

# FALLBROOK COMMUNITY PLANNING GROUP

And

## DESIGN REVIEW BOARD

Regular Meeting

Monday 19 November 2012, 7:00 P.M., Live Oak School, 1978 Reche Road, Fallbrook

### MINUTES

Mr. Wood called the meeting to order at 7:00 p.m.

Eleven (11) members were present: Anne Burdick, Donna Gebhart, Ike Perez, Roy Moosa, Tom Harrington, Steve Smith, Jack Wood, Ron Miller, Michele Bain, Jackie Heyneman, and Eileen Delaney. Jean Dooley, Jim Russell, Paul Schaden and Harry Christiansen were not present

1. Open Forum. Opportunity for members of the public to speak to the Planning Group on any subject matter within the Group's jurisdiction but not on today's agenda. Three minute limitation. Non-discussion, & Non-voting item.

**Mr. Wood informed the group that he had attended a meeting at the County discussing changes to the countywide sign ordinances. The County was entertaining a modification to the existing ordinance allowing the existing 14 foot by 48 foot signs to convert to digital displays. Mr. Wood stated that County staff was currently inventorying all existing signs in the unincorporated areas of the County.**

**Ms. Delaney stated that since a large number of signs were never permitted County Staff may find the task difficult.**

**Mr. Wood also commented that the purchase of the Liberty Quarry by the Pachanga Tribe appears to end the Liberty Quarry project.**

2. Approval of the minutes for the meetings of 15 October 2012. Voting Item.

**Mr. Smith motioned to approve the minutes and the motion passed unanimously.**

3. The Watershed Protection Program is in the process of new program updates that we would like to share with your groups and communities. Primarily, we would like to share information on the NPDES Storm water Permit Reissuance process and the Total Maximum Daily Load plan (TMDL) for Bacteria that may impact your community and watershed. We've developed a 15 minute presentation, and then would like to take 10-15 minutes to answer any questions the group or audience may have. County planner: Stephanie Gaines, 858-694-3493 (619-964-8337 (Mobile), [Stephanie.Gaines@sdcounty.ca.gov](mailto:Stephanie.Gaines@sdcounty.ca.gov). Community input. Voting item(10/8)

**Ms. Stephanie Gains provided a detailed presentation on the County Watershed Protection Program. She detailed how Federal regulations require re-permitting different water sheds and how the County was attempting to meet the standards of the reissuance process as determined by State Clean water authorities. Ms. Gaines stated that the major problem was that in this reissuance application the State regulatory Board was taking a very strict interpretation of the federal guild lines. The result would be much stricter storm water restrictions on existing developments and very expensive design modifications on any new developments. Some examples Ms. Gaines presented were new residential inspections. According to Ms. Gaines if any pollutants were discovered in any storm water collection facility the County would be required to search private property upstream and then be required to have the private property owner correct the problem. Ms. Gaines stated that while the County does not have the staffing to perform this level of inspection and forced compliance she informed the Group that her knowledge the science is not available to meet this level of control.**

**The impacts to future development were even more devastating. Ms. Gaines described a myriad of very difficult and expensive requirements that new development would need to meet if the new permit requirements go into force. Some of the requirements were a requirement to retain 85% of any storm event**

on site, provide hydro modifications to storm water systems to allow water to soak into the ground rather than just conveying it in pipes and very restrictive bacteria requirements that may prove difficult for agricultural uses to meet.

When the County staff presented the proposed impacts to the Board of Supervisors staff was directed to continue to work with the State Board but to also work with the Counties State and Federal lobbyist to try to have more reasonable regulations be implemented. Ms. Gaines stated that County Staff had put together a draft response to these regulations that she requested the planning group consider adopting in support of more reasonable goal in the permitting process.

Mr. Wood asked how County Staff would be able to work with Indian tribes on implementing permit requirements. Ms. Gaines stated the water sheds being permitted crossed County, Tribal, and International borders that would require cooperative agreements to meet the permit requirements. However, if cooperation is lacking the County would be faced with the final responsibility (and cost) since the majority of the watersheds exit to the ocean through the County.

