



# CITY OF SOLANA BEACH

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

## MINUTES

### Joint REGULAR Meeting

Wednesday, June 10, 2020 \* 4:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

This meeting was conducted in accordance with Governor Newsom's Executive Order N-29-20 and N-33-20 related to the COVID-19 virus.

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

Jewel Edson, **Mayor**

Judy Hegenauer, **Deputy Mayor**

Kristi Becker, **Councilmember**

Kelly Harless, **Councilmember**

David A. Zito, **Councilmember**

**Gregory Wade**  
City Manager

**Johanna Canlas**  
City Attorney

**Angela Ivey**  
City Clerk

#### CALL TO ORDER AND ROLL CALL:

Mayor Edson called the meeting to order at 4:12 p.m.

Present: Jewel Edson, Judy Hegenauer, Kristi Becker, Kelly Harless, David A. Zito

Absent: None

Also Present: Greg Wade, City Manager  
Johanna Canlas, City Attorney  
Angela Ivey, City Clerk,  
Dan King, Assistant City Manager  
Mo Sammak, City Engineer/Public Works Dir.  
Marie Berkuti, Finance Manager  
Joseph Lim, Community Development Dir.

**CLOSED SESSION REPORT:** None

#### FLAG SALUTE:

#### APPROVAL OF AGENDA:

**Motion:** Moved by Deputy Mayor Hegenauer and second by Councilmember Zito to approve.  
**Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

#### ORAL COMMUNICATIONS:

Carrie Ann Kelly spoke about opposition to the November ballot measure regarding marijuana, expressed concerns about the negative health effects of vaping and smoking

marijuana, and the negative impact that marijuana businesses would have in the community.

Mary Yang spoke about the City's climate action and adaptation plan, that climate crises have global consequences especially affecting the low-income communities, communities of color and the disabled, related the Climate Action Commission in March voted unanimously to recommend to the Council to declare a climate emergency, and would like the item added to a future Council agenda.

Mayor Edson directed Staff to add the item to a future Council agenda.

## **COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:**

Councilmembers reported community announcements, events and commentary.

### **A. CONSENT CALENDAR: (Action Items) (A.1. - A.6.)**

#### **A.1. Minutes of the City Council.** (File 0300-30)

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held March 19, 2020.

Approved Minutes [http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B\\_BASIC](http://www.ci.solana-beach.ca.us/index.asp?SEC=F0F1200D-21C6-4A88-8AE1-0BC07C1A81A7&Type=B_BASIC)

**Motion:** Moved by Councilmember Harless and second by Councilmember Becker to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

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

Recommendation: That the City Council

1. Ratify the list of demands for May 9, – May 22, 2020.

**Motion:** Moved by Councilmember Harless and second by Councilmember Becker to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

#### **A.3. General Fund Adopted Budget for Fiscal Year 2019-2020 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2019-2020 General Fund Adopted Budget.

**Motion:** Moved by Councilmember Harless and second by Councilmember Becker to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

#### **A.4. Fire Benefit Fee Fiscal Year 2020-21.** (File 0495-20)

Recommendation: That the City Council

1. Adopt **Resolution 2020-072:**
  - a. Setting the FY 2020/21 Fire Benefit Fee at \$10.00 per unit, and

b. Approving the Fee for levying on the tax roll.

**Motion:** Moved by Councilmember Harless and second by Councilmember Becker to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

**A.5. Municipal Improvement Districts Benefit (MID) Fees Fiscal Year 2020-21.** (File 0495-20)

Recommendation: That the City Council

1. Approve **Resolution 2020-067**, setting the Benefit Charges for MID No. 9C, Santa Fe Hills, at \$232.10 per unit for FY 2020/21.
2. Approve **Resolution 2020-068**, setting the Benefit Charges for MID No. 9E, Isla Verde, at \$68.74 per unit for FY 2020/21.
3. Approve **Resolution 2020-069**, setting the Benefit Charges for MID No. 9H, San Elijo Hills # 2, at \$289.58 per unit for FY 2020/21.
4. Approve **Resolution 2020-070**, setting the Benefit Charges for MID No. 33, Highway 101/Railroad Right-of-Way, at \$3.12 per unit for FY 2020/21.

**Motion:** Moved by Councilmember Harless and second by Councilmember Becker to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

**A.6. Annual Sewer Service Charge for Fiscal Year 2020-21.** (File 1040-70)

Recommendation: That the City Council

1. Adopt **Resolution 2020-079** approving the FY 2020/21 Annual Sewer Service Charge at \$682.31 per Equivalent Dwelling Unit (EDU).

