

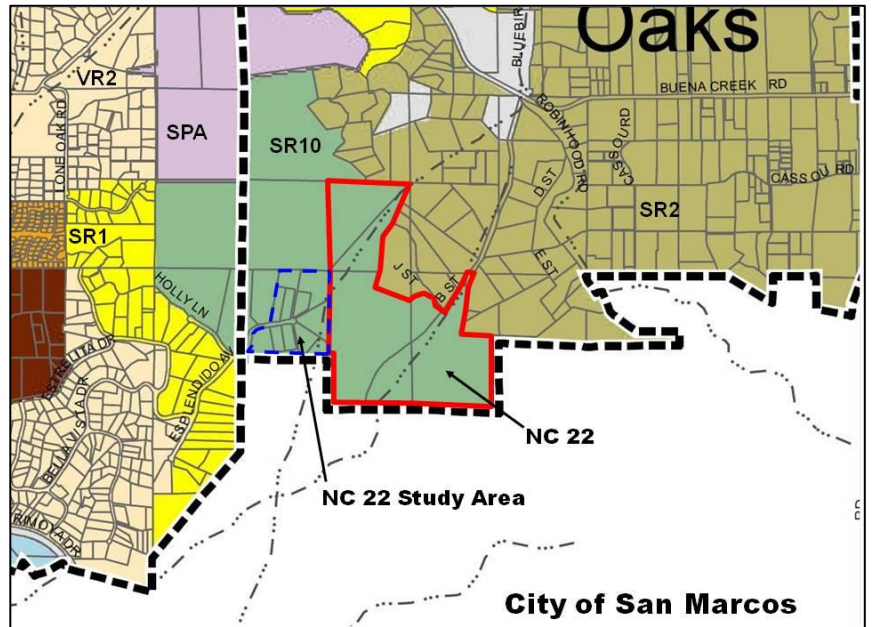
NC22 and Study Area

Existing GP Designation(s)	SR10
Requestor(s) Position: Support workplan designations	
Area (acres): 158 [130.9 PSR; 27.1 study area]	
# of parcels: 18	

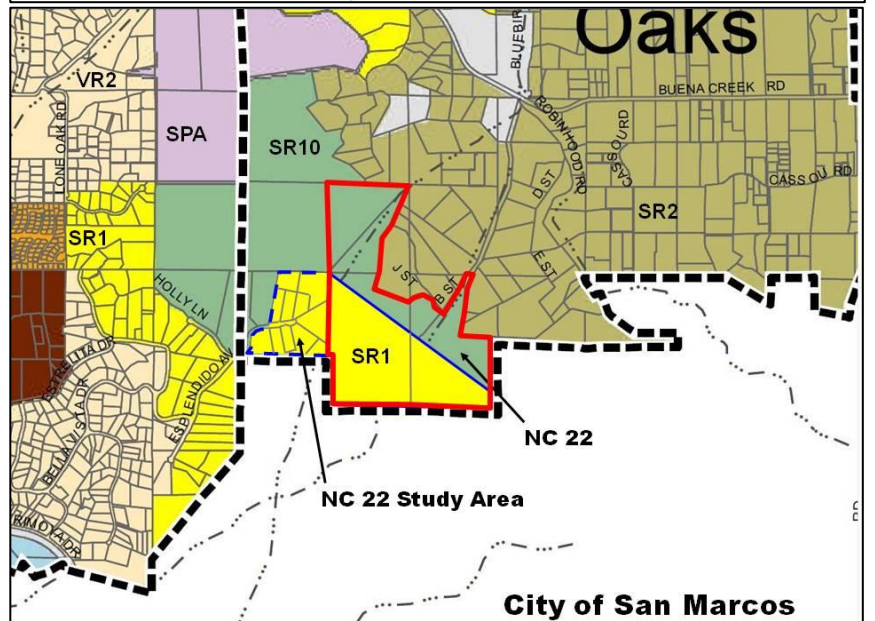
Workplan Designations Evaluated	SR10/SR1
CPG Position	Oppose
Opposition Expected	Yes
# of Additional Dwelling Units	44
Complexity	High

Discussion: This property is adjacent to the City of San Marcos and the City had previously approved a project for this property. The project obtained several other approvals (including a Section 404 permit from the Corps and Section 6 Biological Opinion from the U.S. Fish and Wildlife Service) but never annexed to the City. Most, if not all, project approvals have now expired but the property owner would like the ability to pursue a similar project. The workplan designation would apply SR1 to the southwestern portion of the property which is adjacent to existing development to the south. A corridor of SR10 would be retained along the northeastern portion of the property to reflect the likely open space configuration that would be associated with the development and to recognize the value of this portion of the property as a wildlife linkage. (continued on next page)

