

FALLBROOK COMMUNITY PLANNING GROUP
And
DESIGN REVIEW BOARD

Regular Meeting

Monday 16 September 2019, 7:00 PM, Live Oak School, 1978 Reche Road, Fallbrook

Approved Minutes

The September meeting of the Fallbrook Community Planning Group was called to order at 7:00 PM by Vice Chairman Jack Wood.

Twelve (12) members were present: Vice-Chairs Jack Wood and Roy Moosa, Jerry Kalman, Eileen Delaney, Karel Hanson, Steve Brown, Mark Mervich, Jim Loge, William O'Connor, Guy Howard, Victoria Stover and Kim Murphy. Chairman Jim Russell and Lee DeMeo were excused.

NOTE. Due to the resignation of Donna Gebhart, seat #5 is open on the Fallbrook Community Planning Group. Interested individuals please contact the chair, (see below) to receive an application.

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.
 - A. **Jan Scott requested that the Planning Group require SANDAG to start providing accurate information in their reports. She noted inaccuracies in their reports on road maintenance in the community, indicating they had created a \$200,000 bicycle lane on Fallbrook St. and, based on blueprints, there has never been a plan for a bicycle lane on Fallbrook St. She said they did do a series of other improvements including moving telephone poles, putting in sidewalks, added missing areas, but that cost over a million dollars yet SANDAG reported that those projects were actually the \$200,000 bike lane. She notified SANDAG and Supervisor Jim Desmond, who agreed it was a problem, of the discrepancy.**
 - B. **Jan Scott also inquired about the traffic light proposed for Santa Margarita, which was approved back in 2011. She placed an inquiry with Murali at SD Public Works as to why it is still not done after eight years.**
 - C. **Jan Scott also asked why sidewalks in general, many approved for the community since 2006, why it has taken until 2019 to even be looked at by DPW. She called for the Planning Group to be a "squeaky wheel and squeak a little" and look into it.**
 - D. **Victoria Stover reported on a decision by the I-15 Design Review Board regarding the Del Ivy RV Park north of Escondido that has been purchased by a Fallbrook family who will be cleaning up the homeless situation and other issues there.**
 - E. **Eileen Delaney announced that the Fallbrook Revitalization meeting to be held by Supervisor Desmond Tuesday, 17 Sept., at the FPUD meeting room is open to the public and she encouraged all to attend.**

F. Jack Wood reported on Chairman Jim Russell's condition and that Mr. Russell may be released from the hospital as early as next week.

2. Approval of the minutes for the meeting of 19 August 2019. Voting item.

Bill O'Connor moved to approve the minutes as presented and the motion carried with Kim Murphy abstaining.

3. Presentation by Presentation by the Department of Planning Services, Code Enforcement Section regarding their services. Contact person Michael Johnson, 858-694-3429, michael.johnson1@sdcounty.ca.gov. Community input. Non-voting item. (8/29)

Four members of the County's Code Enforcement section lead by Brent Panas (brent.panas@sdcounty.ca.gov), Code Compliance Chief for the County, made a presentation on how the agency works and means by which the public can initiate and stay informed about code compliance issues. He introduced: James Bray (James.Bray@sdcounty.ca.gov) the code compliance officer for the Fallbrook area, Mandy Doza (sp?) and Sheila Lingayan (sp?), all of whom participated in the presentation. They noted that there are 16 code enforcement officers that cover 4500 square miles in San Diego County, there is one noise specialist who handles those complaints, a grading inspector and a civil engineer that also assist with those complaints plus two other teams that work with the field staff. Mr. Bray said that the staff is reactive not proactive and their priority is immediate health and safety of the community. The intent is to work with property owners to resolve issues. He said the county "wants compliance not defiance", noting the four areas of emphasis are grading, marijuana dispensaries, solid waste and occupied trailers in the County. Ms. Lingayan explained the process by which complaints are handled, saying that the first step once a complaint is filed is to educate the parties about the way issues are handled by Code Enforcement and the codes involved. At that point the emphasis is on voluntary code compliance. Ms. Doza indicated that in FY 2018-2019 there are 210 cases involving Fallbrook and 153 were closed. She said there are 57 open cases here. Furthermore, she indicated that many issues involve retaining the unique character of Fallbrook and its rural life style. She explained the process for filing a complaint, ranging from in-person to using online services or regular mail. Mr. Panas announced there is a new program created by Code Compliance to report to planning groups on the top ten open issues affecting them.

Questions directed to the Code Compliance staff:

Jack Wood asked how Planning Groups will be notified when issues are open – a list will be provided.

Kim Murphy asked about the turn-around time to set a site visit – goal is to contact people within 24 hours, M-F; and the goal is to have a compliance officer on site in five business days.

Jan Scott asked regarding illegal signage enforcement – Code Compliance is working on adding signage to the complaint process. Mr. Panas noted that they do not do criminal enforcement of penal code issues, but the Sheriff's Department gets those.

