



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

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DATE: October 1, 2025

04

TO: Board of Supervisors

SUBJECT

HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL IMPACT REPORT AND ASSOCIATED DOCUMENTS (DISTRICT: 3)

OVERVIEW

The proposed Harmony Grove Village South project (Project) consists of 111 acres in the San Dieguito Community Plan Area and includes 453 single family and multi-family units including five product types, 5,000 square feet of commercial/ civic uses, four acres of private and public parks, approximately two miles (11,000 feet) of public multi-use trails and pathways and approximately 35 acres of biological open space. The project also analyzed an on site wastewater treatment facility, but is conditioned to annex into the Rincon Municipal Water District. The project site is located within the Harmony Grove-Elfin Forest Subarea of the San Dieguito Community Plan Area, west of Interstate 15, south of State Route 78, and directly south of the Harmony Grove Village (HGV) community. The site is approximately one-third of a mile west of the City of Escondido, south and east of the City of San Marcos, and north of the Del Dios Highlands Preserve. The project site is currently vacant, although some remnants of prior structures remain on site.

On July 25, 2018 (1), the Board of Supervisors (Board) approved entitlements for the Project and certified its Final Environmental Impact Report (FEIR). Following County approval and certification of the FEIR, the Project was challenged in a CEQA action. On February 20, 2020, the trial court ruled that the Project's FEIR violated CEQA based on inadequate Greenhouse Gas (GHG) mitigation measures, failure to address fire safety and evacuation issues, insufficient analysis of air quality impacts, and found the Project was inconsistent with the San Diego Association of Governments (SANDAG) Regional Plan and the County's General Plan related to a policy to provide affordable housing and a community plan policy requiring septic instead of sewer. On October 14, 2021, the Court of Appeal affirmed the trial court's ruling related to the GHG mitigation measure and General Plan policy to provide affordable housing. The Court of Appeal reversed the trial court's ruling related to the other concerns, including fire safety and evacuation, inconsistency with the SANDAG Regional Plan, and the community plan policy related to septic systems. On October 19, 2022, the trial court issued a revised order requiring the

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

County to rescind the Project approvals within 60 days. On December 14, 2022 (10), the Board adopted a resolution to rescind the previous Project approvals.

As a result of the litigation, the project has revised its GHG mitigation measure that would offset all GHG emissions through the installation of a photovoltaic (PV) solar system on existing commercial and industrial buildings located offsite in San Diego County. In addition, the Project will also provide, as a condition of approval, an affordable housing component that will include 10 percent of the project's total dwelling units as on-site affordable housing consisting of five percent reserved as affordable for low-income households (up to 80% of Area Median Income (AMI) and five percent reserved as affordable for moderate income households (up to 120% AMI). These changes will not result in changes to the Project design. All other issues have been fully resolved by litigation and, as such, cannot be raised in future legal challenges.

Under CEQA, a court can only require changes that are needed to bring the project into compliance. Because the court only took issue with the FEIR with respect to the GHG mitigation measure as related to GHG carbon offset credit purchase (location, registry confirmation, and approval by the Director of PDS), the law assumes that the 2018 FEIR is adequate in all other respects (otherwise known as Res Judicata), directing the court to address each alleged ground of non-compliance). Other than this specific issue, the County is not able to mandate additional revisions to the other portions of the 2018 FEIR.

Today's requested actions are for the Board to consider amending the General Plan and approving the associated implementing actions, such as a Zone Reclassification, Tentative Map, Major Use Permit, Site Plan and certification of the FEIR. Staff is recommending approval of the Project in concurrence with the Planning Commission. The Board is not required to approve General Plan Amendments and may deny the project as the Court of Appeal ordered the previous approvals to be rescinded.

