

**MINUTES**  
**SAN DIEGO COUNTY PLANNING COMMISSION**  
**Regular Meeting – September 7, 2007**  
**DPLU Hearing Room, 9:00 a.m.**

The meeting convened at 9:00 a.m., recessed at 10:03 a.m., reconvened at 10:30 a.m., recessed at 11:35 a.m., reconvened at 11:43 a.m. and adjourned at 12:56 p.m.

**A. ROLL CALL**

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

**Commissioners Absent:** None

**Advisors Present:** Sinsay (DPW); Mehnert (OCC)

**Staff Present:** Bilodeau, Ehsan, Farace, Gibson, Giffen, Grunow, Konar, Murphy, Nagem, Russell, Slovick, Jones (recording secretary)

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

Postponed until September 21, 2007.

**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 3 (ABC 07-005), Consent Continuance

TM 5519, Agenda Item 1:

1. Jamacha Road Townhomes, Tentative Map (TM) 5519, Spring Valley Community Planning Area

Proposed conversion of 16 existing apartment units, previously approved under Site Plan S03-078, to 16 condominium units. The existing unoccupied apartment building is located on a 0.85-acre property at 8940 Jamacha Road. The General Plan Regional Category is Current Urban Development Area, and the zoning is RU24 (Urban Residential, 24 dwelling units per acre).

Staff Presentation: Konar

Proponents: 0; Opponents: 0

This Item is approved on consent.

Action: Beck – Brooks

Adopt the Resolution approving TM 5519, 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

TM 5286RPL<sup>4</sup>, Agenda Item 2:**2. Robin Clegg, Tentative Map (TM) 5286RPL<sup>4</sup>, Lakeside Community Planning Area**

Proposed major subdivision of 6.25 gross acres into 13 lots, ranging in size from 16,799 to 41,780 square feet (gross) for single-family residential development. The project site is located at 13516 East Lakeview Road, is subject to the 1.1 Current Urban Development Area, is zoned RS3, and contains an existing single-family residence on proposed Lot 13, which will remain. Access would be provided by a private road connecting to East Lakeview Road. The project would be served by public sewer provided by the Lakeside Sanitation District and imported water from the Helix Water District. Earthwork will consist of a balanced cut and fill of 7,000 cubic yards of material. The project includes construction of an off-site storm drain facility from the project site to a location in the vicinity of Bubbling Wells Road. Placement of a biological open space easement, installation of signage and installation of permanent fencing to protect the dedicated open space from inadvertent disturbance by grading, brushing or clearing will be required.

**Staff Presentation:** Slovick

**Proponents:** 0 **Opponents:** 1

**Discussion:**

Commissioner Beck voices concern that some of the required fire was performed offsite. It was his understanding that fire clearing boundaries are limited to property line boundaries and development footprints. County Counsel explains that offsite clearing is allowed under specific Ordinances, and Staff acknowledges that Commissioner Beck is correct, in that all clearing should be done onsite; however, if an easement is obtained from neighboring property owners, offsite clearing can be performed.

A neighboring property owner discusses access, insisting that this proposal will negatively impact his access to his property, and requesting that the applicant be required to provide shared entryway access for him. DPW's Staff clarifies that there were negotiations, initially, between the applicant and the neighboring property owner, but a shared entryway is no longer feasible because it would result in one of the applicant's lots not meeting minimum size requirements. The neighboring property owner's lot is narrow and heavily constrained. DPW Staff is willing to continue looking for a viable solution for the neighboring property owner, but the applicant cannot be forced to grant him access.

TM 5286RPL<sup>4</sup>, Agenda Item 2:

Commissioner Pallinger recommends continuing this hearing to allow further discussions between the applicant and the neighboring property owner.

**Action:** Day – Riess

Continue consideration of TM 5286RPL<sup>4</sup> to the meeting of November 16, 2007, to allow resolution of issues pertaining to access.

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

ABC 07-005, Agenda Item 3:

3. Longs Drug Store, Alcoholic Beverage Permit (ABC) 07-005, Alpine Community Planning Area, Alpine Community Planning Area

Requested Type 21 Off-Sale General License, which authorizes the sale of beer, wine and distilled spirits for consumption off the premises. The applicant has appealed the determination that no public convenience or necessity will be served by issuance of the License for the site. The proposed Longs Drugs Store will be located at Alpine Boulevard and Tavern Road. The Planning Commission's review of this application is pursuant to the requirements of Section 23958.4 of the State Business and Professions Code and the Board of Supervisors Policy I-121. The project is located in Census Tract 0212.03, which is allowed to have six licenses. Ten currently exist.

