

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

The meeting convened at 9:02 a.m., recessed at 10:21 a.m., reconvened at a.m. 10:46 a.m., recessed at 12:25 p.m., reconvened at 1:05 p.m., recessed at 2:35 p.m., reconvened at 2:44 p.m., recessed at 4:16 p.m., reconvened at 4:22 p.m. and adjourned at 5:14 p.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Norby, Pallinger, Riess, Woods (out at 2:35 p.m.)

Commissioners Absent: None

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

Staff Present: Aquino, Baca, Beddow, Gibson, Giffen, Grunow, Kahler, Muto, Slovick, Wright, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of February 5 and February 19, 2010

Action on the February 5 and February 19, 2010 Minutes are trailed until March 12, 2010.

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.

Matt Adams, representing the Building Industry Association, provides written information supporting his position on the adequacy of Staff's population forecast and the General Plan Update. Commissioner Day recommends that the Planning Commission revisit the population forecast at their March 12, 2010 General Plan Update hearing, and that the information provided today be included in Staff's report.

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

E. Requests for Continuance: Item 1

F. Formation of Consent Calendar: Items 3 and 6

G. Director's Report: None

TM 5395, Agenda Item 1:**1. Cielo Azul, Tentative Map, TM 5395, San Dieguito Community Plan Area
(continued from January 8, 2010)**

Proposed Tentative Map for an 18-lot residential subdivision of an approximately 100-acre property, with lot sizes ranging from 2 to 11.7 net acres. The project site is located south of Harmony Grove Road in the San Dieguito Community Plan Area. The Department of Planning and Land Use recommends that the project be denied because adequate infrastructure and public facilities are not available to serve the property, and because the proposal is inconsistent with the General Plan Public Facilities Element, the San Dieguito Community Plan, the Subdivision Map Act, Section 81.401(c) of the County Subdivision Ordinance, the State SRA Fire Safe Regulations and the County Fire Code.

Staff Presentation: Grunow

Proponents: 4; **Opponents:** 1

Staff recommends denial of this proposal due to the lack of adequate infrastructure and public facilities to serve the project site, and discusses the applicant's proposal for an emergency access road. Staff explains that not only would this road pass through the Elfin Forest Preserve, it would ultimately circle back to the primary access road. Staff also informs the Planning Commission that the local fire district representatives have indicated they will not provide emergency service. Both the applicant and a neighboring property owner request that the Planning Commission postpone any decision on this Tentative Map, so they can continue discussions regarding access and acquisition of easements.

Action: Riess - Norby

Adopt the Resolution denying TM 5395, due to lack of a secondary access for emergency egress/ingress.

Discussion of the Action:

Commissioner Pallinger recommends granting a sixth-month postponement of this hearing, noting the length of time the applicant has expended on the project. Commissioner Day concurs with Commissioner Pallinger.

TM 5395, Agenda Item 1:

Substitute Action: Day - Pallinger

Continue consideration of TM 5395 for six months. Staff is to readvertise this application for public hearing when a new hearing date has been determined.

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| Ayes: | 4 - | Brooks, Day, Pallinger, Woods |
| Noes: | 3 - | Beck, Norby, Riess |
| Abstain: | 0 - | None |
| Absent: | 0 - | None |

S05-055, Agenda Item 2:**2. Orchard Run Site Plan, S05-055 Valley Center Community Plan Area**

Appeal, filed by the Valley Center Community Planning Group, of the Director's decision to approve Site Plan S05-055. The Site Plan is required to satisfy conditions of Tentative Map (TM) 5087RPL¹ and Specific Plan (SP) 95-004, which were approved for single- and multi-family development by the Board of Supervisors on June 17, 1998. Approval of the Site Plan is a requirement for the recordation of the final phases of the Tentative Map. The project site, located on Lilac Road at Betsworth Road in the Valley Center Community Plan Area, is currently undeveloped and has been used for agricultural purposes.

Staff Presentation: Wright

Proponents: 8; **Opponents:** 22

Discussion:

Staff recommends that the Planning Commission deny the Valley Center Planning Group's appeal of the Director's decision to approve this Site Plan. Staff reminds the Commission that the Site Plan was approved by the Board of Supervisors in 1998 as part of a Specific Plan Amendment and a Tentative Map. Staff has determined that the Site Plan is consistent with the County's existing General Plan and the Valley Center Design Guidelines.