If the project is approved by the Board, any legal challenges will be limited to the subjects not protected by the legal application of Res Judicata by the court, which would cover all subjects except for the GHG mitigation measure and the affordable housing component.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

RECOMMENDATION(S)
PLANNING COMMISSION

On August 22, 2025, the Planning Commission considered the Harmony Grove Village South Project and made the following recommendations to the Board of Supervisors:

1. Adopt the California Environmental Quality Act (CEQA) Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and certify the Environmental Impact Report (EIR), REF: PDS2015-ER-15-08-006 (Attachment A).
2. Adopt a Resolution entitled A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) PDS2015-GPA-15-002, approving General Plan Amendment PDS2015-GPA-15-002 for the reasons stated therein and discussed in this report (Attachment B).
3. Adopt a Resolution entitled RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP-15-002 HARMONY GROVE VILLAGE SOUTH SPECIFIC PLAN, approving Specific Plan SP-15-002 for the reasons stated therein and discussed in this report (Attachment C).
4. Adopt the Ordinance entitled AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLAN AREA, REF: PDS2015-REZ-15-003 (Attachment D).
5. Adopt a Resolution entitled RESOLUTION OF SAN DIEGO COUNTY CONDITIONALLY APPROVING VESTING TENTATIVE MAP NO. 5626 approving the Vesting Tentative Map PDS2018-TM-5626 for 453 dwelling units, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E).
6. Grant the accompanying Site Plan PDS2018-STP-18-011 and impose the requirements and conditions set forth in the Site Plan Form of Decision (Attachment F).
7. Grant Major Use Permit PDS2015-MUP-15-008, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment G).

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the recommendations made by the Planning Commission, and makes the following additional recommendations to the Board of Supervisors (Board):

1. Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require RCS – Harmony Partners, LLG to provide security in the amount of \$1,250,000, either as an irrevocable letter of credit or bond (whichever is acceptable to County Counsel), within 10 days of litigation being filed (Attachment S).

EQUITY IMPACT STATEMENT

This amendment is aligned with the goal to provide housing opportunities that meet the needs of the community. The approval of the Project would provide 453 new housing units in the Harmony Grove-Elfin Forest Subarea of the San Dieguito community. The Project includes a range of lots that will allow for market rate homes and will also be conditioned to include 10 percent of the project's total dwelling units as on-site affordable housing (five percent reserved as affordable for low-income households and five percent reserved as affordable for moderate income households).

SUSTAINABILITY IMPACT STATEMENT

The Project is conditioned to install solar systems on existing commercial/industrial buildings located offsite in San Diego County. The solar panel system will be capable of generating a total of 1,720 kilowatt (kW), which will offset 100% of the Project's emissions. The project includes sustainable design features including energy efficient home designs, native and drought tolerant landscaping, and low impact development stormwater facilities. The project incorporates cool pavement technology, participation in the California Green Builder Program, installation of electric vehicle charging stations, and 100% residential electricity through renewable energy to help reduce energy consumption, air pollution, and greenhouse gas emissions.

FISCAL IMPACT

There is no fiscal impact associated with today's recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

ADVISORY BOARD STATEMENT

The Project site is located within the Elfin Forest-Harmony Grove Subarea of the San Dieguito Community Plan Area, which is represented by the San Dieguito Community Planning Group (CPG). On April 5, 2018, the San Dieguito CPG voted to deny the Project as proposed, by a vote of 11-0-0-0-2 (11 ayes, 0 noes, 0 absent, 0 abstain, 2 vacant). The reasons for the SDCPG's recommendation included conformance with the General Plan (including Land Use Policy LU-1.4) fire safety and evacuation, road improvements, infrastructure, and compatibility with community character. Comments raised at the meeting include, but are not limited to, community character, fire safety, and emergency evacuation.

On October 7, 2024, the SDCPG provided a letter during the public review period recommending denial and resubmitted their original comments from 2018. The group had concerns about the following:

1. Incompatibility with General Plan Goals and Principles 5: The group states that the proposed Project lies within a "Very High Fire Hazard Severity Zone" and the development of this project would increase wildfire risks.
2. Lack of improvements to road networks: The group commented that the development will create significant and unmitigable impacts to surrounding roadways and intersections, specifically Country Club Drive.
3. Inconsistent with community character: Concerns were also raised regarding community compatibility and sprawl.