A member of the audience asked what type of bacteria was the permit concerned with? He further stated that his pool and spa were treated regularly for the bacteria level but some amount was always present. Ms. Gaines responded saying that the type of bacteria of concern was animal or human and that the allowable levels were very restrictive.

Several members of the Planning Group and public present expressed concern about the possible costs to the public and the impacts to land use and development if the proposed permit regulations were implemented. After lengthy discussion Mr. Harrington motioned to schedule the matter for the December Group meeting and have all appropriate Group Committees review the draft response to the County on the new Permit. The goal being to develop a response to the County and the State expressing concern over the proposed permit requirements and to request a more reasonable approach to the permit. The motion passed unanimously.

4. Request for a waiver of the B designator site plan requirement for auto sales located at 434 E. Mission Road. Owner and contact person Rosalinda Saites, 916-300-5564. County planner Debra Frischer, 858-495-5201, [debra.frischer@sdcounty.ca.gov](mailto:debra.frischer@sdcounty.ca.gov), or Dag Bunnemeyer, [dag.bunnemeyer@sdcounty.ca.gov](mailto:dag.bunnemeyer@sdcounty.ca.gov). **Design Review Committee.** Community input. Voting item. (10/30)

**Mr. Wood informed the Group that this request had been withdrawn.**

5. STP12-022/VAR12-014 Site Plan and request for a Variance for parking at 143 Ammunition Road for a 24 hour drive through restaurant with dining for a McDonalds. Owner Hilda Davidson, Trustee, 562-537-6546. Contact person Dan Osran, 949-797-8320 County planner Kristina Jeffers, 858 694-2604, [Kristina.Jeffers@sdcounty.ca.gov](mailto:Kristina.Jeffers@sdcounty.ca.gov). **Design Review Committee.** Community input. Voting item.

McDonald's development staff introduced the request to approve their new site plan and a parking variance. He stated that the 34 parking spaces on the site plan is slightly less than the current County requirements but is within the new parking requirement the County Staff was preparing for Board approval. The McDonalds development staff had proposed to seek a variance rather than wait for Board approval of the new parking ordinance. McDonalds staff felt that all other concerns expressed by the Group had been addressed.

Ms. Delaney reported that the Design review committee had reviewed the site plan and with the exception of some of the landscaping had no major concerns with the project.

**Ms. Burdick commented that the Circulation Committee had a number of concerns when the project was last presented and requested a traffic study be done on the intersection. The traffic flow through the Ammunition and Mission road intersection had been recently modified to deal with a very heavy traffic flow. Ms Burdick stated that the Circulation Committee was still waiting to review the study hopefully with the Department of Public Works Staff input as well. Ms. Burdick further stated that without the opportunity to review the requested staff input and County Staff input she was not in a position to approve the site plan.**

**McDonalds Staff commented that they had completed a traffic study, that was in for County staff review and did not know why the report had not been forwarded to the Group for review. He stated that McDonalds had no objections to the Group reviewing the report.**

**Several members of the public spoke in opposition to the project. The major thrust of their objections to the project was that several long time Fallbrook businesses were going to be displaced by the project (a liquor store, a bar, a smog repair business and a food truck). The community contributions the businesses had made were also noted (car washes and fund raisers). One member of the public stated that the proposed parking required pedestrians to cross the drive thru lanes creating a safety concern for families with children who might patronize the establishment.**

**Mr. Moosa confirmed with the McDonald Staff that their development of the proposed project would be a lease. He then commented to the public that while safety was always a consideration of the Group, the majority of the public comments were related to the types of establishments on this property. He informed the public that the Group was an advisory to the County and was not in the habit of dictating to a land owner how to develop his property. Mr. Moosa suggested if the current business owners had a problem with what the property owner wanted to do with his land they should take it up with him.**

**After lengthy discussion Ms. Delaney motioned to approve the variance and site plan subject to the review and approval of a traffic study supporting the proposed traffic flow with County Staff input. The motion also required all tree plantings be approved by Ms. Heyneman. The motion passed with Ms. Bain voting against.**

The Meeting was adjourned at 8:45 pm

Tom Harrington, Secretary