

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – October 5, 2007
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:03 a.m., recessed at 10:22 a.m., reconvened at 10:48 a.m. and adjourned at 11:31 a.m.

A. ROLL CALL

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

Commissioners Absent: None

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

Staff Present: Beddow, Bilodeau, Covic, Farace, Gibson, Goddard, Grunow, Johnston, Konar, Oberbauer, Passon, Russell, Stevenson, Tondro, Wright, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of August 10 and August 24, 2007.

Action: Day - Riess

Approve the Minutes of August 10 and August 24, 2007.

Ayes: 7 - Beck, Brooks, Day, Kreitzer, 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.

None.

D. Director's Report

Staff provides a brief status report on Business Process Re-engineering (BPR). The BPR Work Plan was completed in August 2007. Staff created a major new pre-application process, 22 new CEQA guidelines and 13 new report format requirements, in addition to a new environmental consultants list in 13 subject areas, an appeal process for the consultants list, and a Memorandum of Understanding. Staff also changed many internal procedures. Application

Administrative:

processing time has been substantially reduced. The Planning Commissioners commend Staff, but a few members of the audience remain concerned about several issues, particularly the amount of time given to applicants who consistently miss deadlines.

- E. **Formation of Consent Calendar:** Items 8 (P04-056), 4 (GPA 06-012), 5 (P06-076) and 6 (P05-019)

ABC 07-005, Agenda Item 1:

- 1. Alcoholic Beverage Permit (ABC) 07-005, Longs Drugs Store, Alpine Community Plan Area (continued from the hearing of September 7, 2007)

Appeal of the determination by the Director of Planning and Land Use that no public convenience or necessity will be served by the issuance of a Type 21 Off-Sale General License for the proposed project site. The Type 21 Off-Sale General License authorizes the sale of beer, wine, and distilled spirits for consumption off the premises. The proposed Longs Drug Store will be located at Alpine Boulevard and Tavern Road. The project site is located in Census Tract 0212.03, which is allowed to have six licenses. Ten currently exist. This review is pursuant to the requirements of Section 23958.4 of the State Business and Professions Code and the Board of Supervisor’s Policy I-121.

Staff Presentation: Bilodeau

Proponents: 2; **Opponents:** 0

Discussion:

The applicant informs the Planning Commission that Staff’s reasons for recommending denial of the application are no longer valid, because the applicant has provided new Conditions of Approval that resolve the concerns of Sheriff’s Department representatives and members of the Community Planning Group.

Commissioners Woods, Day and Beck suggest that Staff consider reevaluating the standards utilized to make determinations on these applications.

Action: Day – Brooks

Grant the appeal.

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

TM 5269R and DBP 06-001, Agenda Item 2:**2. Raecorte Tentative Map Revision TM 5269R and Density Bonus Permit DBP 06-001; North County Metro Subregional Plan Area (continued from August 10, August 24, and September 21, 2007)**

Proposed Revised Tentative Map and Density Bonus Permit. The original Tentative Map 5269 was approved by the County Planning and Environmental Review Board (PERB) on March 4, 2004 as a nine-lot single-family residential development on a 2.59-acre parcel. The application to revise the original Map will increase the number single-family lots from 9 to 14 pursuant to the current State of California Density Bonus Law. This law updated Government Code (GC) 65915 to encourage the development of affordable housing. GC 65915 provides a formula for determining allowed density increases and in the Raecorte project the formula allows 4 additional lots, for a total of 13. One of the 14 lots would be designated as very low income. The applicant requested an additional bonus lot as an incentive for a total of 14 lots. Staff recommended approval of 4 density bonus lots for a total of 13 lots with no incentives. The Planning Commission tentatively approved Staff's recommendations on September 21, 2007, and directed that the project return today with the appropriate Form of Decision. The project area is subject to the (6) Residential Land Use Designation (7.3 dwelling units per gross acre) and the RS4 Single-Family Residential (4.3 dwelling units per net acre) Land Use Regulation and is located at the intersection of Mycorte Drive and Hilcorte Drive.

Staff Presentation: Wright

Proponents: 2; **Opponents:** 2

Discussion:

On September 21, 2007, the Planning Commission tentatively approved this application, allowing the applicant to develop 13 lots with no density-bonus concessions or incentives. Project opponents maintain that no more than 11 lots should be allowed, while the applicant maintains that 14 lots and certain concessions should be approved. The Lakeside Planning Group representative recommends that the County of San Diego develop an Ordinance that addresses the State's recently revised density bonus law.

TM 5269R and DBP 06-001, Agenda Item 2:

Action: Riess – Beck

Adopt Staff's recommendation to approve TM 5269R and DBP 06-001, allowing 13 lots and no concessions or incentives.

Discussion of the Action:

Commissioner Beck announces that he will not support this Motion. He is unable to reconcile this proposal with the County's existing policies, and does not believe Staff would approve this project if the State law were different. Commissioners Beck and Woods, and Chairman Kreitzer believe this law greatly impacts the County's General and Community Plans, and the cumulative impacts will be severely detrimental. Commissioner Beck does not believe this law will alleviate the shortage in affordable housing, and urges Staff to develop language to ensuring that housing provided under this law is truly affordable.

