



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

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

2021 RB PLANNING BOARD									
P = present		A = absent			ARC = arrived after roll call				
Sonny Googins	P	Owen Nucci	P	Benjamin Wier	P	Gary Long	P		
Thomas Lettington	ARC	Joni Edelman	A	Robin Kaufman	P	David Wilson	P		
		Steve Dow	P	Vicki Touchstone	P	Hugh Rothman	A		
								Total Seated	11
								Total in Attendance	9

ITEM #1 Call to Order/Roll Call:

Chair, Robin Kaufman called the meeting to order at 7:00pm.

ITEM #2 Chair remarks:

Chair, Robin Kaufman welcomed everyone to the meeting. She commented that the meeting is being recorded for accuracy in the meeting minutes. She also noted that it is being conducted as if it were in in-person and extend all courtesies as such.

She also updated the group about the Carmel Mountain Ranch/Sabre Springs Planning Board meeting she attended in which that board heard a presentation on and approved of the proposed location of a March & Ash Cannabis Dispensary in Carmel Mountain Ranch.

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

Becky Rapp offered her thanks for the boards continued attention towards marijuana dispensary locations in the area.

Kathy Lippett provided insights regarding the city’s plan regarding the potential removal of sensitive use lands as well as the county’s likely collaboration with the city on marijuana taxation policy.

ITEM #4 Government Staff Reports (Information Item):

No Government liaisons were present. Eric Young did provide a link to the [Von Wilpert Report](#).

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

Motion duly made by Sonny Googins to adopt the agenda; seconded by Gary Long; approved 8-0-0.

ITEM #6 Administrative Items (Voting Item):

Approval of January 2022 Meeting Minutes was motioned by Owen Nucci (with adjustment of two administrative items (date changed 2022 versus 2021; and one member being errantly labeled as absent); seconded by Sonny Googins; approved 7-0-1 (Benjamin Weir abstained due to absence at the January 2022 meeting).

Gary Long presented the Treasurer’s Report: the Board has \$322.95 as of January 22. Gary Long motioned to approve the Treasurer’s report; seconded by Steve Dow; approved 8-0-0. Of note, Gary Long posed the question regarding the need for renewed Zoom subscription payments versus the resumption of in-person RB Planning Board meetings. Robin Kaufman noted that the Community Planning Council would likely be taking up that issue in the following week and recommended that the Admin committee address it at its next meeting.

Note: Board Member Thomas Lettington joined the meeting at this time.

ITEM #7 Proposed Retail Cannabis Ordinance Amendments (Information Item):

William Perno, Senior Prevention Specialist with Social Advocates for Youth (SAY) San Diego, gave a presentation on the proposed retail cannabis ordinance amendments followed by a Q&A session.

Steve Dow raised his concern that the state policies are not in concert with federal law.

Robin Kaufman asked about minimum distance safeguards for schools, libraries, churches, etc., for alcohol sales (i.e., around 600’) and if there are any expected policies for marijuana sales. William Perno noted that such restrictions have been in place for decades and are potential best practices that the cannabis industry might consider.

Kathy Lippett noted that it was reassuring that Marsh & Ash committed to not endorsing promotional items, although they expressed their support of the proposed tax decrease from 8% to 2%.

Becky Rapp voiced her support for William Perno’s presentation and enthusiasm. She added a comment that this issue was a complete surprise to the city commissioners and quoted multiple councilmember’s positions to this effect.

Ron Stark added additional context about the effects of the growing cannabis industry presence throughout San Diego and cautioned against any hasty ordinance amendments that decrease safeguards against cannabis, particular amongst the youth population.

Gordon Tetlow asked if any data or evidence is available on the effects that cannabis safeguards or setbacks provide. William Perno noted that there are no broad checks regarding delivery and offered that broad compliance checks would likely show higher rates of sale or second-hand sale than expected.

ITEM #8 Proposed Changes to Council Policy 600-24 (Community Planning Groups), and Council Policy 600-9 (Community Planners Committee) (Voting Item):

Vicki Touchstone briefed the board on proposed Council Policy 600-24 (Community Planning Groups), as presented by Councilmember Joe La Cava, and covered concerns and suggestions presented by community planning group members from throughout the city. The Regional Issues Committee has prepared for board approval a draft letter to the Council's Land Use and Housing Committee that will consider this item in March.

