

# **FALLBROOK COMMUNITY PLANNING GROUP**

**And**

## **DESIGN REVIEW BOARD**

21 December 2020 Regular Meeting

### **Minutes**

**The Monday 21 December 2020 7:00 PM online meeting via Zoom was called to order by Chairman Jack Wood.**

**All fourteen (14) members were in attendance: Jack Wood, chair; Eileen Delaney and Roy Moosa, vice chairs; Jerry Kalman, secretary; and Stephani Baxter, Steve Brown, Lee DeMeo, Jeniene Domercq, Jim Loge, Michele McCaffery, Mark Mervich, Kim Murphy, Bill O'Connor and Victoria Stover.**

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 and Non-voting item.**

**Jack Wood reminded the newly-elected members of the Planning Group that before they can be seated at the January meeting they need to complete County-required training sessions, which are now held online.**

2. Approval of the minutes for the meeting of 16 November 2020. **Voting Item.**

**Bill O'Connor moved to approve the minutes and the motion passed with Jim Loge abstaining.**

3. Review of new County ordinances prohibiting certain activities including living and storage in drainage and flood control channels and other county maintained facilities; fire prevention issues; activities that may either interfere with the function of that property or threaten safety on that property. County planner [Lauren.Moreno@sdcounty.ca.gov](mailto:Lauren.Moreno@sdcounty.ca.gov). **Land Use Committee. Community Input. Voting Item (11/30)**

**Lauren Moreno from DPW presented the County's slate of revised changes to the ordinances and other provisions that pertain to how various County staffs deal with the homeless using various County-maintained facilities. In her presentation, she noted that certain affected facilities are maintained by the Department of Public Works. The staff was directed by the Board of Supervisors in May 2020 to focus on select County concerns relating to homelessness and adopted eight recommendations including amending zoning ordinances. The focus for the evening consideration was the development of ordinances that minimize the impact of homelessness on parks and recreation and other County facilities. DPW's project focus pertains to, among others, storm water drainages, County-maintained road rights of way, waste water facilities and others. The Parks and Recreation staff was also consulted in drafting the ordinance.**

She said there is a permanent program in place to address trash and debris. When an encampment is found on County facilities, there is a posting to alert occupants of the trash removal process. There is also a process in place to connect the homeless with housing and other support facilities. Then the encampment is cleaned. To meet the Board's requirement, DPW reviewed existing regulations in the County code. There are three new regulations. The first two prohibit activities in drainage and flood control culverts and channels, County airports, waste-water treatment facilities and active landfills. Prohibited are sleeping activities, erecting temporary or permanent structures, storing or placing personal belongings, storing or placing solid or hazardous waste, starting a fire or using any machinery likely to cause a fire, activities that may damage or impair the property, activities that may interfere with the function of the property, and activities that may represent a threat to the safety of others.

The third proposed ordinance would disallow public occupancy due to emergencies, construction or maintenance of the facilities. Those restrictions would be temporary and would be designated by signage and other means.

The County will consider all community input thru late January 2021. That input should be directed to Ms. Moreno.

Jack Wood inquired as to when a resident of Fallbrook finds a violation of the ordinance what they do to notify the County.

Ms. Moreno said she could be contacted directly for that, as well, because she oversees the program to clean up encampments. Alternatively, the sheriff's office can also be contacted.

Eileen Delaney asked for confirmation that the purview of code compliance is for private property. Ms. Moreno said that was correct and that County Code Compliance handles private property issues.

Eileen Delaney moved to approve the proposed ordinance changes as presented and the motion was passed unanimously.

4. On February 12, 2020, the Board of Supervisors (Board) approved implementation of 14 options to streamline the discretionary review process, grouped into seven categories, to reduce the time and cost of discretionary permit processing and further the goal of providing affordable housing in the County. Three of the 14 options, CEQA Submittal Requirements, Final Engineering Flexibility, and Expanding Exemption Checklists require ordinance revisions that the County seeks committee feedback on. The County is reaching out for Planning & Development Services (PDS) staff to present information regarding these efforts at our December meetings:
  - a. **CEQA Submittal Requirements** – The CEQA streamlining opportunities during discretionary review include an option for a schematic design, or early phase of project design, for both storm water and flood. Essentially, final-design detail would not be required until the site design or grading stages. Staff is currently working on this effort by updating the Guidelines for Determining Significance for

Hydrology and Water Quality and is expected to be circulated for public disclosure in December 2020.

