

**CARMEL VALLEY COMMUNITY
PLANNING BOARD
Meeting Minutes
7 pm, Thursday, February 25, 2020
(Meeting Conducted via Zoom Meeting)**

Board Member	Representing	Present	Absent	Absence (Board Year)
1. Ken Farinsky	CV Voting District 1	X		0
2. Barry Schultz, Vice Chair	CV Voting District 2	X		1
3. Steve Davison	CV Voting District 3	X		3
4. Debbie Lokanc	CV Voting District 4	X		0
5. Frisco White, Chair	CV Voting District 5	X		0
6. VACANT	CV Voting District 6			
7. Allen Kashani	CV/ PHR Business	X		0
8. Tiffany Finstad	CV Developer	X		1
9. VACANT	CV Property Owner			
10. Daniel Curran	CV Property Owner	X		1
11. Danielle McCallion	PHR D1	X		1
12. Stella Rogers	PHR D2	X		2
13. Vic Wintriss	Fairbanks Country Club/Via de la Valle/North City Subarea 2	X		0

A. CALL TO ORDER AND ATTENDANCE

B. APPROVAL OF MINUTES - October 22, 2020 & January 28, 2021

October 22nd meeting:

Motion to approve October minutes. Motion made by Kashani and seconded by Wintriss. Motion passes 11-0-0.

January 28th meeting:

Minor wording corrections submitted by Paul Metcalf in regard to Rancho Del Sol. Breana updated. Per Ken Farinsky, CV Voting District 1, Jenny should be corrected to Ginny (page 2 and 3), Breana updated.

Motion to approve January 28th minutes as corrected. Motion made by Wintriss and seconded by Kashani. Motion passes 11-0-0.

C. CONSENT AGENDA

None.

D. PUBLIC COMMUNICATION - Speakers are limited to topics not listed on the agenda. Presentations are limited to 2 minutes or less.

1. Ginny Barnes, Carmel Valley Resident, stated that she asked Chair White to address ADUs which was pushed to March. Ginny needs assistance from the Council Office to try to get a better understanding, and to work on goals and objectives on the front end before the March meeting. Ginny asked Richard Flahive, with the Office of Council Member LaCava, if that was something she could work with someone in advance on? Flahive offered to call Ginny tomorrow, Ginny stated she was not available tomorrow. Ginny stated she wanted to raise a couple of her main concerns. Ginny stated in October of 2019, the City came up with an information bulletin 400, that allowed for the primary unit as well as one secondary unit within a single-family Residential Zone. Ginny stated that the secondary unit could be a junior attached unit, or a companion detached unit. Ginny stated in December 2020, a year and two months later, it has been changed to the primary unit plus a junior attached unit and an additional companion unit. Ginny stated this concerns her greatly because they went from having one unit on a single-family residential zoned property to now having three units. Ginny stated when you go back to the original Precise Neighborhood Plan, views and homes situated on lots were all taken into consideration. Ginny hopes working with the City, she can come to a good compromise. Ginny stated that now allowing three units with no set back requirements, allowing the unit to go to the rear and side yard property lines, this could absolutely interfere in the adjacent neighbor's view. Ginny stated it is now allowed to be 1200 square feet, 600 on each story. Ginny stated she is not saying no, she is saying lets work together with the goals and objectives of our community, neighborhood plan (developed in the early 80s), the City's goals and objectives. Ginny stated that Chair White has agreed to dispense time on this during the March meeting.

Debbie Lokanc, CV Voting District 4, asked if you are a separate municipality like Del Mar, are they allowed to ban ADU's? Lesley Henegar, City of San Diego (CV / PHR / FairbanksCC / Via de la Valle), stated the ADU's is a California State Law, the City does not have much in the way of being able to exclude it. Leslie stated there are some very small provisions, but she has not seen our City Council explore using them. Leslie stated our City and State seem very intent on allowing ADU's to go everywhere and as many as possible on any parcel designated as residential. Leslie is sorry about that as an answer. Lokanc thanked Leslie and mentioned that its hard to comprehend that anyone that wants to is allowed to double the population in schools and parking issues. Debbie didn't know with Del Mar being restrictive, if they could override the ADUs. Leslie stated, no Del Mar cannot, most recently side and back yard setback do not have to be respected. Leslie stated the only coastal rule that would prevail in the coastal area is the 30-foot height limit. Leslie stated that the City and State are in favor of increasing housing basically at all costs.

2. Vic Wintriss, Fairbanks Country Club/Via De La Vale/North City Subarea 2, stated he would like the City to do a survey at the corner of Carmel View and Caminito Mara Del Mar at the three way stop sign. Wintriss stated there is a lot of traffic on Carmel View and very little on the other. Wintress stated he feels that the stop sign is a waste of time and energy. Lokanc asked if that is the stop sign, we voted for about two years ago, Wintriss stated he does not think we have talked about this stop sign. Chair White asked if Wintriss was requesting a traffic analysis or count? Wintriss stated yes, he believes there is a requirement specification on if a stop sign is appropriate,

Wintriss does not feel that the stop sign is appropriate. Farinsky stated he believes this is a stop sign that was put in with the alternative process by the Board. Wintriss asked if we can have the City do a survey to see if the stop sign meets the criteria of need? Lokanc stated she uses that stop sign a lot, she feels that the stop sign wouldn't be needed if the bushes were trimmed to show better visibility to the stop sign that is about 50-feet away. Farinsky stated that a traffic survey would be a waste of time if the stop sign was indeed put in with the alternative process because using the alternate process means it did not meet the requirements in the first place. Farinsky stated someone needs to go back and see where the stop sign came from, if the neighbors want it removed then OK but removing it because it does not meet the requirements when the alternate process was used, would be silly. Wintriss would like to ask as a citizen that it be removed, because it is a 1000 to 1 ratio and it isn't an area with limited visibility.

Chair White asked if Wintriss would like his case for removal added to next month's agenda? Wintriss said OK. Chair White asked for Wintriss to send an email with the particulars and he will add it to the agenda. Flahive stated he is happy to put in a request with the City to look at the corner but as he is sure that everyone knows, if the stop sign was added through the alternative process you can just have it removed. Lokanc stated she is happy to take and share pictures of the stop sign. Lokanc stated she didn't realize until the stop sign was in that it would not have been needed if the foliage was opened up. Wintriss asked for the alternative process to be explained. Chair White stated if you request a stop sign at a location, you would request it from the City, if the City determines there is not a warrant for a stop sign at that time the Planning Board can request the stop sign through the alternative process, the City would then install the stop sign. Farinsky stated Karen Billing from the article of when the stop sign was discussed, neighbors came in with concerns about the intersection. Farinsky is 99% certain the alternative process was used for this stop sign, he stated that if the neighbors want it removed, they should decide that, unless Wintriss lives close to the stop sign. Lokanc asked if there is any rule on how close stop signs should be? Chair White stated he did not want to have a long discussion on the stop sign today, if further discussion is needed we can do it next month when Wintriss brings the issue up.

