

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, SEPTEMBER 10, 2025**

MINUTE ORDER NO. 3

**SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 4736-1 (FINAL MAP NO. 13856):
APPROVAL OF FIFTH AMENDMENT TO THE UNRECORDED JOINT
AGREEMENT TO IMPROVE MAJOR SUBDIVISION (EXTENSION OF TIME
TO COMPLETE SUBDIVISION IMPROVEMENTS) FOR BONSTALL OAKS
(FORMERLY POLO CLUB ESTATES) LOCATED IN THE BONSTALL
COMMUNITY PLAN AREA (DISTRICT: 5)**

OVERVIEW

The Polo Club Estates/Bonsall Oaks Tentative Map project (Project) is a subdivision consisting of 165 residential lots and two open space lots on a total of 449.54 acres. The site is located within the Bonsall Community Plan Area, on the north side of Gopher Canyon Road and Vista Valley Road, west of Interstate 15 within the unincorporated county (Attachment A).

The San Diego County Code of Regulatory Ordinances establishes the requirements for time extensions for private developers to complete required improvements on their private development projects, including new or improved roads, water, and sewer facilities. As conditions of their permits, private development applicants are often required to construct specific improvements that benefit the public, such as roads and stormwater drainage systems. In many cases, these improvements are accepted by the County into the County-maintained system to be owned, operated, and maintained by the Department of Public Works (DPW). Subdivision Improvement Agreements include the specific improvements that need to occur, when they need to be completed, and financial security requirements. The financial security requirements protect the County by ensuring any required improvements are constructed.

In the event of a default by the applicant, financial security can be used by the County to complete the required improvements. However, under certain circumstances, the County can grant time extensions to allow an applicant additional time to complete the improvements, while simultaneously preserving the County's rights to have the public improvements constructed by the applicant.

On November 3, 1993 (1), the Board of Supervisors (Board) approved the Project, and on September 22, 1999 (10), the Board approved a Final Map and a Joint Agreement to Improve Major Subdivision (Joint Agreement for Improvements) for the Project. The Joint Agreement for Improvements was secured by bonds that guaranteed the construction of the streets, sewer facilities, water facilities, and drainage facilities in favor of the Rainbow Municipal Water District (District) and the County of San Diego (County). The Joint Agreement for Improvements expired on September 22, 2001.

The Project has received a total of three extensions since the Final Map was recorded in 1999. The first request to extend the agreement was submitted to the County in 2012. On August 8, 2012 (10), the Board approved the first Amendment to the Joint Agreement for Improvements, extending the time for completion of the improvements to August 8, 2014. On October 22, 2014 (13), the Board approved another time extension to October 22, 2016, and the former owners substituted the bonds with a lien contract with the County to secure the completion of the improvements. After the second time extension was granted by the Board, the previous owners decided to sell County Tract No. 4736-1 (Final Map No.13856), and the new, current owner has agreed to assume responsibility of all

obligations. On January 15, 2020 (5), the Board approved an assumption agreement and time extension for the current owner, extending the time to complete improvements to October 21, 2021. The last Board action was on September 16, 2020 (6), when the Board approved the Third Amendment to the Joint Improvement Agreement, which extended the completion date for the improvements to August 5, 2022, as well as a partial release of the lien contract for Lots 2-17, because it was replaced with bonds. On June 28, 2022, the Director of Planning & Development Services approved the Fourth Amendment to the Joint Improvement Agreement to release a portion of the project from the lien contract, which was replaced with bonds as allowed under the County's Subdivision Ordinance. Finally, on November 16, 2022(4), the Board approved another two-year time extension of the Improvement Agreement to complete the subdivision. As of today, the agreement has expired, and no time extension was submitted prior to the expiration date. As a result, the project is currently in breach of the agreement and requires an extension.

The subdivision owner has requested an extension for an additional two years to construct the public improvements. There is no limitation on the number of extensions that can be approved by the Board. To date, the applicant is phasing the improvements and has begun construction on other phases of the project. In Phase 1 of the project, 60 residential lots were included in the major grading plan issued on December 5, 2022. An associated improvement plan for roadway construction was also approved for this phase. The winery lot was developed under a separate grading plan. However, construction has not yet commenced on the phases covered under the lien contract, which would be the final phase. Once this extension is approved, the owner intends to move forward with the required improvements for the next phase, with construction anticipated to begin before the end of 2025.

Today's request is for the Board to review and approve the Fifth Amendment to the Joint Agreement and time extension to Improve Major Subdivision for San Diego Tract No. 4736-1.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Fifth Amendment to the Joint Agreement to Improve Subdivision and associated actions for County Tract No. 4736-1 is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378(b)(5) of the CEQA Guidelines because administrative activities of governments will not result in a direct or indirect physical change in the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
2. Approve and authorize the Clerk of the Board of Supervisors (Clerk) to execute the Fifth Amendment to the Joint Agreement to improve major subdivision. This agreement extends the time to construct the improvements to two (2) years from the date of execution of this Fifth Amendment.
3. Authorize the Clerk of the Board of Supervisors to forward the Fifth Amendment to Joint Agreement for Tract No. 4736-1, to the County Recorder for recordation.

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) ensures that public improvements are constructed as part of new housing developments, such as roads and stormwater drainage systems. PDS ensures the completion of the public improvements through agreements and financial security, which ensures

communities are safe. This extension to the improvement agreement will allow the applicant additional time to complete the required public improvements, which will help provide housing for unincorporate communities.

SUSTAINABILITY IMPACT STATEMENT

Planning & Development Services (PDS) is committed to promoting sustainable community growth by ensuring that essential public infrastructure, such as roads and stormwater drainage systems, are constructed in new housing developments. These improvements are vital for creating safe, resilient, and environmentally responsible communities. This extension to the improvement agreement provides additional time for the applicant to complete these essential required improvements for the projects. This ensures that housing developments in the unincorporated communities meet both current and future sustainability standards.

FISCAL IMPACT

There is no fiscal impact associated with the approval of the requested time extension as presented today. If the developer wishes to move forward with the project, they will incur all costs. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Montgomery Steppe, seconded by Supervisor Aguirre, the Board of Supervisors took action as recommended, on Consent.

AYES: Aguirre, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

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 Andrew Potter

