

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – November 19, 2010
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:02 a.m. and adjourned at 10:52 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Norby, Pallinger, Riess, Woods

Commissioners Absent: None

Advisors Present: Lantis, Sinsay (DPW); Witt (OCC)

Staff Present: Gibson, Griffith, Grunow, Morgan, Ramaiya, Rosenberg, Rowan, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of October 22 and November 5, 2010

Action: Woods - Riess

Approve the Minutes of October 22 and November 5, 2010.

Ayes: 7 - Beck, Brooks, Day, Norby, Pallinger, Riess, Woods

Noes: 0 - None

Abstain: 0 - None

Absent: 0 - None

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. Announcement of Handout Materials Related to Today's Agenda Items

E. Requests for Continuance: None

F. Formation of Consent Calendar: Items 1 (P03-035), 4 (P06-074W¹) and 5 (P98-001W¹)

G. Director's Report:

Commissioner Day expresses dismay that Staff will request, on December 8, 2010, that the Board of Supervisors consider establishing pipeline dates for

P10-007, Agenda Item 3:

properties currently within the Forest Conservation Initiative (FCI). He notes that the FCI expires on December 31, 2010, and discusses his frequent comments to Staff during the Planning Commission's consideration of the draft General Plan Update, that properties under the FCI needed to be addressed. Staff clarifies that the General Plan Land Use Designation for the properties currently under the FCI will revert back to the Designations in place immediately prior to its adoption. Staff explains that establishment of a pipeline date will require property owners desiring to subdivide property currently under the FCI to obtain development approvals prior to adoption of any General Plan Amendment on those lands. Establishment of the requested pipeline date(s) will serve as a reminder to property owners that the previous General Plan will be in effect on January 1, 2011 until it is amended.

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P03-035, Agenda Item 1:

1. Battaglia Equestrian Event Facility Major Use Permit, P03-035, Ramona Community Plan Area

Proposed Major Use Permit to authorize use of an existing outdoor arena as a participant-based equestrian event facility at 842 Highway 78 in the Ramona Community Plan Area. The facility would be used to hold organized participant-based horse riding events. Events would be held primarily on weekends and would consist of equestrian-related activities. The maximum attendance for any one event would be 150 persons. The project site is subject to the Estate Development Area General Plan Regional Category, the (19) Intensive Agriculture Land Use Designation, and is zoned A72.

Staff Presentation: Griffith

Proponents: 2; Opponents: 0

Discussion:

This Item is approved on consent.

Action: Riess - Brooks

Grant Major Use Permit P03-035, make the Findings and impose the requirements and conditions as set forth in the Form of Decision.

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

P10-004, Agenda Item 2:

2. Fairbanks Ranch Wireless/AT&T Wireless Telecommunication Facility Major Use Permit, P10-004, San Dieguito Community Plan Area

Proposed Major Use Permit to allow construction, operation and maintenance of an unmanned wireless telecommunication facility at 17651 Circa Del Norte in the San Dieguito Community Plan Area. The proposed project would consist of a 65' tall mono-pine onto which 12 panel antennas would be mounted, a second array to accommodate co-location of a future wireless provider, and associated equipment located within an expanded existing onsite equipment shelter. The site is subject to the Estate Development Area (EDA) General Plan Regional Category, the (21) Specific Plan (Fairbanks Ranch) Land Use Designation, and the S80 (Open Space) zoning regulations. The site, which serves as the common recreation area for the Fairbanks Ranch Association, is developed with an existing clubhouse, equestrian center, tennis courts, horse trail, and a wireless telecommunication facility that would be retained. Access would be provided by a private road connecting to Circa Del Norte.

Staff Presentation: Morgan

Proponents: 1; Opponents: 1

Discussion:

Following Staff's presentation, during which the Planning Commission is informed that the San Dieguito Community Planning Group members have expressed support of this project, a neighboring property owner submits letters from other community residents who are concerned about the project's location. However, the speaker realizes, during today's discussion, he and his neighbors were misinformed about today's project and its location.

Action: Day - Riess

Grant Major Use Permit P10-004, make the Findings and impose the requirements and conditions as set forth in the Form of Decision.

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

P10-007, Agenda Item 3:**3. Ormsby Way Wireless/AT&T Wireless Telecommunication Facility, Major Use Permit P10-007, Bonsall Community Plan Area**

Proposed Major Use Permit to allow construction, operation, and maintenance of a new wireless telecommunication facility within an existing single family residence and shed at 2766 Ormsby Way in the Bonsall Community Plan Area. The shed is proposed to be expanded by five feet to accommodate four panel antennas. An additional six panel antennas would be mounted within a new faux chimney attached to the residence. Six outdoor equipment cabinets would be surrounded by a concrete block wall with a trellis. The project site is subject to the Estate Development Area (EDA) General Plan Regional Category, the (19) Intensive Agriculture Land Use Designation, and is zoned A70 (Limited Agricultural).

