

1. **General Plan Update; Planning Commission recommendation on Draft Text, Land Use Maps, Road Network, Community Plans, Implementation Plan and Conservation Subdivision Program (Muto) Continued from the meeting of December 4, 2009**

This is a continuation of the General Plan Update hearings held on November 6, 19, and 20, and December 4, 2009. The purpose of this hearing is to continue discussions and to receive recommendations on various specific issues identified during the previous hearings related to the General Plan Update and its various project components such as the draft General Plan text, land use maps, Mobility Element road network, draft community plans, draft Implementation Plan and Conservation Subdivision Program. A partial lists of issues includes: the Conservation Subdivision Program, comments on the Draft Environmental Impact Report, equity mechanisms, economic impacts of the plan, the pipelining policy for development projects, general plan amendments following the General Plan Update, and population forecasts. A complete list of issues identified by the Planning Commission for follow up and supporting discussions are provided on the following pages.

The General Plan Update is a comprehensive update of the San Diego County General Plan, establishing the future growth and development patterns and policies for the unincorporated areas of the County. The General Plan Update would improve land use and protect the environment better than the current 1980's era General Plan, partly by focusing the majority of projected growth to western unincorporated communities with established infrastructure. The proposed plan would also balance growth with the needs to control traffic congestion, protect the environment and ease the strain on essential services such as water and fire protection.

General Plan Update Project Schedule

As stated above, the purpose of this hearing is to address specific issues that the Planning Commission identified for discussion. A final recommendation on the complete General Plan Update from the Planning Commission is not anticipated for this hearing, although recommendations on specific issues are likely. DPLU is targeting the April 16, 2010 hearing to obtain a final recommendation from the Planning Commission on the General Plan Update document, maps, Community Plans updates, Implementation Plan, Conservation Subdivision Program, and Environmental Impact Report. A draft final Environmental Impact Report including draft responses to comments will be available prior to the April hearing.

DPLU is also preparing an amendment to the Zoning Ordinance for consistency with the General Plan Update. Public review of this update is anticipated for April/May 2010 and Planning Commission hearings would follow.

After a Planning Commission recommendation is obtained on the Zoning Ordinance amendment, all components of the General Plan Update would be presented together to the Board of Supervisors for consideration. In accordance with the project schedule, this will occur no later than the Fall of 2010.

Issue Fact Sheets

For the majority of issues identified for follow up by the Planning Commission, staff has prepared issue specific fact sheets. The following issues are addressed in fact sheets included with this report, included as Attachment A:

1. Pipelining Policy
2. Forest Conservation Initiative
3. Population Projections
4. I-15 Corridor Build-out
5. Equity Mechanisms
6. Williamson Act Lands
7. Farm Bureau Issues
8. Permissive versus Restrictive Language
9. Alternative Wastewater (Septic) Systems
10. Village Core Mixed Use Designation
11. Conservation Subdivision Program
12. Future Process for General Plan Amendments
13. Tracking General Plan Implementation

Community/Mapping Issues Report

Following the attached fact sheets a report is provided on the status of continued mapping efforts by DPLU. Some of these efforts are in response to Planning Commission direction and some include continued refinements to the mapping based on community and other stakeholder input.

Responses to Comments on the Draft Environmental Impact Report

The Draft EIR of the General Plan Update was made available for public review from July 1, 2009 to August 31, 2009. Approximately 135 comment letters were received during the public review period. All comment letters received during the public review period are posted on the project website. Several more were received after the deadline, some of which are also posted to the website. Since the close of the public review period, DPLU has been evaluating the comments received and preparing written responses. Where necessary, revisions to the Draft EIR are also being made. While staff anticipates that a number of revisions will be required, no substantial modifications or significant changes have arisen.

Release of the responses to comments are not required until 10 days prior to certification of the EIR by the Board of Supervisors. DPLU plans to release the draft written responses well in advance of the Board of Supervisors hearings. Currently, release of the responses is anticipated for April 2010.

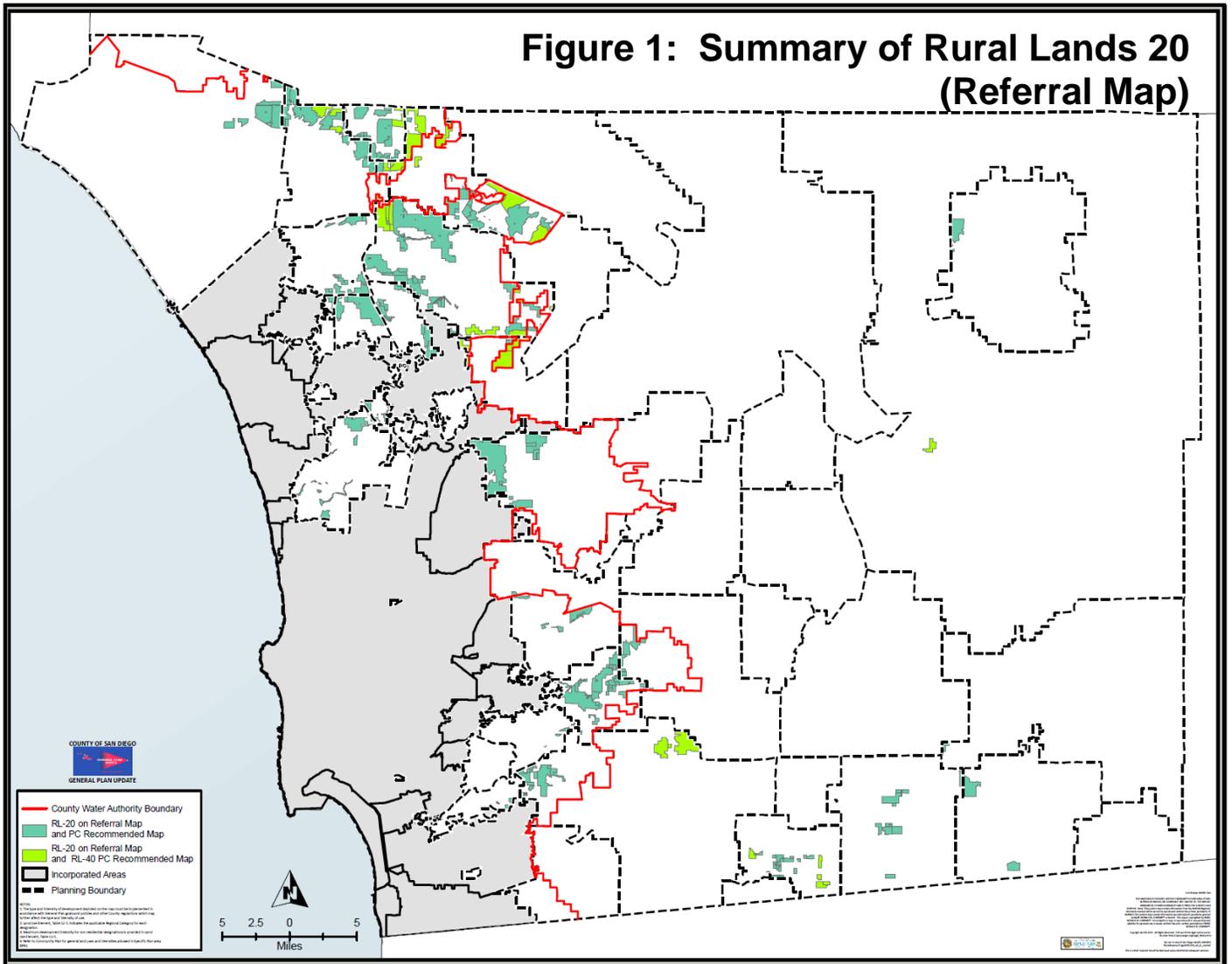
At this time, staff has evaluated all comments and can verbally respond to them. DPLU staff has been meeting with various commenters and refining responses as necessary. Some of the issues raised by comments are covered by the issues in the report and attached fact sheets.

Summary of Referral Map RL-20 Areas with Lower Densities Tentatively Recommended by the Planning Commission

At the December 4, 2009 hearing, staff was requested to summarize the amount of land proposed for Rural Lands 20 on the Referral Map that are being recommended for lower densities in the Planning Commission Tentatively Recommended map. Those calculations are summarized in the table below, as well as graphically shown on Figure 1, located on Page 4. The Referral Map contains approximately 75,709 acres of land proposed for Rural Lands 20 (1 dwelling unit per 20 acres). The Planning Commission Tentatively Recommended Map would result in the lower density of Rural Lands 40 (1 dwelling unit per 40 acres) on approximately 15,965 acres of those 75,709 acres of land.

| Designation on PC Recommendation | Acres | Percent |
|---|--------------|----------------|
| Rural Lands 20 | 58,494 | 77% |
| Rural Lands 40 | 15,965 | 21% |
| Misc.* | 1,250 | 2% |
| Total | 75,709 | |

*Public Lands, Open Space or Other Designation



Attachments

- A Fact Sheets
- B Community Issues/Mapping Report

Attachment A

Fact Sheets



BACKGROUND

On August 6, 2003, the County of San Diego Board of Supervisors took the following action related to the General Plan Update:

Determined that applications for new Plan Amendment Authorizations or new Specific Plans must be submitted and deemed complete by the Department of Planning and Land Use on or before August 6, 2003, in order to be processed under the provisions of the current General Plan. Applications for Specific Plans submitted after August 6, 2003, shall be governed by the General Plan in effect at the time the Specific Plan is approved.

Determined that applications for Tentative Maps or Tentative Parcel Maps that are submitted and deemed complete by the Department of Planning and Land Use on or before August 6, 2003, will be processed under the provisions of the current General Plan. Applications for Tentative Maps or Tentative Parcel Maps that are deemed complete after August 6, 2003, shall be governed by the General Plan in effect at the time the Tentative Map or Tentative Parcel Map is approved or disapproved.

The Statement of Proceedings is available online: <http://www.sdcounty.ca.gov/dplu/docs/080603sop.doc>

POTENTIAL IMPACT TO PENDING DISCRETIONARY ACTIONS

Projects that were not deemed complete prior to August 6, 2003 or were submitted for processing after August 6, 2003 and have not received their tentative map approval prior to the GP Update adoption will be subject to the GP Update maps and policies which may change the density on a property. **As a result, if a project is not approved prior the GP Update being adopted by the Board or pipelined and does not meet GP Update densities, the project cannot legally be approved.** The County recommends that if a project is in this category that the project's conformance with the draft GP Update be evaluated and consideration be given to any measures that can be taken to assure that the project can be completed before adoption of the GP Update.

NOTIFICATION TO PENDING PROJECTS

The Board's Pipeline Policy has been widely publicized and made available to any interested parties since its inception. All projects in process with the Department of Planning and Land Use have been notified of the policy multiple times, especially those that are anticipated to be negatively impacts. DPLU now includes notification to every projects at time of application that the General Plan Update is in process and brings potential consequences. Additionally, in December 2009, all projects in process with DPLU were again provided notice of the possible impacts of the GP Update, the Pipeline Policy, and the intended completion of the GP Update by Fall 2010.

SUBDIVISIONS

The Board action states that TM and TPM applications that are deemed complete by August 6, 2003 will be subject to the existing General Plan maps and policies and may continue to rely on the existing General Plan after GP Update adoption. Projects which have been deemed complete must have documentation from DPLU recognizing their pipelined status.

TMs and TPMs that were not in the pipeline and have not yet received approval by the time the GP Update is adopted will be subject to the GP Update. Adoption of the GP Update will not affect the approval of Final Maps or Parcel Maps as long as the associated TM or TPM was approved prior to the GP Update.

DPLU currently estimates the following total for projects in process that may be inconsistent with the GP Update:

- | | |
|-----------------------|------------------------------|
| Tentative Maps | Tentative Parcel Maps |
| • 13 pipelined | • 6 pipelined |
| • 22 non-pipelined | • 35 non-pipelined |

GENERAL PLAN AMENDMENTS

Plan Amendment Authorizations (PAA) initiate the General Plan Amendment process. GPAs with pipelined PAAs, and any associated approvals that are processed concurrently with the GPA, will be processed under the provisions of the current General Plan. If the GPA is approved prior to adoption of the GP Update, the draft GP Update will be revised by staff to reflect

FACT SHEET

PIPELINE POLICY

GENERAL PLAN UPDATE INFORMATION

Website: www.sdcounty.ca.gov/dplu/gpupdate

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the GPA. If the GP Update is adopted first, the GPA must contain any necessary revisions to the GP Update to address potential inconsistencies.

DPLU currently estimates that 15 pipeline GPA projects are in process. Of those 15 projects, 8 are considered possibly inconsistent with the GP Update Land Use Map. There are an additional 6 GPA projects in process that are not pipelined and possibly inconsistent with the GP Update Land Use Map.

SPECIFIC PLANS

Most pipelined Specific Plan applications are being processed concurrently with pipelined GPAs and/or TMs and will be treated in a similar

manner. All non-pipelined Specific Plans will be governed by the General Plan in effect at the time the Specific Plan is approved.

MORE INFORMATION

Public hearings on the GP Update before the County Planning Commission are underway. The GP Update will be brought to the Board of Supervisors no later than the fall of 2010. Questions regarding whether a project is pipelined and its relationship to the GP Update should be directed to the DPLU project manager assigned to the project. Information on the GP Update can be obtained on the DPLU website at: <http://www.sdcountry.ca.gov/dplu/index.html>.



FACT SHEET

FOREST CONSERVATION INITIATIVE

GENERAL PLAN UPDATE INFORMATION

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BACKGROUND

The Forest Conservation Initiative (FCI) is a voter approved initiative enacted in 1993 that assigns a density of one dwelling unit per 40 acres to lands within the Cleveland National Forest Boundary, but outside of existing Country Towns. This initiative affects approximately 70,000 acres of private property within the Cleveland National Forest Boundary, the majority of which is in the Central Mountain, Palomar Mountain and Alpine Community Planning Areas, but also includes lands in Mountain Empire, North Mountain, Ramona and Jamul – Dulzura. The FCI expires on December 31, 2010 at which time the land uses revert back to the land use designations applied prior to adoption of the FCI.

