

OTAY MESA PLANNING GROUP
MEETING MINUTES, MARCH 20, 2024
 Otay Nestor Library
 3003 Coronado Ave, San Diego, CA 92154

Otay Mesa Planning Group Chair, Mr. Rob Hixson, called the meeting to order at 3:00 pm.
 Introductions are made across the room.

Members present:	Members absent:
Rob Hixson	Tom Ricotta
Ted Shaw	
Diane Kirma	
Felipe Nuno	
Ronnie Taylor	
Allen Kashani	
Rita Mahoney	
Chris Holder	
Tom Simmons	
Mark Freed	
Tony Blas	
Scott Merry	
Jason Wells	

Approval of minutes:

February 2023

- **Vote:** A motion was made by R. Mahoney, seconded by T. Shaw. Motion passed (13-0-0)
Yes: R. Hixson, D. Kirma, F. Nuno, C. Holder, A. Kashani, T. Simmons, M. Freed, T. Blas, S. Merry, J. Wells & R. Taylor.
- **Abstained:** None
- **Vote No:** None
- **Comments:** None

Public Input/Comments on Matters Not on the Agenda:

Few people in the Oleander Tract have stated that the City of San Diego has been planting trees and bushes in the Oleander Tract. It was determined that this is possibly part of a restoration activity for the vernal pools. Any work performed on private property needs to be approved by the owner.

Chairman's Report:

- We need to appoint two new people to the Otay Mesa Planning Group.
- Zoning: light blue overlay on Community Plan. The area north of Siempre Viva Road; Cactus on one side and Britannia on the other, is zoned IBT ("International Business Trade"). The zoning description does not allow for storage and distribution. Unless it is an auxiliary use for something else, Sean McGee, City of San Diego, Development Project Manager, and I are working on this and will update you.
- June Otay Mesa Planning Group meeting will be held at a different location. The library will be closed for Juneteenth.

Items Received:

1. Notice of Future Decision – Conditional Use Permit, Process Two -PRJ 1109070; Project Name: 10145 Via la Amistad
2. Notice of Future Application – Site Development Permit, Process Level Three -PRJ 1060102; Project Name: 2295 Harvest

Government Liaison Reports

A. COUNCILMEMBER MORENO'S OFFICE: Gerardo Ramirez

- The La Media Road project continues to move forward.
- La Media Road Phase 1 was to be completed by June 2024. Phase 1 will now be completed anytime between June and September 2024.
- EIP will continue to move forward with the budget. The board voted on the budget for FY 25.
- The staff wants to combine the Siempre Viva Road East and West projects into one unified Siempre Viva Road project. That adjustment will take place in April.
- The City approved funding for the Brownfield development, and this year, the City is working with IRG ("Industrial Realty Group"). The City will propose an amendment to the whole project in the upcoming months, but after that, groundbreaking will follow.