E. ANNOUNCEMENTS - San Diego Police Department, Officer John Briggs
None.

F. WRITTEN COMMUNICATIONS –
None.

G. COMMUNITY PLANNER REPORT - Lesley Henegar, City of San Diego (CV / PHR / FairbanksCC / Via de la Valle)
Lesley stated she is happy to be here but has nothing to share. Leslie stated she will stay for the entire meeting, if anyone has questions, she is here.

H. COUNCIL DISTRICT 1 REPORT - Richard "Ricky" Flahive, Office of Councilmember LaCava
Flahive stated that a couple of days ago (in additional to the eviction moratorium that passed last month) the Council voted to create a housing stability assistance program. Flahive stated the City will be receiving \$45.5 million dollars from the State for San Diego Residents in need of

rental assistance, this program will be through the City and San Diego housing Commission, the application is in development at this time. Flahive stated to reach out to him via email if you or anyone you know are in need of rental assistance through this time, he will get them connected to the right folks at the City.

Flahive stated that the Council also voted on short term vacation rental regulations a day or two ago, this would cap the number of vacation rentals to 1% of the total housing availability in San Diego, cutting the number of vacation rentals from about 15,000 to 6,000. LaCava was the only council member to vote no on this because he had additional amendments for additional regulations, mainly limiting renters to six years as a host and also pushing for additional regulations of the apps.

Chair White asked if all the permits or allowances could be taken by one location such as Mission Bay or the Beach areas. Flahive stated potentially, but he believes it would be done by a lottery program. Barry Schultz, Vice Chair of the Carmel Valley Planning Board, stated he thought there was a carve out, special allotment for Mission Bay. Flahive stated if you have any comments please email him and he will get you into contact with the policy team to go over the ends and outs.

Flahive stated that parking enforcement started again on the 8th of February (due to lifted stay at home orders). Flahive stated that he has already gotten a street sweeping parking ticket.

Flahive stated there is a five-month backlog of transportation and storm water reports, streetlights, and things like that are four to five months. The street light replacement on Sunset Bluffs Way is still three months out. Flahive feels a lot of this is due to shortages from COVID.

Flahive stated starting next Wednesday from 11-12pm he will have office hours weekly, and is available to chat.

Flahive stated that he is working with City Staff and TRI Pointe Homes to reopen the conversation on the Village Center Loop Road. Flahive stated he is waiting on accurate cost estimates, he is working with the Mayors office who have been very responsive. Flahive has also communicated with the Council Member, the Board Members frustration over the closure of the traffic study for a pedestrian scramble on Del Mar Heights Road and Carmel Valley Road. Flahive stated his office will be advocating for that study to be reopened if and when the comprehensive traffic study is approved as a CIP project.

Flahive stated he is also in conversation with Parks and Recreation on the replacement of light poles throughout Carmel Valley Rec Center, he stated there are about 23 in need of replacement. Flahive stated that they are just waiting for the budget freeze to be over to get that done.

Flahive's office was made aware of a tax on API individuals in Carmel Valley by drivers, driving by throwing trash at them, Council member LaCava is 100% against racism, has no tolerance for this, they are working with the San Diego Police Department on this.

Flahive stated that's all he has to share and asked if there are any questions. Lokanc asked if on the short-term rentals, was that a defeat for the BRBO to have to reduce? Flahive stated that he is not super informed on it and can connect her with the policy team, the big thing is the cap on the number of rentals (1% of available housing), he cannot comment if that is a defeat or not. Lokanc asked if current rentals can stay established for 1-2 years or when does that take effect?

Flahive stated he believes they need to apply with the City and go through the lottery process, he does not know when it goes into effect. Lokanc asked if there is no more moratorium for Landlords to evict people, is the rental assistance going to be in the form of payment that is given to the renters to continually pay and moratorium has stopped? Flahive stated he believes the moratorium will be in place until March 31st, at that point renters will have 60-days, up until the end of the state of emergency (set to end March 31st) giving them until May 31st to pay back rent. Flahive stated this is a supplement to the moratorium, if you were having trouble paying rent due to COVID and do not have the backlog of savings, this program could help you. Lokanc stated she thought she heard that if they apply for one of those grants it would be paid directly to the landlord, is that the case? Flahive stated he isn't 100% sure on that but can find out for her. Farinsky asked Flahive about the smart signals on Del Mar Heights Road, he is wondering if the City has activated the smart signals or if they are manually timing them? Flahive stated that he will get back to Farinsky on that, the last he heard from the City was that they went back and synchronized them (around when COVID started). Farinsky stated that the lights are synchronized, he is wondering if the traffic build up smart features have been enabled yet? Flahive stated he would find out. Schultz stated at the CPC meeting the other day, it was indicated that the Councilman was working on some revisions to the Council policy affecting Community Planning Groups, what is the timing on this, do you know any of the highlights to the changes? Flahive stated he will reach out to the Policy Department and ask the Director Kathleen Farrier to reach out to him.

I. MAYOR'S REPORT - Matt Griffith, Office of Mayor Gloria

J. COUNTY SUPERVISOR'S REPORT – Evelyn Andrade, Office of Supervisor Lawson-Remer
Andrade stated that the Supervisor has put forward a proposal to develop a third round of grant funding for small businesses that continue to be impacted by the pandemic, \$30 million in grants funds for small businesses, \$6 million per a district. Andrade stated these funds should be available late March (hoping early March). Andrade stated this will be for small businesses and nonprofits that have twenty or fewer employees that operate within the county, for updates on when applications will be taken please sign up for the newsletter.

Andrade stated that Palomar Health in Escondido is open for COVID vaccines, appointments must be made via Palomar's website and not the County's. Andrade stated that the Del Mar Fairgrounds site is also open for vaccines. Andrade stated that the county is asking that you please check with your health care provider first. Andrade stated if you are not able to get the vaccine through your health care provider go to the county's vaccinesuperstationSD.com website. Andrade stated that Teachers, Law Enforcement and Migrant workers are eligible to receive the vaccine starting Saturday. Andrade stated they did receive a new shipment of vaccines; she is hoping the back flux will be cleared up soon.

Andrade stated that the Supervisor has taken action to get hazard pay for essential front line county workers. Andrade and the Supervisor know that these workers have been serving us through the pandemic and they know that no matter the taken precautions they are still risking their and their families lives. Andrade stated that the Supervisor feels all essential workers should be financially acknowledged for their contribution, they are hoping other business will follow in suit to the county.

Andrade stated that they did have their COVID townhall today at 5pm, they are seeking input on capital improvement by tomorrow at the latest. Andrade stated that next year they plan on having a lengthy process to get input from the community and the board. Chair White stated one of the issues we have is the continuation of Village Loop Road, can we ask the county for some monetary participation on that capital improvement? Andrade asked for more information on the Village Loop Road project. Chair White stated it is the continuation of Village Loop Road, it is located where the PHR Village town center is, the issue is a landowner doesn't want us to develop on his property to continue the road. Andrade stated that these are for projects that the plans are done and the cost is estimated. Chair White stated this project is in the early phases.

