

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting

Wednesday, November 8, 2023 * 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 COUNCIL MEMBERS

Lesa Heebner
Mayor

David A. Zito
Deputy Mayor / Councilmember District 1

Jewel Edson
Councilmember District 3

Kristi Becker
Councilmember District 2

Jill MacDonald
Councilmember District 4

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

SPEAKERS:

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of the Item. Allotted times for speaking are outlined on the speaker's slip for Oral Communications, Consent, Public Hearings and Staff Reports.

READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to [Solana Beach Municipal Code](#) Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:00 pm

Present: Lesa Heebner, David A. Zito, Jewel Edson, Kristi Becker, Jill MacDonald

Absent: None

Also Present: 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:

Mayor Heebner reported that Gregory Wade, City Manager, had agreed to extend the date of his resignation to January 31, 2024.

FLAG SALUTE:

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

United Against Hate Week

Mayor Heebner read the proclamation.

Yousef Miller, North County Equity and Justice Coalition, and member of San Diego County Anti-Hate Crimes Coalition, spoke about the importance of this issue and talking to youth and colleagues to unify all from different persuasions, ethnicities, genders, and identities.

APPROVAL OF AGENDA:

Motion: Moved by Deputy Mayor Zito and second by Councilmember Becker to approve.

Approved 5/0: Ayes: Heebner, Harless, Zito, Edson, Becker. Noes: None. Motion carried unanimously.

ORAL COMMUNICATIONS: None

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.6.)

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.

All speakers should refer to the public comment section at the beginning of the agenda for details. Please be aware of the timer light on the Council Dais.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held on October 11, 2023.

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

Motion: Moved by Councilmember Edson and second by Deputy Mayor Zito to approve.

Approved 5/0: Ayes: Heebner, Harless, Zito, Edson, Becker. Noes: None. Motion carried unanimously.

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

Recommendation: That the City Council

1. Ratify the list of demands for October 07, 2023 – October 20, 2023.

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

Motion: Moved by Councilmember Edson and second by Deputy Mayor Zito to approve.

Approved 5/0: Ayes: Heebner, Harless, Zito, Edson, Becker. Noes: None. Motion carried unanimously.

A.3 General Fund Adopted Budget for Fiscal Year 2023/2024 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2023-2024 General Fund Adopted Budget.

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

Motion: Moved by Councilmember Edson and second by Deputy Mayor Zito to approve.

Approved 5/0: Ayes: Heebner, Harless, Zito, Edson, Becker. Noes: None. Motion carried unanimously.

A.4. Fletcher Cove Tot Lot Replacement Project – Notice of Completion. (File 0730-40)

Recommendation: That the City Council

1. Adopt **Resolution 2023-123:**
 - a. Authorizing the City Council to accept, as complete, the Fletcher Cove Tot Lot Replacement, Bid No. 2023-01, constructed by R.E. Schultz Construction, Inc.
 - b. Authorizing the City Clerk to file a Notice of Completion.

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

Motion: Moved by Councilmember Edson and second by Deputy Mayor Zito to approve.

Approved 5/0: Ayes: Heebner, Harless, Zito, Edson, Becker. Noes: None. Motion carried unanimously.

A.5. Regional Transportation Improvement Program (RTIP) Amendment. (File 0840-30)

Recommendation: That the City Council

1. Adopt **Resolution 2023-122** approving an amendment to the SANDAG 2023 Regional Transportation Improvement Program (RTIP) of projects for Fiscal Years 2023 through 2027, to add a Traffic Signal Equipment Replacements and Upgrades project, and to program Regional Transportation Congestion Improvement Program (RTCIP) funds.
2. Appropriate \$25,000 to the Traffic Signal Upgrades Phase 1 CIP project from the RTCIP fund and reduce Gas Tax funding by \$25,000.
3. Authorize the City Treasurer to amend the Fiscal Year 2023-24 Adopted Budget accordingly.

