



The County of San Diego

Planning Commission Hearing Report

Date:	June 14, 2013	Case/File No.:	Tiered Equine Ordinance; POD 11-011 EIR SCH No. 2012011052
Place:	County Conference Center 5520 Overland Avenue San Diego, CA 92123	Project:	An ordinance to establish a tiered permitting process for commercial horse stables
Time:	9:00 am	Location:	Countywide
Agenda Item:	#5	General Plan:	Various
Appeal Status:	The Board of Supervisors is the final decision-maker	Zoning:	Various
Applicant/Owner:	County of San Diego	Community:	Various
Environmental:	Environmental Impact Rep	APN'S:	Various

A. EXECUTIVE SUMMARY

1. Requested Actions

This is a request for the Planning Commission to evaluate the proposed project and make recommendations to the Board of Supervisors. The project proposes an amendment to the Zoning Ordinance that establishes new and amended definitions, procedures and standards for review and permitting of commercial equine uses also referred to as commercial horse stables. The amendment will implement a new tiered system of permitting for commercial horse stables with both ministerial and discretionary tiers of permitting. The Department recommends that the Planning Commission make the following recommendations to the Board of Supervisors:

- a. Certify that the Final Environmental Impact Report (EIR) dated June 2013 on file with the Department of Planning and Development Services SCH No. 2012011052 prepared for the Tiered Equine Ordinance Amendment POD 11-011 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines (Attachment C).
- b. Adopt the ordinance titled:
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO EQUINE USES (Attachment B).

2. Required Findings to Support Requested Actions

- a. Is the proposed project consistent with the vision, goals, and polices of the General Plan? (Page 5)
- b. Does the project comply with the California Environmental Quality Act (CEQA)? (Page 6)

B. PROPOSAL

1. Background

In March 2011 the Board of Supervisors requested ordinance options for updating equine regulations. After receiving Board of Supervisors direction, staff held a series of meetings with equine stakeholders and developed options to present to the Planning Commission and the Board of Supervisors.

On July 13, 2011(1) the Board of Supervisors directed staff to develop a tiered ordinance for the permitting of commercial horse stables. The specific direction to staff was to work with the equine community to investigate and develop best management practices and permit streamlining options that would protect and promote equine operations. The focus of these changes pertain to streamlining and simplifying the existing permitting process for horse stables by incorporating a tiered permitting system that would allow different levels of permit requirements based on the intensity of the equine operations. The Zoning Ordinance now requires a Major Use Permit for some properties located in the County regardless of the size and intensity of the equine operations.

Based on the direction from the Board of Supervisors, staff commenced research on the project and reviewed relevant codes. Staff also conducted extensive stakeholder and community outreach. Staff scheduled a series of interviews at existing stables throughout the County and attended more than a dozen community meetings to present the approach included within the draft ordinance and EIR. Staff visited and conducted interviews at 20 different commercial horse stables from the summer of 2012 into early 2013. Staff took the opportunity to learn about horse operations, gather data for use in the EIR and collected input from stakeholders about permitting options including the feasibility of potential ordinance regulations. Staff received input from community planning groups, concerned residents, and equine enthusiasts at these interviews and meetings. The subject also received some coverage from local press including the Ramona Sentinel, Patch and the Union Tribune.

Staff has incorporated stakeholder recommendations in the ordinance to the greatest extent possible, including additional setback requirements for new operations, greater allowance for pastures in the setbacks and grandfathering of existing stables that have been in operation since before 1978 when the current ordinance was adopted. After initial research into other jurisdictions, staff considered a potential threshold of eight horses per acre, which is similar to the commercial horse stable threshold in Los Angeles and Orange Counties. With substantial input from stakeholders, staff increased the horse number threshold from the initially considered eight horses per acre to ten horses per acre to be analyzed as the project under the EIR. The consensus with stakeholders was that ten horses per acre would constitute a reasonable, achievable number of horses per acre when considering horse safety and economic viability for stables.

2. Summary of Tiered Equine Ordinance

The tiered system of permitting would eliminate the need for a discretionary permit for some horse stables based on the number of horses. As the intensity of the horse operations increase, depending on the number of horses located on a site, discretionary permits would be required. The tiered ordinance applies to the commercial horse stables in a limited area with certain animal regulations that

now require a Major Use Permit. The zones with these animal regulations are in the western portions of the County, encompassing approximately 45% of the unincorporated area. The tiered ordinance does not apply to other areas where either a horse stable is already allowed without the need for a permit or a horse stable is not allowed at all.

The area where a Major Use Permit is required for a stable constitutes the project area for the purposes of this Zoning Ordinance Amendment. In the project area the average parcel size is 3.5 acres and the median parcel size is about two acres. Typical horse stables in the project area are found in existing estate residential areas intermixed with the rural residential and agricultural uses of the unincorporated County.

The ordinance amendments would primarily apply to properties in the communities of Rainbow, Fallbrook, Valley Center, Twin Oaks, Hidden Meadows, Ramona, Elfin Forest, San Dieguito, Ramona, Lakeside, Alpine, Valle De Oro, Crest-Dehesa, Jamul-Dulzura and Sweetwater. Most of the area in communities in the eastern half of the unincorporated County, which contain larger privately owned properties (for example RL-40 and RL-80 areas) will not be substantially affected by the ordinance since the commercial horse stable use type is presently allowed without the need for a permit (see Horse Maps Attachment C).

The classification of the use of an equine or horse in the County is broken into two use types in the Zoning Ordinance:

Horsekeeping: The private use of horses by the owners or occupants of property is known as horsekeeping. The private horsekeeping use type is allowed on more than 95% of the properties in the County without the need for a permit. This ordinance does not propose changes to the allowance of the horsekeeping use type.

Commercial Horse Stable: The public use of horses, when the public either uses their own horses on a property other than their own or the public uses other people's horses, is considered the commercial horse stable use type. A horse stable is a commercial use that is considered a service, it does not require that money change hands for it to be considered a service or a commercial use.

Tiered Permitting

The ordinance is structured with four tiers. Staff proposes the following tiers in the project area:

- Tier 1: By right on all properties: 3 horses (boarding only) not owned by property
- Tier 2: Zoning Verification Permit (ministerial): up to 10 horses per acre, up to a max of 50 horses total
- Tier 3: Administrative Permit (discretionary): up to 10 horses per acre, from more than 50 up to 100 horses total
- Tier 4: Major Use Permit (discretionary): for more than 100 horses or more than 10 horses per acre

Tiers 1 and 2

Tier 1 is the least restrictive tier and would allow a property owner to simply board a minimum number of horses without any necessary approvals. Due to the limited scope of this equine operation the need for a ministerial or discretionary permit was not seen as necessary.

Tier 2 would allow ten horses per acre up to a maximum of 50 horses with a ministerial Zoning Verification Permit (ZVP). The ZVP would have a checklist with regulations and standards from the ordinance that must be met on a plot plan for approval. Applicant cost to acquire a one time ZVP would be approximately \$1,000 with expected processing times reduced to a few weeks. It is anticipated that most commercial horse stable operations would fall under this permitting tier.

The threshold of ten horses per acre is based on a number of criteria, including: animal enclosure setbacks, building setbacks, building size limitations, usable site area, riding areas, corral areas, parking and horse trailer storage, sufficient manure management areas, traffic, fire and emergency access, impacts to neighbors and dust control. This criterion has been incorporated into the ordinance and establishes a baseline to be used for the permitting of a commercial stable in the new horse stable subsection for all tiers. Up to ten horses per acre may not be possible if the site does not meet these criteria including most importantly, the usable area and setbacks. An increase in the number of horses on a property to over ten per acre under the draft ordinance could have a more significant level of impacts and therefore a discretionary permit may be more appropriate in those situations.

Tiers 3 and 4

Based on increased intensity of equine operations, Tiers 3 and 4 would continue to require discretionary permits. Compared to the existing ordinance, the new Tier 3 would allow some commercial horse stables to acquire an Administrative Permit versus a Major Use Permit due to less intense equine operations. This would also provide a cost and time savings benefit to some equine operators that cannot meet the Tier 2 thresholds. Tiers 3 and 4 would be subject to the same checklist of regulations and standards from Tier 2, however both Tiers 3 and 4 would continue to require community review and would in most cases require public hearings to assure that findings can be made due to the scope of the projects and increased numbers of horses.

Another important change to the ordinance for stables is that the two separate use types known as public stables and boarding/breeding stables are now merged into one use type: horse stable. This is a much needed simplification to the ordinance. The ordinance also creates a new horse stable use subsection in the Animal Regulations section of the Zoning Ordinance which includes all of the permitting requirements for the commercial horse stable use type in one location.

C. ANALYSIS AND DISCUSSION

1. Project Issues

Ministerial/Discretionary Permit Threshold: Some stakeholders have requested that a lower threshold number of horses be established. The requests range from two to eight horses per acre for the ministerial tier. The concerns stem from potential onsite and offsite impacts, such as manure and traffic. In addition, some cite horse health or neglect as an issue when in high numbers. Some of these stakeholders are also concerned that the ministerial permit does not require community review. Many stakeholders agree with the proposed ordinance thresholds at ten horses per acre. Staff maintains that the regulations and restrictions in this draft ordinance serve to balance the maximum of ten horses per acre. However, it is important to understand that the ordinance limits the stable to the usable area of a parcel. The usable area does not include a home, garage, driveway, pool, landscaping, etc. Therefore, ten horses per acre will not be achievable on every property.

Applicability of Regulations: Some existing equine operations that exceed the ten horses per acre ministerial tier indicate that a higher threshold than ten per acre would be appropriate. Staff has

worked with these stakeholders to develop an option that should address this issue. A new legal non-conforming (grandfathering) section is being added to the ordinance that allows legal higher density operations to be recognized in the Zoning Ordinance so that they may obtain the benefits of the new ordinance while keeping their grandfathered uses and areas. This section of the ordinance can be updated in future Zoning Ordinance cleanups if other properties in a similar situation arise.

Ranch Hand Dwelling Units: A few equine stakeholders have requested the allowance of an additional dwelling unit(s) as part of this ordinance. Such dwellings would be for the use of ranch hands who work at the horse stable. The Zoning Ordinance currently allows a main dwelling and second dwelling unit on most properties in the County. In addition, Farm Employee Housing is allowed with an agricultural use, however a horse stable is a commercial use and therefore does not permit Farm Employee Housing. An allowance under State law in the Employee Housing Act permits a property with a permitted horse stable to have an additional dwelling unit(s). Therefore, although not expressly allowed within the Zoning Ordinance, equine stakeholders may propose Employee Housing (if the main dwelling and second dwelling units have been exhausted) under State law. Such a dwelling unit would only be allowed for a ranch hand while a permitted stable is in operation.

2. Project Benefits

The adoption of the proposed ordinance amendments will benefit San Diego County by promoting commercial equine operations with a streamlined review process, resulting in reduced permit processing times and costs. The proposed project supports County and State goals by protecting and promoting equestrian uses. The proposed ordinance streamlines and clarifies horsekeeping and horse stable regulations by reducing project processing times and costs. The proposed project will benefit the County by encouraging commercial equine operations on some properties, while ensuring that such improvements do not adversely impact the environment, public health/safety, or the livability of the community.

3. General Plan Consistency

The proposed project is consistent with the following relevant General Plan goals, policies, and actions as described in Table C-1.

Table C-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>i. Guiding Principle 3 – Reinforce the vitality, local economy and individual character of existing communities when planning new housing, employment and recreational opportunities.</p>	<p>This ordinance ensures that development of horse stables will be located, scaled and designed to retain and enhance the qualities that distinguish our communities. The ordinance considers uses, parcel size, scale, site development and form to ensure stables will fit with the community.</p>
<p>ii. Guiding Principle 10 – Recognize community and stakeholder interests while striving for consensus.</p>	<p>The residents of the County have chosen to live here due to the environmental setting. The ordinance has engaged with stakeholders on this land use decision and a consensus of support for the ordinance has developed. This ordinance manages and protects equine uses as recommended by numerous community groups and</p>

General Plan Policy

Explanation of Project Conformance
stakeholders.

iii. POLICY LU 2.4 – Relationship of Land Uses to Community Character

This ordinance ensures that land uses depicted on the land use map such as equine uses and horse stables found are found in rural areas contributing to community character. Rural animal uses, such as equine uses are reflected in the development objectives for community plans in some areas, in addition to the Guiding Principles as noted above.

4. Community Plans Consistency

Table C-2: Community Plan Conformance

Community Plan Policies

Community Character Goals in various Community Plans (such as Rainbow, Fallbrook, Valley Center, Twin Oaks, Hidden Meadows, San Dieguito, Ramona, Lakeside, Alpine, Crest-Dehesa, Jamul-Dulzura and Sweetwater).

Explanation of Project Conformance

Staff has reviewed community plans throughout the County as part of the project and the allowance of horse uses is encouraged as a passive part of the rural uses of the County. Equine uses are an asset to communities which help to preserve the rural lifestyle in the estate residential areas of the County that residents enjoy. This ordinance supports the community character goals of multiple community plans to maintain and enhance the rural setting of the communities in the unincorporated County.

5. California Environmental Quality Act (CEQA) Compliance

The project has been reviewed in compliance with the California Environmental Quality Act (CEQA). A Draft Environmental Impact Report (EIR) for the project was completed in January 2013 and circulated for public review with the draft ordinance in February and March 2013. 21 comment letters were received during public review. Most of the comments received related to the draft ordinance and not the EIR. Staff is finalizing the responses to comments with minor updates for a Final EIR to be presented to the Board of Supervisors this summer.

The EIR identifies various issue areas that are potentially significant including: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, and Transportation & Traffic. Findings and Statements of Overriding Considerations will be prepared for adoption by the Board of Supervisors (Attachment C).

D. PUBLIC INPUT

Substantial public outreach and input has been gathered on the project from the public including stable interviews and community meetings. The Valley Center, Twin Oaks, Ramona, Alpine, Lakeside, Jamul-Dulzura, Potrero and Sweetwater Planning Groups all support the ordinance, some with recommended changes that have been incorporated into the ordinance. The San Dieguito Planning Group and Elfin Forest Harmony Grove Town Council have requested changes to the ordinance as the

recommended threshold of ten horses per acre exceeds their recommended two or four horses per acre threshold (Attachment D).

E. RECOMMENDATIONS

The Department recommends that the Planning Commission recommend that the Board of Supervisors:

1. Certify that the Final Environmental Impact Report (EIR) dated June 2013 on file with the Department of Planning and Development Services SCH No. 2012011052 prepared for the Tiered Equine Ordinance Amendment POD 11-011 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines (Attachment C).

2. Adopt the Ordinance titled:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO EQUINE USES.

Report Prepared By:

Carl Stiehl, Project Manager
858-694-2216
carl.stiehl@sdcounty.ca.gov

Report Approved By:

Mark Wardlaw, Director
858-694-2962
mark.wardlaw@sdcounty.ca.gov

AUTHORIZED REPRESENTATIVE: _____



MARK WARDLAW, DIRECTOR

ATTACHMENTS:

- Attachment A – Planning Documentation
- Attachment B – Draft Ordinance
- Attachment C – Environmental Documentation and Horse Maps
- Attachment D – Public Documentation and Agency Comments

Attachment A

Planning Documentation

ADDITIONAL INFORMATION
CASE SHEET

APPLICATION

Meeting Date: June 14, 2013

Type: Zoning Ordinance Amendment	Case No. 3803 11-011
Owner: Various Agent: PDS Advance Planning	ENVIRONMENTAL STATUS: Final Environmental Impact Report (EIR) dated June 2013 on file with the Department of Planning and Development Services SCH No. 2012011052 prepared for the Tiered Equine Ordinance Amendment POD 11-011 completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines
Project Manager: Carl Stiehl Account No. N/A	

SITE/PROJECT DESCRIPTION

Community/Subregional Plan: all	Location: all	Thomas Bros.: N/A
<p>Project: The Equine Policy and Ordinance Development project (POD 11-011) is to update the County of San Diego's Zoning Ordinance with regard to equine uses. On July 13, 2011(1) the Board of Supervisors directed staff to develop an ordinance for the permitting of a commercial horse stable. The action being presented is a tiered system of permitting that eliminates the need for a discretionary permit for some horse stables depending on the numbers of horses and the size of usable acreage for a stable. The specific direction to staff was to work with the equine community to investigate ordinance options that would protect and promote equine operations including permitting options. The focus of the changes is to regulations for commercial horse stables, in particular the requirement for a Major Use Permit in certain areas. The project should provide greater permit flexibility with regulation tiers that are more restrictive with the intensity of the equine options starting with a ministerial approval for the least intensive.</p>		

PROJECT STATISTICS

Total Area: N/A	Density: No change, remains as adopted
Lot Size: N/A	Number of Lots/Units: N/A

DISTRICT

NEAREST FACILITY SERVICE AVAILABILITY

Sanitation: all	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Water: all	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Fire: all	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
School Districts: all	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Other: N/A	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Sphere of Influence: all		

SUMMARY OF PROPOSED LEGISLATIVE ACTIONS

Are any Legislative actions proposed: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Zoning Ordinance Amendment
Description: A series of amendments to the Zoning Ordinance that affects Definitions (1100), Animal Regulations (3000), General Regulations (6000) and Procedures (7000).

Attachment B
Draft Ordinance

(Underline indicates addition)
(Strikeout indicates deletion)

DRAFT

ORDINANCE NO. _____ (NEW SERIES)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED EQUINE USES

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the Zoning Ordinance should be amended to update and revise regulations for equine uses. The amendments made by this ordinance are intended to set forth reasonable standards and procedures for commercial equine uses with a series of tiers for permitting including ministerial and discretionary levels of review. The County desires to allow flexibility for permitting of equine uses while minimizing development impacts and protecting environmental resources. This ordinance provides reasonable standards for equine uses in order to achieve a balance between the private, public or recreational use of an equine on property in the county and the impacts of these uses on surrounding properties.

Section 2. The Table of Contents of the Zoning Ordinance is amended to read as follows

TABLE OF CONTENTS

PART ONE: BASIC PROVISIONS

[No changes]

PART TWO: USE REGULATIONS

[No changes]

PART THREE: ANIMAL REGULATIONS

[No changes]

PART FOUR: DEVELOPMENT REGULATIONS

[No changes]

PART FIVE: SPECIAL AREA REGULATIONS

[No changes]

PART SIX: GENERAL REGULATIONS

[No changes]

PART SEVEN: PROCEDURES

7000	General Provisions
7050	Administrative Permit Procedure
7100	Variance Procedure
7150	Site Plan Review Procedure
7200	Administrative Appeal Procedure
7300	<u>Zoning Verification Permit Procedure</u>
7350	Use Permit Procedure
7400	Density Bonus Permit Procedure
7500	Zoning Ordinance Amendment Procedure
7550	Historic/Archaeological Landmark & District Designation Procedure
7600	Supplementary Administrative Procedures
7700	Enforcement Procedure

PART EIGHT: FALLBROOK VILLAGE REGULATIONS

[No changes]

Section 3. Section 1110, DEFINITIONS (A), of the Zoning Ordinance is amended to add the definition of Animal Enclosure, to read as follows:

Animal Enclosure: An area surrounded on all sides by a fence, corral, pen, pipe, post, rail, wall or other barrier (or a combination) for the keeping of animals, including but not limited, to chickens, horses and cattle. An agricultural building, stable or barn located within or adjacent to an Animal Enclosure, is not considered an Animal Enclosure. An Animal Enclosure may be covered or uncovered and may have a solid wall on more than one side. A fenced pasture of one acre or larger for use as a riding or grazing area, but not for the permanent keeping of animals, is not considered an Animal Enclosure.

Section 4. Section 1110, DEFINITIONS (B), of the Zoning Ordinance is amended to revise the definition of Barn, add a definition of Boarding and remove the definition of Boarding or Breeding Stable, to read as follows:

Barn: A building used for the shelter of livestock raised on the premises, the storage of agricultural products produced or consumed on the premises, or the storage and maintenance of farm equipment and agricultural supplies used for the agricultural operations on the premises. A barn may be located within or adjacent to an Animal Enclosure, but a barn is not considered an Animal Enclosure. A Barn is considered an accessory residential or agricultural use.

~~Boarding or Breeding Stable: A stable used for the boarding, breeding or raising of horses, including horses not owned by the occupants of the premises.~~

Boarding: The keeping of an animal or animals, such as a horse or dog, not owned by the property owner. In the case of a horse, this is part of the Horse Stable use type. In the case of other animals, boarding is allowed as part of a kennel or veterinary use type.

Section 5. Section 1110, DEFINITIONS (H), of the Zoning Ordinance is amended to revise the definitions of Horse, Horsekeeping and add the definition of Horse Stable, to read as follows:

Horse: A horse is an equine that has reached the age of 8 12 months. The definition of a horse or equine also includes donkey, mule or burro.

Horsekeeping: The keeping of horses in ~~an accessory building or in an animal enclosure~~ on premises where the horses are owned by the owners or the occupants of the premises, and where no horses are kept for commercial purposes. Horses allowed under Horsekeeping are an agricultural use. Horses kept for hire, breeding, boarding, raising, riding or performing for commercial purposes are considered part of a Horse Stable. ~~In residential use regulations only incidental sale of personal horses is permitted; no sale of horses as a business is allowed.~~

Horse Stable: A stable consisting of, but not limited to, animal enclosures, riding arenas, corrals, paddocks, pens and/or other structures used for the boarding, breeding, raising, rehabilitation, riding training and/or performing of horses, by the owners, occupants or persons other than the owners or the occupants of the premises, for commercial purposes. See Animal Schedule for allowed zones and uses. For the private use of horses by the owner or occupants of a premises, see Horsekeeping.

Section 6. Section 1110, DEFINITIONS (P) of the Zoning Ordinance is amended to remove the definition of Public Stable and add the definition of Pasture as follows:

~~Public Stable: A stable used for the riding and performing of horses by other than the occupants of the premises or their nonpaying guests, but excluding boarding or breeding stables.~~

Pasture: An area of one acre or larger surrounded on all sides by a fence, corral, pen, pipe, post, rail, wall or other barrier (or a combination) for use as a riding or grazing area, but not for the permanent keeping of animals. Such areas are not considered usable acreage under Horse Stable calculations and do not have to meet Animal Enclosure setbacks.

Section 7. Section 1110, DEFINITIONS (S) of the Zoning Ordinance is amended to remove the definitions of Stable, Boarding or Breeding and Stable, Private and revise the definition of Stable, Public as follows:

~~Stable, Boarding or Breeding: (See Boarding or Breeding Stable)~~

~~Stable, Private: (See Horsekeeping)~~

~~Stable, Public: (See Public Horse Stable)~~

Section 8. Section 1425, ANIMAL SALES AND SERVICES of the Zoning Ordinance is amended to read as follows:

1425 ANIMAL SALES AND SERVICES.

Animal Sales and Services refers to establishments or places of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

- a. Animal Sales and Services: Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding 48-hour periods. The auctioning of miscellaneous related items may be conducted in conjunction with animal auctioning, if the auctioning of miscellaneous related items is conducted by the same operator as the animal auction, the number of days and hours of operation do not exceed those in which animal auctions are held, and the impacts resulting from the miscellaneous items auction activity do not exceed those of the animal auction. Typical uses include animal auctions or livestock auction yards.

- b. Animal Sales and Services: Grooming. Grooming of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops.
- c. Animal Sales and Services: Horse Stables. Boarding, breeding, raising, rehabilitation, riding training or performing ~~or raising~~ of horses for commercial purposes. This does not include the ~~non-commercial private~~ use of horses owned by the owners or the occupants of the premises allowed under section 1725 Animal Raising, such as Horsekeeping. Typical uses include boarding stables or public stables.
- d. Animal Sales and Services: Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels or dog training centers.
- e. Animal Sales and Services: Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- f. Animal Sales and Services: Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) or veterinary hospitals (large animals) for horses, cattle or sheep.
- g. Animal Sales and Services: Veterinary (Small Animals). Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals or animal hospitals (small animals).

Section 9. Section 1725, ANIMAL RAISING of the Zoning Ordinance is amended to read as follows:

1725 ANIMAL RAISING.

The Animal Raising use type refers to premises where animals are fed or kept for personal use, animal products, animal increase, value increase, for 4-H or other agricultural organization projects by the owner or occupant of the premises, ~~or for animal products, animal increase or value increase~~. Typical uses include horsekeeping for personal use and chicken or cattle ranches.

