

OCEAN BEACH PLANNING BOARD

GENERAL MEETING MINUTES

Wednesday, August 3rd, 2011 - 6:00 p.m.

Ocean Beach Recreation Center - 4726 Santa Monica Ave., Ocean Beach

6:06pm – Meeting called to order by Chairperson Giovanni Ingolia. Vice Chairperson Landry Watson and Board members Bill Bushe, Barbara Schmidtkecht, Jane Gawronski, Craig Klein, Seth Connolly, Tom Gawronski, Scott Therkalsen, Nancy Taylor and Ronson Shamoun also in attendance.

Giovanni Ingolia informs that Joyce Summer of the Centre City Development Corporation will no longer be presenting to the Board, and strikes her report from the agenda.

Motion to approve agenda as modified by Landry Watson, seconded by Barbara Schmidtkecht. Approved by consensus.

Michael Patton of Councilperson Kevin Falcouner's Office presenting. States that beach advertising pilot program to take place in Mission Beach, and that the Councilperson does not support this due to the funds going directly to the City's General Fund. Informs of redistricting changes for District 2, and provides updates to Board's request for support in opposing floor-area ratio variances as well as the status of the Brighton Street Comfort Station.

Non-Agenda Public Comment – Local business owner and Ocean Beach Merchants Association member named Mary asks if recent restaurant expansions and commercial space subdivisions on Newport Avenue are permitted. Dan Morales asks about impact of County of San Diego's downzoning in new General Plan on local farmers.

#001 – Information Item: Mid-Coast Corridor Transit Project Status Update

The Mid-Coast Corridor Transit Project will extend light rail transit (LRT) service from the Old Town Transit Center to the University City community serving major activity centers such as the University of California, San Diego (UCSD), University Towne Centre (UTC), Old Town, and Downtown San Diego. Eight new stations are being proposed as part of the project: Tecolote Road, Clairemont Drive, Balboa Avenue, Nobel Drive, UCSD West, UCSD East/Medical Centers, Executive Drive and the UTC Transit Center. The feasibility of a 9th station, at the VA Medical Center, will also be assessed during the environmental analysis for the project.

Anne Steinberger, Marketing Manager at SANDAG, outlines the project and its status. Michael Patton asks what the estimated completion date is and is informed that it is currently targeted to be in 2015-2016.

#001 – Action Item: Proposed Change to San Diego Municipal Code Section 42.0709 (Appendix "A")

Discuss recommendation to change San Diego Municipal Code Section 42.0709 (Appendix "A") that presently allows city residents to maintain up to 25 chickens, including roosters, within city limits, but requires that they be kept a minimum distance of 50 feet from any structure used for residential purposes, including the owner's own home. Board will discuss changes to make this Municipal Code less restrictive.

Rachel Hunter presenting. Would like less restrictive zoning for urban agriculture, specifically relating to the presence of pet chickens within residential areas. States that many cities have already adopted similar measures that help to promote food security and urban agricultural uses. Bill Bushe asks if pet chickens would present any kind of health hazard for residents or neighbors. Scott Therkalsen asks about possibility of pet chickens creating a nuisance, and is informed by Hunter that all pets are subject to certain standards in this regard. Landry Watson states that City is already investigating this type of regulation, and the Board is only being asked to take a general position.

During public comments, Tommy Coombs advocates for slow food movement, and states support of less restrictive zoning for chickens. Sadie Sponsler of the San Diego Hunger Coalition states that food security can be enhanced with more progressive urban agriculture policies, especially for low-income residents. Laura Hershey states that some bird species might need to be restricted, but that chickens pose a far lesser threat than many dogs, who are not subject to the same setback requirements.

During Board comments, Landry Watson states that many cities have already enacted less restrictive regulations to support urban agriculture.

Motion by Jane Gawronski to support changes to the municipal code that are less restrictive for the maintenance of chickens and urban agriculture. Seconded by Landry Watson. Motion passes 11-0-0.

#002 – Action Item: Request for a Letter of Support for Two Memorial Benches to be placed at the End of Del Mar Avenue

Michael Patton representing Councilmember Faulconer’s office will give a brief statement of request from the Councilmember for the support of these benches to undergo the permit process to be placed at the end of Del Mar Avenue. This permitting process in accordance with SDMC 126.0502 (d) (7), the proposed encroachment of the bench in the public right-of-way would require a Site Development Permit and a Coastal Development Permit. This will result in the action for approval to come back to the OBPB, so today’s action item is simply for a letter of support to proceed with the permitting process.

Michael Patton presenting. Asks Board for a letter of support for the memorial benches to become permitted, and requests input from both the Board and community. States that community has weighed in on both sides of the issue, and that benches do not have proper permits. Seth Connolly asks if it has been determined if permits were in fact never issued, or if there is simply no public record either way. Patten states that Falconer will support the replacing of these benches if proper permits are obtained.

During public comments, Dan Morales states that issue is an emotional one for families who donated benches to memorialize loved ones, and requests Councilperson demonstrate “leadership and compassion”. John Story states that his family paid for one of the benches ten years ago, as a donation to the City. Tony Cappellucci requests that Board support the replacement of the benches, and asks how many public bench permits Board has visited previously. Armand Berkheim states that he feels entire issue is an outrage, and supports Councilperson “taking a stand”. Believes that City only required foundations for these benches, and not permits. Ken Doncouse states that he knows many of the homeowners in that vicinity personally, and that they believe that there is a homeless issue there. Presence of benches creates attractive nuisance that turns public right-of-way into a public park lacking proper patrols.

During Board comments, Bill Bushes states that benches should be grandfathered to original locations without permits, and does not understand why the person who removed them has not been prosecuted. Informs that the memorial bench program once took place through the Department of Parks and Recreation, but that it was likely via an informal process. Jane Gawronski states that she thinks they were likely permitted, and supports replacing them. Seth Connolly believes that any permits should be obtained at no cost to the families that donated the benches, and that the relocation of benches to a different area may be reasonable. Ronson Shamoun states that any determination should be made upon the available facts, rather than the emotional aspect of this issue. Believes that the burden of proof for permits lies on the applicants. Landry Watson states that the discussion of the land use impacts of the benches should be tabled until the City Attorney weighs in, and that he will abstain from making any recommendation until then. Craig Klein does not feel that benches are contributing to any hazard or nuisance. Scott Therkalsen states that he does not believe that this is how code and policy should be enforced. Barbara Schmidtknecht states that public benches in other areas of Ocean Beach have created nuisances to the surrounding area, but that this may be mitigated if requests for police patrols are made. Tom Gawronski states that he has never heard of discretionary permits for public benches before.

Motion by Craig Klein to recommend memorial benches staying in current location pending investigation by the City to verify the existence in the past of a memorial bench program through the Department of Parks and Recreation Department, and to defer all further action until the Board receives further notification from the City, and that this motion is strictly limited to the presence of memorial benches in public rights-of-way. Seconded by Tom Gawronski. Motion passes 10-1-0, with Giovanni Ingolia, Landry Watson, Bill Bushe, Barbara Schmidtknecht, Jane Gawronski, Craig Klein, Seth Connolly, Tom Gawronski, Scott Therkalsen and Nancy Taylor in favor, and Ronson Shamoun opposed.

Chair announcements/correspondence/meetings

Landry Watson informs that Ocean Beach Town Council elections are upcoming. Notice of Preparation for Environmental Impact Review (EIR) for Precise Plan Update discussed.

8:10pm – Motion to adjourn by Craig Klein, seconded by Seth Connolly. Approved by consensus.