Mark Mervich inquired about how the public knows what to look for when going to the County for code enforcement – if there is a complaint and it does not pertain to Code Enforcement, the agency will get it to the right department.

4. Presentation by Jan Scott, twincranh.js@gmail.com, on ADA compliant sidewalks and bike paths. **Circulation Committee.** Community input. Voting item. (7/10)

Ms. Scott reported that her concerns for ADA compliance and safety for those in wheelchairs were born out of an incident involving her wheelchair-bound grandson who was hit in an accident at Main Ave. and Ammunition Rd. She cited statistics for those considered disabled in the Fallbrook area (1900+ disabled in many categories). She said that Chris from DPW along with Maxine Allison went the six miles from Crestview to Albertsons and generated 14 points that they monitored needing attention for ADA compliance. She said that the fixes would require \$7000 and that there is other funding for those repairs in Fallbrook, as well as other grant sources to fund them. She noted that the map provided to the Planning Group (attached) was also given to DPW. Her attention now is shifting to bringing the area along North Alturas into compliance, adding that she knows Don Dussault Park is adding special fixes for the disabled to take advantage of park amenities. She also reported that the Pineview Apartments are helping serve disabled veterans. She wants DPW to make that area one of priority for making sidewalks there ADA compliant, adding that DPW has 11 grants available for this type of project. Later she explained that the grants are available but many are not yet funded.

Bill O'Connor cited an incident he noticed with a wheelchair person forced off a sidewalk into the street when encountering a telephone/power pole in the way. He inquired about cost for sidewalk repairs and was told it is \$270/foot.

Ms. Scott noted the County is becoming aware of the issues and cited the example of Parks and Recreation and DPW working on a ramp to access Don Dussault Park.

Roy Moosa said that the Circulation Committee met and discussed the issue in the absence of Ms. Scott. He said that Fallbrook has many sidewalks with telephone poles in the middle of those walkways, is full of areas where going from sidewalk to dirt and back again takes place, and he said that the Circulation Committee knows it is going to be an exorbitant issue when it comes to costs and finances, but thinks the points Ms. Scott brought up are relevant. The Circulation Committee made a motion for the County to look into the issues she raised and come back with a response.

Eileen Delaney moved to support the request by Ms. Scott to have the County improve sidewalks for better wheelchair and disabled person use. The motion was approved unanimously.

5. MUP76-141W2 Request for a modification to an existing Major Use Permit on the 4.5 acres at 1636 East Mission Road. The Health District does not have any immediate plans to make any changes or significant alterations. Only minor improvements such as landscaping, painting and refurbishment are planned.

The property has been used as a church, small school and parsonage with attendant parking. The requested land use as a small school would provide similar intermittent as classes begin and end at varying times. The facility will also be open to the public for hours that have yet to be determined.

The facility is intended to serve the residents of Fallbrook, De Luz, Bonsall and Rainbow to provide health-focused community benefits. The planned activities are:

Health & Wellness Education/Activities; Healthy Cooking Classes; Walking Paths/Par Course; Community Garden; Nonprofit Fundraising Events; Non-profit Partnering Health Screenings; Summer Camps (Fitness); Telemedicine Clinic; Financial Literacy & Education; Meditation Garden; Community Meeting Space.

Owner Fallbrook Regional Health District, 760-731-9187, bookkeeper@fallbrookhealth.org.

Contact person Tyler Martin, 619-683-5546, tyler@jwhalen.net. County planner Sean Oberbauer, 858-495-5747, sean.oberbauer@sdcounty.ca.gov. **Land Use Committee.**

Community input. Voting item. (7/30)

Roy Moosa recused himself on this issue as a property manager involved with the applicant and a realtor who represented the Fallbrook Regional Health District in acquiring the property. Tyler Martin represented the applicant, noting the reason for this application is a change from residential to educational use for the property on East Mission Rd. He recapped present and anticipated educational and other uses for the property and said the major use permit pertains to the conversion of the parsonage from a residence to its current use for classes. The granting paragraph is being changed from the facility being religious to a small school. No additional buildings or parking spaces are envisioned after the major use permit is granted nor any increase in occupancy of the buildings. He noted the Land Use Committee expressed concerns over ingress/egress traffic on East Mission Rd., particularly eastbound traffic entering the facility and the Health District has a solution, which they proposed to the County (it is contained on the map attached to these minutes). That solution requires entering traffic to continue on Gum Tree east to Stage Coach and then make a left onto East Mission before making the right turn into the property. Outbound traffic is requested to make a right out of the property, only. The Health District is also scheduling classes in non-rush hour times to alleviate possible congestion on East Mission Rd.

Jack Wood indicated the Land Use Committee had a site tour to the 4.5 acre facility before meeting with the applicant to review the proposed change. He said this is not an application for a rezone but a slight modification to the use permit for the property and had no concerns with that application but expressed the concerns noted above about traffic ingress/egress. The application was approved in the Land Use Committee as presented with the exception being concern for the traffic issue.