Ayes: 1 - Riess
Noes: 4 - Beck, Day, Kreitzer, Woods
Abstain: 0 - None
Absent: 2 - Brooks, Pallinger

The Motion fails; TM 5269R and DBP 06-001 are denied.

TM 5269R and DBP 06-001, Agenda Item 3:

3. Marquart Ranch; Tentative Map (TM) 5410RPL², Bonsall Community Plan Area (continued from September 21, 2007)

Proposed nine-lot residential subdivision on a 44.2-acre site located at 8724 West Lilac Road in the Bonsall Community Plan Area. The General Plan Regional Category is Estate Development Area (EDA); the General Plan Land Use Designation is (17) Estate Residential Use (0.5 dwelling units per gross acre); and the zoning is RR.5 (Rural Residential, 0.5 dwelling units per net acre).

Staff Presentation: Konar

Proponents: 1; Opponents: 0

Following Staff's announcement that the concerns expressed by a neighboring property owner at the September 21, 2007 Planning Commission meeting have been resolved, this Item is approved on consent.

Action: Woods – Day

Adopt the Resolution approving TM 5410RPL², 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, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

GPA 06-012, Agenda Item 4:

4. Amendments to the Otay Ranch General Development Plan/Sub-regional Plan and Phases 1 and 2 Resource Management Plans; General Plan Amendment (GPA) 06-012, Otay Subregional Planning Area

The Otay Ranch General Development Plan/Subregional Plan (GDP/SRP) was adopted by the Board of Supervisors and the City of Chula Vista on October 28, 1993 (1). In addition to the GDP/SRP, a number of other associated documents have been approved to implement the development of portions of Otay Ranch. These associated documents include the Resource Management Plan (RMP) (Document No. 759221), Mitigation Monitoring Program, Village Phasing Plan, Facility Implementation Plans, and the Service/Revenue Plan. The proposed action would amend the GDP/SRP and Phases 1 and 2 RMPs by eliminating the Phase 2 RMP Preserve Conveyance Schedule and the RMP Coastal Sage Scrub Restoration Requirement. Elimination of the Conveyance Schedule is designed to facilitate conveyance of the Otay Ranch Preserve as planned, while recognizing implementation difficulties related to multiple ownerships. Elimination of the RMP Coastal Sage Scrub Restoration Requirement will bring the RMP into consistency with the adopted MSCP Subarea Plan. The project is located in southwestern San Diego County, south of the community of Jamul, north of Brown Field and the San Ysidro Mountains, east of the Otay Landfill, and west of the community of Dulzura. Part of the project is located within four miles of the U.S.-Mexico border. The western part of the irregularly shaped 23,000-acre project is located within the City of Chula Vista, while the eastern part is within the jurisdiction of the County of San Diego.

Staff Presentation: Lynch

Proponents: ; Opponents:

Discussion:

Commissioner Beck requests that consideration of these recommendations be postponed, as he has not received his Staff reports.

Action: Brooks – Riess

Continue consideration of GPA 06-012 to the meeting of November 2, 2007.

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

P06-076, Agenda Item 5:

5. Sprint/Nextel Yuima Creek CA-8449C; Major Use Permit P06-076, Pala-Pauma Community Planning Area

Request for a Major Use Permit (P06-076) to authorize the location and operation of an unmanned wireless telecommunications facility at 32798 Avenida de las Estrella in the Pala-Pauma Community Plan area. The applicant proposes to construct three 18' H-frame structures with five panel antennas mounted to each, for a total of 15 antennas. The proposed Concrete Masonry Unit (CMU) equipment shelter will measure 20' X 11.5' X 10' and will be finished with an earth tone aggregate to match the existing landscape. The subject property is 1.68 acres in size. The project site is subject to the (18) Multiple Rural Use Regulations, the Estate Development Area Regional Category, and is zoned A70 (Limited Agriculture).

Staff Presentation; Johnston

Proponents: 1; Opponents: 0

This Item is approved on consent.

Action: Riess - Day

Grant Major Use Permit P06-076, 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 Zoning Ordinance and State law.

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

P05-019, Agenda Item 6:

6. Sprint/Nextel – Barrett Telecommunications Facility, Major Use Permit P05-019, Mountain Empire Subregional Plan Area

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunications facility at 24052 State Route 94 in the Mountain Empire Subregional Plan Area. Proposed is the construction of a 35' faux broadleaf tree with antennas and an associated equipment shelter. Twelve panel type antennas will be mounted to the proposed faux tree covering three sectors with four antennas per sector. The panel antennas will measure 6' in height and will be painted to match the color of the tree. The proposed equipment shelter measures 20' X 11.5' X 10' and will be located adjacent to the base of the faux tree. The project is subject to the (18) Multiple Rural Use Regulations, the Rural Development Area (RDA) Regional Category, and is zoned S92 (General Rural).

Staff Presentation: Johnston

Proponents: 1; Opponents: 0

This Item is approved on consent.

Action: Riess - Day

Grant Major Use Permit P05-019, 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 Zoning Ordinance and State law.

