions and formal actions taken at a City Council meeting.

- City Council meetings are video recorded and archived as a permanent record. The video recording captures the complete proceedings of the meeting and is available for viewing on the City's website.
- Posted Reports & Supplemental Docs contain records up to the cut off time prior to meetings for processing new submittals. Complete records containing meeting handouts, PowerPoints, etc. can be obtained through a [Records Request](#).

CITY COUNCILMEMBERS

Lesa Heebner
Mayor

Kelly Harless, Deputy Mayor
Jewel Edson, Councilmember

David A. Zito, Councilmember
Kristi Becker, Councilmember

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:15 p.m.

Present: Lesa Heebner, Kelly Harless, David A. Zito, Jewel Edson, Kristi Becker,
Absent: None
Also Greg Wade, City Manager
Present: Johanna Canlas, City Attorney
Angela Ivey, City Clerk
Dan King, Assistant City Manager
Mo Sammak, City Engineer/Public Works Dir.
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

APPROVAL OF AGENDA:

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve.
Approved 4/0/1: Ayes: Heebner, Becker, Zito, Edson. Noes: None. Absent: Harless. Motion carried.

ORAL COMMUNICATIONS:

Comments relating to items on this evening's agenda are taken at the time the items are heard. This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by submitting a speaker slip (located on the back table) to the City Clerk. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES. No donations of time are permitted (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

Peggy Walker, San Dieguito Alliance, spoke about Red Ribbon Week which is the largest prevention activity in the country observed by school children and law enforcement.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

An opportunity for City Council to make brief announcements or report on their activities. These items are not agendized for official City business with no action or substantive discussion.

A. CONSENT CALENDAR: (Action Items) (A.1. - A.4.)

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be heard immediately after approval of the Consent Calendar to hear the public speaker.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held on September 14, 2022.

Approved Minutes <https://www.cityofsolanabeach.org/en/government/public-meetings/agendas-minutes-videos>

Motion: Moved by Councilmember Becker and second by Councilmember Edson to approve.
Approved 4/0/1: Ayes: Heebner, Becker, Zito, Edson. Noes: None. Absent: Harless. Motion carried.

A.2. Register Of Demands. (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for September 24, 2022 – October 07, 2022.

Item A.2. Report (click here)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Councilmember Becker and second by Councilmember Edson to approve.
Approved 4/0/1: Ayes: Heebner, Becker, Zito, Edson. Noes: None. Absent: Harless. Motion carried.

A.3. General Fund Adopted Budget for Fiscal Year 2022/2023 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2022-2023 General Fund Adopted Budget.

[Item A.3. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Motion: Moved by Councilmember Becker and second by Councilmember Edson to approve.

Approved 4/0/1: Ayes: Heebner, Becker, Zito, Edson. Noes: None. Absent: Harless. Motion carried.

B. PUBLIC HEARINGS: (B.1. – B.4.)

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record. An applicant or designee(s) for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. *All other speakers should refer to the public comment section at the beginning of the agenda for time allotment.* Please be aware of the timer light on the Council Dais.

B.1. Introduce (1st Reading) Ordinances 528 and 529 – Building Standards Code Amendments. (File 0600-05)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project categorically exempt from CEQA pursuant to Section 15308 CEQA Guidelines.
3. Introduce **Ordinance 528** and **Ordinance 529** (1st Reading).

[Item B.1. Report \(click here\)](#)

[Item B.1. Supplemental Docs \(updated 10-26-22 at 345pm\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Rimga Viskanta, Sr. Mgmt Analyst, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Motion: Moved by Councilmember Zito and second by Councilmember Edson to close the public hearing. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

B.2. Public Hearing: 601 North Cedros, Applicant: Jones, Case: 17-19-12 DRP (File 0600-40)

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2022-127** conditionally approving a DRP to demolish a single-family residence, construct a replacement 5,612 square-foot split-level single-family residence with an attached 787 square-foot Accessory Dwelling Unit (ADU) and 962 square-foot four-car tandem garage, and perform associated site improvements at 601 North Cedros Avenue, Solana Beach.

[Item B.2. Report \(click here\)](#)

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Councilmember Zito recused himself due to living within 500 ft. of the project.

Greg Wade, City Manager, introduced the item.

Joe Lim, Community Development Director, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Derek Berg, Applicant representative and designer, spoke about grading for offsite street parking and preserving a façade by sinking the garage into the lot.

Motion: Moved by Councilmember Becker and second by Mayor Heebner to close the public hearing. **Approved 3/0/2** Ayes: Heebner, Edson, Becker. Noes: None. Absent: Harless, Zito (recused). Motion carried.

Motion: Moved by Councilmember Becker and second by Councilmember Edson to approve. **Approved 3/0/2** Ayes: Heebner, Edson, Becker. Noes: None. Absent: Harless, Zito (recused). Motion carried.

B.3. Public Hearing: 427 Canyon Dr., Applicant: Ramsey, Case: DRP21-020, SDP21-019. (File 0600-40)

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, and Close the Public Hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2022-121** conditionally approving a DRP and SDP to construct a multi-level addition and remodel to an existing one-story, single-family residence with an attached garage and perform associated site improvements at 427 Canyon Drive, Solana Beach.

[Item B.3. Report \(click here\)](#)

[Item B.3. Supplemental Docs \(updated 10-25-22\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Greg Wade, City Manager, introduced the item.

Tiffany Wade, Associate Planner, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Dylan and Tara Ramsey, Applicants, spoke about working on the project for more than 2 years to have minimal impact on the neighbors, able to agree with other neighbors, not able to come to an agreement with Shane and Kathy Noroozi, that they had made every effort to make everyone in the area happy.