Existing General Plan Designation:



Workplan Designations Evaluated:



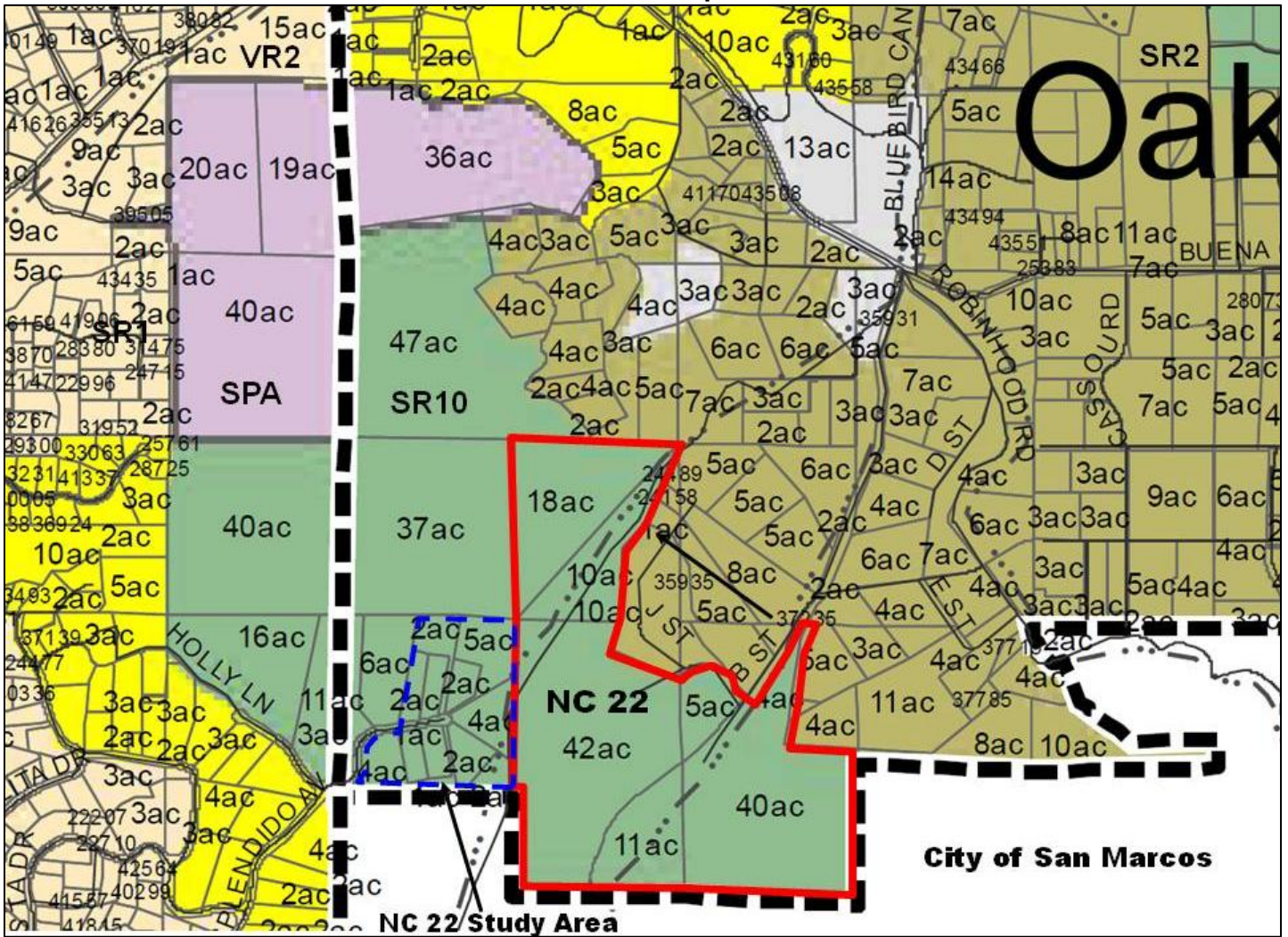
NC22 and Study Area

Discussion (continued): The ultimate design of the project would be determined when discretionary approvals from the County, State, and federal agencies are applied for. A small study area is included with this request to reflect a subdivided area adjoining the site and provide some similar potential for additional development.