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- Continuing to work on reducing the backlog of broken streetlights in Otay Mesa, currently has 27 outstanding reports and 36 completed.
- B. MAYOR'S OFFICE:** *No report was provided.*
- C. ASSEMBLYMEMBER WEBER'S OFFICE:** *No report was provided.*
- D. SUPERVISOR VARGAS' OFFICE:** *No report was provided.*
- E. ASSEMBLY MEMBER DAVID ALVAREZ OFFICE:** *Lisa Schmidt*
 - Assemblymember Alvarez proposed 20 Bills.
 - **AB 1472 – Recreational Vehicle Parks: Registration Requirements:** This bill would prohibit recreational vehicle (RV) parks from evicting and re-registering tenants to prevent the tenants from gaining resident status.
 - **AB 1597 – Water Quality: California-Mexico Cross-Border River:** This bill would make funds available, upon appropriation by the Legislature in the annual Budget Act or another statute, to the NADBank for loans, grants, and direct expenditures to address water quality problems arising in the California-Mexico cross-border rivers.
 - **AB 1811 – Jury Duty for All:** This bill would assist California's courts in meeting their need for eligible jurors while also improving efficiency and representation within jury pools by allowing all Lawful Permanent Residents (LPRs) to be eligible for jury duty.
 - **AB 1886 – Housing Element Law: Substantial Compliance: Housing Accountability Act:** This bill would provide certainty and clarification to the Builder's Remedy by clarifying when housing projects become eligible for the builder's remedy.
 - **AB 2075 – Resident-Designated Support Person's Act:** This bill would provide a resident of a long-term care facility with the right to in-person, onsite access to a designated support person or a health care and social services provider during a public health emergency in which visitation rights of residents are curtailed by a state or local order.
 - **AB 2241 – Public Social Services: Reporting and Verification:** This bill would allow applicants and recipients of public benefits to report changes and provide verification requested by the county welfare office that is required by law, as long as a county agency has a software security
 - **AB 2326 – Public Postsecondary Education: Sex Discrimination Policies:** This bill makes history in the State Legislature by bringing oversight and compliance reporting by requiring the three higher education institutions to present annually on how the campuses are addressing sex discrimination.
 - **AB 2429 – Pupil Instruction: Health Education Courses: Fentanyl:** This bill would, commencing with the 2026–27 school year, require the governing board of a school district or the governing body of a charter school that has elected to require its pupils to complete a course in health education for graduation from high school to include instruction in the dangers associated with fentanyl use, as provided.
 - **AB 2430 – Planning and Zoning: Density Bonuses: Monitoring Fees:** This bill would prohibit a local government from charging a monitoring fee on affordable housing developments built using the State Density Bonus Law that is already subject to a regulatory monitoring agreement with the California Tax Credit Allocation Committee (TCAC), the California Department of Housing and Community Development (HCD), or the California Debt Limit Allocation Committee (CDLAC).
 - **AB 2501 – Water Quality Control Plans: Donations and Grants:** This bill would authorize the State Water Resources Control Board (State Water Board) and Regional Water Quality Control Boards (Regional Water Boards) (collectively, the Water Boards) to accept funds from both state and local public agencies. The ability to receive additional funds from these public agencies would allow the Water Boards to review permit applications more efficiently for projects that address climate change adaptation and ecosystem restoration projects.
 - **AB 2560 – Density Bonus Law: California Coastal Act of 1976:** This bill eliminates the provision that currently prevents the application of the Density Bonus Law within the Coastal Zone. This aims to enable areas already zoned for housing to construct additional units in exchange for reserving a percentage for moderate, low, and very low-income households.
 - **AB 2586 – Opportunity for All (O4A):** This bill would allow students equal access to campus job opportunities, regardless of immigration status, at the University of California, California State University, and California Community Colleges.
 - **AB 2633 – Postsecondary education: segments:** This bill would allow California State University (CSU) to award joint undergraduate, graduate, and doctoral degrees with international universities.
 - **AB 2717 – Land Use: Housing Element:** This bill would require the Planning and Zoning Law of each City, county, or City county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element.
 - **AB 2783 – San Diego Unified Port District:** The bill would provide transparency, oversight, and accountability improvements to the governance and operation of the San Diego Unified Port District.
 - **AB 2796 – Equitable Access to Zero-Emissions Vehicles Fund:** This bill will establish the Equitable Access to ZeroEmission Vehicles Fund and make money in the fund available upon appropriation by the Legislature for a new vehicle rebate program for disadvantaged communities.
 - **AB 2953 – Public Postsecondary Education: University of California and California State University Admissions:** This bill would state the intent of the Legislature to request CSU and UC administrations to create a 4-year accountability plan that focuses on serving first-generation students by targeting underrepresented areas in California, building off of current initiatives,

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and reporting progress annually to the subcommittees to set a precedent for prioritization of this demographic and pave the way for further legislation or outreach funding.

- **AB 2996 – FAIR Plan Association:** AB 2996 would help the FAIR Plan maintain its financial stability by authorizing the state to issue bonds from the California Infrastructure and Economic Development Bank (IBank). In the case of a significant event that impacts the insurance market (such as a large fire), this would allow for a more gradual repayment process of the IBank loan over a period of time (typically ten years). Without this bond option, insurers must pay FAIR Plan assessments within 30 days, a timeline that could prove catastrophic for our struggling insurance market.
- **AB 3099 – California Commission on the United States Semiquincentennial:** This bill would establish the California Commission on the United States Semiquincentennial in the state government, with membership as prescribed, to plan and coordinate commemorations and observances and encourage celebrations throughout the state related to the 250th anniversary of the signing of the Declaration of Independence.
- **AB 3227 – Streamlining Stormwater Channel Maintenance:** AB 3227 would eliminate administrative delays by providing specific exemptions to the California Environmental Quality Act for routine maintenance of stormwater channels and facilities that are fully concrete or have a conveyance capacity of less than 100-year storm events.

F. SENATOR PADILLA'S OFFICE: *No report provided.*

G. POLICE DEPARTMENT & CODE COMPLIANCE: *Carlos LaCarra*

- Code Compliance is a slow progress, but there is progress.
- At the end of Harvest Road, a storage yard has been operating illegally. Code compliance sent notifications. They did not meet the deadline.
- There is a lot of theft activity at shops in Las Americas. Please keep valuables out of sight while shopping.
- Tomorrow, March 15th, I will attend a virtual training session on vehicle inhabitation. In the virtual training, I will learn how law enforcement can proceed with this situation. First, there will be a warning, then stepping it up to a potential vehicle towing or arrest. I will follow up with more details as they are available to me.
- The City of San Deigo Police Department is looking for new hires.