RELATIONSHIP TO GENERAL PLAN UPDATE

General Plan land use designations cannot legally be changed for FCI lands until the FCI expires on December 31, 2010. Therefore, the General Plan Update does not propose changes to FCI lands. The initiative mandates for certain General Plan policies related to FCI lands, as well as density and lot size restrictions, that would remain in effect following the adoption of the General Plan Update until the Initiative expires. Therefore, the FCI is included as an appendix to the draft General Plan and is discussed in the draft Land Use Element.

While some have recommended that redesignation of FCI lands be considered as part of the General Plan Update, because the General Plan Update is expected for approval prior to the FCI expiration, the timing is not appropriate. Additionally, significant planning work and community coordination remains to prepare recommended redesignations. Furthermore, the General Plan Update Draft Environmental Impact Report did not include consideration of specific redesignations for FCI lands; and therefore, additional environmental review is still necessary. For these reasons, it is not feasible to include redesignations of FCI lands with the GP Update without additional time and costs.

FCI GENERAL PLAN AMENDMENT

In order to avoid confusion during the period after expiration of the FCI, DPLU has initiated preparation of a General Plan Amendment. The FCI General Plan Amendment would be presented to the Board of Supervisors in early 2011. The amendment is anticipated to remove those parts of the General Plan Update that refer to the FCI and propose redesignation of FCI lands using the

General Plan Update designations and policies. In many cases, it is anticipated that the General Plan Update designation of Rural Lands 40 (equivalent to the FCI designation) would be proposed. However, there are also various areas where different designations are appropriate to recognize existing parcelization or to allow for some reasonable residential or commercial growth where appropriate.

Initial work for this amendment has been undertaken in three communities -Alpine, Descanso and Palomar Mountain - which have residential and commercial areas that were affected by the FCI.

SCHEDULE

The schedule for completing the FCI General Plan Amendment is largely dependent on the General Plan Update. DPLU is already working with community planning groups to develop the proposed Amendment. However, formal public review of the amendment would not be appropriate until the General Plan Update is adopted. The Amendment must then be presented to the Planning Commission for recommendation and the Board of Supervisors for approval. These hearings are expected to occur in early 2011.

MORE INFORMATION

Progress on the GP Update can be monitored on the DPLU website at: <http://www.sdcounty.ca.gov/dplu/index.html>. This website will also be used to provide any updates on significant milestones for the FCI amendment. For more detailed information, contact DPLU staff or the appropriate community planning or sponsor group.



FACT SHEET

POPULATION FORECASTS

GENERAL PLAN UPDATE INFORMATION

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BACKGROUND

The County of San Diego, similar to most jurisdictions, uses population projections/forecasts as a way to quantify future growth, analyze impacts to infrastructure, and compare alternatives as they are developed. Population forecasts are typically developed from models that account for numerous variables including land use data, demographic, and economics. There has been continued confusion with the population numbers and forecasts used for the County's General Plan Update including the purpose of population targets and estimates, State and housing element requirements relating to population, and relevance of SANDAG forecasts.

COUNTY GENERAL PLAN UPDATE POPULATION MODELING

In order to project future population and its impacts, the County of San Diego developed a population model associated with the General Plan Update to estimate future homes, and therefore impacts to infrastructure and services. Another use for this population model is to compare which alternatives would result in a greater or smaller population impact. The County model was based on the SANDAG population model; however, by developing a separate model, the County was able to incorporate additional data available for the unincorporated lands and run estimates at will, which was useful for scenario planning.

The main inputs into the population model are the General Plan Update land uses and 23 constraints that include built lands, floodplains, wetlands, public lands, groundwater and fault zones. The population model uses this information to come up with an estimated possible number of future housing units. This information is converted to population using persons per household and vacancy rate information provided by SANDAG, and added to the existing population and group quarters populations to come up with the estimated population at build out or capacity for the scenario being evaluated.

In order to maintain continuity in the different scenarios modeled during the life of the project, the County has applied the same persons per household and vacancy rate assumptions to all estimates. This has resulted in a deviation from the SANDAG models which change these assumptions with each version of the model. Also, another important difference between the two models is that the

County's model provides a build-out estimate while the SANDAG forecasts are for specific years such as 2030.

COUNTY POPULATION TARGETS

Early in the General Plan Update process, the Board of Supervisors directed staff to work with the Community Planning and Sponsor Groups to develop population recommendations for each individual community. This population target for the entire unincorporated community was 662,529.

The next step was to develop land use maps based on this target and the guiding principles of the General Plan Update. This step resulted in a working map estimated to support a population of 678,500 that was endorsed by the Board of Supervisors in 2003 as the direction for the General Plan Update.

At both of these milestones, the Board endorsed population numbers were forwarded to SANDAG for use in their population forecasts. In fact, since inception of the General Plan Update, County and SANDAG staff have closely coordinated to ensure that the SANDAG forecasts used General Plan Update maps and that the two remain consistent (which they have).

Throughout the development of the General Plan Update the overall population estimates from the land use alternatives have remained close to the original population recommendations, even if some communities are above or below the original community recommendations.

STATE AND HOUSING ELEMENT REQUIREMENTS

Aside from the very general recommendations, there is no population target mandated by the State of California or SANDAG for any city or county, and the General Plan Update remains in line with regional and statewide planning efforts.

The Housing Element is a unique part of the General Plan, regulated by State law more than any other general plan element and is certified by the State Department of Housing and Community Development. A Housing Element is updated in cycles (previously every five years and now every eight) and in its requirements a jurisdiction must show that it has a certain amount of land available

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for housing development within the cycle. This is called the Regional Housing Needs Assessment.

For the General Plan Update, the Regional Housing Needs Assessment process began with the number of housing units needed for the 2005 – 2010 housing cycle, a total of 107,301 units. Of this number, 12,358 units were assigned to the County of San Diego, divided between low, very low, moderate and above moderate income groups. Information about this agreement is available from SANDAG at

http://www.sandag.org/uploads/publicationid/publicationid_1131_4555.pdf

Using this number, the County of San Diego developed the Housing Element’s inventory of vacant and residential sites, looking at all vacant and underutilized residential parcels, as well as building permit information on what was built in the cycle. The inventory shows that there is enough residential land with the General Plan Update to meet this requirement. This information is in the [Housing Element Background Report](#), available on the General Plan Update website, and a summary table is provided below.

California Housing Element Law can be found in the Government Code 65580.

SANDAG POPULATION MODELING

SANDAG maintains a population model for the San Diego region, used for regional planning in conjunction with the Regional Comprehensive and Transportation Plans. Emphasis has been placed on Series 11 SANDAG Population Forecast from 2004 which predicts a population of 723,392 people for the County in 2030, substantially higher

than the County’s population capacity estimate for the General Plan Update. However, two key facts should be considered in any comparison. First, SANDAG used the General Plan Update land use map in the Series 11 as the basis for maximum possible growth in the unincorporated area. Second, the future units that SANDAG was projecting were actually about 3,000 less than the estimated capacity in the County’s model. The main difference in the population numbers were the assumptions that SANDAG was using compared to those that the County estimates were based on.

SANDAG has now released preliminary results from the Series 12 2050 Forecast which have also been based on the General Plan Update maps. They estimate that the unincorporated County of San Diego will grow to a population of 616,820 by 2030 and 694,464 by 2050. This is a significant reduction from the previous 2030 forecast of 723,392. The reduction is a result of the cities within the region planning for more growth which decreases pressures on the unincorporated area.

This information reaffirms the County of San Diego’s population modeling and the appropriateness of the General Plan Update capacity within the regional context. In fact, when using SANDAG assumptions to adjust the capacity estimate for the land use map tentatively recommended by the Planning Commission in December 2009, the numbers reveal that the capacity of the General Plan Update remains above SANDAG forecasts.

A table below provides a summary of various population estimates and forecasts that have been developed during the General Plan Process.

| | Very Low | Low | Moderate | Above Moderate | Total |
|-------------|----------|-------|----------|----------------|---------|
| RHNA | 2,476 | 1,881 | 2,336 | 5,666 | 12,358 |
| (Built) | 175 | 467 | 919 | 8,491 | 10,052 |
| (Inventory) | 2,368 | 1,802 | 1,553 | -- | 6,250 |
| Excess | (67) | (592) | (253) | (2,825) | (3,737) |

*Summary of Table 5-3 and 5-7 in Housing Element Background Report

| Forecast | Homes | Pop |
|---|---------|---------|
| GP Update Original Target | | 660,000 |
| GP Update 2002 Working Map | 238,470 | 678,500 |
| SANDAG series 10 2030 Forecast | 236,900 | 682,800 |
| SANDAG Series 11 2030 Forecast | 235,861 | 723,392 |
| SANDAG Series 12 2030 Forecast | 202,882 | 616,820 |
| SANDAG Series 12 2050 Forecast | 222,890 | 694,464 |
| GP Update PC Tent. Recommendation (w/ SANDAG Assumptions) | 231,539 | 717,213 |



BACKGROUND

Interstate 15 is a critical southern California transportation link and passes through several unincorporated communities in the north County region. The unincorporated communities affected are Rainbow, Fallbrook, Bonsall, Valley Canter, Pala/Pauma and North County Metropolitan, which have a combined existing population of approximately 122,000 persons. Additionally, the Cities of Poway and Escondido are located along the corridor, and the communities of Rancho Bernardo and Carmel Mountain Ranch are also located to the south. There is substantial growth planned along this corridor under the General Plan Update, and there is also additional potential growth above the General Plan Update in several privately initiated discretionary projects being processed by the County of San Diego for consideration.

GP UPDATE POPULATION GROWTH

The six unincorporated communities listed are all expected to experience significant growth under the General Plan Update. However, some of the communities cover large areas and not all of the growth will be close to Interstate 15. A study area was chosen for purposes of this fact sheet encompassing those areas within one mile on the east and west side of I-15, shown in Figure 1. This area was estimated to have an existing population of about 20,000, with 3,524 future units modeled under the General Plan Update’s Planning Commission Tentative Land Use Map. Using assumptions from SANDAG, the County estimates that these future units could accommodate approximately 9,824 people for a population of 29,824 at build out of the General Plan Update.

The Land Uses Planned under the General Plan Update is shown in Table 1: for the Planning Commission Tentative Recommendation.

| Table 1: Planning Commission Tentative Recommendation | | |
|---|---------------|-------------|
| Designation | Acres | Percent |
| Village Residential | 530 | 2.1% |
| Specific Plan | 2,185 | 8.6% |
| Semi-Rural Residential | 11,120 | 43.9% |
| Rural Residential | 8,165 | 32.2% |
| Commercial / Industrial | 482 | 1.9% |
| Public | 2,865 | 11.3% |
| Total | 25,347 | 100% |

EXISTING GENERAL PLAN POPULATION GROWTH

For comparison, the Existing General Plan would allow an additional 4,979 units in the Interstate 15 study area, with an additional population of 13,808. The total population at build-out of the existing General Plan would be approximately 33,808, and would also likely be increased by the Cumulative Projects, which are not accommodated under the General Plan Update. Also, as shown in Table 2, nearly 75% of the existing General Plan shows the area as Semi-rural Lands, up significantly from the Planning Commission Tentative Recommendation.

| Table 2: Existing General Plan | | |
|--------------------------------|---------------|-------------|
| Designation | Acres | Percent |
| Village Residential | 476 | 1.4% |
| Specific Plan | 3,978 | 11.5% |
| Semi-Rural Residential | 25,925 | 75.2% |
| Rural Residential | 1,611 | 4.7% |
| Commercial / Industrial | 190 | 0.6% |
| Public | 2,287 | 6.6% |
| Total | 34,466 | 100% |

CUMULATIVE PROJECTS

Additionally, there are several projects in process with the County of San Diego for the I-15 corridor that could provide additional capacity above the General Plan Update. These projects include Merriam Mountain, Meadowood, Campus Park, and Campus Park West. These projects are listed in Table 3, with a total of 5,007 units. Three of the four projects, Campus Park, Meadowood and Campus Park West, are partially included in the General Plan Update, estimating a unit count of 1,400 units. Therefore these cumulative projects would be estimated at providing an additional 3,607 units than the General Plan Update, estimated to be an additional population of approximately 10,800 persons. This additional cumulative population could potentially result in a population of 40,000 in the I-15 study area.