- b. **Final Engineering Flexibility** – Discretionary permits require a subsequent discretionary permitting process when changes are made to the project. Through this effort, we aim to provide increased flexibility to modify projects when changes are required to comply with changes in Federal and State requirements. As part of this effort, staff has proposed changes to the County Zoning, Subdivision and Grading Ordinances.
- c. **Expanding Exemption Checklists** – This effort includes increasing the use and availability of Site Plan waivers and checklist exemptions, shifting certain discretionary permits to ministerial processes, and creating a checklist process for Time Extensions of Tentative Parcel Maps and Tentative Maps.

County Planner Ashley Smith, [ashley.smith@sdcounty.ca.gov](mailto:ashley.smith@sdcounty.ca.gov), 858-495-5375.

**Land Use and Design Review committees. Community input. Non-voting item. (12/1)**

**Denise Russell ([denise.russell@sdcounty.ca.gov](mailto:denise.russell@sdcounty.ca.gov)) from the County presented the above proposed changes to the Planning Group with the idea that a streamlined process would save applicants time and money while allowing community groups to provide input on proposed projects. Regarding (a) above, the staff worked with different departments and specialists to improve flood and storm water guidelines. Review of the changes to guidelines and processes are scheduled for review in the first and second quarters of 2021 with implementation by August.**

**Regarding (b), she said many changes that come down from the state and federal levels entail storm water management to comply with new regulations. If changes are required, she said those can be made through the final engineering process with looping back for discretionary review. It is required that those changes not affect trails, pathways and other facilities, and would not violate CEQA rules or be detrimental to health and safety of the public.**

**Pertaining to (c) that contains three separate parts, it streamlines the approval process by using checklists to gain approvals without extensive reviews. Ordinance revisions are required to implement the proposed changes. Minor changes when requesting waivers can be accommodated under certain conditions. Some of those approvals can come from appropriate local planning and support groups. Rules pertaining to B designator project reviews remain unchanged but checklists can be used to streamline those reviews. The staff is working to resolve in advance the process for dealing with properties that have code compliance problems while still under review.**

**Some projects will be shifted to ministerial from administrative. This occurs in a limited number of situations.**

**The Board will receive a staff memo with the status of the above efforts in December and going into 2021. Two were started in December, the remaining five will occur in 2021 and beyond.**

**Jack Wood asked about time extensions, noting if there was less than a ten percent change, the result of which would not have the Planning Group reconsider it. She affirmed that. He confirmed that a time extension would be automatic.**

**Bill O'Connor inquired about the nature of savings in time and money and was told many of those savings pertain to applicants, in particular, cutting the discretionary permit process in half. It would also result in saving the County time, too. Detailed numbers are yet to be determined, she said.**

**Land Use and Design Review Chair Eileen Delaney said it would save applicants a lot of time and money because the checklists would streamline the review process. She said a waiver and exemption does not alleviate compliance with zoning ordinances, it smooths the site plan review. The checklists save both Design Review and the applicant time. She noted there could also be closer concurrent processing between Design Review boards and code compliance when there are code violations.**

**Lee DeMeo asked about the nature of projects with checklists that come before Planning Groups. Are there any limits on the purview of Planning Groups? She said some projects would no longer go before Planning Groups but the staff would make those decisions. Most projects, however, would come before Planning Groups.**

**Because it was an informational presentation, there was no vote.**

5. **PDS2020-RESALT-008765. Request for exemption from a site plan permit processing requirements for B special area regulation pertaining to a garage addition at 521 De Luz Road (APN 103-117-03-00). The new attached garage will be on a multi-family parcel. Applicant Dana Adler. [danafadler@gmail.com](mailto:danafadler@gmail.com), 760-522-1256. County planner A. J. Morales, [a.j.morales@adcounty.ca.gov](mailto:a.j.morales@adcounty.ca.gov), 858-694-3036. Design Review. Community input. Voting item (11/9)**

**Dana Adler was available to answer questions regarding his project.**

**Design Review Chair Eileen Delaney noted that during the committee meeting the applicant was asked to provide color samples for the addition, which he did between the Design Review meeting and the full Planning Group meeting. Those samples were supplied to members. She moved to approve the project as presented and the motion passed unanimously.**