Section 10. Section 3100, ANIMAL SCHEDULE of the Zoning Ordinance is amended to read as follows:

MUP = Major Use Permit

+ = plus

ZAP = Minor Use Permit

Notes:

1. Dogs and cats not constituting a kennel and up to two pot-belly pigs are accessory uses subject to the Accessory Use Regulations commencing at Section 6150 and are not subject to the animal enclosure setbacks.
2. On land subject to the "S" and "T" Animal Designators, grazing of horses, bovine animals and sheep permitted provided no buildings, structure, pen or corral shall be designated or used for housing or concentrated feeding of animals, and the number of such animals shall not exceed 1 animal per ½ acre of land.
3. One wild or undomesticated animal, kept or maintained in conformance with State and local requirements, is an accessory use subject to the Accessory Use Regulations commencing at Section 6150, and is not subject to the Animal Schedule. (Amended by Ordinance Number 7432 (N.S.) adopted January 6, 1988.)
4. The Animal Schedule does not apply to small animals, specialty animals, dogs or cats which are kept for sale in zones where the Retail Sales, General Use type is permitted provided that all activities are conducted entirely within an enclosed building, the building is completely soundproof, there are no outside runs or cages, no boarding of animals, no outside trash containers and no offensive odors.
5. Chinchillas are considered small animals except that a MUP may be approved for more than 25 chinchillas on property with the "L" Designator.
6. The number of animals allowed is per legal lot. This number shall not apply to the keeping of earthworms.
7. Beekeeping must be located at least 600 feet from any habitable dwelling unit, other than such dwelling unit owned by the person owning the apiary.
8. Additional regulations are applicable to the keeping of roosters, see County Code Section 62.690 et seq.

Section 11. Section 3112, ANIMAL ENCLOSURE SETBACK TABLE of the Zoning Ordinance is amended to read as follows:

3112 ANIMAL ENCLOSURE SETBACK TABLE.

Notwithstanding the provisions of an applicable setback designator, enclosures containing the animal-related use types listed in Section 31400 shall have the minimum setbacks specified in the Animal Enclosure Setback Table. The Animal Enclosure Setback Table is incorporated into this section, and all references to this section shall include references to it. Animals subject to the Animal Setback Table must be confined within the an appropriate enclosure. A pasture containing a minimum of 1 acre for use as a riding area or grazing area, having no interior fencing and not used as an animal enclosure for the permanent keeping of an animal is exempt from the animal enclosure setback requirements. Stables, barns, agricultural buildings and other structures located adjacent to or within an animal enclosure must meet both animal enclosure setbacks and setback regulations in section 4800.

ANIMAL ENCLOSURE LOCATION	ANIMAL ENCLOSURE SETBACKS (a)		
	MOST RESTRICTIVE (b)	MODERATE (b)	LEAST RESTRICTIVE (b)
Distance from Street Center Line	Same as for main building standard setback(ea)	Same as for main building standard setback (a)	Zero (0) feet (from street line)
Distance from Interior Side Lot Line	45 <u>10</u> feet	Five (5) feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.
Distance from Rear Lot Line	10 feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.	Zero (0) feet

NOTES:

a. ~~Animal enclosure includes pens, coops, aviaries, hutches, stables, barns, corrals, and similar structures used for the keeping of poultry or animals.~~

b. ~~A fenced pasture containing a minimum of 2 acres, with no building used for human habitation and having no interior cross-fencing, is exempt from the animal enclosure setback requirements.~~

c a. Refer to applicable setback designator and setback schedule at Section 4810.

Section 12. Section 3130, HORSE STABLES AND HORSEKEEPING of the Zoning Ordinance is added to read as follows:

3130 HORSE STABLE AND HORSEKEEPING

The Horse Stable and Horsekeeping use types are permitted in areas with certain animal designators as indicated in Section 3100 Animal Schedule, and may be subject to the approval of, a Zoning Verification Permit, an Administrative Permit or a Major Use Permit, as specified below.

a. D, E, F, J, L, M, N, U, and V Animal Designators allow a Horse Stable as follows:

1. Boarding only, of up to 3 horses not owned by the property owner, on any property with the above animal designators is permitted without the need for a Zoning Verification, Administrative Permit or Major Use Permit. No other equine uses, such as breeding, riding lessons, riding academies or events are allowed with the Horse Stable. All structures, animal enclosures and uses are subject to all other regulations of this ordinance including the following limitations:
2. Ten horses per acre of usable area, up to a maximum of 5 acres of useable area and a maximum of up to 50 horses may be allowed with a Zoning Verification Permit.
3. Ten horses per acre of usable area, of more than 5 acres and up to a maximum of 10 acres of useable area and between 50-100 horses total may be allowed upon approval of an Administrative Permit.
4. More than ten horses per acre of usable area, more than 10 acres of usable area or more than 100 horses shall require a Major Use Permit.
5. The total number of horses and the usable acreage for horses calculated shall include both those horses allowed pursuant to Horsekeeping as well as the Horse Stable and all of the combined areas for both use types.
6. Usable area. A plot plan for a permit shall clearly indicate the usable area for a project. The usable area as noted in the Animal Schedule shall be the area used by all horses on the lot or a combination of contiguous lots including structures, animal enclosures, riding arenas, corrals, stalls and paddocks used by horses. The usable area shall not include driveways, road easements, parking areas, areas within the

animal enclosure setbacks, pastures exempt from animal enclosure setbacks, residences, other accessory structures, landscaping, areas with active agriculture and other areas where horses would not be permanently kept on the property.

7. Horse Events. The temporary gathering of additional people and horses for a horse event, show or competition which is not a part of the active operations of a Horse Stable shall be considered an Outdoor Entertainment Event and may be allowed in compliance with the Temporary Use Regulations in Sections 6100-6149. However, additional events or time restrictions may be allowed as part of an Administrative Permit or Major Use Permit for a Horse Stable.

In addition to the regulations contained in the Animal Enclosure Setback Table, Section 3112, a Horse Stable or Horsekeeping use shall comply with the following requirements:

b. Restrictions On Use:

1. A Horse Stable or Horsekeeping shall conform to the regulations contained in County Code Title 3, Division 6, Chapter 4, Noise Abatement and Control.
2. Dust and odors from the Horse Stable or Horsekeeping shall not create a nuisance or a hazard to adjoining properties or uses and shall be in compliance with this ordinance, including but not limited to section 6300 and specific sections 6316 regarding Particulate Matter and Air Contaminants and 6318 regarding Odors.
3. A Horse Stable or Horsekeeping shall conform to the standards and regulations for the humane treatment of equine animals found in County and State codes, including, but not limited to, State Health and Safety Code.
4. A Horse Stable or Horsekeeping shall maintain the use subject to standard best management practices for equine uses in compliance with the Grading, Stormwater and Watershed Protection Ordinances.

- c. A Horse Stable shall comply with the following requirements which shall be documented in a Manure Management Plan, Fire Protection Plan and Vector Control Plan:

Manure Management

1. The stable shall be kept in a clean and sanitary manner by the daily removal of manure to a manure management area from all usable horse areas to prevent the accumulation of flies, the spread of disease or offensive odor.
2. Manure shall be kept in the manure management area in a covered or enclosed bin or container unless being composted. Manure shall be removed from the property a minimum of every other week or properly composted onsite.
3. The manure management area shall meet Animal Enclosure setbacks.

Fire Protection

4. The interior of electrical appliances, such as fans and heaters, shall be kept clean.

5. Industrial grade extension cords are allowed only if the use of extension cords is unavoidable, for example for a temporary event. Extension cords shall not be used as a permanent electrical conduit.
6. Hay shall be stored in an enclosed building, a covered area or a covered bin, meeting Animal Enclosure and Main Building setbacks, and may consist of only dry, well-cured hay.
7. Rags and cloths used to clean tack and hooves shall be stored in an orderly fashion within an enclosed building or covered bin that meets the Animal Enclosure and Main Building setbacks. Bedding materials shall also be stored in the same location.
8. All wiring and electric cords shall be properly run and installed with insulated wiring routed and strung through metal conduits.
9. Light fixtures shall have a caged enclosure to prevent damage and sparking.
10. Large structures over 1000 square feet in area shall meet a minimum fire separation setback of 50 feet to reduce risk of fire between structures.
11. Hydrants shall be installed near each barn or main structure with sufficient hoses for watering all potential fire areas.
12. The electrical system shall allow for the power to be shut off to each building, without losing power to the water pumps.
13. Stables shall have a written fire plan, which includes the limitations above and shall post it onsite for employees and visitors.

Vector Control

14. Recognizing the natural drainage on a property, structures permitted as part of a horse stable shall be located away from any locations that collect water. Feed, waste, standing water (water troughs), and other items attractive to vectors must regularly be cleared and cleaned.
 15. Feed/grain areas must be covered and swept, droppings must be picked up daily, and manure piles, if not removed from the lot, must be routinely turned or tilled into pastures to prevent fly breeding areas.
 16. Automatic fly spray devices or strips shall be utilized in building or structure areas.
 17. To prevent vector infestations, all areas that would allow for standing water to collect, must be designed to fully drain within 72 hours. Water features such as ponds related to a horse stable must be stocked with mosquito fish.
- d. Equine Living Area. An equine shall be provided with adequate living facilities including an enclosed paddock, corral or stall for keeping. Such area shall be located within an animal enclosure or stable. Paddocks, corrals or stalls shall have enough room for the equine to move about and lay down without restriction.

- e. A Horse Stable may include an office, employee break area, full bathroom and other associated areas or structures related to a commercial use.
- f. Sign. Pursuant to section 6252.v a sign is allowed for a Horse Stable at the entrance to the property to identify the stable or ranch name only. The sign shall not be illuminated.
- g. Outdoor Lighting. Pursuant to sections 6322 and 6324 outdoor lighting is allowed for an animal enclosure or stable. However, as noted, other than security lighting, the stable area shall not be illuminated between 10pm and dawn. Lighting must comply with Dark Skies limitations.
- h. Setbacks. Additional setbacks shall be required for a Horse Stable as follows:
 - 1. All storage areas of materials related to the horse stable use and parking shall meet the Animal Enclosure setbacks, this includes trailer parking, loading and delivery areas, hay storage, etc.
 - 2. Any structure permitted as part of a Horse Stable that is over 1000 square feet in area shall meet the standard setbacks and additionally meet a minimum 25 foot setback from all property lines. Such structures include barns, hay barns, covered arenas, covered riding areas, stables and other structures.
 - 3. On a lot or a combination of lots under the same ownership of less than 5 acres in area, Animal Enclosures and all structures associated with a Horse Stable shall be a minimum 50 feet from the nearest residence on any adjacent property under separate ownership.

Section 13. Subsection h. of Section 6156, RESIDENTIAL AND AGRICULTURAL USE TYPES of the Zoning Ordinance is amended to read as follows:

- h. Barns and Agricultural Storage Buildings shall be limited as follows:
 - 1. In zones subject to a Residential Use Regulation (except RR Use Regulations requiring a 1 acre or larger lot area), and in the S88 Use Regulations where residential uses occur, a maximum floor area of 450 square feet and one story not to exceed 12 feet in height. Such buildings proposed in the S88 Use Regulations shall conform to the requirements of any applicable Specific Plan.

Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed 24 feet. When on same lot as a detached private garage, workshop and/or storage building, the combined area of all such structures shall not exceed 1,000 square feet or 25% of the living area of the principal residence, whichever is greater.
 - 2. In zones subject to the RR Use Regulations (requiring a one acre or larger lot area), A70, A72, S87 and S92 Use Regulations, barns and agricultural storage buildings shall be limited in height to one story not to exceed 12 feet. Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed 24 feet. A maximum floor area of 1000 square feet is permitted where the lot is less than one acre gross. A

maximum floor area of 1500 square feet is permitted where the lot is one acre but less than 2 acres gross, and 2000 square feet is permitted where the lot is 2 to 4 acres gross. An additional 200 square feet of floor area is permitted for each acre over 4 acres up to a maximum of 5000 square feet.

3. Additional area, height and story may be permitted by issuance of an Administrative Permit, with notice to contiguous property owners pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator.
4. A barn or agricultural building is not considered an animal enclosure. Therefore the animal enclosure area on a property is not included in the calculation of total barn square footage. A barn used as part of a commercial Horse Stable use is not considered an accessory structure for purposes of this section and therefore not included in or limited by this section.

Section 14. Subsection u. of Section 6156, RESIDENTIAL AND AGRICULTURAL USE TYPES of the Zoning Ordinance is amended to read as follows:

- u. Farm Employee Housing. In the RR, A70, A72, S80, S87, S88, S90, and S92 Use Regulations, farm employee housing is an allowed accessory use to Commercial Agriculture on the same parcel on which the housing is located or on another parcel under the same ownership, provided that:

[1. thru 8., no change]

9. Evidence of Commercial Agriculture. Prior to submittal of the Building Permit application for Farm Employee Housing the property owner shall provide appropriate evidence to the satisfaction of the Director of Planning and Land Use of an active Commercial Agricultural Operation.
A Horse Stable or Horsekeeping are not considered evidence of Commercial Agriculture for Farm Employee Housing.

[10., no change]

Section 15. Section 6252, EXEMPT ON-PREMISE SIGNS, of the Zoning Ordinance is amended to read as follows:

6252 EXEMPT ON-PREMISE SIGNS.

The following shall be exempt from these regulations and shall not require sign permits.

[a. thru u., no change]

- v. One identification sign up to 20 square feet identifying a residential development, multiple dwellings, a horse stable, clubs and similar uses on each street frontage affording primary access to the site.

[w. thru z., no change]

Section 16. Section 6708, PERMITTED FENCES, WALLS, GATES AND ENTRY STRUCTURES, of the Zoning Ordinance is amended to read as follows:

6708 PERMITTED FENCES, WALLS, GATES AND ENTRY STRUCTURES.

No fence, wall, gate or entry structure shall be permitted unless it conforms to the criteria set forth below, except that the Board of Supervisors, the Planning Commission, or the Director, as a condition of approval of a matter under their jurisdiction, may require that a fence, wall or entry structure be constructed to a height greater than otherwise permitted by this section in order to mitigate against potential adverse effects.

[a. thru f., no change]

- g. ~~Fences and Walls Which Confine Animals~~ For Animal Enclosures. The location of fences and walls which confine animals shall conform to the Animal Regulations commencing at Section 3000.
- h. Exceptions.
1. Fences, Walls and Gate Entry Structures on Individual Lots. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for fences (including animal enclosures or tennis court fences and light standards), walls and gate entry structures on individual lots. The Administrative Permit Procedure at Section 7050 through Section 7099 shall apply. Notice of the administrative permit application shall be given to all property owners within a distance of 300 feet from the applicant's property. The Director may approve said administrative permit provided the following findings are made:
 - i. The structure will be compatible with the community character and will not be detrimental to the health, safety or general welfare of the surrounding properties or the neighborhood; and
 - ii. The structure will not interfere with traffic circulation, create a safety hazard or obstruct future road widening.
 2. Gate Entry Structures and Gate Houses on Private Easements. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for gate entry structures and gate houses on a private easement. The applicant shall provide notice materials in accordance with Section 7060c. in order to notify all property owners having legal access to the easement upon which the gate entry structure or gate house will be located. The Director may approve said administrative permit provided the following findings are made:
 - i. The structure will be compatible with the community character and will not have a harmful effect upon the neighborhood; and
 - ii. The structure will not be detrimental to the health, safety or general welfare of the surrounding properties or improvements.
 3. Lighting. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for lighting provided a

finding is made that said lighting will be compatible with the community character and will not have a harmful effect upon the neighborhood.

Section 17. Section 6762, PARKING REQUIREMENTS of the Zoning Ordinance is added to read as follows:

6764 PARKING REQUIREMENTS: COMMERCIAL ANIMAL SERVICES

<u>Type of Occupancy, Use or Structure</u>	<u>Required Parking</u>
<u>Commercial Equine or Horse Stable</u>	<p>0.2 Parking space for each available horse corral, paddock or stall for use. A corral, paddock or stall may be located in a stable or in an animal enclosure.</p> <p>1 Loading Space* for every 3 required parking spaces. A minimum of 1 loading space is required for every Horse Stable. This is in addition to the loading spaces required in section 6786.</p>
	<p>* Loading spaces shall allow for enough space for horse loading as well as deliveries of hay, feed or other materials for the horse stable in addition to the standard space required 10X35.</p>

Section 18. Section 6879, EQUINE OPERATIONS AND USABLE AREA FOR SPECIFIED HORSE STABLES of the Zoning Ordinance is added to read as follows:

Horse Stables that were in operation prior to the adoption of the Zoning Ordinance on October 18, 1978 that have been documented by the Department, shall be permitted to maintain the following numbers of horses on the site acreage as long as the use continues without interruption pursuant to section 6865:

<u>Owner Site Location</u>	<u>Specified Horse Stables</u>		
	<u>Assessor's Parcel Number</u>	<u>Site Acreage in use as a horse stable</u>	<u>Permitted numbers of horses</u>
<u>Eugene "Kip" Hering Lakeside</u>	<u>3921304100</u>	<u>27 acres</u>	<u>Up to a maximum of 100 horses</u>
<u>Judy Tieber Mount Miguel Equestrian Center Sweetwater</u>	<u>5851130700</u>	<u>2.5 acres</u>	<u>Up to a maximum of 50 horses</u>
<u>Gene Ames Lucky 7 Ranch Sweetwater</u>	<u>5900910200</u>	<u>5 acres</u>	<u>Up to a maximum of 50 horses</u>
<u>Paul Herigstad Valley Center</u>	<u>1850631000</u>	<u>4 acres</u>	<u>Up to a maximum of 25 horses</u>

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An expansion of use at these stables only requires the necessary permit for the expanded area(s) outside this specified site acreage and numbers of horses in addition to these specified numbers since October 18, 1978. The prior use is considered a nonconformity, is here documented and may continue in operation as such pursuant to section 6852.

Section 19. Section 6906, REQUIREMENTS FOR FARM LABOR CAMPS of the Zoning Ordinance is amended to read as follows:

6906 REQUIREMENTS FOR FARM LABOR CAMPS.

[a. thru d., no change]

- e. Evidence of Commercial Agriculture. Prior to approval of the Minor Use Permit for a Farm Labor Camp the property owner shall provide appropriate evidence to the satisfaction of the Director of Planning and Land Use of an active Commercial Agricultural Operation. A Horse Stable or Horsekeeping are not considered evidence of Commercial Agriculture for Farm Labor Camps.

[f., no change]

Section 20. Section 7300, ZONING VERIFICATION PERMIT of the Zoning Ordinance is amended to read as follows:

7300 ZONING VERIFICATION PERMIT

The provisions of Sections 7300 through 7349 shall be known as the Zoning Verification Permit. The purpose of these provisions is to prescribe a procedure for this ministerial permit. The Director or the designated officer shall be the administering agency to grant a Zoning Verification Permit. The administering agency shall review and evaluate applications for conformance with the standards and criteria set forth in the pertinent sections of the Zoning Ordinance and its review and evaluation shall not exceed the scope of said standards and criteria. Any action of the Director or the designated officer pursuant to this section may be taken without notice or public hearing. Any decision by the Director or designated officer pursuant to this section shall be final.

Section 21. Effective Date. This Ordinance shall take effect and be in force 30 days after the date of its passage, and before the expiration of 15 days after its passage, a summary shall be published once with the names of the members voting for and against the same in the _____ a newspaper of general circulation published in the County of San Diego.

Attachment C

Environmental Documentation and Horse Maps

<http://www.sdcounty.ca.gov/pds/advance/Equine.html>

Attachment D

Public Documentation and Agency Comments

From Public Review of Draft Ordinance
and Draft Environmental Impact Report
February 4 through March 20, 2013

Joe and Evelyn Alemanni
20652 Elfin Forest Road
Escondido, Calif. 92029
TEL (760) 471-7224
email alemanni@allea.com

3/19/2013

Re: Response to TIERED EQUINE ORDINANCE ENVIRONMENTAL IMPACT REPORT (EIR)
POD 11-011; SCH NO. 2012011052

To whom it may concern,

Thank you for the opportunity to comment on the above-mentioned EIR. We request that this letter be made part of the permanent record for this project and that a copy be sent to every member of the San Diego County Planning Commission and Board of Supervisors, as well as county staff personnel working on this project.

Thank you for making the EIR available online in pdf format.

Comments below indicate the paragraph in the EIR to which the comment applies. We look forward to your detailed responses to each of our comments and hope that they will be well-considered and factual and not the usual minimal perfunctory county effort.

As someone who has lived in rural Elfin Forest for more than 25 years, we have had extensive experience with neighbors who own horses for personal use, who board horses, who train horses, and who offer riding lessons. Many of them use the trails that are made available through the generosity of neighbors. Some have been good stewards of both the horses and the land, others have not. It is based on these experiences that we offer the following comments.

In addition, although it is not required by CEQA, we are deeply troubled that this EIR and how the project demonstrates the county's willingness to provide special favors for a very small special interest group. It treats equine-related businesses differently from other small and large businesses and gives them preferential treatment. In addition, it defacto changes rural residential zoning to commercial without putting this to a vote of the people.

The proposed density of horses per acre is much more than is healthy for them. The county has been provided with data from other California counties, and around the US and no other areas permit the density proposed by San Diego County. In addition, there is no funding mechanism in place to assure that all the sanitation and good housekeeping/horsekeeping portions of this EIR are implemented. This is essential to prevent a nightmare situation. In addition, there is no economic justification for this EIR and no evidence that there is pent-up demand for additional horsekeeping, breeding, and training facilities.

In conclusion, if this proposal goes forward, I would hope that each of you who voted for it or worked for its success will live next to a property that has 10 horses per acre.

S.2.1 Tier One: Please indicate the minimum property size for Tier One.

Tier Two: please provide technical evidence that 10 horses per acre is healthy and appropriate. Other California counties limit horses to one per acre, which seems much more appropriate.

Zoning verification permit: a site visit by a county employee should be required before the permit is granted to assure that the site is appropriate for the number of horses.

Administrative permit and Major Use permit: a site visit by a county employee should be required before the permit is granted to assure that the site is appropriate for the number of horses.

S.2.2 "Equine facilities are long-term land uses". Please define "long term". Why do you think equine facilities are long term?

"contribute economically" How have you arrived at this assertion? Has an economic study been completed? If not, remove this assertion.

items 6 and 7. "increase level of knowledge..." and "assist property owners..." How are these efforts to be funded? What level of staffing and education on the county's part will be required? How can we be sure that this will happen?

S.4 "odors" - The County needs to address odors in the same manner as odors emanating from any facility.

"adequacy of setbacks". It would seem that adequate setbacks could be defined in the ordinance. If not, why not.

S.5 "Mitigation measures". How will the county ensure that mitigation measures are being taken?

S.6.1. "Four horses per acre". This alternative is still 400% more than other California counties permit. The Tier 3 and 4 options are unacceptable and unhealthy for horses and people.

Table S-1, #3. Your statement clearly demonstrates that the EIR preparer has not visited many equine facilities. Within one mile of my home, there are facilities that are disgraceful. Manure piles, trailers for workers, broken and leaning fences, etc. are all EXISTING issues affecting visual character or quality. Many of these people will add horses for the extra income and not fix the problems. The county needs to consider mitigation measures and a means to fund them and their enforcement.

#4. Your assertion that the proposed project will not result in significant impacts in light and glare is incorrect. Many riding facilities have classes at night and have bright lights on, creating

a significant visual impact. The county needs to fund enforcement for the dark skies ordinance and for monitoring and inspection of these facilities.

Table S-1, 2.2 Agriculture

#3. The assertion that there are no impacts to forest and timberlands is incorrect. Horse people generally have a sense of entitlement: they feel are welcome to ride anywhere. There must be regulations that restrict horses to specific areas to prevent them from trampling forests, timberlands, farmlands, and areas of biological sensitivity. Horses riding through farms can track disease and bacteria onto sensitive areas. Mitigation and enforcement are absolutely necessary.

Table S-1, 2.3 Air Quality

#1 and 3. Considering the amount of methane produced by a horse, please re-evaluate the assertion that the addition of literally hundreds of thousands of horses to an area will not affect air quality.

#4 Sensitive receptors. As a person living next to two horse facilities, I can tell you that I am a sensitive receptor affected by exposure to substantial pollutant concentrations. Please revise your statement that the impact is less than significant.

#5. Odors. Please explain how the county will monitor and enforce this provision. Of my many neighbors who have horses, NONE currently has an enclosed manure container. I have NEVER seen any of my neighbors wash horse stalls twice a day, let alone once a day. How is the county going to enforce that?

#6. Generation of greenhouse gases. Your assertion that the impact is less than significant is incorrect. Please re-evaluate the assertion and update the document.