FACT SHEET

NORTH INTERSTATE 15 CORRIDOR BUILD-OUT

GENERAL PLAN UPDATE INFORMATION

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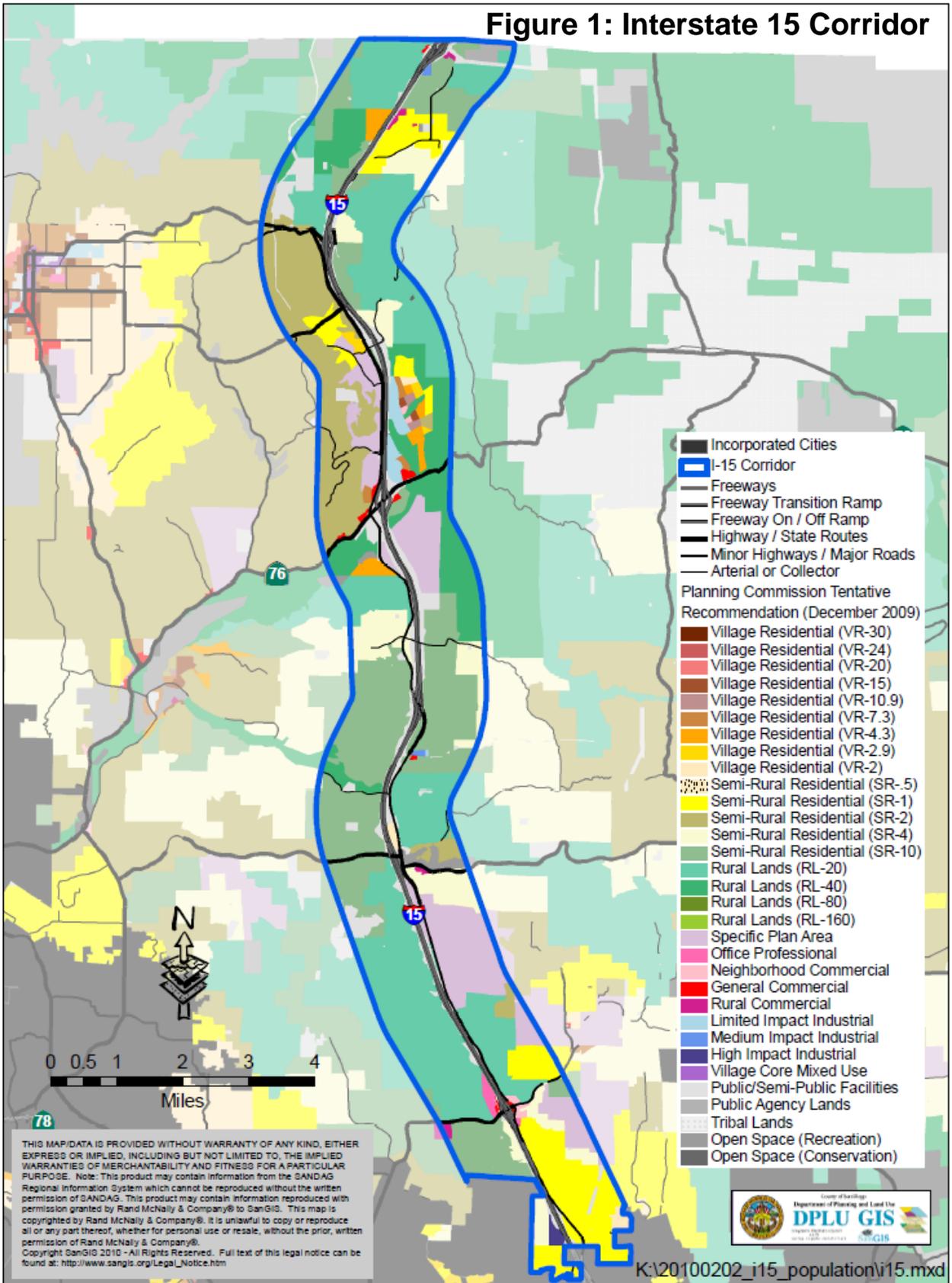
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| Project | Units |
|--|--------------|
| Merriam Mountain | 2,700 |
| Campus Park | 1,066 |
| Meadowood | 886 |
| Campus Park West | 355 |
| Total | 5,007 |
| Accommodated under the General Plan Update | (1,400) |
| Revised Total | 3,607 |

CONCLUSIONS

The Interstate 15 corridor contains existing development and has capacity for growth, which is appropriate along a transportation corridor. The growth within a one mile range of the freeway is planned as 9,000 under the General Plan Update, which about a 50% growth rate from existing conditions, at build out of the General Plan Update, and about the same with the remainder of the unincorporated County of San Diego. There are additional projects in process that will undergo additional environmental analysis and will require separate General Plan amendment actions by the Board of Supervisors.

Figure 1: Interstate 15 Corridor





BACKGROUND

Equity mechanisms have been discussed as part of the General Plan Update since early in the process, with the Interest Group and Steering Committee Stakeholder Groups, as well as discussion by the Planning Commission and endorsement by the Board of Supervisors. The strategy currently undertaken by the department has been endorsed by the Board of Supervisors for the creation of a Purchase of Development Rights program for the protection of farmland. This white paper will summarize the history of equity mechanisms in the General Plan Update, as well as summarize some of the proposals submitted by interested parties.

FACT SHEET

EQUITY MECHANISMS

TYPES OF EQUITY MECHANISMS

Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR) are planning techniques mainly developed to protect open space through acquisition of the development rights of land. Both are based on the idea that land ownership involves a bundle of rights (e.g. surface rights, air rights, mineral rights, or development rights, etc.) and that these rights can be separated and sold individually. TDR and PDR are typically incentive-based programs that allow property owners to separate and sell the development rights for their property from the bundle of property ownership rights they retain.

TDR is the sale of one parcel's development rights to the owner of another parcel, which allows more development on the second parcel while reducing or preventing development on the originating parcel. Under such a program, development rights are severed from a lot designated for protection (sending area), and the severed rights are transferred to a lot in an area where additional development is permitted (receiving area).

PDR is typically the sale of development rights to a qualified conservation entity (typically a non-governmental organization or government agency), resulting in the retirement of those development rights from the property and a conservation easement placed on the parcel for perpetuity.

GENERAL PLAN UPDATE EQUITY IMPACTS

Advocacy for an equity mechanism to be part of the General Plan Update is based on the argument that the General Plan Update will result in a loss of property value to many property owners that are

proposed to receive density designations lower than their current density. DPLU agrees that there will be an impact to property values as a result of the GP Update but in most cases that impact has been greatly exaggerated. Part of this is because many of the densities in the existing General Plan are unachievable for the following reasons:

- Many properties are highly constrained by topography and watercourses
- Many properties are constrained by regulations for sensitive species, wetlands, and groundwater
- Some properties lack fundamentals for development such as access

The effect that development potential has on property value varies greatly by property. A number of factors exist that often limit the added value that development potential may bring, including:

- Any future development potential is speculative and at the discretion of the County of San Diego
- Preparing and processing a subdivision is typically costly due to the surveys, plans, and studies required
- Subdividing land often requires significant expenditures to provide necessary infrastructure, roads, and connection fees
- There is limited demand for subdivided land in the backcountry as evident by the numerous vacant parcels that currently exist and SANDAG forecasts

GENERAL PLAN UPDATE HISTORY

Equity mechanisms have been the subject of many public meetings, with 10 Interest Group Meetings from 2001 to 2004, two Steering Committee Meetings and four meetings with the Board of Supervisors and Planning Commission.

During these meetings many criteria were discussed that could be included in a TDR or PDR program and included work from a hired consultant who held a workshop on similar programs throughout the country. Through these discussions concerns were raised about the scale of an equity program for the entire unincorporated County of San Diego. Additional concerns were raised by stakeholders, stating that the point of a General Plan was to direct development into appropriate areas; therefore properties that are appropriate for

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development should not be required to purchase development rights from inappropriate areas. There were difficulties with a TDR since the GP Update would result in a net reduction in overall development rights for the County. Sending sites would significantly outnumber receiving sites making resulting in an unworkable TDR. For a PDR program, a viable funding source to cover all of the GP Update could not be identified.

Eventually the Interest Group developed and endorsed assumptions that would be the basis for establishing the current equity mechanism approach, a PDR program primarily for agricultural lands. This information was presented to the Board of Supervisors and Endorsed in May 2004, available on the General Plan Update Website at: http://www.sdcountry.ca.gov/dplu/docs/bos_may04_equity.pdf

The program endorsed was as a separate mechanism from the General Plan Update, allowing for PDR on small scales. The program is now being developed by staff as the Purchase of Agricultural Conservation Easements (PACE) Program.

Meeting minutes from the Steering Committee and Interest Group Meetings are located on the General Plan Update website <http://www.sdcountry.ca.gov/dplu/gpupdate/>

PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS (PACE)

The County is in the final stages of negotiating a consultant contract with American Farmland Trust (AFT), to serve as the County's consultant on the development and initiation of the PACE program. AFT is the first nationwide nonprofit membership organization solely dedicated to protecting America's farmland, and has more than 23 years of experience protecting farms, ranches and forestry operations. They work with land use planners, the agricultural community, elected officials, land trusts and others to build support for the protection of productive land. They also help create effective local-level and statewide strategies for making farming, ranching and forestry economically viable and environmentally sustainable. Their team of experts includes farmers, lawyers, appraisers, wildlife biologists, land use planners, economists and communications specialists. The County anticipates finalizing AFT's contract within the next few weeks and conducting a kick-off meeting in early March.

CONSERVATION SUBDIVISION PROGRAM

Another, often overlooked, equity benefit of the General Plan Update is the proposed Conservation Subdivision Program. This program allows for flexibility in subdivision design to respond to constraints or regulations which in the past may have reduced overall development yield. The Conservation Subdivision Program also allows for preserving a large area of agricultural lands while dividing off portions for residential use. Therefore, while the designated density on a property may decrease the "paper" yield for the property, the Conservation Subdivision Program may remove obstacles that make any subdivision of the land more feasible.

PUBLIC EQUITY MECHANISM PROPOSALS

Shibley

One of the proposals for an equity mechanism was proposed by Dave Shibley in his letter on the Draft General Plan. In his proposal, all of the downzoned units, about 33,000, from the existing General Plan to the General Plan Update would have the ability to be placed into a "Development Bank" that property owners can apply to place units in for potential reimbursement. Under the proposed program, property owners that apply for reimbursement would be reimbursed as demand for the units occurs, and under the proposal the receiver sites would be both the rural villages and future General Plan amendments. Under the program, a property owner would also be required to process a TM/TPM to determine how many units would be allowed under the existing General Plan, because it is acknowledged the density under the existing General Plan is not always attainable.

Save our Rural Economy (S.O.R.E.)

S.O.R.E. presented an equity mechanism proposal to the Planning Commission on Nov. 19, 2009. Under the proposal, densities of Rural Lands 20, 40 and 80 would be designated as sending sites, with a density of 1 du/12 acres, allowing the units to be transferred to receiving sites in rural villages. This approach would result in 450,000 acres in the County going from Rural Lands designations to increased densities, resulting in a significant impact above the General Plan Update (approximately 37,000 units), and allowing the densities to be transferred to Rural Villages outside of the CWA Boundary. This program could potentially result in an additional 100,000 persons in the backcountry.

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A reduced approach could remove parcels affected by the Forest Conservation Initiative, parcels already designated at one dwelling unit per 40 acres under the existing General Plan, and parcels in the Desert Subregion. These reductions reduce the total acreage to 221,000. At a density of 1 du/12 acres would result in 18,400 units; however would still result in significant units over and above the General Plan Update.

DPLU Assessment

While on the face these proposals appears simple, there are several issues with their implementation. First, many of the Rural Villages that would act as receiver sites do not have significant infrastructure capacity to warrant expansion, especially on the magnitude that could be allowed under the draft program. These villages include areas like Pine Valley or Julian, which are historically developed and would not support extensive expansion. Significant development in many of these villages would be in direct conflict with General Plan Update principles. Second, these units would be over and above what was studied in the Draft Environmental Impact Report for the General Plan Update and any would require new analysis resulting in costly and length delay to the project. Additionally, according to the recent draft SANDAG 2050 Forecast, there is sufficient capacity in the County's General Plan Update for growth beyond 2050. Therefore, there is little rationale for adding additional growth capacity into the County's General Plan at this time.

CONCLUSION

In general, all stakeholders are supportive of equity mechanisms and so is DPLU. The challenge is with feasible implementation. TDR programs involve an equal exchange of development rights or a net increase. The GP Update includes a significant reduction in planning dwelling units in alignment with its planning principles and SANDAG forecasts. PDR programs require a significant expenditure for public funds. Given these constraints, DPLU recommends following the Board endorsed approach and focusing on a PACE program that will provide some equity returns to agricultural property owners. Additional TDR and PDR programs may be considered in the future but it is unlikely that a feasible program can be developed to directly link the existing General Plan to the General Plan Update.



FACT SHEET

WILLIAMSON ACT LANDS

GENERAL PLAN UPDATE INFORMATION

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BACKGROUND

The California Land Conservation Act of 1965--commonly referred to as the Williamson Act--enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive a reduction in their assessed property taxes based upon farming and open space uses as opposed to full market value. Local governments receive an annual subvention to partially offset forgone property tax revenues from the state via the Open Space Subvention Act of 1971. However, in the 2009 State budget, the legislature suspended local subventions in an effort to address budget shortfalls.

County Board Policy I-38 (Agricultural Preserves) provides the County’s guidelines for implementation of the Williamson Act: <http://www.sdcounty.ca.gov/cob/docs/policy/I-38.pdf>.

AGRICULTURAL PRESERVES AND CONTRACTS

The adoption of the Williamson Act authorized the County to establish Agricultural Preserves and enter into contracts with property owners. An Agricultural Preserve is an area devoted to either agricultural use, open space use, recreational use, or any combination of such uses, and compatible uses which are designated by the County. Preserves are established by the Board of Supervisors for the purpose of defining the boundaries of those areas within which the County is willing to enter into contracts pursuant to the Act. Preserves contain some restrictions on use which are specified in State law and the Board adopted Agricultural Preserve resolution. Lands within Preserves are also rezoned to contain an “A” Special Area Designation to denote the presence of the adopted Agricultural Preserve.

Landowners within a Preserve may enter into a contract with the County to contractually restrict their land to the uses stated above whereby the assessment on their land will be based on its restricted use rather than on its market value.

The County has designated approximately 402,100 acres as Agricultural Preserves. Over 100 contracts within these Preserves exist totaling approximately 80,500 acres.

REMOVAL OF AGRICULTURAL PRESERVES AND CONTRACTS

The process for removing lands from Agricultural Preserves and contracts is set forth in Board Policy I-38. There are two options for terminating a contract. The preferred method of contract termination is nonrenewal which may be filed by the landowner or County. Nonrenewal takes 10 years from filing for expiration and the property taxes gradually rise to the full unrestricted rate at the end of the nonrenewal period.

Cancellation is an option under limited circumstances and findings set forth in Government Code (GC) §51280 et seq. In such cases, landowners may petition the County for the cancellation which may only be approved if statutory findings are made. For cancellations, the landowner is required to pay a cancellation fee equal to 12.5 percent of the cancellation valuation (unrestricted fair market value) of the property.

For both options, subsequent (or concurrent) Board action to remove the Agricultural Preserve and associated “A” Special Area Designator from the parcel, is required.

RELATIONSHIP TO GENERAL PLAN

Unincorporated lands under Agricultural Preserves or contracts must also comply with the County’s General Plan. Where a difference in standard or regulation occurs, the most restrictive applies. For example, where the General Plan may allow for reduction in lot sizes, the lots may be no smaller than the minimums specified in the Preserve or contract.

GENERAL PLAN UPDATE PROPOSED PRESERVE DISESTABLISHMENTS

The County contains an extensive amount of lands that are within agricultural preserves but not under contract and, in many cases, not being used for agriculture. The General Plan Update includes a future implementation program to remove lands from agricultural preserves where appropriate. This is proposed to reduce costs to property owners, to streamline the disestablishment process, and to recognize that the land is not devoted to agriculture. Removal from the preserve will allow for the land to be used pursuant to the General Plan Update.



