



Torrey Pines Community Planning Board
14151 Boquita Drive, Del Mar, CA 92014
www.torreypinescommunity.org

Torrey Pines Project Review Committee (PRC)

Thursday, April 4, 2013 at 7:00 PM

Del Mar Hills Academy – Room 7

14085 Mango Drive, Del Mar, CA 92014

BOARD MEMBERS IN ATTENDANCE: Dennis E. Ridz, Chair, dennisridz@hotmail.com ; Patti Ashton; Richard Caterina; Rick Jack; Dee Rich; Pat Whitt.
Project Review Public members: Diana Scheffler; Dan Jensvold.

CALL TO ORDER/INTRODUCTIONS – Dennis E. Ridz, Chair called meeting to order 715 PM

A. NON-AGENDA PUBLIC COMMENT – None

B. GENERAL ANNOUNCEMENTS & COMMENTS – Dennis E. Ridz, Chair PRC

Pinar Place Vacation – Right-of-Way (ROW) project 294358

- Sherri Lightner staff contacted city attorney who cannot opine to a Board. There cannot be a deed restriction. New owners could place own deed restriction but thought to be unlikely.
- Why can City not sell the ROW? City thinks they got land free in July 5, 1887; in which case they cannot charge for it.
- Mr Ridz asked City's John Fisher for document that Mr Nigam et al. do not have to attend the next TPCPB meeting.
- To be continued at the next TPCPB meeting.

C. PRC AGENDA ITEMS

ITEM 1: DISCUSSION/ Action Item: Caltrans Sorrento Valley Notice of Preparation
Response due April 19th

- Ridz: When Caltrans built the 5/805 bypass they blocked a stream. Result was that floors popped, intersection trashed on Industrial Ct site. Buildings are unusable. Caltrans does not know if they can fix it. Caltrans has now put out an NOP. Is property worth saving?
- Scheffler: Is it worth saving? The tower is already designated (eligible).
- Jensvold: What are the NOP options?
- Ridz: Selling with historic property conveyance; w/o conveyance; nothing
- Jensvold: The tower is one of the original buildings and the only building in our jurisdiction that has some architectural style.
- Scheffler: Buyer should maintain it. Shae Lynn Harrison said that these are not the ONLY alternatives for the buildings to put into the DEIR.
- Jensvold: Recommends saving the tower.
- Ridz: PRC agrees "Sell with a historic conveyance" with "harmonious integration".

ITEM 2: DISCUSSION/Action Item: Mayor's proposed Map for Medical Marijuana Dispensaries within Torrey Pines and Carmel Valley (Flower Hill Mall) –City Council City Council meeting April 22nd – Council President Pro-tem request.

- Judi Strang of San Dieguito Program for Drug Free Youth. More kids use marijuana than tobacco over a 30 d period in the area. Presented a document addressed to TPCPB PRC and the original 2008 guidelines from the State Atty Genl (then Jerry Brown). Mentioned that data exist to support that youth use of marijuana shows a 40% increase in recent years).
- Tom Hetherington: Carmel Valley resident with children. His concern is the perception that storefronts in the eyes of young people that it is permissible. Small signage is not a deterrent. Majority of customers are young implying that they are not chronically ill persons. Lots of things bother him. Recommendation(in lieu of a prescription) can be continually refilled allowing continued accumulation of product for potential re-sale City regulations are not sufficient.
- PB representatives:
Marcie Beckett: Parent of 2 teens. Concerns based on “Mota Magazine”. “Reader” ads – 7 glossy pages of marijuana dispensary and local delivery services per week. Local 9th grader with used vials – and all the kids are using medical marijuana.Danger for kids is her concern. Marijuana can be recommended for almost anything. Shops are a scam. We do not have to allow them.
- Scott Chipman:
Paraphernalia stores are illegal. Pot shops are targeting kids. Will get kids addicted. Addiction rates lower for users >22 yo. Marijuana use opposed by many medical groups and ALA, AMA, Addiction Medicine, NIH, NEI,... Marijuana lowers IQ, coordination. Clear that this is recreational use by young users.
- Mr Ridz believes that there is a need for medical marijuana for some people. How do we allow them to get what they need?
- Chipman: <3% need. Opposed to retail storefront shops that are profit-driven. Follow state rules of closed-system.
- Beckett: Don't have store fronts; use delivery services (>100 in San Diego as of 6/2012)
- Hetherington: Delivery services get robbed.
- Caterina: How do patients that need it get it?
- Hetherington: They can get caregivers and legitimate growers and suppliers.
- Strang: FDA is developing Sativex (approved in Europe).
- Caterina: Synthetics are less effective for pain relief and appetite enhancement.
- Jensvold: How to distribute marijuana in a non-profit manner?
- Chipman: All storefronts are for profit.
- Rich: Great information. How have we gone from a minor # of pot shops to such a huge number, potentially?
- Strang: Mayor Filner met with Americans for Safe Access – without input from public health, parents, planning groups, anyone at the community level.
- Rich: How does it go back to being medical marijuana?
- Hetherington: Stop storefronts. Allow delivery.

