

ME30-A

General Plan (Adopted Aug 2011)	RL40
Property Specific Request	SR4
Requested by: James Kemp	
Community Recommendation	Unknown
Opposition Expected ¹	Yes
Spot Designation/Zone	No
Impact to FCI Timeline	None
Change to GPU Principles Needed	No
Level of Change (March 2011)	Moderate

Note:

1- Based on staff's experience

Property Description

Property Owner:

James Kemp

Size:

259.3 acres

1 parcel

Location/Description:

Adjacent to State Route 94;

Outside County Water Authority boundary

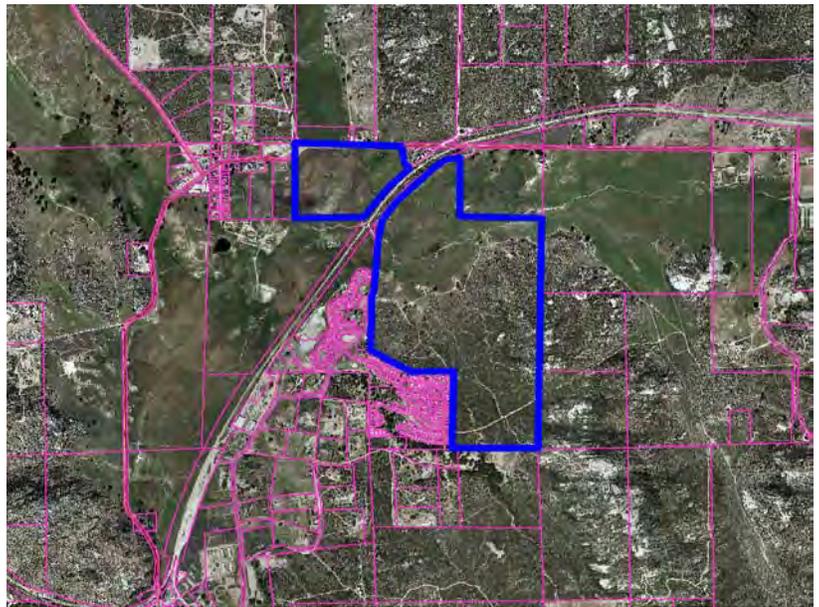
Prevalence of Constraints (See following page):

● - high; ◐ - partially; ○ - none

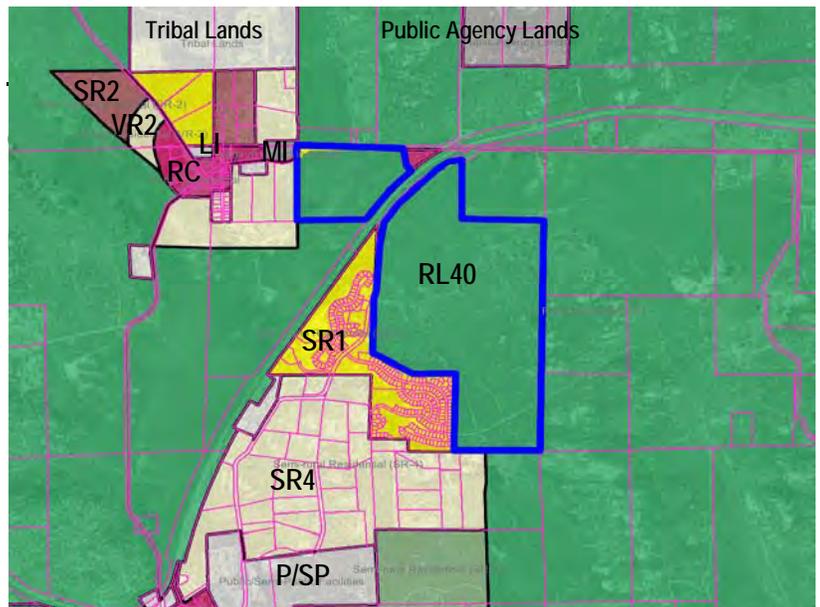
- Steep slope (greater than 25%)
- Floodplain
- ◐ Wetlands
- Habitat Value
- Agricultural Lands
- ◐ Fire Hazard Severity Zones

