



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

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Fourth District

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Fifth District

DATE: August 18, 2021 and September 1, 2021

01

TO: Board of Supervisors

SUBJECT

MONTECITO RANCH OPEN SPACE VACATION, PDS2020-VAC-20-001, RAMONA COMMUNITY PLAN AREA (08/18/2021 – SET HEARING; 09/01/21 – HOLD HEARING) (DISTRICT: 2)

OVERVIEW

This item is a proposal to vacate a 220.5-acre biological open space easement dedicated to the County of San Diego and recorded on September 10, 2009 as DOC#2009-0506422 on the approximately 935.2-acre property known as Montecito Ranch in the Ramona Community. On August 4, 2010, the Board of Supervisors (Board) approved the Montecito Ranch Project, which consisted of 417 single-family residences, an 8.3-acre park, and an 11.9-acre historic park; however, the applicant for this project will not be moving forward with the development.

The Endangered Habitats Conservancy (EHC), a California non-profit corporation, acquired the entire Montecito Ranch property in 2020 through coordination with the Wildlife Conservation Board (WCB) and Naval Facilities Engineering Command Southwest (U.S. Navy). The Open Space Vacation of 220.5 acres is required to allow the authorization of funding by the U.S. Navy to allow the property to be maintained and managed as biological open space in perpetuity by EHC. The existing 220.5-acre biological open space easement was previously required to resolve unpermitted clearing which occurred while the Montecito Ranch Project application was in-process in the early 2000s. The previously approved Montecito Ranch Project entitlements for the property have been abandoned and the open space easement dedication for the Montecito Ranch Project is no longer required. The open space easement area will still be maintained by EHC for the preservation of biological resources, which is consistent with the original intent of the dedicated open space easement.

Today's request requires two steps: On August 18, 2021, it is requested that the Board set a date for a public hearing on September 1, 2021 and provide public notice of that hearing, which includes signage at the project site. If the Board takes the actions recommended for today, then on September 1, 2021, it is requested that the Board consider and adopt a resolution to vacate the referenced open space easement, record A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2021-VAC-21-001.

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RECOMMENDATION(S)

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

On August 18, 2021, take the following actions:

1. Set a public hearing on September 1, 2021 at 9:00 a.m. to consider vacating the entirety of a 220.5-acre easement recorded as DOC#2009-0506422. (Attachment B, on file with the Clerk of the Board).
2. Direct the Clerk of the Board of Supervisors (Clerk) to provide notice of the hearing through publication and posting as required by law.

If on August 18, 2021 the Board takes the actions recommended in items 1-2, then on September 1, 2021:

1. Adopt the Environmental Findings, which include findings that the proposed project meets the conditions for the application of the California Environmental Quality Act (CEQA) Guidelines Section 15308 and 15061(b)(3) (Attachment E, on file with the Clerk of the Board).
2. Adopt the Resolution entitled A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2021-VAC-21-001 (Attachment D, on file with the Clerk of the Board).

EQUITY IMPACT STATEMENT

The Montecito Ranch Open Space Vacation (Vacation) will result in preservation of 220.5 acres of land and biological resources within San Diego county and Ramona Community on a 935.2-acre property. The location and size of the property will contribute to preserving biological resources within the Ramona Community and assist with long-term preservation of biological resources within San Diego county. The preservation of this land will enhance the quality of the environment within the region by contributing to sustainability and conservation of land in perpetuity that promotes an environment where communities can prosper.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

The proposed open space vacation has been reviewed by the Ramona Community Planning Group (CPG). On February 4, 2021, the Ramona CPG recommended approval of the open space vacation by a vote of 10-4-0-1-0 (Ayes – 10, Noes – 4, Abstain – 0, Absent – 1, Vacant – 0) (Attachment B).

INVOLVED PARTIES

Owner: Endangered Habitats Conservancy, a California non-profit corporation

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PLANNING COMMISSION VOTE

N/A

BACKGROUND

The vacation of the entire 220.5-acre open space easement recorded on September 10, 2009 will allow for authorization of funding identified in subgrant agreements and conservation easements between the Endangered Habitats Conservancy (EHC), the California Wildlife Conservation Board (WCB), and Naval Facilities Engineering Command Southwest (U.S. Navy). On February 26, 2020, the WCB authorized the awarding of a subgrant to EHC for the purchase of the approximately 935.2-acre property known as Montecito Ranch. On April 21, 2020, EHC agreed to grant a conservation and restrictive use easement to the U.S. Navy for approximately 715 acres of the property excluding the on-site historically designated residence and the 220.5-acre open space easement dedicated to the County of San Diego (County). The purpose of the 715-acre conservation and restrictive use easement dedicated to the U.S. Navy is to offset potential environmental impacts for operations on Camp Pendleton. The existing 220.5-acre biological open space easement dedicated to the County was previously required to resolve unpermitted clearing which occurred while the Montecito Ranch Project application was in-process in the early 2000s. The previously approved Montecito Ranch Project entitlements for the property have been abandoned and the open space easement dedication for the Montecito Ranch Project is no longer required. The open space easement area will still be maintained by EHC for the preservation of biological resources, which is consistent with the original intent of the dedicated open space easement.