Andrade stated make sure and flag it for next Fiscal year. Farinsky asked about the Corona Virus dashboards, and information presented on them. Farinsky feels that the county has done a great job putting out information on cases and deaths, but the vaccination information is not tracked daily, there is only a total. Farinsky stated the information would be more useful if the vaccinations were tracked daily, so we could see if things were improving. Andrade stated she did flag that, but was just provided with the data, she will flag it again. Farinsky stated that if they could publish the data in an excel file or whatever the people could look at it and it could be useful. Danielle McCallion, PHR D1, stated she spent the day giving vaccines at the Grossmont Hospital site today and they knew exactly how many vaccines were given which means the data is there it just needs to be captured. Wintriss asked if Andrade would be adding the 20 employee or less information into the chat? Andrade stated the information is not available, but she will add the information to sign up for the newsletter in the chat box, that way they are notified.

K. STATE ASSEMBLY REPORT - Rikard Hauptfeld, Office of Assembly member Brian Maienschein
None.

L. STATE SENATE REPORT - Miller Saltzman, Office of State Senator Toni Atkins
None.

M. US CONGRESS - Kiera Galloway, Office of US Congressman Scott Peters
None.

N. INFORMATION AGENDA:

1. **Villa Costa Vista:** Third presentation of 2 options for community feedback.
 - Applicants - Myles Cooper, CEA Coastal Engineering

Chair White asked Myles Cooper, CEA Coastal Engineering, if he would mind being recorded as one of our participants had asked Chair White for permission in a private chat message. Cooper stated he would prefer not to be recorded even though it is out there in public right now. Farinsky mentioned that it is easy to record a zoom meeting without the host recording it, so you should assume you are being recorded. Cooper stated OK. Chair White mentioned that he was not the one wanting to record. Cooper stated that the 40-acre property is located by Old El Camino Real on the north end and the south end of the property is up by Kibbings Road and Marcasel Place. Cooper stated based off feedback from neighbors up on Marcasel Place, he revised the layout to the parameters different people want along with the City of San Diego. Cooper stated he is now showing three lots by Marcasel Place, he isn't sure where the 13 page letter came from, he asked Chair White where the letter came from? Chair White asked Cooper to continue while he looked for it. Cooper agreed and stated that on the north side of the property the board members stated (in January) that they would rather not see a rezone of smaller lots. Cooper stated the layout now shows four (close to one acre each) larger lots on the north and three larger lots on the south. Chair White stated that the one-page letter was from the Hedens, Bookings, Connelys and Signhs asking for a smaller amount of lots, now he is showing three lots instead of seven. Cooper stated theres also a thirteen-page letter from someone trying to give a history with a bunch of errors in it. Schultz stated that the 13-page letter was forwarded to him from someone he knows and that they are a very credible person, he would prefer the letter not being shrugged off due to the fact that it is so called anonymous. Cooper stated he is just trying to find out if that letter refers to the north or south of the property. Schultz understands and stated in the email it is only showing Kibbings and Marcasel. Cooper commented OK and stated on

Pacific Highlands Ranch in the book, it stated that there is 20.4 acres, use 4.3 acres with a 4 dwelling unit count for that property (shown on screen). Cooper stated when we go to the southerly area, Carmel Valley neighborhood seven, the precise land book doesn't have a maximum amount of unit or acreage, it only has a couple of rough exhibits showing where the development land is at. Cooper stated that the 13-page letter that Farinsky is calling credible, shows that an area of development is bigger than almost five homes on Marcasel Place, so if those five homes add up to 1.1 acre how is almost the same size development property only half of an acre? Cooper stated that what is being proposed is under the maximum development allowed, zoning is for 5000 square foot lots which only takes 15,000 square feet to be able to build, meaning that property can have up to seven homes. Cooper stated he is only proposing three homes not seven in that area. Cooper stated that when the houses along Marcasel and Kibblings were developed and built in 1999-2000, they didn't have to provide any brush management in development, due to having to be setback from slopes on both sides a portion of the property can only be used as a backyard landscaping and is non developmental for buildings (different criteria for building these days). Cooper stated he is showing four pads on the north side of the property, as he gets more into this he will clean up the drawing. Chair White asked if the open space easement would be part of the MHPA? Cooper stated yes, dedicated with a development but it will be broken into two pieces, the north and south. Cooper stated between the property and open space there will be an undevelopable brush management area or a different name. Chair White asked if there will be a MHPA line on the property? Cooper stated everything outside of the pads will be MHPA, even though he is calling it open space it will be dedicated into open space/MHPA. Chair White asked if the graded pad shows (shown on the screen) the limits from the MHPA on the property, if not, how is it different? Cooper stated it is different because as we processed back in 2004 and 2005, you follow the terrain and not the arbitrary lines in the book. Cooper stated as the arbitrary line had 4.3 acres, we would shift it away from the drop off areas and not grade down the slopes and instead grade the flat areas. Chair White stated he understands and is wondering if buildable acres have been gained versus what is shown on the MHPA? Cooper stated no, we are showing 4.3 acres of land for the pads and road, slopes are graded and revegetated. Chair White asked with lots 11, 10, 8 and 9, if you go to the MHPA line map in the book is that acreage the same as what you are showing as buildable pad in that area? Cooper stated yes, it is 4.3 acres. Chair White asked if the smaller area below is less than what Cooper is showing? Cooper stated yes, he is approximating 0.9 acres. Chair White asked if what is being presented is what was discussed with all the neighbors? Cooper stated that the neighbors would not talk to him, he sent them a letter and they replied to Chair White and not Cooper. Cooper stated he reached out again with a revised exhibit after receiving the letter and has not heard back from the neighbors. Cooper stated he has not heard from the southerly Old El Camino Real, based off the Board Members requests, they revised it from eleven lots to four lots. Farinsky stated looking at the Sanchez map of the MHPA boundaries, the southern one seems to vaguely match Coopers drawing but the northern does not match at all based off what is on the screen. Farinsky stated that the northern MHPA boundaries are much like what was received in the 13 page letter. Farinsky asked if Sanchez's map was incorrect, he would like to know that, otherwise Cooper will have to look at a much smaller area because the boundary seems to be much smaller. Farinsky stated on the southern side, Coopers developable area seems to match the MHPA area but it does not seem to match the community plan area, which seems to have a much more restricted definition of development than the MHPA specification. Farinsky stated as far as he is concerned if Cooper is going to be pushing out of the community plan he will need to amend that community plan even though the MHPA boundary doesn't limit him because in the neighborhood seven precise plan it appears to put a much stricter limit on Cooper. Farinsky would like to see Cooper overlay the neighborhood seven precise plan over the lot to see how it matches up with his development plan and also the Sanchez MHPA lines also overlaid on Cooper's development plan. Farinsky stated Cooper has open space easement lines but they are not official due to the fact that they are just what