Land Use

General Plan	
Scenario	Designation
Former GP	1 du/ 4,8,20 ac
GP (Adopted Aug 2011)	RL40
Referral	RL40
Hybrid	
Draft Land Use	
Environmentally Superior	RL80
Zoning	
Former — S92, 4-acre minimum lot size	
Adopted Aug 2011 — Same as existing	



Aerial

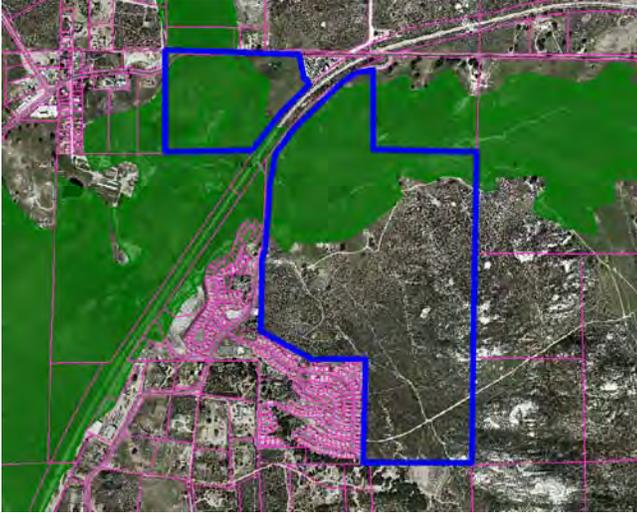


Adopted Aug 2011

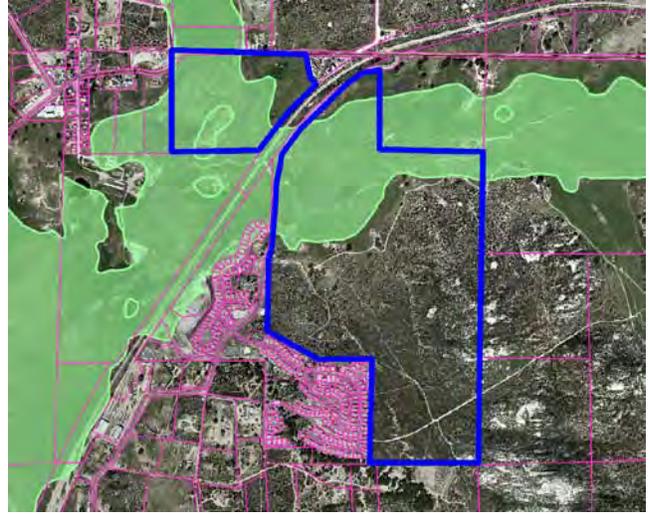
Discussion

This property is designated Rural Lands 40 and is adjacent to, but outside the boundaries of the Cameron Corners and Campo Rural Villages in the Campo / Lake Morena Planning Area. This site is also adjacent to the Motor Transport Museum. The requested density is more intense than the range of alternatives evaluated by the General Plan Update EIR.

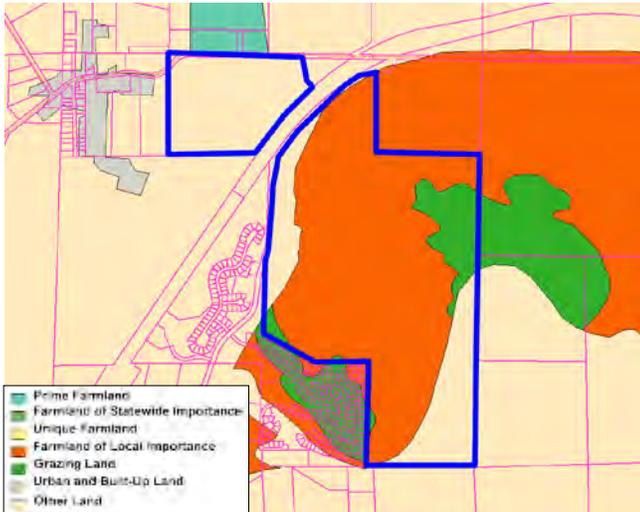
ME30-A (cont.)