The group stated their position remained the same since the original Environmental Impact Report (EIR) was decertified and the County Board of Supervisors (Board) rescinded the project approval. The letter states the applicant currently has no entitlement to the property, and the SDPG believes the County can modify its orders to adapt to changing conditions, meaning the doctrine of res judicata does not prevent reconsideration of previous approvals after the EIR's decertification.

INVOLVED PARTIES

RCS – Harmony Partners, LLG (Owner)

PLANNING COMMISSION VOTE

On August 22, 2025, the Planning Commission voted 5-0-1-0-0 (Ayes: Ashman, Calvo, Edwards, Pallinger, and Sudberry; Noes: 0; Absent: 1; Abstain: 0; Recused: 0; Vacant: 1) to recommend approval of the Project.

See Attachment S, Planning Commission Report and Action Sheet, for the Planning Commission vote and recommendation.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

BACKGROUND

On July 25, 2018 (1), the Board of Supervisors (Board) approved the Harmony Grove Village South project (Project) and certified the Environmental Impact Report (EIR). Following County approval and certification, the Project was challenged in two CEQA actions.

On February 20, 2020, the trial court ruled that the Project's 2018 EIR violated CEQA based on inadequate Greenhouse Gas (GHG) mitigation measures, failure to address fire safety and evacuation issues, insufficient analysis of air quality impacts, and found the Project was inconsistent with the San Diego Association of Governments (SANDAG) Regional Plan and the County's General Plan related to a policy to provide affordable housing and a community plan policy requiring septic instead of sewer.

On October 14, 2021, the Court of Appeal affirmed the trial court's ruling related to the GHG mitigation measure and General Plan policy to provide affordable housing but reversed the other CEQA concerns. On December 14, 2022 (10), the Board adopted a resolution to rescind the previous Project approvals based on Court direction. The court confirmed that the 2018 EIR was otherwise adequate, including areas like fire safety, transportation, and air quality. The Project itself has not changed since it was originally reviewed in 2018.

Project Description

The Project consists of 111 acres in the San Dieguito Community Plan Area and includes 453 single family and multi-family units, 5,000 square feet of commercial/civic uses, four acres of private and public parks, approximately two miles (11,000 feet) of public multi-use trails and pathways and approximately 35 acres of biological open space.

General Plan Amendment and Community Plan Amendment

Under the current General Plan, and based on the slope of the site, a maximum of 174 units is allowed. To develop the proposed project, a GPA is required to allow for increased residential density and the addition of a commercial area. The proposed amendment will change the project's current land use regional category from Semi Rural to Village. Portions of the site will retain the current Semi Rural land use regional category. In addition, the proposed amendment will change the project's current land use designation from Semi Rural 0.5 (1 unit per 0.5, 1, or 2 gross acres) to Village Residential 10.9 (10.9 units per acre) and Neighborhood Commercial. Portions of the site will retain the current Semi Rural 0.5 (1 unit per 0.5, 1, or 2 gross acres) land use designation. Staff analyzed the density proposed and design components of the project related to the General Plan and found: 1) the project site is located in close proximity to several employment centers and the cities of Escondido and San Marcos, where infrastructure and services are available; 2) the project site is located in an area near transit and transportation opportunities such as bus routes and the Nordahl Sprinter Station; 3) sustainable development measures and recreational opportunities are provided, including parks and trails; and 4) 34.8 acres of dedicated open space, including permanent biological areas are preserved.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

The entire Project site is located within the Elfin Forest-Harmony Grove Subarea of the San Dieguito Community Plan Area. As part of the GPA, the Elfin Forest-Harmony Grove Subarea will be amended to modify Policy LU-2.2.1, to add associated text changes, and to add the Project to Chapter 6, the Harmony Grove Village Specific Plan Area (SPA), and will be amended with a requirement to adhere to the Community Development Model. The project includes architectural standards and landscape design, and plant species complementary to the existing community character.