<http://www.horsetalk.co.nz/features/carbonhoofprint-160.shtml>

Methane is a greenhouse gas that's 21 times more powerful than carbon dioxide. Even worse is nitrous oxide, which is 310 times worse than carbon dioxide. This number is known as their carbon equivalent. That means the output of any activity can be measured in these carbon equivalents so we get a true measure that allows for the different kinds of greenhouse gases produced. Both methane and nitrous oxide can be a major problem in the poor composting of manure. Unless an effort is made to compost horse manure in the proper manner, there's a real possibility that the dung mountain is releasing unnecessarily large amounts of carbon dioxide, methane and nitrous oxide into the atmosphere.

Table S-1, 2.4 Biology

#2 Riparian Habitat. Because horse people have a sense of entitlement about where they may ride, it is essential that the county restrict areas from horse traffic, just as cars are restricted to paved roadways, horses must also be restricted to certain areas to prevent damage to ecosystems. The potential increase in horses and related horse traffic in rural areas will certainly impact areas where horses are ridden. The county needs to be able to fund inspection, monitoring, and enforcement.

Table S-1, 2.6 Hazards and Hazardous Materials

#6 and 7. Emergency Response and Evacuation Plans. During the 1996 Harmony Grove Fire, before the large neighboring subdivisions were built, moving horses out of harm's way resulted in a massive traffic jam of trailers. Today, the increased population in the area will be even less hospitable to an orderly evacuation of what could potentially be thousands of horses. This, in turn, will endanger the lives of residents. Please reconsider your assessment and revise your findings.

#8. Vector sources. Current horse operations have resulted in annoying flies. The county has done nothing about it. Increasing the number of horses to the proposed 10 per acre will increase the fly issue. How will the county fund enforcement, monitoring, inspections and mitigation? Please reconsider your assessment and revise your findings.

Table S-1, 2.8 Transportation and Traffic

#4. Same comment as #6 and 7 above.

p. 1-3." Existing operators have indicated that it is impossible to process a use permit for a stable and maintain profitability." Please explain why this necessitates an ordinance change. If any other business had trouble making a profit, the county would not go to this extent to accommodate them.

p. 1-4. "Operators have indicated that help from the County... may allow for some of the industry to recover." This is a false premise. The only way for the industry to recover is if there is greater demand for horse boarding, training, breeding, etc.

p. 1-9. Fire Protection and vector control. Please explain how the county will provide and fund inspections. Will these measures be required of current equine facilities or only new ones?

CEQA Assumptions. It is unfortunate that the County limited its data collection to "representatives of 20 existing active commercial equine facilities..." and did not consult with their neighbors to discover the true impact of these facilities.

p. 1-12. Ground Disturbance. It appears that "ground disturbance" is being applied to the effect of new structures. Please include the effect of thousands of horses trampling the ground every day.

p. 1-13. Air Quality Analysis. Does the air quality analysis take into consideration dust impacts? Horses on sand arenas generate a lot of dust.

Figure 1-3. The county has opted to show an attractive visual setting without showing what is too often the reality of today's equine operations.

p. 2.1-19 and 20. Infeasible Mitigation Measures. Listing a visual resource study for all new equine facilities as infeasible is patently ridiculous. Why is it infeasible? Why is the county showing preferential treatment to equine businesses? Other businesses that impact visual quality are required to do visual resources studies.

p. 2.3-15. Fugitive Dust. It has been our experience that horse trainers and riders do not consistently wet down their riding arenas before use, resulting in significant dust impact. The SDAPCD Regulation IV: Prohibitions; Rule 55; Fugitive Dust ordinance does not adequately address this issue and needs to be amended to include it.

p. 2.3-16. County Code Section 87.428, Dust Control Measures. addresses clearing, grading and improvements but does not address typical dust caused by equestrian activities. Please amend the code.

p. 2.3-42. The assertion that "Tier Three and Tier Four facilities developed under the proposed project would potentially contribute to a cumulatively considerable impact... associated with odors" is yet another example of the county's preferential treatment of horse owners and equine facilities. Other businesses that emit odors are required to control them. Why are equine businesses exempt? Odors from these facilities also serve to reduce adjacent property values. (ref. <http://realtormag.realtor.org/daily-news/2013/01/31/bad-neighbors-can-decrease-property-values>) How are neighbors to be compensated for diminution of their property values?

p. 2.3-43 par. 2.3.5. The statement "The proposed project would not result in potentially significant impacts relative to ... generation of GHG emissions..." is incorrect. Methane, which is produced in abundance by horses and their manure, is a GHG and its amount would be significantly increased by the equine densities proposed. Please correct the analysis and the statement.

p. 2.3-43. The statement that in 2.3.6. "There are no potentially significant air quality impacts" is in direct opposition to the assertion on p. 2.3-42 that Tier 3 and 4 properties would considerably impact odors. Please correct the statement. Also correct this in par 2.3.6.6. and 2.3.6.7.

p. 2.3-45. Mitigation measures. See earlier comment re stable cleaning. How will these measures be enforced? How will inspections be funded?

p. 2.3-47. All statements on this page are incorrect, based on our experience with neighboring equine operations. If staff has made this determination based on visits to existing equine operations, perhaps they have an olfactory impairment. Please conduct additional site visits with personnel having fully functional olfactory senses and update these sections based on real world observations.

2.4-23. The analysis focuses on potential buildings and structures but completely misses the point of continued incursion by riders who feel entitled to ride wherever they want, regardless of habitat or sensitive receptors. People riding their horses in sensitive areas would potentially disrupt sensitive species and their habitats, as well as destroy endangered and sensitive vegetation communities. It is important to develop a fenced trail network paid for by horse licensing fees to keep horses and their riders in a secure setting.

p. 2.4-37 Mitigation measure. Why is the county not requiring equine projects that destroy habitat to purchase mitigation land? Another example of special treatment for the equine industry.

p. 2.4-40. Local policies. The community of Elfin Forest has a community plan on file with the county as do other communities. It would be important to respect the content of these locally developed plans and let them have precedence when they are more strict than the county plan and ordinance.

Sincerely,

A handwritten signature in black ink that reads "Evelyn Alemanni". The signature is written in a cursive style with a distinct dot over the 'i' at the end.

Evelyn Alemanni



20223 Elfin Forest Road
Elfin Forest, CA 92029

2013 Board Members:
Bonnie Baumgartner, Chair
Jacqueline Arsivaud-Benjamin, Vice-Chair
May Meintjes, Treasurer
Mark Shields, Secretary
Sandra Bartsch
Jan Denny
Nancy Goodrich
Amy Molenaar
JP Theberge
Melanie Fallon, At-Large Member

Carl Stiehl, Planner
Advance Planning, San Diego County DPLU
5510 Overland Ave Suite 310
San Diego, CA 92123

March 7, 2013

Re: Draft Equine Zoning Ordinance

Dear Carl,

The Elfin Forest Harmony Grove (EFHG) Town Council appreciates the opportunity to comment on the draft Equine Ordinance (POD 11-011) in the County of San Diego Zoning Ordinance.

Our residents overwhelmingly feel that keeping horses is an important aspect of our community's rural atmosphere (2005 Community Survey). Our community plan (http://www.sdcounty.ca.gov/dplu/docs/CPELFIN_FOR_HARM_GROVE_CP.PDF)

provides for horses and large animal keeping with responsible husbandry (Policy LU-1.3.1) but further states: "Policy LU-1.1.4 Prohibit commercial and industrial uses with the exception that existing agricultural uses may conduct commercial activity, if it is ancillary to and supportive of the primary agricultural use of the property." Clearly allowing commercial uses NOT ancillary to an existing agricultural use is in violation of our community plan. While we support equine activities on residential properties, we do not want to encourage commercial riding stables.

We do feel strongly that horse owners should maintain their pastures, fencing, and barns, and be responsible for good BMP's regarding storm water run-off, soiled bedding, manure management, insect abatement, noise, and dust control. The structures, pastures etc, should be placed with proper setbacks, with all applicable building and grading permits in place.

We agree with the proposal of using TIERS to reflect the varying needs of the horse community across San Diego County. We agree that the First Tier that allows a minimal amount of boarding would help our horse owners offset the considerable expense of horse keeping. We agree that the First Tier of the proposed Equine Ordinance would accomplish this for the EFHG community without the need for a ministerial or discretionary permit, and have minimal impact on our perceived community character. Our goal is to keep the rural residential feel of our community and not encourage larger commercial enterprises.

We disagree with allowing signage, lighting, sound amplification or any other commercial aspect currently allowed in Tiers Two, Three, and Four of the draft Equine Ordinance. Tier Two would be in character with our community plan if the density were 6 horses per acre, it did not allow signage, but it still required all the permitting and BMPs as proposed.

We disagree that **Tiers Three and Four will have less-than-significant impact** in an area such as EFHG. Our area is primarily residential on large lots with a rural atmosphere. County Zoning ordinance, Sections 5750-5758, Scenic Area Regulations, includes provisions to provide for the maintenance and enhancement of a community's individual character and identity. The density of **10 horses per acre and**

50 horses maximum is too high and out of character with the rest of the state. In the EIR assessment areas of Aesthetics, Air Quality, Noise, and Traffic, the impact of 10 horses per usable acre makes this Draft ordinance inconsistent with our community plan in Tiers Two, Three, and Four.

Aesthetics and Visual Quality

We agree with the findings of the EIR section 2.1.3.1 that the density on Tier Two (i.e. 10 horses per acre with possible vertical housing structure, etc.) could have a substantial adverse effect on scenic vistas. In addition, we have a 'dark sky policy' in our community plan. Commercial enterprises that encourage after dark light sources would cause light pollution in violation of our community plan. Allowing high voltage lighting in Tiers Three and Four could have **significant impact to our community in terms of light and glare** (2.1.3.4). In addition, the allowance for commercial signage in Tiers Two through Four is inconsistent with our community plan. The cumulative impact (2.1.4) with density of 10 horses per acre would be significant in a rural residential community.

Air Quality and Greenhouse Gases

The emissions associated with 10 horses per acre and the maintenance of facilities to house these horses could be significant to our residential community given commercial enterprises as described in Tiers Three and Four.

Traffic/Transportation

Ambient noise associated with commercial equine facilities include vehicular traffic, either from patrons or deliveries, and increased traffic on our small, privately maintained rural 'lanes'. Tiers Three and Four would significantly impact our private roads, and could pose significant problems of ingress and egress in times of fire and natural disaster, therefore increasing hazards.

Noise

The noise associated with amplified sound would infringe upon our community's desire for a quiet rural atmosphere in a primarily residential area.

Recreation

This project will "increase the use of existing neighborhood facilities" by bringing the paying public to ride and use our network of private trails, which are all on private property. These trails are all personally financed and maintained by local resident volunteers. Tiers Three and Four could potentially worsen the impact on this neighborhood by increasing trail wear and tear and increasing the need for repair.

Solid Waste

The impact of 50 horses per acre could be significant in an area such as EFHG, which is surrounded by mitigated land, protected watershed and environmentally sensitive areas. Our residents want to be assured that the enforcement of proper BMPs will be included in this project.

In summary, EFHG could accommodate Tier One and Tier Two facilities if modified to decrease the number of horses to 6 per acre and a total of 30 maximum per parcel for Tier Two but we would like to propose that the EFHG Planning Area be separated from the greater San Diego County in the Equine ordinance to better reflect the rural residential feel of our community. Due to our predominantly residential land use and the amount of mitigated and protected land in our community, we appeal to the DPLU and the Board of Supervisors to give EFHG its' own equine designator, which would allow Tiers One and Two (with modification) but not Tiers Three and Four.

Thank you for this opportunity to comment on this proposal.

Sincerely,

Bonita Baumgartner, Chair EFHGTC

DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING

4050 TAYLOR ST, M.S. 240

SAN DIEGO, CA 92110

PHONE (619) 688-6960

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March 06, 2013

11-SD
Various PM
DEIR SCH# 2012011052Carl Stiehl
County of San Diego Planning
5510 Overland Avenue,
Suite 310
San Diego, CA 92123

Dear Mr. Stiehl:

The California Department of Transportation (Caltrans) has reviewed the Draft Environmental Impact Report for the Equine Ordinance Amendment (SCH #2012011052). Caltrans would like to make the following comment:

Any proposed Equestrian Crossings or Trails within Caltrans Right of Way must be reviewed and approved by Caltrans under an Encroachment Permit.

If you have any questions, please contact Roger Sanchez of the Development Review Branch at (619) 688-6494.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Armstrong".

JACOB M. ARMSTRONG, Chief
Development Review Branch

From: Sally Cobb [salcobb@live.com]
Sent: Wednesday, March 13, 2013 8:31 AM
To: Stiehl, Carl
Subject: my feedback on the draft new equine ordinance

Good morning Carl,

I sent these comments to Oliver Smith and the other members of the VCCPG subcommittee, and I wanted to make sure you have them as well. I mentioned some of these at the VCCPG equine subcommittee meeting on the 6th.

The County may want to include these equine land uses in the new ordinance. There are questions as to which Tier these fall into:

- * Raising/training/selling young horses (occupant owned).
- * Quarantine (horses from other states and countries).
- * Professional horse hauler layovers of horses in transit.
- * Breeding, foaling, and selling horses. Most breeding facilities involve boarding broodmares for repro work, assisted foaling, foal training, etc. (Vessels, Creekside, Irish Oaks, and many others). The current ordinance considers "occasional" sales of horses and foals to be in the category of horsekeeping (non-commercial), but breeding facilities that advertise, have websites, etc., are obviously commercial.
- * Creekside, Irish Oaks, and other facilities allow horses to be trailered in and out to save the call fee for vaccinations and other vet work, and horses are boarded for surgeries, etc.
- * Lessons on occupant-owned horses (no boarding, just lessons). My neighbor does this. Which tier does this come under, or does she need a special license?
- * Kids camps using occupant-owned horses (no boarding just daily kids camps from 9am to 1pm, or 5pm, with some overnights).
- * Clubs which have horses shows and other events where horses are trailered in and out and not boarded.
- * 501C3 Equine Rescues like Falconridge, Hoofs & Woofs, and dozens more where the horses are owned by the Non-Profit Organization (I believe this is the case; the horses are not owned by the SPCA or the County), some horses may be boarded, usually a trainer is onsite, as well as volunteers and paid staff. The public is frequently allowed onto the property to evaluate horses for adoption. I have heard that Falconridge has "overflow facilities". One such facility has 12 horses boarded on one acre of useable land.
- * Wounded Warrior Equine Therapy, REINS Riding for the Handicapped, and dozens of land uses like this where most of the horses are occupant-owned and used for therapy with members of the public. Usually these are 501C3 Non-Profits Organizations.
- * Used Tack and Consignment stores at equestrian facilities (REINS Tack Shack, BITS, and others). These land uses are not included in the ordinance but provide important services to the equestrian community.
- * Horse sales and public auctions - will this be included in tier 2?

* What about breeding farms that may have 200 horses at the facility during breeding season, but only 50 horses at the facility during other times of the year?

* Will there be any distinction between stables that have horses but no people, such as Saddlecreek Farm where people board their horses that are retired, on layup, young foals, etc. In this case there are far less impacts than a boarding stable where people use the facility.

* Within Tier 2, are horse shows, clinics, registry keurings, inspections, and other public events allowed? How many and how often?

Every business operator wants to be legal before they invest time and money. It is important that the new ordinance is clear. The main complaint I hear from the public in regards to the current ordinance is that it is vague and confusing.

Speaking from personal experience, it is extremely important that the County provide a general total cost estimate (even high-low) for the tier 2, 3, 4 permits. Cost estimates can be gathered from land use consultants and the County's list of approved CEQA consultants.

This way the County will serve the equestrian community with an estimate of the big picture costs involved with obtaining each permit. The County discloses their fees, but the majority of the costs for a permit have to do with engineers, CEQA study processing (tiers 3 & 4), required improvements, fire marshal requirements, etc. Then there are the costs of bringing an old property into compliance with current code. There were many surprises along my 6-year, \$150K, MUP journey which could have been prevented with better disclosure on the part of the County.

The equestrian community should be made aware that there are other fees involved with operating an equine business including the County's TIF (Traffic Impact Fee), the annual Ad Valorem Tax for operating an Agriculturally-zoned business, an annual Stormwater inspection by the DPW, and an annual fee for water use for commercial stables.

San Mateo County has a large animal permitting process which begins with a brochure for the public that answers questions about operating a commercial equine business. They have liaison volunteers that serve to bridge the gap between County staff and equestrians. I would very much like to see a streamlined, full disclosure, open-communication, permitting process with helpful and knowledgeable County staff serving equestrian businesses operators and both parties working together harmoniously.

Thanks much,

Sally

From: William Crawley [wcrawley@excite.com]

Sent: Wednesday, March 20, 2013 3:19 PM

To: Stiehl, Carl

Subject:POD 11-011 Log NO. 3803 11-011; SCH NO.201201152 Tiered Equine Ordinance

Dear Sir or Madam,

The Potrero CPG Approved the Tiered Equine Ordinance 7-0-0-2 with the following issues and primary concerns. Questions are about amount of horses an individual can have (non-commercial) versus commercial. No data provided on corral size. Hydrological concerns as to nitrates with too many horses confined in very small places IE. corral size. Horses on small lots verses Acreage IE. Horses in small backyards in housing clusters in the rural backcountry with flies creating health issues. Other than the issues stated above the Potrero CPG fully in favor of the ordinance.

Respectfully,

William L. Crawley IV

Chair Potrero CPG

PO BOX 9

Potrero, CA 91963

619.916.8022

March 18, 2013

County of San Diego: Planning and Development Services
5510 Overland Avenue
San Diego, CA 92123
and
Supervisor Dianne Jacob and Adam Wilson
County Administration Center
1600 Pacific Highway
San Diego, CA 92101

Subject: Tiered Equine Ordinance

Dear Supervisor and Commissioners,

I oppose the Tiered Equine Ordinance as it is currently drafted. While I agree that most businesses should have tiered levels of compliancy, this draft does not go far enough to protect the adjacent property owners. Zoning should be very clear on how many horses one property may OWN and board, so that there is a way for County to make sure health issues do not arise. Horses are part of an outdoor participatory and spectator sport, not unlike dirt-bike riding, with their devastation to the land when kept in too dense a population. This is a major deviation from County's requirements for a major use permit (MUP) for activities such as roping, penning and rodeo-type events. The regulations for boarding horses are not nearly as restrictive as those for keeping a caged chicken. Horses are not considered to be an agricultural animal in this country. And unlike USDA animals raised for food sources, horses have an expected lifespan of 28 years, and they require more grazing land than cows to maintain a healthy, sustainable balance with the land. Supplemental feeding does not address the density issues.

DENSITY PER ACRE

At the density levels outlined in the draft, the horses will not be able to simply graze, because they would consume the entire amount of grazing feed naturally available within months, if not weeks. The horses will then reside on barren dirt, increasing the amount of dust, runoff, and significant environmental impacts to the land and all neighbors around them. While horses have their place on farms, just like dogs, they do not belong in large numbers within agricultural zones because of the long-term impacts.

According to a study conducted by the Univ. of Arizona Cooperative Extension to determine how many animals can be maintained on small land tracts, one horse requires much more land than one cow for grazing at a ratio of approximately 1.3 to 1.

"To ensure that the animals have sufficient forage to remain healthy and to ensure that grazing does not permanently damage soil and vegetation resources, animal numbers and/or grazing time must be controlled. If either too many animals are allowed to graze or animals are allowed to graze too long, forage will be adversely affected. Repeated removal of forage by grazing animals will weaken plants and allow less palatable plants to replace them. Eventually all forage plants will be eliminated from a pasture if heavy grazing is left unchecked. In the extreme, uncontrolled grazing can change a pasture with grasses and other forage into a dirt lot with a few weeds.

Without vegetation to stabilize the soil, wind and water erosion will remove the soil. Wind erodes unprotected soil resulting in dust and poor air quality. Water also erodes unprotected soil and increases sediment load in watersheds and decreases water quality. Poor grazing management can adversely affect neighboring landowners.

Even if horses or other livestock are supplemented with hay, they will continue to graze if given an opportunity. Livestock will graze forage to utilization levels approaching 80 to 100% if they are kept in a small pasture and fed hay. At such heavy utilization levels, forage plants will weaken and eventually die. Only weeds, unpalatable plants and/or bare ground will remain.”

(<http://cals.arizona.edu/pubs/animal/az1352.pdf>)

The dietary needs of a horse, as outline by The Humane Society of the United States:

“Horses need a regular supply of food and water

In most cases, they need to have hay or pasture throughout the day, with additional grain feedings twice a day. An average-size horse will eat about 20 lbs. of food a day and drink at least eight gallons of water. Because their stomachs are relatively small and their digestive systems surprisingly delicate, horses need to nibble or graze throughout the day, rather than have one or two meals a day.”

(http://www.humanesociety.org/animals/horses/tips/horse_care_guidelines.html)

RUNOFF AND THE CLEAN WATER ACT

Agricultural activities are monitored by the EPA, and commercial agriculture within San Diego County requires membership in a water monitoring group such as the San Diego Region Irrigated Lands Group (SDRILG) for anyone earning \$1,000 or more, per year. Where is the monitoring and required “Water School” education for commercial equine facilities?

How will the inevitable runoff — created by the ordinance’s high-density — be monitored?

If these type of commercial activities are allowed without monitoring within the same areas where commercial agricultural activities are required by law to monitor their runoff, doesn’t this open up a potential for lawsuits?

“Regulations adopted by the Regional Water Quality Control Board require all agricultural and nursery operations in the San Diego region to sample and test wet and dry weather runoff for pollutants and report the findings. The regulations allow for two options: 1) Conduct the testing and reporting as a group, OR, 2) Act individually to submit plans and testing results directly to the Regional Board.”

(<http://sdfarmbureau.org/SDRILG/Irrigated-Lands-Group.php>)

GOOD NEIGHBOR POLICIES

1) Access and road areas should require dust abatement with either chip seal or gravel.

According to the EPA, unpaved roads create huge amounts of dust which is harmful to crops.

“Unpaved roads are considered the largest source of particulate air pollution in the country. According to the Environmental Protection Agency, unpaved roads produce almost five times as much particulate matter as construction activities and wind erosion, which are the next two largest sources, combined.

Dust on plants can hamper their growth and development. When the farmer calls and wants something done about the dust because it is affecting his crops, that is a valid complaint.

Dust shades necessary light from plants, hindering photosynthesis (plants producing their own food), resulting in stunted plant growth.

(<http://www.epa.gov/owow/NPS/sensitive/chap7.pdf>)

- 2) Horse urine odors need to be addressed, in addition to the manure.
- 3) Amplified music (along with amplified PA systems) should not allowed by right.
- 4) Hours for public access to the horses should be limited from 10 am to sunset to mitigate needs for lighting.
- 5) No “horse-trailer camping” or overnight customer camping of any kind should be allowed by right.
- 6) ADA compliance issues need to be addressed.
- 7) Rodeo-type activities should not be permitted by right. Such activities should require a MUP.
- 8) Horses tend to eat wooden fences — neighboring property owners need protection against such destruction. Hedges on neighboring properties, such as oleandars (which are poisonous to horses) would put neighbors at risk of huge liability issues, if horses are not double-fenced.
- 9) Is there a limit to how many horse trailers can be brought onto the property at one time — or how many ‘visiting’ horses can be assembled in arena/rodeo type participatory sporting events at one time.

Thank you for considering these issues with the ordinance draft,

Elizabeth Edwards

From: Mid Hoppenrath [midhop@gmail.com]

Sent: Tuesday, March 19, 2013 12:35 PM

To: Stiehl, Carl

Subject: comments on proposed equine ordinance

I appreciate the opportunity to comment on the proposed revisions to the San Diego County Equine Ordinance. I support these revisions, and I am grateful to the County staff for their extensive outreach efforts to educate the community.

Best regards,

Mid Hoppenrath

2640 Harmony Heights Road,

Harmony Grove, CA 92029

Susan Keavney Comments Feb 26 2013.txt

From: Susan Keavney [billsus@cox.net]
Sent: Tuesday, February 26, 2013 9:14 AM
To: Stiehl, Carl
Subject: Equine Ordinance

Dear Mr. Stiehl,

It is my opinion that the Equine Ordinance would work well for the people running a business as a stable. However, I do not think the backyard horse person should be drug into the same rules and regulations as a business.

Please apply this Equine Ordinance to businesses only.