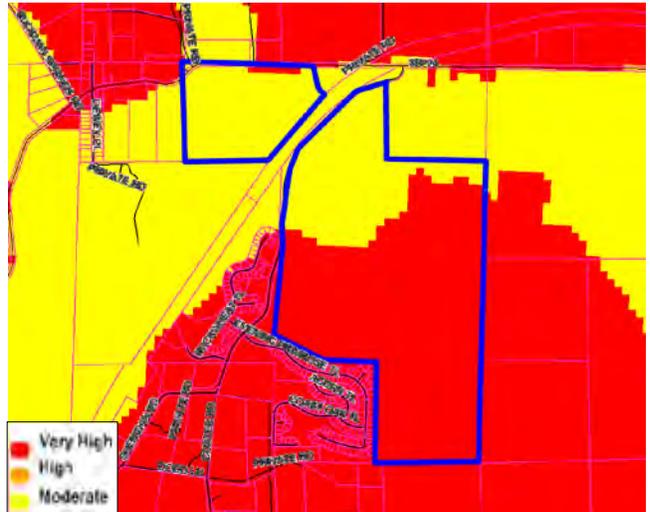
Wetlands



Prime Agricultural Lands



Agricultural Lands



Fire Hazard Severity Zones

ME30A SUPPLEMENT – IMPLICATIONS OF AMENDING GENERAL PLAN

Property Specific Request	August 3 Adopted Designation	Level of Change Category
Semi-Rural 4	Rural Lands 40	Moderate

Rationale for Moderate Category Classification

The request for a SR4 density (one dwelling unit per four acres) was not directed by the Board to be evaluated as part of the General Plan Update. The highest density for the site considered as part of the General Plan Update was one dwelling unit per forty acres. The request could potentially result in 64 dwelling units compared to only six dwelling units allowed under the adopted General Plan. Therefore, additional environmental documentation would be necessary in order to comply with State law.

Guiding Principles/General Plan Changes Necessary to Support the Request

None

Impact to Forest Conservation Initiative Remapping Timeline

None



ERIC GIBSON
DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

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October 10, 2011

James Kemp
P.O. Box 36
Campo, CA 91906

RE: ME30A and ME30B

Dear Mr. Kemp:

This letter is in response to your correspondence dated September 24, 2011 regarding the area identified as ME30-A and ME30-B located in the community of Campo/Lake Morena. In your letter you request that these properties be re-designated from Rural Lands 40 (RL-40), or one dwelling unit per 40 acres, to Semi-Rural 4 (SR-4), or one dwelling unit per four acres. Much of your letter focuses on how ME30-A is consistent with the Guiding Principles. Staff agrees as ME30-A has been classified under the Moderate category. However, a SR-4 density for ME30-A is outside the range of alternatives evaluated by the General Plan Update Environmental Impact Report. Therefore, a SR-4 designation for ME30-A would require a General Plan Amendment (GPA) as the General Plan Update was adopted on August 3, 2011 and would require additional environmental analysis in accordance with the California Environmental Quality Act.

ME30-B was classified under the Major category because a SR-4 designation is considered to be inconsistent with Guiding Principles #2 and #5. The rationale for ME30-B's inconsistency is discussed below.

2. Promote health and sustainability by locating new growth near existing and planned infrastructure, services, and jobs in a compact pattern of development.