**Motion:** Moved by Councilmember Harless and second by Councilmember Becker to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

**B. PUBLIC HEARINGS: (B.1. – B.2.)**

**B.1. Public Hearing: 127-129 Granados, Applicant: Granados Partners LLC, Case 17-17-47.** (File 0600-40)

The Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Sections 15303 of the State CEQA Guidelines;
3. Adopt **Resolution 2020-078**, if the City Council makes the requisite findings and approves the project, to conditionally approving a Development Review Permit, a Structure Development Permit, and a Minor Subdivision Tentative Parcel Map for condominium purposes, to consolidate two existing legal lots into one legal lot of 14,381 square feet, demolish the existing structures onsite, construct four detached single-family condominium dwelling units, each consisting of two stories with an attached two-car garage and associated site improvements on property on the 127-129 North Granados Avenue, Solana Beach.

Mayor Edson opened the public hearing.

Council disclosures.

Greg Wade, City Manager, introduced the item.

Corey Andrews, Principal Planner, presented a PowerPoint (on file).

Councilmembers asked Staff questions.

Council and Applicant discussed the trigger for qualifying for affordable housing and that there was no estimate of the anticipated cost of the homes at this time.

Alex Stone, Edinger Architects, presented a PowerPoint (on file).

Kristin Brinner spoke in support of the project, which was 5 houses away from hers, about the similar setback proximities of other existing duplexes on the same side of N. Granados, the apparent bulk and mass favorability compared to other duplexes, the support for projects near the City's public transportation hub, and the preference for 4 homes being built for a lesser price point instead of larger homes with high price points.

Jeffrey Goedhuys spoke about his objection to the project due to density, less yard space, drainage and runoff, and that it should be scaled down to two larger units with more amenities.

Alex Stone, Edinger Architects, spoke about drainage concerns, and that they had requested an easement on his property to avoid having pumps from the bio swales but they had abandoned the idea and instead would pump everything up to North Granados.

Council, Staff, and Applicant discussed that the development should not increase the amount of drainage flow, that no reports were made of flooding in this area while there were many other areas with localized flooding during the April storm, and the design would take care of low flows and address the post-construction water quality issues.

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to close the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

**Motion:** Moved by Councilmember Zito and second by Councilmember Harless to approve Staff recommendation. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None.

**B.2. Public Hearing: 201 Ocean Street, Applicant: Carome, Case 17-18-02.** (File 0600-40)

The proposed project meets the minimum objective 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 administratively issue a 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 2020-077** conditionally approving a DRP and SDP to remodel the existing residence and construct a new two-story addition, including a roof top deck and a walk out deck off the east side of the proposed addition. In addition, the Applicant is proposing to convert an existing detached accessory structure to an accessory dwelling unit (ADU) at 201 Ocean Street, Solana Beach.

Mayor Edson opened the public hearing.

Council disclosures.

Greg Wade, City Manager, introduced the item.

Corey Andrews, Principal Planner, presented a PowerPoint (on file).

Douglas Fess, Studio One Architects, presented a PowerPoint (on file).

Council, Staff, and Applicant discussion.

Gary Martin spoke about his opposition to the third story roof deck, and his opposition to allowing an existing encroachment into the setback to remain, and how it would allow a major expansion proposal to not correct the nonconformity.

**Motion:** Moved by Deputy Mayor Hegenauer and second by Councilmember Harless to close the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

Council discussed that the garage and ADU might be considered as separate structures, that an increase of the structure would be interpreted as increasing the non-conformity, the municipal code reference to a section that should not be interpreted to allow the reconstruction of a nonconforming structure, issues with a roof deck creating a seemingly third story, the significant improvement with the second story having been pushed back, the ADU and the two bedrooms were collectively such a large amount of non-conformance, and whether there was space on the lot to move the two bedrooms back.

**Motion:** Moved by Councilmember Harless and second by Mayor Edson to reopen the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

The Applicant stated that to move anything around a new home would need to be designed, that the existing home was only three bedrooms and they were adding an office, and that the only other option would be to move the bedrooms upstairs.

**Motion:** Moved by Mayor Edson and second by Deputy Mayor Hegenauer to close the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes:

None.

Motion carried unanimously.