6. **PDS2019-AD-19-030 Administrative Permit for one gate on Sandia Creek Drive just north of Sandia Creek and Rock Mountain Road. The subject segment of Sandia Creek Drive (approximately 2.2 miles) would limit access to the privately maintained road to residents only. Currently, the road serves local rural residences and business. It is also as an alternate route to**

Interstate 15 (I-15) by commuters between Riverside and northern San Diego counties. A section of the road is privately maintained, and area residents have requested it be gated to limit that segment to local residential traffic only. On-going maintenance issues, speeding and accidents are listed among the issues the proposed gate project is intended to address. The gate would control vehicular access in both northbound/southbound directions and emergency access would be maintained. For non-residents, vehicle turnarounds would be provided in both directions. A southbound turnaround area would be constructed, and a northbound turnaround would be accommodated via the Rock Mountain Road intersection. The gate would utilize an access system for local residents only. Applicants are: Megan Gamble, [megangamblesrc@gmail.com](mailto:megangamblesrc@gmail.com), and Rick Saathoff, [ricksaathoff\\_1@hotmail.com](mailto:ricksaathoff_1@hotmail.com). County Planner, Nicholas Koutoufidis, [Nicholas.koutoufidis@sdcounty.ca.gov](mailto:Nicholas.koutoufidis@sdcounty.ca.gov), 858-495-5329.

**Circulation Committee. Community input. Voting item. (11/24)**

**Alma Carpenter of the Sandia Creek Road Committee (SCRC) presented a pre-recorded presentation by the committee outlining their position regarding the need for a gate to control the through-traffic on Sandia Creek Drive, which is a private road. Accident rate of double the average for similar roads, congestion caused by excessive commuter transit and general safety are highlighted as reasons requiring the gate. An engineering study documenting traffic patterns and accident data, prepared by Linscott, Law & Greenspan, was submitted as documentation for the need to install the gate.**

**Open discussion: Andrew Dale, 40273 Sandia Creek Dr., stated he had not been informed of the planned gate location and opposed it because it would be directly in front of his home and on his property. He further stated that he had previously been on the Road Committee and had supported a two-gate project, one north and one south.**

**Deb Zoller, representing several homeowners, stated that her clients did not oppose the concept of a gate but did oppose the location of the gate. She further stated that she did not believe that the applicants have the legal authority under the Road Maintenance Agreement to construct a gate. She feels that a continuance is needed in order to develop full disclosure.**

**John Tomik shared opposition to the gate based on lack of transparency. He stated he had not been informed of the project.**

**Additional concerns were voiced by residents regarding ability of service providers to access gated area.**

**Mick Gallagher, Rock Mountain resident, stated he had just learned of the project on Saturday and that previous 80% approval was for a two-gate solution. He further stated that he felt a six-month-continuance was needed to review legal and engineering data.**

**Rick Saathoff, one of the applicants and neighbor of Andrew Dale, stated that all residents were sent monthly emails regarding the project.**

**Additional discussion ensued regarding the safety concerns and the location of the gate.**

**Alma Carpenter, in response to concerns voiced by residents outside the gate regarding their ability to access the gate, stated that once the gate is approved a solution would be sought for residents outside the gate to gain access.**

**Karla Standridge, Fallbrook Land Conservancy Executive Director, stated that the Conservancy, which owns land at the south end of the affected area, has no objections to the gate.**

**The possibility of installing speed bumps was raised. The issue of spotty cell service in the area as a negative factor in potential emergency situations, the need to prevent drug trafficking and human trafficking were raised.**

**Chair Jack Wood closed public comment and requested Roy Moosa, chair of the Circulation Committee, to report. Mr. Moosa reported that the Circulation Committee voted unanimously to support the project.**

**Mr. Wood opened discussion to members of the Planning Group.**

**Jerry Kalman enquired as to the affect of additional traffic on E. Mission should the gate be approved. Murali Pasumarthi, SD County, stated that Sandia Creek Drive was never designed to handle the current traffic load, but E. Mission was. Upon further questioning it was estimated that daily traffic on E. Mission would increase by approximately 1,500 vehicles.**

**Eileen Delaney queried Murali as to why the County had not approved the two-gate system originally requested by the Sandia Creek residents. He responded that acceptable turnarounds were not possible where the gates were proposed, citing environmental and safety reasons.**