The ME30-B request would be inconsistent with the Community Development Model because it would assign SR-4 densities approximately three miles east of the Cameron Corners and Campo Villages. As discussed in the Vision and Guiding Principles Chapter of the General Plan, development patterns outside of villages are intended to consist of low-density residential neighborhoods and small-scale agricultural operations surrounded by "Rural Lands" characterized by very low density residential areas that contain open space, habitat, recreation, agriculture, and other uses associated with rural areas. While SR-10 densities are assigned to adjacent properties, this density reflects existing parcelization as they would not be able to subdivide further. However, most of the properties surrounding ME30-B consist of Rural Lands characterized by

large lots and open space. A more detailed description of this Guiding Principle is found on Page 2-8 at the following link:

http://www.sdcounty.ca.gov/dplu/gpupdate/docs/GP/Cover_Intro_Vision.pdf

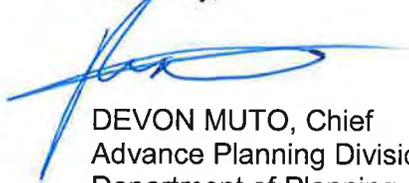
5. Ensure that development accounts for physical constraints and the natural hazards of the land.

The ME30-B property is constrained by a variety of constraints including wetlands and steep slope, along with its location entirely within the Very high Fire Hazard Severity Zone. The presence of these constraints contributes to the rationale to assign a Rural Lands density to this property. Assigning an SR-4 density places an unrealistic expectation of the subdivision of the property. A one dwelling unit per four acre density could not be achieved due to the requirement to avoid wetlands and meet the eight-acre minimum lot size requirement specified in the Groundwater Ordinance. An important objective of the General Plan Update is to assign realistic land use designations to the Land Use Map, as required by the following policy:

LU-1.9 Achievement of Planned Densities. *Recognizing that the General Plan was created with the concept that subdivisions will be able to achieve densities shown on the Land Use Map, planned densities are intended to be achieved through the subdivision process except in cases where regulations or site specific characteristics render such densities infeasible.*

If you would like to discuss this further or would like to provide evidence that the analysis provided above does not accurately reflect existing conditions, please contact Bob Citrano, Land Use / Environmental Planning Manager at (858) 694-3229 or e-mail Robert.Citrano@sdcounty.ca.gov.

Sincerely,



DEVON MUTO, Chief
Advance Planning Division
Department of Planning and Land Use

Kemp Ranch

September 24, 2011

ATTN: Jimmy Wong
Land Use/Environmental Planner
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123



P.O. Box 36
Campo, CA 91906
Phone: (619) 478-5598

Dear Mr. Wong:

In advance of the November 9, 2011 workshop on property specific requests, my family and I would like to state for the record our position on the appropriate zoning for our parcels that are up for review in this process. Our cattle ranch, located in Campo, CA, is split into two separate requests for purposes of the General Plan Update (GPU) and the workshop. The Department of Planning and Land Use (DPLU) identified the properties collectively as ME30-A and ME30-B, both of which are zoned RL-40¹ according to the GPU approved on August 3, 2011. See Attachments 1 and 2. We entreat the DPLU to honor our request, made in writing and orally multiple times in the past 12 years, that the properties maintain the same zoning prior to the approval of the GPU. That zoning was the equivalent of SR-4.

It is our understanding that DPLU will evaluate the parcels using the GPU's 10 Guiding Principles with consideration of site constraints and relevant property-specific information. To illustrate our views in this regard, we have provided an evaluation of each relevant Guiding Principle as it pertains to our property. This discussion of principles also incorporates concepts concerning site constraints and pertinent property-specific information. Where a Guiding Principle had no application to our situation or property, we omitted the criterion from the analysis below. We note that the DPLU assessed the requested change to ME30-A as "Moderate" and, therefore, has already taken the position that the request does not conflict with GPU objectives.

1. Support a reasonable share of projected regional population growth.

Regardless of whether the land is zoned at SR-4 or RL-40, our property will have no effect on the projected regional population growth because in either scenario not enough homes could be constructed to impact long-term trends, due to the physical limitations of the property (these site constraints are discussed below).

