

La Jolla Planned District Ordinance Committee- Monday - August 10, 2020

By Zoom due to COVID restrictions

Meeting was called to order.

Present: Committee- Deborah Marengo, Melissa Snook, Gail Forbes, Brett Murphy, Joe Pitrofsky, Joe Parker, Katey Kalanges(Longo), Ron Jones, Jerri Hunt (sub- Ann Kerr Bache).

Absent: Robert Steck, John Shannon

Guests: CPA Pres. Diane Kane, Patrick Ahern, Kathleen Neil, Brian Will, Suzanne Barracchini
Media-LJ Light: Ashley Macklin , Dave Schwab

Public Comment :none

Chair Report/ Board Discussion

- a. **Approval of minutes** MOTION : Pitrofsky /Longos "Approve Minutes of 7-14-2020 passed -4-0-2 (absent)

- b. **Discussion:Murals of La Jolla - Various locations/temporary time frame Planned District**

In the July meeting the LJPDO considered the history and installation of murals and resolved to seek guidance and feedback from the parent organizations

The La Jolla Community Planning Association (LJ CPA)has sought further guidance from the Planned District Ordinance Board directed to controlling commercialization of the Mural Program.

The La Jolla Village Merchants Assoc understands the need to avoid commercializations - billboards are specifically prohibited- but the Murals of La Jolla has proved to be a tourist attraction and has not been characterized in most reviews as being overtly commercialized.

The La Jolla Town Council has not conducted a meeting in the interim due to the calendar structure of meetings. The chair offered several considerations:

Murals are painted on a building.

Murals are considered works of art.

Art is subjective.

There is no current mechanism in the City of San Diego enabling the PDO to regulate murals. Technically any wall hanging is a development or a sign and there are detailed regulations for signs in the Planned District.

Technically most of the wall murals are hung and could be controlled though current restrictions which dictate square footage, size and color pallet.

S. Barracchini suggested that: written words should not be allowed; hash tags or codes directing a viewer to another direction should not be allowed, depictions of a sexual nature if offensive should not be allowed.

Members of the PDO committee recalled that many of the murals installed in La Jolla have contained words or poems or epithets, some have deliberately resembled a billboard or a graffiti scrawl, some have carried sexual images and some citizens have found some of the installations offensive or scary for a variety of reasons.*

The committee reviewed notes from July 13th of Linda Forshaw's comments of the parameters for Murals of La Jolla ." *There have been 30 murals installed.The artist is paired to the location. The*

mural committee approves the installation on private property. It is not signage ;it is not marketing.. It is a non commercial activity. The artist develops the work in context with the site. They have artistic license”.

Mr. Pitrofsky asked, “ Who decides what is rejected?”- the apparent answer being, the power lies with the Mural Committee under the governance of The Athenaeum.

Ms. Barrachini reiterated the suggestion that wordings, political statements or references and redirecting hashtags or scan codes be excluded from murals.

In response to a question What is driving the request from LJ CPA to review the Murals of La Jolla, again?

LJCPA=The top two complaints that are driving this exploration are:

1) The message of the mural

2) the crossover of advertising and mural - a billboard appearance(McLaren car).

Ms. Barracchini agreed that the C J Charles wall painting(mural) was owner commissioned -not an advertisement- but objected to the redirection of viewers to a website as commercialized.

Jerri Hunt suggested that we contact Laguna Beach which also has an extensive art program and an art committee to find out how they handle censorship.

Diane Kane remarked that the visual materials are suitable and the mural program works under The Athenaeum leadership.

It was pointed out that the wall size McLaren mural on La Jolla Blvd. contained only an image, no words; but, it was the juxtaposition of the image and the business that conveyed to some viewers an advertisement .If images are on buildings do they fall under sign regulations? Nearly all the murals are hung on the buildings. not painted on a wall. Technically. the vast majority of installations are signs and could be subject to the severe and detailed restrictions of the La Jolla Planned District Sign Regulations.Chapter 14 Article 2, Division 12 Sign Regulations

Brian Will suggested that Galaxy Taco posted a painting on a building in the shores that thematically referred back to the business in a very abstract way. American Pizza on LJ Blvd. in Bird Rock may be overt advertisement.(Members had not seen the painting.)

Starting to bleed into a discussion of :what is abstract art -what is impressionistic- let’s not go there.Jerri Hunt”Art adds to the ambience.” What is offensive?

Longo-Murals of La Jolla have guidelines in place and some of the public is still unhappy with the work. Forbes can list several obnoxious works starting with the misogynistic Blah Blah blah- mural.

The chair pointed out that the committee is charged to help the community work through the process of conforming to the Planned District Ordinance and help the community- particularly businesses. Many other parts of the regulations are being ignored during the COVID and we are co-operative with the easing of restrictions on sidewalks and right of ways. Other community organizations have supported the murals in spite of grumbling. Complaints are lodged with Neighborhood Code Compliance. LJPDO has no policing power;it is complaint driven.

The chair noted that there is no way to force the issue -the color palette applies to painting .The code will require a change or permitting would apply to every mural and come through a city process which does not exist.

