

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS - LAND USE  
WEDNESDAY, MARCH 25, 2026**

**MINUTE ORDER NO. 6**

**SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A HIGHWAY SLOPE EASEMENT IN THE FALLBROOK COMMUNITY PLAN AREA AND CEQA DETERMINATION (VAC 2025-0056) (DISTRICT: 5)**

**OVERVIEW**

The Real Estate Division of the Department of General Services (DGS) is processing a request from TGRH3, LLC, owner of Assessor's Parcel Number (APN) 125-050-54, for the County of San Diego (County) to summarily vacate the easement for highway slope purposes encumbering a portion of their property. A summary vacation is a streamlined process by which an excess street or highway right-of-way, or a public service easement, is abandoned. A highway slope easement must be vacated in the same manner as a street or highway right-of-way. The easement for highway slope purposes encumbers a strip of land running the entire length of the property frontage, adjacent to Old Highway 395. The property subject to this vacation is located within the Fallbrook Community Plan Area in the unincorporated area of San Diego County on the west side of Old Highway 395, between Via Altamira and Via Belmonte. TGRH3, LLC is requesting this summary vacation to advance their build out of the property. On February 20, 2025, the Department of Planning & Development Services approved the Site Plan to allow for the expansion and remodeling of the existing commercial plaza on the property. The Site Plan includes a condition of approval that requires that the property owner process a vacation of the highway slope easement.

A summary vacation may be requested by the public if the easement interests are found to be excess to County needs and are not required for the purposes for which they were obtained. The County's Department of Public Works (DPW) has determined that this highway slope easement is excess and no longer needed for present or future public right-of-way use because there are no existing or proposed slopes within the easement needed to support the adjacent highway. The easement was originally acquired by the State of California Department of Transportation (Caltrans) to support Old Highway 395 improvements when State Highway 15 was originally constructed. Only a portion of the easement area acquired by Caltrans was needed for freeway improvements, eliminating the current and future needs for the remainder of the easement.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate the highway slope easement, which is an excess street or highway right-of-way easement.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that additional review under the California Environmental Quality Act (CEQA) is not required for this action because the summary vacation is required as a condition of a site plan approval found by the Department of Planning & Development Services to not require any CEQA review pursuant to CEQA Guidelines section 15183.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE A HIGHWAY SLOPE EASEMENT IN THE FALLBROOK COMMUNITY PLAN AREA (VAC 2025-0056) (Attachment C, on file with the Clerk of the Board).

3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2025-0056 pursuant to State of California Streets and Highways Code Section 8336.

**EQUITY IMPACT STATEMENT**

The resolution to remove an encumbrance from private land that is no longer needed for street or highway purposes will provide an overall public benefit and improve the use of the land made available by the vacation. The proposed summary vacation is in a commercially zoned area and will allow the property owner better use of their property. The vacation of this highway slope easement will not preclude future development.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed action to summarily vacate a highway slope easement contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to develop their land. This action will impact the property owner directly by providing improved use of the property by unencumbering a portion of the property for proposed future development.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2025-26 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$6,500 to process the proposed vacation. The funding source is a deposit from the applicant. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Montgomery Steppe, the Board of Supervisors took action as recommended and adopted Resolution No. 26-022 entitled: RESOLUTION TO SUMMARILY VACATE A HIGHWAY SLOPE EASEMENT IN THE FALLBROOK COMMUNITY PLAN AREA (VAC 2025-0056).

AYES: Aguirre, Lawson-Remer, Montgomery Steppe

ABSENT: Anderson

RECUSED: 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

MARCH 25, 2026