Specific Plan

The Specific Plan includes detailed product types and provides conceptual plans for the development of the proposed land uses. The Specific Plan includes design guidelines, which govern building setbacks, architectural design, parks, lot design, signage, and lighting. The Specific Plan also includes construction and maintenance responsibilities of the facilities and infrastructure within the Project. For example, the Specific Plan stipulates that the HOA will be responsible for all vegetation management, and all fuel modification areas shall be completed annually for fire safety as determined by the Rancho Santa Fe Fire Protection District. The Zone Reclassification would change the existing Limited Agriculture (A70) and Rural Residential (RR) Use Regulations to the Specific Plan (S88) Use Regulation.

Zoning Reclassification

The Rezone will change the existing A70 (Limited Agriculture) and RR (Rural Residential) Use Regulations to the S88 (Specific Plan Area) Use Regulation. The Rezone will also change the existing development regulations for the site, including minimum lot size, building type, height, setback, open space requirements, and Special Area Regulations. All development within the Project's Specific Plan area requires an implementing Site Plan to be approved by the Director of PDS prior to building permit issuance. The Site Plan will identify the location of all structures, setbacks, and provide architectural details and floor plans, consistent with the requirements set forth in the Specific Plan.

Vesting Tentative Map and Site Plan

The Project includes a Vesting Tentative Map (VTM) subdivision of the entire 111-acre project site into 243 lots, including 453 dwelling units (single family and multi-family (condominium) lots), parks, and open space lots.

Pursuant to the County Subdivision Ordinance, a Site Plan was filed with the VTM illustrating all proposed land uses intended to be vested on the lots to be created. The Site Plan shows the lot dimensions, boundaries and square footage for each lot. The Site Plan and all vested development rights shall expire on the same day as the VTM expires.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

Major Use Permit

The Project may also require the construction and operation of an on site wastewater treatment plant that requires a Major Use Permit. As described in the CEQA Findings (Attachment N), other wastewater treatment options were determined to be infeasible at this time. However, if these other wastewater treatment options become feasible (i.e., the Harmony Grove Village treatment plant has capacity to treat a portion of the project's wastewater), there are three specific conditions the applicant will have to meet, subject to the approval of the Director of Planning & Development Services:

1. Provide evidence that the project site is located in a sewer district (since 2018 the project site has been annexed into the Rincon Del Diablo Water District);
2. Provide evidence of a sewer district commitment letter to the project; and
3. Provide evidence demonstrating that the treatment option has adequate capacity to serve the Project.

PROJECT ANALYSIS

Planning & Development Services (PDS) reviewed the Project for conformance with all relevant ordinances and guidelines, including the San Diego County General Plan. A summary of the Project's consistency with applicable codes, policies, and ordinances is provided below.

During the processing of the project in 2018 and recirculation of the 2025 Final Environmental Impact Report (FEIR), extensive comments were received during the public review periods of the environmental documents as well as at community meetings, including General Plan Consistency, Fire Service and Emergency Evacuation, new information and changes in CEQA since the project was approved in 2018. The concerns and issues were addressed in the staff report from 2018 and 2025, which is attached to this report, and were also brought up in litigation. Based on the Court of Appeal ruling that the project complied with CEQA and the County's General Plan in all respects except for a greenhouse gas (GHG) mitigation measure and lack of an affordable housing component. As a result, the GHG mitigation measure was revised, and an affordable housing component was included in the project.

