General Plan 2020 Steering Committee Meeting
November 17, 2001 –Minutes

Attendees:

George Vanek	Alpine
Margarette Morgan	Bonsall
Chuck Davis	Bonsall
Tom Weber	Borrego
Tim McMaster	Crest/Dehesa/Harbison Canyon/Granite Hills
John Elliott	Descanso
Shirley J. Fisher	Jacumba
Janice Grace	Jamul/Dulzura
Scott Boyd	Lake Morena/Campo
Gordon Shackelford	Lakeside
Joe Chisolm	Pala/Pauma
Gordon Hammers	Potrero
Dutch Van Dierendonck	Ramona
John Fergusen	Spring Valley
Gil Jemmott	Twin Oaks
Jack Phillips	Valle de Oro
Larry Galvinic	Valley Center

Visitors:

Parke Troutman	UCSD
Rick Smith	Lakeside
Juliana Bugbee	Lakeside
Richard Hensle	Lakeside
Jan Van Dierendonck	Ramona
Mary Allison	USDRIC
Keith Behner	Rancho Santa Fe Assn.
Sandra Farrell	Twin Oaks
Carl Meyer	Potrero
Jack Campbell	

Planning Commissioner:
Bryan Woods

County:
Ivan Holler (DPLU)
Tim Popejoy (DPLU)
Rosemary Rowan (DPLU)
Dahvia Locke-Rubinstein (DPLU)
Elias Barbosa (DPLU)

Meeting commenced at 9:10 am

Second Agenda Item: Approval of Minutes –

There were corrections to the October 20, 2001 minutes (page 3) change occurrences of "big box doors" to big box *stores*.

G.Shackelford expressed concern that certain quotes in the minutes were not representative of the actual language used, and that the minutes may not be completely accurate. He requested that the October 20 minutes be reviewed and corrected by staff, and brought back for approval next meeting.

Third Agenda Item: Regional Land Use Framework- Commercial Designations

B.Woods began and noted that staff felt that Commercial/Industrial should be explained in more depth, and the group should have a better understanding of why these designations should be updated. Gary will explain the categories as they are written, and as they are applied on the ground.

G.Pryor explained that the designations need to be updated from the existing 1970's text that is currently being used and to try and make the updated material as concise and clear as possible to eliminate discrepancies. The current text is able to be interpreted in numerous ways, and this problem should definitely be corrected. He also mentioned that the issue of defining terms of within the text has been discussed, and that the best way to update these is to work with and modify the existing definitions rather than propose entirely new definitions. It is important to remember that this shall be examined under a "regional" framework, and that there will need to be definition at the community plan level as well. Fallbrook was used as an example to point out how the general plan categories will allow zoning to be tailored in order to achieve desired outcomes by the community. He suggested that the group examine the regional categories today, and clarify language to give flexibility at the community level.

G.Shackelford expressed overriding concern about the commercial and industrial zones dealing with sensitive issues of personal livelihoods. He does not want to see designations changed if it is not absolutely necessary. G.Pryor acknowledged his comments and said that this is the reason that the existing text and definitions will be used, rather than creating entirely new ones.

T.Weber brought up the issue of groundwater, and the fact that a special designation is needed for the area. Consideration must be taken for agriculture, possibly giving it a "unique rural" designation. G.Pryor mentioned that at this time the group should maintain focus on the large-scale regional categories, and to later give attention to community-specific details and concerns.

J.Elliott asked for some examples of where the problems are in the definitions that have led to problems in the past. G.Pryor gave the example of General Commercial taking place within "enclosed structures," coinciding with Service Commercial indicating that you can have "outdoor." Anderson Nursery is an example that would have outdoor retail sales as their General Commercial, and in this case it would have to fit under a Service Commercial- thus these uses must be put into a category where they will fit. B.Woods commented that nurseries are actually a good example to try and place within a category because they have outdoor storage and rental equipment yards close to downtown areas.

