

SAN DIEGUITO PLANNING GROUP

P.O. Box 2789, Rancho Santa Fe, CA, 92067

7:00 pm, Thursday, February 9, 2023

MEETING MINUTES

Place of Meeting: Go to ZOOM Meeting Website (Invitation Link):

<https://us06web.zoom.us/j/85032738793?pwd=TVNEL3p2VndRT1NoUHZlaDJOVTNxQT09>

Meeting ID Number: **850 3273 8793**

Meeting Passcode: **525856**

You can access the County's digital document search engine by visiting

<http://www.sandiegocounty.gov/content/sdc/pds/doclibrary.html>

Matters on the agenda are NOT necessarily heard in the order listed. Continuances, if any, will be announced at the start of the meeting or may be contained in a final agenda. Time devoted to an item will vary depending on its complexity, importance to the group and public, and the length of the agenda

1. CALL TO ORDER/ROLL CALL (Seat #): 7:02 PM
Present: Don Willis (1), Sharon Fogg (2), Phil Fisch (Vice-Chair) (3), Laurel Lemarie (4), Joe Zagara (5), Jennifer Callow (6), Susan Williams (7), VACANT (8), Nicholas Christenfeld (9), VACANT (10), Douglas Dill (Chair) (11), Beth Nelson (12), VACANT (13)
2. AGENDA REVIEW
3. APPROVAL OF MINUTES:
MOTION (D. Dill): Approve as presented December 8, 2022 SDPG Meeting Minutes
Second: N. Christenfeld
VOTE: 9 – Yes; 0 – No; 1 – Absent/Abstain (J. Zagara); 3 – Vacancies
MOTION (D. Dill): Approve as presented January 12, 2023 SDPG Meeting Minutes
Second: N. Christenfeld
VOTE: 9 – Yes; 0 – No; 1 – Absent/Abstain (J. Callow); 3 – Vacancies
4. OPEN FORUM
Rob Whittemore (audience): How many planning groups in the County?
SDPG (answer): 18 Community Planning Groups and 10 Community Sponsor Groups for a total of 28.
Judi Strang (audience): Discussed recent Tuesday/Wednesday Board of Supervisors Meeting – Re-instated (restored funding) County illegal drug prevention programs for middle and school students to counter sharp increase in Fentanyl deaths within this age group. Narcan (Naloxone) to be stocked at all County Middle and High Schools to treat narcotic overdoses in emergency situations. National statistics show 90% of addictions to narcotics starts before the age of 18.
5. GENERAL PLANNING ITEMS:
 - A. **DPW transportation improvement projects on county-maintained road network in San Dieguito.** The San Diego County Department of Public Works requests identifying a prioritized list.
Project types:
 - 1.) Road Reconstruction/Reconfiguration/New Road
 - 2.) Bridges Repair/Reconstruction
 - 3.) Sidewalk/Pathways/Pedestrian Access Ramps
 - 4.) Drainage
 - 5.) Traffic Signals
 - 6.) Intersections

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Draft list to be reviewed and discussed with possible vote. DPW Project Manager: Jim Bolz, 619-756-4199; SDPG Member: Doug Dill.

Continue to March 2023 SDPG Meeting

- B. **Surf Cup/Polo Fields/Horse Park** – Status on current Surf Cup (over use) activities/status not in compliance with property title usage overlay, and related developments with adjacent 22nd DAA Horse Park. SDPG Lead: Beth Nelson.

Rick Leyva (audience): Read a prepared statement that was originally a report from Maggie Brown of *Friends of the San Dieguito River Valley* given at the Feb. 3 JPA CAC meeting:

In early January, during the atmospheric river rain events, Surf Cup employed two large commercial pumps on both ends of the Milan Parcel, directly adjacent to the north of their lease hold.

Surf pumped 24 hours a day for multiple days. This action sent millions of gallons of stormwater runoff into the 22nd District swale that runs north/south along El Camino Real, and directly into the San Dieguito River. Surf also dug a trench at the west end of the fields to increase the water flow into the swale, and hence into the River.

The Friends alerted both the San Diego Regional Water Quality Control Board, as well as San Diego Code Enforcement Investigators. Surf Cup has been under a Civil Penalty Notice from Code enforcement since May 2022 for multiple violations on the Milan parcel, none of which they have addressed or corrected.

Both teams immediately made site visits on the 5th of January, and Surf was told by the waterboard to immediately cease all pumping action and remove the pumps. They did so. The Waterboard team made several additional visits and issued two reports, with multiple photos of the violations.

Also, the Waterboard teams met with Dustin Fuller, the 22nd Ag District Senior Environmental Planner. Together they alerted the California Attorney General, who immediately issued a Cease and Desist to Surf Cup. Surf Cup was issued the same Cease and Desist in late 2019, for pumping stormwater into the San Dieguito River from their leasehold.

