

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – February 5, 2010
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:01 a.m. and adjourned at 9:42 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Norby, Pallinger, Riess, Woods

Commissioners Absent: None

Advisors Present: Lantis, Sinsay (DPW); Taylor (OCC)

Staff Present: Baca, Campbell, Chan, Gibson, Giffen, Griffith, Murphy, Muto, Muto, Powers, Real, Rosenberg, Rowan, Taylor, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of December 4 and December 18, 2009, and January 8, 2010

Action: Riess - Brooks

Approve the Minutes of December 4 and December 18, 2009, and January 8, 2010.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods

Noes: 0 - None

Abstain: 0 - None

Absent: 0 - None

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

There were none.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Requests for Continuance

F. Formation of Consent Calendar: Items 1 (continuance), 2, 4, 5, 6 and 7

Administrative:

G. Director's Report

- **Memorandum: Status on County maintained drainage facility on Single Oak Drive**

During a Planning Commission hearing on a proposed Tentative Map on Single Oak Drive in August 2009, property owners on Single Oak Drive and Whitaker Lane voiced concerns that the proposed Tentative Map would negatively impact and overload their private drainage system. At that time, the Planning Commission directed Staff to meet with the property owners. DPW Staff has done so, and have recommended that a publicly owned 52' pipe be replaced. The publicly owned and maintained culvert is nearing the end of its service life and will eventually be replaced; this will have no impact on drainage flow. What must be noted is that the existing private drainage facilities on Whitaker Lane were not installed by the County of San Diego, but by private property owners who are responsible for maintaining and improving it. The property owners will be provided with this report to the Planning Commission and Staff's conclusions.

General Plan Update, NC-18, Agenda Item 1:

1. General Plan Update, NC-18 (North County Metropolitan Subregional Plan Area (continued from the meeting of December 4, 2009)

Continuation of the General Plan Update hearings held on November 6, 19, 20, and December 4, 2009. On December 4th, the Planning Commission requested that staff continue evaluating land uses for the area labeled NC-18, located in the North County Metropolitan Subregional Plan Area in the island southeast of the City of Escondido, and return on February 5th with additional information. This item will be recommended for continuance to the February 19, 2010 Planning Commission.

Staff Presentation: Muto

Proponents: 0; **Opponents:** 0

Discussion:

Staff requests that the Planning Commission postpone their discussion of their previous tentative recommendations on NC-18 to February 19, 2010.

Action: Riess - Beck

Continue consideration of the property designated NC-18 in the North County Metropolitan Subregional Plan Area to the meeting of February 19, 2010.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 0 - None

P09-006, Agenda Item 2:

2. Tree World/Cricket Wireless Telecommunications Facility, Major Use Permit P09-006, Valley Center Community Plan Area

Proposed Major Use Permit to allow construction, operation, and maintenance of an unmanned wireless telecommunications facility. The proposed project consists of three panel antennas mounted onto a 50' tall mono-pine. Supporting equipment includes a Nortel equipment cabinet, power and telco cabinet, GPS antennas, and back-up batteries that will be enclosed by a 7' tall wood enclosure. The project site is subject to the General Plan Regional Category Country Town (CT), Land Use Designations (13) General Commercial and (15) Limited Impact Industrial, is split zoned as C40 and M54, and is located at 29277 Valley Center Road in the Valley Center Community Plan Area.

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

Discussion:

This Item is approved on consent.

Action: Pallinger - Riess

Grant Major Use Permit P09-006, make the Findings and impose the requirements and Conditions as set forth in the Form of Decision.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 0 - None

TM 5527RPL², Agenda Item 3:

3. Piper Otay Park, Tentative Map (TM) 5527RPL², East Otay Mesa Specific Plan Area

Proposed subdivision of an undeveloped 24.84-acre parcel into 13 industrial lots ranging from 1.03 to 2.61 acres in the East Otay Mesa Business Park Specific Plan Subarea 1. The project site is subject to the (21) Specific Plan Area Land Use Designation, the Current Urban Development Area Regional Category, and is zoned S88 Specific Plan. The property is designated in the Specific Plan for light industrial use. Access would be from Piper Ranch Road (a public road) and an internal public road through the project. The project would be served by imported water from the Otay Water District and sewer service will be provided by the East Otay Mesa Sanitation District. The project site is located in the 600 block of Piper Ranch Road, immediately west of State Route 125 and north of Otay Mesa Road.