Thank you,

Susan Keavney

From: kenneth L [kcjl@msn.com]
Sent: Wednesday, February 06, 2013 10:34 AM
To: Stiehl, Carl
Cc: Horn, Bill; Dan Hecko - Detwiler Rd; Cynthia & Ned; Detwiler Neighbors; Eric Dohl Neighbor; Mark Detwiler; Mike Renwick - Neighbor Mt. Israel
Subject: RE: County of San Diego Tiered Equine Ordinance Draft EIR on Public Review

To: Carl Stiehl
County of San Diego
Advance Planning Dept.

Subject: Comments on Equine Draft Ordinance

1. It is a colossal mistake NOT to include a community review process prior to the issuance of an equine permit. Issues that are unknown to the county but known to neighboring property owners could be aired if adjoining neighbors were involved in the permit process. Example: There has been an illegal equine operation on my private road for the last 7 years. The Rancho Santa Fe fire department declared the private road the facility is located on - Detwiler road - substandard and will not issue any new building permits until such time the road is brought up to current standards. The RSF Fire Dept. states it is unsafe to increase traffic on the road. At this point in time, a property owner can not build a one-car garage / the RSF fire dept. will not sign off on any permits; however, under the proposed ordinance an equine facility can obtain a permit that could triple the vehicle traffic on this substandard road without any review by the fire department or the community.

2. San Diego County is exceeding its authority by allowing a use over a private road / easement in excess of its intended use. Property owners on my road have the right to use the easement for access / egress for residential purposes. A equine facility is a seven day a week - sunrise to sunset business that creates a tremendous amount of traffic, noise, and wear and tear on the roadways with the constant vehicular, horse trailer, and commercial vehicles used.

3. The County Code Enforcement hasn't enforced the existing ordinance - which clearly states, at this time, equine facilities need a major use permit. The equine facility on my road has been operating for the last 7 years in violation. Even in their most recent communication with me, Code Enforcement sites 6 violations of the code related to the illegal equine facility on my road but never does anything to enforce the law or rectify the violation. These violations have been ongoing for more than 7 years. Under the proposed ordinance, there is little doubt Code Enforcement will not get involved at all.

4. Allowing a 7 day a week - Sunrise to Sunset business to operate in a residential area is uncharacteristic with the nature of the community. It will have a negative impact on the value and use of homes in my community.

5. Allowing additional vehicular traffic - autos, trucks with trailers, commercial delivery vehicles, etc - creates a life threatening situation for home owners on my road. Detwiler road is a dead-end road in a high fire risk area. One way in and one way out with no other way to escape in the event of a fire. Most insurance companies will not write coverage for homes in this area due to the high fire risk. In summary, it is difficult enough to evacuate in the event of an emergency without having our road obstructed by horse owners trying to enter and exit with their vehicles and horse trailer.

6. San Diego County is put on notice - without proper and prior review of equine permits, the county is creating a hazardous and life threatening situation for home owners.

Sincerely,
Kenneth Lanzer
8952 Detwiler road
Escondido, CA 92029

From: Mark Kukuchek [mcchek@cox.net]

Sent: Tuesday, March 05, 2013 9:46 PM

To: Stiehl, Carl

Cc: 'Sheri Todus'; 'John Taylor'; 'liz'; De La Rosa, Michael A

Subject:RE: County of San Diego Tiered Equine Ordinance Draft EIR on Public Review

Public comment from the Sweetwater Community Planning group.

The Sweetwater Community Planning Group voted to make the following recommended change to the proposed San Diego County Tiered Equine Ordinance:

Section 12 - 3130 Horse stable and Horsekeeping

Para 1.c. should read:

“15 horses per acre of usable area of more than 5 acres and up to 10 acres of usable area and between 75 and 150 horses may be allowed upon approval of an administrative permit.”

The planning group voted 8 in favor and 1 opposed to this proposed change.

Mark Kukuchek

Carl Stiehl, Land Use/Environmental Planner
Planning & Development Services
5510 Overland Avenue, Ste. 310
San Diego, CA 92123

March 18, 2013

Shelly Owens
18137 Carl Drive
Jamul, CA 91935

Re: Proposed Equestrian Ordinance

Dear Mr. Stiehl,

Thank you again for attending our Planning Group. It was a delightful presentation, and I'm happy that I was able to attend.

As much as I enjoyed your presentation, I must confess that I was alarmed by what I heard. I can appreciate that the County would want to update an aging ordinance, but I would not have thought that an ordinance would be so skewed toward the benefit of a few, however well funded, and quite possibly place another segment of the general population in harm's way.

As part of that segment to which such an ordinance might prove detrimental, I wish my concerns regarding this proposed ordinance be made part of the public record. To that end, please find enclosed a letter that I sent to Supervisor Jacob detailing just a few of my major concerns. I am confident that there are many others who have already summarized my remaining concerns, and have perhaps done so more eloquently.

Thank you. I look forward to speaking with you soon.

Sincerely,


Shelly Owens

Dianne Jacob, Board of Supervisors, County of San Diego
 County Administration Center
 1600 Pacific Highway
 San Diego, CA 92101

March 18, 2013

Shelly Owens
 18137 Carl Drive
 Jamul, CA 91935

Re: Proposed Equestrian Tier Ordinance

Dear Supervisor Jacob,

I am writing you to comment on the proposed Equestrian Tier Ordinance currently under review by the County. While I applaud the Board of Supervisors' efforts to update and streamline an aging County Ordinance I am concerned that certain elements of this new ordinance may do more harm than good.

I can appreciate that the County would want to protect and promote the interests of a select few of the County's population given that they represent a significant value in terms of economy and recreation. I am well aware that the County's equestrian population does tend to be well funded. However, as a resident of your District, Supervisor Jacob, I would like to think that I have some value as well, and in reading the proposed Equestrian Ordinance, it seems that the equestrian interests being protected may come at the cost of some of the County's more humble residents.

Given that the EIR study done for this project listed several concerns related to the "significant and unmitigated effects" that would impact sensitive areas in the County, I won't belabor them further. However, I must reiterate that there are a number of areas in the County where the residents are completely dependent upon well water. Here in Lawson Valley, for example, we are struggling with an ongoing drought and a dire depletion of our ground water resources. Due to location and difficult terrain, it is simply not feasible to have a pipeline brought in to supply us with water. Horses, as you must know, use a lot of water. For the County to allow a commercial equestrian enterprise to move in to our valley and give them free rein for up to FIFTY horses is quite simply appalling. The potential devastation to both the quality of our ground water and its dwindling abundance would be devastating. Yet, that is the scenario being proposed under the most lenient tier, Tier 1 of the proposed Ordinance. No real permit protecting anyone other than the applicant is required, nor is any enforcement necessary. Thus, the equestrians are protected by the County and the residents are left vulnerable to a commercial enterprise that may cause them and their properties irrevocable harm.

Supervisor Jacob, I beg you to reconsider the proposed Ordinance and do your best to make it balanced so that it protects not just the equestrian population, but all of the residents of San Diego County. With respect, I would ask you to consider the following:

- Limit the number of horses to 5 per acre, with a maximum of 25 horses on five usable acres allowed with a Zoning Verification Permit
- Require an Administrative Permit on more than 25 horses, with a maximum of 50 horses
- Require a Major Use Permit on more than 50 horses or more than 10 useable acres
- Require proof that adequate water is available to the property in question and that neighboring properties would not be adversely affected
- In areas where wells are in use, require well monitoring of the property for both depletion and contamination
- In areas where wells are in use and water depletion is a risk, prohibit the use of irrigated pasture.

Thank you.

Shelly Owens
 cc Carl Stichl

Peabody Comments Mar 20 2013.txt

From: Laurence Peabody [laurence.peabody@gmail.com]
Sent: Wednesday, March 20, 2013 3:06 PM
To: Stiehl, Carl
Subject: Fwd: Public Input

----- Forwarded message -----

From: Laurence Peabody <laurence.peabody@gmail.com>
Date: Wed, Mar 20, 2013 at 2:40 PM
Subject: Public Input
To: laurence.peabody@gmail.com

The proposed New Ordinance for Commercial Horse Facilities addresses most issues and concerns, and is well written::::::::::::::::::::::::::::BUT

SHOULD be applicable County-wide, not leaving the back-country vulnerable to Major-Use ABUSE.

In the past, my community was hit with a cattle-feed lot, "authorized" by the County to put 20,000 cattle on thirty-eight acres..... They put 1000 cattle there, before we could catch our breath (literally) and eventually were successful in getting the Board of Supervisors to pass and Urgency-Ordinance some eight years later..... It was the Large-Animal Urgency-Ordinance Requiring a Major-Use Permit, so we thought we had protected everyone county-wide. Years later, only to find out that the Animal-Designator had somehow exempted commercial horse facilities from that requirement,,,,,,,SO again, my community is now burdened with an unregulated horse-breeding feed-lot facility with some 500+++ mares and uncounted foals, in addition to the other two smaller horse stables.

WHO KNEW, that anyone!!! owned 500 horses ??????
When A Kennel Permit is required for six dogs.....
WHO KNEW that the impacts of 500 horses would NOT require a Major-Use Permit??????

Our local Loveacres Horse Ranch is the Poster-Child for an unplanned/unregulated industrial-sized horse facility that SHOULD have been required to have a Major-Use Permit..... Instead, we are having to address each individual issue on a complaint by complaint basis, outside of the proper planning review process.

Please help remedy these omissions.
Make the New Ordinance applicable COUNTY-WIDE.



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
 Telephone (951) 308-9295 • Fax (951) 506-9491

May 20, 2012

VIA E-MAIL and USPS

Mr. Carl Stiehl
 Project Planner
 County of San Diego DPLU
 5510 Overland Avenue, Ste 110
 San Diego, CA 92123

Re: Pechanga Tribe Comments on the Notice of Availability for the Draft Environmental Impact Report, Tiered Equine Ordinance, POD 11-011, Log No. 3803 11-011, SCH No. 2012011052

Dear Mr. Stiehl:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). If you have not done so already, please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the County in developing appropriate avoidance and preservation standards as required per CEQA and as may be required by local ordinance and/or policies. The Tribe understands that as part of this environmental review process, the County believes there are specific barriers impeding its ability to perform complete archaeological surveys and studies on the lands that will be impacted by the future implementing projects anticipated from the proposed amendments to the Tiered Equine Ordinance. However, we are concerned that future development projects will damage or destroy sensitive archaeological, historic and cultural resources, including sacred and ceremonial items and places, as well as likely human burials and cremations. Additional comments and recommendations are provided below.

Chairperson:
 Germaine Arenas

Vice Chairperson:
 Mary Bear Magee

Committee Members:
 Evie Gerber
 Darlene Miranda
 Bridgett Barcello Maxwell
 Aurelia Marruffo
 Richard B. Scarce, III

Director:
 Gary DuBois

Coordinator:
 Paul Macarro

Cultural Analyst:
 Anna Hoover

Pechanga Comment Letter to the County of San Diego
 Re: Pechanga Tribe Comments on the Tiered Equine Ordinance
 March 20, 2013
 Page 2

**THE CITY OF TEMECULA MUST INCLUDE INVOLVEMENT OF AND
 CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL
 REVIEW PROCESS**

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the County of San Diego consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures. The Tribe thanks the County for notifying us of this Project and including us in the public review period.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe asserts that there are select lands within the Project area that are part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the County. As you may know, our aboriginal lands include portions of North San Diego County and our reservation extends into the County. The Pechanga Band of Luiseño Indians therefore considers these lands to be part of their aboriginal territory because of the Tribe's cultural ties to this area as well as extensive history on projects within the County of San Diego.

The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Territory descriptions as provided by such notable anthropologists and ethnographers as Sparkman (1908); Kroeber (1925); White (1963); Harvey (1974); Oxendine (1983); Smith and Freers (1994) and others correspond almost identically with that communicated to the Pechanga people by our elders. Additionally, while historic accounts and anthropological and linguistic theories are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts, and oral traditions.

¹See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

Pechanga Comment Letter to the County of San Diego
 Re: Pechanga Tribe Comments on the Tiered Equine Ordinance
 March 20, 2013
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The Pechanga Tribe has a specific legal and cultural interest in this Project, as lands that are eligible for the recommended zoning permits are located within this aboriginal territory. The Tribe has been named the Most Likely Descendent (Cal. Pub. Res. C. §5097.98) on Projects within their territory and has specific knowledge of cultural resources and sacred places that will be affected by the proposed changes to the Tiered Equine Ordinance. It is vital that the Tribe and other tribal communities (which includes 17 federally-recognized Tribes) located within the County be included in this Project and others like it so that the concerns of the Native American community can be included and addressed early in the planning process.

The Tribe welcomes the opportunity to meet with the County to further explain and provide documentation concerning our specific cultural affiliation to lands associated with this Project.

PROJECT IMPACTS TO CULTURAL RESOURCES AND SUGGESTED MITIGATION

The Tribe has reviewed the Draft Environmental Impact Report (DEIR) for this Project. The stated purpose for proposing the revised ordinance is to clarify, delete, revise "...an updated set of definitions, procedures and standards for review and permitting of equine uses." This ordinance will specifically address commercial horse stables. We understand that if this ordinance should be approved by the Board of Supervisors, landowners who desire to maintain commercial horse facilities on their properties will be required to obtain a Zoning Permit and, based upon which Tier they fall into, will be required to proceed with their development by receiving either a Zoning Verification Permit, an Administrative Permit or a Master Use Permit.

The Tribe is concerned that the County has determined that there appears to be no feasible mitigation measures applicable for cultural resources on this Project. The Tribe understands that, unfortunately, under CEQA, it is difficult for lead agencies to require archaeological studies and tribal consultation for zone changes, administrative actions and permits – what are considered ministerial actions. The Tribe believes, however, that it is possible to require specific archaeological actions on future projects. Section 2.5 Cultural and Paleontological Resources states: "The proposed project is not subject to the RPO [Resource Protection Ordinance] which has provisions for protection of historic resources, because the RPO does not apply to Zoning Ordinance amendments, ministerial projects, Administrative Permits for clearing, or for Grading Permits (Section 86.603(a))." However, the RPO does apply to Major Use Permits and Modifications and non-exclusionary Site Plans and Administrative Permits. Therefore, compliance with the RPO and other archaeological/cultural requirements and policies of the state and the County can be placed on this Project as mitigation measures. Additionally, we understand that Tier One properties and those landowners who request less than 2,500 CY of earth-movement and import of no more than 200 CY of soils will not be subject to the CEQA process.

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

Pechanga Comment Letter to the County of San Diego
Re: Pechanga Tribe Comments on the Tiered Equine Ordinance
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Page 4

To assist the County with identification, protection, avoidance and mitigation of known and unknown archaeological, historic and cultural resources, the Tribe requests the inclusion of the following as a mitigation measure for whichever Project Alternative the BOS ultimately approves.

- Applicants that are required to obtain a zoning permit to maintain consistency with the Tiered Equine Ordinance must complete, at a minimum, a full records search by the South Central Information Center (SCIC) through the County for their Parcel(s) when they submit a development application for a future project. Proof of the completed records search must be filed with any application being submitted under the Tiered Equine Ordinance. Based upon the recommendations of the SCIC, the landowner may be required to complete a full archaeological study and conduct consultation with the appropriate tribe(s) if cultural resources are identified within their parcel. If applicable, the County RPO and its requirements will apply. The Development Director and/or County archaeologist may require additional conditions on the future development as applicable based upon the submitted application.

We believe that the cost to the County of such a measure is minimal and the resulting burden placed on the Applicant likewise is minimal. Applicants who have identified cultural resources on their properties will incur additional costs; however, when balanced against the inevitable destruction of cultural resources without such a requirement, the additional costs are justified. Even with minimal costs, our proposed measure offers a feasible mitigation option that will potentially reduce the impacts to cultural resources – certainly more than the complete dearth of measures contained in the current DEIR. Thus, the Tribe does not agree with the DEIR in that there are absolutely no feasible mitigation measures that could be imposed for this Project.

We request that the County consider our suggested language so that there is some minimal protection afforded to the great wealth of cultural sites that may be impacted or destroyed by future developments associated with this Project as proposed. Because this would be a fatal flaw under CEQA, we request that the DEIR be revised and suggest that it may need to be re-circulated for additional public comment.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the County of San Diego in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments so that we might further refine the mitigation language. We understand that the

Pechanga Comment Letter to the County of San Diego
Re: Pechanga Tribe Comments on the Tiered Equine Ordinance
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County may want to discuss out intent behind the suggested mitigation and we would be happy to discuss any concerns with you. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, CA 92082 ·
 (760) 297-2635 or (760) 297-2622 & Fax:(760) 297-2639



March 20, 2013

County of San Diego
 Planning and Development Services
 5510 Overland Avenue, Suite 110
 San Diego, CA 92123
 ATTN: Carl Stiehl

Re: Notice of Availability of a Draft Environmental Impact Report; POD 11-011, LOG NO.
 3803 11-011; SCH NO. 2012011052; Tiered Equine Ordinance

Dear County of San Diego Planning and Development Services:

This letter is written on behalf of the Rincon Band of Luiseño Indians, and is in response to the Notice of Availability of a Draft Environmental Impact Report of February 04, 2013 regarding the above named project. A portion of the proposed project is located within the Aboriginal Territory of the Luiseño people, and is also within Rincon's historic boundaries; specifically, the project areas identified in North San Diego County give us concern. Considering the significant amount of known archaeological resources in San Diego County, we express our concern for the protection of existing cultural resources, and for any future inadvertent archaeological discoveries that could be made at the various project sites.

The Draft EIR at Section 2.5, Cultural and Paleontological Resources, gives analysis to the potential impacts to Native American sacred sites and human remains. At Page 2.5-30, the Report concludes that impacts to archaeological resources and human remains "would remain significant and unavoidable" due to the inability to identify appropriate mitigation measures relative to these areas. While we appreciate the Report's efforts in addressing issues pertaining to archaeological resources and human remains, we disagree with the assessment that there are no mitigation measures to reduce impacts.

An avoidance alternative would certainly reduce impacts to culturally significant sites. Also, consultation with local Tribal Governments and the Native American Heritage Commission (NAHC) would help identify cultural sites located in development areas. Additionally, we recommend that Native American Monitoring be included for all ground disturbance activities at project site locations.

If you have any questions, please contact (760) 297-2635. Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely,

Rose Duro
 Rincon Culture Committee Chair

Bo Mazzetti
 Tribal Chairman

Stephanie Spencer
 Vice Chairwoman

Steve Stallings
 Council Member

Laurie E. Gonzalez
 Council Member

Frank Mazzetti III
 Council Member



San Diego County Archaeological Society, Inc.

Environmental Review Committee

24 February 2013

To: Mr. Carl Stiehl
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 110
San Diego, California 92123

Subject: Draft Environmental Impact Report
Tiered Equine Ordinance
POD 11-011, Log No. 3803-11-011

Dear Mr. Stiehl:

I have reviewed cultural resources aspects of the subject DEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the documents posted on the County's website, we have the following comments:

Regarding historical resources (i.e., built environment), Section 2.5.6 of the DEIR proposes mitigation measure M CR-1, which states:

The County shall provide incentives through the Mills Act to encourage the restoration, renovation, or adaptive reuse of historic resources. This will be done by reaching out to property owners with identified historic resources to participate.

As a mitigation measure, M CR-1 is meaningless.

1. There are very few identified historic resources that would be likely to fall under the proposed ordinance, and there is no provision for identifying more under Tier 1 and Tier 2. The only unincorporated communities for which any historic survey has been completed are Fallbrook, Ramona and Bonita, and all were completed over 20 years ago.
2. To the extent that such resources do exist, "reaching out to property owners with identified historic resources" would require Historic Site Board staff to become involved. Yet current County funding for the HSB has reduced meeting frequency and has not permitted staff to complete work on a California Certified Local Government grant dealing with the Julian "J" designator area. Furthermore, DPDS cultural resource staffing has decreased to a single person, from three as recently as six months ago, making any outreach activities impossible.

3. The Mills Act is entirely voluntary and thus provides no enforceable means for impact mitigation. While Mills Act participation is certainly to be encouraged, it requires the owner's consent and encounters fees for processing and, typically, research and report preparation.
4. Mills Act property tax savings are typically small or, more commonly, nonexistent for long-time property owners.
5. The changes to a property to initiate horse-keeping could very well make the resource ineligible for landmarking and the Mills Act.

Regarding archaeological resources, concentrated traffic of hooved animals, along with their waste products, can be highly damaging to archaeological sites. The most likely areas for such sites to exist are the same areas most likely to be attractive and practical for horse enclosures and stabling. As Section 8.6 of the DEIR acknowledges, the greater the number of horses permitted per acre, the greater the likely impacts.


Thus, unless the No Project Alternative is adopted, decreasing the number of horses per acre, as under the "Four Horses per Acre Alternative", is preferred for reducing impacts to archaeological resources.

Another possibility, not analyzed in the DEIR, would be combining the Four Horses per Acre Alternative with the Reduced Project Area Alternative. This would further reduce potential cultural resources impacts, though still not to the level of insignificance.

By way of comment, the No Project Alternative, when viewed on a "plan-to-plan" basis, would result in no impacts to cultural resources, as all such impacts by definition are currently permitted. As it was not a project objective to reduce current potential impacts to such resources, the level of significant impacts that would result if the new ordinance were not to be adopted is irrelevant.

Thank you for the opportunity to offer our comments on the DEIR.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

SAN LUIS REY BAND OF MISSION INDIANS

1889 Sunset Drive • Vista, California 92081

760-724-8505 • FAX 760-724-2172

www.slrmissionindians.org

March 20, 2013

Carl Stiehl
Planner/Staff Contact
Planning & Development Services
County of San Diego
5510 Overland Ave., Suite 110
San Diego, CA 92123

VIA ELECTRONIC MAIL
Carl.Stiehl@sdcounty.ca.gov

**RE: COMMENT LETTER ON DRAFT ENVIRONMENTAL IMPACT
REPORT FOR THE TIERED EQUINE ORDINANCE (POD 11-011;
SCH NO. 2012011052)**

Dear Mr. Stiehl:

Thank you for the opportunity to submit the following comments regarding the Tiered Equine Ordinance (“Ordinance”).

We, the San Luis Rey Band of Mission Indians (“SLR” or “Tribe”) are a San Diego County tribe whose traditional territory encompasses the cities of Oceanside, Carlsbad, Vista, San Marcos and Escondido, as well as the unincorporated communities of the County of San Diego (“County”) such as Fallbrook and Bonsall. SLR is resolute in the protection and preservation of our cultural resources within our traditional territory.

The Tribe has reviewed the proposed Ordinance and acknowledges the County’s primary objectives of streamlining the equine operating permits and creating a tiered permitting process for commercial horse stables. It is important for the County to realize that the Tribe does not oppose the Ordinance in general, but that we *are* passionately opposed to any plans that may damage or destroy any potentially significant cultural or sacred sites and human remains that may be located within the Ordinances’s proposed Area of Potential Effect, which in this case would be hundreds of acres in the unincorporated areas of the County.

The Tribe is extremely concerned that by implementing these “streamlining” and “tiered” processes for commercial equine purposes, that our Native American cultural

resources will be virtually unprotected and therefore not preserved for the future generations knowledge and appreciation. To “loosen” the permitting process at the cost of eliminating evidence of our Native American pre-history is neither rational nor justified. No mitigation measures are being offered by the County to lessen the negative impact that such development may cause. And worse yet is that the ones that were considered were immediately dismissed because requiring any archaeological assessment of the area would be too cumbersome on the applicant and County.

The type of feasibility assessment conducted by the County for this Ordinance, as it relates to the protection and preservation of Native American cultural resources, is in direct conflict with the spirit and intent of the County’s own Resource Protection Ordinance (“RPO”). The RPO’s purpose is to protect our Native American cultural resources because they are precious and their protection and preservation is vital to both tribal and non-tribal communities. By eliminating the need to provide an environmental review prior to the development of large acres of land our resources are in danger of being desecrated and forever destroyed.

It is not infeasible for the County to perform a records check for known archaeological sites when an equine applicant proposes to develop their land. It is not infeasible to require Native American monitors on projects that would qualify under Tier 3 and 4. Administrative Permits and Major Use Permits should require the presence of Native American monitors whenever the project is within a one (1) mile to a five (5) mile radius of a known archaeological site.

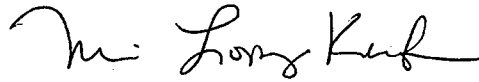
It is unacceptable that the impact after mitigation of the Ordinance will be “significant and unavoidable.” It is not unavoidable and should be amended to allow for tribal consultation, the presence of Native American monitors and a preference for avoidance and not destruction. It will be unconscionable of the County to adopt this Ordinance knowing that it has done nothing and will do nothing to protect Native American cultural resources all so it could be easier for landowners to house horses.