H. FIRE DEPARTMENT: *No report was provided.*

I. IMMIGRATION & CUSTOMS DEPARTMENT: *No report was provided.*

J. CITY ATTORNEY'S OFFICE: *No report was provided.*

Monthly Report:

A. CPC- (Mark Freed, Property Owner)

CPC Agenda 11/28/23

ITEM #3 - APPROVAL OF NON-ELECTED CPG BOARDS -

1. The CPC discussed whether to write a letter recommending the City Council to not recognize any CPGs that have not held an election for their members.
2. Planning provided an update on the 2024 application process for recognition of a Planning Group:
 - 2 communities received competing applications- Uptown and La Jolla.
 - 7 were not submitted on time including OMPG. It was stated that Planning is working with those 7 to get their applications in, which include the questionnaire regarding demographics of Planning Group members.
3. There is a problem that the Council is trying to resolve because statute requires that the groups have elected members. The explanation given was that they are working on a plan whereby the Council can pick and seat a group of their choice and then that new seated group would have to hold elections within a certain time frame, likely 45-60 days.
4. The elections must be open for all to run for a Planning Group seat and it was confirmed that members of the Council chosen group may not end up serving as members if they are not subsequently elected to the Planning Group.
5. It was also said that the Council can choose to not seat a Group even if there is no competing applications. No explanation was given as to how a community is represented if that takes place.

Information on the Planning Group Recognition process can be found at this link. <https://www.sandiego.gov/planning/community-plans/cpg/recognition-operations>.

ITEM #4 - BALBOA PARK CULTURAL DISTRICT EXPERIENCE PLAN -

Peter Comiskey of the Balboa Park Cultural Partnership gave an overview of the three year effort by the Cultural Partnership to develop an Experience Plan for the Balboa Park Cultural District.

You can find information on the Balboa Park Cultural Partnership at this link <https://bpcp.org/>.

Other items: The CPC Land Development Code Update Subcommittee met on 2/1/24 to review the proposed 67 Land Development Code Updates and formulate a recommendation for a response from the CPC. Information on the 2024 Land Development Code Update can be found at this link <https://www.sandiego.gov/planning/work/land-development-code/updates-in-process>.

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Next CPC meeting: February 27, 2024.

- B. Southwest Village Committee – (Felipe Nuno, Resident)**
- We are waiting to hear back from the City.
- C. Border Transportation – (Alejandra Mier y Teran, Business Representative)**
- Otay II, there is a pending agreement needed for the project. If the document is not executed, the project timeline will be jeopardized. If it is signed, the project could be open by the end of 2026.
- D. La Media Truck Route– (Diane Kirma, Business Representative)**
- It is our understanding that two southbound lanes of La Media will be open in June. But it could be up to August.
 - The entire intersection will be open by the end of the year.
 - They are simultaneously working on Phase 1 and Phase 2 of the project. They are currently working on Avenida de la Fuente to La Media Road.
- E. San Diego Airport Advisory Committee – No report was provided.**
- F. Otay Mesa Chamber of Commerce – (Alejandra Mier y Teran, Business Representative)**
- Member breakfast in May.
 - Sycuan Golf Tournament May 2nd.
- G. East Otay Mesa Property Owner's Association Update – (David Wick, Business Representative)**
- Spoke to Congressman Juan Vargas regarding the administrative issue at POE Otay II, and he is stepping in to help resolve the problem.
 - Many have asked Mario Orso, Caltrans, to open SR-11 from Enrico Fermi to Siempre Viva Road since Siempre Viva is being constructed. He is aware of the problem and is looking into it.
 - A current Bill is trying to kill the recycling landfill project in east Otay Mesa.
- H. La Media West Wetlands - No report was provided.**
- I. Informational Items – none.**
- J. Action Items:**
- a) Nine Clouds Cannabis | Marijuana Production Facility | Project No. -1107654**
Presented by: Michelle Horsley
A motion was made by A. Kashani and seconded by F. Nuno. The Motion passed (13-0-0-0)
Yes: R. Hixson, D. Kirma, R. Taylor, R. Mahoney, T. Shaw, T. Simmons, C. Holder, M. Freed, T. Blas, S. Merry, & C. Holder.
Recusal: None
Abstained: None
No Vote: None
- b) TPH Nakano Project | PRJ-1076302 (Discretionary) & PTS-647766 (EIR)**
Presented by: Allen Kashani, Tri Pointe Homes
A motion was made by R. Mahoney and seconded by T. Shaw. The Motion passed (12-1-0-0)
Yes: R. Hixson, D. Kirma, R. Taylor, F. Nuno, T. Simmons, C. Holder, M. Freed, T. Blas, S. Merry, & C. Holder.
Recusal: A. Kashani
Abstained: None
No Vote: None
- K. Closing remarks:**
Thank you.
- L. Old Business:**
No old business.
- The meeting adjourned at 3:53 pm by Rob Hixson, Planning Group Chair.*