

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, AUGUST 4, 2010**

**MINUTE ORDER NO. 1**

**SUBJECT: NOTICED PUBLIC HEARING:  
GENERAL PLAN AMENDMENT (GPA) 10-002: ITEM A: TIERED  
WINERY ORDINANCE; GPA 10-003, POD 08-012 (DISTRICT: ALL);  
ITEM B: DENSITY BONUS, GPA 09-003, POD 08-002 (DISTRICT:  
ALL) AND ITEM C: MONTECITO RANCH, GPA 04-013, SP 01-001, R  
04-022, VTM 5250 RPL<sup>6</sup>, P 04-045, P 09-023, S 08-019, ER 01-09-013,  
RAMONA COMMUNITY PLAN AREA (DISTRICT: 2)**

**OVERVIEW:**

This is a proposal to amend the San Diego County General Plan Regional Land Use Element and Circulation Element. It represents the second such amendment of the Regional Land Use Element and first such amendment of the Circulation Element to be considered by the Board of Supervisors in 2010. This General Plan Amendment consists of the following three items:

**Item A: Tiered Winery Ordinance** – This action consists of amendments to the County of San Diego General Plan and to the County Zoning Ordinance to comprehensively address regulations in A70 and A72 zones for various sized wineries, including winery uses by right. The project introduces a new winery classification “Packing and Processing: Small Winery” that would be allowed subject to limitations and with an approved Administrative Permit and revises the existing regulations to increase the by right wine production for “Packing and Processing: Wholesale Limited Winery” and to allow the “Packing and Processing: Boutique Winery” Use Type by right, subject to specified standards and limitations.

**Item B: Density Bonus** – Amendments are proposed to the San Diego County General Plan and Zoning Ordinance to bring them up to date with the State density bonus provisions in Government Code Section 65915 et seq., to reorganize and simplify existing density bonus programs, and to implement Housing Element programs. The amendments are needed because there have been recent changes to California State density bonus law that supersede any local ordinance or regulation. The inconsistencies between local regulations and State provisions have caused confusion regarding the application of the State’s superseding requirements to local density bonus projects.

**Item C: Montecito Ranch** – The Montecito Ranch project has been designed as a residential master planned community on a 935.2-acre site that consists of 417 single family residences (ranging in size from 20,000 square feet to 1.8-acres), an 8.3-acre active park, and an 11.9-acre historic park. It also includes designated biological open space of 576.2 acres, if the project connects to the Ramona Municipal Water District, or 551.5 acres, if the project relies on a stand alone wastewater reclamation facility. Multi-use trails would be provided within the open space areas and along the project’s roadways. The project is located one mile northwest of the Ramona Town Center, south of State Route 78 and west of Ash Street in the unincorporated community of Ramona (Thomas Guide Page 1152).

The project application includes a request for a General Plan Amendment, a Specific Plan Amendment, a Rezone, two Major Use Permits (Major Use Permit 04-045 would provide detailed development standards and Major Use Permit 09-023 would be required to implement the wastewater reclamation facility) and a Vesting Tentative Map/Site Plan.

**FISCAL IMPACT:**

**Item A: Tiered Winery Ordinance.** N/A

**Item B: Density Bonus.** N/A

**Item C: Montecito Ranch.** N/A

**BUSINESS IMPACT STATEMENT:**

**Item A:** The proposed project will benefit San Diego County by promoting the County as a wine producing region and supporting economic growth of visitor serving businesses such as restaurants, cafes and lodging facilities. While the proposed project is not expected to directly generate a significant number of new winery jobs, some new tourist related job opportunities would be expected as San Diego County becomes recognized as a wine producing area. Therefore, the proposed project will benefit the County by encouraging tourism and creating greater local employment opportunities.

**Item B:** N/A

**Item C:** N/A

**RECOMMENDATION:**

**PLANNING COMMISSION**

The Planning Commission recommends that the Board of Supervisors take the following actions:

1. Adopt the resolution entitled Resolution of the San Diego County Board of Supervisors Adopting General Plan Amendment (GPA) 10-002, as it applies to Item B (Density Bonus Ordinance) and Item C (Montecito Ranch). The resolution adopts amendments to the Ramona Community Plan, Regional Land Use Element and Circulation Element of the General Plan for the reasons stated therein and discussed in this report (Attachment 1, Exhibits B and C).
2. Deny GPA 10-002 as it applies to Item A (Tiered Winery Ordinance) and amendments to the Regional Land Use Element Policy 2 (Attachment 1, Exhibit A).

**Item A: Tiered Winery Ordinance**

3. Adopt the required California Environmental Quality Act (CEQA) findings for this project, for the reasons stated therein and discussed in this report. (Attachment A-3)

4. Adopt the attached Form of Ordinance (Attachment A-1):

AN ORDINANCE AMENDING THE ZONING ORDINANCE TO AMEND EXISTING AND INTRODUCE NEW WINERY PACKING AND PROCESSING USE TYPES, REF. POD 08-012

**Item B: Density Bonus**

5. Find that the General Plan Amendment of Regional Land Use Policy 3.6 and the proposed Zoning Ordinance Amendment, with the exception of the County Affordable Senior Housing Program, are not subject to CEQA review pursuant to CEQA Guidelines Section 15060 (c)(1). (Attachment B-5)
6. Find that the County Affordable Senior Housing Program of the proposed Zoning Ordinance amendment, the repeal of Regional Land Use Element Policy 3.8, and the repeal of Board Policies I-79 (Housing Affordable to Elderly Households) and I-102 (Guidelines for Meeting the Socio-economic Benefit Provisions of Regional Land Use Element Policy 3.8) are exempt from CEQA under CEQA Guidelines Section 15061(b)(3). (Attachment B-5)
7. Adopt the attached Form of Ordinance. (Attachment B-2):

AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATED TO DENSITY BONUSES AS AN INCENTIVE TO PROVIDE AFFORDABLE HOUSING, REF: POD 08-002.