IX. CONCLUSION

In conclusion, SLR demands that the County institute mitigation measures that will actually lessen the impact to Native American cultural resources and not simply make the determination that it is infeasible and that negative impact is unavoidable. The County’s prehistory is our history. It is imperative that our histories be protected and preserved. It is important that today’s desires for more easily acquired equine areas does not outweigh the critical importance of protecting and preserving our Native American culture and history.

SLR looks forward to working with the County of San Diego to guarantee that the requirements of CEQA are rigorously applied to this Project and all projects. We thank you for your continuing assistance in protecting our invaluable Luiseño cultural resources and sacred sites.

Sincerely,

A handwritten signature in black ink, appearing to read "Merri Lopez-Keifer". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Merri Lopez-Keifer
Tribal Legal Counsel

cc: Mel Vernon, SLR Captain
Carmen Mojado, SLR Secretary of Government Relations and President of
Saving Sacred Sites

March 13, 2013

TO: Carl Stiehl
 SUBJECT: Draft Tiered Equine Ordinance

Hello Carl,
 I have the following issues with the Draft Tiered Equine Ordinance.

ISSUE 1:

I strenuously object to the addition of requirements for Horsekeeping that appear in the Draft Tiered Equine Ordinance. These additions are entirely new and not clearly identified for the public in any of the public hearings preceding the draft ordinance. In addition these requirements are ambiguous and entirely subject to change and places horse owners throughout the County in immediate threat of Code Enforcement action.

The regulations in the Draft Tiered Equine Ordinance I am objecting to are as follows:
In addition □ *Horse Stable or **Horsekeeping** use shall comply with the following requirements:*

2. *Restrictions On Use:*

- a. *A Horse Stable or **Horsekeeping** shall conform to the regulations contained in Division 6, Sections 36.401 - 36.414 of the County Code (Noise Abatement and Control).*
- b. *Dust and drainage from the Horse Stable or **Horsekeeping** shall not create a nuisance or a hazard to adjoining properties or uses.*
- c. *A Horse Stable or **Horsekeeping** shall conform to the standards and regulations for the humane treatment of equine animals found in State code, including, but not limited to, Health and Safety Code Section 25988.*
- d. *A Horse Stable or **Horsekeeping** shall maintain the use subject to standard best management practices for equine uses in compliance with the Grading, Stormwater and Watershed Protection Ordinances. Lack of compliance with best management practices may be subject to enforcement by County staff.*

On March 2, 2011 the Board of Supervisors directed staff to investigate options that would protect and promote equestrian operations while ensuring that we have reasonable permit fees and regulations. *"It is important that the County of San Diego makes certain that the equine industry continues to have a vital role in our rural communities and operates under regulations that are appropriate and fair."* There was no direction to modify or increase regulation of permitted horsekeeping.

This action was followed by The Interim Policy on Commercial Equine Facilities, approved March 16, 2011, which was strictly about non-conforming commercial horse operations.

The County Planning Commission, on May 20, 2011, heard POD 10-010: Options for updating Equine Regulations in the Zoning Ordinance. In the staff report to the Planning Commission was the following statement: *"Following the direction from the Board of Supervisors to assess the equine industry and equine operations in the County, staff would propose changes to the existing commercial Horse Stable regulations. Staff does not propose any changes to agricultural Horsekeeping regulations."*

The Board of Supervisors heard POD 10-010 on July 13, 2011. The following statement appeared in the report to the Board: *“Based on the direction of the Board, the focus of the regulation changes considered in this report are for non-private equine operations. The keeping of horses owned solely by the occupants of a property is referred to in County regulations as “Horsekeeping” and would not be affected. The private Horsekeeping use is allowed without the need for permits on most properties in the unincorporated county. In such cases, occupants of a property may have an unlimited number of horses under their ownership for their own use. A horse allowed under the Horsekeeping use is required to meet animal enclosure setbacks and a building permit may be necessary for an associated shade structure, stable or barn.”*

The Draft Ordinance Summary POD 11-011 with initial recommendations had no mention of changes to Horsekeeping regulations.

The Notice of Preparation of an Environmental Impact Report, placed for public review on January 19-February 17th, 2012, made no disclosure of proposed changes to Horsekeeping regulations. *“The amendments consist of clarifications, deletions, and revisions to provide an updated set of definitions, procedures and standards for review and permitting of equine uses, specifically for commercial horse stables. The amendments will implement a new tiered system of permitting for a horse stable with both ministerial and discretionary tiers of permitting.”*

The first time the public was made aware of the new proposed requirements to be placed in the County Zoning Ordinance for Horsekeeping was the release of the Draft Tiered Equine Ordinance first presented at the Equine Stakeholders meeting on January 24, 2013 followed by release of the Draft Environmental Impact Report for the Ordinance on February 4, 2013.

I will note that the general public reviewing the documents and description of the Draft Tiered Equine Ordinance as published on the County of San Diego’s website would have no idea that new regulations for Horsekeeping are proposed in the Draft Tiered Equine Ordinance. There is one sentence in the Project Summary that might be construed to indicate new regulations pertaining to Horsekeeping are proposed, but the entire summary is directed to commercial equine uses not individual horsekeeping. *“Update regulations for equine uses to be consistent with current technology and design.”* Further the Project Description includes no disclosure of revisions to Animal Regulations (3000s) pertaining to Horsekeeping.

Regarding the proposed regulations: *A Horse Stable **or Horsekeeping** shall maintain the use subject to standard best management practices for equine uses in compliance with the Grading, Stormwater and Watershed Protection Ordinances. Lack of compliance with best management practices may be subject to enforcement by County staff.*

I have reviewed the web sites referenced with the Draft Tiered Equine Ordinance and found the following statements:

Equine Facilities Best Management Practices: *“Below is a list of BMPs that may be applicable to your business.”* It is not clear to the individual horse owner that the requirements apply to them.

Page 3

Tips for Manure Management: "We encourage horse and livestock owners to stay informed of the compliance requirements....". Language is encourage not require.

Project Clean Water: The web site is not functioning very well. A search for manure came up with 0 results.

It is very unclear what the requirements and BMPs are that an individual horse owner must comply with since nothing is clearly stated in the Draft Tiered Equine Ordinance. In addition the regulations pertaining to watershed protection and runoff are ever evolving. Placing a requirement in the Zoning Ordinance for all horse owners to comply with, without clearly stating what those requirements are, is not appropriate and fair.

ISSUE 2:

In this attempt to permit non-conforming horse stables the Draft Tiered Equine Ordinance has developed new requirements for ALL horse stables that are onerous and not appropriate or fair. Regardless of whether the horse stable is a 'by-right' permitted use, or has one or one hundred horses being boarded, the stable is required to formulate a manure management plan, a fire protection plan and a vector control plan. There are aspects of the three plans that are infeasible by the common horse owner-install a water hydrant (a hydrant for fire protection is a large diameter pipe with large volume flow) specifications for storing rags in enclosed buildings, setbacks between structures of 50 ft (it is not clear whether a horse shade structure is considered a structure in this ordinance) pick up waste hay daily, etc.

In addition there may be a misinterpretation of the Watershed Protection Program for Equine Facilities (WPPEF). The WPPEF states manure must be cleaned up at least twice weekly and may be composted or may be stored for off-site disposal in a manner that prevents contact with runoff. However the Draft Tiered Equine Ordinance requires a Horse Stable to develop a manure management plan with the following requirement: *"Manure shall be kept in the manure management area in an enclosed or covered container unless being composted. Manure shall be removed from the property a minimum of bi-weekly or properly composted onsite."* The word bi-weekly has two definitions, one is twice a week the other is every two weeks. The draft ordinance needs to clarify which meaning is required. Otherwise this requirement exceeds the WPPEF and since most trash service is once a week, places an undue economic burden on horse stable uses.

ISSUE 3:

Section 12, 3130 initially seems to apply to the expansion of horse stable uses for specific animal designators (such as V). However since 3130 is referenced in the matrix for both horse stables and horsekeeping, it appears that all horse uses in all animal designators (such as X) must comply with the new restrictions on use. Requiring manure management plans, fire protection, and vector control for previously 'by-right' horse stable uses is inconsistent with the original intent for developing this ordinance. How are existing by-right equine uses going to be grandfathered? If these uses have

any horses not owned by the property owner, will all sections of 3130 be applied to the existing business that were never required before?

While the Tiered Equine Ordinance has been developed to resolve a problem with non-permitted commercial equine uses, expansion of the ordinance to include regulations for previously permitted Horse Stables and Horsekeeping is not justified or supported in the public review process. This needs to be corrected by striking the word Horsekeeping from Section 12, 3130: 1. and 2. of the Draft Tiered Equine Ordinance. In addition, the ordinance appears to place new regulations on all horse uses in the County and is exceedingly detrimental to the equine industry.

Submitted by,

Janis Shackelford
9716 Red Pony Lane
El Cajon, CA 92021

Valley Center Community Planning Group

PO Box 127 Valley Center CA 92082



Oliver Smith
Chair

oliver.smith@philips.com

Ann Quinley
Vice Chair

annquinley@gmail.com

Steve Hutchison
Secretary

hutchisonsm@gmail.com

Hans Britsch

thomas@westerncactus.com

Bret Davis

bret_davis@hotmail.com

Robert Davis

bob@bobdavisrealty.com

Paul Evans

gentleman_programmer@hotmail.com

Bob Franck

Franckfort@yahoo.com

Larry Glavinic

larryglavinic@gmail.com

Mark Jackson

jacksonmark92026@gmail.com

Eric LaVenture

mxinmotion@gmail.com

Christine Lewis

lewisvc@CS.com

**LaVonne Norwood-
Johnson**

johnson.lavonne@rocketmail.com

Rich Rudolf

richrudolf@sbcglobal.net

Jon Vick

JonVick2@aol.com

March 16, 2013

Carl Stiehl
Advance Planning
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

SUBJECT: VCCPG Vote on Equine Ordinance Proposal Draft EIR

The Valley Center Community Planning Group has reviewed the draft EIR for the county's proposed Equine Ordinance revision that was released in January, 2013. The following recommendation was approved by the planning group 10-3-0 at our regular meeting on March 11, 2013:

- 1) The Tier 1 concept is good and 3 boarded horses is a reasonable number. However, there should be some above board opportunity for limited activities such as riding lessons as long as the number of horses is limited and no signage or internet advertising was used. This would better address the vast majority of technically noncompliant properties we currently have in Valley Center as long as it was very limited and very specific.
- 2) Densities of 10 horses per acre are too much, 4 horses per acre are unreasonably low. A proposed density of 7 horses/useable acre is a more reasonable density.

I will note that during the discussions there were serious concerns raised regarding the impact on adjacent properties due to the creation of an equine facility built to the limit of a specified tier level next to them. However, it was also pointed out that equine zoned locations are public knowledge. It is the property owner's choice where to live. Along with that choice comes the consequence of accepting a neighboring equine facility even though there may not have been one there initially.

Not voted on were recommendations made in subcommittee to specifically identify all of the equine facility types (i.e. training, transport, rehab, rescue, etc.) in the new ordinance so it will be easily understood which ordinance areas pertain to a particular type of facility

If you have questions, I can be reached at (760) 918-7331.

Respectfully,

Oliver Smith, Chair
Valley Center Community Planning Group



SWEETWATER AUTHORITY

505 GARRETT AVENUE
 POST OFFICE BOX 2328
 CHULA VISTA, CALIFORNIA 91912-2328
 (619) 420-1413
 FAX (619) 425-7469
<http://www.sweetwater.org>

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 ASSISTANT GENERAL MANAGER

March 18, 2013

Mr. Carl Stiehl
 County of San Diego
 Advance Planning
 5510 Overland Ave., Suite 310
 San Diego, CA 92123

Subject: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT
 TIERED EQUINE ORDINANCE AMENDMENT, POD 11-011
 SWEETWATER RIVER WATERSHED PROTECTION

Dear Mr. Stiehl:

Thank you for providing notification to Sweetwater Authority on the Tiered Equine Ordinance Amendment Draft EIR (DEIR). Sweetwater Authority is a public water agency in the South Bay area of San Diego County serving approximately 186,000 people residing in National City, the western and central portions of Chula Vista, and the unincorporated communities of Bonita and Lincoln Acres. Sweetwater operates Sweetwater Reservoir and Loveland Reservoir to store local and imported water for its customers and utilizes the Sweetwater River to transfer water from Loveland Reservoir to Sweetwater Reservoir. The proposed Tiered Equine Ordinance Amendment would potentially affect commercial equine uses in unincorporated portions of the County, including areas of the Sweetwater River watershed within the County's jurisdiction (Figure 1).

We have reviewed the DEIR, draft ordinance, and supporting documents and have the following comments:

Tier One and Tier Two Requirements

Section 3.1.2, Hydrology and Water Quality, includes contradictory information on Tier 1 and Tier 2 requirements:

- Sections 3.1.2.3.1 and 3.1.2.4.1 state that some future Tier One and Tier Two equine facilities would require a building permit and would be subject to preparation of a Minor SWMP.
- Sections 3.1.2.3.3; 3.1.2.3.4; 3.1.2.3.5; 3.1.2.3.7; and 3.1.2.3.8 state that future Tier One and Tier Two equine facilities would require a building permit and therefore would be subject to the preparation of a Minor SWMP.

Clarification should be provided, and reliance on potentially incorrect requirements to determine the significance of related impacts should be re-evaluated in the document.

Mr. Carl Stiehl

Re: Comments on DEIR for Tiered Equine Ordinance Amendment, POD 11-011

Sweetwater River Watershed Protection

March 18, 2013

Page 2

Surface Water Quality Impacts

The document states that future equine uses may result in an increase in animal waste which contains biological and chemical properties that can be harmful to plants, animals and humans, and that animal waste can contribute to surface water pollution when it is improperly stored or left uncovered near watercourses and storm drains (p. 3.1.2-13). The DEIR does not specifically discuss *Cryptosporidium parvum*, a waterborne pathogenic organism that is known to cause health effects, including fatalities in some humans. The draft ordinance would define Horse Stables to include equine breeding and raising uses, yet equines under the age of 12 months, the predominant carriers and shedders of *Cryptosporidium* oocysts, would not be counted in Horse Stable populations. Since Tier One and Tier Two projects would not be subject to environmental review, the analysis should discuss the adequacy of setback requirements and manure management guidelines to prevent increases and potential spreading of *Cryptosporidium* in waterways. County enforcement procedures for setbacks and BMPs should also be described in detail. Additionally, we recommend that the County's Watershed Protection Program Equine Facilities handout be revised to state that bacteria and viruses impact surface water reservoirs used for drinking water, of which there are several in the County that would be impacted by the draft ordinance. The handout currently states that bacteria travel downstream to our beaches, causing beach closures.

Groundwater Quality Impacts

Although Section 3.1.2.3.2 evaluates potential depletion of groundwater supplies and interference with groundwater recharge, the analysis also should include a discussion on groundwater quality impacts from equine facilities. The document states that the most common man-made sources of groundwater contamination include facilities producing animal wastes, and that the most common contaminants in groundwater within San Diego County include elevated nitrate levels and bacteria (p. 3.1.2-4). Horse urine is a significant source of nitrates that can make groundwater unusable by rapidly degrading groundwater and surface water quality. WPO requirements, including berming or curbing to contain animal waste where it is produced, would not halt seepage into such water supplies and the resulting contamination of groundwater. Because Sweetwater Authority derives up to 70 percent of its potable water from local sources, including the San Diego Groundwater Formation, groundwater quality impacts carry ramifications for Sweetwater's water supply and customers.

Project Alternatives

The proposed project applies to properties within the unincorporated County that are zoned with an Animal Designator D-J, L-N, U, V, or X for a total of 344,665 acres (Section S.2.3). According to County data presented at the Equine Stakeholders Meeting on January 24, 2013 (Figure 2), the proposed density of 10 horses per usable acre throughout the project area is greater than other jurisdictions allow with discretionary use permits

Mr. Carl Stiehl

Re: Comments on DEIR for Tiered Equine Ordinance Amendment, POD 11-011

Sweetwater River Watershed Protection

March 18, 2013

Page 3

required. The proposed density of 10 horses per usable acre would have a detrimental cumulative impact on water quality and would affect Sweetwater Authority water resources. Since the Board of Supervisors may consider the adoption of specific components or a combination of the proposed project and project alternatives (p. S-6), we recommend that a combination of the Four Horses Per Acre Alternative and the Reduced Project Area Alternative be considered:

- Tier One would allow boarding only of up to 3 horses (including horses less than one year of age) not owned by the property owner without a ministerial or discretionary permit on properties 1 acre or larger in size.
- Tier Two would allow 4 horses per acre of usable area up to 20 horses (including horses less than one year of age) on properties between 1 and 5 acres with the proposed ministerial Zoning Verification Permit.
- Tier Three would allow 4 horses per acre of usable area up to 40 horses (including horses less than one year of age) on properties greater than 5 acres and less than 10 acres with a discretionary Administrative Permit.
- Tier Four would allow more than 40 horses (including horses less than one year of age) on more than 10 acres of usable area, or more than 4 horses per usable acre, with a discretionary Major Use Permit.

These recommended Horse Stable limits take into consideration the fact that typical horse boarding on properties is confined to relatively small areas where animal enclosures are located, and other portions of the site are used for turn-out pens, corrals, and/or other structures. This in effect further concentrates the animal waste issues and therefore contamination potential.

We appreciate the opportunity to comment on the DEIR for the Tiered Equine Ordinance Amendment. Please continue to include Sweetwater Authority on the County's distribution list for POD 11-011. If you have any questions, please contact Jane Davies at jdavies@sweetwater.org or (619) 409-6816.

Sincerely,

SWEETWATER AUTHORITY













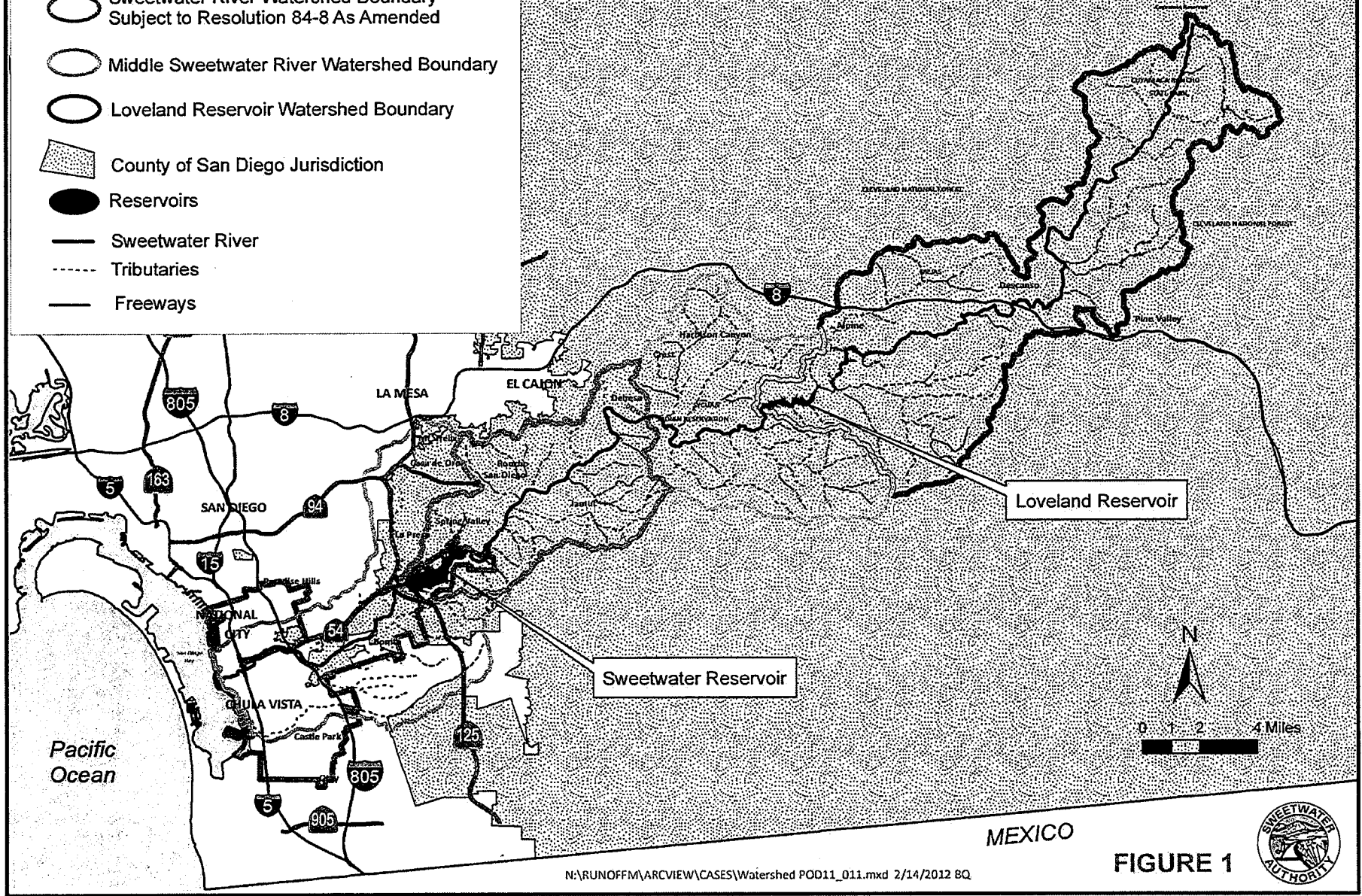
Scott McClelland, P.E., BCEE
Director of Water Quality

Enclosures

PROJECT LOCATION WITHIN HYDROLOGIC UNIT POD 11-011

Legend

-  Sweetwater Authority Service Area
-  Lower Sweetwater River Watershed Boundary
-  Sweetwater River Watershed Boundary Subject to Resolution 84-8 As Amended
-  Middle Sweetwater River Watershed Boundary
-  Loveland Reservoir Watershed Boundary
-  County of San Diego Jurisdiction
-  Reservoirs
-  Sweetwater River
-  Tributaries
-  Freeways



N:\RUNOFFM\ARCVIEW\CASES\Watershed POD11_011.mxd 2/14/2012 BQ

MEXICO

FIGURE 1



Research

Other Jurisdictions – require Use Permits

City of San Diego – 8 h/ac in agricultural zone (10ac lot)

Los Angeles County – 8 h/ac

Orange County – 8 h/ac in Equine District only

Riverside County – 4-6 h/ac in certain zones

San Bernardino – 4 h/ac in certain zones

City of Chula Vista – 3 h first ac, 2 h/ac

Santa Barbara County – 2 h/ac



From: Judy tieber [jtieber@cox.net] Sent: Wednesday, March 20, 2013 9:29 AM

To: Stiehl, Carl Subject: Tiered Equine Ordinance draft EIR

Good Morning Carl, I have read and re-read this document and have only a few comments:

1. In unincorporated metropolitan areas such as Bonita/Sunnyside (Sweetwater Planning Group), 10 horses/acre is insufficient to meet public demand for equine boarding and training facilities. I suggest (as endorsed by both the Sweetwater Planning Group and the Sweetwater Civic Association) 15 horses/acre with a 5 acre minimum lot size.

2. On page S-12 #5 Odors Mitigation Measures: "Animal waste shall be stockpiled in an enclosed, covered containment vessel to ensure anaerobic off-gassing and associated odor generation is minimized". This is a very dangerous statement because horse manure is prone to self-combustion when contained in this manner during hot and dry weather. This is a lesson that is often learned by new equestrian center operators, and oft forgotten by experienced operators. Manure has to be able to breathe. For example, I was boarding my horses at the Del Mar track stables during the Del Mar National Horse Show several years ago when a spontaneous combustion fire started in the manure bin which also contained straw that was cleaned out of the box stalls. It really did burn and we really saw flames, and it was really treated as an emergency condition by track personnel. As the top layer of manure dries out, there is no odor. But the stockpile must breath. I suggest document wording be changed to:

Animal Waste shall be stockpiled in an open containment vessel that is stored in an area away from neighbors to minimize any unpleasant odors. Containment vessel must be covered during periods of rain to comply with associated Clean Storm Water Act (or whatever it is called). Closed containment vessels that are emptied weekly shall be used for boarding 3 horses or fewer.