Res Judicata and New Information

The principle that a party cannot revisit issues that have already been determined is often referred to as "res judicata," a Latin term meaning "a matter judged." Under this principle, once a court decides a particular issue or finding of fact in a final ruling, that issue or fact is considered settled, and parties are generally precluded from relitigating the same issue or fact. Res judicata is founded on the principle that providing a party an opportunity to litigate a claim is fair and appropriate. However, once a court reaches a final decision on that claim, the matter is considered settled and further attempts to litigate that claim are prohibited. Allowing such claims to be relitigated would impose significant burdens on parties and the courts, could lead to inconsistent rulings or judgments that create confusion and inefficiency, and would be unfair to the party that has already obtained a final ruling in its favor.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

The Project's new GHG mitigation measure corrects the portion of the 2018 EIR found non-compliant under CEQA and would allow reconsideration of the Project. Even though the overall 2018 EIR GHG analysis was found adequate, the County exercised its discretion to update the original information in the 2018 EIR. As described above, this information has been recirculated for public review. All other issues have been fully resolved and cannot be relitigated because res judicata bars these matters from further litigation. Therefore, comments received on topics unrelated to the new GHG Mitigation Measure, are outside the scope of recirculation. Many of these comments involve matters that were either previously litigated and/or never contested but could have been in previous litigation and are, therefore, precluded from further legal challenge because of res judicata. An example of issues raised by commenters that the courts have previously resolved include Vehicle Miles Traveled (VMT).

The County's VMT Guidelines were updated in September 2022 in compliance with SB 743. The SB 743 legislation stated that the legislation only applies prospectively starting July 1, 2020. Moreover, subsequent changes to CEQA guidelines such as VMT are not considered "significant new information" that would trigger additional review because the underlying information was otherwise known or should have been known when the 2018 EIR was certified. (*Olen Properties Corp v. City of Newport Beach*, 93 CA5th at 280-281.) The adoption of VMT guidelines was already known when the 2018 EIR was prepared, and the public had an opportunity then to comment on any potential adverse environmental effect that the Project would have, regarding VMT. The issue of VMT was resolved by the courts and res judicata applies.

Fire Services and Emergency Evacuation

During recirculation of the GHG mitigation measure, commentors raised concerns regarding fire safety, the need for secondary access, and evacuation. The concerns raised were similar to the concerns raised in 2018, and were addressed in the 2018 EIR. As explained above, the fire safety, secondary access, and evacuation concerns were litigated, and the Court of Appeal determined the EIR adequately addressed fire safety, secondary access, and evacuation, and complied with CEQA except for its GHG mitigation measure. The County reviewed and responded to all comments about fire safety and evacuation. After considering and responding to these issues, the County determined that they do not change the CEQA impact conclusions in the 2018 EIR. The commenters raised a number of concerns regarding the Project, however the County has found that they do not demonstrate changed circumstances or new information. The concerns raised include the following:

1. Evacuation during the 2014 Cocos Fire
2. Prior adopted evacuation plans, updates to modification guidelines relative to secondary access, and 2022 California Attorney General guidance relative to wildfire
3. Potential changed conditions to an off-site dirt road (Johnston Road)
4. New potential projects proposed for the north end of Country Club Drive (CCD) and one on Harmony Grove Village Parkway (HGV Parkway)

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

Concerns were raised about how the Project area would be evacuated during a wildfire, referencing traffic problems experienced during the 2014 Cocos Fire. However, after a thorough review, fire safety and law enforcement officials concluded that these concerns do not require changes to the 2018 EIR. The issues either have not changed, were already addressed, or are not directly relevant to the current Project. The Rancho Santa Fe Fire Protection District and County Sheriff's Office have confirmed that the evacuation plans are adequate for emergency preparedness.

While it is true that evacuations can be stressful and involve traffic delays, law enforcement manages the process carefully, prioritizing the highest-risk areas first and controlling traffic at key intersections. It is important to understand that not all vehicles will be moving at once, and waiting is sometimes necessary for safety. During the 2014 Cocos Fire, no lives were lost, as a sign that the evacuation was successful despite delays. Since then, technology and planning for phased evacuations have improved. Additionally, the County of San Diego and various other agencies in the region use multiple alert systems—including Genasys Protect phone application, phone alerts, social media, helicopters, and door-to-door notifications—to make sure residents are informed in emergencies.

