

Community Planners Committee

City Planning & Community Investment • City of San Diego
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CPC DRAFT MINUTES FOR THE MEETING OF OCTOBER 27, 2009

MEMBERS PRESENT:

Manjeet Ranu, Carmel Valley
Bill Keller, Center City
Jim Varnadore, City Heights
Brooke Peterson, Clairemont Mesa
Laura Riebau, Eastern Area
Greg Morales, Encanto
Tom Hebrank, Kensington-Talmadge
Joe LaCava, LaJolla
Pat O'Donohoe, Mira Mesa
Tracy Reed, Miramar Ranch North
Jim Baross, Normal Heights
Rob Steppke, North Park
Giovanni Ingolia, Ocean Beach

Mel Ingalls, Otay Mesa
Daniel Wagner, Otay Mesa-Nestor
Marcie Beckett, Pacific Beach
Charles Mellor, Peninsula
Ellen Willis, Rancho Bernardo
Craig Balben, Sabre Springs
Michael Cather, San Ysidro
Todd Phillips, Scripps Ranch
Guy Preuss, Skyline/Paradise Hills
Scott Hasson, Tierrasanta
Dash Meeks, Torrey Hills
Dennis Ridz, Torrey Pines
Leo Wilson, Uptown

VOTING ELIGIBILITY/RECUSALS: None

Guests: Joyce Summers, Scott Chipman, Cathy Lisbet, Judy Strang, Mitch Yonker, Alex Kreit, plus others.

City Staff: Mary Wright, Diane Maglaras, Assistant Chief Shelley Zimmerman.

NOTE: *The sign-in sheets provided at the entrance to the meeting are used to list CPC Representatives, guest speakers, and staff present at the meeting.*

1. **CALL TO ORDER:** Chair Leo Wilson called the meeting to order at 7:00 p.m. and proceeded with roll call.

2. **NON-AGENDA PUBLIC COMMENT:**

Joyce Summers updated CPC on CCDC activities. The City Council and Redevelopment Agency voted to fund an additional \$500,000.00 to go out to bid for the new central library. If approved, groundbreaking could occur as soon as July 2010.

Mitch Yonker, College Area Community Council, would like to request that CPC create a subcommittee to address the issue of unlicensed transitional facilities within neighborhoods.

Guy Preuss, Skyline/Paradise Hills, reported that, on October 27, 2009, the City Council cancelled their hearing on substantial conformance review. His concern is that if the hearing doesn't take place then the substantial conformance review process will remain a Process One as opposed to Process Two as requested by CPC.

3. MODIFICATIONS AND APPROVAL OF AGENDA:

Jim Varnadore, City Heights, moved to approve the agenda with modifications. Grey Water Item #7 changed to 15 minutes from 8:00 - 8:15 with the additional time allotted to board discussion of various issues. Motion passed.

4. APPROVAL OF THE MINUTES OF SEPTEMBER 22, 2009:

The following modifications to the September 22, 2009 minutes were proposed:

- Modify Item #7 to recommend that in 100-year floodplain areas there be no ¾ inch thresholds at the doors.
- Modify Item #5 to state that, in developing the Regional Growth Forecast, the County Water Authority told SANDAG that water supply is not a constraint.
- Modify Item #8 on Page 4 after Rob Steppke from “Greater North Park” to” North Park”.

Jim Varnadore, City Heights, moved to approve the minutes as amended. Motion passed.

Abstentions: Clairemont, Normal Heights, Ocean Beach, Otay Mesa, Pacific Beach, Peninsula, San Ysidro, Scripps Ranch.

5. SANDAG PROJECTS SUBCOMMITTEE:

It was recommended that CPC form a subcommittee to address various SANDAG efforts including future transportation planning, the 2050 population Growth Forecast, and public participation outreach involving community planning groups. Laura Riebau, Eastern Area, moved to establish a SANDAG Projects Subcommittee with Brooke Peterson, Clairemont Mesa and Dennis Ridz, Torrey Pines as co-chairs of the subcommittee. Dash Meeks, Torrey Hills, seconded the motion. The motion was approved by a vote of 25-0-1 vote’s favor: 1 abstention: Uptown.

