

**Attachment A – RESOLUTION TO SET  
ASIDE THE BOARD’S MAY 5, 2021  
DECISION GRANTING THE APPEAL IN  
NORTH COUNTY ENVIRONMENTAL  
RESOURCES PROJECT AND AFFIRM  
THE FEBRUARY 5, 2021 DECISION OF  
THE PLANNING COMMISSION  
APPROVING THE PROJECT AND CEQA  
EXEMPTION**

**RESOLUTION TO SET ASIDE THE BOARD'S MAY 5, 2021 DECISION GRANTING THE APPEAL IN NORTH COUNTY ENVIRONMENTAL RESOURCES PROJECT AND AFFIRM THE FEBRUARY 5, 2021 DECISION OF THE PLANNING COMMISSION APPROVING THE PROJECT AND CEQA EXEMPTION**

**WHEREAS**, on June 5, 2020 (1), the Zoning Administrator approved the North County Environmental Resources Project Site Plan (Project) and found that the Project qualified for a 15183 California Environmental Quality Act (CEQA) exemption; and

**WHEREAS**, appeals of the Zoning Administrator's June 5, 2020 determination were filed by the Twin Oaks Valley Community Sponsor Group, Hidden Meadows Community Sponsor Group, City of Escondido, and Montreux Homeowners Association; and

**WHEREAS**, on February 5, 2021(1), the Planning Commission denied the appeals and approved the North County Environmental Resources Project Site Plan (Project) and found that the Project qualified for a 15183 California Environmental Quality Act (CEQA) exemption; and

**WHEREAS**, appeals of the Planning Commission's February 5, 2021 determination were filed by the Twin Oaks Valley Community Sponsor Group, Hidden Meadows Community Sponsor Group, City of Escondido, and Montreux Homeowners Association; and

**WHEREAS**, on May 5, 2021 (14), the Board of Supervisors (Board) granted the appeal and denied the 15183 CEQA exemption and remanded the Project for the applicant to prepare an Environmental Impact Report (EIR); and

**WHEREAS**, on May 27, 2021, the applicant filed a petition for writ of mandate in Superior Court challenging the Board's action as unlawful under CEQA, and on October 3, 2022, the trial court ruled in favor of the County's finding denying the 15183 exemption; and

**WHEREAS**, on October 25, 2022, the applicant appealed, and on February 16, 2024, the Court of Appeal ruled in favor of the applicant and reversed the trial court's judgment in favor of the County; and

**WHEREAS**, on June 10, 2024, the Court issued a judgment and order requiring the County to set aside the Board's May 5, 2021 actions and to issue a new decision denying the appeals and affirming the decision of the Planning Commission, dated February 5, 2021, approving the Project and the CEQA Exemption thereto.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that the Board of Supervisors of the County of San Diego hereby:

1. Adopt proposed Resolution titled RESOLUTION TO SET ASIDE THE BOARD'S MAY 5, 2021 DECISION GRANTING THE APPEAL IN NORTH COUNTY ENVIRONMENTAL RESOURCES PROJECT AND AFFIRM THE FEBRUARY 5, 2021 DECISION OF THE PLANNING COMMISSION APPROVING THE PROJECT AND CEQA EXEMPTION
2. Uphold the environmental determination of the Planning Commission finding the project in conformance with Section 15183 of the California Environmental Quality Act (CEQA) because the proposed use is consistent with the General Plan and Zoning Use Regulations and no peculiar or significant impacts not already identified in the General Plan Environmental Impact Report (EIR) would result from implementation of the Project, in part because uniform development standards and policies being applied would substantially mitigate the effects of the Project.

**ATTACHMENT A**

**BE IT FURTHER RESOLVED** that this Resolution shall be effective upon adoption.

Approved as to Form and Legality  
County Counsel

By: \_\_\_\_\_

Claudia Silva, County Counsel  
Justin Crumley, Senior Deputy County Counsel