



Rancho Bernardo Community Planning Board
 12463 Rancho Bernardo Road #523, San Diego, CA 92198
www.rbplanningboard.com

November 19, 2020 7:00 PM
Draft Meeting Minutes
Meeting Held Via Zoom

<u>2020 RB PLANNING BOARD</u>									
P = present		A = absent				ARC = arrived after roll call			
Robin Kaufman	P	Sonny Googin	P	Joni Edlemen	P				
Patrick Vincent	P	Vicki Touchstone	P	David Wilson	P				
Gary Long	P	Thomas Lettington	P	Terry Norwood	P				
Benjamin Wier	A	Hugh Rothman	P	Dan Grobee	P			Total Seated	14
Mark Huettinger	P	Steve Dow	P					Total in Attendance	13

Others in attendance: Tom Kempton, City Planning Department; Marc Schaefer, Councilman Kersey’s Office; Casa Representatives: Craig Brown, Cindy Eldred, Justin Sager; Roberta Mikles.

ITEM #1 Call to Order/Roll Call:

Chair, Robin Kaufman, called the meeting to order at 7:00pm.

ITEM #2 Chair remarks:

Robin Kaufman commented that meetings held via Zoom have the same procedures as in person meetings and wished everyone a Happy Thanksgiving.

ITEM #3 Non-agenda public comment (3 minutes per speaker):

Terry Norwood informed the Board that she had received an email from a resident interested in paying for bench to be installed at the Community Park. Apparently, no new benches are allowed per the Park and Recreation Department. The resident tried to email the Planning Board but the email address did not work. Robin Kaufman said she would talk with Ben Wier about the problem with the email account. She also stated that the resident should contact the Rancho Bernardo Recreation Advisory Group. Hugh Rothman asked if the resident could bring the issue up at the next Recreation Advisory Group meeting to see if they can recommend the bench or perhaps provide a recommendation for some other type of recognition at the park.

ITEM #4 Government Staff Reports:

Various government staff has an opportunity to present updates to the Board. Marc Schaefer from Councilmember Kersey’s office gave an update. Marc received the letter from the Community Council related to solar panels at the RB Community Park, but he has not received a response from the appropriate city department. Councilmember Kersey is looking for suggestions for a potential site in the north city for an indoor COVID-19 testing location.

ITEM #5 Modification and Adoption of Agenda:

Patrick Vincent - motion to accept the agenda; Tom Lettington seconded. Motion passed 13-0-0.

ITEM #6 Administrative Items:

a. Approve October 2020 Meeting Minutes:

Sonny Googin made a motion to accept the minutes as presented. Mark Huettinger seconded. Motion passed 12-0-1 with David Wilson abstaining as he was not present at the October meeting.

b. Approve Treasurer's Report:

Gary Long reported the Board has \$322.95 in checking and \$455.03 of City funding. Zoom was renewed for one year at a cost of 14.99 per month. Gary made a motion to accept the Treasurer's report; Mark Huettinger seconded. Motion passed 13-0-0

ITEM #7 Casa de las Campanas - Request to Initiate Community Plan Amendment

Cindy Eldred provided an overview of the proposed request to initiate an amendment to the Community Plan and General Plan for a parcel located immediately to the north of Casa de las Campanas. Specifically, Casa is requesting a community plan amendment for 9.7 acres north of their complex and less than 1/4-acre property south of their complex that are both presently zoned as agricultural-residential AR-1-1, to medium density RM-2-5. This would allow up to 29 units per acre on the 9.7-acre parcel.

Tony Kempton told the Board that the Planning Commission was scheduled to hear the request to initiate the plan amendment on December 17, 2020. He also explained that if initiated, the plan amendment and associated actions would then be reviewed and processed through the City. The requested plan amendment and rezone are process 5 actions, requiring City Council approval.

Vicki Touchstone made a motion to recommend approval of the initiation of the plan amendment and pursuant to the City's General Plan Amendment Manual, requests that the following factors be evaluated and addressed during the processing of the proposed plan amendment: 1) appropriate action should be taken to ensure that changing the land use will not result in the loss of land required to implement CIP Number: 52-489.0 (West Bernardo Drive - Andanza Way to I-15 Road Widening), nor should it result in any increases in the cost of implementing this action; and to eliminate current impacts to the adjacent community park associated with Casa employees parking in community park parking lots, the language be included in the Community Plan as part of the amendment process that requires Casa to provide adequate onsite parking to accommodate residents and employees within the Casa development footprint. Patrick Vincent seconded the motion.