[Item A.5. Report \(click here\)](#)

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

A.6. Firefighter Self Contained Breathing Apparatus and Rapid Intervention Team Paks. (File 0260-40)

Recommendation: That the City Council

1. Adopt **Resolution 2023-127:**
 - a. Authorizing the purchase of firefighter self contained breathing apparatus and rapid intervention team paks in the amount of \$189,743.68.
 - b. Authorizing the appropriation of \$189,743.68 from Asset Replacement – Fire Equipment Expenditure account (1356120.66400).
 - c. Authorizing the City Treasurer to amend the Fiscal Year 2023/2024 Adopted Budget accordingly.

[Item A.6. Report \(click here\)](#)

Motion: Moved by Councilmember Edson and second by Deputy Mayor Zito 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. Public Hearing: 611 Seabright Ln., Applicant: Boat, Case: DRP22-017, SDP22-015. (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 15301 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2023-112** conditionally approving a DRP and SDP to construct a 119 square-foot second-floor addition with associated improvements to two-story single-family residence at 611 Seabright Lane, Solana Beach.

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

[Item B.1. Updated Report #1 \(added 11-08-23 at 3:45pm\)](#)

[Item B.1. Supplemental Docs \(updated 11-02-23 at 5:15pm\)](#)

Deputy Mayor Zito recused himself due to property interest within 500 ft. of the project property.

This public hearing was continued from October 25, 2023.

Greg Wade, City Manager, introduced the item.

Katie Benson, Senior Planner, presented a PowerPoint (on file).

Council disclosures.

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

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

B.2. Public Hearing: 312 N. Rios Ave., Applicant: Wadley, Case: DRP23-004, SDP23-005. (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 2023-126** conditionally approving a DRP and SDP to demolish a single-family residence, construct a 2,236 square-foot split-level single-family residence with an attached 535 square-foot two-car garage, and perform associated site improvements at 312 North Rios Avenue, Solana Beach.

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

[Item B.2. Updated Report #1 \(added 11-08-23 at 3:45pm\)](#)

[Item B.2. Supplemental Docs \(updated 11-08-23 at 3:45pm\)](#)

Greg Wade, City Manager, introduced the item.

Katie Benson, Senior Planner, presented a PowerPoint (on file).

Mayor Heebner opened the public hearing.

Council disclosures.

Craig Friehauf, Architect, said he did not have a presentation.

Council and Mr. Friehauf discussed working with the neighbors, height reduction, considering alternative plantings to mature to a height maximum of 12 ft., and whether the pavers would be allowed from the driveway to the roadside frontage.

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

Motion: Moved by Mayor Heebner and second by Councilmember Edson to approve with a condition to allow the driveway material to extend to the street. **Approved 4/0/1.** Ayes: Heebner, Edson, Becker, MacDonald. Noes: None. Absent: Zito (Recused). Motion carried.

B.3. Introduce (1st Reading) Ordinance 525 – Accessory Dwelling Unit (ADU). (File 0610-10)

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. Consider introduction of **Ordinance 525 – Accessory Dwelling Unit Ordinance.**

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

[Item B.3. Supplemental Docs \(updated 11-08-23 at 9:20am\)](#)

Greg Wade, City Manager, introduced the item.

Joseph Lim, Community Development Dir., presented a PowerPoint (on file) stating that it would provide an update on Programs of the Housing Element and update the City's Municipal Code with several state laws relating to ADUs since the last adoption.

Mayor Heebner opened the public hearing.

Council disclosures.

Council and Staff discussed a few typos on the ordinance that would be corrected, that development in sensitive areas including the overlay zone would be allowed if they met the overlay zone regulations, and that the City would not allow ADUs to be sold separately.

Randall Peterson submitted a handout of a picture of his property area and said that he lived in a hillside overlay zone and wanted to build an ADU on his property.

Council discussed considering reducing the deed restriction from 99 years to 25 years, that they could be deed restricted for low income, low-to-moderate income, and moderate income, that moderate income was 80% of the area median income which would be \$106,900 at this time, that RHNA credit would be dependent on meeting the state law deed restriction for

affordable rentals ranging from 35-55 years, to develop a program that encouraged well balanced locations for ADUs, incentivizing applicants to add ADUs to their projects, that condominiums had their own rules, that HOA's may have rules as long as they don't prohibit ADUs, that all regulations proposed would have to be reviewed by the California Department of Housing and Community Development, and that ADU state laws did not require low income.