Cooper is proposing. Farinsky would like to see the precise plan boundaries and MHPA lines. Cooper showed his planned open space on the screen and stated it will be a different kind of open space. Farinsky stated he understands and that the MHPA line according to Sanchez is a much smaller area than what Cooper has planned on developing, as far as Farinsky is concerned, Cooper is developing into the MHPA area which cant be done. Cooper stated he went to City Council in 2005 and on the northern portion, City Council stated they would support making the bubble of development (holding the 4.3 acres) pushing the boundaries away from the northerly property line to get it on where C 9 and 8 are (flatter area, the current homes didn't want the new homes pushed against them). Farinsky stated he is interested in knowing what would have to be done to amend the MHPS boundaries? Kashani stated that it is normally a boundary line adjustment and asked if Farinsky was proposing a boundary line adjustment? Farinsky mentioned again that the space that Cooper is speaking of developing looks much larger than the developable space shown in the Sanchez map. Farinsky does not see any connection between Coopers proposal and what the official maps seem to say. Cooper stated that the black line was not the pad line, it is where the grading is at. Chair White stated that it would be considered part of the pad if it were graded. Cooper stated that he would grade and revegetate the black line area like PHR did, slopes are often graded, revegetated and left. Farinsky stated to look back at the May 10, 2005 minutes where it says specifically "the MHPA was not meant to be negotiated away". Farinsky does not see any desire to do what Cooper is speaking of and would like him to come back with something that fits into his area of development. Chair White stated that back in 2005 the City Council was adjusting the MHPA line. Farinsky does not remember. Chair White asked why Cooper did not make this request when the City Council was more lenient (2005). Cooper stated that this area isn't much different than most areas and has a lot of issues. Chair White stated that himself and Farinsky are concerned with the MHPA lines and would like to see the overlay of the MHPA lines, Farinsky added he would like to see the neighborhood seven bubble and PHR bubble overlay as well. Cooper stated those are more detailed plans, he just wanted to go over the product. Farinsky stated he would like to see the details before he starts talking about lots and products. Schultz stated he wants to echo Farinskys comments, he had been looking at this unaware of the history, not knowing if the information received is historically correct or not. Schultz stated now it makes him look at this plan in a different context trying to understand why what Cooper is proposing today is more acceptable than what was proposed in 2005? Schultz would like to know what will Coopers ask to the City be, what type of permits, actions etc. and if he has that list yet? Cooper stated last month he was here possibly looking at a rezone but now he is not which makes a big difference in the application package. Schultz stated he understands that, and it makes a big difference on how he would look at it. Schultz wants to be clear that we have looked at concepts that Cooper has given three or four times now and the input that is given is without a full context. Schultz would like to get the details such as open space lines settled before getting into the product, lot sizes and such. Steve Davison, CV Voting District 2, asked what is the exact area in the southeast corner of the Carmel Valley section (where lots 1,2 and 3 are proposed), the total area of development with the pads and accessible? Cooper stated it is approximately 1.7 acres showing now, so it's about 6/10 an acre more but part will be brush management he is not sure yet of the little details like this. Cooper stated that the simple lines even on the north will adjust based on meeting the acreage and getting closer to the acreage, like every project he goes through an environmental analysis and any areas that need mitigation (done offsite if its small amounts). Davison mentioned that is what the 13 page letter was referencing, .5 acres were approved for development not 1.7 plus. Cooper stated there was never a discussion or approval of anything for .5 acres. Davison stated that the 13 page letter mentions that in the original community plan only .5 acres were approved for development. Cooper stated that the original community plan shows an area and a zone, the zone is SF1A. Cooper stated on the map in the 13 page letter that it shows in the exhibit, Cooper stated that the .5 acres was made up based on what he says a surveyor did, the letter also stated you only get two lots on the property, Cooper

doesn't agree. Cooper feels that whomever wrote the letter only used a portion of the developable triangle instead of the full triangle in the zoning map. Cooper stated the map stated "detached, 3.6 DU per an acre" Cooper stated it does not have an acres or zoning amount. Cooper feels he is no where near the units allowed on the property (with only three lots). Davison stated that what is included in the summary is different than what Cooper is stating. Cooper agreed and stated that Pacific Highlands Ranch had a very specific four units and 4.3 acres, and that we will meet when he gets down to the size and details of design. Farinsky stated that there is a better map in the neighborhood seven plan (page 89) if Cooper wants to reference that as well in his future documents. Cooper stated that is not the map referenced in the 13-page letter. Chair White asked if we could move on. Lokanc asked if Cooper could send another letter to the neighbors explaining that they are welcome to join our meeting to comment. Lokanc stated she likes this plan more than the previous one. Lokanc asked if he would be grading and revegetating the area on the slope, because it is sensitive area? Cooper stated yes, standard development calls for grading and revegetation, that space is put into open space, brush management or whatever the City wants to call it (name changes every two years). Lokanc asked if that revegetation area would be City owned or owned by the homeowners? Cooper stated it is not changed, zone two has a thinning done to it, it will show on the grading plans, be bonded, and inspected by the City. Cooper stated just like Pacific Highlands Ranch homes. Lokanc asked if the owners of the homes are told upon purchase that the slope is not their property to do anything to? Cooper stated yes, and now-days fences are installed on top of slopes to prevent encroaching down. Kashani agrees with Farinsky, we need to see which permits are going to be asked for, if an MHPA boundary line adjustment is being proposed and if a community plan amendment is needed. Tiffany Finstad, CV Developer, agrees with the other Board Members and would like to see a little more information on the permits that will be requested. Daniel Curran, CV Property Owner, had nothing to add. McCallion agrees with Farinsky and the other Members of the Board. Stella Rogers, PHR D2, agrees with Farinsky and would like to reiterate that it would be nice to see exactly which part of the lots on the north end would actually be graded and part of the lot versus what will be considered revegetated/open space. Rogers wants the demarcation notated on the map, as Coopers map is pretty vague. Wintriss stated he would defer to the architects. Frank Macaulay, Marcasel Place Resident, stated he could go on and on but one thing he could add right now is he did take the conceptual layout three and overlaid it on top of the official zoning map (shown on screen) from the City of San Diego Development Services (grid tile 39, 2018), you can see the zones and how the proposed development goes well into the Carmel Valley open space area. Macaulay stated as a resident of Marcasel place for fifteen years, he fully expected the platue to be developed but when he received the layouts from Mr. Cooper, it concerned him how far into the open space the development would go. Chair White stated, since Macaulay is a resident in the area, Cooper has stated that he has tried to approach the homeowners and they have been hesitant to discuss this development, why is this? Macaulay stated that many homeowners are on the zoom call and ready to discuss, they wanted to discuss with others in a forum and not privately. Chair White stated in the past we have had the developer check with the surrounding neighbors to collect their comments and concerns and then come back which is permissible and encouraged as we do not have time to dedicate 3-4 hours on one project. Macaulay stated Mr. Cooper and the residents came to a disagreement quickly, centered on in the residents opinion development of three houses was acceptable within the cul-de-sac. Richard --- (rhstreet@live.com), stated that on the PHR side of the property what Miles is proposing is at least double, maybe two and a half times larger than the neighborhood plan. Richard stated if you look down at the Carmel Valley section, that orange area is been sized to be .5-.6 acres in three different ways, including an independent surveyor doing arial survery because Cooper wouldn't allow anyone on the property, the houses on Marcasel and Kibblings are 7,500 square foot lots, not the 5,500 square foot that's in the zone. Richard stated that Cooper is proposing to put small houses (5,500 sq ft) on the most premium site. Richard complemented