The entire 935.2-acre property will be maintained, managed, and restored to preserve biological resources on the property in perpetuity through a habitat management plan which has been prepared in coordination with the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS). The existing conservation and restrictive use easement granted to the U.S. Navy contains exceptions for a parking area and trail, the locations of which will be approved by EHC, WCB, CDFW, and the U.S. Navy. The vacation of the existing open space easement dedicated to the County will allow EHC to incorporate 220.5-acres into a habitat management plan and allocate grant funding for maintenance, management, and restoration of the property. EHC will also coordinate with the U.S. Navy to either execute a separate agreement or extend the existing conservation easement to the vacated easement property, which will result in the preservation of biological resources within the vacated easement property.

Today's request requires two steps in accordance with the California Streets and Highways Code: On August 18, 2021, it is requested that the Board of Supervisors (Board) set a date for a public hearing on September 1, 2021 and notice the hearing with on-site signage to vacate a 220.5-acre open space easement. If the Board takes the actions recommended for today, then on September 1, 2021, it is requested that the Board consider and adopt a resolution to vacate the referenced open space easement.

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PROJECT ANALYSIS

Board Policy I-103; Open Space Easement Vacations

Board Policy I-103 requires the vacation to: (1) be consistent with the County General Plan; (2) be unnecessary for current or future public use as a public service easement; and (3) be in compliance with the California Environmental Quality Act (CEQA) and State and County Guidelines (e.g., Guidelines for Determining Significance, Biological Resources), and not have a significant effect on the environment.

The areas covered by the easement proposed to be vacated are subject to the General Plan Land Use Designation Specific Planning Area. The Montecito Ranch development entitlements have been abandoned and the specific plan is no longer applicable; however, the proposed vacation would be consistent with the General Plan. The proposed vacation is consistent with General Plan Goal COS-1 Inter-Connected Preserve System and General Plan Goal COS-2 Sustainability of the Natural Environment as the vacation will result in long term preservation of biological resources within San Diego county. In addition, the open space easement dedication requirements associated with the Montecito Ranch development are no longer applicable, and therefore unnecessary for current or future public use as a public open space easement. The open space easement area will still be maintained by EHC for the preservation of biological resources which is consistent with the original intent of the dedicated open space easement. The vacation complies with CEQA because there are no significant environmental impacts associated with the removal of the easement as the biological resources within the easement will be preserved in perpetuity through a habitat management plan including funding allocated by State and federal agencies.

ENVIRONMENTAL STATEMENT

The proposed open space vacation has been reviewed for compliance with the California Environmental Quality Act (CEQA). The project is exempt from CEQA because it consists of an action taken by regulatory agencies in order to ensure maintenance, restoration, enhancement, or protection of the environment through coordination with state and federal agencies in accordance with CEQA Regulations Section 15308. It can be seen with certainty that the open space vacation will not have a significant impact on the environment under CEQA Guidelines Section 15061(b)(3) as it will allow for the preservation of biological resources on the Montecito Ranch Property.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's actions support the Strategic Initiative of Sustainable Environments/Thriving in the County of San Diego's 2021-2026 Strategic Plan by ensuring that enhancing the quality of the environment by focusing on sustainability and conservation of land in perpetuity that promotes an environment where communities can prosper.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah E. Aghassi".

SARAH E. AGHASSI
Deputy Chief Administrative Officer

ATTACHMENT(S)

Attachment A – Vicinity Maps

Attachment B – Planning Documentation

Attachment C – Existing Open Space Easement to be Vacated

Attachment D – A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2021-VAC-21-
001

Attachment E – Environmental Findings

Attachment F – Environmental Documentation

Attachment G – Ownership Disclosure

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

☒ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

August 4, 2010 (1), approved General Plan Amendment 10-002: Item C: for the Montecito Ranch Project, Record IDs: GPA-04-013, SP-01-001, R-04-022, VTM-5250 RPL6, P-04-045, P-09-023, S-08-019, ER-01-09-013.

BOARD POLICIES APPLICABLE:

I-103 – *Open Space Easement Vacations*

BOARD POLICY STATEMENTS:

The proposed vacation of easement is consistent with Board Policy I-103.

MANDATORY COMPLIANCE:

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):**

N/A

ORIGINATING DEPARTMENT: Planning & Development Services

OTHER CONCURRENCE(S): Department of Parks and Recreation

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