8. Repeal Board Policy I-79 and Board Policy I-102. (Attachment B-4)

**Item C: Montecito Ranch**

9. Adopt the required CEQA Findings for this project, for the reasons stated therein and discussed in this report. (Attachment C-4)
10. Adopt the attached Form of Ordinance. (Attachment C-2)

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE RAMONA COMMUNITY PLAN AREA, REF. R04-022.

11. Adopt the resolution entitled Resolution of the San Diego County Board of Supervisors Approving Specific Plan SP 01-001 Montecito Ranch Specific Plan. This resolution makes the required findings and imposes those requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law. (Attachment C-2)

12. Adopt the resolution entitled Resolution of San Diego County Board of Supervisors Approving Condition for Vesting Tentative Map No. 3100 5250 RPL6 (VTM). This resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with the County of San Diego Subdivision Ordinance and State Law. (Attachment C-2)
13. Approve Site Plan S08-019, which makes the findings and imposes the requirements and conditions as set forth in the Form of Decision. (Attachment C-2)
14. Approve Major Use Permit P04-045, which makes the findings and imposes the requirements and conditions as set forth in the Form of Decision. (Attachment C-2)
15. Approve Major Use Permit P09-023, which makes the findings and imposes the requirements and conditions as set forth in the Form of Decision. (Attachment C-2)

#### **DEPARTMENT OF PLANNING AND LAND USE**

The Department recommends adoption of the resolution entitled Resolution of the San Diego County Board of Supervisors Adopting General Plan Amendment (GPA) 10-002.

#### **Item A: Tiered Winery Ordinance**

The Department concurs with the Commission's recommendations, with the exception of Item A: GPA 10-002, as it applies to the amendments to the Regional Land Use Element Policy 2. On June 25, 2010, a motion by the Planning Commission to recommend approval of the related GPA failed (3 ayes – 2 noes - 0 with two members absent). Under Planning Commission Policy Number PC-2, the failure of the motion to receive four votes is deemed to be a recommendation by the Planning Commission that the GPA be disapproved.

#### **Item B: Density Bonus**

The Department concurs with the Commission's recommendations.

#### **Item C: Montecito Ranch**

The Department concurs with the Commission's recommendations with the exception of Item C: Major Use Permit P09-023. (See Attachment C-1: Additional Information Sheet for more detail).

As more fully explained below, the Department supports the approval of Montecito Ranch but recommends denial of Major Use Permit 09-023 because a stand alone wastewater treatment facility is not consistent with the regional basin planning of the Ramona Municipal Water District (RMWD) and because staff has concluded the facility is potentially inconsistent with the Public Facility Element of the General Plan, the Montecito Ranch Specific Plan chapter of the Ramona Community Plan, and the goals and policies of the San Diego Local Agency Formation Commission (LAFCO) that discourage the duplication of municipal services. If Major Use Permit 09-023 is denied, sewer service for the project can be provided by the RMWD.

**ACTION:**

- 1.1** Noting for the record changes to the zoning ordinance as distributed by County Counsel, ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board tentatively approved the Department's recommendations as they pertain to Item 1A.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**ACTION:**

- 1.2** ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board tentatively approved the Department's recommendations as they pertain to Item 1B, and

- directed the Chief Administrative Officer to send a letter to the legislature and Governor strongly voicing the Board's concerns;
- directed the Chief Administrative Officer to pursue the reinstatement of the public transit requirement; and
- directed the Chief Administrative Officer to add this to, and advocate this within the County's Legislative Program.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**ACTION:**

- 1.3** Noting for the record that an Errata sheet has been submitted to the Board as part of attachment C-2, ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board closed the Hearing and took actions as recommended by the Planning Commission as they pertain to Item 1C, adopting Ordinance No. 10069 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION ON MONTECITO RANCH PLANNED COMMUNITY IN THE RAMONA COMMUNITY PLAN; adopting Resolution No. 10-144, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP 01-001 MONTECITO RANCH SPECIFIC PLAN; adopting Resolution No. 10-145, entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING CONDITIONS FOR VESTING TENTATIVE MAP NO. 3100 5250 RPL<sup>6</sup> (VTM); and adopted Resolution No. 10-143, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 10-002; and formally approved the tentative actions previously taken with respect to Items 1A and 1B, adopting Ordinance No. 10067, entitled: AN ORDINANCE AMENDING THE ZONING ORDINANCE TO AMEND EXISTING AND INTRODUCE NEW WINERY PACKING AND PROCESSING USE TYPES (POD 08-012), adopting Ordinance No. 10068 (N.S.) entitled: AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATED TO DENSITY BONUSES AS AN INCENTIVE TO PROVIDE AFFORDABLE HOUSING, and repealing Board Policies I-79 and I-102.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

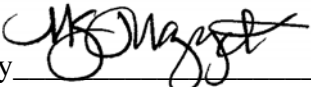
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State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors



By  \_\_\_\_\_  
Marvice E. Mazyck, Deputy