



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

November 17, 2022, 7:00 PM
Meeting Minutes
Meeting was held via Zoom

<u>2022 RB PLANNING BOARD</u>									
P = Present		A = Absent			ARC = Arrived after roll call				
Robin Kaufman	P	Owen Nucci	P	Steve Dow	A	June Smith	P	Donald Bertsch	P
Benjamin Wier	ARC	Vicki Touchstone	P	Hugh Rothman	A	Patrick Batten	A		
Gary Long	P	Joni Edelman	P	Sonny Googins	P	David Wilson	ARC		
								Total Seated	13
								Total in Attendance	10

ITEM #1 Call to Order/Roll Call:

Chair, Robin Kaufman called the meeting to order at 7:02pm.

ITEM #2 Chair Remarks:

Robin Kaufman noted that the meeting is being recorded for accuracy in the meeting minutes, and noted that it is being conducted as if it were in in-person and that participants should extend all courtesies as such.

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

Kathleen Lippitt provided comments about the San Diego City Council meeting on November 15. She noted her concerns about proposed municipal code changes, citing a memo from the City Attorney’s office that proposes working with the Cannabis Division to understand the extent of potential impacts. The memo states that the City Council could amend the municipal code to change the outlet regulations including increasing the cap or modifying the type of limitation (such as Sensitive Uses). She expressed concerns that they instead should be working with planning groups and public health organizations as they are accountable to the residents.

ITEM #4 Government Staff Reports (Information Item):

Robin provided a report from [Emily Piatanesi](#), Community Representative for Council Districts 5 and 7:

- Mayor Todd Gloria is announcing the 2022-2023 *Mayor of the Day Contest* which aims to foster and encourage leadership in young people. Interested K-12 students living in the city of San Diego are invited to write an essay and submit a video about what it would be like to be a Mayor for the day; the winner will be invited to shadow the Mayor for the day.
- Mayor Gloria announced bringing amendments to the City Street Preservation Ordinances to help fix roads faster and ensure private utilities, city crews, and contractors who excavate in the right of way are held to a high standard to complete the repair in a timely fashion. Proposed amendment will also enhance street safety, requiring higher quality resurfacing after trenching and tighter time limits on temporary asphalt patches. These amendments were voted on November 16 by the City Council Active Transportation and Infrastructure Committee.
- Since April 2021 Mayor has increased shelter capacity by 420 beds, such as the 44 bed Community Harm Reduction shelter at the Pier One store on Sports Arena. The administration has as well opened Rachel's Promise, a 40 bed shelter in downtown San Diego serving women with medical needs.
- Care Court Law will go into effect January 2023 after which the Department of Health Care Services will develop and publish guidelines. The bill establishes a phased implementation with first set of counties required to start by October 1. San Diego is in first phase of counties. The bill mandates establishment of a working group to aid in implementation.
- Mayor Gloria released his annual grant report showing a 62% funding increase over prior fiscal year. City was awarded a total of 59 grants with a total of \$259M.
- Eric Dargan will begin as new COO with the City of San Diego.
- A link to the weekly city newsletter was provided.

ITEM #5 Modification and Adoption of Agenda (Voting Item):

Gary Long motioned to approve the agenda; Vicki Touchstone seconded; motion approved 10-0-0.

ITEM #6 Administrative Items (Voting Item):

Approval of September and October 2022 Board meeting minutes was postponed until the December Board meeting.

Gary Long provided the Treasurer's Report: the Board has \$322.95 in the business checking account as of November 2022; additionally, \$500.00 in the reimbursable expense account with the city of San Diego. Two invoices expected to be submitted totaling \$263.76. Gary Long motioned to approve the Treasurer's report as submitted; seconded by Ben Weir; motion was approved 10-0-0.

ITEM #7 16550 West Bernardo Easement Vacation (Voting Item):

Background: The Board discussed Application for an Easement vacation to vacate a portion of a Water Easement within Parcel 2, PM 21104 at 16550 West Bernardo Drive. The site is located in the IP-2-1 zone, ESL's, and Prime Industrial Lands within the Rancho Bernardo Community Plan and Council District 5.

Scott Davis, on behalf of Bernardo Summit LLC, presented information on the application. In coordination with the City of San Diego, the plan is a vacation of city owned access, specifically the water easement surrounding a public owned water main within the subject parcel. The application aims to privatize the water line that is contained within the parcel. Meters will be removed and relocated adjacent to the right of way and everything behind the meters will become private. The City of San Diego initiated this process as the requirements of access and maintenance was not favored by either the city or the private businesses affected.

