

# 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 12, 2022 \* 6:00 p.m.

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

Teleconference: Edson - Grand Hyatt, 721 Pine Street, Seattle, WA 98103

- 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

**David A. Zito**, Councilmember

**Jewel Edson**, 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 6:00 pm

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

Mo Sammak, City Engineer/Public Works Dir.

Ryan Smith, Finance Dir.

Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

APPROVAL OF AGENDA:

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

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

None at the posting of this agenda

National Children’s Environmental Day  
Mayor Heebner read the proclamation.

**PRESENTATIONS:** Ceremonial items that do not contain in-depth discussion and no action/direction.

Age Friendly  
Steve Hornberger, Co-Director, Social Policy Institute, SDSU presented a PowerPoint (on file) reviewing the results of the survey.

**ORAL COMMUNICATIONS:** None

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.

**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.3.)

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. Register Of Demands.** (File 0300-30)

Recommendation: That the City Council

1. Ratify the list of demands for September 10, 2022 – September 23, 2022.

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

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

**A.2. 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.2. Report \(click here\)](#)

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

**A.3. Chamber of Commerce Visitors Center.** (File 0130-90)

Recommendation: That the City Council

1. Adopt **Resolution 2022-124:**

- a. Authorizing the City Manager to execute an Agreement between the City and the Solana Beach Chamber of Commerce in an amount up to \$30,000 for operation of the Visitor Center and the development of visitor serving advertising/outreach.
- b. Authorizing the City Manager to execute future agreements at a cost of \$30,000, on a yearly basis, at the sole discretion of the City.
- c. If approved by Council, appropriate up to an additional \$15,000 in the Coastal Area Business & Visitor Assistance Fund to the Contributions to Agencies account.
- d. Authorize the City Treasurer to amend the FY 2022/23 Adopted Budget accordingly.

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

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

**B. PUBLIC HEARINGS:** (B.1. – B.3.)

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. 2022 California Building and Fire Code Updates** (File 0600-10)

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. Find the project categorically exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines.
3. Introduce **Ordinance 527** (1<sup>st</sup> Reading).

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

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Greg Wade, City Manager, introduced the item.

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

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

**B.2. Public Hearing: 729 Fresca Street, Applicant: Tom Griffiths & Tania Lombrozo, Case: DRP21-011, SDP21-012 (File 0600-40)**

The proposed project could be found to be consistent with the General Plan and the underlying SBMC could 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 2022-119** conditionally approving a DRP and SDP to allow for the construction of a first-story remodel and addition and a new second story to an existing one-story, single-family residence with an attached garage at 729 Fresca Street, Solana Beach.

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

[Item B.2. Supplemental Docs \(updated 10-11-22 at 4:45pm\)](#)

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Greg Wade, City Manager, introduced the item.

Tiffany Wade, Assistant Planner, presented a PowerPoint (on file) reviewing the project.

Mayor Heebner opened the public hearing.

Council disclosures.

Heidi Kohler, Applicant's designer, stated that their intention was to maintain the existing character of the home, set the 2<sup>nd</sup> story back off the street, additional bedrooms, flex space, and open area, and ventilation. She said that they would use the property for family and possible rental in the future, that they addressed neighbors' concerns by reducing the overall size of the windows on the southern exposure, changed the window sill height to six feet above the finished floor, and that the Applicant requested to add some additional glazing on

the rear elevation and the north elevation to be sure that all rooms have light from two directions.

Adrienne Davenport spoke about the building being only 6 ft. off the property line and that it was going to be used as a short-term rental property so privacy was a concern for them and their children, and asked that the windows be frosted and that they cannot be opened.

Council and Ms. Kohler discussed the windows bottom sill being 6 ft. from the finished floor.

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

**Motion:** Moved by Deputy Mayor Harless and second by Councilmember Zito to approve with the applicant's modification raising the window sills on the southern exposure so that the bottom sill is 6 ft. from the finished floor. **Approved 5/0.** Ayes: Heebner, Harless, Zito, Edson, Becker. Noes: None. Motion carried unanimously.

**B.3. Public Hearing: 675 S. Sierra, Applicant: Seascape Condominium Homeowners Association, Case: DRP22-022** (File 0600-40)

The proposed project meets the 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, should the City Council be able to make the findings to approve the DRP, 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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2022-122** conditionally approving a DRP to repair an existing legal nonconforming mid-bluff timber pole wall located on the coastal bluff at 675 South Sierra Avenue, Solana Beach.

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

[Item B.3. Updated Report #1 \(added 10-12-22\)](#)

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

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Greg Wade, City Manager, introduced the item.

Katie Benson, Sr. Planner, presented a PowerPoint (on file) reviewing the project.

Mayor Heebner opened the public hearing.

Council disclosures.

Walt Crampton, Applicant's Representative, referenced eight members in the audience as residents of the project, and presented and PowerPoint (on file) reviewing past photos of collapses back to the 1970s, some of the minor repairs over 50 years, the wall has been yielding over time and is now considered dangerous enough to fail and in need of repair, there would be limited repairs within the City's code and LCP requirements, that two steel I-beam channels would be colorized to blend in, and that there had been no previous repair to the stairs.

Council and Mr. Crampton discussed that this repair was not considered a stairway repair but instead the wall that supports the patio, that there was a 50% cumulative threshold for the stair repair from the 2014 adoption of the LUP, that there was no stairway repair since 2014, that the 2013-2014 repair was for the upper walkway and not the stairs.

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

Council discussed the DRP finding escalated to Council for a decision, that it was minimal repair work, legal non-conforming, repairs were necessary to stabilize the wall, that it would go to the Coastal Commission who is the governing authority on this matter, that the fourth finding was that the project be made to match the adjacent bluff, some internal inconsistency in the LCP that says that any change to the existing appearance should be minimized, that the policy could be interpreted both ways, and whether it was minor repairs since it was considered a safety issue.

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

**WORK PLAN COMMENTS:** 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 7:10 p.m.

Angela Ivey, City Clerk

Council Approved: December 9, 2022