

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – November 2, 2007
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:03 a.m., recessed at 10:18 a.m., reconvened at 10:45 a.m. and adjourned at 12:45 p.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, (out at 12:15 p.m.), Day (out at 12:15 p.m.), Kreitzer, Pallinger, Riess, Woods (in at 9:08 a.m.)

Commissioners Absent: None

Advisors Present: Areigat, Brennecke, Sinsay (DPW); Goddard, Hanley (P&R); Mead, Taylor (OCC)

Staff Present: Bennett, Blackson, Farace, Gibson, Giffen, Hingtgen, Hughes, Johnston, Lynch, Oberbauer, Ramaiya, Russell, Stevenson, Tondro, Wright, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of October 5 and October 19, 2007

Action: Riess - Beck

Approve the Minutes of October 5 and October 19, 2007, with the revisions provided by Commissioners Riess and Beck.

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

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. Formation of Consent Calendar: Item 7 (continuance); Items 4, 5 and 8

P04-056, Agenda Item 1:**1. St. Adelaide Catholic Church, Major Use Permit P04-056, Mountain Empire Subregional Plan Area (continued from October 5, 2007)**

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: 1; **Opponents:** 0

Discussion:

The applicant supports Staff's recommendations but would prefer to provide "functionally equivalent" biological mitigation for onsite biological impacts, because the mitigation land to be purchased is located outside the MSCP area. The applicant also desires to eliminate the requirement for sidewalks on Sheridan Road, because community residents prefer that it remain as is.

Commissioner Beck believes utilizing the tiered habitat system will ensure that mitigation habitat is equivalent to the habitat being impacted. He recommends that the Conditions of Approval be revised to ensure that mitigation habitat is "like functioning", rather than "functionally equivalent". Commissioner Beck will support the changes proposed by the applicant, but explains that the Tier system was created to ensure that biological resources of the same quality as that impacted through development is obtained. He cautions that Staff must look at the region in its totality.

P04-056, Agenda Item 1:

Action: Beck – Woods

Grant Major Use Permit P04-056 as revised by Staff to include decomposed granite sidewalks. Staff is to provide the Planning Commission with a definition of functionally equivalent.

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

GPA 06-012, Agenda Item 2:**2. 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 Plan Area (continued from October 5, 2007)**

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 documents include the Resource Management Plan (RMP), Mitigation Monitoring Program, Village Phasing Plan, Facility Implementation Plans, and the Service/Revenue Plan. Staff's recommendations today 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 Dulzura. Part of the project site 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: Oberbauer

Proponents: 1; **Opponents:** 0

Discussion:

Following Staff's presentation, Commissioner Beck questions whether a Fee-in-Lieu program was established as mitigation for biological impacts, and whether Coastal sage scrub in Salt Creek has been impacted. He also questions whether land within the preserve boundaries will be conveyed for on-going management, whether there are plans for restoration of vernal pools, and whether restoration of cactus wren habitat is a high priority. Commissioner Beck also discusses the redesign of the Village 13.

GPA 06-012, Agenda Item 2:

Staff and Otay Ranch representatives explain that there is no Fee-in-Lieu program, and it was realized during the joint-City of Chula Vista-County of San Diego hearings that Salt Creek would be impacted. Since that time, the City of Chula Vista's RMP greatly expanded protection of Salt Creek, with the exception of seven acres that will be impacted. With respect to Village 13, its footprint was redesigned to address possible impacts to the quino Checkerspot butterfly.

The Planning Commission is informed that the City of Chula Vista and the County of San Diego have the option of designating themselves as owners/managers of the biological preserve, and that agreement is to be reviewed every seven years, but it is not believed that it will be presented to the Planning Commission. It is explained that restoration of the vernal pools in Otay Ranch is the responsibility of the developer who impacts them, but there have been no impacts to date and the vernal pools have been fenced off to prevent any degradation. A portion of the land has been preserved through acquisition and is being managed by the County and various resource protection agencies. Approximately 56 acres of habitat have been restored, and are being occupied by cactus wrens.

Action: Beck – Riess

Recommend that the Board of Supervisors:

1. Review and consider information contained within the Otay Ranch Final Program EIR, dated December 1992;
2. Adopt the "California Environmental Quality Act Guidelines (CEQA) Section 15091 Findings Regarding Significant Effects of the Project" dated October 28, 1993;
3. Adopt the "Statement of Overriding Considerations" dated October 28, 1993;
4. Review and consider information contained within the MSCP Joint EIR/EIS dated January 1997;
5. Adopt the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document, which includes CEQA Guidelines Sections 15162, 15163, and 15164 Findings for Determining the Appropriate Environmental Documentation to be completed when there is a previously certified EIR, and is dated September 19, 2007;

GPA 06-012, Agenda Item 2:

6. Adopt the Resolution approving GPA 06-012 amending Volume 2 of the Otay Ranch Subregional Plan by deleting text references to the Preserve Conveyance Plan and eliminating the Coastal Sage Scrub Restoration requirement;
7. Adopt the Resolution approving GPA 06-012 amending Phase 1 RMP by deleting text references to the Preserve Conveyance Plan and eliminating the Coastal Sage Scrub Restoration requirement; and
8. Adopt the Resolution approving GPA 06-012 amending Phase 2 RMP by eliminating the Preserve Conveyance Plan Map and deleting text references to the Preserve Conveyance Plan.

