

Community Planners Committee

Planning Department • City of San Diego 9485
Aero Drive • San Diego, CA 92123
SDPlanninggroups@sandiego.gov • (619) 235-
5200

CPC DRAFT MINUTES FOR MEETING OF JUNE 28, 2022

MEMBERS PRESENT:

Julie Corrales, Barrio Logan (BL)	Kate Callen, North Park (NP)
Sally Small, Chollas Valley, (CVE)	Dike Anyiwo, Midway (MW)
Eric Edelman, Carmel Mtn. Rnch. (CMR)	Bill Crooks, Miramar Rnch. N. (MRN)
Brendan Sickler, City Heights (CH)	Brian Gile, Navajo (NAV)
Tom Silva, College Area (COL)	Andrea Schlageter, Ocean Beach (OB)
Nicholas Reed, Clairemont (CLMT)	Korla Eaquina, Peninsula (PEN)
Bob Link, Downtown, (DNTN)	Vicki Touchstone, Rancho Bernardo (RB)
Linda Kaufman, Eastern (EAS)	Randy Steffler, Rancho Penasquitos (RP)
Kathy Vendenheuval, Golden Hill (GH)	Victoria LaBruzzo, Scripps Ranch (SR)
Deborah Sharpe, Ken-Tal (KT)	Chris Rosemond, Serra Mesa (SM)
Diane Kane, La Jolla (LJ)	Myron Taylor, Southeastern (SE)
Howard Wayne, Linda Vista, (LV)	Eduardo Savigliano, Torrey Pines (TP) Roger
Jeff Stevens, Mira Mesa (MM)	Kavanaugh, University (UN)
	Matt Wahlstrom, Uptown (UT)

VOTING INELIGIBILITY/RECUSALS: Kearny Mesa, Skyline/Paradise Hills, and San Ysidro

City Staff/Representatives: Tony Kempton, Lara Gates

Guests: Alex Zukas, Helen Boyden

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/INTRODUCTIONS:

Acting Chair Nicholas Reed called the meeting to order at 6:00 pm. Roll Call: BL, CH, CMR, COL, CLMT, CVE, DNTN, EAS, GH, LJ, KT, LV, MM, MRN, NP, OB, PEN, RB, RP, SR, SE, SM, TP, UN and UT.

2. NON-AGENDA PUBLIC COMMENT:

Motion: Tom Silva motioned to table the appointment of chair to before non-agenda comment and table the May 24 minutes, as members did not receive. Jim Baross seconded. Ayes: BL, CMR, CVE, CH, CLMT, COL, DNTN, EAS, GH, KT, LJ, LV, MW, MM, MRN, NAV, NH, NP,

OB, PEN, RB, RP, SR, SE, SM, TP, UN and UT; Nays: 0; Abstain: 0. Motion passed.

Motion: Matt Wahlstrom motioned to include a discussion of CP 600-24 and CP 600-09 as an action item to the agenda. Howard Wayne seconded. Ayes: CMR, COL, DNTN, GH, KT, LJ, LV MM, MRN, NAV, NH, NP, OB, PEN, RB, RP, SR, SE, TP, UN and UT
Nays: BL, CH, CLMT, EAS, MW and SM. Abstain: 0. Motion passed.

Board Comment:

- No need to discuss as this will not be heard until September.
- Two-year hiatus from CPG still an issue.
- Staff said an action item added to the agenda would be a Brown Act conflict.
- Change discussion of CP 600-24 to an information item and discuss.
- Provisions exist in Brown Act for urgent matters to be added to agenda as action items.

Motion: Matt Wahlstrom moved to table discussion of CP 600-24 as an action item until July and discuss as information at tonight's meeting. Seconded by Deborah Sharpe. Chair said CPC would discuss after cannabis presentation. No vote taken.

Election of CPC officers: Jeff Stevens reported the results of the last meeting of a tie vote for Barry Schultz and Andrea Schlageter. Schultz subsequently recused. Approval of Andrea: Ayes: BL, CMR, CVE, CH, CLMT, COL, DNTN, EAS, GH, KT, LJ, LV, MW, MM, MRN, NAV, NH, NP, OB, PEN, RB, RP, SR, SM, SE, TP, UN and UT; Nays: 0; Abstain: 0.

Non-Agenda Public Comment:

- Student liaisons from Nazarene University have served on the PCPB CPG and were a valued asset.
- Request made to put CPC on agenda for F Street project.
- No parking requirements for ADU's outside of TPA's. Use of crow flies as measure of distance not practicable. No budget for upgrade of Super Loop until 2050. City out of compliance regarding TPA construction.
- State approved a 60-foot height within the Coastal Overlay. Would recommend CPC consideration.