Ben Weir motioned to approve the Easement Vacation; Sonny Googins seconded the motion; motion was approved 10-0-0.

ITEM #8 Cannabis Outlet(s) - Project No. 625766, 16375 Bernardo Center (Information Item):

The Board provided current updates from the parties opposing the cannabis outlets within the region and surrounding areas.

Robin Kaufman first noted that graffiti has been expanding on the building and that she has reached out to the owner.

Benjamin Weir proposed a round table discussion to coordinate responses to the project. He provided a status of current activity, including the effort from the Applicant to provide an official survey by a licensed engineer to give definitive measurement from the proposed Cannabis outlet to the church. So far the firm has not found an engineering firm or submitted any measurements. Additionally, the Applicant has requested continuances twice – the latest one has postponed the hearing until January 25, 2023.

Becky Rapp, a resident, updated the Board that according to the project manager she has spoken with, Travis Cleveland, the City's Hearing Officer is expected to approve the proposed cannabis outlet project. This is despite the Applicant's continued request to delay the hearing. She noted that the installed wall between the proposed site and the nearby church is deemed a barrier in the eyes of city staff, putting the walking distance over 1000 feet.

Rob Brienza, a resident, voiced his opposition to the site.

Residents and Board members suggested that the church or other entities in opposition to the site should have their own engineer provide a survey showing a distance of under

1000 feet. Additionally, the Board and residents expressed the lack of clarity associated with the definition of a “child-oriented facility” based on the city staff’s position regarding the Kumon Learning Center located in the shopping center where the proposed cannabis outlet would reside.

The Board noted that with updated Planning Board processes, an appeal to a City Council decision could cost \$1,000 starting in January 2023.

ITEM #9 2022 Update to the San Diego Municipal Code and Local Coastal Program (Voting Item):

Background: The Planning Department in coordination with the City Attorney's Office made revisions to the proposed 2022 Update to the Municipal Code after the Planning Board reviewed and approved comments on the changes. The Board will review relevant changes and consider amending our previous letter to the Planning Commission as necessary to address the revisions. The latest version of the revisions is available at: <https://www.sandiego.gov/planning/work/land-development-code/updates-in-process> (scroll down to Planning Commission - Staff Report and 10/26/22 Revisions). The Planning Commission hearing on this item is now scheduled for December 8, 2022.

Vicki Touchstone reviewed proposed changes and deletions to the current code. She motioned that the Board send a letter communicating concerns on items that have not been revised as well as appreciation to the city staff for addressing items previously raised. Benjamin Weir seconded; the motion passed 10-0-0.

ITEM #10 Request for Amendments to the Brown Act (Voting Item):

Background: Consider sending a letter to our State representatives requesting amendments to the Brown Act that would allow for hybrid and/or virtual public meetings to ensure equitable access for all to participate in public meetings

Vicki Touchstone proposed submission of a letter outlining reasons for supporting hybrid public meetings, such as supporting citizens with illnesses who cannot attend public meetings, people with children, and those with lack of availability of transportation. Additionally, it reduces vehicle emissions and improves overall public participation. Robin adds that it should be sent to City Council as well. Sonny Googins seconded; motion passed 10-0-0.

ITEM #11 Update from the Election Ad Hoc Committee (Information Item):

Robin Kaufman thanked Sonny Googins and Vicki Touchstone for having volunteered to serve on the Election Ad Hoc committee. The committee will be meeting in the coming weeks and solicit participation for the community.

ITEM #12 Request Community Members to Identify Themselves if Interested in Appointment to Open Vacancies in Districts B, C, D, E, and F (Voting Item):

N/A

ITEM #13 Approval for Virtual Meeting for Next Month’s Full Board Meeting (Voting Item):

Robin Kaufman motioned that the Board approve the use of virtual meetings for next month; seconded by Owen Nucci; approved 10-0-0.

ITEM #14 Sub-Committee Reports (Information Item):

Development ReviewBenjamin Wier
Regional Issues.....Vicki Touchstone
Traffic & TransportationHigh Rothman

ITEM #15 Liaison Reports (Information Item):

Community Council.....Robin Kaufman (Report attached)*
Community Planners Committee (CPC)..... Vicki Touchstone (Report attached)*
Community Recreation GroupRobin Kaufman
SANDAG..... Steve Dow (Report Attached)*
San Dieguito River Park David Wilson
San Pasqual/Lake Hodges Planning Group.... David Wilson
Commercial Representative TBD

ITEM #16 OLD BUSINESS ITEM:

N/A.

