



# NORTH PARK PLANNING COMMITTEE

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## URBAN DESIGN-PROJECT REVIEW SUBCOMMITTEE

**MEETING MINUTES: Monday, November 4, 2019 – 6:00 p.m. North  
Park Recreation Center / Adult Center, 2719 Howard Avenue**

### I. Parliamentary Items

#### A. Call to Order (6:00pm)

NPPC Members: Tim Taylor, Melissa Stayner, René Vidales, Aria Pounaki,  
Jen Spencer (late)

Voting Community Members: Peter Hill

#### B. Modifications & Adoption of the Agenda

Motion: To approve the adoption of the agenda. **Vidales/Taylor** (5-0-0)

#### C. Approval of Previous Minutes: October 7, 2019

Minutes were not approved. AP to add in more detail regarding discussion of Park Blvd Project, and revisit the minutes from the October 7<sup>th</sup> meeting at the January 6<sup>th</sup> meeting.

#### D. Announcements: None

### II. Non-Agenda Public Comment (2 minutes each)

Pat Sexton: Question about why the indoor soccer building in the park had been shut down.

- Aria Pounaki: responding to Pat Sexton: Structural integrity issues with the rooftop soccer, use to be discontinued until repairs have been made.

### III. Items - (6:10 pm) – *Order and timing of items are estimates only; items may be heard earlier than the time shown.*

#### A. **Action Item: 12th Land Development Code Update Phase 2 pertaining to Cannabis Facilities** (6:10 – 7:04pm)

On October 24, 2019 the Planning Commission approved the 12<sup>th</sup> Land Development Code Update except for sections related to distance measurements around cannabis facilities. That part of the Code Update (Sections 113.0225, 141.0504, 141.1004) was continued to the December 12, 2019 meeting. The Chair of the CPC is recommending these sections be reviewed by planning groups, and if necessary, planning groups can provide recommendations for revision to these sections prior to the December 12 meeting.

Presenter: Rene Vidales

René presented on the cannabis facilities amendments to the land development code. November 26<sup>th</sup> is when CPC will meet next to weigh in. Planning Commission will weigh in with their final recommendations in late November or December.

Measure of distance: 58.0703- Defining the way distance is measured for billboards that would advertise cannabis from different uses (schools, playgrounds, parks, etc.). The distance is 1,000 linear feet.

Measuring Distance between uses: 113.0225- changes to how distances are measured

Cannabis Outlets: 141.0504 – Changes some nomenclature and definition.

Cannabis Production Facilities: 141:0504- “off-site advertising shall be prohibited”

Comments:

Comment: Pat Sexton would like to see library be added to the list of categories that should be included with schools, parks, etc.

Comment: Pat Sexton sought a clarification of “vending-machine” in the ordinance (141.0504 (g))

Comment: Tim Taylor added that there has been a lot of litigation around building uses that were protected, and added that he wouldn’t be partial to adding libraries to this list of uses

Comment: Question from the public about how cannabis regulations compare to alcohol, another audience member added that it is 300-500 linear feet

Comment: Question from the public seeking clarification of where the linear feet are measured from- from the property line? Or elsewhere?

Comment: Question from the public seeking clarification on whether at-home childcare would be included in the list of uses that is protected.

Comment: A member of the public commented that there is an impact on development from having cannabis retail nearby

Comment: Aria Pounaki commented that the separation regulations as they are now were restrictive and that it would be good to visually see how the new regulations would affect these boundaries

Comment: Tim Taylor responding to Aria Pounaki explaining the intent of the law was to define where these boundaries are and to loosen it because the current regulations are too restrictive.

Board Comments on Billboard Measure of Distance

Tim Taylor: Questioned why visibility wasn’t taken into account, didn’t have issues with the 1,000 feet. No general issues with the way it is worded.

Jen Spencer: There a lot of cannabis advertisements, noted that it would be prudent for advertising to reflect federal standards for alcohol & tobacco. More restrictive advertisements and linear distances specifically as well.

René: Adding libraries would be good, more restrictive with the distance.

Peter: Adding libraries would be good

Aria: In favor of treating marijuana like alcohol and tobacco. Feels most these rules are arbitrary considering the proportional harm we tolerate from tobacco and alcohol.

Melissa: Adding library to the building uses. The 1,000 feet is not a number that is especially meaningful either way.

**Motion To add the words “library owned and operated by the City of San Diego” to Section 58.0703 and 58.0704 after the word “playground”. Hill/Vidales 3-2-1. (Pounaki**

**and Taylor voting no; Spencer abstained due to not having enough information)**

Board Comments on Measuring Distance between uses 113.025 (c):

Tim: Conversation about the wording of the measure and how it will be interpreted.

Feels like a better way to measure the distance.

Jen: Agrees that the new wording is more precise

Peter: OK as is

René: OK as is

Aria: ambivalent

Melissa: concerned that it could loosen the restrictions

No motion was made.