SDMC CANNABIS CODE AMENDMENTS (ACTION ITEM):

(Lara Gates, Deputy Director, Cannabis Business Division, Development Services Department). SDMC Cannabis Code Amendments. Request a recommendation on the proposed code amendments related to council district redistricting impacts to cannabis CUP's, taxation and CUP abandonment process. Staff will also give an informational on the cannabis equity assessment process. The eight to two percent tax reduction. Gates asked the CPC to vote to approve four amendments to the City's Municipal Code including amending sections: 141.0504-reflection new redistricting boundaries; 126.0108-conditional use permit recission; 142.1504-tax payment responsibilities; 141.0504-CUP extensions.

California made adult use legal in 2016. California made adult use of cannabis legal in 2018. Four cannabis outlets are allowed in the nine Council Districts. But, due to re-districting Council District one will accommodate one additional outlet. Eight CUP's for cannabis facilities are currently dormant and not producing tax revenue, so Gates proposed rescinding those permits and closing a loophole that allows outlets to continue operating through CUP extensions. Results from the equity assessment will be provided to the state for a 5 million dollar-grant and to get the equity assessment to City Council.

Board Comment:

- Member requested information on other municipalities are doing. Presenter replied that she corresponds with Oakland, Sacramento and Los Angeles on their permitting issues for cannabis to achieve better tax liability compliance.
- Member requested clarification on individuals being shielded from tax responsibility through LLC designation. Presenter said this allows non-payment of taxes to add up quickly. There are five facilities currently in arrears.
- Member asked if there are other issues that were not brought up. Presenter said the issues identified are the top line issues. Rescinding a non-compliant CUP is a priority.

Public Comment:

- Guest concerned with cannabis being targeted toward minors. The cannabis industry has over-saturated the San Diego market. Member requested facilities be limited to thirty-six.
- Guest suggested strengthening the Municipal Code and maintain four facilities in the Council Districts.

Motion :

Jim Baross moved to approve the requested four actions in total. Eric Edelman seconded. Eduardo Savigliano moved to amend the motion to allow some of the tax revenue to be directed to special programs. Jim Baross seconded. Baross did not accept the amendment to the motion. Eduardo Savigliano amended his motion so that all tax revenues, not just a portion, go to special programs. Brenden Sickler seconded amended motion. Ayes: CMR, CH, CLMT, COL, DWNTN, UN, NAV, LV UN, NAV, SE and TP.

Nays: BL, CVE, EAS, GH KT, MW, MRN, MM, NH, NP, OB, PEN and RP, Abstain: LJ, RB, SRSM and UT. Motion denied.

Motion:

Tom Silva moved to approve original wording of staff's recommendation regarding tax responsibility spelled out. Nick Reed seconded. Ayes: CMR, CH, CLMT, CVE, COL, DWNTN, EAS, KT, LV, MW, MM, NAV, NH, NP, OB, PEN, RB, RP, SM, SE, UN, Nay: MRN, Abstain: BL, GH, LJ, TP, SR and UT. Motion passed.

Board Comment:

- Member mentioned LU&H meeting re: CP 600-24, 9. The issue is that the staff report indicates that operational changes for CPG's should consider designating renter seats on CPG's. Whether that can be done is being researched by the Deputy City Attorney. Howard Wayne had requested the Deputy City Attorney return to the CPC with their final disposition.
- Guest said renter is not one of the candidate criteria for membership to a CPG. This onerous requirement would only make it harder for public participation.
- Member contradicted rendition of earlier discussion of LU&H hearing.

Motion:

Matt Wahlstrom moved to follow through/resubmit letter of 06-10-22 to Council regarding opposing CPG reforms for deleting imposition of appeal fees and two-year break in service. Second by ____ Ayes: CMR, CVE, CH, COL, DWNTN, EAS, GH, KT, LJ, MM, NAV, NH, NP, OB, PEN, RB, RP, SR, SM, SE, UN and UT
Nays: LV, MW, MRN and TP. Motion passed.

Member Comment:

- Member supports the motion on the renter issue
- Member opposes proposed changes to CP 600-24
- Member said voting on this motion doesn't make sense
- Member requested subcommittee be formed to draft letter

REPORTS TO CPC:

- **Staff Report** – None
- **Chair's Report** – Chair said she was frustrated with current events but wants to lead CPC to engage with decision makers.
- **CPC Member Comment** – Member requested public comment be limited

ADJOURNMENT TO NEXT REGULAR MEETING: JULY 26, 2022:

The meeting was adjourned by Chair Andrea Schlageter at 8:45 PM.

Minutes prepared by Tony Kempton, Associate Planner, Planning Department.