The Planning Group chairman requests that the Planning Commission postpone today's hearing to allow additional discussions between Planning Group members and the applicant's representatives. The Planning Group members and project opponents believe the project is poorly designed, destroys the natural topography of the area and will place the highest density away from the village core. They also insist that the project will negatively impact traffic circulation, encroach on private property and could potentially cause detrimental impacts to Moosa Creek.

The applicant's representative is unsupportive of postponing today's hearing, and informs the Planning Commission that extensive discussions have been held with the Planning Group and the Design Review Board. He explains that the applicant is now being requested to completely redesign the project, which would negate recordation of the first Unit and result in substantial time delays and cost increases.

S05-055, Agenda Item 2:

Commissioner Pallinger, while is greatly impressed with the presentations provided during today's hearing - particularly that of the Valley Center Design Review Board chairperson - reminds project opponents that the Planning Commission is limited to reviewing only the Site Plan today. Commissioner Day voices concern that the proposed streetlights aren't consistent with the rural character of this community. He also recommends removal of invasive plant species from the vegetation plan, and both he and Commissioner Pallinger recommend that the proposed sound wall be screened with vines.

Action: Pallinger - Riess

Uphold the Director of Planning and Land Use's decision and deny the appeal, and accept the applicant's offer to fund a public trail on Lilac Road where it abuts the project site. The proposed sound wall is to be planted with creeping vines between the rock-faced columns, all trails are to be designed to connect to existing and future trails if possible, and invasive plant species are to be eliminated from the Landscape Plan.

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

Prior to adjournment of this hearing, Chairman Beck requests that Staff provide a report on the packaged treatment plant for the Woods Valley Ranch project at a future hearing.

P79-026W³, Agenda Item 3:

3. Rancho L'Abri Major Use Permit, P79-026W³, Jamul-Dulzura Community Plan Area

Proposed Major Use Permit Modification that would extend the time limit on an existing group care facility for a maximum period of ten years. The facility would continue to serve 34 clients for chemical abuse recovery and treatment. Existing structures include four mobile homes and coaches, a residence, a barn used for a laundry facility, green house, covered exercise room, pool, cabana, and storage structures. One additional mobile home is vested but has not yet been placed on the property. The project site is located on 18091 Bee Canyon Road in the Jamul-Dulzura Subregional Plan Area.

Staff Presentation: Aquino

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Pallinger

Grant Major Use Permit Modification P79-026W³, make the Findings and impose the requirements and Conditions as set forth in the Form of Decision.

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

TM 5532 and S07-012, Agenda Item 4:

4. Fallbrook Ranch Tentative Map (TM) 5532 and Site Plan S07-012; Fallbrook Community Plan Area

Proposed Tentative Map (TM 5532) and Site Plan (S07-012) to subdivide 41 acres into 11 lots at the intersection of Mission Road and Old Highway 395 in the Fallbrook Community Plan. Lots would range in size from two to four acres. The project site contains a single family residence that would remain on Lot 4. Access would be provided by private roads from Sterling View Drive and Mission Road. Water service would be provided by the Rainbow Municipal Water District, and private on-site septic systems.

Staff Presentation: Slovick

Proponents: 3; Opponents: 0

Due to the length of today's Agenda, the applicant agrees to postpone consideration of this Item for one week.

Action: Woods - Pallinger

Continue consideration of Tentative Map 5532 and Site Plan S07-012 to the meeting of March 12, 2010.

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

PAA 09-007, Agenda Item 5:**5. Accretive Plan Amendment Authorization (PAA) 09-007, Valley Center Community Plan Area**

Request to initiate a Plan Amendment Authorization (PAA), pursuant to Board of Supervisors Policy I-63, for a master planned community east of Interstate 15, south of West Lilac Road and north of Rodriguez Road in the Valley Center Community Plan. The master planned community would include a maximum of 1,746 dwelling units, a school, a neighborhood-serving commercial village center with retail uses and an active park. The PAA would allow: (1) a change in the General Plan Land Use Designation from (17) Estate Residential to (21) Specific Plan Area, with an overall density of 4.3 dwelling units per gross acre; (2) a change in the regional category from 1.3 Estate Development Area (EDA) to 1.1 Current Urban Development Area (CUDA); (3) an amendment to the Circulation Element to include Road 3A; and (4) an amendment to the Valley Center Community Plan to include a description of the proposed Specific Plan Area. The request for the PAA was declined by the Director of Planning and Land Use because the proposal would not be consistent with the existing or proposed General Plan Update.