The SANDAG Subcommittee will consist of Brooke Peterson, Dash Meeks, Rob Steppke, Bill Keller and Greg Morales

6. MEDICAL MARIJUANA TASK FORCE:

Alex Kreit, chair of the City of San Diego Medical Marijuana Task Force, reported that the task force has been tasked by the City Council to come up with recommendations on land use and zoning issues associated with medical marijuana facilities which should be presented at the December 8, 2009 City Council meeting. The task force adopted recommendations regarding lighting, security and hours of operation. At the next meeting, the task force will take action on whether to recommend a discretionary process or hybrid process; it is highly unlikely that the task force would recommend a by-right process.

San Diego Police Assistant Chief Shelley Zimmerman reported that in 2005, 2006 and 2009 the San Diego Police Department conducted several investigations into marijuana dispensaries and did not find any of the dispensaries operating legally. Currently there are ongoing investigations on over ninety dispensaries.

Craig Balben, Sabre Springs, reported that the Police Department and Councilmember Carl DeMaio stated that the Attorney General Guidelines are clear enough to enforce the law. Councilmember DeMaio appointed Mr. Balben to the Medical Marijuana Task Force so that the task force would have community planning group representation.

Jim Varnadore, City Heights, made a motion that medical marijuana collectives and cooperatives operating under California Law per Prop 215 and other laws should be processed under Process Three reviews per the Municipal Code. Ellen Willis, Rancho Bernardo, seconded the motion. The motion failed by a vote of 4-19-3. 4 votes in favor of the motion: City Heights, Ocean Beach, Rancho Bernardo and San Ysidro. 3 abstentions: La Jolla, Sabre Springs and Uptown.

Guy Preuss, Skyline/Paradise Hills, made a motion that medical marijuana collectives and cooperatives operating under California Law per Prop 215 and other laws shall be processed under Process Five reviews per the Municipal Code. Such collectives and cooperatives should conform to the location and distance requirements of type 20 alcohol licenses and each gram of marijuana dispensed shall require a fee of ten (\$10) dollars adjusted for inflation to be paid to the City of San Diego to cover the cost of policing such collectives and cooperatives. Fees should be deposited into the General Fund until the actual need for them exists. The motion failed by a vote of 3-20-3. 3 votes in favor of the motion: Carmel Valley, Pacific Beach and Skyline/Paradise Hills. 3 abstentions: Encanto, Sabre Springs and Uptown.

Scott Hasson, Tierrasanta, made a motion to ban storefront operations of medical marijuana. Tracy Reed, Miramar Ranch North, seconded the motion. The motion passed by a vote of 13-9-3. 9 votes against motion: City Heights, Encanto, Eastern, Kensington- Talmadge, Normal Heights, North Park, Ocean Beach, San Ysidro and Scripps Ranch. 3 abstentions: Sabre Springs, Torrey Pines and Uptown.

7. REDIDENTIAL GREY WATER REUSE:

Greg Morales, Encanto Planning Group, requested that the item on grey water be rescheduled to be the first item on the November CPC agenda.

8. REPORTS TO CPC:

- CPC Member Comment:
 - A memo was issued by DSD in response to a concern of not issuing a business tax certificate for a Medical Marijuana dispensary. An appeal was filed with DSD and the item is scheduled to be heard at an upcoming November Planning Commission meeting.
 - Fairgrounds/22nd Agricultural District released their draft EIR. Torrey Pines joined with Solana Beach, Del Mar and Carmel Valley to review the DEIR.

- Chairperson's Report:
 - Upcoming Agenda Items
 - Residential Grey Water Reuse (November)
 - Administrative Guidelines
 - CEQA (does there have to be environmental review prior to planning group voting on a project) (November)
 - Airport Land Use Compatibility Project
 - Community Plan Preparation Manual Subcommittee (November)
 - CUP Process
 - Electric Utility Boxes
 - Indemnification
 - Smoke Shops
 - Wireless Facilities
 - Medical Marijuana (November)

It was moved and seconded to adjourn the meeting. The meeting was adjourned by Leo Wilson at 9:00 p.m.