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

Motion: Moved by Deputy Mayor Zito and second by Councilmember Edson to approve with a change to the deed restriction year requirement to match state law to obtain affordable unit credit. **Approved 5/0.** Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried unanimously.

Mayor Heebner adjourned for a break at 7:16 pm and reconvened at 7:23 pm

C. STAFF REPORTS: (C.1. – C.2.)

Submit speaker slips to the City Clerk.

All speakers should refer to the public comment section at the beginning of the agenda for time allotments. Please be aware of the timer light on the Council Dais.

C.1. Marine Safety Center Revised Design and Photo Simulations. (File 0730-30)

Recommendation: That the City Council

1. Receive the report and provide input and direction on how to address the revised potential residential view impacts with the revised design of the Marine Safety Center.

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

[Item C.1. Updated Report #1 \(added 11-06-23 at 11:30am\)](#)

[Item C.1. Supplemental Docs \(updated 11-08-23 at 3:45pm\)](#)

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

Council and Staff discussed and reviewed the renderings to better clarify the differences between the prior and revised plan.

Council, Staff, and Consultant discussed the retaining wall, the roofline mimicking the slope of the bluff, the appearance of overhang covering the parking garage entrances, the proposed walkway that may or may not be glassed in to protect an operational area, the former and current views from certain units, and the ceiling heights of each floor.

Mary Odgers said she was the owner of Unit 5 and that she was happy to see the updates in these plans and that it would be an improvement, that she appreciates the Council's efforts, and that pulling it to the east as much as possible would be ideal.

Maureen Finkelstein said that she owned Unit 6 and that that she was concerned about the blocking of any of her view, the tower that was sticking up from the building, and would ask that the story poles be put up again for this new plan.

Ron Kassan (time donated by Dana Kassan), owners of 100 Pacific Ave., said that they appreciated taking time to view the project from his residence and all the efforts, that the new proposal was an improvement, that 5,000 sq. ft. is a large building and wondered if the office space portion needs to use that much space, that this new design blocked about 25% of his view rather than 50% of his view in the prior design, that he suggested a single story structure and dismissed the argument of a "line of sight" view, that a single story had worked for 80 years, that there were portable life guard stations already used, that if it had to be a second story that it not take up the horizon view, that the current rate of erosion could be 20 ft. in 50 years which would create a problem for this development, and asked that the project be downsized and be moved further east.

Council, Staff, and Consultant discussed the utilities proposed to be placed on top adding a foot to the ceiling, considering shallowing the pitch, the need for a second-floor observation tower, the location of the tower ideally be in the center but has been moved to the north to minimize view impacts, that other locations would cut off line-of-site view for optimal safety, returning to Council with information about what is contained inside of the buildings as well staffing levels, that in the last calendar year the Marine Safety personnel have made several hundred rescues and 20,000-30,000 safety contacts, that surrounding cities needed more room for their new stations soon after they were built, that the current building at Fletcher Cove was maxed out in space, that current storage was being placed in the rafters of the building, that visitors have increased in the last several years causing the need for more staffing and extending into the fall and winter months, that the roof may be pulled back and flattened which would improve the views, and that there was support for Solana Beach in providing a local and regional responsibility of safety.

C.2. Coastal Rail Trail – Discussion on Bicycle, Electric Bicycle and Pedestrian Safety Signage. (File 0840-35)

Recommendation: That the City Council

1. Discuss the new signage options and provide direction to Staff on the preferred signage, and locations, for installation on the CRT.

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

[Item C.2. Supplemental Docs \(updated 11-08-23 at 9:20am\)](#)

Greg Wade, City Manager, introduced the item.

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

Council and Staff discussed the signage options and reached consensus on the dark blue colors and a CRT speed limit of 8 mph.

WORK PLAN COMMENTS:

Adopted June 28, 2023

Council discussed considering fading out gas-powered leaf blowers and that some Palm trees were being addressed by landscapers for beetle disease.

COMPENSATION & REIMBURSEMENT DISCLOSURE: None

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 9:05 pm

Angela Ivey, City Clerk

Council Approved: December 13, 2023