Significant road improvements have also been made since 2014. A new road (HGV Parkway), bridge access over Escondido Creek, including the extension of Citracado Parkway now offer multiple evacuation routes out of the valley and into Escondido. These upgrades, along with a new fire station and safe refuge areas, greatly enhance evacuation capabilities.

Community members also raised concerns about fire safety, especially since the area has been classified as a *Very High Fire Hazard Severity Zone (Very High FHSZ)*. However, this doesn't change previous fire safety conclusions because the area was already evaluated with high fire risk factors in 2018. The original Fire Protection Plan (FPP) and evacuation strategies were specifically designed for the fire-prone environment in the Harmony Grove Valley, even before the recent hazard designation.

There were also concerns about whether the Project meets updated fire code rules regarding road lengths and secondary access. In 2024, minor changes were made to the fire code, but these do not affect the conclusions reached in 2018. Although the project's main road exceeds the standard 800-foot dead-end limit, it was granted a code modification based on additional fire safety features, such as wider roads (three-lane bridge), additional water supply and hydrants, fire-resistant building materials, open space buffers, and early evacuation strategies. Fire officials confirmed that these features meet safety standards and do not compromise public safety. The Project is not isolated in a rural wildland setting and is located near the developed areas of Escondido. The Project's design includes many built-in fire safety measures that reduce the need for an additional exit route. Eight possible secondary access routes were studied but found to be infeasible due to physical (steep topography) or legal constraints (private property). The Project meets safety goals through other approved strategies.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

Concerns were also raised about new guidance released by the California Attorney General's office on how to evaluate wildfire risk. However, this guidance is not legally binding and can only provide suggestions, not requirements. The Project follows many of the best practices suggested in the guidance, such as prioritizing early evacuation, not over-relying on shelter-in-place, and consulting with fire officials. These practices were already built into the Project's planning in 2018.

Community members have expressed concern that the Project relies on Johnston Road (private road) as an access route, which is not accurate. Johnston Road was one of eight possible secondary access options that were studied, but none of them were found to be feasible. The Project was never approved based on using Johnston Road, and it was not included in the official fire safety plan or the modification to the fire code related to dead-end road lengths.

The 2018 EIR did mention that, in a worst-case scenario, emergency responders might direct people to use a dirt road leading toward Johnston Road. However, this was only noted as a potential emergency measure and not relied upon in the Project's fire safety findings. Some comments included photographs suggesting that Johnston Road is now overgrown and impassable, and that this is a new risk. Even if Johnston Road became unusable, the fire safety plan already accounted for the possibility that one or more evacuation routes could be blocked. The plan includes a variety of safety strategies, creating defensible space, and identifying safe temporary refuge locations like homes and the community clubhouse.

Some comments raised concerns that new proposed projects in the area—such as the Seguro Battery Energy Storage System (BESS), the Solaris Business Park, and additional phases of Harmony Grove Village—could increase wildfire risk or affect evacuation routes. However, recent road improvements, including Harmony Grove Parkway built bridge connection, and Harmony Gove Road to Citracado Parkway, have enhanced fire safety in the area. The County fully evaluates the fire-related risks of these new projects through environmental review, including technical safety studies. If any project is approved, it will only be because it meets strict safety and evacuation standards. If a project does not meet these standards, it could be denied or sent back for additional revisions. These proposed projects do not change the fire safety conclusions already made for the 2018 Project.

While community concerns about wildfire safety are understandable, the County, local fire agencies, and independent experts all agree that the Project includes strong, modern fire safety protections. The County's fire safety plans and decisions were reviewed and supported by multiple fire agencies and experts. The Court of Appeal also confirmed that the Project's fire protection measures meet all legal and safety requirements. No new fire risks have been identified, and no changes to previous safety conclusions are needed.