Macaulay for putting together the overlay so we could see that what is being proposed is dramatically larger than what is in the plans. Macaulay showed google earth shots showing the "Marcasel pad". Richard, stated that the small flat lot is easy to survey from the sky, the hillsides are very steep, Cooper told you tonight that the lot is 1.7 acres yet every other look up says its up to .6. Richard stated that meeting with Cooper, he just says they are wrong and they cannot agree, Cooper doesn't ask what the neighbors want. Richard stated that the board needs to decide what is in plan, do you want to authorize more development realizing that it is going to go into open space. Chair White asked if all the current home lots are 7,500 sq ft? Richard stated, yes they average 7,500 sq ft. Chair White stated that based on his calculation of the area it would be less than an acre. Richard stated Cooper stated it is 1.7 acres. Chair White asked if there were any other interested parties or neighbors wanting to comment? Carry ---, Gleencliff Way Resident, stated that if the project extends to the open space that would be concerning to her because she has ocean views, she knew the lot would be developed but if it goes further north that would be concerning to her as well. Tom Picarly, Marcasel Place Resident, agrees with Farinsky and would like to point out that the development would obstruct many views, not just homeowners but people come to Marcasel place just for the view and it would be obstructed. Chair White reminded the residents that this is a private development on a private lot, there is no requirement that views have to be protected unless it is a dedicated public view. Chair White stated you are going to have some views obstructed if this gets developed, are there any other community members who want to comment? Macaulay asked if there would be a gate at the entrance because the plans are pointing to a gate. Chair White stated he wouldn't think so because to have a gate you would have to have a turnaround at the gate which would take up a lot of that flat property but he isn't the developer, so he isn't sure. Macaulay stated that he only brought it up because the plan says gate and points to the entrance. Chair White stated there is a turnaround up there. Chair White mentioned to Cooper that he now has a good flavor of the discussions and knows where the board may be inclined to go. Chair White mentioned it is up to Cooper if he wants to continue with his current development proposal or if he wants to back off and maybe stay more with the MHPA and community plans and come back with something more in line with that and less dense. Cooper stated that he would talk to the owner about it, also just for the neighbor's information the way the layout is now, we are proposing one house 60-70 feet away from the gate and the next house drops down about 20 feet lower on the next pad. Cooper stated all the neighbors want to protect their views, but views are not protected, the way the proposal is laid out it doesn't put homes right against the homes on Marcasel place which makes it seem farther out. Cooper stated that what Macaulay and the neighbors are requesting, is to put the three homes against Marcasel place which would block everyone's views across the lot. Cooper stated that what the neighbors are asking for is counterproductive to what the neighbors want, by pulling the homes in it will block more views. Cooper stated he will speak with the owner and see how much she wants to pull back. Cooper mentioned once again that pulling the homes up to the pad will block more views and be closer to the current houses. Chair White stated that as he said previously private views over private property, unless you are in Del Mar are not protected and the residents views will be impacted. Cooper stated just so you know once you pull three house up to the pad with trees there will no longer be any views. Chair White asked to move on from the views since they wont be protected and get on to the overall developed of what is being proposed. ---, Kibbings Road Resident stated he was involved with this so called project sixteen years ago, in general the residents have no problem with people developing what they are entitled to. -- stated he is convinced that the development areas to the north, Carmel Valley Neighborhood 7 and Pacific Highlands Ranch zoning is clearly shown. --- stated that the neighbors just feel it is wrong to expand the developable area that is shown clearly on the zoning maps, exhibits and plans to encroach the open space all for private gain. --- stated this is the same thing we went through sixteen years ago, he stated he would love to playback what the planning commission and the City Council said when they shot it down (14-0 and 7-0). --- stated they would be glad to meet

with Cooper, but when their concerns are stated, Cooper comes back with this, which is frustrating. Chair White stated he is taking it as there is a big divide between the Developer and Community surrounding this piece of property, he takes it that we will probably mitigate everything in the Board Meetings versus having private meeting, am I understanding correctly that is what is needed? — stated he believes that would be best. Chair White stated OK, we will do everything within the Board Meetings. Chair White stated to Cooper that he feels Cooper has a good surrounding of what needs to be taken back to the developer. Cooper stated OK. Chair White asked if Cooper would be back next month or take a couple of months to think about it? Cooper stated that he would like to return next month if he can get the developer to take a look at the plans. Chair White asked Cooper to notify him so that he can add him to the agenda. Cooper agreed and thanked Chair White.

2. **Public Power:** Presentation regarding a ratepayer-owned, profit-free gas & electric utility for San Diego.

•Applicants -
Derek Casady

Derek Casady, with Citizens Franchise Alliance, introduced Craig Rose, Member of Public Power San Diego Coalition and stated Rose would be presenting today. Rose asked if everyone could see his screen? Chair White stated yes. Rose stated he works with a group called Citizens Franchise Alliance, last year they organized to investigate the City's Utility options and plowed deeply into the financial aspects of the Utility deal that the City of San Diego has which involves an enormous amount of money. Rose stated they advocate public power and want to present their view on Utility Franchising. Rose stated the Utility Franchise agreement is an agreement that gives SDG&E the exclusive rights to provide gas and electric services, here is where the money starts coming in. Rose stated that SDG&E, our utility for the past century, earns a million dollars a day using City property, we also pay the highest electric rates in California (Rose stated both statements are facts). Rose stated an unfortunate pandemic fact is 200,000 people are currently behind in their electricity bill, paying the highest rates and peoples inability to pay need to be kept in mind as we proceed. Chair White mentioned that he heard on the radio that it was 300,00 as of today. Rose stated he double check the numbers before this presentation and saw 150,00 are more than four months behind and 75,000 are somewhat less. Rose and Chair White agree that a large number of folks are behind on their electricity bill. Rose stated that the 300,000 may have been a miscalculation on their behalf, Rose believes it is just over 200,000. Rose stated that when people hear franchise Utility deals, their eyes roll back in their heads and they want to go to sleep but bear with me. Rose stated the franchise agreement is fundamentally a large real estate deal, the City owns property and the utility needs the property to earn billions of dollars. Rose stated that the City has a very strong bargaining position and it comes down to how much the City should charge or if they should come up with another path. Rose stated under the City Charter, the grafting of franchises is a competitive process, our first attempt to spark a competition failed to generate a single valid bid in the first round. Rose stated the City has fundamentally two choices, proceed to negotiate a franchise with SD&E or whomever else might emerge or we can begin organizing a Public Utility. Rose stated that pursuing public power (no matter how you feel about that) enhances the prospects for a better franchise in any case. Rose stated we are also going to talk about the right to purchase, the right to purchase is if the City has a franchise agreement, the City always has the right to eminent domain, the City could come in and say SDG&E we no longer want you on our streets anymore, we are going to buy you out which typically prompts a long process. Rose stated that they advocate for buyout clauses in any agreement that would enhance our flexibility meaning that if in two to three years from now the City decides to organize a public utility, we want an express path. Rose stated