2. Promote health and sustainability by locating new growth near existing and planned infrastructure, services, and jobs in a compact pattern of development.

Of all the Guiding Principles, this one is the most troubling to us in the context of our land, specifically ME30-A, being downzoned to RL-40 in the GPU. This property (i.e. ME30-A) adjoins the Campo Hills development which contains approximately 220 homes on ¼ acre lots. Our property shares the same geographical characteristics as Campo Hills and already has water and sewage extensions in place from the development. The Guiding Principles establish that the zoning of land surrounding a

¹ Approximately 40 acres contained in ME30-B is zoned as SR-10.

property as densely developed as Campo Hills will increase incrementally moving outward. The DPLU conformed to this concept with concern to properties to the south of the development by designating them SR-4 (the property to the west is a flood plain and not relevant to the discussion). However, to the east and north of Campo Hills, the DPLU acted contrary to its own Guiding Principle of a “compact pattern of development” and downzoned our property to RL-40. Thus, pursuant to the GPU approved in August 2011, there are now ¼ acre lots adjacent to 40 acre lots. See Attachment 1. This design makes our property unique in San Diego County. A review of every GPU land-use map for the entire County revealed that there is no other configuration in which an SR-1 development adjoins buildable property zoned as RL-40.² Over the last several years, we have made the DPLU aware of this potential inconsistency on multiple occasions but to no avail. These circumstances are blatantly contrary to the Guiding Principles and can only be corrected by readjusting the zoning of our property to SR-4.

3. Reinforce the vitality, local economy, and individual character of existing communities when planning new housing, employment, and recreational opportunities.

In the short-term, our property taxes are unlikely to change based on the downzoning in the GPU. In the long-term, tax revenue stemming from ME30-A and ME30-B will be greatly diminished because the downzoning will significantly decrease the value of these assets. The same can be said for other property that has suffered the same fate in Campo and across San Diego County. The cumulative effect of a diminished tax base will hardly reinforce the local economy of the existing community as envisioned by this Guiding Principle. In fact, the decrease in tax revenues will undermine the community and cause great harm to programs funded by property taxes such as public education. Moreover, as the effects of the GPU greatly devalue these assets, it will become more difficult for sole proprietors and companies to secure sufficient credit and continue business operations. The lack of available credit and a diminished tax base will stunt the local economy forcing businesses in rural areas to shed employees. In Mountain Empire’s Subregional Plan, the DPLU acknowledges the “current lack of goods, services, and employment opportunities in this community.” However, instead of taking steps to foster the local economy, the DPLU chose to hamper economic growth by downzoning properties throughout the area and across the County. Therefore, by downzoning our property and that of other landowners, the DPLU undermined its own Guiding Principle to reinforce the existing community.

5. Ensure that development accounts for physical constraints and the natural hazards of the land.

Our land contains areas that are excellent for development based on access, infrastructure, and geographical characteristics. A good example is the acreage east of the Campo Hills development. This land is the correct slope for building, has excellent entry routes, and is already set up to access Campo Hill’s water and sewer systems. However, due to site constraints such as wetlands issues, many other areas of our land cannot be developed. Therefore, regardless of the zoning, only a relatively small number

² There are approximately four other zoning configurations in the County where SR-1 property adjoins RL-40 property; however, in these cases, the SR-1 property is undeveloped and the adjacent RL-40 property is not conducive to home construction due to site constraints.

of homes could ever be constructed on ME30-A and ME30-B. This concept, ignored by the DPLU, makes downzoning unnecessary in our case and that of many other landowners throughout the County because the site constraints already limit growth potential.