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

TM 5262RPL³, Agenda Item 7:**7. August Subdivision, Tentative Map TM 5262RPL³, Alpine Community Plan Area**

Proposed Tentative Map to subdivide 19.93 acres into 15 residential lots ranging in size from 1.0 to 2.08 net acres. An existing single-family dwelling and garage located on Lot 12 will remain. The General Plan Land Use Designation on the project site is (1) Residential (1 dwelling unit per 1, 2, or 4 acres), and the zoning is A70 (Limited Agriculture). Access will be provided by a private road connecting to Alpine Heights Road. The project will be served by on-site septic systems and imported water from the Padre Dam Municipal Water District. No extension of water utilities will be required by the project. Earthwork will consist of approximately 40,000 cubic yards of balanced cut and fill. The project site is located at 616 Alpine Heights Road, between Avenida Del Cielo and Via Corina.

Staff Presentation: Konar

Proponents: 1; **Opponents:** 3

Discussion:

In response to concerns raised by neighboring property owners who fear their properties will be negatively impacted by grading and runoff, and who have concerns about road maintenance, construction debris, noise and light pollution, DPW Staff explains that drainage has been analyzed and the amount of water leaving the project site should be the same as it is now. This situation will be reviewed and if drainage mitigation is determined to be necessary, it will be provided. If it cannot be resolved, the project will not move forward.

With respect to construction debris, DPW Staff explains that the construction manager is responsible for ensuring that debris is removed. If it isn't removed, the neighbors can contact Staff and Staff will remind the construction manager of his responsibilities.

Prior to making a Motion on this proposal, Commissioner Woods requests that Staff provide a discussion on drainage issues at the next Planning Commission workshop.

TM 5262RPL³, Agenda Item 7:

Action: Beck – Brooks

Adopt the Resolution approving TM 5262RPL³, 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. The applicant is to ensure that there is no increase in peak flow rates leaving the project site. In response to Commissioner Woods' request, Staff will provide a discussion on drainage issues at the November 30, 2007 Planning Commission Workshop.

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

P04-056, Agenda Item 8:

8. St. Adelaide Catholic Church, Major Use Permit P04-056, Mountain Empire Subregional Plan Area

Proposed Major Use Permit to allow a religious assembly use with an elementary school on an approximately 5.13-acre site to be constructed in three phases. Also requested is an exception to the height limit for a proposed steeple and cross totaling 47', 10" in height. Phase 1 will include the construction and use of a meeting hall and temporary worship space, a covered arcade, a trash enclosure, and all necessary infrastructure and utility improvements, parking spaces, and landscaping. Phase 2 will include the construction and use of a new sanctuary building and covered lobby. Phase 3 features the construction and use of an elementary school building for Kindergarten through Sixth Grade education. The General Plan Land Use Designation is (1) Residential and the zoning for the site is RR1 (Rural Residential). The project site is located at the northeast corner of the intersection of Cluster Road and Sheridan Road in Campo, just east of SR 94 and the Old San Diego and Arizona Eastern Railroad line.

Staff Presentation: Passon

Proponents: ; **Opponents:**

The applicant has requested that the Planning Commission postpone consideration of this proposal to allow further discussion with Staff on mitigation for Coastal sage.

Action: Riess – Woods

Continue consideration of Major Use Permit P04-046 to the meeting of November 2, 2007.

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

TC 07-001, Agenda Item 9:

9. Major Use Permit Batch Denial (TC 07-001) of Wireless Telecommunication Cases due to Inadequate Progress

The proposed projects included in this batch of Major Use Permits each request the construction and operation of unmanned wireless telecommunications facilities within varying Community Plan Areas. The batch, consisting of seven projects, is being pursued for denial due to inadequate progress by the applicants. TC 07-001 includes the following seven Major Use Permits: P03-014 and P03-025 (Fallbrook Community Plan Area); P03-027 (Bonsall Community Plan Area); P03-028 (Center Community Plan Area); P03-067 (North County Metro Subregional Plan Area); and P03-131 and P04-001 (Jamul/Dulzura Community Plan Area).

Staff Presentation: Tondro

Proponents: 0; Opponents: 0

Staff's recommendation to deny these Major Use Permits is approved on consent.

Action: Brooks - Pallinger

Deny Major Use Permits P03-014, P03-025, P03-027, P03-028, P03-067, P03-131 and P04-001 due to lack of progress.

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

Administrative:

F. Report on actions of Planning Commission's Subcommittees:

None.

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

None.

H. Discussion of correspondence received by the Planning Commission:

None.

Department Report

I. Scheduled Meetings:

October 19, 2007 Regular Meeting, 9:00 a.m., DPLU Hearing Room

November 2, 2007 Regular Meeting, 9:00 a.m., DPLU Hearing Room

November 16, 2007 Regular Meeting, 9:00 a.m., DPLU Hearing Room

November 30, 2007 Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room

December 14, 2007 Regular Meeting, 9:00 a.m., DPLU Hearing Room

December 28, 2007 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 11:31 a.m. to 9:00 a.m. on October 19, 2007 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.