3. I did not note page or # for the following statement: "Require all equine facilities of any Tier category to ensure horse stalls was washed and cleaned 2 x day." I'm not sure where this is coming from, but it is not possible to "wash" a stall 1 or 2 x day:

- a. Water is too costly to waste on this.
- b. It would make a horrible muddy mess
- c. No owner who pays extra for a box stall would want their horses exposed to this
- d. We could never afford to replace stall bedding (shavings) once or twice a day
- e. We clean/remove manure and soiled (pee soaked) bedding once a day. That is sufficient to maintain a healthy environment

4. I didn't see anything that suggests the need (I feel is a requirement) to remove manure daily from all riding/turnout arenas, grooming and tacking areas, and isle ways and walkways, i.e. any place horses might congregate that is outside of the corral/box stall.

I hope these comments are useful to you and your team in finalizing the TEO EIR. Thank you.

Judy Tieber Mt Miguel Equestrian Center Bonita

Minutes

County of San Diego - Alpine Community Planning Group

P.O. Box 819
Alpine, CA 91903-0819
www.AlpineCPG.org

NOTICE OF REGULAR MEETING

Thursday, June 28, 2012, 6:00 P.M.

Alpine Community Center
1830 Alpine Boulevard, Alpine, CA 91901

I. Roll Call of Members

Jim Archer	Roger Garay	Lou Russo
George Barnett	Cory Kill	
Jim Easterling	Travis Lyon	Sharmin Self
Robie Faulkner	Jennifer Martinez	Kippy Thomas
Greg Fox	Vacant #14	

Excused absence: Richard Saldano

Absent: Mike Milligan

- II. The Minutes for May 24, 2012 were approved by members present. Motion by Jim Archer second by Jim Easterling

III. Group Business

1. Community members interested in being recommended for appointment to seat #14 will come forward to answer questions from the Planning Group.
Jim Easterling motions to accept nominations of Charles Kaderabek and Tim Memmel, second by Jim Archer.

	Charles Kaderabek	Tim Memmel		Charles Kaderabek	Tim Memmel
Jim Archer	X		Cory Kill	X	
George Barnett	X		Travis Lyon	X	
Jim Easterling	X		Jennifer Martinez	X	
Robie Faulkner	X		Lou Russo		X
Greg Fox	X		Sharmin Self	X	
Roger Garay	X		Kippy Thomas	X	

Charles receives the recommendation for vacant seat #14

2. Nominations and voting will be taken for the vacant Communications Subcommittee Chairperson (Planning Group members only).
Jim Archer motions to accept Lou Russo as new communications subcommittee chairperson, Greg Fox second the motion. All were in favor.
3. The County of San Diego wants the Planning Group to weigh in on the County Bicycle Transportation Plan and whether Alpine wants to participate in applying for the Grant .
Jim Easterling motions to support the bicycle transportation plan and letter will be signed by Greg Fox and sent immediately to board members as well as county. Jim Archer second the motion.

	Yes	No	Abstain	Absent		Yes	No	Abstain	Absent
Jim Archer	X				Jennifer Martinez	X			
George Barnett	X				Mike Milligan				X
Jim Easterling	X				Lou Russo	X			
Robie Faulkner	X				Richard Saldano				X
Greg Fox	X				Sharmin Self	X			
Roger Garay	X				Kippy Thomas	X			
Cory Kill	X								
Travis Lyon	X								

Motion passes 12 yes votes and 2 absent

VI. Organized / Special Presentations:

1. Howard Blackson, Placemakers, the consultant hired by the County Department of Planning and Land Use to prepare Form-Based Code prepared for the Village Core Mixed Use area in the Alpine town center, will present the draft Code for the Planning Group to make a recommendation on. This draft is based on comments provided at the Alpine Design Review Board meeting of May 7. **Presentation, Discussion and Action**

Motion to continue with draft on Form-Based Code with edits but it must come back to the Alpine Community Planning Group prior to submission to the county supervisors/planning commission.

	Yes	No	Abstain	Absent		Yes	No	Abstain	Absent
Jim Archer	X				Jennifer Martinez	X			
George Barnett	X				Mike Milligan				X
Jim Easterling	X				Lou Russo		X		
Robie Faulkner		X			Richard Saldano				X
Greg Fox	X				Sharmin Self	X			
Roger Garay	X				Kippy Thomas	X			
Cory Kill	X								
Travis Lyon	X								

Motion passes with 10 yes votes, 2 no votes, and 2 absent

2. Carl Stiehl, County of San Diego Department of Planning and Land Use, will be making a presentation regarding updates to the County of San Diego Equine Ordinance project. **Presentation, Discussion and Action if needed.**

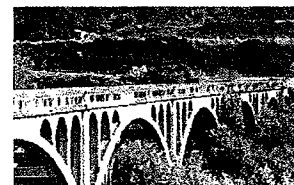
Mr. Stiehl presented a proposed update in the County of San Diego’s Zoning Ordinance regarding their Equine Policy and Ordinance Development.

1. Subcommittee Reports (Including Alpine Design Review Board)

- | | |
|--|---|
| a. Private Actions | Richard Saldano |
| b. Trails & Conservation | Travis Lyon:
looking at village core for walking trails |
| c. Parks & Recreation | Jim Archer-
looking at enhancing the community center parks with PLDO funds |
| d. Public Facilities, Services & Major Public Policy | Sharmin Self |
| e. Circulation | Cory Kill |
| f. Communication | Vacant |
| g. Alpine Design Review Board | Kippy Thomas |

VIII. Open Discussion 2 (Only if Necessary)

BONSALL COMMUNITY SPONSOR GROUP
Dedicated to enhancing and preserving a rural lifestyle



COUNTY OF SAN DIEGO BONSALL COMMUNITY SPONSOR GROUP

REGULAR MEETING MINUTES

Tuesday, September 4, 2012

7:00P.M.

31505 Old River Road

Bonsall, California

1. ADMINISTRATIVE ITEMS:

A. Pledge and Roll:

PRESENT: Morgan, Lintner, Zales, Davis

ABSENT: Norris, Rosier

B. Corrections to Agenda: None.

C. A correction to the Minutes of August 7, 2012, included placing a period after the use of the word "No" on the second page. The corrected minutes were approved on motion by Lintner and second by Davis.

D. Public Communication on non-agenda items: None.

E. Reports: None given.

2. PLANNING AND LAND USE:

A. TPM 21150 Yuan Minor Subdivision and Administrative Permit. After a detailed presentation by Ted Marioncelli, the project manager, a motion was made by Zales and seconded by Lintner that: The draft Habitat Loss Permit, the Amendment to the Mitigated Negative Declaration and the Lot Area Averaging Permit be approved as presented by the project proponent, with the exception of the provision requiring a chain-link fence around the open area. The motion passed.

B. Review County of San Diego-Bonsall Design Review Checklist: Chair provided a status update.

C. County Staff Member Carl Stiehl of Advance Planning gave a through presentation on the Draft County Equine Ordinance.

D. Election of Officers of the Bonsall Community Sponsor Group and Committee Assignments. A motion was made by Davis and seconded by Lintner that the current officers and committee assignments be renewed for another term. The motion passed.

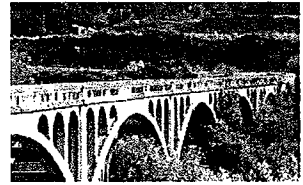
Chair: Margarett Morgan

Vice Chair: Charles T. Davis

Secretary: Open shared by Zales & Rosier



BONSALL COMMUNITY SPONSOR GROUP
Dedicated to enhancing and preserving a rural lifestyle



Committee Assignments

P & L – Planning & Land Use Davis & Lintner

P & V – Permits & Variances Norris & Morgan until seat #7 area 4 replacement is named

I – Circulation & Trails – Infrastructure All members of the Sponsor Group

D – Bonsall Design Review Board All members of the Sponsor Group

E. Applicant for the opening in area 4 seat # 7. The members present unanimously approved forwarding previous Bonsall Sponsor Group member Phyllis Ann Carullo Miller to fill the two year opening in Area 4 on the Bonsall Community Sponsor Group.

3. PERMITS AND VARIANCES:

A. MORROW RESERVOIR-WIRELESS TELECOMMUNICATION MUP 3300-12-016. The Bonsall Sponsor Group recommended the approval of a 50'height broad-leaf for the use of a telecommunication cell site, with the recommended conditioned that the owner maintain the broad-leaf portion of the tower.

B. Update on OLD RIVER ROAD subdivision. The chair noted the County would soon be replacing the "speed-dots" on the road and conducting a three day traffic test to determine the best method to calm the traffic volume.

4. COUNTY COMMUNICATIONS:

A. The chair noted that there was a Final Notice of Approval for–Tentative Parcel Map No. 211909 Bautista Avenue subdivision.

ADJOURNED 8:50P.M.



**JAMUL DULZURA
COMMUNITY PLANNING GROUP
FINAL MINUTES
Tuesday, March 12, 2013
Approved April 9, 2013
Oak Grove Middle School Library
7:30 pm**

1. **Call to Order:** Jean Strouf called the meeting to order at 7:35 p.m.
2. **Roll Call:** Preston Brown, Yvonne Purdy-Luxton, Randy White, Ray Deitchman, Michael Casinelli, Joan Koonz, Jean Strouf, Earl Katzer, Dan Kjonegaard, Dale Fuller, Bill Herde.

Excused: Judy Bohlen, Janet Mulder, Steve Wragg

Seat 1 is vacant (Liz Kelly was present, waiting for BOS appointment)
3. **Motion to approve the Agenda March 12, 2013, as posted 72 hours before the meeting and the minutes of February 26, 2012 as corrected prior to meeting and noting that Agenda omitted number 2. Motion carried unanimously.**
4. **Open Forum: Opportunity for members of the public to speak on any item not on the agenda (time limit 3 minutes)**
 - a. **Dan Kjonegaard** asked when the up-dated roster would be available. **Jean Strouf** stated that she would contact **Janet Mulder, secretary**, and ask her to bring one to the next meeting so each member can check their contact information and then send the corrected roster out to the members.
 - b. **Michael Casinelli** asked if anyone knew what was occurring at a utility pole located on Lyons Valley Rd. near Raven Hill, as there is a hole with a temporary cover on it, which he feels is an unsafe condition.
 - c. **Jean Strouf** announced receipt of a notice from Planning & Development Services, informing us that Sami Real has been selected as Chief of the Project Planning Division.
 - d. **Jean Strouf and Dale Fuller.** will not be at the 3/26/13 meeting.
5. **Form 700 due March 29 from all planning group members to David Morton, Registrar of Voters, and members can't vote until it is completed. Jean Strouf reminded all Planning Committee members to turn theirs in.**

Jean Strouf recused herself and Bill Herde, Vice-Chair, took over for the next agenda item.

6. **Reimbursement to Jean Strouf for JDCPG Post Office Box. Bill Herde moved we reimburse Jean Strouf for \$58.00 she spent to pay for the P.O. Box. Motion carried: 10, yes; 0, No; 1 recused (Stouf)**

Jean Strouf took over as chair again at this point in the meeting.

7. **Carl Stiehl, SAN DIEGO DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES SPEAKING ON THE TIERED EQUINE ORDINANCE.** Jean introduced Carl Stiehl, Planner, Planning and Development Services. Carl stated that he was completing the public review portion of the new ordinance; he has one remaining CPG to address after tonight's meeting. Public review began late in 2010, and included meeting with the communities and also at Planning Group meetings. Public comments will close on 3/20/13; the review and response will complete by 4/13/13; the Ordinance will go to the Planning Commission 3/13/13, and to the BOS 7/13/13. Research on the new ordinance was based on reported violations that were occurring within San Diego County. County wide, 20 stable interviews were conducted, and there were no violations in the Jamul / Dulzura CPG area. The current ordinance as enacted in 1978, states that the keeping of horses is "allowed by right" and covers a major portion of the Jamul / Dulzura planning area. It was also discovered that there is no municipality in So Cal that does not have an equine ordinance that requires a permit. The main focus of the new ordinance is based on commercial use (horse stables); the private keeping of horses are not a part of the proposed ordinance.

Within San Diego County, there are several zoned areas for horses. The proposed ordinance only relates to "Blue Areas", which generally represent higher density areas within existing horse-zoned parts of the unincorporated areas of San Diego County. Previous to passing of this ordinance, any Commercial horse use (board, training, breeding) currently has required a Major Use Permit. This ordinance is designed to streamline permitting for smaller commercial horse operations.

The proposed ordinance is broken down into 4 tiers:

- (a) 3 horses, board only (owned by others), no limit if owned by the property owner, "by right"; no permit needed.
- (b) Commercial 10 horses per acre up to 50 horses, requires a Zone Verification Permit.
- (c) 10 horses per acre, 50-100 horses, requires an Administrative Permit.
- (d) 100+ horses, more than 10 horses per acre, requires a Major Use Permit.

Permits (b), (c), & (d) would come before the affected Planning Groups for recommendation. At this time Carl fielded questions and provided clarification.

Jean Strouf moved that the JDCPG recommend support of the new tiered equine ordinance. Motion passed; 8 yes, 1 no, (Katzner); 2 abstained, Yvonne P-L. (may breed horses), Jean Koonz (no opinion).

The proposed Tiered Equine Ordinance can be seen on the county web site, by inputting www.sdcounty.ca.gov, and typing "equine" in the search box.

8. **Proposed Development of Soccer Fields at the Former Otay Motorsport Park, 13949 Otay Lakes Road, Jamul, presenter, Raul Gonzales Jr., Director of Soccer Operations.**

Raul Gonzales introduced **Sergio Carreno**, President, and **Jesus Valerio**, Treasurer - all representing **San Diego Pumas UNAM Academy**.

Attached to these minutes is a copy of the proposal as presented to the JDCPG, followed by questions and comments. **Raul Gonzales** stated the property consists of 60 acres, of that 29 acres is currently flat/already graded. **Jean Strouf** pointed out that Jamul is not an incorporated city and that the JDCPG has no funds. **Raul Gonzales** said that they were looking for the JDCPG's support through the permitting process. **Randy White** provided a brief history of the site; citing that prior to being the Motorsports Park it was a proposed quarry site. Additionally Randy pointed out that there was no infrastructure of any type on near the property, the traffic generated by this time of venture would overtax narrow winding road. Because there were no food facilities on the property, additional trips would be

generated going facilities some distance away then returning. **Michael Casinelli** asked how long San Diego Pumas UNAM Academy had been in the San Diego area. **Raul Gonzale.** said, 5 years. **Michael Casinelli** expressed concerns over traffic and bringing strangers into the community with what appears to be idle time during the breaks between games and the water use. **Dan Konegaard** asked who was going to finance this project. **Raul Gonzales** said that CalSouth would be sponsoring a portion of the project and the balance would be provided by other donations or sponsors. **Dan Konegaard** pointed out the problems consisting of traffic, access to water, lighting, grading, import/ export of soil. **Dan Neirinckx** pointed out that the JDCPG would not be financially nor physically responsible for any part of this complex. **Randy White** stated that the JDCPG could not support this project without more details; traffic would have to be addressed and would be too much for the existing conditions. **John Watt, Regional Commissioner for AYSO** said that this area was not suited for this type of development. **Dan Konegaard** stated that they should meet with a land planner who could review their plans and could provide a rough estimate on preparing the site for this type of development and outline for the soccer group what required improvements the county may want. **Dan Neirinckx** suggested they contact **Supervisors Jacob and Cox** and seek their input.

9. **Jamul Indian Village Casino.** **Randy White** announced that he had been informed that on 4/21/13 there would some type of observance on Earth Day and the Jamul Indian Village.

10. JDCPG OFFICER'S ANNOUNCEMENTS AND REPORTS

- a. There was no mail to announce.

ADJOURNMENT:

Jean Strouf, Chair, adjourned the meeting at 9:25 p.m.

Respectfully submitted:

Janet Mulder, Secretary with thanks to Dan Konegaard for taking notes for me in my absence at the March 12, 2013 meeting.

NEXT PLANNING GROUP MEETING: TUESDAY, March 26, 2013
OAK GROVE MIDDLE SCHOOL LIBRARY

Attachment:

Proposed Development of Soccer Fields at the Former Otay Motorsport Park, 13949 Otay Lakes Road (in pdf attached to the email)

LAKESIDE COMMUNITY PLANNING GROUP

FINAL MEETING MINUTES

WEDNESDAY, APRIL 3, 2013 – 6:30 PM

Members present: W. Allen, G. Barnard, J. Bugbee, C. Enniss (arrived late at 6:40pm), L. Cyphert (chair), M. Cyphert, G. Inverso, T. Medvitz, K. Mitten, P. Sprecco (arrived late at 6:47pm), L. Strom, B. Turner.

Members Absent: M. Baker, J. Brust, L. Carlson.

Public present: 11

OPEN HOUSE: 6:00pm – 6:30pm

1. Call to Order: 6:35 pm
2. Pledge of Allegiance.
3. Meeting Minutes of March 6, 2013 were approved by a motion made by G. Barnard, seconded by T. Medvitz. Motion Passed (10-0-0-5); C. Enniss and P. Sprecco had not yet arrived.

4. ANNOUNCEMENTS

A. Upcoming projects scheduled for future meetings:

1. **East County Sand Mine** (MUP09-16, RP 09-001, AD12-039) Major Use permit & Reclamation Plan.
2. **Laurel Street Apartments** (STP13-006) Site Plan “B” Designator for 10 units.
3. **Settlers Point / Jackson Ridge** (TM 4523 RPL3) Tentative Map for 184 units.

B. L. Strom announced that April 7 is the closure of the Ramona airport, and although the public comment period has officially closed, comments can be emailed to closurecomments@faa.gov until April 7 to protest the closing of air tower.

C. T. Medvitz stated that the AYSO subcommittee assists with scheduling the soccer fields; however, at Dianne Jacob’s Revitalization meeting on March 28th, he met two County Parks & Rec staff members that may also be responsible for scheduling the soccer games. He will look into scheduling a meeting with staff to see if there is an overlap of responsibilities.

D. C. Enniss stated that the 6:30pm start time is problematic for his schedule, and asked why a vote was not made for the meeting time change. It was pointed out that there was a vote at a previous meeting.

8. SUBCOMMITTEE (*Item #8C was moved up in the agenda, as G. Barnard has to leave early*)

C. Trails Subcommittee - G. Barnard provided the following update:

1. There will be a Trails Subcommittee meeting on May 1 at 5:15pm in the Lakeside Community Center gymnasium.
2. G. Barnard stated that he was asked by Dianne Jacob to sit on the Lakeside Equestrian Center Foundation to look at the property where the Sun Bar Roping Club meets, at Willow Road and Moreno Avenue, to establish an Equestrian Center. G. Barnard stated that he spoke to the LCPG Chair and has done some research and cannot find any conflict of interest.

A motion to support G. Barnard’s Appointment to the Equestrian Center Foundation was made by L. Cyphert, and seconded by W. Allen. Motion Passed (10-0-1-4); G. Barnard abstained, P. Sprecco had not yet arrived.

5. OPEN FORUM.

A. Janis Shackelford, the chair of the Lindo Lake Subcommittee announced that the County is hosting a public meeting to discuss the future and long-term planning for Lindo Lake on April 17th at 6:00pm at the Lakeside Community Center. No money has been budgeted for improvements yet, but the County wants to know what the community would like to do with Lindo Lake as they make their plans. She also announced that the County will be posting the biological studies on their website. K. Mitten stated that she has a copy of the studies and can email to anyone who is interested.

6. PUBLIC HEARING

A. Riverview Courts Tentative Map - Request for Modification of Project Conditions - (TM 5536 RPL2) located on the Northwest corner of Riverview Avenue and Waterhill Road - The applicant requests a waiver of the requirement to underground utilities on existing roads, and to instead relocate two utility poles on the project frontage (Riverview). Applicant stated this project was previously approved 1.5 years ago, and that the frontage on Riverview is subject to the County's standard requirement to underground all utilities, but the undergrounding requirement may possibly be waived if the project meets 1 of 3 conditions. The applicant maintains that this project meets all three, but was unaware of the waiver option when the project when through the process initially.

1. M. Cyphert asked if the applicant would need to add transformers if the waiver was granted and the utility lines stayed above grade. (The applicant stated the relocation poles would be taller than existing, but no transformers or additional utilities would be necessary. Two new poles would be installed wires would be and cleaned up), M. Cyphert pointed out that there may be County funds to underground existing lines on nearby properties to increase value of community. Finally, M. Cyphert asked how much extra undergrounding the lines would cost to the expense of keeping the wires above grade. The applicant stated that it is approx. \$305,000 to underground the utilities, and the overhead utilities would cost approx. \$100,000, with a difference of about \$200,000;

2. T. Medvitz asked for clarification that net increase is one extra pole if the utilities are undergrounded. The applicant agreed saying that two existing poles would be removed and three new poles would be installed: a pole would be placed at both ends of the property and a new pole would be added across the street.

3. K. Mitten asked if anyone had raised the question of the undergrounding of utilities during the previous hearing. The applicant stated that it was not discussed previously.

4. J. Sprecco brought up that the application stated that the surrounding area is entirely built-out, which is one of the conditions the applicant is using for this waiver request; however, he pointed out that the other nearby properties could also increase to a density similar to what this property was rezoned, ~\$200,000 net expense to underground for a \$9 million project. The applicant stated that the Waterhill utilities will not be underground, since it does not front on to a public street;

5. L. Strom inquired as to who would be responsible for undergrounding these utilities once the project is built. The applicant stated that the utilities would be in the ROW and that the County or HOA would be responsible.

6. G. Barnard pointed out the proposed 48" sidewalk width and that the ADA requires a 42" clearance. (Applicant stated that the new poles will not be located on the sidewalk). G. Barnard also stated that it's the County's goal to underground as much as possible;

7. W. Allen stated that if the poles are not in the sidewalk and the utilities are already overhead, then in this market, we don't want to waste anyone's money.

8. C. Enniss stated he's concerned about making the applicant pay to underground their utilities when surrounding properties may not underground in the future, he recommended the applicant to talk to SDG&E about moving the poles onto the private property. (Applicant stated that having the utility poles on private property would require granting utility easements to SDG&E);

9. G. Inverness stated that if we put the burden on the developer to place utilities underground, then those costs will be passed to new homeowners and we should help keep homes affordable in this economy.

10. M. Cyphert stated that utility poles present public safety and fire concerns. He stated that the County wants to underground all new poles, and that the cost of undergrounding equates to approximately \$10,000/unit, which he believes is less than what the County would need to pay if done at future date.

Public Comment

11. Janice Shackelford advised that the street trees will need to be selected carefully to make sure SDG&E does not prune the trees;

12. Gordon Shackelford pointed out the houses will be sold for what the market will bear, so the notion that the cost of undergrounding will be passed on to the homeowners is not correct. He also stated that minimizing the number of poles is a worthy objective and that not undergrounding our utilities presents a public safety concern.

13. Todd Owens stated that when Silvercreek went in, we required them to underground utilities and the County is now working to underground the adjacent utilities, he also asked whether there will be overhead lines connecting to the individual units (Applicant stated that all utility lines running to individual units will be underground);

14. Catherine Gorka stated that she was in favor of undergrounding utilities as the utility poles posed safety problems during the Cedar Fire and also that El Cajon recently had 5 poles that fell inexplicably.

A motion to recommend Approval of the Waiver was made by G. Inverso, and was seconded by J. Bugbee.

Motion Failed (4-8-0-3).

A motion to recommend Denial of the Waiver was made by G. Barnard, and was seconded by M. Cyphert.

Motion Passed (8-4-0-3); J. Bugbee, C. Ennis, G. Inverso, and B. Turner dissented.

B. Winter Gardens Boulevard Sidewalk Enhancements - The Department of Public Works requests input on a proposal to install 350 feet of sidewalk along the east side of Winter Gardens Boulevard. The project location is directly across from Riverview Elementary School and there is currently a continuous sidewalk north and south of this missing segment.

1. W. Allen stated that this came before the group last year and now the County wants additional input from the group;

2. M. Cyphert spoke to County staff and clarified that there won't be any Eminent Domain with this project, it won't impact parking (as parking is currently not permitted), the construction will be coordinated with school activities, and homeowners;

3. T. Medvitz spoke in support of improving this missing portion of sidewalk;

Public Comment

4. Jan Price stated that this sidewalk would provide a safe haven for the seniors, children and parents accessing the nearby senior residences and Riverview Elementary. She showed pictures of a car accident that occurred at this location when it came down the hill and swerved to miss a pedestrian. She stated that by having a sidewalk here, the bus stop could be moved which would make this area safer; and

5. Gordon Shackelford – supports the sidewalk, but expressed concern about members of the LCPG speaking out of turn.

A motion was made to recommend Approval of the Application by J. Bugbee, and was seconded by M. Cyphert.

Motion Passed (12-0-0-3).