Andy Crocker, Applicant's Architect, presented a PowerPoint (on file).

Mr. and Mrs. Noroozi, Claimant, presented a PowerPoint (on file) and asked that the project be continued due to the draft meeting minutes, that the View Assessment Commission recording was not clear and defective, ambiguous explanations, and the denial of their appeal. They said that the View Assessment Commission had a motion and second outlining some items including additional requests for reducing bulk and mass, alignment with the daylight plan, reducing the view impact on the existing view corridor, limiting height vegetation, masking the noise of the pool and a/c equipment, limiting structures on the balcony, and that the View Assessment Commission conditions had not been met. They made suggestions to address height, reduce scale, lower roof pitch, shift the structure, minimize the impact on their view occurring in various rooms of their house, and said that they do not think that findings 1, 2, and 3 were met.

Michael Newhouse spoke about living up the slope from the project, that the original addition would have significantly impaired their views, that the Ramseys has a need to add room for a

family, that they had a small house and small lot, that they had compromised a great deal to please all of the neighbors, the area was originally single story homes, that all remodels have brought 2nd story homes, that this project was one of the last single story homes in the area, they were surrounded by 2nd story structures, that maintaining a primary view becomes a possessive issue, that he had lived on his property over 50 years, the Ramsey's had been thoughtful, patient, and communicative, they had repeatedly retreated from their original plans and now gone underground, and that they should not be punished just because they are recent home owners.

Council and Mr. Newhouse spoke about a shift of the project to the north would notably affect his and other neighbors' views further.

Mr. Croker, rebuttal, stated that they had been communicating with the Noroozi's in good faith over a long period, that they had presented new issues and ideas today that were not shared in the past, that the story pole was not official but instead put up as an alert to the neighborhood, that the Noroozi's already had 2nd story house on the set back and a large project addition as well, and that it should not be harder for newer families in the area than those who had been there longer.

Council and Mr. Crocker discussed that the View Assessment Commission agreed to a flat roof but that the applicant did not prefer to do this because it would not ease Noroozi's concerns or would be aesthetically pleasing, that the ceiling was slightly vaulted with a 9/6 ridge height underneath, that the applicant agreed to add obscured glass to the windows, and to shift the solid stucco railing wall 3 ft. to the north to align with the proposed second floor south wall to aid in privacy.

Council each disclosed their primary viewing area to be the primary family room and that they could all make the findings for the SDP.

Council discussed the DRP and privacy concerns, pushing back the pop out alcove in the bath on the second story master bedroom, concerns with the mass and bulk, balancing the right to develop with the impact on the surrounding properties, flattening the roof as discussed at the View Assessment Commission, and that the flattening of the roof would not suit the character of the project.

Motion: Moved by Councilmember Becker and second by Councilmember Edson to close the public hearing. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

Motion: Moved by Councilmember Edson and second by Councilmember Zito to approve adding conditions to 1) shift the stucco wall railing 3 ft. to the north to align with a proposed second floor south wall, 2) that obscure glass be required on the south facing second story windows, 3) that the master bath alcove be pushed west to align with the balance of the western bathroom wall, 4) that no permanent fixtures be allowed on the deck, 5) that the hedge vegetation height not exceed 12 ft. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

B.4. Public Hearing: Community Development Block Grant (CDBG) Funding and Amended Locations for Americans with Disabilities Act (ADA) Pedestrian Ramp Improvements – Fiscal Year 2023/24. (File 0820-20)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing.
2. Adopt **Resolution 2022-120**:
 - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
 - b. Approving the Fiscal Year (FY) 2023/24 list of public street ADA ramp locations.
 - c. Requesting Fiscal Year (FY) 2023/24 Community Development Block Grant Funds for ADA pedestrian ramp improvements at various public street intersections.
 - d. Authorizing the City Manager to execute the County contract for management and implementation of the CDBG program.
3. Adopt **Resolution 2022-125**:
 - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
 - b. Approving the Fiscal Year (FY) 2022/23 amended list of public street ADA ramp locations.

[Item B.4. Report \(click here\)](#)

[Item B.4. Updated Report #1 \(added 10-25-22 at 4:45pm\)](#)

[Item B.4. Updated Report #2 \(added 10-26-22 at 8:45am\)](#)

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Greg Wade, City Manager, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Council and Staff discussed the consideration of the list of intersections needing ramps listed at a past presentation of the Safe Routes to School.

Motion: Moved by Councilmember Zito and second by Mayor Heebner to close the public hearing. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

C. STAFF REPORTS: (C.1.)

Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

C.1. Adopt (2nd Reading) Ordinance 527 - 2022 California Building and Fire Code Updates (File 0600-10)

Recommendation: That the City Council

1. Adopt **Ordinance 527** (2nd Reading) amending Title 15 of the Solana Beach Municipal Code.

[Item C.1. Report \(click here\)](#)

Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk's Office.

Johanna Canlas, City Attorney, recited the title.

Motion: Moved by Councilmember Edson and second by Councilmember Zito to close the public hearing. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

Motion: Moved by Councilmember Zito and second by Councilmember Becker to approve. **Approved 4/0/1** Ayes: Heebner, Zito, Edson, Becker. Noes: None. Absent: Harless. Motion carried.

WORK PLAN COMMENTS:

Adopted June 22, 2022

COMPENSATION & REIMBURSEMENT DISCLOSURE:

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency "City" at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

REGIONAL COMMITTEES: (outside agencies, appointed by this Council)

STANDING COMMITTEES: (All Primary Members) (*Permanent Committees*)

CITIZEN COMMISSION(S)

ADJOURN:

Mayor Heebner adjourned the meeting at 8:14 p.m.

Angela Ivey, City Clerk

Council Approved: December 9, 2022