Greenhouse Gas Emissions

The court required that greenhouse gas (GHG) emissions from both the construction and operation of the Project be properly addressed through mitigation. The new GHG mitigation measure requires that any emissions not already reduced by on site Project design must be completely offset

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

by installing photovoltaic solar panels (PV systems) on existing commercial or industrial buildings in San Diego County.

The installation of solar panels on existing rooftops or parking lots is generally exempt from environmental review. However, the County still included information in its updated report about the minor construction work needed to install the solar system. This work would last about one month, involve a small crew, and would create very minimal additional emissions. These emissions do not change the overall environmental impact conclusions.

The 2018 EIR originally found that, before mitigation, GHG emissions would be significant but could be reduced to less than significant levels. That conclusion remains unchanged. With the combination of on site design features and the off-site solar installation, the Project's total GHG emissions would be net zero. No other parts of the environmental report have changed. The Project footprint remains the same, and the off-site solar system will have limited impacts. These off-site actions are also exempt from further environmental review. The court had already found that the original EIR properly addressed GHG impacts related to vehicle use, construction, and carbon storage.

Although not required, the County took extra steps by using a newer, more conservative model to confirm GHG estimates and by updating information about the Project's solar potential. These updates further support the conclusion that the Project will not have significant GHG impacts.

Affordable Housing

The 2024 recirculation also included a commitment to affordable housing. As a condition of approval, the Project proposes 10 percent of the Project's total dwelling units as on site affordable housing (as defined by California Health and Safety Code). This will consist of five percent reserved as affordable for low-income households, up to 80% of Area Median Income (AMI) and five percent reserved as affordable for moderate-income households, up to 120% AMI.

The inclusionary housing condition addresses the court ruling, and no physical changes would occur to the Project and design (i.e., the number of units, the number of structures, the need for associated infrastructure, the design style, and/or the footprint). No EIR modifications were required for this issue, and EIR modifications were not made. The condition of approval has been included in the Project decisions, including the Vesting Tentative Map and Site Pan (Attachments E and F).

ENVIRONMENTAL STATEMENT

The 2018 Environmental Impact Report (EIR) was certified, and the Project was approved by the County Board of Supervisors on July 25, 2018 (1), in accordance with the California Environmental Quality Act (CEQA). Following County approval and certification of the 2018 EIR, the Project was challenged in two CEQA actions. Following litigation and appeal, the California Court of Appeal (Court) found that the 2018 FEIR was adequate in all respects except for one: the GHG mitigation measures relative to carbon offset credit purchase.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

As a result of the litigation, the Project has revised its GHG mitigation measure that will offset all GHG emissions through the installation of a photovoltaic (PV) solar system on existing commercial and industrial buildings located in San Diego County. All other issues have been fully resolved by litigation and are not subject to further examination, and the conclusion as to CEQA significance (significant and mitigable) to the 2018 FEIR remains the same.

Significant and Mitigable Impacts

The Project was found to have significant impacts in several environmental areas, including biological resources, cultural resources, noise, and GHG emissions. However, these impacts will be reduced to less than significant levels through project design features and required mitigation measures.

Significant and Unmitigable Impacts

The Project also results in significant and unavoidable impacts in three areas: aesthetics, air quality, and traffic.

- Aesthetics: Construction will create temporary visual impacts due to vegetation removal, grading, and building development. Although landscaping and design requirements will reduce visual impacts over time, the impacts will remain significant until vegetation matures, which may take up to 10 years.
- Air Quality: While the Project does not exceed pollution thresholds directly, it contributes to regional air quality issues due to increased emissions during construction and operation. Measures such as submitting updated housing data to SANDAG and incorporating emission-reducing design features will lessen the impact, but not below a significant level.
- Transportation and Traffic: The Project will add traffic to surrounding roads and intersections, particularly within the City of Escondido. Road widening and intersection improvements are planned to reduce these impacts. However, because the City of Escondido must approve and implement these improvements, the County cannot guarantee their completion. As a result, these traffic impacts are considered significant and unavoidable unless the City takes further action.