FACT SHEET

FARM BUREAU ISSUES

GENERAL PLAN UPDATE INFORMATION

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BACKGROUND

A key stakeholder and member of the General Plan Update's Interest Group is the San Diego County Farm Bureau. As an important stakeholder, and in recognition of farming as a major industry in the County of San Diego, the County has evaluated specific issues raised by the Farm Bureau and has continued to coordinate with them to encourage farming in the County of San Diego. Three major issue on interest associated with the General Plan Update were raised by the Farm Bureau: 1) the Conservation Subdivision Program; 2) rural land use designations; and 3) an equity mechanism, which currently consists of developing a Purchase of Agricultural Conservation Easements (PACE) Program.

CONSERVATION SUBDIVISION PROGRAM

The Conservation Subdivision Program being drafted by the County of San Diego is a tool developed to balance community character, environmental interests and development potential in a subdivision process, with one of the goals being the preservation of agriculture and open space. It will be implemented through a series of ordinance changes, primarily effecting the implementation of a Planned Residential Development or Lot Area Averaging projects. It is the intent of this proposal to include areas that agricultural land, as well as high value open space could be put into easements and preserved as production agriculture, while the remainder of a property could be subdivided for residential use.

The Farm Bureau has expressed their support of this Conservation Subdivision Program and concern with any conditions that may undermine or inhibit its implementation. This program is still being discussed with interested parties, including community groups, environmental groups and building interests. There has been general concern that policies in community plans or findings that require compatibility of development with community character may be at odds with other provisions of the program. DPLU has given careful consideration of the various community plans and determine that they will not undermine the implementation of the Conservation Subdivision Program.

Refer the Conservation Subdivision Fact Sheet for more information.

RURAL LANDS 80 AND 160

Concerns have been raised that the Rural Lands 80 and 160 densities are not conducive to entry level farmers with large parcels. Out of the two million acres within the County of San Diego, 147,000 of these acres are designated Rural Lands 80 (excluding the Desert Subregion) on the Planning Commission Tentatively Recommended Map. For comparison, 44,000 acres are designated Semi-Rural 4, 60,000 are Semi-Rural 10 and 62,000 are Rural Lands 20, resulting in a total of 166,000 acres which are given land use designations that the Farm Bureau considers more suitable for farming. The Rural Lands 160 designation is not used on the recommended map. The remainders of private lands are designed smaller lot Village, Semi-Rural or Commercial/Industrial uses.

Additionally, most of the Rural Lands 80 densities are applied to extremely rural areas that are not as conducive to farming or any such development, such as the Mountain Empire with 37,000 acres and the North Mountain Subregions with 58,000 that rely are entirely on groundwater, receive less recharge than many of the other unincorporated communities, and contain many steep slopes.

While these properties may have limited subdivision potential, and would remain with existing parcelization, if these properties did have the acreage required to subdivide the County would encourage the implementation of the Conservation Subdivision Program. In Rural Lands the goal for the Conservation Subdivision program is an 8 acre minimum parcel size, so a subdivision developed in this manner could preserve significant acreages of open space; preserve groundwater with large areas of undeveloped land as well as create smaller parcels that could be conducive to a small farm operation.

EQUITY MECHANISMS

The County of San Diego is in the process of developing an Equity Mechanism, as a separate part of the General Plan Update, with the Purchase of Agricultural Conservation Easements (PACE) Program. With this program, the County of San Diego is working with American Farmland Trust, a nationwide nonprofit dedicated to protecting farmland, and is in the final stages of negotiating a consultant contract.

Concerns have been raised the this program is not providing significant equity or credit for

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“downzoning” provided under the General Plan Update, however as the program is developed it has the flexibility to include additional priority and potentially credits for property with decreased residential density under the General Plan Update. The County is committed to working with the Farm Bureau in development of this program.

Refer the Equity Mechanisms Fact Sheet 5 for more information.



BACKGROUND

Several comments have been received on the General Plan Update related to the draft policy language. Some comments argue that the language is overly permissive, while other argue that it is too restrictive. DPLU specifically reviewed all draft policies to determine if mandatory or more permissive language is appropriate. DPLU believes that the policies are appropriate as drafted.

SUGGESTIONS OF OVERLY PERMISSIVE LANGUAGE

Some comments suggest that draft policies, which are also mitigation measures, inappropriately use qualifying terms such as “encourage,” and “should” rather than enforceable or mandatory language. Commenters included the California Attorney General, California Native Plant Society, and Endangered Habitats League.

DPLU does not agree that mandatory language is appropriate for all policies. General Plan policies are a statement of legislative policy and do not need to be written as mandatory in order to be enforceable. They often guide more detailed enforcement tools such as ordinances and codes. DPLU has specifically reviewed all draft policies to determine if mandatory or more permissive language is appropriate. Examples of some draft policies specifically mentioned by commenters and DPLU’s response are provided below:

LU-5.4 Planning Support. Undertake planning efforts that promote infill and redevelopment of uses that accommodate walking and biking within communities.

In this policy, the County has committed to undertaking certain planning efforts. The County does not agree that mandating infill or redevelopment is an appropriate policy for the unincorporated area as it may result in premature development ahead of market demand. It also poses logistical and legal questions on how a government requires a property owner to build on ones land.

LU-6.3 Conservation-Oriented Project Design. Support conservation-oriented project design when appropriate and consistent with the applicable Community Plan. This can be achieved with mechanisms such as, but not limited to, Specific Plans, lot area averaging, and reductions in lot size with corresponding requirements for

preserved open space (Planned Residential Developments). Projects that rely on lot size reductions should incorporate specific design techniques, perimeter lot sizes, or buffers, to achieve compatibility with community character.

This policy is implemented with the Conservation Subdivision Program which is in draft form and is being processed concurrent with the General Plan Update. The CSP is enforceable through the Subdivision Ordinance and Zoning Ordinance. The County did not find it appropriate to mandate conservation-oriented project design in general. Instead, the program facilitates it through flexibility in design regulations and strengthening of resource protection.

COS-4.2 Drought-Efficient Landscaping. Require efficient irrigation systems and in new development encourage the use of native plant species and non-invasive drought tolerant/low water use plants in landscaping.

The County does not agree that an outright prohibition on non-native ornamentals or water intensive vegetation such as lawns is appropriate or necessary. The draft policy is in alignment with the State’s model landscape ordinance. The County has developed a comprehensive program to require water efficient landscapes and encourage the use of native plants that are fire and water-wise. The County adopted its updated Landscape Water Conservation Ordinance on December 9, 2009, ahead of the State deadline and well ahead of most other jurisdictions in the State.

COS-5.4 Invasive Species. Encourage the removal of invasive species to restore natural drainage systems, habitats, and natural hydrologic regimes of watercourses.

The County does not believe that it is appropriate or that a sufficient nexus exists to require property owners to restore or enhance habitats or waterways on their property unless the damage resulted from a specific codes violation. More commonly, habitats were degraded from historic uses of the land, introduction of invasive species elsewhere in the watershed, or from secondary effects from nearby development.

COS-6.4 Conservation Easements. Support the acquisition or voluntary dedication of agriculture conservation easements and programs that preserve agricultural lands.

FACT SHEET PERMISSIVE VERSES RESTRICTIVE POLICY LANGUAGE

GENERAL PLAN UPDATE INFORMATION

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The County does not agree that mandating acquisition of land is a prudent action without a comprehensive program, appropriate nexus, and funding source. The County has contracted with American Farmland Trust to develop a Purchase of Agricultural Conservation Easements program for the County. This work is anticipated to be completed by the end of 2010. Once the feasibility and logistics of a program have been evaluated, this policy may be revised to reflect the course of action decided by the County. Until then, the County believe that this policy is appropriate as written.

COS-6.5 Best Management Practices. Encourage best management practices in agriculture and animal operations to protect watersheds, reduce GHG emissions, conserve energy and water, and utilize alternative energy sources, including wind and solar power.

Most agriculture and animal operations are existing and do not require use permits by the County. Therefore, the County does not agree that mandating the practices listed in this policy is appropriate for the County.

COS-14.7 Alternative Energy Sources for Development Projects. Encourage development projects that use energy recovery, photovoltaic, and wind energy .

Not all development projects lend themselves to alternative energy sources making mandating such practices infeasible. Additionally, use of such practices may not always be cost effective and could significantly affect markets and business operations.

COS-15.4 Title 24 Energy Standards. Require development to minimize energy impacts from new buildings in accordance with or exceeding Title 24 energy standards.

No “qualifying terms” are evident in this policy.

COS-16.4 Alternative Fuel Sources. Explore the potential of developing alternative fuel stations at maintenance yards and other County facilities for the municipal fleet and general public.

The County does not agree that committing to development of alternative fuel stations is appropriate without proper study and planning.

Undertaking such an endeavor may require significant expenditures. To commit to such a project at the General Plan level may result in limited funding available for other GHG reduction measures, some of which may be more effective.

SUGGESTIONS OF OVERLY RESTRICTIVE LANGUAGE

Some comments suggest that draft policies are overly restrictive because they use words like “require”, “avoid”, and “prohibit”. The comments assert that these terms are the equivalent to using the word “shall” as opposed to the word “should” which would provide the County greater flexibility with implementing the General Plan. Commenters included the San Diego Association of Realtors, East San Diego County Association of Realtors, Rancho Santa Fe Association, and Valley Center Town Council.

DPLU does not agree that the draft policies are overly restrictive and do not contain flexibility. The State Guidelines for General Plans states, “A policy is a specific statement that guides decision-making. It indicates a commitment of the local legislative body to a particular course of action.” The County has avoided the use of “should” because it desires a General Plan that is clear on its intent and avoids debate during application. This approach has also been supported by a number of stakeholders and commenters on the General Plan Update who have indicated that they desire clear and firm commitments to certain policies and actions.

Similar to the concerns of permissive language, DPLU reviewed all draft policies to determine if mandatory or more permissive language is appropriate. Few commenters cited specific policies of concern for mandatory language. Therefore, select examples were selected with a brief evaluation. In many cases, the policy is supporting existing practices and will not change the process.

LU-1.3 Initiation of Plan Amendments. Require approval from the Board of Supervisors to initiate General Plan Amendments for private projects outside of a comprehensive General Plan Update.

DPLU believes that a specific commitment to a decision making body is necessary in this policy.

LU-1.4 Leapfrog Development. Prohibit leapfrog development which is inconsistent with the

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Community Development Model and Community Plans.

This policy clearly states that the County will not approve leapfrog development and that conformance with its overall development model is paramount. Given that the Community Development Model is a fundamental building block for the General Plan Update, DPLU believes the policy is appropriate.

LU-6.1 Environmental Sustainability. Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment.

This policy is a statement of current practice as implemented by the County's Resource Protection Ordinance and compliance with the California Environmental Quality Act.

LU-6.9 Protection from Hazards. Require that development be located and designed to protect property and residents from the risks of natural and man-induced hazards.

This policy is a statement of current practice as implemented by the Building Code and compliance with the California Environmental Quality Act.

LU-8.1 Density Relationship to Groundwater Sustainability. Require land use densities in groundwater dependent areas to be consistent with the long-term sustainability of groundwater supplies, except in the Borrego Valley.

This policy is a statement of current practice as implemented by the Groundwater Ordinance and compliance with the California Environmental Quality Act.

LU-9.10 Internal Village Connectivity. Require that new development in Village areas are integrated with existing neighborhoods by providing connected and continuous street, pathway, and recreational open space networks, including pedestrian and bike paths.

This policy is generally a statement of current practice as implemented by the County's road standards, and bike and trails master plans.

LU-11.2 Compatibility with Community Character. Require that commercial, office, and

industrial development be located, scaled, and designed to be compatible with the unique character of the community.

This policy is generally statement of current practice as implemented by the County's site plan/permit process and compliance with the California Environmental Quality Act.

LU-11.11 Industrial Compatibility with Adjoining Uses. Require industrial land uses with outdoor activities or storage to provide a buffer from adjacent incompatible land uses.

This policy is generally statement of current practice as implemented by the County's site plan process/permit and compliance with the California Environmental Quality Act.

LU-13.2 Commitment of Water Supply. Require new development to identify adequate water resources, in accordance with State law, to support the development prior to approval.

This policy is statement of current practice as implemented by the County's Board Policy and compliance with the California Environmental Quality Act.

CONCLUSION

DPLU has received comments from both sides on this issue throughout the drafting of the policies. Numerous policies have gone through multiple iterations of rewrites, many at the direction of the advisory groups or as requested by stakeholders. The wording of every policy has been given special consideration by DPLU to ensure that the policy is clear, enforceable, and not overly onerous. DPLU will continue to evaluate specific issues as they are communicated. At this time, DPLU believe that the policies are appropriate as written.



FACT SHEET

ALTERNATIVE WASTEWATER (SEPTIC) SYSTEMS

GENERAL PLAN UPDATE INFORMATION

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BACKGROUND

Several comments have been received on the General Plan Update related to alternative onsite wastewater treatment systems (OWTS). Most recommend that the General Plan Update support their use suggesting that alternative OWTS would allow for clustered development. As discussed below, the draft General Plan Update does contain a supporting policy. However, there seems to be a misunderstanding about alternative OWTS and what they can actually accommodate. This issue is also clarified in this Fact Sheet. Additionally, currently the County Department of Environmental Health only has permitting authority over conventional OWTS. Alternative OWTS currently fall under the jurisdiction of the Regional Water Quality Control Board (RWQCB).

DRAFT GENERAL PLAN UPDATE POLICY

The draft General Plan Update Policy LU-14.5 states, “**Alternate Sewage Disposal Systems.** Support the use of alternative on-site sewage disposal systems when conventional systems are not feasible and in conformance with State guidelines and regulations.”

WHAT ARE ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS (OWTS)?

Alternative OWTS are individual OWTS using advanced treatment beyond the primary treatment that occurs in a septic tank and generally only serve a single property. One of the misconceptions about alternative onsite wastewater treatment systems (OWTS) is that they can be used to make lots significantly smaller. Although in some cases, an alternative OWTS will take less land area than a conventional OWTS, their use came about due to the need to deal with issues of shallow soil, shallow groundwater, or water quality issues which prevented the use of conventional OWTS. Increased density with development using OWTS will increase the issues with degradation of water quality which potentially could be overcome through the use of alternative OWTS but it doesn't change the amount of land area needed for disposal.