Meanwhile San Diego Code Enforcement attempted to trace ownership of the parcel, which Surf has denied owning. Code Enforcement discovered a string of at least four shell companies, behind which they hid their ownership. The Waterboard and Code Enforcement shared information which resulted in the Waterboard's ultimate reports of violation to the latest shell company.

The Friends sent copies of these reports to Shawna Anderson, Dwight Worden, Phil Pryde, Peter Shapiro, and Chris Khoury, these being the only CAC members that we had email contacts for. If any CAC members wish to contact me, I can share these reports with you.

- C. **San Dieguito Community Plan Outside Sports Field Dark Sky Policy.** Discussion of dark sky policy statements, in the BOS approved, 2011 Community Plan in regards to recent applications for lighted tennis courts as well as observed existing lighted tennis courts in the San Dieguito Community Planning Area. SDPG lead: Laurel Lemarie.

L. Lemarie: The San Dieguito Community Plans states that there should be no outdoor night-time lighting, especially upward projected lighting. The County regulations allow for 'Special Event' outside night-time lighting with an approved County permit processed 2-weeks before the event date.

The County (administrative) Zoning Desk has been approving outdoor lighting without knowledge of the Community Plan restrictions. Newer HOA's probably have conflicting nighttime lighting specifications.

Continue to March 2023 SDPG Meeting

- D. **Non-permitted Backlit Wall Signs - 6012 and 6024 Paseo Delicias; 16921 Via de Santa Fe.** Discussion and possible suggestions for action to be taken by Planning Group concerning re-occurring problem of unpermitted backlit wall signs covering store front showroom windows in RSF Village retail district. SDPG Members: Beth Nelson, Laurel Lemarie.

L. Lemarie: Addressing this issue with County Code enforcement. Such wall-signs not permitted in the Village.

Continue to March 2023 SDPG Meeting

- E. **Presentation by Architect of proposed modifications to The Francisco Building in RSF Village.** Presentation of conceptual design depicting proposed remodel of The Francisco Building, also known as

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Ashley's Market. Remodel is to preserve 100-year-old exterior while adding ground level and roof top dining areas, market, and event space. Located at 6015 Paseo Delicias, Rancho Santa Fe, CA 92067. The design has been submitted to the Rancho Santa Fe Association Art Jury. No application has been submitted to San Diego County PDS. Architect: Don Looney, 760-434-7966.

Continue to March 2023 SDPG Meeting

6. MAJOR PROJECTS AND LAND USE ITEMS:

- A. **PDS2021-LDGRMJ-30348 – Rancho Santa Fe Golf Course Major Grading Permit Application.** Update on unpermitted grading and any additional community comments not covered in previously prepared and submitted SDPG comment letter. The permit application was for grading at 5333 Via De La Cumbre, Rancho Santa Fe, CA 92067. Previously completed grading includes grading on the property and erosion control; with 40,250 cubic yards of excavation, 32,470 cubic yards of fill, 6,040 cubic yards of excavation shrinkage and 1,740 cubic yards of import. The comment period extension deadline is 4:00 pm, Friday, February 10, 2023. County Planner: Taylor Ryan, 619-346-5463; SDPG Member: Laurel Lemarie.
- L. Lemarie:* Presented overview of history of the Golf Course remodel activities which included the failure to obtain necessary grading permit in a timely manner to conduct golf course grading per instructions from the County. The plan was bifurcated into phase one (not needing a grading permit) and phase two requiring the grading permit. Phase one immediately transitioned into phase two without obtaining the grading before the start of phase two.
- Todd Huizinga (Golf Course):* 56 trees removed deemed diseased or evasive (none native). Plan was 'blessed' at all levels of the Association and its subcommittees.
- P. Fisch:* Explain the 'No Permit' phase.
- David Smith (Golf Course):* Described the re-turfing process which included Lime and Sand material broadcasting 6 feet off the ground.
- L. Lemarie:* Neighbors did not observe water trucks following spreading of materials creating dust clouds. (Pictures taken by neighbors documenting the activity)
- David Smith (Golf Course):* The goal is to correct all 'as built' violations.
- Taylor Ryan/Mark Slovick (County):* answering question of time frame to mediate violations. End of project (estimated at 36 month).
- Jonathan (Golf Course):* Pit OK with soil manager. Grading equivalent to 4 inches covering entire 12 acres of golf course.
- J. Zagara:* Dirt moving confirmation; 28k cubic yards moved in Phase 2 and 11k cubic yards in Phase 3.
- Mark Slovick:* FEMA approved water course alterations.
- J. Zagara:* Storm Water Prevention Plan is a CA State permit?
- B. Nelson: Restate timeframe of order of events, lawn, grading, etc. 200 cubic yards or less does not require a permit yet phase 2 grading of 28k cubic yards required a permit to be triggered. What happened?
- Jonathan (Golf Course):* Previous golf course consultant said permit was not necessary.
- S. Williams:* Yet previous consultant met with County for initial project review where the County required a grading permit for phase 2.
- Mark Slovick (County):* Reviewed phase one plans for grass and irrigation but no grading until permit.
- S. Williams to Mark Slovick (County):* SDPG received no notice of grading permit application notice.
- Ilia Christy (RSFA Member):* Respect for community missing – lack of communication. When will trees be replaced? When will vegetation be replanted?
- M. Aguirre (attorney representing RSFA member Bill Strong):* Appears to be a law enforcement issue. No valid permit during grading activity, possible civil action. Possible criminal action with Golf Course consultant communicating mis-information concerning no grading permit required. Knowing a permit was required, grading continued even after a County Stop Order was issued.
- Sally Koblinsky (RSFA/Golf Course Member):* No problem with trees that were removed.
- Rob Whittemore (RSFA Member):* Irresponsible to continue working during a County Stop Work Order. The Association message to members has been to clamp down on unpermitted activities in the Covenant as the Golf Course carried-on.
- David Smith (Golf Course):* Followed County Stop Work Order per County instructions.