under the current agreement the City pays franchise fees of about \$65 million dollars a year plus additional fees for varying power lines and SDG&E will frequently payout the \$65 million dollar fees, what they do not talk about are the franchise fees which appear to be rent but are actually fees they collect from us (the customers) and then return to the City while SD Shareholders and investors pay little rent perhaps 1% for the use of City property and the right to earn these billions of dollars. Rose stated since we hadn't done a franchise agreement in half a century the City hired a consultant paying about half a million dollars, the consultant said "determining the value of franchises is critical, if they are valued too low we will be denied critically needed revenue, without an adequate estimate of the franchise value the City can not make a good deal". Rose stated the consultant took profits from a single year (2019) multiplied by twenty years and came up with 6.4 billion dollars, then the consultant apparently took a lunch. Rose stated that no competent person should accept a valuation based on one year's performance without accounting for other factors, Rose feels the consultant did a disservice to the City on that account assuming there would be no rate hikes or growth in profit in the next twenty years. Rose stated that the consultant ignored that the electricity industry is poised for some serious growth. Rose stated that a report from the Utility Commission now projects electric rate increases of 50% by 2030, and 85% increase for gas rates. Rose stated that SDG&E's profits rose by 7% last year, not surprising when they have grown by 8% compounded each year. Rose stated that they estimate that a ten-year franchise is worth five billion dollars, he does not claim to be an expert in evaluations. Rose stated they said if SDG&E gets this franchise, using City property while paying no rent and continue to grow profits as they have in the past with nothing changing, they will accumulate more than five billion dollars in profits over the ten year franchise agreement. Rose stated that the City cannot responsibly sell a multi-billion dollar asset without its value being professionally determined. Rose stated he urges for a professional evaluation of the franchise whether it be 3, 5 or 10 years to ensure we make the best decision. Rose stated they believe even a 3-year franchise would yield more than a billion dollars and would be comparable to the City's general fund. Rose stated that without a proper evaluation we could be pushing billions of dollars off the table and a City reeling from the pandemic and needing to address the climate emergency can not afford to push billions off the table. Rose stated due to the pandemic and economic fallout, 160,000 customers are behind on their utility bill, collectively owing SDG&E \$150-million dollars in past due bills which are growing fast. Rose stated the moratorium is set to end June 30th, and he does not know what is going to happen. Rose stated he believes the plight of hard-pressed utility customers in San Diego should be a factor at the negotiated table in any kind of deal (the citizens of San Diego are hurting). Rose stated that he mentioned that SDG&E earns a million dollars a day in profits, those profits finance its parent company Sempra Energy's fracked gas projects, these are the highest rates in California and SDG&E provide 20% of Sempra's profits. Rose stated that Sempra is investing billions of dollars in liquified (fracked gas) natural gas export terminals, people may misunderstand this and say Sempra doesn't frack, other people frack, Sempra drives the getaway car. Rose stated if you have fracked gas with no market for it and need it out of the country, Sempra is building export terminals along the gulf coast and possibly Mexico and Baja, to export fracked gas (that would otherwise stay in the ground) promoting the use of fossil fuels. Rose stated that on State, County and local levels we are trying to reduce the burning of fossil fuels which this is in direct contradiction to those policies. Rose stated that under our current franchise agreement SDG&E is required to move equipment that is on City property (at their own expense) to accommodate the City when needed, SDG&E has refused to move its equipment, at its own expense for the recycle water project called Pure Water. Rose stated that the City is suing SDG&E for \$36 million dollars, they have not been an ideal partner. Rose stated that every dollar of the millions of dollars a day in profits for San Diego is a lost resource for dealing with the climate crisis, it is like using a leaky bucket to fight a fire (losing a million dollars a day), imagine how much those dollars would help by keeping that money in the City? Rose stated one way to keep that money in the City is with a public utility, all the public utilities in California are different,

sharing one characteristic, charging less than SDG&E. Rose stated customers in Sacramento are paying \$100 less per a month (if 750KW are used), while the CEO of Sempra earned \$20 million dollars last year and each of the ten board members earned at least \$200 thousand. Rose stated since public power has been so successful in other communities with lower rates that this is the time to seriously consider organizing a nonprofit independent public utility, its particularly a good time to do so because interest rates are at a historic low and we would need to buy out SDG&E. Rose stated that the public needs rate relief while SDG&E is consistently proposing rate hikes. Rose stated before continuing with a new franchise agreement he feels a feasibility study or business plan for public power is needed, as SDG&E are the highest rates in the continental United States (only Hawaii has higher rates). Rose stated since things are changing quickly, including the climate crisis, any franchise plan should be short-term providing an option that we can transfer to a nonprofit independent utility if needed. Rose stated there are a lot of scare tactics out there, one is that utilities need a very long agreement (10 years or more), Rose feels long agreements only serve the utility (locking in their profits). Rose stated another scare tactic is that SDG&E might withhold the franchise fees which would mean SDG&E would be occupying City property without compensation, second SDG&E has been authorized to collect the franchise fees by the Utilities commission, if they are not giving the fee to the City why are they collecting them? Rose stated he supports a fully transparent informed democratic process for franchising. Rose asked the Board to get involved by going to their website (publicpowerSD.org). Wintriss stated he is strongly opposed to a public utility and feels Rose used scare tactics and figure as an electrical engineer Wintriss felt he couldn't even keep up. Wintriss stated that a group of citizens are not qualified to run an electrical company, a great example is what is happening in Austin and Houston right now. Wintriss stated he would like a lot more details of exactly what is being proposed but doesn't feel we should put our trust into another bureaucracy that is going to solve all our problems. Rose stated this is not inventing the wheel, this has been done in communities across the country, also the utility would be run by the same workforce that runs it now not Citizens Franchise Alliance. Wintriss stated that he disagrees that public utilities are across the country and that it will be cheaper. Rose stated that it would be cheaper than current California rates and that there are public utilities in many larger and smaller communities around the country (such as Phoenix). Rose stated he is only asking for a feasibility business plan so that both options can be considered. Wintriss stated he is opposed to proceeding with public power because he feels it is going down the wrong track. Chair White stated that he heard that during the Texas crisis, Texas public utilities took thousands of dollars from customers checking accounts due to rate increases from the freeze. Chair White asked if that could happen here if we went public with utilities? Rose stated that could happen anywhere, in his view Texas is a massive failure in deregulation, what people signed up for was variable electric rates and people would only sign up for those types of rates if they did not know the nature of electricity markets. Rose stated the Texas rates were not capped due to a failure of deregulation. Wintriss stated that he just posted in the chat an article from the IEEE. Farinsky stated Texas is more like the deregulated market that California tried to do and it failed miserably. Farinsky stated he does not think this is a deregulated market, this is having the municipal utility run things, no comparison to ERCOT. Farinsky stated that in Texas it was more of the independent energy providers that people signed up for that were the issue. Farinsky doesn't feel that Texas is a fair comparison and shouldn't be thrown at this. Farinsky feels it is a great idea for the City to hire experts to go ahead and study this to see what kind of market we would be able to get. Farinsky stated there are other places in California that have done this successfully, he feels PG&E was profiting at our expense during the California electricity crisis and maybe we could get some of that back in San Diego where everything is way too expensive. Chair White stated he does not disagree with Farinsky and only brought up Texas as a comparison. Kashani stated he felt the presentation was very interesting and that the City of San Diego runs our sewer and water very well with low rates, why couldn't they do electricity? Finstad agrees that the presentation was very well done and found it