Vicki Touchstone motioned that the board adopt the recommendations of the Regional Issues Committee to send the letter noting multiple concerns; Robin Kaufman seconded; motioned passed 9-0-0.

ITEM #9 Ad Hoc Elections Committee Update (Information Item):

Gary Long provided an update on the activities of the Election Ad Hoc Committee, including the current count of received applicants and potential returning members.

He noted the outlook for the 8 districts as follows:

- District A: Westwood and Casa de las Campanas - 4 candidates for 2 open seats
- District B: Eastview and Greens West - 0 candidates for 2 open seats
- District C: Oaks North - 0 candidates for 2 open seats
- District D: Alameda, Gatewood Hills, Greens East, Trails - 1 candidate for 2 open seats
- District E: Seven Oaks - 2 candidates for 2 open seats
- District F: Bernardo Heights - 1 candidate for 3 open seats
- District G: High County West and Camino Bernardo - 1 candidate for 1 open seat

Additionally, he provided additional details on this year's election process:

- Elections will be conducted by mail-in ballots only.
- Mail-in ballots must be requested in writing (USPS or email). All mail-in ballots will be hand delivered to the requesting individual. Group deliveries to "Senior Living Facilities" will be considered on a case-by-case basis. Ballots will be logged in, signed for and distributed by a designated facility representative.
- All mail-in ballots must be returned by way of the USPS in the self-address envelope provided. Upon receipt by the election committee, the return envelope must have proper first class postage attached and be post marked. Ballots hand delivered directly to the return address on the self-addressed envelope will be considered invalid and not counted.

- All mail-in ballots must be postmarked on or before March 7, 2022.
- Any incumbent candidate, previously appointed to serve in a district other than their home district, can only run for election in the district that he or she reside.
- Deadline for receiving completed Declaration of Candidacy Applications is February 17, 2022 at 7:00 pm. Any district determined to be non-contested will be so identified. After verification of any application(s) received for the non-contested election, winners(s), if any, for that district will be declared. No ballot will be prepared for that district.

ITEM #10 RB Alive Booth (Voting Item):

The board discussed initial planning considerations for the RB Alive booth for the first Sunday in June 2022.

A motion was made by Robin Kaufman to appoint an Ad Hoc Committee comprised of Vicki Touchstone, Sonny Googins, and Robin Kaufman; seconded by Benjamin Wier; approved 9-0-0.

ITEM #11 Sub-Committee Reports (Information Item):

Development Review	Benjamin Wier
Regional Issues.....	Vicki Touchstone
Traffic & Transportation	Robin Kaufman
Election Ad Hoc.....	Gary Long

ITEM #12 Liaison Reports (Information Item):

Community Council.....	Robin Kaufman
Community Planners Committee (CPC).....	Vicki Touchstone
Community Recreation Group	Robin Kaufman
SANDAG	Steve Dow
San Dieguito River Park.....	David Wilson
San Pasqual/Lake Hodges Planning Group.....	David Wilson
Commercial Representative	N/A

ITEM #13 OLD BUSINESS ITEM:

N/A

ITEM #14 NEW BUSINESS:

Kathy Lippett noted that there has been a trash and graffiti near Rancho Bernardo High School and the potential need for mitigation options. Robin Kaufman pointed the group to RB Community Council has two student members that could serve as liaisons and to also use the get it done app.

Steve Dow asked the board about the potential for wildfire preparation as a community and the ability to get an update for the Planning Board.

ADJOURNMENT:

Steve Dow made a motion to adjourn the meeting; Vicki Touchstone seconded; motion passed 9-0-0. Meeting adjourned 8:31pm.

Meeting minutes respectfully submitted by Owen Nucci

Standing Committee Meetings:

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

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

Regional Issues subcommittee

1. The Chair called the meeting to order at 7:03 pm.
2. Roll Call – Present: Steve Dow, Joni Edelman, Owen Nucci, Vicki Touchstone, Guests: Robin Kaufman, Mariel Garcia-Chamier Absent: Dave Wilson
3. Chairs Remarks - None
4. Public Comment - None
5. Approval of Minutes (June 2021, August 2021, October 2021) Delayed to next meeting.
6. Voting/Information Items:
 - 6A. Proposed Changes to Council Policy 600-24 (Community Planning Groups) and Council Policy 600-9 (Community Planners Committee [CPC]) Voting Item

The Committee reviewed the proposed changes to these policies, as presented by Councilmember Joe La Cava at the January 25 meeting of the CPC.