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Mark Slovick (County): Work to address grading permit.

L. Lemarie: Trails around Golf Course needs to have vegetation restored that screened/protected trail users.

L. Lemarie: Read motion for denial of Grading Permit.

Opened to Planning Group discussion.

L. Lemarie: Recommend covering site violations, schedule to correct violations, inspection of work.

D. Willis: Add water control to Phase 3 and correct pits.

S. Fogg: Accept changes.

Maryam Babaki (Association Member): Subcommittees are working on a re-vegetation restoration plan.

MOTION (L. Lemarie): San Dieguito Community Planning Group recommends denial of PDS2021-LDGRMJ-30348, the Major Grading Permit for the Rancho Santa Fe Association (RSFA)'s Phases 1 & 2 grading violations and proposed Phase 3, unless and until the following violations have been cured:

1. Per County Grading Ordinance **Sections 87.104 Violations - Public Nuisance and 87.110 Violations - Site Restoration**: Remove contents of all 'bury' pits; provide a date by which these items shall be accomplished within 6 months from February 9, 2023, with County inspection and report when completed.
 2. When Phase 3 is approved, the County will make regular and unannounced inspections to ensure regulations are being met.

The SDPG also recommends that the Golf Course restore, per 87.104 and 87.110:

- A. the 60-80 trees removed with appropriate species;
- B. the removed safety screening vegetation/bushes installed to protect riding and hiking trail users from golf balls, and
- C. provide a date by which these items shall be accomplished within 6 months from February 9, 2023, with County inspection and report when completed.

SECOND: S. Fogg

VOTE: 10 – Yes; 0 – No; 0 – Abstentions/Absences; 3 - Vacancies

- B. **PDS2021-AD-21-008 Administrative Permit, Molnar Fence Modification**. Discuss updates since September 2021 SDPG recommendation vote concerning this Administrative Permit. Site location: 4722 Sun Valley Road, Del Mar, CA 92014; APN: 302-202-1100. Applicant: Dave and Lisa Molnar, 858-442-1599; Applicant's Representative: Derek Berg, 760-390-0007; PDS Planner: Michael Johnson, 619-952-2873; SDPG Member: Don Willis.
Continue to March 2023 SDPG Meeting
- C. **PDS2022-VAR-22-048 - Akarman Residence Variance** - A new three-car garage on the front of an existing house; goes into the County 100' front yard setback. Fits well within the RSF 60' setback. Property location: 6344 La Valle Plateada, RSF, CA 92067; APN: 266-321-03-00. Owner: Akarman Family; Applicant Representative: Scott Spencer, 858-459-8898; County PDS Planner: Alexandro Barrenechea, 619-323-8709; PDS Member: L. Lemarie.
Continue to March 2023 SDPG Meeting
- D. **PDS2022-AD-22-014 - Halabo Tennis Court Administrative Permit in RSF Farms area**. Construction of new illuminated tennis court at 15242 Caminito Maria, RSF, CA 92067, APN 303-051-35-00. Applicant: Sam Halabo, 619-972-7276; Applicant's Representative: Paul Ferandell, 858-395-7705; County Planner: Polina Mitcheom (619) 942-1376; SDPG Member: Laurel Lemarie.
Continue to March 2023 SDPG Meeting
- E. **PDS2023-ZAP-23-001 AES Battery Energy Storage System (BESS) project Minor Use Permit - Eden Valley**. AES is applying to the County for a permit to build an industrial Battery Storage facility in proximity to the San Diego Gas & Electric Palomar Energy Center 'peaker' plant in the City of Escondido. The site is in the unincorporated rural residential neighborhood of Eden Valley, 925 Country Club Drive, Escondido, CA

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92029. APN: 232-491-12; 232-491-16; 232-491-17; 232-491-20. AES Representatives: Adam Furman, 714-814-7845; Ana Douglas, 813-482-5508; PDS Planner: Jae Roland Chase, 619-380-3130; SDPG member(s): Susan Williams; and Doug Dill.