Brett Murphy suggested that we contact The Athenaeum for feedback. Is there an opportunity to have a community member on the board for murals?

Members arrested the topic referring to minutes of June 2019 where consensus was reached that: *"The Planned.district Ordinance Committee will consider a mural as a project if the installation of a mural involves issues with safety, lighting, or view corridor setbacks."*

Business Climate- Planned District Ordinance -

During the Covid quarantine and prior to that a side effect of disrupted economy has resulted in store vacancies (23 vacancies on Girard reported in August).The retail spaces are dark.The PDO has a ground floor requirement that retail, restaurant or visitor serving businesses occupy 50% of ground floor establishments in Zones 1 and 3 and 4 of LJ Planned District .Office uses are restricted on the ground floor in Zones 1(25%) 3,and 4 (50%). Furthermore residential uses are NOT permitted within the front paper of buildings in Zones 1,3,and 4. Also the sidewalk cafe permit program introduced in the last decade has requirements significantly different from the "expanded dining" the city is premitting for our restaurants. The new program has aided the survival of entrepreneurs and imparted a lively activity and street scene in a moribund space. Murphy: The high turnover in restaurant seating on sidewalks is beneficial. The outdoor restaurants are viable.

Pitrofsky- Looser regulations have allowed a retreat from the effects of a disrupted economy. Coffee Cup, Isola, Spice & Rice are thriving. In the 8 foot (sidewalk permit)corral although legitimate-no alcohol. Murphy- Not a temporary effect - it is residual.

Could a moratorium on the 50% retail only /no residents on ground floor rules provide landlords and the businesses in Zone 1 relief from a high vacancy rate.Has to work for a landlord.Must be economically sensible - build up(residential occupancy) in a year -scale back in a year if detrimental. May apply to Zone 3 as a transitional street- Girard would still remain dominant retail street at store fronts but rear half of the retail building might support residential. Arcade and mall properties might find the transition easy. As envisioned it would not be open-ended ;have a time limit to see if economic disruption trends accelerate or return to "normal" retail climate of La Jolla in its heyday. The reversal process might be difficult- tenant improvements costly.

Might improve appearance of alley ways if more citizens are utilizing alleys as rear access points for residential use. If time limited an experiment of short duration.

Complete Communities-A four part planning document 1)Housing 2)Mobility3) Parks and 4) Infrastructure

Some of the key elements of the plan include: transit priority area,scaled development impact fees, in lieu fees, incentives,innovative measurement changes including "area median income"(AMI) ,vehicle miles traveled (VMT), equity, and safety especially in communities of concern, and and have been generated by climate concerns and the need for more affordable housing. As presented the Housing element focuses on mixed use and multifamily zones,the interplay with transportation ,and may result in tradeoffs within a zone as to density, FAR, and height limits.

The idea of innovation and adjusting of regulations is worrying to pedestrian scale of our community. Some alterations might improve aspects of the business climate in La Jolla. The use

would be a process driven by knowledgeable committee members LJ DPR, PDO, CPA. Business is evolving, should we accommodate the evolution in the % of retail space allocated on ground floor The image of La Jolla's Girard Ave/ Prospect as high end retail is a dominant image -important-art,jewelry,clothing electronic(also selling on the web).

Patrick Ahern - Studies show retail changing- both " impulse retail" or "destination retail"

In USA 24 sq feet dedicated; Canada16 sq ft; Euro3.4 sq ft.

Street dining has added energy and activity on Girard and Herschel/Wall. Merchants and village can collaborate - a good team. Frustrations regarding the state of City of San Diego's efforts at maintenance in La Jolla expressed. Included :entry along LJ Parkway, road and street condition, street plantings , disturbed trash deposits(seagulls or homeless?) "ill kempt" "distressed" ,"shabby". Many expressed hope that the funding from and exercise of repairs by LJ Mad may be the start of a fix. A joint sub committee of LJ organizations might work to implement a strategy for improving the life (and appearance) of the village. Suggested participants CPA< DPR<PDO LJTC< Bird Rock Enhance La Jolla, MAAD. Schools, churches. Might La Jolla Town Council act as an umbrella organization? **Motion** : Forbes Jones: The LJ Planned District Ordinance Committee supports the concept of forming an ad hoc committee to build consensus and investigate options for improving the future of La Jolla. Passed 5-0-1.

Meeting adjourned.

Respectfully submitted,

Gail Forbes, Secretary tempore

**Art installation that have received disapprobation:*

- *Arching Boats- Museum of Cont Art*
- *Wood chopper mobile statue -Museum of Cont Art parking on Prospect*
- *7 deadly sins -Museum of Contemporary Art (neon in cultural zone)*
- *53 Women - Wagner Hotel Parisi building La V parking lot (sexual content)*
- *Blah, blah blah- Wagner Hotel Parisi -mysogynistic*
- *Falling Man, Torrey Pines at Girard suicidal*
- *Tearstain remover -Kline St. opposite Mary Star of the Sea side entrance*