COMMUNITY SYSTEMS

Clustered or community systems are sewage treatment systems that collect the wastewater flows from multiple dwellings/lots and treat and dispose of the sewage in a common disposal field or area.

These systems may consist of individual or common septic tanks discharging to a conventional disposal field or may utilize advanced treatment systems or package treatment plants. All clustered or community systems fall under the jurisdiction of the RWQCB.

USE OF ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS (OWTS) TO CREATE NEW LEGAL LOTS

The use of alternative systems to create new lots would require a modification of the San Diego Regional Water Quality Control Board (RWQCB) Basin Plan since their use to create new lots is currently prohibited (please see Chapter 4 pages 30-31 of the Basin Plan). The State Water Resources Control Board, per AB885 regulations, is currently developing statewide OWTS regulations that include requirements for both conventional and alternative OWTS. The RWQCB is obligated under State law to make these Basin Plan amendments when the new statewide OWTS regulations are put in place. The County will modify existing ordinances to accommodate the new state wide requirements in addition to any requirements that the RWQCB may have.

USE OF ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEMS FOR EXISTING LEGAL LOTS

The use of alternative systems in San Diego County to develop existing legal lots would require a modification of the County's ordinance since they are currently not approved for use other than in the Valley Center and S. Citrus Avenue moratorium areas. Concurrence from the RWQCB is also required.

The County has not made a change for existing lots because the State is still developing new regulations for the use of alternative systems to be enforced statewide. Any changes to the County ordinance to allow alternative systems for existing legal lots may be in conflict with what the statewide regulations require and put an undue burden on project proponents or existing alternative systems owners. The County is committed to make all necessary Ordinance changes once the statewide regulations are finalized.

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ADDITIONAL INFORMATION

The County of San Diego's Onsite Wastewater System Ordinance can be found in Title 6, Division 8, Chapter 3 of the San Diego County Code of Regulatory Ordinance:

[http://www.amlegal.com/nxt/gateway.dll/California/sandregs/title6healthandsanitation*/division8sewageandrefusedisposal/chapter3septictanksandseepagepits*?fn=altmain-nf.htm\\$f=templates\\$3.0](http://www.amlegal.com/nxt/gateway.dll/California/sandregs/title6healthandsanitation*/division8sewageandrefusedisposal/chapter3septictanksandseepagepits*?fn=altmain-nf.htm$f=templates$3.0)

The San Diego RWQCB Basin Plan is available at:

http://www.swrcb.ca.gov/rwqcb9/water_issues/programs/basin_plan/index.shtml.

The requirements for Community Sewerage Systems can be found in Chapter 4 starting on Page 4-29. The contact person at the San Diego Regional Water Quality Control Board for community (clustered) sewage systems is Bob Morris and he can be reached at (858) 467-2962.



FACT SHEET

VILLAGE CORE MIXED USE DESIGNATION

GENERAL PLAN UPDATE INFORMATION

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BACKGROUND

Concern has been expressed, primarily from the Rancho Santa Fe Association, that the intensity limits for the proposed Village Core Mixed Use (VCMU) Designation area too high and cannot be physically constructed. The proposed VCMU Designation is new to the County’s set of General Plan designations. It is applied in a select few locations throughout the unincorporated County. The purpose of the designation was to allow greater flexibility when planning for future development in town centers to accommodate projects that contribute to a vibrant and pedestrian friendly town core.

The draft Land Use Element specifies the maximum Floor to Area Ratio (FAR) at 1.3 and a maximum residential density of 30 dwelling units per acre.

COMMUNITY COMPATIBILITY

The Rancho Santa Fe Association indicates that they are concerned that the maximum intensities allowed for the VCMU Designation would be inconsistent with the Rancho Santa Fe Village. DPLU appreciates this concern. The draft General Plan was written to include specific provisions for planning of areas designated VCMU and refers specifically to zoning, Community Plans, and town center plans to address the appropriate intensity for a given site. As these other regulations are in effect in the Rancho Santa Fe Village, there would be no adverse impact from this designation.

Page 3-13 of the draft General Plan discusses the use of FAR for non-residential designations:

“The maximum development intensity of uses in these designations is expressed as a maximum FAR (see Table LU-1). As these are expressed as maximums, in many communities the desired FAR will likely be lower...Detailed regulations specified in the Zoning Ordinance will support the desired development intensity. In any case, the permitted development intensity must be supportive of the goals and policies of the General Plan and the applicable Community Plan.”

Page 3-15 of the draft General Plan relates specifically to the VCMU designation:

“Specific maximum FAR and residential density standards shall be developed through community-specific town center planning, though in no case,

within either multiple- or single-use buildings, many nonresidential intensities exceed 1.3 FAR or residential densities exceed 30 units per acre. Permitted uses must be consistent with the town center plan, or in absence of a town center plan, shall not preclude the development and implementation of such a plan.”

ABILITY TO ACHIEVE MAXIMUM INTENSITY

The Rancho Santa Fe Association suggests that the maximum residential and commercial intensities provided under the VCMU Designation cannot be achieved when parking and other requirements are considered and, therefore, should be reduced. The County does not agree. There is no expectation that a development will be achieving 1.3 FAR of commercial development and 30 dwelling units per acre all on a single site. The expectation is that a mixture of commercial and residential would be provided within these ranges and that mixture would be guided through zoning and local planning including coordination with the community.

Page 3-15 of the draft General Plan states: “A wide variety of commercial, civic, and residential uses are encouraged by this designation, and these uses may be mixed “vertically”—on separate floors of a building—or “horizontally”—in separate buildings on a single site or on adjacent parcels.” Therefore, in some cases a “mixed use” development may result in 100% of commercial use at a 1.3 FAR on one property, while the adjoining property is 100% residential at 30 dwelling units per acre.

The draft General Plan also accepts that parking requirements often make it challenging to achieve maximum intensities and therefore states: “Structured parking may be necessary to accommodate allowable densities, and shared parking arrangements may be allowed consistent with the nature of the mixed uses.”

EVALUATION OF TRAFFIC IMPACTS

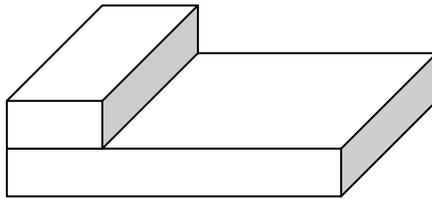
The Rancho Santa Fe Association cites concerns with regard to the Draft Environmental Impact Report’s evaluation of traffic impacts associated with the VCMU Designation. For most locations, a 50% residential/50% commercial split was assumed for the VCMU Designation when modeling traffic. For Rancho Santa Fe, 100% commercial was assumed since the area proposed for the VCMU Designation is mostly developed. DPLU believes that these assumptions are reasonable estimates of the traffic that would result

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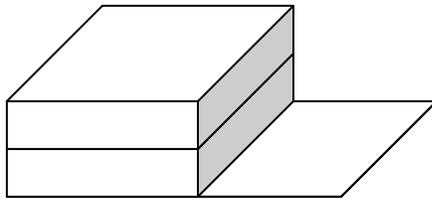
from these designations, which is consistent with the California Environmental Quality Act.

As specific town center plans and projects are developed, more detailed traffic analyses are often conducted. Through these studies and the development approval process, the unique traffic concerns of specific sites and proposal can be addressed.

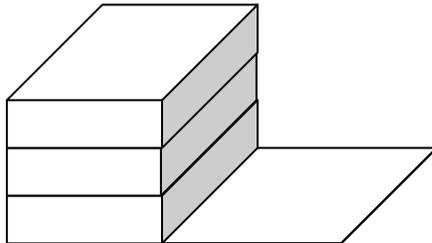
EXAMPLES OF 1.3 FLOOR TO AREA RATIO



2 Stories, 100% Coverage, Parking is off-site



2 Stories, 65% Coverage, Partial parking on-site



3 Stories, 43% Coverage, All parking on-site



FACT SHEET

CONSERVATION SUBDIVISION PROGRAM

GENERAL PLAN UPDATE INFORMATION

Website:
www.sdcounty.ca.gov/dplu/gpupdate

Informational Hotline:
619.615.8289

E-mail:
gpupdate.DPLU@sdcounty.ca.gov

Mailing Address:
County of San Diego
Department of Planning and Land Use
5201 Ruffin Rd, Suite B
San Diego, CA 92123

BACKGROUND

The Conservation Subdivision Program (CSP) is a program to encourage residential subdivisions that preserve environmental resources balancing planned densities and community character with environmental protection. Some tools exist to achieve these goals, many of which are already encouraged by Federal, State and local regulations. However, the CSP would revise requirements to the Lot Area Averaging and Planned Residential Development processes to provide flexibility by removing unnecessary regulations that discourage conservation oriented design.

PROPOSED REGULATIONS

The CSP will be implemented through revisions to the Subdivision Ordinance, Resource Protection Ordinance and the Zoning Ordinance. The Subdivision Ordinance will be amended to include provisions for protection of environmental resources, and establishing percentages of resources to be avoided for Semi Rural 10 and lower densities. The Resource Protection Ordinance will be revised to allow additional steep slope encroachment if significant conservation of sensitive resources is included as part of the subdivision. The Groundwater Ordinance will be revised to add a waiver for the minimum lot sizes required by the Groundwater Limitations Map, down to 67% of the required parcel size, with the implementation of a conservation subdivision.

Another method the CSP will be implemented is through the decoupling of the minimum lot sizes included in the Zoning Ordinance from the General Plan designations. In many cases, the General Plan Update is reducing the density and is not proposing on increasing the minimum lot size in the zoning ordinance. The effect would be to allow some flexibility in a development project with regard to the minimum lot size. In January 2010 staff sent preliminary recommendations to the Community Planning and Sponsor Groups for Zoning Use Regulations and Minimum Lot Sizes, these are being discussed and will be sent out for a general public review in April.

Further reductions in minimum lot size would be allowed with revisions to Lot Area Averaging and Planned Residential Developments; however specific findings for compatibility with community character would be required.

COMMUNITY CHARACTER

It is a goal of the CSP to balance community character with development potential and environmental resources, and a key component in the balance is provisions set in individual community plans. It is a concern of many communities that the program will result in small lot subdivisions that are not consistent with the established community character. DPLU coordinated with communities and has included qualitative and quantitative criteria in some of the Community Plans, even establishing minimum lot sizes for individual communities. These community specific regulations calibrate the program to individual communities in the diverse County of San Diego. Findings would need to be made during implementation of a Conservation Subdivision, which would be a discretionary action.

PLANNING COMMISSION SUBCOMMITTEE: CONSERVATION SUBDIVISION PROGRAM

On February 5, 2010, a Planning Commission Subcommittee met to discuss specific components of the CSP, including the balancing of community character in Community Plans.

At the meeting, the Subcommittee members commented in support of staff's recommendation on the proposed CSP and added the following recommendations:

- Conservation subdivisions are not allowed by-right, but projects that comply with the requirements and adhere to design guidelines should be allowed to process.
- Community Design Guidelines should be prepared to facilitate implementation of the program.
- Additional consideration should be given to the limits on lot size in the Groundwater Ordinance when developing community standards.
- Further review is needed for Land Use Policy LU-14.4 which is related to limitations on sewer service areas.
- The use of alternative wastewater (septic) systems should be supported.
- Open space easements dedicated as part of the CSP should involve a third party (in addition to the County) to ensure the long term preservation of the easement.

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- Minimum lot size standards are appropriate in each community plan; however, further community coordination and consideration of the draft standards is necessary.



FACT SHEET

FUTURE PROCESS FOR GENERAL PLAN AMENDMENTS

GENERAL PLAN UPDATE INFORMATION

Website:
www.sdcounty.ca.gov/dplu/gpupdate

Informational Hotline:
619.615.8289

E-mail:
gpupdate.DPLU@sdcounty.ca.gov

Mailing Address:
County of San Diego
Department of Planning and Land Use
5201 Ruffin Rd, Suite B
San Diego, CA 92123

BACKGROUND

Comments have been received on the General Plan Update related to how General Plan Amendments (GPAs) will be authorized after the GP Update is adopted. DPLU staff has conducted research and developed a range of options which would be consistent with the draft GP Update policies. Although the options presented in this fact sheet could be structured to consist of many different components and combinations, the options present a basis for initial discussion on a post GP Update Plan Amendment Authorization (PAA) process. As a post GP Update process, finalization of the process is not time sensitive and will likely follow approval of the GP Update rather than be considered concurrently.

DRAFT GENERAL PLAN UPDATE POLICY

The draft GP Update Policy LU-1.3 states, “**Initiation of Plan Amendments.** Require approval from the Board of Supervisors to initiate General Plan Amendments for private projects outside of a comprehensive General Plan Update.” This is the only policy in the draft GP Update that specifically addresses the PAA process and there are no requirements in State law. Therefore, the County has significant flexibility in developing a process for initiating GPAs.

EXISTING PLAN AMENDMENT AUTHORIZATION (PAA) PROCESS

Board Policy I-63 currently provides guidance on how GPA requested by private parties are to be initiated. Presently a Plan Amendment Authorization (PAA) is required from the County prior to an application for the GPA can be submitted. PAAs are submitted to the Director of DPLU for authorization. If denied by the Director, appeals are available to the Planning Commission and subsequently to the Board of Supervisors. Board Policy I-63 can be found at the following web address:
<http://www.sdcounty.ca.gov/cob/policy/index.html#sectioni>

MODIFICATIONS TO THE PAA PROCESS

Draft GP Update Policy LU-1.3 will require a change to Board Policy I-63 as it requires the Board to approve all PAAs. There has been additional interest in improving the PAA and GPA process. The following sections describe several options for consideration in modifying the process.

OPTION 1 – PAA BATCH

Concept:

- BOS final decision on PAAs
- Director and PC continue to provide recommendations
- DPLU recommendation based on Vision and Guiding Principals of GP Update as well as applicable GP Goals and Policies and codes and ordinances.
- PAAs are batched and brought forward to PC and BOS at once as part of a 2 year review cycle.
- Large PAA requests may be processed independently of batched PAAs.
- BOS initiated PAAs are made part of a County initiated GPA 2-year processing cycle following initial 2-year review cycle.
- The 2-year review cycle starts at beginning of calendar year following GP Update Adoption.
- Applicants help to share costs of processing GPA and environmental documents.

