

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - Wed
WEDNESDAY, OCTOBER 16, 2019**

MINUTE ORDER NO. 1

**SUBJECT: CONTINUED ITEM FROM 09/25/2019 AGENDA NO. 2:
SAN MARCOS HIGHLANDS ANNEXATION AGREEMENT - ANNEXATION
OF APPROXIMATELY 124.7 ACRES FROM THE UNINCORPORATED
COUNTY TO THE CITY OF SAN MARCOS (DISTRICT: 5)**

OVERVIEW

This item was continued from September 25, 2019 (2).

This is a request for the Board of Supervisors (Board) to consider approving an agreement between the County of San Diego (County), City of San Marcos (City), U.S. Fish & Wildlife Service (Service), California Department of Fish & Wildlife (Department), and Vista San Marcos, LP (Developer) for the annexation of a portion of the San Marcos Highlands project in the unincorporated area from the County into the City (Annexation Agreement).

The San Marcos Highlands project is a single-family residential development within the jurisdictions of both the City and the County. The project was approved in its entirety by the City on November 15, 2016. At the time of approval, the project was conditioned, at the County's request, to complete the proposed Annexation Agreement prior to the San Diego Local Agency Formation Commission (LAFCO) consideration of the transfer of land from the County to the City. The County requested the condition in order to address Section 6.7.3 of the North and East County Multiple Species Conservation Program (MSCP) Planning Agreement which requires the County request an annexation agreement between the County, City, Service, and Department to ensure that the proposed annexation will not jeopardize the buildout of future preserves or compromise viable habitat linkages within the proposed preserves in the Planning Areas. The Planning Agreement defines the County's, Service's, and Department's commitment to the preparation of the MSCP Plans. The Developer proposes to annex approximately 124.7 acres of unincorporated property within the County's draft North County MSCP Plan Area into the City.

On September 25, 2019, the Board considered the San Marcos Highlands Annexation Agreement and was unable to adopt a motion in favor of the Agreement, with a 2-2 vote. Therefore, in compliance with Board Policy 2(g), the item has been rescheduled for October 16, 2019.

RECOMMENDATION(S)

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services recommends that the Board of Supervisors:

1. Find that the environmental impact report (EIR) on file with the City of San Marcos as Final Environmental Impact Report 15-001 (State Clearing House #1999071007) was completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein before approving the San Marcos Highlands Annexation Agreement. Find that the San Marcos Highlands Annexation Agreement would not cause changes in the San Marcos Highlands project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified

EIR dated November 15, 2016, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the EIR was certified.

2. Approve and authorize the Clerk of the Board to execute, upon receipt, five original copies of the Annexation Agreement for San Marcos Highlands (Attachment B, on file with the Clerk of the Board) by and among the City of San Marcos, the County of San Diego, the United States Fish and Wildlife Service, the California Department of Fish and Wildlife, and Vista San Marcos, LP.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended.

AYES: Cox, Gaspar, Desmond

NOES: Jacob, Fletcher

State of California)

County of San Diego) §

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

ANDREW POTTER

Clerk of the Board of Supervisors



Signed

by Marvice Mazyck, Chief Deputy