Steve Dow requested information regarding the proposed land swap associated with the project; including who initiated the land swap request, did Casa already own the property proposed to be swapped, who would be responsible for managing the property in Escondido, and could it be developed in the future. Craig Brown responded that the City has expressed a desire to see more senior housing provided in San Diego, but that is was Casa that reached out the City regarding the potential for acquiring the 9.7 acres to the north of the existing Casa facility. There is no specific development plan for the property at present. The property involved in the trade is 19.7 acres of undeveloped land north of Lake Hodges. A housing development was previously proposed for the site, the permits have expired. Casa currently has an option to purchase the land.

The land swap is required because the 9.7 acres to the north of Casa are included within the City's Multiple Habitat Plan Area, and was set aside as part of the City's cornerstone lands to meet the requirements of the San Diego Multiple Species Conservation Program. Any removal of MHPA lands from conservation requires compensation in the form of land with comparable habitat value, which is determined and approved by the Wildlife Agencies (U.S. Fish and Wildlife Service and California

Department of Fish and Wildlife). The City would be responsible for the long term management of the replacement 19.7 acres of conserved land.

Tom Lettington indicated he supported the proposal. Casa is a responsible member of the community. Steve Dow asked if the land swap would require expansion of the City boundary. Cindy Eldred stated no. Roberta Mikles, a resident of RB and former Planning Board member, spoke for herself and others in the community who were unable to participate in the meeting. She stated that Casa is a fantastic senior facility, as is Silvergate and Remington Club, but she is concerned that these facilities do not meet the needs of lower income seniors in the community. Affordable senior housing is needed in Rancho Bernardo, so all seniors have the opportunity to stay within Rancho Bernardo. Perhaps affordability could be achieved by providing small units on the new site. She was also concerned with the effect the land swap could have on the widening of West Bernardo Drive.

Tony Kempton stated that effects on traffic and habitat, as well as other issues would be addressed in an appropriate environmental document in accordance with the Environmental Quality Act.

The motion made at the beginning of the discussion (see above) was approved by a vote of 12-0-1, with Sonny Googin abstaining to avoid the appearance of a conflict because she lives at Casa.

Item #8 Amendment to the City's Municipal Code Regarding Short Term Rentals.

Vicki Touchstone provided an overview of the proposed changes to the Municipal Code for Short Term Residential Occupancy (STRO), as well as an overview of the discussion related to this item at the Community Planners Committee. Of note was the lack of community outreach for the proposal. The item went to the Planning Commission without any notification to planning groups. This is a proposal by Council District 2 to amend the Municipal Code to legalize short term rentals through a four-tiered program that requires a license and provides operating regulations. There was no Citywide outreach for this proposal. The costs of enforcement are intended to be covered by license fees. A “good neighbor policy” is to be established. There will be a limit of one license per host – but a host can be an owner or a renter – so it appears that one person could own multiple STRO units.

The cap on the total number of licenses provided only applies to Tiers 3 and 4. There is no limit on the number of Tier 1 and Tier 2 licenses. Parking is not addressed and there is no cap on the number of people who can occupy the unit. Enforcement proposals seem weak – a number is provided of a person to call if noise or other issues arise. The person must call or visit the property within one hour. If that does not happen then it seems neighbors can contact the City.

Four tiers are proposed: Tier 1 – 20 days or less per year – one day or multiple day rentals – the owner does not need to reside on site; Tier 2 – Home sharing if owner or permanent resident resides on site – but the host may be absent during the STRO for up to 90 days per calendar year, one or multiple day rentals and it includes duplexes, accessory dwelling units, and granny flats; Tier 3 – Whole home rental for more than 20 days and owner/host does not need to reside onsite, minimum two day stay – total of 4,050 license could be issued today based on the total number of units available in SD in future cannot exceed .75% of total dwelling units; Tier 4 – applies only to Mission Beach where an additional 1,081 licenses would be available today with a two-night minimum stay.

Compliance and enforcement mechanisms would involve the creation of an Office of STRO with a project manager, fiscal analyst, plan review specialist, and 4 code enforcement officers. No budget has been established and no information is provided regarding the cost of the license.