J.Phillips noted that the zoning ordinance is structured to be totally permissive to almost any thing in any zone, through the use permit process. When someone wants to put in (for example) an outdoor commercial business in a general plan designation that doesn't allow it, the proper thing to do is to have the mandatory findings that we have for a use permit as part of the process. If these designations are written to broad, it will be impossible to defend against zone changes. It is very hard to battle a use brought in by a zone change when it conforms to what your general plan says, they should be kept as restrictive as they currently are. New rezones can bring about uses that we really never wanted, because they will be able to change the zone on a single parcel. He recommended that the Major Use Permit process still be maintained.

B.Woods stated that some questions that need to be addressed are: What makes some of these zone changes easy today? What level of protection do we have? What do we see and not like? By updating the categories, is there an opportunity to protect the communities from some of those rezones?

G.Pryor responded and said that there are constant proposals to change the general plan- there is a statute that says you are not supposed to change a general plan more than four times a year because the general plan is not supposed to be changed. In some cases the general plan has been changed, just so someone can get a use that they want- making the general plan almost like a zoning ordinance. People get around the four change maximum by "batching," adding four or more small pieces, and submitting them together, as to have only one general plan amendment. A result of this could be considered "spot zoning" which needs to stop. The protection will come from comprehensively examining the bigger picture and meshing everything together. We should look at what we have, and if it fits what we need, then we leave it alone- because it's on the ground and being used, but we also must look if it will give us the future results that we are looking for. B.Woods added that a major concern is considering what is on the ground and redesignating these areas and not confusing the communities' retail/commercial/industrial members.

D.VanDierendonck felt that the group should tighten up many of the definitions, such as General Commercial's definition which contains the text, "it is *intended* that uses permitted be limited to commercial activities conducted within an enclosed building." *Intended* lets people get around the desired affects and as an example many of the businesses in the downtown area (of Ramona) are beginning to look very tacky. These rules need clarification and enforcement. G.Pryor addressed these concerns and said these are not problems with the designations within the general plan, but rather a lack of definitive zoning that lays out the uses for a particular district. The example of Ramona's Old Town area was given as having one character, and the new commercial development being typical strip commercial. To stop the strip commercial from running down into the Old Town area, the general plan can be given the appropriate designation over it and then you subdivide it down so that you can limit it with your zoning, so they can not continue that pattern into Old Town. The zoning and general plan should be used together in influencing future developments. B.Woods added that in the zoning ordinance specific uses can be listed as acceptable or unacceptable, varying by district.

J.Fergusen mentioned that at the supervisor level required findings may be tweaked, because of political concerns. Trying to fix the problem of general plan amendments can never be

independent of the politics involved at the supervisor level. He also added that we must take into account the accumulative impacts, and close attention must be paid to relatively minor changes/developments having major impacts on infrastructure. G.Pryor reassured him that attention to accumulative impacts will be engrained in the process. The big problem that exists today is the lack of "predictability." If the uses are spelled out more clearly for each designation and the zoning is tightly bound to the general plan, then there will be no unpredictable impacts.

G.Vanek felt that the community impacts are not currently in the realm of the community planning groups. He said that the County is often unwilling to acknowledge the planning group's concerns about accumulative impacts, and that if minimal mitigation is done the applicant will usually get the project approved. The major use permit process has allowed for many people to change their designation, and this does in fact lead to spot zoning.

J.Elliot was unclear on how to handle the issues surrounding special use permits (concerning R.V. Parks in Descanso). G.Pryor said that R.V. Parks are a specific use, and in the zoning ordinance you can look at what zoning classifications you feel an R.V. Park is appropriate.

M.Morgan questioned the fact that in Bonsall, highway 76 is possibly being realigned to another location and therefore all existing commercial will need to be shifted or new commercial will have to be added; therefore, can Gopher Canyon be planned to take some of the traffic that will impact the community? The direction of the community plan is up in the air because of CalTrans. G.Pryor answered that, yes you can plan for the accumulative impact, and yes we can assign it to the traffic network. If it affects Gopher Canyon with improvements, then it will need to be updated to handle that traffic. We will be doing this in all of the communities because we know where the growth and development will occur.