incredibly interesting. Finstad stated exploring alternatives to SDG&E can't hurt as they have their own issues, why not open it up and see what else we could get? Lokanc asked Flahive why Los Angeles and Sacramento are so much cheaper and can we use that during our negotiation on this 25 year SDG&E contract (maybe capped to get in line with other California Cities)? Lokanc also asked when people are given lower rates for low income does SDG&E absorb that or does the City? Schultz stated that he believes the CARE program costs are born by all rate payers collectively. Chair White believes he has heard that as well. Rogers agrees with Farinsky and Kashani stated, she believes it is interesting and the City should look at it seriously as it is a lot of money on the table. Chair White asked if we would most likely get the power from the same provider? Rose stated yes, with the grid ran by the same people. Chair White asked if the big difference would be the profit incentive of SDG&E versus a public utility. Rose stated correct, no need to generate a million dollars a day in profit. Chair White asked if anyone else had any questions or comments. Lokanc stated that when the affordable care act came out KPBS had a special and it had a public option, once the public option was removed all the insurance companies came on board and pushed Congress to go ahead with it. Lokanc stated keep in mind that the public option is government run like Medicare which is done really well. Chair White asked Rose if he was going to keep us abreast of what is going on or if there is an expectation that he wants us to do or help him with? Rose stated that the most important thing is that folks take a greater interest in this, its one of those things that light and public scrutiny is really helpful. Rose stated he tried to emphasize that this involves billion of badly needed dollars that could be kept in the City. Rose stated he hopes everyone watch dogs it, speaks with their Council person stating they want a choice and asks to see the franchise details verses public power head-to-head. Wintriss asked for Rose's spreadsheet. Rose stated he would send it to Chair White. Chair White Stated he would email it to the Board Members.

O. ACTION AGENDA:

1. **Regular Rectangular Flashing Beacon (RRFB):** Consider the use of FBA funds to provide for the design and installation of a RRFB at the intersection of High Bluff & Lady Hill. The City has determined in October 2020 that this intersection did meet the criteria for a RRFB but not for additional traffic calming measures such as speed bumps or road bump. The alternate decision is to move forward with the previously board approved alternative process stop sign.

•Applicants – Chair

Chair White stated that in our last meeting we approved an alternative process for a stop sign, now the consideration is whether we use our FBA funds to go ahead and provide for the design and installation of a RRFB? Chair White stated we have a choice of spending FBA funds for that signal light crossing or just sticking with a stop sign. Chair White stated there really isn't a presentation just a decision we need to make. Farinsky stated that last time we approved the stop sign with the note that if the flashing cross walk could be installed, we would approve that. Farinsky stated that is where we are. Chair white agrees, that is what we had concluded. Farinsky stated we are at that point, the City is willing to do this and it would be a good experiment to try since we do not have any in Carmel Valley. Farinsky stated if it works well we might be able to use it in other places instead of stop signs everywhere. Chair White asked if they have them in Del Mar? Farinsky stated they have a number of them in Del Mar, Oceanside and a number of other places (appearing more and more). Chair White stated he is all for it because we have FBA funds and this is a good projects to spend

them on. Ginny Barnes, Board President of the Neighborhood's HOA, stated many people want this beacon in place of the stop sign. Barnes asked if the stop sign would be the taller or shorter version (Farinsky pointed out to Barnes)? Farinsky stated he would like to chat with the City in regards to their standard. Barnes stated tonight the community would like the support of the planning board to go forward with funding and leave it up to the planning board to decide on the size (Barnes prefers the shorter version due to a cleaner look). Chair White asked if the beacons in Del Mar were the short or tall versions? Barnes stated those are the taller version. Chair White asked if the shorter version is like the one by the Wells Fargo bank? Barnes stated yes, exactly. Chair White stated that he hadn't noticed that there was a difference in height. Chair White made the motion to request the City's expenditure of our FBA funds to provide a design and installation of the RRFB, seconded by Farinsky. Schultz stated he is in support of the RRFB but is curious on the process, it would be helpful to understand how the design is going to be selected, will we have further input on this, or will we be turning this over to the City to spend our money? Chair White added to the motion that he wants the design to come back to the Board for approval. Schultz stated that would be fine with him. Chair White stated he believes the Board gets to see how the money will be expended as well. Farinsky stated he would like to meet with the Traffic Engineers onsite to make sure we are on the same page. Chair White agreed to add that to the motion and asked if Farinsky accepts the changes to the motion. Barnes stated that she would also be available to meet with the Traffic Engineers. Chair White asked if there was any further discussion to the motion? Marlete Gotz, Carmel Valley Resident, stated she would like to thank the board for going with option two. Motion passed 11-0-0.

Chair White stated he would send Flahive a note to get this implemented. Flahive asked that stipulations in terms of design etc. be included and stated he will work with staff to get the memorandum sent over to City staff.

2. **Clews Ranch Amendment (668316):** Consider Amendments to CDP 166238, SDP 9092& PDP 166237 for property located 11500 & 11600 Clews Ranch Road.

•Applicants - Dinorah Maldonado, K&S Engineering

Stan Blake, Lawyer representing the applicant, stated he negotiated the agreement with the City and is going to tell us how this project works and the concept. Blake stated this is not an application by the property owner, this project is already completed and was for years and there are issues. Blake stated the issues notably started with a manufactured home being placed on the property, the permit process was started but it was never completed. Blake stated the City closed the file on the case, the City had actually destroyed the file. Blake sat down with the City Attorney over the violations offering to do whatever they want, the City Attorney stated they are only seeking compliance and not punishment. Blake stated the City started the process but decided in the middle of the process that it would be easier to amend the current permits versus supplementing the already approved permits. Blake Stated that the City wants an amendment to the permit for buildings that have already been placed, there is nothing new being added. Blake stated that the filtration systems and building codes have changed but that is all. Blake stated that this is bringing an operation into compliance and up to code like you would with a half-built house that codes changed during construction. Blake stated that the Engineer added lines to explain the drawings (circles, yellow and red marks) done by the City (shown on screen). Blake stated a lot of what the City thought were violations

weren't but there were some that were violations. Blake stated that there are historic structures on the property, the City wanted some of the land so they condemned it through eminent domain and traded land. Blake stated that the City trading land made this a more complex project, but it is basically just compliance per the request of the City. Chair White stated he sees a couple of items on the list that definitely require a permit prior to installation, such as a retaining wall and non-permitted house on the property. Chair White asked why those two examples were not permitted when City code requires a permit in the very beginning? Blake stated he isn't sure why they weren't permitted; they should have been and now they will be. Chair White stated he finds that hard to believe that the developers did not know those items had to be permitted. Blake stated first of all they are not developers, they are running a horse ranch, and what happens with ranchers is they will just put in a retaining wall or pond, it happens all the time. Chair White stated he understands that, but they also had consultants that helped them through the process, those consultants should have informed the owner of the need. Chair White stated he is surprised that there are so many unpermitted items on this property and Chris at that time was very familiar with the permit process that he had to go through, Chair White is surprised that building and retaining wall permits were not taken. Blake stated OK, and they are going to be issued now.