Advantages:

- Avoids piecemeal submission of projects.
- Allows the County to view the cumulative impacts of PAA requests within proximity of each other.
- Continues to allow early review of GPA to assure consistency with sound Planning principles.
- Allows for greater control for County of its General Plan.
- Provides a comprehensive update to the General Plan EIR which will greatly streamline the cumulative impact analysis for regulatory projects.

Disadvantages:

- Prolonged period from start of PAA process to completion of GPA (up to four years).

Process:

1. Major Pre-application required.
2. PAA request submitted to Director for recommendation.
3. PAA submitted concurrently to CPG for recommendation to the Director.
4. Within 45-days Director issues letter to applicant with preliminary recommendation based on GP Update Vision and Guiding Principals, Goal, Policies, Codes and Ordinances, timeline, cost and process (County initiated GPA) should PAA be initiated by the BOS.

County of San Diego - General Plan Update

5. Deadline for submission of privately initiated PAAs is set for six months prior to the end of the second calendar year.
6. Within 60-days of submission deadline PAAs with Director's recommendation are brought to PC for PC recommendation.
7. Within 60-days following PC hearing, PC recommendation is brought to BOS for PAA initiation.
8. Applicant's with BOS initiated PAA are sent letters requesting money to share the costs of County initiated GPA.

- GPAs are batched and brought forward to PC and BOS at one time as part of a County initiated GPA 3-year processing cycle.
- Combined Processing Cycle restarts at end of three year cycle.

Advantages:

- Eliminates extra PAA step
- Avoids piecemeal submission of projects.
- Allows the County to view the cumulative impacts of PAA requests within proximity of each other.
- Allows for greater control for County of its General Plan.
- Continues to allow review of GPA requests against good Planning principles and allows a mechanism to discontinue processing inconsistent GPA requests.
- Provides a comprehensive update to the General Plan EIR which will greatly streamline the cumulative impact analysis for regulatory projects.

OPTION 2 COMBINED PAA/GPA PROCESS

Concept:

- PAA process combined with privately initiated GPA application scoping timeline.
- GPA application may be submitted in conjunction with implementing permits.
- BOS final decision on GPA authorizations.
- Director and PC continue to provide recommendations.
- DPLU recommendation based on Vision and Guiding Principals of GP Update as well as applicable GP Goals and Policies and applicable codes and ordinances.
- Large GPA requests may be processed independently of batched GPAs.

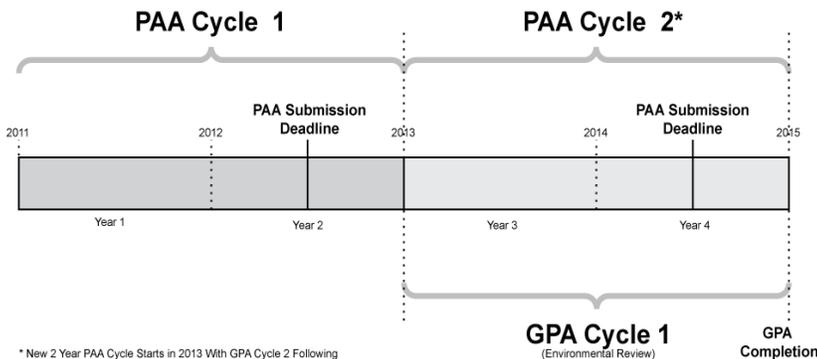
Disadvantage:

- Prolonged period from start of GPA process to completion of GPA (up to three years).

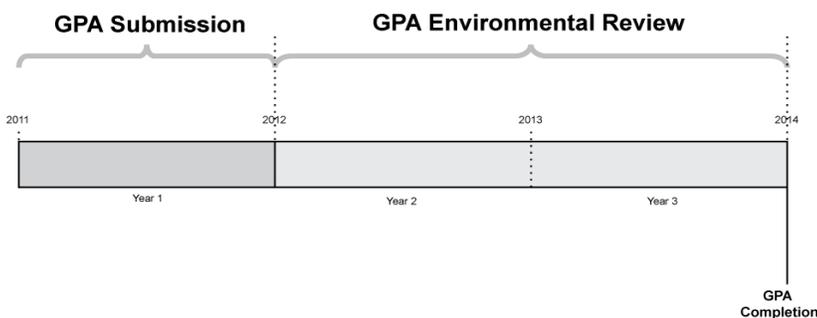
Process:

1. Major Pre-app required.
2. GPA application submitted to DPLU
3. GPA submitted concurrently to CPG for recommendation to the Director
4. Within 30-days Director issues scoping letter to applicant with preliminary recommendation on GPA based on GP Update Vision and Guiding Principals, Goals, Policies and Codes and Ordinances, timeline, cost and process (County initiated GPA) should GPA move forward as part of batch to BOS.
5. Following scoping letter issuance, Director brings forward GPA requests which the Director recommend can be authorized for BOS initiation.
6. GPAs which the Director determines cannot be recommended for authorization based on the above concepts will be brought forward to the PC with recommendation for denial.
7. GPAs which the PC determines cannot be recommend for authorization based on the above concepts will be brought forward to the BOS with recommendation for denial.
8. Overturned Director or PC recommendations will be included as part of the batch GPA process.

OPTION 1 PROCESS



OPTION 2 PROCESS



County of San Diego - General Plan Update

9. Deadline for submission of GPAs is set for the end of the first calendar year.
10. Combined Processing Cycle restarts at end of three year cycle.
11. Applicants with “accepted” GPA applications are sent letters requesting money to share the costs of County initiated GPA.
12. Following GPA approval, applicants can rely on environmental documents to obtain entitlements.

OPTION 3 – EXISTING PROCESS WITH MODIFICATIONS

Concept:

- Retain existing process however include specific criteria and findings based on Vision and Guiding Principles of GP Update as well as applicable GP Goals and Policies.
- BOS final decision on PAAs.
- Checklist of Findings created based on the above. Project must meet required Findings.
- Continue to accept and process PAAs when submitted.
- Continue to process linked GPAs independently when submitted as result of initiated PAA.

Advantages:

- Leaves existing process mostly intact.
- Allows for potentially faster processing when compared to Options 1 and 2.

Disadvantages:

- Allow the piecemeal submission and processing of GPAs.
- Diminishes County control over its General Plan
- There may be controversy with establishment of Findings

Process:

1. PAA request submitted to Director for recommendation.
2. PAA submitted concurrently to CPG for recommendation to the Director.
3. PAA reviewed against Findings
4. Director to render a recommendation on PAA within 30 days.
5. PAAs brought to PC for recommendation.
6. PAA brought to BOS for final authorization.
7. Initiated PAA must file a privately initiated GPA request with DPLU within two years of the PAA being initiated; otherwise the PAA initiation approval expires.

OTHER POSSIBLE OPTIONS

- Same as current PAA/GPA process however do not batch GPAs– only approve four privately initiated GPAs per calendar year. This would allow minimal change to the General Plan.
- Combined process – same as first bullet except that “left over” GPAs could be made part of a County initiated GPA if warranted. GPA allowed to remain as privately initiated provided they meet certain criteria which justifies them not being made part of County initiated GPA, i.e. mapping error, density bonus project, health and safety issue, etc...
- Retain existing process exactly as is except all PAAs go to BOS for final authorization.

GENERAL PLAN AMENDMENT PROCESS – OTHER COUNTIES

Los Angeles County

- No Initial screening of GPAs (Go the BOS as discretionary permits);
- GPAs are not batched (The County did have a Policy of batching GPAs in the past);
- Individual GPAs which do not make yearly limit of four must wait to the following year.

Orange County

- No Initial screening of GPAs (Go the BOS as discretionary permits);
- GPAs are not batched;
- Individual GPAs which do not make yearly limit of four must wait to the following year.

San Luis Obispo County

- Plan Amendment Authorization Process – BOS authorize GPAs;
- GPAs are not batched;
- Individual GPAs which do not make yearly limit of four must wait to the following year.

Santa Barbara County

- Plan Amendment Authorization Process exists;
- For “minor” GPAs New Case Review Committee decides whether the GPA application should be accepted;
- Rejected minor GPA applications can be withdrawn or appealed to the Planning Commission and then appealed to the BOS;
- For “major” GPAs requiring substantial map or text changes or an extremely complex

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project, go before the PC or BOS for authorization.

Ventura County

- Plan Amendment Authorization Process – BOS authorize GPAs;
- GPAs are not batched;
- Individual GPAs which do not make yearly limit of four must wait to the following year.



FACT SHEET

IMPLEMENTING THE GENERAL PLAN

GENERAL PLAN UPDATE INFORMATION

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www.sdcounty.ca.gov/dplu/gpupdate

Informational Hotline:

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E-mail:

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Mailing Address:

County of San Diego
Department of Planning and Land Use
5201 Ruffin Rd, Suite B
San Diego, CA 92123

BACKGROUND

As written in the State of California Office of Planning and Research Guidelines “A good plan goes to waste if it is not implemented”.

The County of San Diego has prepared an implementation plan, in conjunction with the draft General Plan Update, which lists the programs, ordinances, regulation procedures and other measures that need to be developed or revised to ensure implementation of the General Plan Update. This implementation program will be adopted by the Board of Supervisors outside of the General Plan, so that it retains the flexibility to be reviewed on an annual basis, in conjunction with the Annual Report, required by State Law.

IMPLEMENTATION

The Framework for the Implementation Plan is established in [Chapter 9](#) of the Draft General Plan. Each implementation measure is listed by category, such as if it is related to the Built or Natural Environments, Long Range Planning, Housing or Mobility. Each program is described, related to policies it implements in the Draft General Plan and it is explained whether the measure is an existing program, requires amendments to an existing program or establishes a new program as well as whether or not it would require additional funding to implement.

ANNUAL REPORTING & TRACKING

A requirement for a General Plan is the annual reporting of its implementation progress to the Board of Supervisors, the Governor’s Office of Planning and Research and the California Department of Housing and Community Development. The County of San Diego will use this Annual Report as a time to evaluate effectiveness of the General Plan and its implementation measures, investigate annual “Clean Up” changes that need to be made to the General Plan, and identify annual funding requirements. The annual reporting on the General Plan will include the following:

Implementation Programs – Implementation measures will be tracked and reported back to the Planning Commission and Board of Supervisors. As needed measures can be removed, if completed or deemed unnecessary, or revised to incorporate additional information. This tracking can also assist the Department of Planning and Land Use

(DPLU), and other departments, in updating priorities and staffing needs.

Housing Programs – One part of the Implementation Program that is regulated by California law is the Housing Element, which is part of the General Plan. These programs are implemented and monitored by DPLU and the County of San Diego Department of Housing and Community Development. These programs also include the quantified objectives related to meeting the Regional Housing Needs Assessment (RHNA), which is tracked and reported on an annual basis.

Land Use and Housing – Progress in achievement of the Land Use Map will also be tracked through analysis of building applications and permits and provisions to track sites included in the inventory for meeting the RHNA. This will be reported on an annual basis using the Geographic Information Systems and Permit Database, and would allow the Department to periodically estimate process towards build out of the General Plan.

Department Budgeting – The Implementation Plan and the General Plan Annual Report are instrumental tools necessary to prepare future-year annual budgets for staffing and resources to operate DPLU. Information gained from the Annual Report will assist the Department in determining where their resources should be focused and determine priorities for developing the measures identified in the Implementation Plan.

UPDATED ZONING CODES

A key component for implementing a General Plan is application of the Zoning Ordinance. DPLU has begun initial coordination with Community Planning and Sponsor Groups to update the Use Regulations and Minimum Lot Sizes. These and additional components will also be discussed with community and property owners, and are expected to be ready to go to the Board of Supervisors in conjunction with the General Plan Update in the Fall of 2010.

Additional updates to the Zoning Ordinance will follow; much like the annual Zoning Ordinance changes that are currently being processed by DPLU staff. Eventually, additional components can be incorporated into the Zoning Ordinance, such as Form Based Codes or Community Specific Zoning.

Attachment B

Community Issues / Mapping Report

Attachment B - Community Issues / Mapping Report

Listed below are the community specific mapping issues that were raised at the General Plan Update Hearings in November and December 2009 or have resulted from further efforts on the maps. The issues are listed by community, listing no issues for many of the communities. No action from the Planning Commission is necessary on any of these items at this time; however, the Planning Commission may wish to provide direction on specific issues or tentatively support a particular course of action. A final recommendation from the Planning Commission will be requested at a future hearing.

Alpine

There are no specific issues or potential changes to discuss.

Bonsall

There are no specific issues or potential changes to discuss. The Bonsall Sponsor Group has indicated that they disagree with many Village Designations on the Planning Commission Land Use Map.

Central Mountain Subregion

Cuyamaca - There are no specific issues or potential changes to discuss.

Descanso

Elliot

The Planning Commission motion on November 19, 2009 requested that staff follow up with Mr. John Elliot in Descanso, regarding the Forest Conservation Initiative (FCI). Staff has contacted Mr. Elliot and has explained the current procedures regarding the FCI and the expiration of the Initiative at the end of 2010. Additional information on the FCI is located in Fact Sheet 2: Forest Conservation Initiative.

Pine Valley

Oliver Property (CM12)

The Planning Commission tentative recommendation for CM12 was Rural Lands 20, a balance between the property owner request of Semi-Rural 2 and the staff/community recommendation of Rural Lands 80. Both the property owner and the Pine Valley Community Planning Group have expressed concern with the Planning Commission tentative recommendation, and would like to have the issue addressed before the Planning Commission finalizes the final recommendation, expected in April.

Guatay

On November 19, 2009 the Planning Commission motion for Central Mountain, which includes the Guatay community, was to coordinate with interested property owner John Gristafi in the community and give information about the General Plan Update. Following the hearing, staff contacted Mr. Grisafi, as well as Mr. Turek, another property owner in the area who was interested in the General Plan Update. Staff has talked to both property owners, and are making sure that they receive additional information on the General Plan Update. However, Mr. Turek does not support the General Plan Update proposed land use designations for his property, which is one dwelling unit per 80 acres. The existing General Plan designation for the subject property is one Dwelling Unit per 1, 2 or 4 acres, however there are recognized groundwater constraints in Guatay and the staff position has not changed.