M.Morgan mentioned that a development will be going in off of Gopher Canyon, and that the group has asked the developer to finance left turn pockets in the road, because it is his project causing the impacts. G.Pryor stated that the impacts from each project on a given road should be examined, add up all of these impacts, and have the developer pay proportionally. The County and the community groups need to work both together and separately to predict where roads (that will be impacted by growth and development) are located. We must first get the general plan in place which will determine where growth will go and the County will know the level of service of the road. From there the County can put in a 5 year capital improvement program, matching the County money with the private money to get it built.

M.Morgan added that while the lots are currently being developed, the developers are not contributing to anything. She wondered what the community group should do in the interim, and lastly, she asked if the groups will have any input on the zoning ordinance itself. G.Pryor said that yes, the process will move from the general plan down to the zoning ordinance, by community. The zoning ordinance will be tailored to each community, so what actually ends up on the ground will be coming from you. To the first question, the development will continue to take place. If the road is already part of a capital improvement program we can collect the money for each one because we have a project, by definition; if there is nothing programmed for it, under state law, we cannot collect.

J.Phillips noted that CEQA requires that the County be the lead agency in addressing the accumulative impacts for every project, the problem is the County giving all of these projects negative declaration, which allows the developer to completely ignore accumulative impacts. He feels that the rules are already present, and that we just need people that will abide by and enforce these rules. Concerning the discussion of zoning and the general plan, he added that there is currently a compatibility statement in the regional land use element which shows a general plan designator, and then lists the zones that can be used there. To eliminate all of these concerns, we should just follow the compatibility matrix. G.Pryor responded and told him that the courts will throw such instances out because it has never been adopted by the Board of Supervisors.

J.Phillips wanted the group to consider an addition of an "Agriculture Commercial" designation. (This issue was tabled until "Commercial" will be discussed).

G.Pryor (responding to J.Phillip's comments on accumulative impacts) said that the designations will not necessarily tell you exactly what will be put on the ground, and thus the accumulative impacts cannot be predicted- and this basic flaw must be fixed.

G.Vanek brought up the aspect of "concurrency" which had been discussed extensively in the past. He understood that projects would not be allowed that would have high impacts, unless road structures were built concurrent with those projects- and this is not what is presently being done. He asked if there will be fees collected from the adjacent or benefiting properties, regardless if they have a project, or do we have to wait to collect those funds until they put a project through the county. Can we start the funding process to improve the roads before a project has gone through the county, or will we continue to play catch-up, and never actually catch up. G.Pryor told him that we need to follow the rules that are on the books today; basically if there is a project we can collect the money, if there isn't a project we can't collect.

M.Morgan was concerned with SPA's in the area, and the fact that the SPA's were never assigned a plan. How can we know the impacts to roads or the community, because it is not attached to a plan? G.Pryor noted that some areas designated as an SPA do not have any plan behind it as a means for someone to tailor exactly what they wanted for the area- in these cases you should find what densities and land uses that *should* be in the area. Other SPA's are adopted which do have specific design regulators that need to be retained and protected. He recommended a meeting with the Bonsall planner to go over these community-specific issues.

D.VanDierendonck emphasized the importance of G.Pryor's recommendations about implementing a plan that would create certain predictability for future development. In Ramona problems lie with Growth and Congestion, which should be handled first? The developer is only responsible for improvements in the area that he is building. The accumulative affects can be recognized, but there is nothing that the community can do about them.

G.Hammers mentioned that in Potrero, numerous property owners wished to be included in an expanded country town, possibly giving them a Commercial designation. By doing this, it would allow for future planning, for example, easements would be granted for infrastructure improvements. If these people were really serious about getting into such a designation, could a

Community Service Area be established which would require them to pay these fees over a long period of time, is this allowable? G.Pryor explained that it is possible. The country town was originally designated to establish where the sewer would be, and not to change from agricultural to commercial. You are better off looking at what you want the land use to be in your area now, then looking to see where you want the utility systems, and then you can have a CSA be one way to implement these systems.