Staff Presentation: Slovick

Proponents: 122; **Opponents:** 52

Commissioner Beck announces that he will abstain from consideration of this Item.

Discussion:

Staff explains that this Plan Amendment Authorization (PAA) was denied because of the proposed project's inconsistency with the current and proposed General Plan, the Valley Center Community Plan, and the surrounding uses in the community. The Valley Center Planning Group and project opponents urge the Planning Commission to deny this PAA, and insist that the proposed project is located far north of the existing urban development area and the supporting infrastructure. They believe the project should be located in either the north or south village, and insist that as proposed, the project will destroy the rural character of the community and agricultural lands, greatly impedes traffic circulation, diminish property values, and impact emergency services.

The applicant's representatives believe the project meets good planning principles. They explain that there are very few areas in Valley Center that can accommodate growth, and remind the Planning Commission that the project will be located near existing utilities and within close proximity of a major road. They inform the

PAA 09-007, Agenda Item 5:

Planning Commission that the project site does not contain any sensitive habitat and the proposed project is consistent with existing and planned growth along I-15. The applicant's representatives maintain that the proposed project is lower in density than projects planned, approved or under construction along the I-15 corridor. They also inform the Commission that the project is completely outside the approved mitigation area, only 5% of the site contains slopes greater than 25, and the proposal will be a pedestrian-oriented community that incorporates green building concepts. The applicant's representatives maintain that the project will create more than 1,100 temporary jobs, 610 permanent jobs, contribute to local schools and other services and districts, and provide many road improvements, and remind the Planning Commission that they are merely requesting permission to continue the application process.

Commissioner Day and several other Planning Commissioners discuss the need to view the project site and areas in the community discussed today, including a cactus farm that may be impacted by the proposed project, and the north and south villages.

Action: Day - Pallinger

Staff will facilitate a Planning Commission field trip to Valley Center and the project site within 60 days. An additional hearing date will be determined after the site visit.

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

Commissioner Day requests that Staff provide additional information regarding:

1. Potential impacts associated with the transfer of density from downtown Valley Center to the proposed project site;
2. The availability of water and wastewater service from the Valley Center Municipal Water District;
3. Traffic impacts on the surrounding community and schools;
The conversion of agricultural land;
4. Possible impacts resulting from construction of Road 3A;
5. The project's consistency with recent PAA's; and

PAA 09-007, Agenda Item 5:

6. The project's potential impacts on the updated General Plan Update.

Commissioner Norby requests that Staff provide the Commission information pertaining to the distance of the project site from the existing schools in Valley Center. Commissioner Day understands that there could significant benefits gained from approval of the project, but he also recognizes that there are significant impacts.

Commissioner Day also explains that he has only supported pipelined PAA's in the past, and would like to thoroughly review this proposal because although there are significant benefits to the community if the project is approved, there could also be significant impacts.

TM 5558, Agenda Item 6:

6. Broadway Manor Condominium Conversion, Tentative Map (TM) 5558, Lakeside Community Plan Area (Slovick)

Proposed Tentative Map (TM 5558) to convert 11 existing apartment units into condominium units on a 0.81 acre parcel located at 420 Hart Drive in the Lakeside Community Plan Area. The condominiums are located in (2) four unit buildings and (1) three unit building. Each of the buildings is a maximum height of two stories and 23 feet. Each condominium contains an attached two-car garage. An additional six guest parking spaces are provided on-site, including one ADA-compliant space. The Helix Water District will provide water service, and the Padre Dam Municipal Water District will provide sewer service.

Staff Presentation: Slovick

Proponents: 2; Opponents: 0

This Item is approved on consent.

Action: Riess - Pallinger

Adopt the Resolution approving TM 5558, 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

Administrative:

G. Report on actions of Planning Commission’s Subcommittees.

No reports provided.

H. Results from Board of Supervisors’ Hearing:

At their February 24, 2010 meeting, the Board of Supervisors adopted the proposed revisions to San Diego County Public Road Standards as recommended by the Planning Commission.

I. Upcoming Board of Supervisors Agenda items and Designation of member to represent Commission at Board of Supervisors.

Commissioner Woods is designated to represent the Planning Commission at the Board of Supervisors March 24, 2010 meeting, and Commissioner Pallinger will serve as an alternate.

J. Discussion of correspondence received by Planning Commission.

None.

K. Scheduled Meetings.

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| March 12, 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 |
| 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 |

Administrative:

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| 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 5:14 p.m. to 9:00 a.m. on March 12, 2010 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.