Board Comments on Marijuana Outlets 141.0504

Peter: no concerns

Tim: no concerns

Jen: no concerns

René: no concerns

Aria: no concerns

No motion was made.

Board Comments on Marijuana Outlets 141.1004 (l)

René: supportive of (l)

Peter: understands the intent of the change

Tim: no problems

Jen: seems like a good addition

Melissa: no problems

Aria: ambivalent

No motions were made.

**B. Action Item: North Park Planning Committee Involvement in Approval of Tentative Maps and Map Waivers (7:04 – 7:00)**

Tentative Maps and Map Waivers routinely come before the North Park Planning Committee as action items. These are triggered when a multi-unit property owned by one entity goes through a condominium conversion where a building or buildings previously owned by one party is/are subdivided and then sold to multiple parties. By the time the UDPR subcommittee hears the action item, the building permit has already been issued, the project has already been built, or is under construction, with no opportunity to incorporate community input. This discussion will be designed to decide if North Park Planning Committee will opt to continue to advise on Tentative Map Waivers.

Presenter: Melissa Stayner

Melissa presented on the use of “Dual Tracking” to bypass collecting community input. Explained

that the scope of subcommittee recommendation is merely to decide whether apartments can be sold as condos. By the time it comes to committee the project is built and it is too late to request changes. The public shows up to weigh in on project design, and zoning, without understanding that those factors are out of the scope of the Map Waiver recommendation. Years ago, a former NPPC member approached a City Planner to see whether it was possible for the committee to no longer review these types of requests.

Comment: Aria asks whether the board has the ability to add any conditions to the map waiver approvals and if not, asked: what the point was to hearing them.

Comment: Peter responded with some history on the subject within the board. Mentioned that there were scenarios related to equity that could play into the board's decisions.

Comment: Community member Pat Sexton felt that it would be foolish to give away the ability to provide feedback.

Comment: Melissa and others from the board challenged some of the examples given by Pat. Melissa explained that the board is very limited on design review requests and meaningful project design feedback because the project is permitted and in most cases, built by the time the MW is heard. No incentive for the developer to make the requested changes.

Comment: A community member (Maggie Roland) mentioned the long time issues that the board has had due to the way the law is written but did say that the process of input does get incorporated into the conditional approvals that are given by the planning commission.

Comment: A community member added that the community opinions that are shared during the map waiver process can still be incorporated in the final design either through a good faith effort or through planning commission recommendations.

Comment: A community member felt that the NPPC doesn't fight hard enough to represent the will of residents and should feel more empowered to push back.

Comment: Pat Sexton felt that the new community plan allowed too many projects to avoid coming before NPPC for input.

Board Discussion:

Peter: Feels that we should use discretion in making this decision

Tim: Thinks creating a change to the code that would require developers to seek input would be more prudent, but that it is not a great time to pursue this politically. Getting input from the city would be helpful. In the meantime, we should in the future push for a solution that will be win/win. No changes are needed at this point.

Jen: Sought clarification. Thinks we should still hear these to still have a voice.

Melissa: Gave history that the Planning Commission hasn't historically given weight to our input that was not related to the map waiver itself.

Aria: Supports keeping the input sessions and being more clear in our motions what we do and don't like so that Planning Commission knows what we would like.

Although no motion was made, there is a commitment by the committee that we will be more clear about what map waiver action items entitle us to do, and that we will provide more feedback into our future motions.

#### **IV. Unfinished, New Business & Future Agenda Items: None**

**V. Adjournment** 7:49 Motion to adjourn. **Taylor/Spencer** (5-0-0)

**Next Urban Design-Project Review Subcommittee meeting date: Monday, January 6, 2020 (NPPC is dark in December 2019)**

For information about the Urban Design-Project Review Subcommittee please visit [northparkplanning.org](http://northparkplanning.org) or contact the Chair, Melissa Stayner, at [urbandesign@northparkplanning.org](mailto:urbandesign@northparkplanning.org) or (949) 357-7688

*\* Subcommittee Membership & Quorum:* When all 15 elected NPPC Board Member seats are filled, the maximum total of seated (voting) UD-PR Subcommittee members is 13 (up to 7 elected NPPC Board Members and up to 6 seated North Park community members). To constitute a quorum, a majority of the seated UD-PR Subcommittee members must be elected NPPC Board Members.

*Community Voting Members:* North Park residents and business owners may gain UD-PR Subcommittee voting rights by becoming a General Member of the NPPC and by attending three UD-PR Subcommittee meetings. Please sign-in on the meeting attendance list and notify the Chair or Vice-Chair if you are attending to gain Subcommittee voting rights.

*North Park Planning Committee meetings are held on the second floor of the North Park Christian Fellowship (2901 North Park Way, 2<sup>nd</sup> Floor), on the third Tuesday of each month, at 6:30 pm. The next scheduled NPPC meeting is on November 19, 2019.*

*NPPC Agendas are posted in the North Park Main Street window at 3939 Iowa St #2.*

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