G.Shackelford was interested in the compatibility matrix not adopted by the Board. He wanted a spread sheet with items that have been thrown out, or those which may be threatened. G.Pryor agreed that such information would be helpful, and he will bring it back once it can be organized.

C.Davis brought up the issue of accumulative impacts and questioned how projects with major impacts were ever approved, such as 4S Ranch. G.Pryor said that 4S was approved because it was an area marked as FUDA, and was left open-ended with no densities attached to it.

Break 10:30-10:50

B.Woods reminded everyone to stay on task, and deal with the commercial designations and the language contained in each.

Office Professional

G.Pryor noted that this has should probably stay the same, with possible changes to the last sentence concerning the RLUE, CRDA, EDA, and RDA that may be modified to fit whatever language is adopted.

G.Vanek was concerned about how far beyond "office professional" the designation would extend, because there are currently auto repairs being done in areas deemed office professional. How do you define office profession? G.Pryor stated that this is simply a broad category, with zoning attached to this, and the zoning will give you the allowable uses. In this case it is either a zoning problem, or an illegal activity to be handled by code enforcement.

Motion: "To accept Office Professional as written, with the caveat that the last sentence will be evaluated as we complete the designations."
Approved, unanimously.

Neighborhood Commercial

G.Pryor stated that the existing language is pretty good, and is recommended to remain the same. Again the last sentence will depend on the final designations. At the community level, you can spell out exactly what will go into the neighborhood commercial.

L.Galvinic questioned the language of "small scale commercial" and wanted a more clear definition of what exactly constitutes "small." He wondered about the possibility to expanding "small" to include small *and medium* scale. J.Phillips added that these (small scale) are intended to be areas that are in a residential area, for example a small neighborhood store. Once you get to medium scale commercial, you definitely get into general commercial and this is a problem due to miszoning. G.Pryor recommended using the general commercial designation for the "medium scale," but also limit the uses and limit the floor area ratio, as to keep out big box commercial. If you want more of the Mom and Pop store, as opposed to big box operations, then F.A.R. can be regulated to exactly what type of commercial you want in the area. B.Woods added that once the designations are on the table, you can take the next step towards defining the designations for each community. I.Holler mentioned that the group should keep in mind that these designations being examined are regional, and that the appropriate designations be applied at the community level. J.Phillips objected to this notion of the designations being regional, he said that these are land use categories that can be very small- applied to half an acre or maybe less, and regional categories are "Village Core," etc. I.Holler clarified that regional means these designations will be used throughout the county, and not just each member's community.

Motion: "To accept Neighborhood Commercial as written."
Approved unanimously.

General Commercial

G.Pryor noted that the language provides for a wide range of retail which will give the flexibility, but also the pitfall if you don't pick the right zoning classifications to fit. A discussion concerning the sentence about "commercial activities within an enclosed building" followed.

D.VanDierendonck wanted to keep this sentence as it exists in the text, and referred to examples in Ramona where businesses did not follow this requirement. G.Pryor mentioned that some uses that are desirable but may have some degree of outdoor activity, for example restaurants with outdoor seating. The problem lies within the zoning ordinance, and the fact that it never really defines the degree of allowable outdoor uses. If the word "intended" is eliminated, then uses such as vegetable stands and flower stands would be moved to service commercial, just because they are outdoor.

T.McMaster recommended the possibility of including "with a minor use permit" to allow outdoor commercial activities. G.Pryor did not want to see minor and major use permits included in the designations because it would require everyone in the county to follow it, and felt this is more appropriate in the zoning ordinance. B.Woods noted that the costs for such a permit are also expensive and could hurt small businesses with outdoor commercial.

J.Phillips did not want to change this and loosen the definition in any way, and felt that the compatibility matrix is the muscle behind this. This could defend against C-37 or C-38 zone change that would allow uses that you defiantly don't want.

M.Morgan added that Bonsall has many fruit stands that consist of merely a tarp and a few boards, which is visually unappealing; but they fit into a commercial designation. G.Pryor stated that the solution to this problem lies in fixing the zoning ordinance, and not the designation.