Staff Presentation: Morgan

Proponents: 1; **Opponents:** 1

Discussion:

Staff provides a brief presentation on the proposed project, and confirms that the applicant examined many sites before determining this site as being the most feasible. The Bonsall Sponsor Group recommends denial of this project. The Sponsor Group's chairperson reminds the Planning Commission that the Group has never supported telecommunications facilities in residential areas. She informs the Planning Commission that the carriers refuse to participate in road maintenance agreements, though these facilities must be accessed via private roads. She urges the Planning Commission to exclude residential areas from any "preferred sites" lists.

The Sponsor Group chairperson informs the Planning Commission that the Group prepared a telecommunications master plan soon after adoption of the County's Telecommunications Ordinance. Unfortunately, the Sponsor Group's master plan has not been adopted by the Board of Supervisors. The Sponsor Group would prefer to co-locate telecommunications facilities in/on some type of structure designed for that purpose, such as an obelisk. The Group chairperson believes there are many locations within the community where such structures could be located. She recommends that the facility under consideration today be located in a plant nursery adjacent to the project site or across the street behind an existing market.

In an effort to alleviate the Sponsor Groups' and neighboring property owners' concerns, the applicant's representative volunteers to enter into a road maintenance agreement, though it is not expected that the site will be visited more than once a month. This is agreeable to many of the Planning Commissioners.

Action: Pallinger - Brooks

Grant Major Use Permit P10-007, make the Findings, impose the requirements and conditions as set forth in the Form of Decision, and accept the applicant's offer to enter into a road maintenance agreement with neighboring property owners.

Discussion of the Action:

Commissioners Brooks and Chairman Beck voice support for further shielding the facility by locating it in an expanded chimney rather than the proposed shed.

Amended Action: Pallinger - Brooks

Grant Major Use Permit P10-007, make the Findings and impose the requirements and conditions as set forth in the Form of Decision. Accept the applicant's offer to enter into a road maintenance agreement with neighboring property owners. If it is feasible, the applicant is to locate the antennas in an expanded chimney(s).

Discussion of the Action:

Commissioner Norby states he will not support the Motion. He believes there are more suitable locations for these facilities than private residences and recommends that Community Planning and Sponsor Group representatives work with service providers to develop co-location sites. Commissioner Day agrees. Staff informs the Planning Commissioners that a telecommunications facility master plan is included in the County's Telecommunications Ordinance, and efforts were undertaken in the past to encourage community master plans. At Commissioner Day's request, Staff will provide a report on the County's master plan during the Commission's next meeting.

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

P06-074W¹, Agenda Item 4:

4. San Diego Correctional Facility, Major Use Permit Modification P06-074W¹, Otay Subregional Plan Area

Proposed Major Use Permit Modification of a previously-approved Major Use Permit (P06-074) for a secure detention facility, originally approved by the Planning Commission on April 10, 2009. The proposed Modification would allow relocation of the facility to approximately 400' away from the previously approved site 40-acre site on Lone Star Road, to a new location on Calzada de la Fuente. The new site is being vacated by another previously approved Major Use Permit (P98-001). The applicant for P98-001 has also requested a Major Use Permit Modification to vacate the 37-acre site that would now be occupied by the secure detention facility. Other changes to the Major Use Permit include the addition of approximately 20,000 square feet of building area and an increase in capacity by 20 beds to 2132 beds. In addition, the Site Plan layout would be modified to suit the new location, including the relocation of the parking lot. The project site is located east of Alta Road on Calzada De la Fuente within the East Otay Mesa Specific Plan.

Staff Presentation: Rosenberg

Proponents: 1; Opponents: 0

Discussion:

This Item is approved on consent.

Action: Riess - Brooks

Grant Major Use Permit P06-074W¹, make the Findings and impose the requirements and conditions as set forth in the Form of Decision.

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

P98-001, Agenda Item 5:

5. Salvage Yards, Major Use Permit Modification P98-001W¹, Otay Sub-regional Plan Area

Proposed Major Use Permit Modification for a previously approved Major Use Permit, P98-001. The approved Use Permit allowed for the following uses: scrap operations, recycling of green materials, and recycling, sales and storage of automobiles. The uses were permitted on approximately 161 acres in the East Otay Mesa Specific Plan Area. The proposed Modification would vacate approximately 37 net acres of the existing 161-acre site and add approximately 40 gross acres (37 net acres) at a new location southwest of the project site. The 40-acre addition was the site of a previously approved Major Use Permit (P06-074) for a detention facility for the Corrections Corporation of America (CCA). A Major Use Permit Modification (P06-074W¹) has also been submitted by Corrections Corporation of America to move the previously approved detention facility to the 37-acre site being vacated by this Permit Modification. The project site is located north of Lone Star Road and east and west of Alta Road within the East Otay Mesa Specific Plan.