The committee was provided with a link to the recording of Councilmember La Cava’s presentation at CPC to review the discussion prior to Regional Issues Committee meeting.

Vicki reviewed the changes Councilmember La Cava has made to his previous proposal based on comments provided by the CPC and members of the public.

These changes related to: stipends, providing City staff at CPC meetings, allowing CPG meetings at City facilities at no charge, new templates, attendance requirements, required bank account, number of voters per household, voting requirements, CPG demographics, MAD recognition, annual training, appeals, Brown Act clarity, independent CPG websites, two-year break in service, indemnification (legal, physical). Land Use and Housing will hear this in March and the item will go to City Council in Spring 2022.

The committee members acknowledged the changes Councilmember La Cava has made to the draft policy in response to community input, and then focused on the following issues that have yet to be resolved and require further consideration:

- The number of years a member must sit out after his/her term expires and filling vacancies

The current proposal requires a 2-year break, which is a year longer than other City committee requirements; even political offices are only required a 1-year break. Regional Issues committee members stated their disappointment that the Planning Commissioners and City Councilmembers are not willing to recognize the time commitment CPG members voluntarily provide to ensure that the voices of the residents in their community are at least heard. Not everyone in our communities has the time to donate one or two work night evenings a month along with the additional time needed to review proposals. This results in low participation on CPGs, but does not change community participation when issues of interest are heard by the CPGs. Community members rely on those who are able to contribute their time to gather information and then present that information when appropriate at a regularly scheduled CPG meeting. This allows community members to participate and provide input when those issues important to them come before the CPG for discussion and/or voting. If the City Council makes it impossible for a CPG to exist, they are also taking away one of the Community's most important opportunities to express their support or opposition for proposals affecting their community. City Councilmembers are elected to represent their communities, so why would the City want to create regulations that limit any community's ability to express their opinions about issues important to them?

Based on other current City practices, requiring a one-year break seems more reasonable, but even this should be waived when a CPG's roster is well below the full membership number. The Council should be taking into consideration the difficulty many CPGs are having in recruiting community members willing or able to donate their time.

These same concerns apply to the proposal that would only allow one over term member to fill a vacancy once membership gets down to only 10 members. Anyone who is interested in volunteering their time should be allowed to be

appointed if there are vacancies and all efforts have been made to fill the vacancies during regular election times.

- Providing a dedicated location for posting agendas, minutes, and contacts for each planning group

The Council Policy must address the need for a centralized on-line location where City residents can get information about the CPC and their individual CPGs, find a list of contacts for each CPG, as well as find information about items currently being considered and the process for becoming a member of their CPG. This will ensure transparency and maintain accessibility to this information for all residents.

- The process and cost for appealing a planning decision

The currently proposed revisions to Council Policy 600-24 require CPGs to pay the standard fee for appealing a planning decision made by the City (\$1,000). Currently, these fees are waived for CPGs. Some CPC members have suggested limiting no-fee appeals for CPGs to two appeals per year. RI members felt that requiring CPGs to pay for an appeal represented an act to disempower CPGs, which are made up of people who volunteer their time for their communities and the City as a whole.

- Number of meetings to attend before eligible to join a CPG

RI recommends that anyone eligible to join a CPG should only be required to attend one meeting before either running for a seat during the annual election process or being considered at a subsequent meeting to join the CPG when there is vacancy to fill.

RI committee members unanimously approved a motion to send these recommendations to the full Board in the form of a draft letter to the Land Use and Housing Committee, cc'ing all other Councilmembers and the Mayor. The motion was made by Steve and seconded by Owen.

6b. Planning Dept. Infrastructure Initiatives (Build Better SD) Information Item

The RI committee members noted that there was only limited information available about this proposal prior to the meeting, so it will be fully considered in the future when more information is available. According to the City's website, Build Better SD proposes to amend the General Plan's Public Facilities Service and Safety Element, redistribute Development Impact Fees, update the Regional Transportation Congestion Improvement Program and amend the Land Development Code.

It appears that among other proposals, Development Impact Fees (DIF funds) held for specific communities, would be diverted to a city-wide fund to address

infrastructure needs. The RI committee members expressed concern about such a proposal, as DIF funds have been collected to address specific infrastructure improvements necessary to mitigate the impacts of new development within specific communities. Rancho Bernardo currently has \$1,387,919 in DIF funds for projects listed in our Facilities Financing Plan.