Staff Presentation: Bilodeau

Proponents: 1; Opponents: 0

It is requested that this Item be continued to allow further discussions between the applicant, Sheriff's Department representatives and the Community Planning Group members.

Action: Woods – Riess

Continue consideration of this appeal (ABC 07-005) to the meeting of October 5, 2007.

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

POD 07-001, Agenda Item 4:4. Proposed Zoning Ordinance Amendment POD 07-001, Boutique Wineries

Proposed amendment to introduce a new winery classification. Under the proposed amendment, the "Packing and Processing: Boutique Winery" Use Type would be allowed by right, meaning no discretionary Permit would be required, in the A70 Limited Agriculture and the A72 General Agriculture Use Regulations. The Boutique Winery Use Type can produce up to 12,000 gallons of wine per year and will include specified standards and limitations on the size of the winery and on activities that can occur.

Staff Presentation: Nagem

Proponents: 43; Opponents: 22

Discussion:

Many of the concerns voiced today have to do with the impact Staff's proposal could have on community character and private roads, compliance with CEQA, compliance with the County's General Plan, and enforcement of Use Permit conditions of approval. Staff acknowledges that the proposed Ordinance does not address possible impacts on private road maintenance agreements. Commissioner Woods believes the use of private roads by some of the wineries would be higher than residential use. Access to these sites located on gated roads is also a concern and should be addressed. Commissioner Day states he would support requiring that operators obtain Administrative Permits, but he cannot support Staff's proposal as it stands today. He agrees that issues pertaining to private road usage must be resolved.

Many of those supportive of Staff's recommendations believe this will not only allow them to sell their products, but will greatly benefit the local economy and tourism.

Commissioner Beck believes each operation should be reviewed individually to ensure that CEQA requirements are met. He believes it's necessary to require some type of Permit to operate the establishments, due to the potential for larger environmental impacts. Commissioner Beck also discusses the use of private roads to patronize the wineries, pointing out that locating commercial enterprises on private roads changes the road's insurability.

POD 07-001, Agenda Item 4:

Staff agrees that the establishments must be evaluated on a case-by-case basis. With respect to private road maintenance agreements, Staff explains that several alternatives, such as instituting a Permanent Road Division, have been investigated; unfortunately, insurability was not one of the topics discussed.

Commissioner Woods believes the Permanent Road Division alternative could be a viable solution, but does not believe the Commission has enough information to address many of the issues raised today. Commissioner Riess points out that boutique winery owners also must pay Traffic Impact Fees. He, as well, is quite concerned about this proposal's potential impacts on private roads.

Commissioner Pallinger supports the encouragement of agricultural uses in the County, but he is also concerned about allowing these uses on private roads. With respect to Administrative Permits versus Minor/Major Use Permits, he points out that the Use Permit process can be very costly. Commissioner Pallinger also questions whether boutique wineries would be allowed to sell wines not bottled onsite and is informed that this is possible. Commissioner Brooks shares the same concerns as his fellow Planning Commissioners. He supports a co-op wine-tasting concept, as a way of minimizing traffic impacts.

**Action:** Woods – Riess

Recommend that the Board of Supervisors direct Staff to:

- (1) consider locating these establishments on public roads only;
- (2) evaluate each application on a case-by-case basis;
- (3) utilize the Administrative Permit as a triggering mechanism for CEQA review;
- (4) determine whether the establishments will be allowed in areas accessed via gated roads or whether this is a concern; and
- (5) address whether retail sales should be allowed by-right and by U.S. mail.

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

TM 5422RPL<sup>1</sup>RA, Agenda Item 5:

5. 1059 Bradley Tentative Map Resolution Amendment (TM) 5422RPL<sup>1</sup>RA, Lakeside Community Planning Area

Request for administrative approval of a Tentative Map Resolution Amendment for an approved subdivision map that proposes 30 units on 1.25 acres located at 1059 Bradley Avenue.

Staff Presentation: Ehsan

Proponents: 1; Opponents: 0

This Item is approved on consent.

Adopt the Preliminary Notice of the Decision of the Director, Department of Planning and Land Use and the Final Notice of Action of the Planning Commission approving Amendment Number 1 to the Resolution of Conditional Approval for TM 5422RPL1.

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

**Administrative:**

**E. Director's Report:**

- Business Process Re-engineering (BPR) Status Report

This Report was continued to the meeting of September 21, 2007.

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

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

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

**Department Report**

**I. Scheduled Meetings:**

September 21, 2007	Regular Meeting, 9:00 a.m., DPLU Hearing Room
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 12:56 p.m. to 9:00 a.m. on September 21, 2007 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.