



MINUTES
TORREY PINES COMMUNITY PLANNING BOARD
Thursday, March 11th, 2010

Del Mar Heights Multi-Use Room

Board Members Present: Dennis E. Ridz, Chair, dennisridz@hotmail.com, Kenneth Jenkins, Treasurer; Faye Detsky-Weil, Past Chair; Patti Ashton; Barbara Cerny; Michael Foster, Cathy Kenton; Dr. Norman Ratner, Noel Spaid, Pat Whitt, Greg Heinzeger, Carole Larson, Cliff Hanna.

CALL TO ORDER/INTRODUCTIONS 7:05 PM – Dennis E. Ridz, Chair

Dennis announced that officially the secretary is also the parliamentarian. In spite of this Michael Foster Offered to take minutes and continue in his role as ad hoc parliamentarian.

A. NON-AGENDA PUBLIC COMMENT –

- None

B. GENERAL ANNOUNCEMENTS & COMMENTS – Dennis E. Ridz

Board Resignations: Adam Gevanthor resigned from the PRC and Board effective February 12, 2010

C. MODIFICATIONS TO THE AGENDA – None. Carole Larsen moved to approve the agenda, the motion was seconded by Greg Heinzeger and the motion was unanimously approved.

D. REVIEW AND ACTION TO APPROVE FEBRUARY MINUTES

Motion by Patti Ashton to approve, seconded by Noel Spaid; motion unanimously approved.

E. REPORT BY TREASURER – Kenneth Jenkins. The current balance of the Board remains at \$19.75

F. CONSENT AGENDA ITEMS –

None

G. ANNOUNCEMENTS

San Diego Police Department – Officer Gaylon Sells – No report, next month the Police Department Captain will provide a report.

H. AGENDA ITEMS

ITEM 1 MEDICAL MARIJUANA DISPENSARIES – PLANNING BOARD INPUT WAS REQUESTED BY THE CITY

ITEM 1A PROCESS FOR DISPENSING COOPERATIVES AND COLLECTIVES:

Motion by Dennis Ridz, seconded by Noel Spaid: “The Torrey Pines Community Planning Board recommends that dispensing cooperatives and collectives must obtain a use permit through **Process Level 3** as described in Chapter 11 of the San Diego Municipal Code for dispensing cooperatives and collectives with less than 100 members and dispensing cooperatives and

collectives with more than 100 members must obtain a use permit through **Process level 4** as described in Chapter 11 of the San Diego Municipal Code. Furthermore, all existing dispensaries must comply the new ordinances.

Motion Passed; In favor; Dennis, Noel, Patti, Michael, Faye, Cliff, Barbara, Carol, Norm, Kenneth, Cathy; **Opposed** Greg and Patt.

ITEM 1B ZONING OF DISPENSING MEDICAL MARIJUANA COLLECTIVES AND COOPERATIVES. Motion from Dennis, seconded by Patti: "The Torrey Pines Community Planning Board recommends that dispensing cooperatives and collectives be allowed to locate **ONLY** in the following zones under the City of San Diego Municipal Code: **Industrial –Park (IP), Industrial –Light (IL) and Industrial – Heavy (IH).**"

Motion Failed: In favor; Dennis, Patti, Kenneth, Cathy, Carole. **Opposed;** Michael, Greg, Patt, Noel, Cliff, Norm, Faye, Barbara.

ITEM 1B ALTERNATIVE: ZONING OF DISPENSING MEDICAL MARIJUANA COLLECTIVES AND COOPERATIVES. Motion from Noel, seconded by Greg: "The Torrey Pines Community Planning Board recommends adoption of the City proposed zoning for medical marijuana collectives and cooperatives."

Motion Passed (7-6): In favor; Barbara, Patti, Kenneth, Noel, Cliff, Norman, Greg. **Opposed;** Michael, Faye, Cathy, Dennis, Pat and Carole.

ITEM 1C DISTANCE REQUIREMENTS TO BE PLACED ON DISPENSING MEDICAL MARIJUANA COLLECTIVES AND COOPERATIVE. Motion from Dennis, seconded by Cliff: "Possible Motion: The Torrey Pines Community Planning Board recommends that dispensing cooperatives and collectives within the Torrey Pines Community shall not be located within a 1,000 foot radius of schools, playgrounds, libraries, licensed child care facilities, licensed youth facilities, including but not limited to youth hostels, youth camps, youth clubs, etc., **public parks and places of religious worship.** Furthermore, dispensing cooperatives and collectives within the Torrey Pines Community shall not be located within **1,000-foot radius** of other dispensing cooperatives and collectives.

Motion Passed: In favor; Dennis, Patti, Michael, Faye, Cliff, Barbara, Carol, Norm, Kenneth, Cathy, Greg, Patt; **Opposed,** Noel.