The Regional Issues Committee reviewed the proposal but decided not to vote on the item but rather take it to the full board for consideration. In the past, the Board has not supported whole house rentals, and instead supported a proposal that required the owner or permanent resident to be onsite.

Vicki Touchstone made a motion to support only Tier 1 of the proposal; Terry Norwood seconded. Tom Lettington supported the motion as it would allow owner to rent out their house, but not result in houses being purchased for commercial use. Hugh Rothman raised concerns about the need for more housing. Granny flats were allowed to provide additional housing opportunities and give owners additional income from the rents, but not to be used for commercial purposes. Sonny Googin supported a proposal that would only include Tier 1, as it would provide appropriate limitations and allow for further evaluation of the effect STRO could have on adjacent residential uses. Under Tier 1 STRO proposal to start slow and see what the effects might be. Joni Edlemen expressed concern for the entire proposal, and stated that she is not in favor of any STRO proposal where the owner is not present on site. The current proposal has no limitations on the total number of individuals who can occupy an STRO unit at any one time, does not address parking, it appears that an owner of multiple STRO units can acquire multiple licenses simply by giving other individuals permission to manage the units; the way in which licenses are allocated is not fully defined; there is no limitation on the number of licenses that can be provided under Tier 1 and Tier 2. There are many current examples of STRO units being used for huge parties that are disruptive to established neighborhoods. Hugh Rothman agreed with the concerns related to parking and no limits on the number people and also raised concern for the lack of a budget to understand the full costs of regulation and enforcement. Sonny Googin also raised concerns about the effect the proposal could have on housing costs, and particularly on its effect on the availability of affordable housing.

The original motion failed with two in favor and eleven opposed. A new motion was made by Vicki Touchstone and seconded by Terry Norwood to recommend to the Planning Commission that no action be taken on the proposal until the range of issues raised by the Board and other communities are more fully addressed. Issues include but are not limited to: limit on number of people; parking; better defined host and owner; budget to cover enforcement actions; and affect on affordable housing. The motion was approved by a vote of 13-0-0.

Item#9 Complete Communities - (Housing Solutions, Mobility Choices, Play Information Item Everywhere and Infrastructure Now) Vicki Touchstone reported that the Complete Communities plan (a parks master plan, a mobility choices initiative, a housing solutions plan and facilities financing) was heard by the City Council on November 9. The mobility initiative was approved 7- 2, with council members Mark Kersey and Vivian Moreno opposed; the housing solutions initiative was approved 8-1, with Moreno dissenting. The park master plan was voted down 5-4 so it could be revised.

ITEM #10 Request Community Members to Identify Themselves To Fill Vacancies.

Appointment to open vacancies in Districts B (Eastview), E (Seven Oaks), F (Bernardo Heights) and G (High Country West). Residents must first attend one full Board meeting prior to presenting themselves to fill a vacancy. No one identified themselves.

ITEM #11 Sub-Committee Reports:

Development Review - Robin Kaufman informed the Board there is a vacancy on the Development Review Committee.

Regional Issues - Vicki Touchstone indicated a meeting in December is unlikely.

Traffic & Transportation - Robin Kaufman informed the Board there is a vacancy on the Traffic & Transportation Committee and addressed the installation of new stop signs. Residents are not always informed when a new stop sign goes up. There is no update on the much anticipated No Stop on Red sign at Rancho Bernardo Road and West Bernardo Drive.

ITEM #12 Liaison Reports:

Community Council - Robin Kaufman, report attached to agenda.

Community Planners Committee (CPC) - Vicki Touchstone, addressed with Items 8 and 9 above.

Recreation Advisory Board - Robin Kaufman, report attached to agenda.

SANDAG - Steve Dow, Report attached to agenda. Hugh Rothman thanked Steve for the comprehensive report.

San Dieguito River Park - Terry Norwood, a new director to be hired.

San Pasqual/Lake Hodges Planning Group - David Wilson, no meeting since last report.

ITEM #13 OLD BUSINESS ITEM: None

ITEM #14 NEW BUSINESS: None

ADJOURNMENT: Sonny Goggin made a motion to adjourn the meeting. Terry Norwood seconded. Motion passed 13-0-0. Meeting adjourned at 8:43 pm.