Council discussed that the only way to fit the design would be to go up, that a total redesign would be required to meet conformity, the FAR is nearly maxed out, the threshold was very close to requiring complete conformity, that the lot seemed too small for the house being built, there was sufficient space to build another bedroom, issues with the two bedrooms outside of the buildable lot area, moving one bedroom may greatly improve the impact on the nonconformity, and that if the first floor was changed there would not be additional story poles as long as the envelope remained under 16 ft.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Hegenauer to reopen the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

Council and the Applicant discussed whether to approve the proposed project with conditions, allow the Applicant to return with a redesign, and potential removal of the front bedroom but allowing the second bedroom and the garage to remain in the setback.

Council and Staff discussed that the options were to deny the project, grant a request for a continuance of the hearing and allowing a redesign, or approve the project with conditions. Discussion continued regarding eliminating the northeast bedroom and move it to the back without changing the design complexity, and that moving a bedroom to the second floor would increase the envelope and trigger the SDP process and view assessment.

**Motion:** Moved by Councilmember Harless and second by Edson to reopen the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**Motion:** Moved by Mayor Edson and second by Councilmember Becker to close the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

Council and Applicant discussed the process for a continuation and the need for the Applicant to request the continuation.

**Motion:** Moved by Councilmember Zito and second by Mayor Edson to reopen the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

Asli Carome, Applicant, requested that the hearing be continued for time to redesign the project.

**Motion:** Moved by Councilmember Zito and second by Mayor Edson to continue the hearing to a date certain of August 26, 2020. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

## **C. STAFF REPORTS: (C.1. – C.2.)**

### **C.1. County Allocation of Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Fund. (File 0230-10)**

The Staff recommends that the City Council

1. Provide direction on the use of CARES Act CRF funding for Economic Support Initiatives such as a small business loan/grant program; and
2. Consider adoption of **Resolution 2020-089** authorizing the City Manager to execute the Sub Grant Agreement for use of CARES Act CRF funds.

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

Two written communications were distributed.

Councilmembers asked questions and discussed the item.

Council reached consensus to allocate \$200,000 of County CARES ACT CRF funding to a grant program for Solana Beach small businesses of 25 or less employees for public-serving businesses, with grants amounts to be determined.

**Motion:** Moved by Mayor Edson and second by Councilmember Zito to approve Staff recommendation. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**C.2. COVID-19 Relief Measures Including Shared Streets, Outdoor Dining and Permit Extensions.** (File 0230-10)

The Staff recommends that the City Council

1. Providing direction regarding the Shared Streets program. If Council approves implementing the program, then also authorize the City Manager to execute any and all necessary agreements to facilitate the program.
2. Adoption of **Resolution 2020-087** implementing a Temporary Use Permit process for outdoor dining that would allow restaurants and microbreweries to temporarily expand their dining area through December 31, 2020, or until the emergency order and social distancing requirement are lifted, and extend all permit and project applications for a specified period of time as directed by City Council.

Greg Wade, City Manager, introduced the item.

Dan King, Assistant City Manager, presented a PowerPoint (on file).

Councilmembers asked questions.

Gary Martin spoke about his support of walkable neighborhoods and slowing traffic, his objection to the proposal submitted for parking restrictions, which would push parking problems into other areas, and the unfair equity and divisiveness it would bring to the neighborhood, and that he recommended that the project not be approved.

Tracy Richmond spoke about the uncertainty of the benefit of temporary soft street closures, the proposed locations, and reducing parking, which would favor some neighborhoods and shift traffic to other areas.

Council discussed the shared streets portion of the recommended action and reached consensus to not to proceed with it at this time.

Council concurred with Staff recommendation to implement waiving the application fee and the streamlined process for Temporary Use Permits that would allow restaurants and microbreweries to temporarily expand their dining area through December 31, 2020.

Tracy Richmond stated that a minimum of six feet clearance for public passage should be maintained in outdoor seating areas, and requested that grant monies be utilized to cover the waiver of application fees for the temporary use permits.

**Motion:** Moved by Councilmember Harless and second by Councilmember Zito to adopt Resolution 2020-087 and to extend all permit project applications for up to 12 months with the exception of those with issued building permits and initiated work. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**WORK PLAN COMMENTS:** None

**COMPENSATION & REIMBURSEMENT DISCLOSURE:** None

**COUNCIL COMMITTEE REPORTS:** None

**ADJOURN:**

Mayor Edson adjourned the meeting at 9:43 p.m.

Angela Ivey, City Clerk

Approved: September 9, 2020