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

P04-036, Agenda Item 3:**3. A Children's Village, Major Use Permit P04-036, Mountain Empire Subregional Plan Area**

Proposed Major Use Permit for an institutional facility for up to 200 foster and homeless children on an approximately 118-acre property. The proposed project would include homes for the children, kindergarten through 12th grade (K-12) school, an administration/medical center, dining hall, kitchen, caretaker's residence, gymnasium, athletic fields, and an interdenominational chapel. One hundred and thirty-seven (137) parking spaces will be provided for employees, residents, and visitors (an additional 35 spaces will be provided for overflow parking for a total of 172). An onsite sewage treatment system would be constructed to handle wastewater generated from the project and water needs will be served from onsite wells. The total population living onsite will be approximately 310 people (200 foster and homeless children, 50 life coaches, up to 50 biological children of life coaches, one site director with up to three family members of the director), and a maximum of six family guests will be allowed to stay onsite at any given time. The property is located at 1880 Lake Morena Drive in the Mountain Empire Subregional Plan Area.

Staff Presentation: Ramaiya

Proponents: 24; **Opponents:** 3

Discussion:

Due to scheduling conflicts, it has been requested by the chairwoman of the Campo-Lake Morena Planning Group and representatives of MERIT that the Planning Commission postpone consideration of this Item until November 16, 2007. The Planning Group chairwoman has voiced concern in about the Planning Group's inability to hold their October 22, 2007 meeting to discuss this project, the adequacy of DPLU's public noticing requirements and the availability of the EIR for this project. The Planning Group vice-chairman urges the Planning Commission to postpone this hearing to allow the Planning Group additional time to review all the pertinent documents.

The applicant and his representatives are adamantly opposed to postponing today's hearing, and insist that the EIR does not contain any substantial new information, nor has the proposed project substantially changed since the Planning Group's initial review. The applicant informs the Planning Commission

P04-036, Agenda Item 3:

that new stormwater management requirements will become effective in January 2008, and could result in this proposal experiencing additional or delayed project review. In addition, prior commitments prevent the applicant from attending additional hearings for the remainder of this year.

Though sympathetic to the applicant's position, several Planning Commissioners would prefer postponement of today's hearing to allow input from the Planning Group. They point out that the recent fires had a detrimental impact on services that would have allowed most community residents to review this project in a timely manner.

Action: Beck – Riess

Open this hearing and allow testimony from those who wish to provide it today, with the understanding that the hearing will be continued to allow input from the Planning Group.

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

Discussion:

The applicant, his representatives and most of those in attendance voice tremendous support for this proposal and Staff's recommendations. They believe this community is a perfect location for the facility, and that the facility will benefit not only its residents, the community's residents and the County as well. The applicant's representatives discuss the merits of the project and how it will provide a safe home for society's most vulnerable citizens. They explain that groundwater usage will be monitored and production limitations will be implemented but according to tests, the facility will actually use less than 30 acre-feet of groundwater per year. The raptors onsite, their habitat and other sensitive biological resources will be protected by easements and other covenants.

With respect to fire-fighting services, the applicant informs the Planning Commission that the site contains a 468,000-gallon reservoir, from which fire department helicopter water tanks are filled. In addition, Sheriff's and fire department personnel use some of the property for training and as a staging

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area. It is also explained that though the proposed chapel is not designed to provide services for local residents, they are welcome to attend.

Action: Woods - Beck

Continue consideration of Major Use Permit P04-036 to the meeting of November 16, 2007.

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

P90-018W², Agenda Item 4:

4. Verizon White Star Back-up Generator, Major Use Permit Modification P90-018W², Mountain Empire Subregional Plan Area

Proposed Modification of a Major Use Permit (P90-018) for a Verizon Wireless unmanned telecommunications facility. The modified project proposes an emergency standby generator for the existing facility at 1676 Tierra Del Sol Road in Boulevard, to provide uninterrupted electrical power to the area. The generator will be placed within the existing 70' X 60' lease area next to the existing equipment shelter. The generator is 7'10" X 3'2" X 5'10", and will be surrounded by a 7'6" tall Concrete Masonry Unit (CMU) block wall with roof and acoustic panels lining the inside walls. Access to the project site is from Tierra Del Sol Road.

Staff Presentation: Tondro

Proponents: 0; Opponents: 0

This Item is approved on consent.

Action: Woods – Pallinger

Grant Major Use Permit Modification P90-018W², 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

P90-018W³, Agenda Item 5:

5. Jamul Butte CA 8411, Major Use Permit Modification P90-018W³, Boulevard Community Plan Area

Proposed Major Use Permit to allow the construction and operation of an unmanned wireless telecommunications facility at 676 Tierra Del Sol Road in Boulevard. The facility will include 15 panel antennas (covering three sectors) that will be mounted to the existing 100' lattice tower. Radio, power rack, rectifier, and batteries will be installed in an associated equipment shelter (20' X 11'6" X 10'). This project will co-locate with two existing facilities, a Verizon and a Cingular.