This proposal will come back to the RI committee when the City provides additional information about the proposal.

Rancho Bernardo Community Council

- Bill Powers will be giving a presentation from Protect Our Communities Foundation on the benefits of local clean energy;
- An RB Alive ad hoc committee was approved;
- A review of the upcoming Earth Day Fair set for April 10 was given;
- A review of the upcoming elections was given;
- Robin, SDG&E representative and Community Council's Maintenance Assessment District (MAD) staff will be walking the 4 miles of work SDG&E did on Pomerado Rd to review any damage done to MAD property (medians).

Recreation Advisory Board

- A local student presented information on a free tennis library outside of the off leash dog park pens, which was approved by the Board;
- The Board picked two movies for the summer's movies in the park events;
- AT&T representatives updated the Board on the neighborhood use permit for project 695697

San Dieguito River Park Citizen's Advisory Committee

- 25 attendees;
- Sikes Adobe Valentine's event was cancelled due to COVID;
- Chris Khoury, the new chair, introduced himself and ran his first meeting;
- SDG&E is converting electric poles to an underground system in Del Mar (project TL6973/674A/66D). This was approved back in 2017, but was delayed for various reasons. A 6 mile stretch of 34 poles between Via de la Valle and Sorrento Valley Rd near the I-15 will be removed. Also removed will be 1 mile of underground transmission line in Via de la Valle and replaced. Most of the poles are near/in the lagoon area. Most work will be conducted 9 pm through 5 am to minimize traffic issues;
- Long discussion on E-bikes with a motion that all E-bikes be prohibited at the San Dieguito River Park (Crest Trail). Final outcome was that the motion failed. 4 in favor, 5 opposed and 7 abstained as they felt they needed to bring the information back to their groups for input;
- Horse property has been leased to an equestrian company;
- The Trails Committee is planning an outing on February 8, 1 pm to review some of the Fairbanks Ranch Trails. All interested parties are to contact the Chair for more details;

- The Interpretive Committee is working on expanding membership;
- Permit application for the coastal trails has been submitted to the City. Respectively submitted by Robin Kaufman

**San Dieguito River Park/JPA Board Meeting
Friday Jan 21 2022**

Call to Order - Resolution to allow us to meet remotely – approved. Minutes from last meeting –approved. No public comments

Elect Board chair and nominate elect vice chair

- Recommend Dave Grosch goes from vice chair to chair. Joe LaCava will be vice chair. Approved.
- Committee assignments filled. Subcommittees filled. All reappointed to Ad hoc committees, adding Joe LaCava.

Executive Directors report - Shawna Anderson

- Labor hour report - recap of JPA staff labor hours in each jurisdiction. City of SD, County of SD, and Escondido have largest labor hours spend in JPA member jurisdictions.
- SDRP Budget report July-Dec 2021. On track.
- Sikes Adobe Turns 150 yrs. old. Will have monthly events throughout 2022. Showcases San Pascual valley. One of oldest fully restored adobe homes.
- San Dieguito Lagoon restoration project is underway. Three- year construction schedule. Neighbors are being notified.
- San Pascual valley groundwater basin sustainability plan update

SDGE Del Mar Reconfiguration Project Presentation- Shawna

- Kelli Fitzgerald is here from SDGE for the presentation
- Long time coming. Transmission project that covers six miles near Villa de la Valle
- 3 phases. Phase one has started - Underground line converting circuits from overhead to underground. Benefits: Improved aesthetics, better capacity and reliability, reduced environmental impact.
- Last phase estimated to finish Feb 2023

Report on JEPA Public Agency Contribution Formula w 2020 Census Data –no change in the formula.

Project Status Updates

- Osuna Segment moving along. Permits and applications submitted. Receiving positive feedback.
- San Dieguito Lagoon Phase 2-already updated. May request construction update in summer.

Coordination Reports

No reports from: SD River Valley Conservancy, Friends of SD River Valley, Volcan Mountain and Friends of Sikes Adobe.

Jurisdictional Status Report

Dustin Fuller -Horse park RFP. West Palm events selected as new lease holder. Conditional on design and permitting of storm water permits.

Meeting Adjourned