Action: Rosenberg

Note: Commissioner Riess announces he will abstain from participating in the Planning Commission's consideration of this Item due to a potential conflict of interest.

Proponents: 1; **Opponents:** 1

Discussion:

A representative of the Pilot Travel Center property located adjacent to the project site explains that his client was required to provide all necessary road improvements as a condition of approval for his project. He believes today's project will generate 40% of the traffic to the area and, as a matter of equity, he encourages the Planning Commission to reinstate conditions that will require the applicant to contribute to the cost of offsite road improvements. Staff explains that the travel center also contains a gas station, a convenience market and a fast food operation, making it much more traffic intensive than the applicant's proposed industrial-type use. In addition, there is a pre-existing secured agreement signed by the travel center operator for the road improvements. Today's applicant will mitigate cumulative impacts from this project via a Traffic Impact Fee.

Commissioner Beck discusses the concurrence letter received today from a wildlife agency, as well as the probability of burrowing owls on the project site. He also notes that the site contains northern harrier foraging habitat (non-native grasslands) which is not considered to be of high in quality. Staff clarifies that this generally flat land composed of non-native grassland is within a minor amendment area of the

TM 5527RPL², Agenda Item 3:

South County MSCP. The minor amendment requires preparation of a biological resources report, identification of any required mitigation and concurrence with the proposed mitigation from the wildlife agencies. The County's Biological Mitigation Ordinance requires mitigation at a ½:1 ratio for impacts to non-native grasslands, and mitigation at a 1:1 ratio for impacts to burrowing owl habitat. Although no owls were found onsite, they were documented approximately 2,000 feet from the project site subsequent to approval of the biology report. The site is considered burrowing owl habitat by wildlife agency representatives, and they have conditioned their concurrences with a requirement for 1:1 mitigation. Impacts to burrowing owl habitat and northern harrier foraging habitat will be addressed through purchase of offsite mitigation land that will address the needs of both species.

Action: Day - Brooks

1. Find that the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) dated July 27, 1994, and the Addendum dated October 6, 2009;
2. Approve Tentative Map 5527RPL², make the required Findings and impose the necessary requirements and Conditions through adoption of the Resolution of Approval;
3. Adopt the Finding that the EIR was completed in compliance with the California Environmental Quality Act (CEQA) Guideline, and the State and County CEQA Guidelines, and
4. Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIR, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the EIR was certified.

Ayes: 6 - Beck, Brooks, Day, Norby, Pallinger, Woods
Noes: 0 - None
Abstain: 1 - Riess
Absent: 0 - None

P08-049, Agenda Item 4:

4. Raptor Wireless Telecommunication Facility, Major Use Permit P08-049, Lakeside Community Plan Area

Proposed Major Use Permit to authorize construction and operation of an unmanned wireless telecommunication facility at 15826 Sycamore Canyon Road in the Lakeside Community Plan Area. The facility would include a 35' tall mono-broadleaf tree onto which 12 antennas would be mounted. Associated equipment, including a back-up generator and equipment cabinets, would be surrounded by an 8' tall concrete masonry unit block wall. Additional landscaping would be planted to provide screening for the proposed facility. The project site is subject to the Rural Development Area Regional Category, the (18) Multiple Rural Use Land Use Designation, and is zoned A70 (Limited Agricultural).

Staff Presentation: Chan

Proponents: 0; **Opponents:** 0

Discussion:

Action: Pallinger - Riess

Grant Major Use Permit P08-049, make the Findings and impose the requirements and Conditions as set forth in the Form of Decision.

Ayes:	7 -	Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

Note: Subsequent to the Planning Commission's approval of this Major Use Permit, a neighboring property owner appears to voice concern about this project and the lack of a fire authority to provide service in this very rural area. This property owner believes there are other more suitable sites available. An alternative site analysis was performed and this project site was deemed most suitable. Several Planning Commissioners are somewhat surprised to learn there are actually pockets of land that do not fall under a specific fire protection district, but they realize that emergency service providers will respond whenever needed, whether or not a property lies within their jurisdictions.