Motion: "Accept General Commercial as written, also remembering that the last sentence will be under discussion as the regional categories come together."
Accepted.

Service Commercial

G.Pryor suggested that the group review the inclusion of "light industrial" within the designation because from a zoning perspective, it is common to keep industrial and commercial separated. By opening up service commercial to light industrial, it is bringing a potentially "heavier" activity into a commercial district. G.Shackelford agreed that this is a problem, especially in Lakeside.

R.Smith wondered about the definition of "large acreage" in the designation. B.Woods recommended that this should also be removed, and defined more clearly in zoning.

Motion: Change the first sentence and take out "or light industrial with large acreage requirements," to read "This designation provides for heavier commercial uses." The rest remains the same.
Approved.

Visitor-Serving Commercial

G.Pryor recommended that this whole designation be deleted, because it can be accomplished under the other designations and by using the right zoning. There are only a few areas of visitor serving commercial in the entire county.

G.Hammers asked about where R.V. parks would fit in. G.Pryor responded and told him that R.V. parks can be considered to be residential, and in most it is a form of recreation commercial. It is sort of a hybrid, it is usually in a commercial park, but it is attached to a recreational facility in the vicinity. If you are looking at them you can say and R.V. park can be in commercial or industrial. For R.V. parks, they are a unique example, and should be dealt with on a case by case basis.

S.Boyd wondered if visitor-serving commercial could be replaced with "rural commercial," as a means to get multiple uses in the area. G.Pryor referred this to be handled in the zoning ordinance.

J.Phillips proposed that visitor-serving commercial be replaced with the new definition and name of rural commercial, which would add a tool for the communities to use. If the zoning could

truly be tailored to the community, then this would be an ideal situation that would not restrict the types of uses to have a self-contained visitor serving area that can also serve the local residents.
M.Morgan wondered why you would want to eliminate "visitor serving" because that describes exactly what it is. J.Phillips answered that it is not uniquely visitor serving, it includes visitor serving but is not only that. G.Pryor added that this designation would allow for the uses to apply to different areas of the county, and rural commercial would allow small scale commercial, would be for the tourists *and* the local residents. This can be used for smaller communities that have a small commercial area, that they do not want to call general commercial or neighborhood commercial, this is where it could be considered rural commercial.

T.McMaster asked if agriculture would be included in the rural commercial category. B.Woods told him that would be covered in zoning.

Motion: "Delete the visitor-serving designation, and replace it with rural commercial."
Approved

Limited Impact Industrial (Light Industrial)

G.Pryor explained that light industrial is primarily the enclosed types of industrial activities, with some type of outside activities.

J.Phillips wanted to maintain the existing definition of limited impact industrial. He also wanted to keep "limited impact" over "light industrial" because the definition is more clear in the existing zoning, the key reducing the impact is being within enclosed buildings.

G.Pryor stated that "light industrial" is very specific in the text saying that it must be conducted in an enclosed building. If everyone is comfortable with this, then it will not change, and the zoning will be used to define what a "minor exception" is. He recommended that "within an enclosed building" be eliminated, because is can problematic.

B.Woods questioned if "selling what you make" should be included in light industrial. G.Pryor noted that this is again a zoning question.

Motion: "To keep Limited Impact Industrial as written."
Approved.

General Impact Industrial

G.Pryor commented that staff had problems with some so the text, specifically "large sites," because there are certain types of industrial that may be a heavy industrial activity that may not

be on a large site, for example a small but loud machine shop. In the zoning ordinance, there needs to be language that requires some type of separation between residential and industrial.

Motion: "To accept General Impact Industrial as written, eliminating 'large' from the second sentence, insert 'to have,' change 'and to or,' add 'appropriate,' and correct type errors." First sentence remains the same, second sentences will now read: Typically sites are required to have direct access to major roads, railroads, or other appropriate transportation modes. This designation is consistent with all categories of the RLUE except CT and the CRDA. Approved.

Next Meeting: Saturday, December 15, 2001

Items to discuss:

A. Agriculture
B. Distribution Map