ITEM 1D NOT FOR PROFIT OPERATION REQUIREMENTS TO BE PLACED ON MARIJUANA COLLECTIVES AND COOPERATIVES. Motion from Dennis, seconded by Kathy: "The Torrey Pines Community Planning Board recommends that the City require dispensing collectives and cooperatives to submit, as part of their application for a conditional use permit (CUP), evidence that they are incorporated as statutory cooperatives or bona fide nonprofit corporations. Furthermore, as part of the City application process, the San Diego City Police Department or similar agency should perform a Criminal Background Check. Said background check(s) should include all principals, owners or financial backers, and employees of dispensing collectives and cooperatives"

Motion Passed: In favor; Dennis, Patti, Noel, Faye, Cliff, Barbara, Carol, Norm, Kenneth, Cathy, Greg,

Patt; **Opposed**, Michael.

ITEM 1E FISCAL CONSIDERATIONS FOR DISPENSING MEDICAL MARIJUANA COLLECTIVES AND COOPERATIVE. Possible Motion **Withdrawn**

ITEM 1F SECURITY REQUIREMENTS TO BE PLACED ON DISPENSING MEDICAL MARIJUANA COLLECTIVES AND COOPERATIVE. Motion from Dennis, seconded by Noel: "The Torrey Pines Community Planning Board recommends that the City of San Diego require medical marijuana cooperatives and collectives to have adequate and operable security systems that include security cameras and alarms and must have a licensed security guard to be present at all times during business hours."

Motion Passed: In favor; Dennis, Patti, Noel, Faye, Barbara, Carol, Norm, Kenneth, Cathy, Patt; **Opposed**, Greg and Michael.

ITEM 1G SETBACK DISTANCES FROM RESIDENTIAL PROPERTY: Motion from Kathy, seconded by Kenneth: "The Torrey Pines Community Planning Board recommends that the City of San Diego require medical marijuana cooperatives and collectives not be located within 1000 ft of residential property lines."

Motion Passed (6-5): In favor; Faye, Cathy, Carol, Michael, Kenneth, Pat; **Opposed**, Norm, Noel, Greg, Patti and Dennis.

ITEM 1H OPERATING HOURS FOR DISPENSING MEDICAL MARIJUANA COLLECTIVES AND COOPERATIVE. Motion from Carole, seconded by Pat: "The Torrey Pines Community Planning Board recommends that the City of San Diego require medical marijuana cooperatives and collectives to have operating hours consistent with businesses in the same area."

Motion Failed (1-11): In favor; Carole **Opposed**, Dennis, Patti, Noel, Faye, Barbara, Norm, Kenneth, Cathy, Pat; Greg and Michael.

ITEM 2 RESULTS OF BOARD ELECTIONS: The successful candidates were:

Richard Caterina and Bob Shopes - Community Area 1 - 3 year term

Patti Ashton, Chris Cooper, and Roy Davis - Community Area 2 - 3 year term

Cliff Hanna and Cathy Kenton - Community Area 3 - 3 year term

Michael Yanicelli and Nancy Moon - have been appointed to serve a one year term to fill out the two open Board positions in community area 3. In April 2011, they can run for election in their actual community area.

I. INFORMATION UPDATES (As Available)

San Diego Police Department – Officer Gaylon Sells – No report
City Planning and Community Investment Department - Lesley Henegar – No report
City Council District 1, Council Member Lightner Representative – Report by M. Kantner
Mayor Sanders’ Office - Stephen Lew – No report
County Supervisor Pam Slater-Price’s Office - – Report by Jill Monroe
State Senator Kehoe’s 39th Senate District Office - Andrew Kennerly – No report
Congress member Brian Bilbray’s District Office - Marc Schaefer – No report
State Assembly Member Nathan Fletcher’s Office – Oscar Urteaga – No report

J. INFORMATION REPORTS (As available, maximum 5 min)

County Service Agency 17 Representative – Barbara Cerny – No report
Del Mar Heights Road Improvements – Carole Larson– No report
Del Mar Terrace Maintenance Assessment District (MAD) – – No report
Parks & Recreation – Faye Detsky-Weil– No report
Pedestrian & School Safety – Faye Detsky-Weil– No report
San Dieguito River Valley Conservancy – Pat Whitt– No report
Telecommunications – Greg Heinzinger– No report
Transportation Committee – – No report
Web Site – Carole Larson– No report

K. Old Business – None

L. NON-AGENDA ITEMS CONSTITUTING NEW OR FUTURE BUSINESS: The Chairman thanked the retiring board members for their service; Pat, Carole, Faye and Barbara.

M. ADJOURNMENT AT 9:15 PM Motion by Cathy, seconded by Faye, approved unanimously **(Meeting may be extended for unfinished business with Board approval)**