**Victoria Stover questioned the legal right of the SCRC to act and asked if the County had verified this issue.**

**Nicholas Koutoufidis, County Planner, stated that the County had deemed the SCRC action acceptable and that the project could move forward pending Public Comment and further review.**

**Chair Jack Wood stated that a vote at this time is premature since the County Public hearing is not until Jan. 7 and that there are too many unanswered questions. He does not feel that approving the project and then addressing the concerns raised is appropriate.**

**Lee DeMeo stated that he felt the property owners should have the right to control traffic, but questioned the County as to why their preferred two-gate-plan had been denied. Nicholas Koutoufidis responded that the two-gate-option was not feasible due to topographic and ecological issues.**



**A question was raised regarding North County Fire Department position on the gate.**

**Dominic Fieri, NCFD, responded that the NCFD has remote and electronic access to the gates and does not have anything to do with the turnarounds. He further stated that there is a new (but untested) remote capability to open the gate in an emergency. Should that system fail, the NCFD can open the gate by having one of their vehicles go the gate.**

**Victoria Stover questioned why the County could not take over Sandia Creek Drive. Nicholas Koutoufidis replied that due to the narrow width of the road and the steep 21-degree grade the cost to bring Sandia Creek Dr. up to County standards would be excessive.**

**Kim Murphy stated that she supports the gate but thinks a short timeline of 30 days is sufficient for a continuance.**

**Chair Jack Wood called for a motion.**

**Steve Brown moved to continue the item until the January meeting, which follows the County Public Comment hearing. On discussion of the motion, Mark Mervich suggested the continuance should be to the Feb. Planning Group meeting. The motion was amended to continue this item until the Jan. meeting and, if not resolved then, to continue it further until the Feb. meeting.**

**A roll call vote was taken. In favor of continuing the topic to January: Jack Wood, Eileen Delaney, Steve Brown, Jim Loge, Lee DeMeo, Mark Mervich, Victoria Stover, Stephani Baxter, Jerry Kalman and Jeniene Domercq.**

**Opposed: Roy Moosa, Kim Murphy, Bill O'Connor and Michele McCaffery.**

**Motion Carried.**

**Roy Moosa added that the concept of the gate should be approved with the condition that prior to moving forward on the project, all unanswered questions brought up at the meeting would need to be addressed.**

- 7. PDS 2020-STP-20-026. Request for a discretionary permit to refurbish the former McDonalds restaurant at 1050 S. Main Ave. (APN 104-341-30-00) into a bi-level (main floor and basement) commercial building linked by ownership and use to the laundromat under construction. There will be a total of 1638 square feet of additions to the existing structure. The existing drive-through will be converted to interior space along with a 1047-square-foot addition. The existing patio will also be converted to interior space. The owner is Ross Rose, [vaughnrents@gmani.com](mailto:vaughnrents@gmani.com), 760-735-2495; applicant is Daniel Mannix, AIA, [dan@mannixarch.com](mailto:dan@mannixarch.com), 619-588-7730. County Planner is John Leavitt, [john.leavitt@sdcounty.ca.gov](mailto:john.leavitt@sdcounty.ca.gov), 858-495-5448. **Design Review. Community input. Voting item. (11/24)****

**Charlie Snowden presented the project, noting that the design is consistent with the previously approved laundromat adjacent to the former MacDonalds building, which is owned by the same person. He reported that the former MacDonalds property will be reconfigured for one or two tenants, most likely commercial/retail. Mr. Snowden was asked during the Design Review meeting to add additional landscaping and the applicant agreed to that, increasing the landscaping by 25 percent.**

**Eileen Delaney moved to approve the project as presented with the stipulation that signage will be presented and voted upon at a future meeting. The motion was approved unanimously.**

- 8. Request for a letter from the Fallbrook Community Planning Group and drafted by the Circulation Committee addressed to the County via Supervisor Desmond and DPW asking for a feasibility study for a proposed pathway or trail along Stage Coach Lane between South Mission and Reche roads, with prioritized segments in order of importance. This request arose from a recent community meeting with Supervisor Desmond's Fallbrook Revitalization Committee, DPW, DPR, community members and other community organizations. Circulation Committee. Community input. Voting Item. (11/30)**

**The topic was continued in the Circulation Committee to the January meeting.**

**The meeting was adjourned at 10:16 PM.**

**Respectfully Submitted, Jerry Kalman, Secretary**