Regarding natural hazards, we note that the DPLU's previous assessment of ME-30A designated it as a high risk area for fire. That is not an unfair evaluation and wild fires in the east county are a legitimate concern. We also note that the high-risk area includes Campo Hills. Thus, in spite of fire danger, the County eagerly approved a 220-home development but only later decided to take fire hazard into consideration when downzoning our property to RL-40. In fact, the previous zoning of SR-4 would actually lower fire danger because more brush area would be cleared in the event of home construction. Moreover, SR-4 zoning would greatly alleviate the threat to Campo Hills because new homes would clear brush east of the development which would cut the path of any fire started during Santa Ana winds. In contrast, 40-acre lots would not provide any significant break and fire risk would remain unchanged.

7. Maintain environmentally sustainable communities and reduce greenhouse gas emissions that contribute to climate change.

Regardless of whether the land is zoned as SR-4 or RL-40, our property will have no effect on the environmentally sustainable communities and the reduction of greenhouse gasses. However, the GPU as passed will undermine the local economy resulting in a loss of jobs. Higher local unemployment will cause even more residents to commute on a daily basis to the San Diego area – a practice that is neither environmentally sound nor conducive to a reduction in greenhouse gasses.

8. Preserve agriculture as an integral component of the region's economy, character, and open space network.

Our family has used the properties in question as part of a working cattle ranch for decades in the case of ME30-A and over a century for ME30-B. This practice is unlikely to change in the near future. As mentioned above, the site constraints of the land limit any possible development to a mild percentage of the total acreage because much of the property is dominated by wetlands and mountains. As a result, a zoning of SR-4 or RL-40 will make little difference to the agriculture potential of the property. In this regard, the zoning prior to the August 2011 GPU was consistent with the Guiding Principles.

9. Minimize public costs of infrastructure and services and correlate their timing with new development.

Given its proximity to Campo Hills, ME30-A is an ideal target for development if the goal is to minimize costs of infrastructure and services and correlate their timing with new development. Therefore, downzoning ME30-A and removing the parcel from potential development undermines this Guiding Principle.

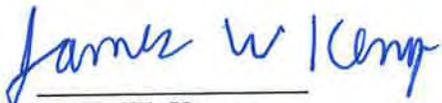
10. Recognize community and stakeholder interests while striving for consensus.

The local community group has not expressed opposition to our property-specific requests. As for the stakeholders involved in this workshop, most would likely state that

ME30-A Additional Information: Correspondence Received

the DPLU has not recognized their interests and has made little effort to arrive at consensus over the issue of downzoning. Indeed, the very people who are affected the most by this topic have been largely ignored with the concepts of good-faith negotiations, concessions, and consensus conspicuously absent throughout the 12-year period of GPU hearings. It is difficult to imagine that the process was consistent with this Guiding Principle in terms of recognizing stakeholder interests while striving for consensus.

The analysis set forth in the preceding paragraphs establishes that maintaining a SR-4 designation for ME30-A and ME30-B is entirely consistent with the GPU's Guiding Principles with consideration for site constraints and property-specific information. In fact, downzoning the property is contrary in many instances, especially with concern to ME30-A, to these principles. Therefore, we request that the DPLU and County Board of Supervisors adjust our zoning to an SR-4 designation for ME30-A and ME30-B (i.e. the same zoning for the property prior to the August 2011 approval of the GPU). Throughout the GPU process, our zoning requests and those of many other landowners in the County have been dismissed by the DPLU in spite of sensible, well-reasoned arguments put forth by advocates for an equitable general plan. Indeed, one may wonder why it took over a decade and millions of dollars for the County Board of Supervisors to pass a plan that hardly deviated from the original version at least as it pertained to the issue of downzoning. Nevertheless, the November 9, 2011 workshop affords one last chance for the DPLU to do the right thing and correct the injustices enacted in the GPU as passed in August 2011. We encourage the DPLU and County Board of Supervisors to take advantage of this opportunity and serve County residents in a fair and equitable manner.



James W. Kemp
Kemp Ranch
Owner

CC: Dianne Jacob
Supervisor, Second District
County of San Diego