TM 5194RPL²RA, Agenda Item 5:

5. Horizon View, Tentative Map Resolution Amendment (TM) 5194RPL²RA, Ramona Community Plan Area

This informational item is being presented to the Planning Commission per Section 81.313(c) of the Subdivision Ordinance. The Director of Planning and Land Use has issued a Preliminary Notice of Decision on January 26, 2010. Pursuant to Section 81.313(d) of the Subdivision Ordinance, the Preliminary Notice of Decision may become final if no request for public hearing is received by the Planning Commission and the Planning Commission does not take action to initiate a hearing. Pursuant to Section 81.313(e), if a request for public hearing is received by the Director of Planning and Land Use or the Planning Commission, or the Planning Commission takes action to initiate a hearing, the Planning Commission shall schedule the public hearing. The project is a Tentative Map Resolution Amendment that would modify the conditions of a previously approved Tentative Map to permit existing overhead electrical facilities to remain above ground.

Staff Presentation: Powers

Proponents: 6; **Opponents:** 0

Discussion:

This Item is approved on consent.

Action: Pallinger - Riess

Adopt the Final Notice of Action approving Amendment Number 1 to the Resolution of Conditional Approval for Tentative Map 5194RPL².

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 0 - None

P76-046W², Agenda Item 6:

6. Otay Recyclable Materials Processing and Green Waste Composting Facility, Major Use Permit P76-046W², Otay Subregional Plan Area

Requested Major Use Permit Modification to allow construction and operation of a construction, demolition & inert materials and/or commingled/source separated recyclable materials processing facility, and the addition of composting to an existing green waste processing facility within the 464-acre Otay Landfill campus. The facility will promote the reuse and recycling of salvageable materials, thereby extending the service life of the region's landfills through the diversion of these materials from the waste stream. The project site is located at 1700 Maxwell Road in the Otay Subregional Plan Area.

Staff Presentation: Griffith

Proponents: 2; **Opponents:** 0

Discussion:

This Item is approved on consent.

Action: Pallinger - Riess

Grant Major Use Permit Modification P76-046W², and make the Findings and impose the requirements and Conditions as set forth in the Form of Decision.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 0 - None

TM 5337RPL², Agenda Item 7:

7. Rogers Estates, Tentative Map (TM) 5337RPL⁴, North County Metropolitan Subregional Plan Area

Proposed subdivision of 5.59 acres into three single-family residential lots of 1.0, 1.99 and 2.07 net acres. The project site is located on the east side of Marilyn Lane, north of Richland Road in the North County Metropolitan Subregional Plan Area. The site is designated (1) Residential, is located in the Current Urban Development Area Regional Category, and is zoned A70, Limited Agriculture. Water and sewer services will be provided by the Vallecitos Municipal Water District, and fire services will be provided by the San Marcos Fire Protection District.

Staff Presentation: Taylor

Proponents: 0; **Opponents:** 0

Discussion:

In response to an inquiry from Commissioner Beck regarding whether offsite mitigation land has been located, Staff informs the Commission that no specific site has been identified at this time, but the chosen site must be located in the North County MSCP area and contain the same types of habitat.

Action: Pallinger - Riess

Adopt the Resolution approving TM 5337RPL⁴, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 0 - None

TM 5527RPL², Agenda Item 3:

H. **Report on actions of Planning Commission's Subcommittees:**

The Planning Commission's General Plan Update Subcommittee will meet immediately following adjournment of today's Planning Commission meeting.

I. **Results from Board of Supervisor Hearing(s):**

At their January 13, 2010 meeting, the Board of Supervisors voted to reconsider the Merriam Mountains Master Planned Community proposal (previously considered by the Planning Commission on October 9, 2009).

At their January 27, 2010 meeting, the Board of Supervisors adopted POD 09-009 (Zoning Ordinance amendment and clean-up), and POD 09-005 (amendments to Title 8, Division 1 of the County Code).

J. **Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):**

Commissioner Brooks will represent the Planning Commission during the Board of Supervisors' consideration of the Public Road Standards on February 24, 2010.

K. **Discussion of correspondence received by the Planning Commission:**

There was none.

L. **Scheduled Meetings:**

February 19, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
March 5, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
March 19, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 2, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 16, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 30, 2010	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room
May 14, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 28, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room

TM 5527RPL², Agenda Item 3:

June 11, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 25, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 9, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 23, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 6, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 20, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 10, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 24, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 8, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 22, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
November 5, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
November 19, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 3, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 17, 2010	Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 9:42 a.m. to 9:00 a.m. on February 19, 2010 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.