All other issues have been fully resolved by litigation and, as such, are not subject to further challenge and the conclusion as to CEQA significance (significant and mitigable) to the 2018 EIR remains the same. The 2025 FEIR has been prepared for this Project, along with the Statement of Overriding Considerations, dated September 2025 (Attachment N). The Project is expected to provide important public benefits, including new housing with 10 percent of the total dwelling units will be reserved as on site affordable housing, economic contributions through taxes and employment, recreational facilities, environmental improvements along Escondido Creek, and enhanced fire safety. These benefits are considered sufficient to justify moving forward with the Project, even though some environmental impacts cannot be fully mitigated.

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

PUBLIC INPUT

A notice of the public review period for the Final Environmental Impact Report (FEIR) was sent to 210 property owners and 20 agencies. A total of 80 comment letters were received during the recirculation of the FEIR from August 22, 2024, to October 7, 2024. Concerns raised include, but are not limited to, General Plan and Community Plan consistency, greenhouse gas emissions, fire safety, and evacuation. Responses to these comments are included within the Final EIR (Attachment M).

Prior to the Planning Commission hearing on August 22, 2025, notice was sent to 210 property owners located within 1,500 feet of the Project site, consistent with County Code, Board Policy I-49 and State law. The Sheriff's Office and Rancho Santa Fe Fire Protection District were present at the hearing and responded to concerns raised by surrounding property owners regarding the increase in cars on the road caused by the Project.

DEPARTMENT REASONS FOR RECOMMENDATION

The Project will provide new housing opportunities while preserving large areas of natural habitat and open space. Additionally, the Project will also provide 10 percent of the total dwelling units as on site affordable units consisting of five percent reserved for low-income and five percent for moderate income households.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed action supports the Strategic Initiatives of Equity, Empower, and Community in the County of San Diego's 2024-2029 Strategic Plan by ensuring that San Diego is a vibrant region with planning, development, infrastructure, and services that strengthen the local economy. The Project is aligned with the goal to provide housing opportunities because it will create 453 new market rate housing units, with 10 percent of the total dwelling units as on site affordable housing.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Dahvia Lynch', with a stylized flourish extending to the right.

DAHVIA LYNCH
Deputy Chief Administrative Officer

SUBJECT: HARMONY GROVE VILLAGE SOUTH GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT (DISTRICT: 3)

ATTACHMENT(S)

Note: Due to the size of the attachments, the documents are available online through the Clerk of the 'Board's website at www.sandiegocounty.gov/content/sdc/cob/bosa.html.

Attachment A – Environmental Findings

Attachment B – Resolution Approving General Plan Amendment PDS2015-GPA-15-002

Attachment C – Resolution Approving Specific Plan PDS2015-SP-15-002

Attachment D – PDS2015-REZ-15-003 titled AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLAN, REF: PDS2015-REZ-15-003

Attachment E – Resolution of Approval for Vesting Tentative Map PDS2018-TM-5626

Attachment F – Form of Decision for Site Plan PDS2018-STP-18-011

Attachment G – Form of Decision for Major Use Permit PDS2015-MUP-15-008

Attachment H – Proposal Summary Table

Attachment I – Zoning Ordinance Analysis

Attachment J – Impacts and Mitigation Table

Attachment K – Public Documentation*

Attachment L – Planning Documentation

Attachment M– Final Environmental Impact Report and Notice of Determination**

Attachment N – CEQA Findings

Attachment O – Ownership Disclosure

Attachment P – Service Availability Forms

Attachment Q – General Plan Consistency Table

Attachment R – Planning Commission Action Sheet

Attachment S - Defense and Indemnification Agreement

*Comments received during the EIR public review periods are available at:

https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/hgvs.html

** The Final EIR (including Technical Studies and Response to Comments) are available at:

https://www.sandiegocounty.gov/content/sdc/pds/Current_Projects/hgvs.html