Staff Presentation:

Proponents: 1; Opponents: 0

Discussion:

This Item is approved on consent.

Action: Riess - Brooks

Grant Major Use Permit P98-011W¹, make the Findings and impose the requirements and conditions as set forth in the Form of Decision.

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

Administrative:

G. Report on actions of Planning Commission's Subcommittees.

There were none.

H. Results from Board of Supervisor Hearing(s):

The Board of Supervisors received public testimony on the draft General Plan Update at their last two meetings, and will resume with public testimony at their December 8, 2010 meeting.

I. Upcoming Board of Supervisors Agenda items Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

No Commissioners were designated to represent the Planning Commission at the Board of Supervisors' December 8, 2010 meeting.

J. Discussion of correspondence received by the Planning Commission:

The Accretive Group (PAA 09-007, postponed from the August 6, 2010 Planning Commission meeting) recently sent a letter to the Planning Commission requesting that the PAA be docketed for an upcoming Planning Commission meeting. A representative of the Accretive Group is present today and discusses the company's concerns that the Board of Supervisors is unlikely to take "substantive action" on the draft General Plan Update in the near future. He requests that the Planning Commission schedule PAA 09-007 for consideration during the Commission's December 17, 2010 meeting. Staff informs the Commission that the Board of Supervisors' next hearing on the General Plan Update is scheduled for February 2011. Following the applicant's request, Chairman Beck announces that he will recuse himself from participation in this discussion and any subsequent hearings associated with PAA 09-007.

Many of the Planning Commissioners are supportive of granting the applicant's request, for the reasons stated by the applicant's representative. Commissioner Norby prefers that the PAA not be scheduled for further consideration until the Board of Supervisors takes action on the General Plan, and states his support of the Planning Commission's reasons for postponing consideration of the PAA until after the Board of Supervisors takes substantive action. Chairman Brooks and Commission Pallinger remind those in attendance that the Planning Commission's original Motion during the August 6, 2010 hearing was that the PAA would be brought back for further consideration in November 2010. Commissioner Day clarifies that when the original motion was made, the Commission expected to have an indication of where the Board of Supervisors was headed with the General Plan Update by the end of 2010. Commissioner Day is not confident

that the Board of Supervisors will take substantive actions on the General Plan Update by February 2011, and notes that the Board has expressed serious reservations and concerns about the recommendations. Commissioner Day further explains that it was not his intent to leave PAA 09-007 in limbo indefinitely. Commissioner Pallinger concurs with Commissioner Day's statements.

Action: Day - Pallinger

Staff is to place PAA 09-007 on the December 17, 2010 Planning Commission docket. The applicant is to ensure that information pertaining to the issues raised during past hearings pertaining to water, wastewater, and potential impacts traffic and schools is received by Staff with adequate time for review.

Action: Day - Pallinger

Staff is to docket PAA 09-007 for consideration by the Planning Commission during their December 17, 2010 meeting. The applicant is to ensure that the information the Planning Commission requested regarding water, wastewater, potential impacts to traffic and schools is provided with enough time for Staff's review.

Ayes: 5 - Brooks, Day, Pallinger, Riess, Woods
Noes: 1 - Norby
Absent: 0 - None
Recused: 1 - Beck

Discussing additional correspondence received, Chairman Beck informs those in attendance that he, Commissioner Brooks and Commissioner Woods were provided with a request that one of them participate in an interview on the General Plan Update. He believes the interview should be open to any Commissioner wishing to participate.

K. Scheduled Meetings:

November 19, 2010 Regular Meeting, 9:00 a.m., DPLU Hearing Room

December 3, 2010 Regular Meeting, 9:00 a.m., DPLU Hearing Room

December 17, 2010 Regular Meeting, 9:00 a.m., DPLU Hearing Room

January 7, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
January 21, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
February 4, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
February 25, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
March 11, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
March 25, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 15, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
April 29, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 20, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 3, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 24, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 8, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 22, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 12, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 26, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 9, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 23, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 7, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 21, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
November 4, 2011 Regular Meeting, 9:00 a.m., DPLU Hearing Room
November 18, 2011 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 10:52 a.m. to 9:00 a.m. on December 3, 2010 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.