C. Town Center Mixed-Use Project on Lakeshore Dr. – Pre-Concept Presentation – The property owner is seeking input on an early-stage development plan for 2+ acres within Lakeside's Town Center. The site is bordered by Lakeshore Drive on the south, River Street on the west, a church (fronting Maine Avenue) on the east, and by several properties (fronting Laurel Street) to the north. The potential applicant is considering proposing retail and commercial on ground-level along Lakeshore Drive, with rental apartments above and behind, serviced by a parking lot. The owner's representative mentioned they were unsure as to how much density could be accommodated, but that is generally driven by parking requirements. He mentioned it would likely not be larger than 2-3 stories tall. He also provided 2012 statistics that 71% of current Lakeside apartments are 25 years or older, and that Lakeside has 2.6% rental vacancy rate. The County has 5.1% vacancy rate, and Santee has 3.4% vacancy rate; Applicant stated they were looking for feedback from the community as to whether this type of use is desirable in this location, how much density would be appropriate, and what kind of retail does the community want to see added to the Town Center.

1. Several members seemed generally supportive about incorporating mixed-use into the Town Center, but stressed that it should probably fit into Lakeside's western theme.

2. Parking was pointed out as a major problem in this area and a good parking study will be necessary as there is little on-street parking or public lots.

3. W. Allen recommended exploring ½ or ¾ below-ground parking which can be vented through and is not that expensive.

4. K. Mitten asked them to consider wrapping retail around southwest corner;

5. P. Sprecco suggested they reference the Town Center Plan/Guidelines;

6. C. Ennis expressed preference that existing buildings be demolished;

7. J. Bugbee inquired as to when the existing building was built (Janis Shackelford informed the LCPG that it was built in 1912);

8. T. Medvitz suggested they look at horse/tack/western-oriented retail;

9. Several members suggested that the applicant contact all or some of the following: the Lakeside Design Review Board (DRB), the Chamber of Commerce, the Historic Society, and perhaps even organize a community meeting to solicit feedback;

Public Comment

10. Catherine Gorka inquired about community character portrayed by neon rodeo sign;

11. Janis Shackelford asked if applicant had a copy of the current zoning, stated that the 2020 housing element is going to be approved soon, she stated that a different zone and height designator may be necessary to accommodate mixed use at this location, and asked whether we want to lose a business/industrial building in this location. Finally she stated that we probably don't have enough site information to make comments this early;

12. Gordan Shackelford expressed concern that the Lakeside Community and San Diego County could lose control over this type of project if the applicant applies for CA State waivers to increase density, decrease parking, etc., if they agree to make this a low-income housing project. He also stated that parking is a huge problem in the Town Center;

13. Applicant stated that it is not the owner's intent to ask for low-income waivers from the State and did not realize the County doesn't require at least some low-income housing units. In regards to parking, they will look at providing more parking than required, to help augment parking in the Town Center.

(No Vote necessary as this is not a formal proposal)

D. Proposed Amendment to Ordinance - Site Implementation Agreement - SIA (POD 08-006) – This Policy and Ordinance Development project (POD 08-006) is an amendment to the County Regulatory Code that introduces a new framework for a Site Implementation Agreement (SIA). The SIA would serve the function of a companion permit, in most instances, for subdivision maps. The SIA would assist in assuring the implementation of project requirements (i.e. conditions) associated with the development of subdivisions, mitigation of identified impacts, and on-going requirements after map recordation. Public review period is from March 21, 2013 to April 22, 2013.).

1. P. Sprecco spoke in favor of an SIA that compiles all conditions, but made the request that when the County provides LCPG with amended documents (in the future) to show strikethrough and underlines demonstrating what has been amended.

2. K. Mitten stated that having worked previously in the capacity as City/County planning staff, she can attest to the benefits of this type of document in tracking the different conditions placed by the numerous departments and that this will provide numerous benefits to both the County and applicants.

Public Comment

3. None

A motion was made to recommend Approval of the Ordinance Amendment by K. Mitten and was seconded by T. Medvitz. Motion Passed (9-0-1-5); J. Bugbee abstained; G. Barnard and C. Enniss left prior to vote.

E. Equine Ordinance Amendments (POD 11-011) - This Policy is to update the Zoning Ordinance with regard to Commercial Equine Uses. The Public Review period concluded March 20, 2013, however, Carl Stiehl stated at the Lakeside Community Meeting held on March 13, 2013 that the planning group may still provide comment, if desired.

1. M. Cyphert stated that the amendments to the Equine Ordinance eliminates the need for residents who want horses for personal use to not need a MUP, applies a multi-tiered approach to permitting,

2. J. Bugbee asked if this was dependent on zoning (it was the collective understanding that residents can still have what zoning permits).

3. L. Cyphert read the differences between each of the Tiers provided in the new Equine Ordinance language;

Public Comment

4. Janis Shackelford stated that this ordinance will help current equestrian owners that were operating contrary to zoning. It will allow them to continue in most cases without triggering a Major Use Permit. She

clarified that “horse keeping” means keeping your own horse and “horse stable” means keeping others horses. She stated that County staff continually repeated that there would be no change for horse keeping (own horses); however, now there are new regulations that will apply to “horse keeping” (which are now going to be subject to noise, noise, humane, nuisance, BMP for stormwater). She says the County maintains that horse keepers were already subject to these restrictions, but that it just wasn’t listed in Zoning Ordinance. Her proposed solution is to strike “horse keeping” from Section 12, 3130 #1 and #2;

5. M. Cyphert pointed out that if these restrictions were already applicable, then perhaps the addition of this language in the Zoning Ordinance, could assist with the County’s ability to enforce these regulations.

A motion was made to recommend Approval of the Equine Ordinance with the Condition to strike the language “horse keeping” from Section 12, 3130 #1 and #2 by P. Sprecco and was seconded by M. Cyphert. Motion Passed Conditionally (10-0-5); G. Barnard and C. Enniss left prior to vote.

7. GROUP BUSINESS

- A. Reminder that LCPG members were required to turn in Form 700 by March 31.
- B. Reminder that all members are required to take the on-line Ethics training course every two years.

8. SUBCOMMITTEE REPORTS:

- A. Design Review Board – J. Bugbee provided the following update:
 - 1. The Rodeo Verizon Wireless Tower and Utilities Building was reviewed and the brick utilities building that LCPG requested be turned 90 degrees cannot be rotated, as it would interfere with ADA parking,
 - 2. The non-illuminated sign at 8807 Wintergardens Blvd for All State was approved; and
 - 3. Taco Bell proposed tearing down the existing Taco Bell building to put in a bigger, more modern Taco Bell; however, the DRB discouraged a modern design.
- B. County Service Area 69 – no update.
- C. *Trails update moved to earlier in Agenda, prior to Public Forum.*
- D. AYSO – T. Medvitz will be scheduling a meeting with School District representative, and wants to meet with Selena at County Parks & Recreation within next two weeks to discuss handing off field scheduling to County P&R staff.

9. ADJOURNED: 8:25 p.m. The next meeting will be in the gymnasium on Wednesday, May 1, 2013 at 6:30 pm with the Open House starting at 6:00pm.

Kristen C. Mitten, Secretary
Lakeside Community Planning Group
lakesidecpg@gmail.com

*** Visit our NEW website for Agendas, Project Materials, Announcements & more at: LCPG.weebly.com ***
Email us at: lakesidecpg@gmail.com

County of San Diego
Ramona Community Planning Group
FINAL MEETING MINUTES
March 7, 2013

7:00 PM @ Ramona Community Library, 1275 Main Street

A regular meeting of the Ramona Community Planning Group (RCPG) was held March 7, 2013, at 7 p.m., at the Ramona Community Library.

ITEM 1: ROLL CALL (Piva, Chair)

In Attendance:	Chad Anderson	Jim Cooper (Arr 7:20)	Matt Deskovick
	Scotty Ensign	Carl Hickman	Eb Hogervorst
	Barbara Jensen	Kristi Mansolf	Donna Myers
	Jim Piva	Dennis Sprong	Paul Stykel (Arr 7:15)
	Richard Tomlinson	Kevin Wallace	

Excused Absence: Torry Brean

Jim Piva, RCPG Chair, acted as Chair of the meeting, Scotty Ensign, RCPG Vice Chair, acted as Vice-Chair of the meeting, and Kristi Mansolf, RCPG Secretary, acted as Secretary of the meeting.

ITEM 2: PLEDGE OF ALLEGIANCE

ITEM 3: APPROVAL OF THE MINUTES FOR THE MEETING OF 12-6-12, 2-7-13

MOTION: TO APPROVE THE MINUTES OF DECEMBER 6, 2012.

Upon motion made by Dennis Sprong and seconded by Matt Deskovick, the motion **passed 12-0-0-0-3**, with Torry Brean, Jim Cooper and Paul Stykel absent.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 7, 2013.

Upon motion made by Matt Deskovick and seconded by Donna Myers, the motion **passed 10-0-2-0-3**, with Dennis Sprong and Kevin Wallace abstaining, and Torry Brean, Jim Cooper and Paul Stykel absent.

ITEM 4: Announcements and Correspondence Received – None

ITEM 5: PUBLIC COMMUNICATION: Opportunity for members of the public to speak to the Group on any subject matter within the Group’s jurisdiction that is not on the posted agenda.

Speaker: Jim Salvatore, Ramona Resident

Mr. Salvatore is concerned that Bryan Woods is a Planning Commissioner representing Ramona. Since he no longer lives in the Second District, Mr. Salvatore feels Commissioner Woods should not be the Second District representative. Someone is needed in this position who will step up and represent Ramona the way we need to be represented. He would like to see someone else in this position.

RCPG MINUTES 3-7-13

Speaker: Carol Fowler, Ramona Resident

Ms. Fowler has huge reservations with moving forward with trying to get someone to replace Commissioner Woods on the Planning Commission. Commissioner Woods knows Ramona and has served on several boards. We can talk to him and he has lived in the community a long time. Unless we figure out what we want, a can of worms could be opened. We could get a Commissioner who lives in Jamul.

The Chair said that he has talked to all parties involved, and Commissioner Woods knows we weren't happy with his decisions for Ramona lately. We were unanimous on the solar project and he voted against us. The door is open for solar in Ramona. The push for this is now. Outside corporations are coming in and offering money to ranchers. Commissioner Woods says he regrets his decision. Mr. Deskovick said it at the Board of Supervisors – he doesn't feel we are getting representation.

Speaker: Donna Myers, Speaking as a Ramona Resident

Ms. Myers spoke against the Sol Orchard project. She feels the Major Use Permit for the project should not have been granted. There are 43 acres of prime farmland on site, and they are mitigating 7 acres elsewhere. There are sensitive species on site and unique paleontology. The Supervisors let us down at the appeal hearing and should have deferred to Supervisor Jacob.

ITEM 6: ACTION ITEMS:

- A. County Draft Equine Ordinance and Draft Environmental Impact Report (EIR) Public Review, February 4 – March 20 Available at: <http://www.sdcounty.ca.gov/pds/advance/Equine.html> Update the County of San Diego's Zoning Ordinance with regard to commercial equine uses (commercial Horse Stable use type) using a tiered permitting approach. Advance Planning staff Carl Stiehl will present and discuss the project.**

Carl Stiehl presented the project. The Board of Supervisors were approached by commercial horse stable operators in March, 2011, regarding updating the Equine Ordinance. Update options were considered for horse stable regulations. In July, 2011, staff was directed to come up with an option for tiered permitting. With this approach, small facilities would become easier to permit. They worked with the equine community to investigate this process. A timeline was put together. John Degenfelder represented Ramona at the meetings. The Ordinance is for commercial horse stables.

Representatives from numerous stables across the County were interviewed. This included the San Vicente facility and Creek Hollow in Ramona. The Draft Ordinance defines animal enclosures, barns, boarding and horsekeeping. Fire protection, setbacks, usable acreage, parking and vectors are considered. A Draft EIR has been prepared and is out for public review on the Draft Ordinance. It considers the following CEQA issues: aesthetics, air quality, biology, cultural resources, greenhouse gases, hazardous materials (such as pesticides), hydrology and water quality, and noise and traffic. They will review and respond to comments received in April, 2013. It is anticipated the Draft Ordinance will go to the Planning Commission in May and the Board of Supervisors in July.

Mr. Sprong asked about the Tier 1 level – is the \$1,000 fee inclusive? He asked if a property owner needed to have 5 acres to file for a permit?

RCPG MINUTES 3-7-13

Mr. Stiehl said the fee is inclusive. There will be a couple of plan checks. The permit stays with the property and can be modified in the future, if desired. Mr. Stiehl said they take out the buildings when they calculate acreage for the usable horse area.

For Tier 2, Mr. Stiehl said the cost is \$10,000 and it won't exceed that figure. This would allow for an Administrative Permit. If the neighbors complain, the project will go to a hearing. For manure, there is the Watershed Protection Ordinance. The manure stays in a confined area and has to be covered. Facilities that were in operation prior to the original Ordinance being adopted in 1978 will be grandfathered in. If operators want to do something new, they will have to get a permit.

Mr. Deskovick asked about events – what will be allowed?

Mr. Stiehl said events will be looked at to see how many are wanted in a year, and how many days the event will last.

MOTION: TO SUPPORT THE EQUINE ORDINANCE.

Upon motion made by Richard Tomlinson and seconded by Kristi Mansolf, the motion **passed 13-0-1-0-1**, with Kevin Wallace abstaining, and Torry Brean absent.

- B. (West Subcommittee Project, Mansolf) AD 13-001, Administrative Permit. Request Approval of an Existing Over Height Block Wall that Creates an "Entry Gate Structure" (64 inches tall, stucco plastered to match main residence and with intermittent 24 inch by 24 inch by 72 inch stone veneered columns) Remainder of Existing Wall to be Removed. Gainor Property, 19774 Vista Del Otero. Powell, Representative**

Mr. Powell had been before the RCPG in February with the project, and changes had been made as were discussed in February. Everything proposed previously has been removed except the entry gate structure. An Administrative Permit is still required for the entry gate structure as it is still in the front yard setback and it is still over height. Forty-two inches is allowed. It is off the road.

Mr. Hickman asked how many feet the entry gate structure will be from the edge of the travel way? Have the site distance requirements been met? Regardless of the right of way, how close to the right of way is the wall?

Mr. Powell said this issue will be addressed as part of the scoping process. In this area there is a 60 foot front yard setback.

MOTION: TO APPROVE AD 13-001 AS PRESENTED WITH PLOT PLAN DATED FEBRUARY 13, 2013, OF AN EXISTING OVER HEIGHT BLOCK WALL THAT CREATES AN ENTRY GATE STRUCTURE.

Upon motion made by Kristi Mansolf and seconded by Dennis Sprong, the motion **passed 11-2-1-0-1**, with Carl Hickman and Richard Tomlinson voting no, Matt Deskovick abstaining, and Torry Brean absent.

- C. (East Subcommittee Project, Ensign) TM 5574, Oak Tree Ranch Manufactured Housing Community, Black Canyon Road, Conversion from a Leasehold Community to a Resident Owned Community. 119 Home Sites,**

POTRERO COMMUNITY PLANNING GROUP

**P.O. Box 9
Potrero, CA 91963
www.potreroPlanninggroup.com**

APPROVED MEETING MINUTES

Date: March 14, 2013
Place: Potrero Library, 24883 Potrero Valley Road, Potrero, CA 91963
Time: 7:00 PM

1. **Call to Order** (Includes Pledge of Allegiance)

2. **Determination of Quorum / Roll Call**

Present: 1. Mary Hall, 2. Dawn Johnson, 3. William Crawley, 4. Jan Hedlun 5. Janet Warren, 7. Thell Fowler, 8. Carl Meyer

Absent: 6. Janet Goode, 9. Kit Giguere

3. **Approval of Minutes:** February 14, 2013 minutes - moved by Warren/2nd by Johnson APPROVED 7-0-0-2 September 2012 Minutes trailed to April 2013 meeting.

4. **Correspondence / Announcements:** A. Form 700 – due to County March 31, 2013. Send to:

County of San Diego / Registrar of Voters
Financial Disclosure Desk
5201 Ruffin Road, Suite I
San Diego, CA 92123

B. Traffic Advisory Committee – meeting was held on 03-13-13 to recertify Potrero Valley Road for 40 mph. Fowler attended (report below in New Business).

5. **Approval of Expenses / Expenditures:** \$50.00 for semi-annual PO Box Fee and \$7.00 for copies. Moved by Fowler/2nd Warren. Approved 7-0-0-2.

6. **Old Business:** A. Tiered Equine Ordinance POD 11-011 – Comments due on Draft EIR (March 20, 2013). Countywide ordinance which reduces permit fees. Primary concerns/questions are about amount of horses an individual can have (non-commercial) versus commercial. No data provided on corral size. Suggested to send letter with approval for ordinance with concerns. Moved by Hedlun/2nd Fowler. Approved 7-0-0-2.

B. Vote on New Vice-Chair. Dawn Johnson nominated. Moved by Meyer/2nd Warren. Approved 7-0-0-2.

7. **New Business:** A. Potrero Valley Road from State Route 94 – recertification of the existing 40 mph speed limit. Thell Fowler attended the Board of Supervisor's

meeting and spoke. Numerous speeders (up to and over 60 mph in 40 mph zone). Need more law enforcement presence. Also – lights don't blink except for slightly before and slightly after school begins/ends. With daylight savings time the lights have not been changed to reflect the time change. Diane Jacobs has directed the Traffic Safety Advisory (TSA) to meet with the PCPG/Potrero residents about our concerns. To Thell's knowledge they have tabled PVR until the TSA meets with us. Motion to invite TSA to PCPG meeting moved by Fowler/2nd Hedlun. Approved 7-0-0-2.

B. Proposal to put no left hand turn sign at Emery Road – Larry Johnson, President of the Highway 94 Club, came to speak about the problems. The item has been on various agendas for over 3 years. State and County are to look into the issues but before this have not seen a problem. The death of a motorcyclist has changed that. Now they are requesting more data. County Rep Jill Barkston and Cal Trans Rep Chris Thomas are involved.

Larry is requesting letters/signed affidavits from individuals who have had near-misses or accidents at Emery/94. For more information contact him at:

Larry Johnson
619-478-5566 home 619-993-9018
aljcampo@msn.com

8. Public Forum – Opportunity for the Public to address the Board on topics pertaining to Planning and Land Use which do not appear elsewhere on the agenda.

April 12, Campo Community Center at 2:30 there'll be a meeting.

Repairs on Highway 94 will be made from Jamul to Freezer Road and Community Center Road in Dulzura.

Invitation for Highway 94 Club meeting on March 21st – Diane Jacobs will be there.

Request was made by PCPG members to have agenda mailed to them.

9. Announcement of NEXT Meeting:

A. Tentative, April 11, 2012

10. Adjournment: Motion Moved Meyer / 2nd Fowler. Approved 7-0-0-2.

County of San Diego Sweetwater Community Planning Group

**REGULAR MEETING MINUTES
TUESDAY**

February 5, 2013 7:00PM

Bonita-Sunnyside Fire Station 4900 Bonita Road, Bonita, CA 91902

Administrative Items

Co-Chair Harriet Taylor brought the meeting to order at 7:00

Item #1 Roll: Harriet Taylor, Steve and Liz Stonehouse, Rick Blacklock, Sheri Todus, Mark Kukuchek, Alan Sachrison, Uwe Werner, John Taylor, Don Scovel.

Absent: Doc Stokos

Item #2: Approval of minutes: Corrections from December are as follows: On item #4: Steve Murray chose not to speak on issue since it is in litigation within County. Item # 6 has several, a. in addressing how traffic would move from parking lot-to add *from Quarry Road onto Sweetwater Road*. B. add some sort of feature to west *and north* facing walls. C. address *building* exits for safety of handicapped *and number of worshippers and limited exits for everyone*. Item #8 in sentence ending- seriously deplete our heritage going forward should be added *as well as adding to the surrounding communities*. Motion: Move to approve with corrections: Rick

Second John Taylor

Item approved. Mark and Uwe abstaining.

Item #3: Opportunity for members of the public to speak to the Planning Group on any subject within Planning Group's purview but not on the agenda. Presentations are limited to three minutes and no action can be taken. John Taylor as a private citizen noted that SDG&E was having a meeting to discuss the Bay Delta Fix Water Project which would supply water to San Diego from a tunnel under the Sacramento Delta. The meeting is 5-7PM on February 20th at SDG&E downtown.

Uwe stated that the Otay aqueduct people had approached him to give an acre of his land for the build. He was opposed to the idea. Liz mentioned that the mail delivery person who delivers on Procter Valley Road was very concerned about speeders hindering her in her work as they came too close to her vehicle.

There was a short discussion prompted by this comment about stop signs at Jonel and speed bumps.

Item #4: Michael De La Rosa community update and information on replacing SCPG retiring members: The State of the County is Feb 13th at 6:30 on the Midway. There have been 600 or so RSVP's already without hard copy invitation responses. The County Water Authority has stated that their Board does not allow encroachment onto their rights of way, so now they and Otay Water are trying to work this one out. Otay's general manager has stated that the Corral Canyon route is still the best for them. The bridge over the water at the 'duck pond' at the Chula Vista Golf Course has gone out for bid. There is discussion about not being able to complete the trail at this time.

Uwe commented that the Tieber Trail was really nice.

Michael mentioned that County was working on an easement arrangement with CWA which would be like the one they have with SDG&E concerning trails.

Item #5: Reviewed.

Action Items

Item #6: Upgrading of existing faux palm cell site at 7152 San Miguel Ave PDS2013-ZAP-00155WIU update. Rick motioned to approve as stated. Mark seconded. Approved with 8 voting.

Item #7: Second Dwelling in Bonita Highlands. Previously tabled. Uwe motioned to drop from agenda. Rick seconded. 7 voted aye one noe- Don Scovel. Motion carried.

Item #8: Draft EIR fore the South Bay BRT Project Released comments due March 29, 2013. See doc- <http://www.keepsandiegomoving.com/SouthBay-BRT/south-bay-brt-intro.aspx>. Rick moved to write a letter of support. Mark seconded. 8 aye one abstention: John Taylor.

Item #9: Update on Tiered Equine Ordinance POD 11-011 Mark Kukuchek: He and Judi went to meeting. Other than the equine density still being too low in their estimate the Ordinance seems fine. Mark motioned to write another letter stating that the density for Bonita seemed too low to allow for viable businesses. That there should be a 15 per acre limit on horses with a five acre minimum of land. Don S. seconded. 7 voted aye 1 noe-Rick Blacklock.

Item #10: Review of Andrew Valencia status as a member of SCPG. John Taylor motioned to remove Andrew from the Board because he not only missed three meetings in a row he missed the required number of unexcused meetings in a year. Rick seconded the motion. Vote: unanimous with nine voting.

Item #11: Review status on returning member Sheri Todus. Uwe made the motion to reappoint Sheri Todus to the board. Liz seconded. Unanimous with 8 voting.

Item #12: Vote on new board member applicants: Judi Tieber, Michael Garrot and Diane Carter. Each prospective member gave an overview on their experience and how they could aid Planning Group. Group agreed to wait until end of meeting for vote.

Item #13: La Finca De Adobe update: Don Craft of the Planning Commission after working long and hard decided what needed to be done and told La Finca to do it. Most of our requests have been included in statement and Planning Commission has asked that we oversea to the best of our ability La Finca's compliance.

Item #14: Certificates. Handed out.

Item #15: There is an online training site for new and existing members. Liz has the address and will email it to you.

Item #16: Form 700. Distributed.

Back to item #12: The applicants have left the room.

Taken from the top: Judi Tieber: Uwe motioned to accept. Liz seconded. 8 voted aye. Unanimous.

Michael Garrot: Steve motioned to accept. Rick seconded. Don S. had some comments as did Harriet. Vote 7 aye one noe- Don S. Carried.

Diane Carter: Mark to approve, John second. 8 aye unanimous.

Motion to adjourn Rick second John.

Adjourned 8:20 PM

Next meeting March 5, 2013

Respectfully submitted,
Elizabeth Stonehouse, Secretary.

Draft Minutes: July 18, 2012 meeting of the
TWIN OAKS VALLEY COMMUNITY SPONSOR GROUP

Agenda Item 1: - Roll Call and Advisory Role Statement

Farrell called the meeting to order at 6:30 pm. Farrell read the advisory role statement. Present: Sandra Farrell (Chair), Gil Jemmott (Co-Vice Chair), Karen Binns (Co-Vice chair), Tom Kumura. Ben Morris (secretary), was absent.