County Islands

There are no specific issues or potential changes to discuss.

Crest - Dehesa

There are no specific issues or potential changes to discuss.

Desert

Borrego Springs - There are no specific issues or potential changes to discuss.

Ocotillo - On November 20, 2009 the Planning Commission requested staff to meet with William De Costa and other property owners in Ocotillo Wells. Staff has worked with the community and is working to schedule a meeting with them in late February or early March.

Fallbrook

There are no specific issues or potential changes to discuss.

Jamul - Dulzura

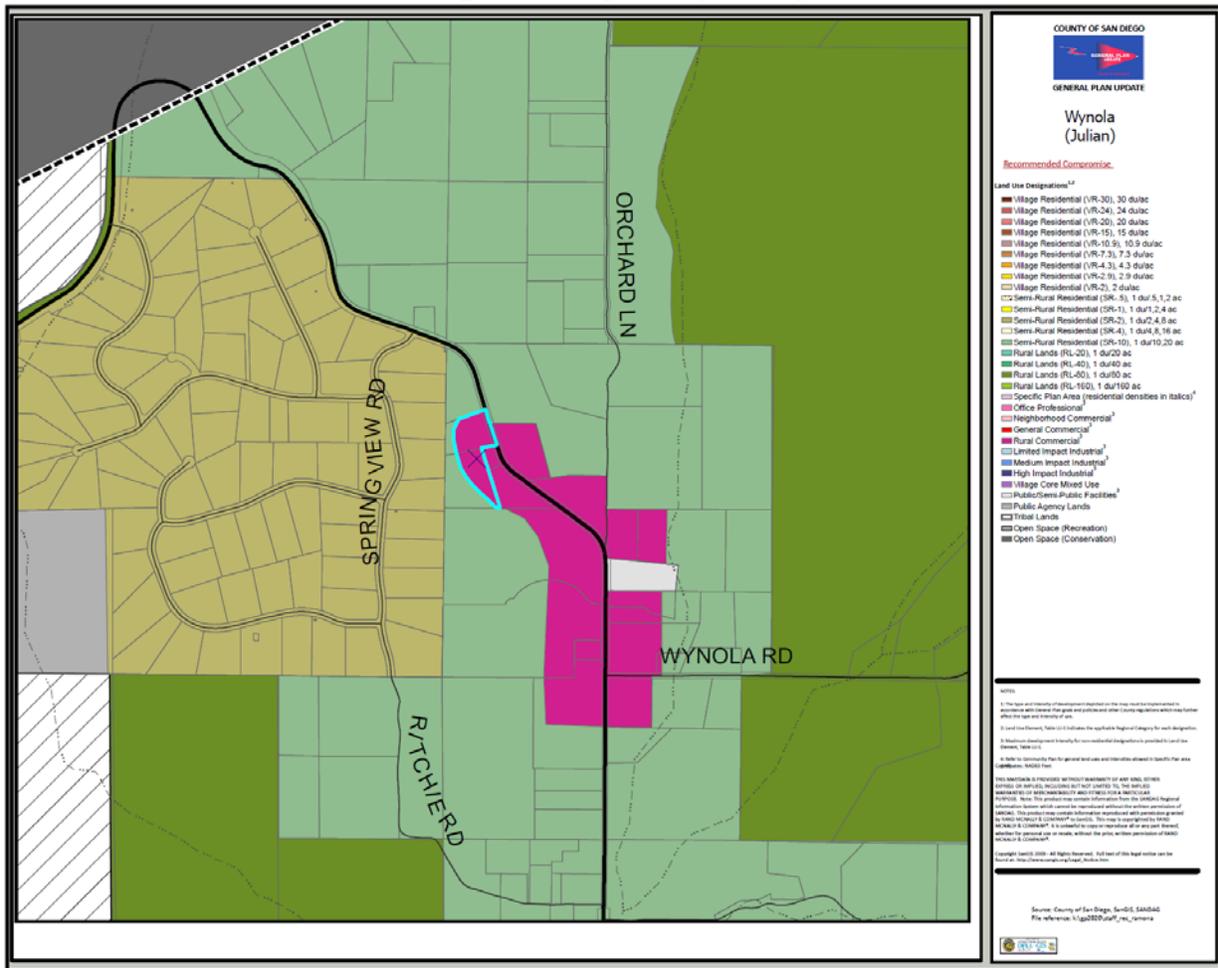
There are no specific issues or potential changes to discuss.

Julian

On December 4, 2009, Gary Hanafin gave testimony to the Planning Commission and requested a commercial designation under the General Plan Update for APN 248-060-03-00, located in Wynola. This was the first time General Plan Update staff received

the request and staff could consider adding a portion of the property as Rural Commercial. In the minutes received from the Julian Community Planning Group, the property was recommended by that group for Rural Commercial in February 2009. There is a Code Enforcement Case on the property. The Department reviewed an initial consultation of a minor use permit for Cottage Industries on the site, however could not support the application for a permit due to not meeting the Cottage Industry standards in the Zoning Ordinance. The Department however was not unsupportive of the use at the location. Figure 1 shows the location of this property, with the recommended changes to Rural Commercial outlined in blue.

Figure 1: Wynola (Julian)



Lakeside

There are no specific issues or potential changes to discuss.

Mountain Empire Subregion

Boulevard - There are no specific issues or potential changes to discuss.

Campo / Lake Morena - There are no specific issues or potential changes to discuss.

Potrero - There are no specific issues or potential changes to discuss.

Jacumba - There are no specific issues or potential changes to discuss.

Tecate – As was previously discussed, the Tecate community is being considered for a Special Study Area, to promote commercial and industrial uses tied to the Tecate border crossing and Tecate, Mexico. This Special Study would be incorporated into the Mountain Empire Subregional Plan, and would require a General Plan amendment following the General Plan Update. The Special Study Area and draft text will be presented at a later Planning Commission hearing.

North County Metropolitan Subregion

San Pasqual Valley Road (NC 9)

The site under consideration is a 20-acre parcel located on San Pasqual Valley Road with an existing fruit stand operation. As directed by the Planning Commission during the December 4, 2009 hearing, staff intends to work with the property owner to appropriately designate an adequate amount of Rural Commercial on the site that would address both the desires of the property owner and the compatibility with the surrounding community. Staff will also consider design criteria that can be established for the site, such as the application of a B or D designator.

The adoption of a D designator as a Special Area Regulation on the property could include specific language to guide development on the property. The D designator would require a Site Plan to be processed that demonstrates compliance with the General Plan, North County Metropolitan Community Plan and the specific standards required by the ordinance associated with the D designator. The objective of the standards of the D designator would be to minimize the visual impact of the commercial development of the property. The standards could include specific language to analyze and review grading, cross-sectional analysis, roof forms, walls, facades, exterior colors, exterior materials, roads, driveways, entry treatments, parking areas, pedestrian circulation, service and loading areas, site lighting, signs, plant palette and landscaping.

County Island Southeast of Escondido (NC 18) - NC 18 is within a County island that is southeast of the City of Escondido, which was initially recommended by staff for designation to Semi-Rural 2 following concerns over fire response time in the area. County Fire Authority Staff has since performed further review of the area and has provided additional guidance for staff's consideration. Staff is currently coordinating with the local fire marshal and will return with a revised boundary for NC18 at a later date.

Nabil Chehade - At the November 20, 2009 Planning Commission hearing, staff was directed to work with Nabil Chehade, a property owner of Assessors Parcel Numbers 181-170-34-00 and 181-280-12-00, a four-acre site located on Sugar Bush Drive in the North County Metropolitan planning area. The property, which is considered one legal

lot, had a split designation of Semi-Rural 1 and Semi-Rural 10, and the property owner requested that this be revisited by staff. Upon further review, staff has made the recommendation to designate the entire parcel as SR1.

Twin Oaks Valley - There are no specific issues or potential changes to discuss.

Hidden Meadows - There are no specific issues or potential changes to discuss.

North Mountain Subregion

Chihuahua Valley (NM6, 7 and 11-B) – The Planning Commission recommendation in Chihuahua Valley was to designate the entire area Rural Lands 40, from a combination of Semi-Rural 10 on the Referral Map and Rural Lands 80 on the Draft Land Use Map. Following the hearings, there has been additional information made available regarding the fire service availability in the area, specifically that the Sunshine Summit Volunteer Station is expected to meet County criteria for a full time station within the next year.

With this information staff has re-evaluated the staff recommendation and is recommending the Draft Land Use Map designations for the subject property, a combination of Semi-Rural 10 and Rural Lands 80, included as Figure 2. The Planning Commission recommendation is included as Figure 3, designating the entire property as Rural Lands 40, as well as updating property that has been recently purchased by federal agencies in the area. Additionally, upon discussions with the major property owners in the area, Mssrs. John and Richard Adams, staff has included the alternative the property owner supports, which applies Semi-Rural 10 to a larger area than the Draft Land Use Map, as well as recognizes that approximately 1,000 acres of the properties in Chihuahua Valley, previously designated as Rural Lands 80, are in escrow for conversion to open space, applying an Open Space (Conservation) designation. This is included as Figure 4.

Figure 2: Draft Land Use Map (Chihuahua Valley)

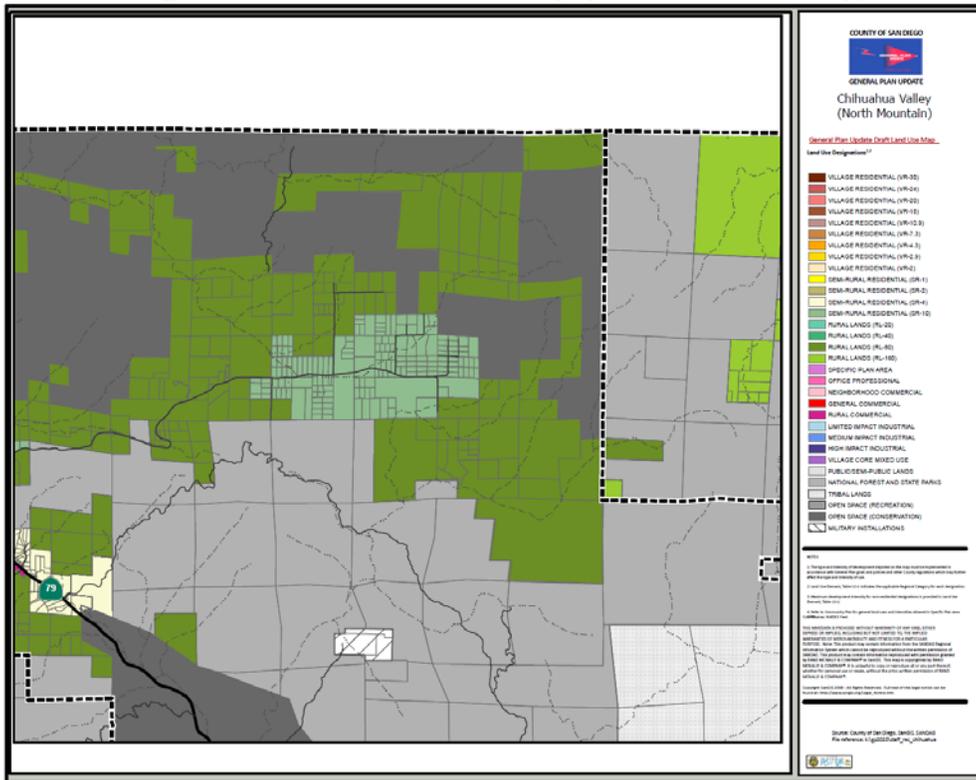


Figure 3: Planning Commission Tentative Recommendation (Chihuahua Valley)

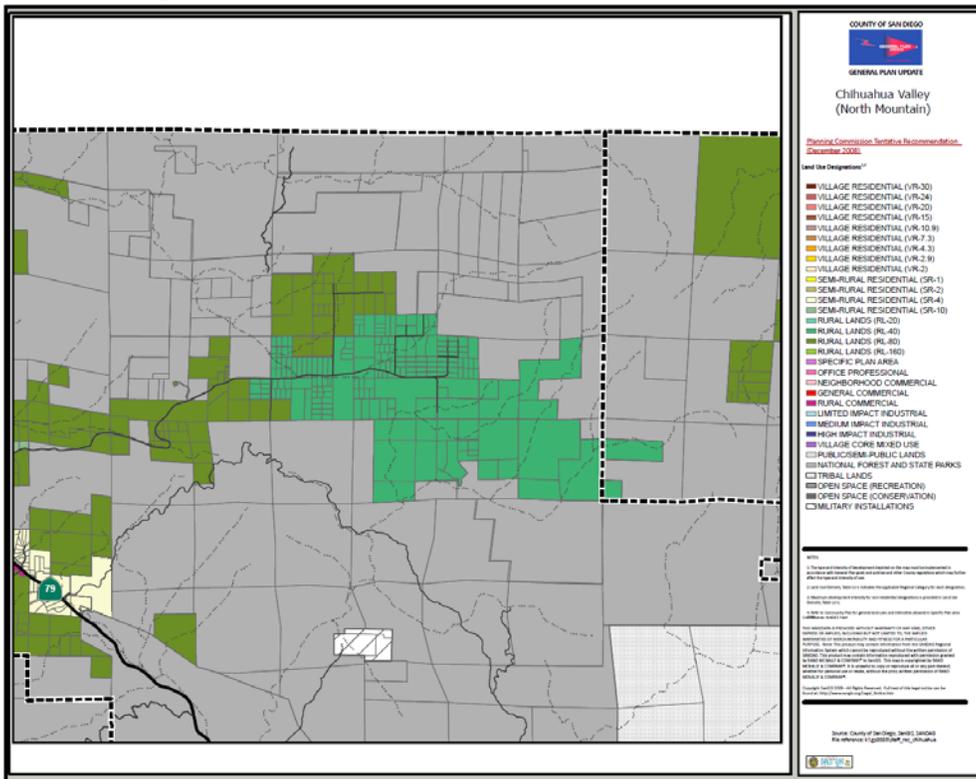
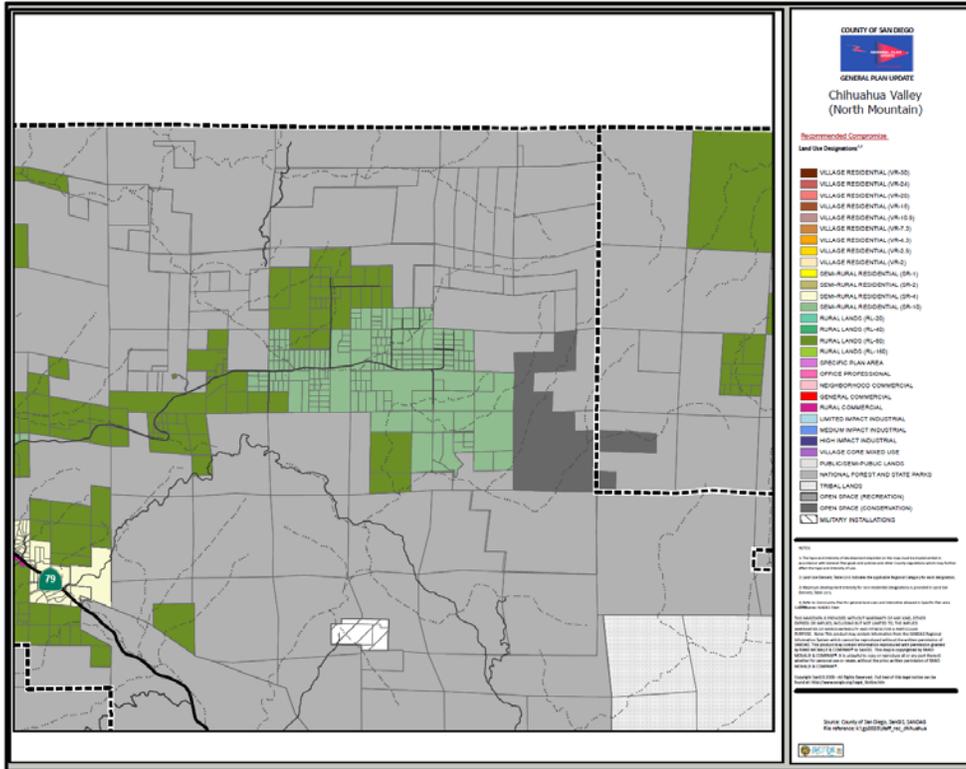