ITEM #17 NEW BUSINESS:

N/A.

ADJOURNMENT:

Robin Kaufman made a motion to adjourn the meeting; Gary Long seconded; motion passed 10-0-0. Meeting adjourned 8:15pm.

Meeting minutes respectfully submitted by Owen Nucci.

Standing Committee Meetings:

Regular meeting dates & times for committees are set as follows:

<u>Administrative Committee</u> The Monday 10 days prior to Regular Meeting, 6 PM Via Zoom meeting.	<u>Traffic & Transportation Committee First</u> Monday of each month, 6 PM Via Zoom meeting.
<u>Development Review Committee</u> First Tuesday of each month, 6 PM Via Zoom meeting.	<u>Regional Issues Committee</u> First Tuesday of each month, 7 PM Via Zoom meeting.

RB Planning Board – SANDAG Update

(Steve Dow; 11/09/2022)

- November 2022 highlights
 - Mid-Coast Trolley
 - One-year anniversary of UCSD Blue Line
 - Blue Line carried ~16.7 million passengers (12/2021 – 09/2022)
 - Otay Mesa East Port of Entry Project
 - SANDAG & Mexico sign toll revenue sharing agreement on 10/24/2022
 - https://www.sandag.org/uploads/projectid/projectid_56_27817.pdf
 - US Transportation Secretary (Pete Buttigieg) toured LOSSAN and Del Mar Bluffs stabilization
 - <https://www.keepsandiegomoving.com/Lossan-Group/lossan-del-mar-bluffs.aspx>
 - LOSSAN (Los Angeles–San Diego–San Luis Obispo) rail corridor is 351 miles long.
 - SANDAG’s Innovative Public/Private Partnership Opportunities Competition
 - SANDAG request in Nov 2021; 18 companies submitted; 3 concepts selected to 2nd phase:
 - Beep, Inc: “proposes implementing mobility hubs to create a network of autonomous electric shuttles designed as a neighborhood circulator”
 - Cordoba Corporation: “proposes the first-of-its-kind transit border crossing in the country. The concept is to extend the Blue Line Trolley

one mile into Tijuana, expand the San Ysidro Transit Center, build connecting pre-clearance border crossing facilities, and provide improved traveler information through Intelligent Transportation System upgrades.”

- Cavnue: “proposes a state-of-the-art, next generation managed lanes network to improve the speed and reliability of transit and shared mobility services. The technology-enabled infrastructure will improve safety, optimize the performance of existing roadways in the region, and prepare San Diego’s infrastructure for autonomous driving and connected vehicles.”
 - <https://www.sandag.org/index.asp?newsid=1351&fuseaction=news.detail>
- SANDAG Crime Reports
 - https://www.sandag.org/uploads/projectid/projectid_130_32885.pdf
 - Violent crime up 1.9% since 2022 and up 1.4% from 2012
 - Property crime down 2.1% since 2022 and down 25% from 2012
 - https://www.sandag.org/uploads/publicationid/publicationid_4800_29743.pdf
 - In 2022 survey of juvenile arrestees, only 11% said marijuana was harmful. One hundred percent (100%) of those asked said that Cocaine, Oxycontin, Crack, Meth, and Heroin were harmful.
- Online Public Workshops for “Rapid high-speed, high-frequency transit services” on
 - 11/15/2022, 11/16/2022, and 11/17/2022 @ 6pm
 - <https://www.facebook.com/events/2134292673435821/>

Overview of the Community Planners Meeting of October 25th, 2022 by Vicky Touchstone

The meeting included a discussion by Saeed Abdollahi, Engineering and Capital Project Department, about the FY 2023-2027 Five Year CIP Outlook Update and an update on the results of the 2021 CIP survey. The way in which the City is managing the input provided by the various Community Planning Groups was also discussed, including how the proposed projects and needs are categorized.

The second item on the agenda was about the potential for moving back to in person meetings, or perhaps hybrid meetings. There are some good technologies for working out hybrid meetings, but the initial investment can be costly for a planning group. Many felt hybrid meetings would

better meet the needs of the overall community, including for individuals with health issues, transportation concerns, and families. It was suggested that our State Representatives be asked to explore revisions to the Brown Act to allow for virtual and/or hybrid public meetings.