Staff Presentation: Johnston

Proponents: 0; Opponents: 0

This Item is approved on consent.

Action: Woods – Pallinger

Grant Major Use Permit Modification P90-018W³, 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

P06-011, Agenda Item 6:**6. Park Hill Lane Residence San-220-A, Major Use Permit P06-011, North County Metro Subregional Plan Area**

Proposed Major Use Permit for an unmanned wireless telecommunication facility to be located at 1245 Park Hill Lane in the North County Metro Subregional Planning area. The proposed facility consists of a 50' tall faux Cypress tree with antennas and an associated equipment shelter. The proposed faux tree will carry 3 panel-type antennas covering three sectors with one antenna per sector. The proposed equipment shelter measures 14' X 12' X 8' and would be located adjacent to the base of the faux tree.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 3

Discussion:

Neighboring property owners voice concerns that this proposal could result in possible health impacts and a decrease in property values. They recommend that the applicant consider co-locating the facility on property 250 yards from the proposed project site, as that property already contains telecommunications facilities. The applicant explains that the project is designed so that the antennas are concealed inside the faux tree, and additional real cypress trees will be provided to further shield the facility from view. In addition, none of the antennas will be pointed towards adjacent homes and most are 40' tall, well above the height of those homes. A technician will visit the site once a month to provide maintenance.

In response to Commissioner Woods' questions as to whether the applicant has considered alternative locations, the applicant's representative replies affirmatively, but explains that it was determined that the proposed location provides the best coverage. Neither the applicant nor his representative were aware of the existing site 250 yards away from the proposed project site.

Action: Woods – Beck

Continue consideration of Major Use Permit P06-011 to the meeting of December 14, 2007. In the interim, the applicant is to investigate the possibility of co-locating the proposed project on the property located 250 yards from the project site.

P04-036, Agenda Item 3:

Ayes:	5 -	Beck, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	2 -	Brooks, Day

TM 4713RPL⁶R and P87-069W¹, Agenda Item 7:

7. Peppertree Park Revised Tentative Map, TM 4713RPL⁶R and Major Use Permit Modification, P87-069W¹, Fallbrook Community Plan Area

Proposed Revised Tentative Map (TM 4713RPL⁶R) that will realign the crossing of Ostrich Farms Creek by Pepper Tree Lane and change the design of residential lots in Units 7 and 8. The crossing of Ostrich Farms Creek would be accomplished with a bridge approximately 450' south of the northern boundary of the project site, instead of with fill adjacent to the northern boundary as approved. Also proposed is a waiver in design speed requirement for Pepper Tree Lane, reducing design speed from 45 to 40 miles per hour. The applicant proposes two roundabouts on Pepper Tree Lane at the entrances to Units 7/8 and 9/10. The Revised Map proposes mass grading for Units 7-10 consisting of a total grading volume of 376,811 cubic yards that would be balanced onsite. Maximum heights of cut and fill would be 31 and 33 feet, respectively. The Major Use Permit Modification (P87-069W¹) proposes a design consistent with the proposed Revised Map, as well as a reduction of the rear yard setback in the building envelopes for Units 7 and 8 from 35 feet to 25 feet. Variable front and rear yard setbacks are proposed (minimum 25 feet) for Lots 223, 224, 237-241, and 262-265. The project site is located at the northern portion of the Peppertree Park Specific Plan Area, approximately 640' east of South Mission Road in Fallbrook.

Staff Presentation: Hingtgen

Proponents: 1; Opponents: 0

The applicant has requested that today's hearing be postponed to allow further discussions about DPW Conditions of Approval.

Action: Beck – Riess

Continue consideration of TM 4713RPL⁶R and Major Use Permit Modification P87-069W¹ to the meeting of November 14, 2007.

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

P06-034, Agenda Item 8:

8. San 246-A Highland Faux, Major Use Permit P06-034, Ramona Community Planning Area (Hughes)

Proposed Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunications facility at 15723 Highland Valley Road in Escondido. The proposed project includes a 50' tall broadleaf mono-tree to which three antennas (one antenna per sector) will be mounted. An equipment shelter measuring 10' X 20' X 10' will be located directly north of the broadleaf mono-tree at a distance of two feet, and will contain one CMO cabinet, a PTC rack and service light mounted on an H-Frame, and a GPS antenna.

Staff Presentation: Hughes

Proponents: 1; Opponents: 0

This Item is approved on consent.

Action: Woods – Pallinger

Grant Major Use Permit P06-034, 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

Administrative:

E. Director's Report:

None.

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):

Commissioner Beck will represent the Planning Commission at the November 7, 2007 Board of Supervisors meeting.

H. Discussion of correspondence received by the Planning Commission:

None.

Department Report

I. Scheduled Meetings:

October 5, 2007	Regular Meeting, 9:00 a.m., DPLU Hearing Room
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 12:45 p.m. to 9:00 a.m. on November 16, 2007 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, CA 921, California.