Figure 4: Property Owner Recommendation (Chihuahua Valley)



Otay

There are no specific issues or potential changes to discuss.

Pala - Pauma

There are no specific issues or potential changes to discuss.

Pendleton - DeLuz

There are no specific issues or potential changes to discuss.

Rainbow

There are no specific issues or potential changes to discuss.

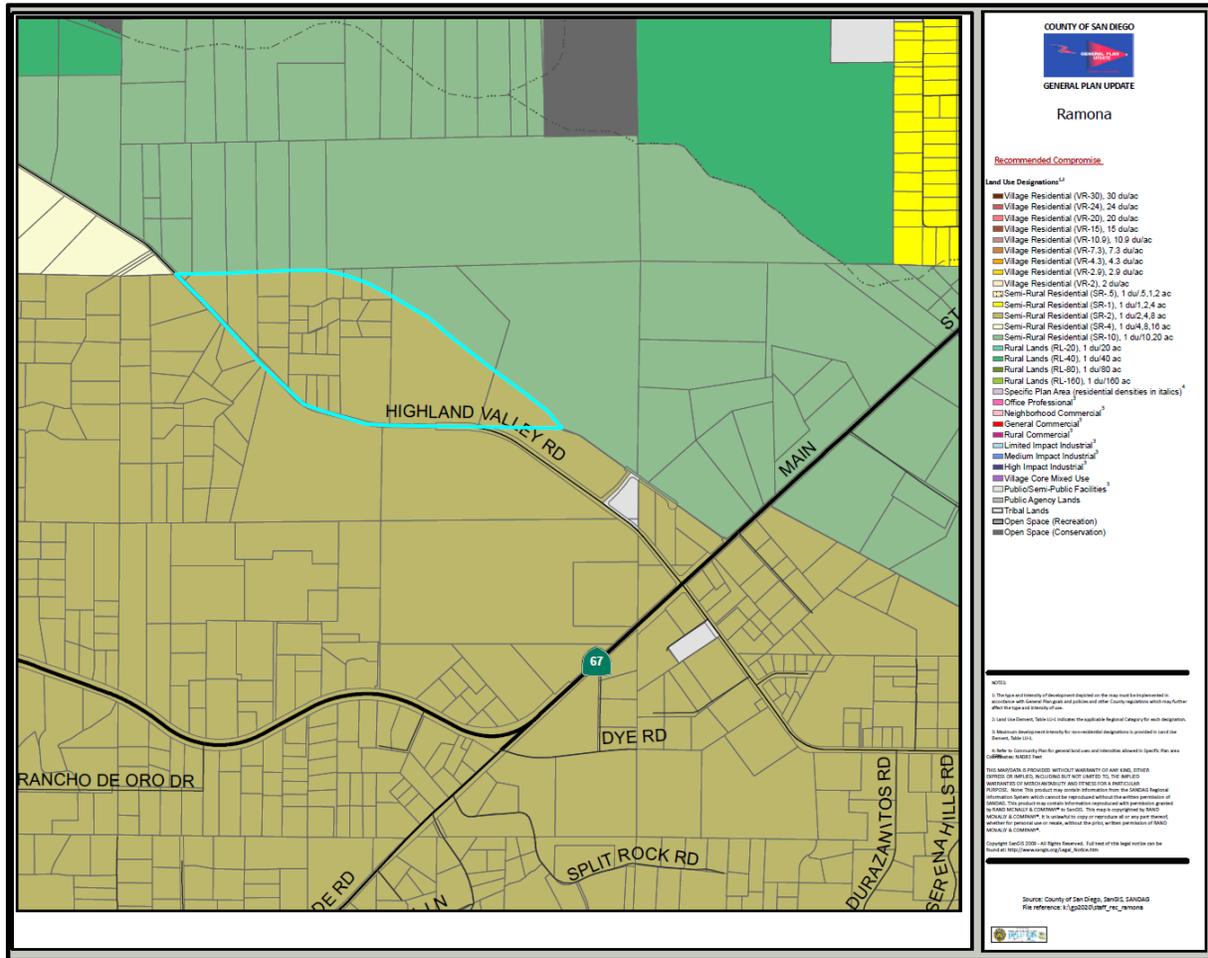
Ramona

Cummings Ranch & Gaye Miller

The Planning Commission referred the land use designations applied to Cummings Ranch and Gaye Miller back to staff at the Planning Commission hearings in November

2009. Staff has reviewed the area and has revised its recommendation to better reflect development patterns and the Cummings Ranch project plan, which was the intention when the map was originally prepared. This recommendation was presented to a subcommittee of the Ramona Community Planning Group on February 11; however, this meeting and any resulting community recommendation would occur after the deadline for inclusion in this report. The recommendation at the time of report preparation is included in Figure 5, showing an expanded area of Semi-Rural 2, outlined in blue, to recognize existing development patterns, as well as to better reflect the intent in the area, to accommodate development on the Cumming Ranch site along Highland Valley Road.

Figure 5: Portion of Ramona Community Planning Area



San Dieguito Community Planning Area

Open Space (Recreation) Land Use Designation - Morgan Run

On December 4, 2009, the Planning Commission referred the Morgan Run Country Club and Resort in San Dieguito, proposed to be designated Open Space (Recreation), back to staff for discussions. Based upon correspondence and testimony from Morgan Run's representatives, they are suggesting additional language added to the Open Space (Recreation) description in the Land Use Framework, located on Page 3-18 of the Draft General Plan Document. The proposed revisions to the section address the designation's ability to have alternative uses, with additional discretionary permits, such as hotel facilities, clubhouses, swimming pools, golf courses, tennis courts, restaurant and other similar or related improvements. The existing zoning for the Morgan Run Country Club and Resort is A70, which could be consistent with Open Space Recreation. The proposed revisions to the Open Space – Recreation designation are included below. Additionally, Morgan Run has indicated that it supports revisions to the Land Use Framework, Table LU-1 proposed to the Planning Commission in the Planning Commission report for the November 6, 2009 hearing.

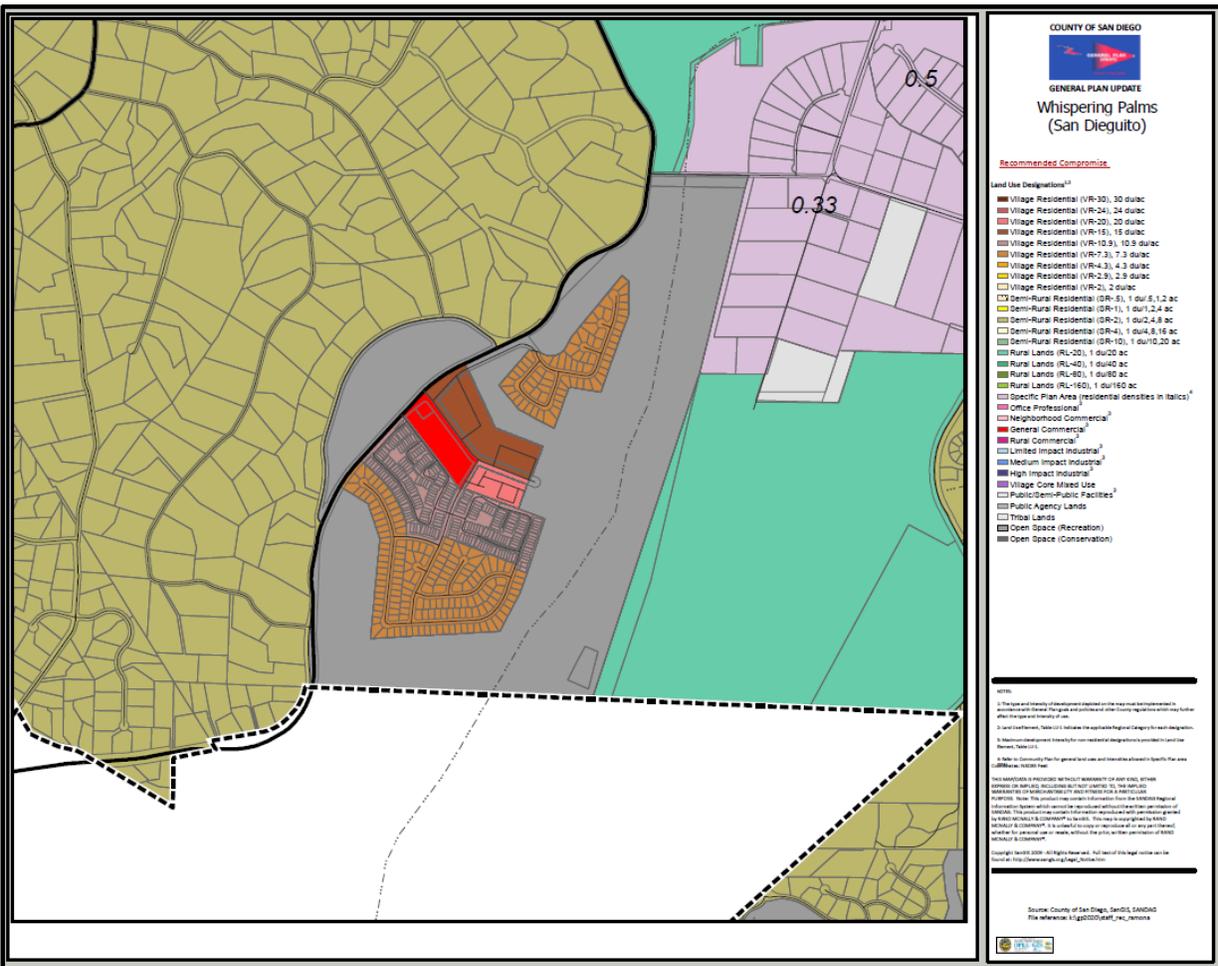
Open Space—Recreation. This designation is applied to large, existing recreational areas. This designation allows for active and passive recreational uses such as parks, athletic fields, and golf courses. Uses and structures ancillary to the primary open space use, [such as hotel facilities \(including timeshares and resort-residential developments\), clubhouses, swimming pools, golf course, tennis courts, restaurants and other similar or related improvements](#), may be permitted to enhance recreational opportunities only if they relate to the recreational purpose and do not substantially alter the character of the area.

Whispering Palms

On December 4, 2009, the Planning Commission directed staff to review the Whispering Palms area, which is designated (17) Estate Residential 1 dwelling unit per 2 or 4 acres on the existing General Plan and is designated Semi-Rural 2 on the General Plan Update land use alternatives?. However, the existing zoning on the site is a combination of C36, Urban Residential U 11 & 29, Variable Residential 10 and Single Family Residential 7. These zones already exist and the majority of the area is built with residences or commercial uses.

In order to reflect the existing land uses within the General Plan, staff is recommending revisions to the Planning Commission tentative recommendations to the General Plan designations to a combination of Village Residential 7.3, Village Residential 10.9, Village Residential 15, Village Residential 20 and General Commercial to closely match the existing uses and zoning. The proposed designations are shown in Figure 6.

Figure 6: Whispering Palms (San Dieguito)



Spring Valley

There are no specific issues or potential changes to discuss.

Sweetwater

Recent correspondence with the Sweetwater Community Planning Group has resulted in renewed discussions on road network designations. Staff will be coordinating with the Community Planning Group and providing any revised recommendation or other necessary information for consideration at a future hearing.

Valle de Oro

There are no specific issues or potential changes to discuss.

Valley Center

John Fox Correspondence

Prior to the hearing on December 4, 2009, John Fox sent a letter to the Planning Commission indicating issues with the existing use for a property along Nelson Way that also includes an active Code Enforcement Case. The letter also requested a designation other than Medium Impact Industrial, which is the land use proposed for the draft General Plan Update. The Planning Commission referred the letter back to staff and potentially Code Enforcement. The property owner for the subject site is currently processing a Site Plan, which would require enclosure of the uses, among other requirements which should address many of Mr. Fox's concerns. A scoping letter was sent on December 24, 2009 to the property owner and the scoping requirements are due from the property owner on March 24, 2010 in order to demonstrate adequate progress on addressing this enforcement action.