- Chipman: All storefronts are illegal. No tax certificates; no licenses, etc. Street marijuana may be the same as medical marijuana. Pesticides, etc.
- Hetherington: No control over dosage.
- Chipman: Ruining the forests for marijuana farms
- Ridz: City Council Medical Marijuana task force. The TPCPB's noted restrictions. City withdrew plan so it would not have to go on ballot. Concern about locations now approved – no more restrictions on closeness to churches, etc.
- Chipman: Pot shops reduce business.
- Ridz: Donahue Schreiber will not respond to TPCPB but they will not lease or sublease.
- Beckett: PB landlords were happy to rent – one year rent up front.
- Ridz: Shops making \$25K per week; guns for security common.
- Hetherington: Rent under a false pretense. Cannot rely on tenants.
- Whitt: Illegal and still does not fit in the neighborhood.
- Chipman: US District Atty L Duffy – going after the dispensary trade. IRS taxes on gross. If filing.
- Rich: Concerned that if we say no we will see proliferation. At the same time would like to say no. School district took a strong stand. How can we be heard?
- Ridz: Churches and libraries are a no-go.
- Chipman: Write an ordinance to make it non-profit. Esp when fee is \$5K making \$10K per day...
- Ridz: Need for indemnification. Process 4 to a Process 2. We are not allowed to do something illegal so if we do approve, have we lost our indemnification?
- Chipman: All tax money would have to be forfeited to Feds.
- Strang: This is against the spirit of Law 215.
- Ridz: Not going to help their military fitness. Court martialled.
- Ridz: Put on your thinking caps.
- Beckett: City Councillors are looking for cover – e.g., Community Boards. One approach.
- Ridz: If you can control this,
- Chipman: Cannot get federal non-profit approval. Source? Who selling to? Account for all product.
- Beckett: Restrict to industrial areas and limit to one per council district.
- Jensvold: Not prohibitionist. Limit the outlets. Make that is non-profit
- Hetherington: Where would you put it? DR: Industry zone
- Chipman: Need a law is made non-profit, demand audit and get cost-recovery. Source of product – do not want to support Mexican drug cartels.
- Ridz: Fewer shops easier to control. First come first serve. Need to see nonprofit organization. Board would discuss.
- Rich: Want to limit to industrial – not in commercial areas.
- Jensvold: First plan had some good points.
- Whitt: How can Board discuss something that is illegal
- Jensvold: This is a land-use issue.
- Rich: Really good point by DR. Given
- Chipman: How do you ensure that product only goes to seriously ill people? Must register physician's recommendation.
- Should go to CPC after 22/4/13 informational session.

Discussion closed.

Meeting adjourned at 857 – motion by Patty Ashton; seconded by Rick Jack.