Kim Murphy noted that the traffic was far worse under prior ownership and looks forward to the new usage with reduced traffic in the area.

Eileen Delaney moved to approve the application as presented with the traffic routing as indicated in the attached map. The motion was approved (Mr. Moosa recused).

6. VAR19-015. Request for a variance to reduce the front yard setback from 40 ft to 24 feet on the 2.73 acres located at 1598 Winterwarm Drive, 123-050-81. Owner/applicant Leslie Sterbernk, 760-468-1897. Contact person Brittney Lushanko, 760-728-9897, Brittney@lushankolaw.com. County Planner Tabina Tonekaboni, 858-495-5418, tabina.tonekaboni@sdcountry.ca.gov. **Land Use Committee.** Community input. Voting item. (8/1)

Brittney Lushanko, attorney representing the applicant, presented the scope of the project on behalf of the applicant, noting that the RV barn will be applying for a building permit after this step that allows the change in setback from 40 feet to 24 feet. The barn fronts on an access road served by the applicant and one other neighbor, who is in favor of the reduced setback. She said the reduced setback would not have any impact on emergency access to either of the two properties.

Kim Murphy asked how long the barn has been there and was told approximately four or five years. She also said that the use is non-conforming and the building could have been placed elsewhere on the property. She was not in favor of the reduced setback.

Victoria Stover asked for clarification of the application for the building permits. Water and power were not requested when the barn was built, but now the setback approval is needed before applying for those permits.

Eileen Delaney added that there are a couple of power poles already in the easement further than the barn is.

Steve Brown also noted that there are retaining walls within the easement that is approved.

Jack Wood said that there was a site tour of the property and the Land Use Committee had no objection to the reduced setback for the RV barn. The Committee had no objection to the building being within the setback limits.

Roy Moosa said that he objects to the County's "one size fits all" attitude to these issues, requiring an easement on a two-house road to be the same as an easement on a major thoroughfare. He made a motion to approve the project as presented and it passed with Kim Murphy voting against.

7. Informational presentation by the Fallbrook Village Association to the Fallbrook community about a proposed Community Benefit Program. The concept. How it would work. Why it is important to all residents. Who and what organization would benefit. Who would oversee the fund internally. Who would manage the fund. How the plan is implemented. Contact persons: Jackie Heyneman, 760-728-5395, jackieheyneman@gmail.com, Vince Ross, 760-505-0820, vinceross55@gmail.com, Jean Dooley, 760-728-5682, jeandooley@gmail.com. Community input. Non-Voting item. (8/19)

Jackie Heyneman explained the background on the initiative, the reasoning behind it, the process for moving forward and the means by which the allocation of funds would be

administered. Additional input was provided by Lila McDonald from the Chamber of Commerce and Vince Ross and Jean Dooley.

Roy Moosa mentioned that although he was involved with the Village Association recusing himself was not an issue because there was no personal financial gain or loss and this was an information only agenda item.

Ms. Heyneman presented “an option being presented to the community” to support non-profit/volunteer organizations through a community benefit program. She recapped several volunteer efforts to maintain and improve the quality of life in Fallbrook. LAFCO needs to approve the application, which will be presented through the auspices of the Fallbrook Public Utility District (FPUD). The funding amounting to approximately \$500,000 per year will be made as a \$5 per month payment made by each ratepayer of FPUD with their water/sewer bills. FPUD will collect the funds and then disburse them to qualifying non-profits in Fallbrook. The initiative will require a latent powers agreement for FPUD to accept the new fee each month with creation of a community benefit district.

She outlined how the benefit district is to be operated, with many details to be determined after a series of meetings and hearings before the community. Currently she said there will be a seven-person advisory committee with three-year staggered terms administering the funds only to non-profit entities. The meetings will be open to the public and there will be public audits of the use of proceeds. Two of the seven on the committee will represent non-profits.

Ms. Scott voiced opposition to the fees, noting that many served by FPUD cannot afford the \$60 per year fees.

As this was informational presentation, there was no vote taken.

8. Request to the Board of Supervisors to make an appointment to fill the vacant seat #5 on the Planning Group. Community input. Voting item.
Applicants confirmed by the Registrar of Voters:
Gary W. Schuller, 1220 Shadowcrest Lane. Cell 724-622-0392, school1947@yahoo.com
Stephani Baxter, 1463 Riverview Drive. Cell 949-636-6180, stephabaxter@gmail.com

Stephani Baxter received the majority of votes and was elected to fill Seat #5.

9. Appoint Victoria Stover as an elected member of the Planning Group to the **Design Review Committee**. Community input. Voting item.

Eileen Delaney moved to approve Victoria Stover as an elected member of the Design Review Committee and the motion was passed unanimously.

The meeting was adjourned at 9:18 PM

Respectfully Submitted, Jerry Kalman, Secretary