Agenda Item 2: Review of minutes of previous meetings: Since there was no meeting in June, the group reviewed the minutes of May. Motion was made by Binns, seconded by Kumura to approve the minutes for May. Motion passed 4-0-0.

Agenda Item 3: Public Forum: No items presented by the public

Agenda Item 4: Countywide Equestrian Ordinance: Carl Stiehl, Land Use and Environmental Planner, provided the community with an update to the Equestrian Ordinance and how it will impact the Twin Oaks Area. He explained the difference between private use and commercial use – commercial use being any boarding, breeding of horses or operating a public stable would require a permit but the costs would be tiered so smaller operations would not find the permit fees so prohibitive. For instance, in the second tier of the permit the cost is \$1000.00 to \$2000.00 and would allow fifty horses. Once approved, the permit can be transferred to a new property owner. Carl said an EIR was currently being done and the draft version of the ordinance will come out in November. Carl was well received by members of the community and answered questions some resident had. No Action Taken

Agenda Item 5: General Plan Update: Carl Stiehl provided the community with an update on the last actions by the Board of Supervisors on the General Plan. When asked he said the General Plan had taken twelve years and 18 million dollars. He talked about how the Board now needed to decide how to pay for the additional 1.5 million dollars in cost that was triggered when the Board approved the requests of specific property owners. The Board will decide if some of those costs should be passed on to those property owners who requested the increase in density and possibly to residents in the 'study areas' adjacent to those properties who did not request a density increase. Farrell said that if the changes to the General Plan through property specific requests are actually built to each of the property owner's request the population would significantly increase and the community character of Twin Oaks would change significantly. Gil mentioned the community survey done at the beginning of the General Plan update and was the document used to help plan how the community wanted the area to develop. Farrell wondered if the survey should be done again to see if people's feelings had changed from wanting a rural community to wanting a more urban community. No Action Taken

Agenda Item 6: Zoning Ordinance Amendment to Streamline the Community Design Review

Procedure and Update the Parking Regulations: This item went to the Planning Commission June 8th. No Discussion

Agenda Item 7: Old Business: Update on getting membership and training. Farrell reported that she had not received any information on any training for sponsor group members.

Agenda Item 8: Old Business: Members of the community said they had problems getting to the new website. It was recommended that the site name be shortened and Farrell agreed to look into it

Agenda Item 9: Administration and correspondence: No items were discussed
Farrell adjourned the meeting at 8:30 p.m.

Respectfully Submitted, Sandra Farrell, Chair and Acting Secretary

Valley Center Community Planning Group

Minutes of the June 11, 2012 Meeting

Chair: Oliver Smith; Vice Chair: Ann Quinley; Secretary: Steve Hutchison

7:00 pm at the Valley Center Community Hall; 28246 Lilac Road, Valley Center CA 92082

A=Absent/Abstain A/=Agenda Item BOS=Board of Supervisors DPLU=Department of Planning and Land Use IAW=In Accordance With N=Nay
P=Present R=Recuse SC=Subcommittee TBD=To Be Determined VCCPG=Valley Center Community Planning Group Y=Yea

Forwarded to Members: 8 July 2012

Approved: As corrected 9 July 2012

1. Call to Order and Roll Call by Seat #:											7: 08PM				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
A N D E R S O N	H U T C H I S O N	H O F L E R	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W N O S O O D N	S M I T H	J A C K S O N	R U D D O L F	D A V I S	B A C H M A N	
A	P	P	P	P	P	P	P	P	P	P	P	A	P	P	

Notes: Quinley arrives 7.15pm

Quorum Established: 13 present

Pledge of Allegiance

2. Approval of Minutes:

Motion: Move to approve Minutes of May 7, 2012

Maker/Second: Glavinic/Lewis

Carries/Fails (Y-N-A): 13-0-0 Voice

3. Open Forum:

Claudia and Alfredo Campos speak of their new business in the Wallace Hardware building on Valley Center Rd. They are looking for support from the VCCPG. They are asking for a change of use permit but no zoning change [presently C36]. Hofler asks about the need for a permit since it is not new construction, just remodeling the interior. They will be establishing a fruits and vegetables business. Carl Stiehl, County Advanced Planning, says a certain type of permit is required. But, it can be waived.

4. Discussion Items

4.a.

Discussion of Equine Ordinance. Senior DPLU Planner Carl Stiehl will brief the group about the ordinance. Work has begun on the Equine Ordinance Environmental Impact report. Mr. Stiehl has been conducting interviews with commercial Horse Stable operators to better understand the scope of horse facilities in the unincorporated county. A major purpose of his visit to the VCCPG is to present the outline of the Draft Ordinance, discuss the basics of Board direction and how the project is progressing. (Smith)

Discussion: Carl Stiehl, County Advance Planning, presents [author of Equine Ordinance]. He gives a timeline of draft ordinance creation beginning March 2011. Began with large equine operators. July 2011 BOS approves tiered ordinance. He addresses Horsekeeping – private activity which is not part of the ordinance; Horse Stables - Boarding and Breeding and Public Stables. He presents a mosaic of County animal designators [L designator is most common in VC]. L designation currently requires a major use permit. The new ordinance applies to most of VC. He is recommending four tiers of animal designators in the project area: 3 horses [boarding only not owned by property]; four or more, up to 50 horses [at 10 horses per acre] requires fee [~\$2k]; more than 50 up to 100 [10 horses per acre] – Administrative permit [\$10-20K] needs EIR in addition; More than 100 horses [10 horses per acre] – Major use permit. Glavinic asks about constraints on slope, Steihl replies with other constraints. Hofler asks if 10 horses per useable acre or per acre. Steihl replies it will likely be just per acre. Smith says some parts of county want higher number per acre. Audience question, asker unknown, re density. Valley Center Vacqueros would likely need permit [~\$2K]. Hofler asks about horse shows. Stiehl says allowance can made, but it is a land use that would require some permit. More events mean higher level of permit and fee. Audience [unknown] questions levels of use based on what was happening in VC prior to downturn. Stiehl believes limits should be geared to what a better economy would produce. He questions the need for an allowance for events on private property. Steihl says it depends on number of events, size, whether food is served, etc. Smith reminds that this effort is trying to get everyone in compliance. Tom Baumgardner, resident, adds that Vacqueros needn't have a permit for shows on parks and recreation land. Davis expresses no sympathy for those who move next to a horse property. But, he does sympathize with residents when a commercial

	operation starts up in a residential area. Steihl says some other counties require use permit for any number of horses. San Diego is more liberal in its proposal. EIR is still to come. County wants to look at worst-case scenario. The County is changing animal setbacks to clarify limits; definition of 'barn' differs from horse stable, and is not included in residential requirement. Events already covered. Davis asks about horse shelter limits. Stiehl says no limit on horse shelters because they are a commercial use. Fencing needs to be clarified. Manure management will be an issue. Parking for Horse facilities is not defined. Signs are an issue. Another section will address signs. Vector control is a Health Department permit issue and will be referenced in ordinance. Glavinic asks about setbacks that come into issue if neighbor moves in and builds close to minimum setback. EIR will include: Aesthetics, air quality, biological and cultural resources, greenhouse gas emissions, hazardous waste, hydrology and water quality, land use and planning, noise, and traffic. The County is preparing the EIR now, with public review by Oct 2012, review comments early in 2013, and planning commission and BOS review and approval by mid 2013. Commercial activities after 1978 will need a permit. Prior to 1978 operations are grandfathered.													
4.b.	Vick relates successful effort at fundraising for Bear Sculpture purchase [\$15K]. Major contributors are Rincon and San Pasqual Indian tribes.													
5.	Action Items:													
5.a.	No item listed as 5.a. on the agenda													
5.b.	Discussion and vote on new members for the Lilac Hills Ranch subcommittee following the resignation of two members. Vote on motion to change name of subcommittee from I-15/395 Master Planned Community to Lilac Hills Ranch Subcommittee. (Hutchison)													
Discussion: Continued for lack of time														
Motion:														
Maker/Second: Hutchison/Hofler								Carries/Fails (Y-N-A): 10-1-2						
A N D E R S O N	H U T C H I S O N	H O F L E R	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W N O S O O D N	S M I T H	J A C K S O N	R U D O L F	D A V I S	B A C H M A N
	Y	Y	N	R	Y	Y	Y	Y	Y	Y	R		Y	Y
Notes: Britsch and Jackson recuse themselves from discussion and vote because of proximity of their property to the project.														
5.c.	Lilac Hills Ranch (formerly I-15/395 Master Planned Community) GPA 12-001, Project Number 3810-12-001, applicant is Accretive Investments, Inc., project location is 32444 Birdsong Drive, Escondido, CA and West Lilac Road; Project Contact person is Jon Rilling, 858 546-0700; DPLU planner is Mark Slovick, 858 495-5272. Project proposes to develop a 608-acre mixed use development of 1,746 dwelling units, a commercial village center, a park, public and private trails, retail uses, and a school site. Also proposed are a recycling and waste transfer facility, a water reclamation facility and active orchards. VCCPG will discuss and vote on a report from the subcommittee concerning the adequacy of the project description, compatibility of the project with the character of the local community, consistency of the proposal with the Community Plan and zoning regulation and specific noise, water quality, and depletion of groundwater. (Hutchison)													
Discussion: Hutchison, SC Chair, presents an introduction of the SC review effort to date. Sandy Smith, SC Vice Chair, outlines report of SC [See attached report and recommended comments]. S. Smith describes the project and materials received from DPLU for review. She outlines the materials not yet released. Glavinic asks about Dr. Lou Obermeyer's facility availability form and whether Bonsall School District provided a form. S. Smith says there is a form from VCUSD but no form from Bonsall. Davis asks about density bonus law that would allow for 15-18% bonus density. S. Smith addresses the zoning boxes on the Tentative Maps. She describes the buildings proposed. She addresses the General Plan Environmental Impact Report maps included in the report. Vick asks about size of open space lots. S. Smith says it is the mean size not specific size of open space lots. Vick asks about an aspect of the grading map. Glavinic asks about improvements proposed for emergency evacuation. No improvement is noted. Glavinic asks about the precedent set by the anticipated development at Highway 76 and Interstate 15. S. Smith says that project is a special use because of the Palomar College campus to be built there. She then addresses 'sustainable community' issue followed														

Valley Center Community Planning Group

Minutes of the March 11, 2013 Meeting

Chair: Oliver Smith; Vice Chair: Ann Quinley; Secretary: Steve Hutchison

7:00 pm at the Valley Center Community Hall; 28246 Lilac Road, Valley Center CA 92082

A=Absent/Abstain BOS=Board of Supervisors DPDS=Department of Planning and Development Services N=Nay P=Present R=Recuse
SC=Subcommittee TBD=To Be Determined VC=Valley Center VCCPG=Valley Center Community Planning Group Y=Yea

Forwarded to Members: 5 April 2013

Approved: 8 April 2013

A		Call to Order and Roll Call by Seat #:								7:02 PM				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
L A V E N T U R E	H U T C H I S O N	E V A N S	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W N O S O O D N	S M I T H	J A C K S O N	R U D O L F	B O B D A V I S	B R E T D A V I S
P	P	P	P	P	P	P	A	P	P	P	P	P	P	P

Notes: Britsch arrives 7.08 pm

Quorum Established: 13 present

B	Pledge of Allegiance
C	Approval of Minutes:

Motion: Move to approve the minutes of 11 February 2013 as corrected

Maker/Second: Glavinic/Rudolf

Carries/Fails (Y-N-A): 13-0-0 Voice

D	Open Forum:
	None
E	Action Items [VCCPG advisory vote may be taken on the following items]:
E1	Report, discussion and vote on the Harrah's Rincon Casino Expansion's Final Environmental Evaluation (FEE) per a request from the County for input on the FEE before the County's negotiation with Rincon. (Glavinic/ Davis)

Discussion: Davis presents. He notes the joint meeting of the Tribal Liaison and Mobility SCs regarding road issues of interest to Valley Center and local Indian tribes. He says there was no tribal participation in the meeting although an effort was made to encourage attendance. Glavinic supports motion saying it is a way to actually achieve improvements to the VC roads. Will help in evacuations. Davis says out of the \$425K from the San Pasqual tribe, the County staff spent \$100K on planning activities. He wants to avoid having this money burned up in overhead by the County. He wants to make short-term improvements as soon as possible for the community benefit. Smith notes a letter was sent to the County re Lilac/ Old Castle Roads. There has been no response from the County. Smith will give some more time for a response. After vote Smith speaks to improvements being made at Rincon and San Pasqual reservations.

Motion: Move that Casino expansion mitigation plans and funds should give top priority to expanding exit capacity at bottom of VC Road grade [approximately between Beven Dr. and just north of Lake Wohlford Rd.] to provide two lanes southbound going into Escondido to improve emergency exit capability. The subcommittee strongly recommends that priority be given to using the funds available for physical improvements that can be completed within the current fiscal year.

Maker/Second: Davis/Quinley

Carries/Fails: [Y-N-A] 14-0-0 Voice

E2	Introduction of candidate(s), candidate(s) comments, discussion and possible vote to recommend one candidate as the VCCPG representative on the I-15 DRB. Candidates will have an opportunity to introduce themselves and speak. (Britsch)
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Discussion: Britsch presents and introduces Michal Mahan. He has lived for 60-years in north San Diego County, been a Valley Center resident since 1974, and been a Valley Center landowner since 1972. He has a degree in planning and has work experience in planning. Norwood-Johnson asks where he lives [eastern

Valley Center]. Hutchison asks about his familiarity with the design guidelines. Norwood-Johnson asks about other applicants' interest. Britsch says others were contacted but did not provide information on time. The two previous candidates declined to resubmit an application. A vote on this applicant will be added to the agenda for April.

E3

Presentation, discussion and vote on third iteration of comments on Lilac Hills Ranch Development, GPA 12-001, SP 1001, Master Tentative Map 5571, Implementing Tentative Map 5572. Comments may pertain directly to the project or to discrepancies by DPDS with regard to processing this project when compared to DPDS formally identified process or to other projects.

Project Address is 32444 Birdsong Drive, south of West Lilac Road. The project proposes the construction of 1,746 dwelling units including multi-family, commercial, parks, trails, a school, age restricted community, waste recycling and collection facility and other associated civic uses. The project consists of a General Plan Amendment, Specific Plan, Rezone, two tentative maps, a Major Use Permit and an Open Space vacation. The approximate 608 acre project site is located south and west of West Lilac Road, generally east of Old Highway 395 and north of Mountain Ridge Road. (Hutchison)

Discussion:

Britsch and Jackson recuse themselves. Hutchison presents a summary of the subcommittee report [attached as modified]. Chris Brown, representing the applicant, acknowledges the report and offers to answer questions. Smith asks about Accretive's schedule for responding to the Project Issues Checklist. Brown says responding to the checklist is a work in progress, and is being done in connection with Draft Environmental Impact Report [DEIR]. Brown wanted to have a more complete submission, but he says the process is one of iteration. Hutchison asks about the schedule for completion of the DEIR, and Brown says it will likely be complete in early summer. Brown says the DEIR document is a County document and they must accept it before release to the public for comment. He says the applicant is working feverishly to complete the missing parts of the submission. Glavinic asks about traffic issues. Hutchison responds that the traffic study is not yet completed. Rudolf congratulates the subcommittee. He then laments the need to review the same information over and over again. He notes that the same problems with the project that existed 5 years ago remain today. He adds that it's shameful to have a process that is so unusual and contrary to the requirements of CEQA. Smith criticizes the review process to date. He says we received many pages of information in this submission without a redline version that showed changes made to previous versions [a red-line version of the Specific Plan was provided through the County subsequent to receiving the initial documents]. Doug Johnson, Valley Center Parks and Recreation District General Manager, wrote a letter to VCCPG after reviewing the parks element for this project requesting that the County include the district in future planning and reviews of this project.

Motion: Move to approve the recommendation of the SC with the amendment by Rudolf regarding trails language.

Maker/Second: Hutchison/Quinley

Carries/Fails: 12-0-2 [Y-N-A] **Voice**

Notes: Britsch and Jackson recused themselves because of the proximity of their properties to the project.

E4

Discussion and vote on recommendations from the Equine Subcommittee regarding the draft Environmental Impact Report for proposed changes to the County's Equine Ordinance (Smith)

Discussion: Smith presents the Equine SC recommendation. He explains the present equine situation within the County. He describes the principal features of the proposed ordinance and suggests that Valley Center supports this proposal. Four tiers of horse quartering are proposed: Tier 1. Three boarded horses beyond personally owned ones. No commercial activities are permitted beyond the maintenance of three boarded horses. This tier would require no permit. Tier 2. Allows densities of ten horses per useable acre. An administrative permit is required. A management practices plan and site plan need to be submitted for approval. Tier 3. Ten to thirty acres in size and a discretionary permit is required. Management practices and site plans are required. Tier 4. Requires a site plan and a major use permit.

Smith says the question of whether one can bring additional horses to a tier 1 property without affecting the tier status did arise [yes, for day use as long as they don't reside there]. The SC recommendations to the County

are:

1. Tier 1 concept is good, and three boarded horses is a reasonable number. However, there should be some above-board opportunity for limited activities, such as riding lessons, as long as the number of horses is limited and no signage or internet advertising was used. This would better address the vast majority of technically noncompliant properties we currently have in Valley Center.
2. Densities of 10 horses per acre are too much, 4 horses per acre are unreasonably low, and 7 horses/acre is a more reasonable density.
3. Tier 2 permitting needs to be made available where property owners can reasonably be expected to generate the documentation on their own and not have the costs involved of formal documents like a site plan that they can't readily create themselves. Overall, the total costs for the property owner need to be noted instead of just listing the County's fees as that is typically less than half the cost.

The SC had no real objections to tier 3 and 4 facilities since they have full-time personnel on-site. The SC suggested that different requirements for different parts of the County would be a good idea, so they could be consistent with local usage. However, the County is concerned about litigation for allowing a regulation disparity based on location.

Smith cites requirements for 'organic' certification as being more reasonable than requiring a site plan for horse quartering. Glavinic asks about best management practices for manure vector control, runoff etc. Smith says Tier 2 does require plans for manure, runoff, and vector control. Smith elaborates further about best management practices [BMP] for tier 2 and above. Glavinic says there is a need to have BMP for tier 1 as well. Bob Davis says the concept of tailoring the ordinance to match present practices is inadequate. Says there are major holes in recommendations. He says that allowing commercial activity, such as riding lessons, in tier 1, where commercial activity never before occurred, is a mistake. Such a provision by right in tier one would be a big giveaway re traffic and other. Says tier 2 does have some oversight. Disagrees with the goal to make this permitting easy for existing horse-owner residents. Such horse-owners should have to 'pay to play' to have new commercial uses in residential areas. He says Valley Center will become a magnet for tier 1 commercial uses. Glavinic wants to add BMP to tier 1. Rudolf agrees with Bob Davis. He says the process for recommendations benefits existing horse owners and continues present practices. Smith refutes. Rudolf disagrees with winking at riding lessons and other commercial uses. Smith says code compliance would enforce the rules on such use. The recommendation is to have limited commercial activity [riding lessons] without major permit or cost. Smith suggests he is only member of SC who doesn't own a horse but he defends the notion of presumptive horse ownership for all of VC. Rudolf says recommendation leaves room for violation. Smith says VC should have horse ownership. Davis says checks and balances are cut from tier 1. Tiers 2,3,& 4 have oversight. He says there is no requirement to modify road agreements for anticipated traffic. He says similar problems would exist for tiers 2,3, & 4 regarding traffic with new commercial use. Smith asks about other cottage industries. Rudolf offers a definition of very small individual businesses that essentially doesn't affect traffic. Smith qualifies requirement for riding lessons. Bob Davis disagrees. Bret Davis asks for clarification of tiers. He asks if intent is to protect small operators. Smith says qualified yes. He then expands on tier 2. Bret Davis asks if intent is to protect small operator if offering riding lessons. Smith says he doesn't want to have tier 1 operators making a living on riding lessons, but he wants to allow limited activities. Smith says is trying to protect people who have a boarded horse and want riding lessons at the boarding site. Hutchison asks about training [Smith- specifically a tier 2 activity]. Bob Davis asks if a compromise can be limited and identify specific activities? Quinley recounts her personal horse experiences and appreciates the availability of lessons for tier 1. Rudolf says training for horse or rider should be tier 2. Debra Duncan, audience stakeholder, recounts her personal experience with horses. She relates her personal medical issues. The previous owner of her property set up the property for horse boarding. She says her neighbor complained about expanding arena pad a small amount. She relates her efforts to manage manure, her vector control efforts, and her noise control situation. She wants the proposed ordinance, which would allow her to board a few horses to supplement her income. She would be happy with tier 1 status. Her neighbor is non-compliant with the present rules, but there is no enforcement. She supports the proposed ordinance. She says people who don't like horses shouldn't live in VC or even other similar communities. Jackson asks Duncan if she approves of tier 1 as recommended [yes]. She says kids should be able to ride her horses during riding lessons rather than train on some other horses at a tier 2 facility. Under the proposed ordinance she would be completely permitted. She

thanks Smith for SC's efforts. Britsch says tier 1 should be specific about activities to limit activities. Glavinic doesn't want a new level of code enforcement for horse owners. Bob Davis says County will not have enforcement in tier 1. He says the County had the wisdom to ask for a site plan in tier 2 and should be heeded in tier 1. He wants to eliminate commercial activities from tier 1. Glavinic agrees. Norwood asks about intention of responsible owners. Smith thinks majority of VC would fall in tier 1 or 2. Says noncompliant owners want to be compliant, but there will always be someone who pushes the limits. Quinley asks if it is reasonable to limit tier 1 to three boarded horses and three riding lessons per day. Rudolf asks about who required professionally prepared site plan[Smith- County]. Rudolf asks if tier 2 permit would accept google map mark up. Duncan says she had to have an engineer complete a survey. Rudolf questions the need to comment on EIR as adequate. Smith says SC didn't think tier 1 was adequate in underlying ordinance. Bret Davis asks for clarification. Rudolf suggests SC should be asking for other ordinance alternatives in EIR. Smith says EIR looked at four alternatives with densities of 10 horses/acre, 4 horses/acre, a do-nothing alternative, and an environmentally superior alternative [this turned out to be the 4 horse alternative]. Smith says the SC supports the 10-horse alternative with the already listed modifications. Bret Davis says he could not support tier two modification. Jackson asks about DEIR. Smith has read it. Jackson asks if there are any other issues. Smith says objective is to bring current residents into compliance.

Motion: Move to approve the recommendations of SC, which supports the 10-horse alternative with the following provisions: Tier 1 would allow finite number of activities, e.g. riding lessons, per week. 10 horses for Tier 1 is too dense and should be reduced to 7.

Maker/Second: Smith/Bret Davis

Carries/Fails [Y-N-A]: 10-3-0

L A V E N T U R E	H U T C H I S O N	E V A N S	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W N O S O O D N	S M I T H	J A C K S O N	R U D O L F	B O B D A V I S	B R E T D A V I S
N	Y	Y	Y	Y	Y	Y	A	A	Y	Y	Y	N	N	Y

Notes: Lewis departed before motion was voted; Vick absent

F	Group Business
F1	Announcements and Correspondence Received
	<ol style="list-style-type: none"> 1. DPDS to VCCPG; VC Industrial LLC Site Plan Modification; STP08-005W1; Owner: VC Industrial LLC at 858-404- 9314; Project Contact Person: Gary Piro at 760-744-3700 or piroengr@cs.com; Project location: Cole Grade Road at Yuba Road. Project Description: When compete, project will contain RV storage; U-Haul or Moving Vehicles; storage of construction and farming vehicles and materials. There will be three buildings: a 30x 50 steel building used as a Weld shop; a 60x20 steel building attached to the Warehouse which has been on site for 12 years. And a 30 x 120 wood framed construction that will be used as an indoor sports training facility. (Laventure) 2. Letter from Representative Duncan Hunter to VCCPG; Information about the shape of the new Congressional District that he represents which is the 50th Congressional District.. His district is a cross section of SW Riverside County and the majority of East and North San Diego County. His Escondido office is located at 333 S. Juniper Avenue, #110, Escondido, CA and the telephone is 760-592-0271. He welcomes calls about concerns that any of his constituents may have. 3. Butterfield Trails, Tentative Map 2, TM5551, MUP 08-0028. Owner of housing development is Wayne Hilbig and the project is located at the Valley Center Road and Sunday Drive. (Vick)
F2	Discussion and distribution of Form 700 (Smith)
Discussion: Smith discusses need to fill out and submit Form 700.	
F3	Discussion of County Ethics Training for VCCPG members (Smith)