Kamal Sweis, Engineer with K&S Engineering INC, stated there are 20 items shown on the previous approved plans from 2006. Sweis stated he has an answer for each item, and can go through them quickly.

- #1 stated unpermitted retaining wall, Sweis stated they are going to prepare plans to obtain a wall permit.
- #2 stated proposed covered stall structure permit needed. Sweis stated a building permit is not required, only an electrical permit, which will be obtained.
- #3 Stated unpermitted house, Sweis stated he has the plans and architectural ready to be submitted to obtain a building permit.
- #4 Stated filtration Basin, Sweis stated the location has been shifted over to the low point in the same vicinity.
- #5 stated unpermitted covered stall structure, Sweis stated that the barn does not require a building permit only electrical and plumbing which will be done.
- #6 stated unpermitted office, Sweis stated the office has been removed from the site.
- #7 stated tack room need electrical permit, Sweis stated no electrical permit is required for a tack room.
- #8 stated storage container, Sweis stated no permit required
- #9 stated unpermitted office, Sweis stated it is a tack room and no permit is required.
- #10 stated unknown structure, Sweis stated it is a milking shed used for storage and will be removed.
- #11 stated trailer, Sweis stated that the trailer has wheels, so no permit is required. Chair White asked what type of trailer? Sweis stated like an RV. Blake stated it is used for storage and a copy room.
- #12 stated unpermitted house, Sweis stated the occupant will submit for a building permit.
- #13 stated unpermitted house, Sweis stated Ranch employee resident trailer with built on porch, no permit is required.
- #14 stated unpermitted house, Sweis stated Ranch employee resident trailer with built on porch, no permit is required.
- #15 stated unpermitted laundry room, Sweis stated existing room to remain.
- #16 stated unpermitted house, Sweis stated it is a shed, no permit is needed.
- #17 stated unpermitted light pole, Sweis stated an electrical permit will be obtained.
- #18 stated unpermitted general utility pole, Sweis stated an electrical permit will be obtained.
- #19 stated unpermitted house, Sweis stated if a building permit is needed, it will be obtained.

#20 stated storage container, Sweis stated the container will be removed from the site.

Sweis stated as you can see all these items that actually cause the violation and the need to do an amended SDP are workable. Sweis stated we will work with the City once we get the approval for the SDP that allows us to submit all the required plans and permits and we will meet all the requirements. Sweis stated that the amendment is required as a first step, as you can see these are the comments from the City (20 violation comments). Sweis stated that the violations were created due to the 20 comments from the City and that is why an amendment is needed. Sweis stated all 20 items will be taken care of to the satisfaction of the City Engineer, even if they contest any items that need a permit it will be done to their satisfaction. Chair White asked if the Board is going to look at amending a discretionary permit, wouldn't we have the right to look at the entire project? Blake stated it has already been approved. Chair White stated yes but now you are amending it. Blake stated listen, we do not want to amend it, I do not want to do any of this, the City is requiring this. Blake stated that he made a settlement agreement with the City's Attorney office and they said we had to do these things, it has been agreed to in writing. Blake stated once again that this is not something, he or the property owner want to do, it is what the City is requiring. Blake stated if you were to look at the project and say "we do not like it anymore" there is nothing you could do. Blake stated the Board would have to tell the City that they did not want to make the corrections the City requested. Blake stated that they have paid their fees and settlement and are done. Chair White stated that he understands that, in past projects when there has been an amendment, we have looked at the entire project again, that's why I asked. Blake stated, look at the whole project, that it fine but you have no jurisdiction over it. Blake stated the project is over and the amendment is not at the will of the applicant, its per the City's request. Chair White stated he understands all of that, when he sees the word amendment to a discretionary permit but yet the City permit is already signed off on with the City then why come to us. Blake stated he agreed and doesn't even know why they are here except for it is part of the process (procedurally). Farinsky stated he agrees with what is going on and does not think we need to look at the full project again. Schultz stated he is confused what we are doing here, he knows we are speaking of an amendment to a discretionary permit, but it seems that every discretionary permit where you build you need to get your building permit. Schultz stated to be told essentially that there is a settlement agreement and we do not have any discretion at this time at night I would just rather move on. Davison stated since he was not involved in the original project, he isn't sure what we are amending, it seems things were added that weren't in the original project. Davison stated that if this is the way to resolve this issue, he will go along with it. Lokanc asked if the project changed ownership and that is how the violations came to light? Chair White stated no, that Christian and Bonny still own this property and the City found the violations. Kashani stated he isn't a fan of asking for forgiveness afterward but will go along with what the board wants. Kashani asked to confirm that none of the items in the amendment go beyond the previously approved footprint? Blake stated that is correct. Kashani stated he thinks that is the important thing and Chair White agreed. Finstad stated she is going along with it. Curran stated that these people just did whatever they wanted to do, I also do not like how this was done and being told we have no discretion. Curran stated he will also go along with it but he doesn't understand why we are doing it, making it hard to vote on. McCallion stated she agrees with Kashani and Curran but isn't happy being pushed into a corner. McCallion stated she feels that the Clews family needs to realize they live in Carmel Valley and things have changed, they unfortunately can not do as they please with their own land. McCallion stated if the Clews do anymore amendments to their property it should be done correctly. Rogers stated she agrees with the Board and has nothing new to add. Wintriss stated he is OK with it. Motion to support by Chair White and seconded by Wintriss, no discussion of the motion. Motion passes 11-0-0

P. SUBCOMMITTEE MEETING REPORTS AND ANNOUNCEMENTS

Subcommittee	Representative(s)	Report	Next Meeting
1. Design & Planning Subcommittee	Chair White, Jan Fuchs & Anne Harvey	No Report.	No Report.
2. CV FBA and PHR FBA Subcommittees	Chair White	No Report.	No Report.
3. CV MAD Subcommittee	Ken Farinsky	No Report.	Next meeting in April, no meeting in March.
4. CV MAD N10 Subcommittee	Vacant	No Report.	No Report.
5. PHR MAD Subcommittee	Stella Rogers	No Report.	No Report.
6. Bylaws, Policy & Procedures Subcommittee	Chair White	No Report.	No Report.
7. Open Space Subcommittee	TBD	No Report.	No Report.
8. CPC Subcommittee	Barry Schultz	Presentation of Public Power and The Planning Department announced they are beginning to prepare an environmental element to the general plan. Also Council Member LaCava is taking the lead on revising the Community Planning Group Policies, he is a big supporter, his proposal should be good.	No Report.
9. Livability (Special)	Barry Schultz & Chair White	Asked Flahive about the money release from the Mayors office. Chair White asked if it is moving forward? Flahive stated they are aware. Schultz suggested a presentation on the study to Chair White.	No Report.
10. Transit Subcommittee	Karen Cody & Lucas Kurlan	No Report	No Report.

Q. CHAIR's REPORT
None.

R. OLD / ONGOING BUSINESS
None.

S. ADJOURNMENT
Done.

T. NEXT MEETING:

Thursday, March 25, 2021
Carmel Valley Library, 7 pm
TBD