Continue to March 2023 SDPG Meeting

- F. **PDS2022-STP-22-019 Van Damm Residence Site/Grading Plans.** New 2 story construction, 7 bedrooms, 6 baths, (1) 1/2 bath, 2 car attached garage, 2 car detached garage, covered veranda, accessory dwelling unit. 1.26 acres parcel located at: 15179 Rancho Real, Del Mar, CA 92075, APN: 302-053-18-00. Owner/Applicant: Tim Van Damm, 858-663-0911; Applicant Contact: Scott Grunst (SMG Homes), 858-756-3553; PDS Planner: Jae Roland-Chase, 619-380-3130; SDPG Member: Don Willis.
Continue to March 2023 SDPG Meeting
- G. **PDS2023-MUP-23-002 New AT&T Mono-Pine Cell Site in Hacienda Santa Fe.** To be located at 17272 La Brisa, Rancho Santa Fe CA 92067 at Calle Dos Lagos; APN: 267-051-20-00. Applicant Contact: Carol Kincheloe, 619-488-0933; PDS Planner: Polina Mitcheom, 619-942-1376; SDPG Member: Don Willis.
Continue to March 2023 SDPG Meeting
- H. **PDS2022-Sunbelt Rentals Sign D Designator.** Resubmit recommendation to the County pertaining to applicant's submitted designs to the County for the proposed signage on an existing commercial structure. Modify original September 9, 2022 SDPG motion (rescinded at the November 10, 2022 SDPG meeting) to include backlit individual sign letters with NO exterior illumination including the existing mercury vapor security light on the front of the building. Located at 203 South RSF Rd., Encinitas, CA 92024, APN: 259-191-26-00, 3.92 acre parcel. Applicant: Justin Woodward (Complete Signs), 334-805-1024; PDS Planner: Devan Benchetrit, 858-495-5346; Doug Dill.
Continue to March 2023 SDPG Meeting
- I. **PDS2015-HLP-15-002 Habitat Loss Permit for Eden Valley Private Horse Keeping and Grape Planting Project.** Owners submitted to the City of Escondido to annex parcels (APN: 228-400-06, -14, -15, -16, 22, -23 and 232-030-15) into the City for the proposed Solaris Business Park. Meanwhile, grading to keep sensitive habitat from growing back has created a mud flow and sheeting runoff water directly on to Country Club Drive during heavy rain events. Adjoining 'downstream' properties impacted by mud and water flooding damage. PDS Planner: Gary Smith, 619-695-9159. SDPG member: Doug Dill.
D. Dill: Recent heavy rain events created hazardous driving conditions on Country Club Drive fronting the subject properties. Neighbor complaints to the County Planner initiated the property owner to modify the grading slope and added storm water barricades to reduce water/mud runoff on to Country Club Drive.

7. ADMINISTRATIVE MATTERS:

- A. Community Reports
B. Consideration and comments on circulation mail
C. Future agenda items and planning
1.) Returning to live meetings based on the rescinding of the state of emergency (after February 28, 2023) that had allowed for virtual meetings. Regular 'Live' meetings to be held at Cielo Fire Station meeting room.
2.) April SDPG 'Live' meeting is scheduled for Harmony Grove Village Fire Station meeting room.
3.) All members are required to file the 2022-2023 Form 700 within 30 days of assuming office. Finish your annual PDS and (every 2-years) ethics training requirements ASAP.
D. Prospective & returning Planning Group members:
Secretary position OPEN
SDPG member seats #8, #10 and #13 are OPEN.
E. Supply orders and reimbursement of expenses.

NOTE: The San Diegoito Planning Group currently has THREE vacancies; Seat #8, Seat #10 and Seat #13. If

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you wish to become a member of the SDPG, please provide the chair with your current resume and plan to attend 2 or 3 meetings in advance of processing your application for membership.

Future Meeting Dates: 03/09/2023 04/13/2023 05/11/2023 06/08/2023 07/13/2023 08/10/2023

Doug Dill, Chair e-mail: theddills@att.net
Phil Fisch Vice-Chair e-mail: philipfisch@gmail.com
Secretary (OPEN)

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