Rationale for High Complexity Classification:

- Wetlands and High to Very High habitat areas exist on the property and would require mitigation and environmental review as part of any study involving introducing higher density and development to the area, to maintain compliance with Policies LU-10.2, LU-6.1 and LU-6.2.
- Numerous studies and permits have already been completed for the property but have lapsed. New environmental studies would be required with any new land development project.
- The property is at the center of an intersection between two important wildlife corridors for the area. Agua Hedionda Creek flows from the northeast to the southwest, through the property. The headwaters of the creek lie in the vicinity of the property, and thus higher density development in this area could have detrimental effects on water quality and downstream erosion in the watershed. In addition, the property lies in the center of a large northwest to southeast undeveloped wildlife corridor, stretching nearly 3 miles through the southern portion of the Twin Oaks Valley unincorporated community and into the City of San Marcos. This is one of the larger remaining corridors in the North County Metro area, and it has long been considered an essential component of the upcoming North County MSCP.
- Review of the workplan designations is essential to address consistency with Policy LU-2.4, ensuring that the land uses and densities reflect the unique issues and character of a community is essential. In accordance with LU-6.1, low density land use designations should be assigned to areas with sensitive natural resources (such as, extensive Coastal Sage Scrub on steep slopes, and a wetland corridor).
- Since the study area borders the incorporated City of San Marcos, it will be necessary to address consistency with Policy LU-2.6, requiring that development in the vicinity of neighboring jurisdictions retain the character of the unincorporated community. Similarly, Policy LU-10.3 requires the use of Semi-Rural and Rural designations to serve as buffers between communities.

Lot Size Map



For Additional Information (January 9, 2012 Staff Report): [NC22](#)

Subj: **Fw: NC22**
 Date: 3/25/2012 6:11:22 PM Pacific Daylight Time
 From: sifarrell@cox.net
 To: ClarkeMH@aol.com
 File: **BOSanMarcosHighlands_Kubba-portionofdoccopy.PDF.zip** (2591134 bytes) DL Time (50666 bps): < 14 minutes
Sent from the Internet (Details)

----- Original Message -----

From: sifarrell
To: Wong, Jimmy ; Muto, Devon
Sent: Sunday, January 22, 2012 6:32 PM
Subject: NC22

Hi Jimmy and Devon,

I am writing to you as an individual in regards to testimony presented at last Board hearing on Property Specific Request NC-22. I would like to know when this matter will be heard again before the Board of Supervisors.

In response to the testimony by Mr. Kubba and Mr. Simmons I have the following comments:

1. KUBBA/SIMMONS: *" did get a map for 191 lots."*

Comment: Although there was many years ago an approved TMP through the City of San Marcos, they failed to get an extension for the map in 2006. There is no approved TPM for the property at this time. I asked Garth Koller at the City of San Marcos to confirm this and he said no maps had been presented to the City since the Council voted to deny the map extension. (Please see Attachment *Council vote 2006 San Marcos Highlands tpm.pdf*)

2. KUBBA/SIMMONS: *"20% developed with 80 as open space. "*

Comment: Due to steep slopes and Agua Hedionda Creek, Vista Irrigation District flume Right-Of Way and County Water Authority Right of Way for two lines of the San Diego Aqueduct, most of the property is constrained and there is likely only about 20% of the property that is economically feasible to develop. Mr. Kubba, an engineer and seasoned developer, was aware of these constraints when he purchased the property.

3. KUBBA/SIMMONS: *" we met the requirement of 400 ft corridor from north-west to south-east"*

Comment: What Mr. Kubba failed to mention was that his project also needed 400ft-500ft from the adjacent County property, including the property of my family. We asked the City of San Marcos and Kubba to use the old GP designation to limit the encroachment his project would have and the adjacent County residents. (Please see Attachment *scan of alternatives to smh layout.jpg*)

4. KUBBA/SIMMONS: *"tried to conform to county rules to conform to clustering. " and "We did look at an alternative for 30 units but it was a Hodge podge"*

Comment: The project design was in place before current County Clustering policies were in place. The adjacent property owners were never shown maps of either an unclustered project or a project that complied with the County General Plan. I did present to the City two alternatives to the original layout. (see scan of alternatives to smh layout) Note that these alternatives were before an additional 61 acres were added along the ridgetop to the project.

5. KUBBA/SIMMONS: *"This property is consistent with MSCP where the agencies said it is consistent"*

Comment: The Biological Opinion and numerous letters for the Wildlife Agencies and EPA clearly demonstrate there was lack of agreement and repeatedly raised concerns over the project's impacts. These letters are all part of public record. Of concern was:

- a. the lack of sufficient wildlife corridors.
- b. lack of connections from areas San Marcos showed in the draft MHCP subarea plan to areas in the County. (Tai Estates) and others where open space was being set aside as part of the development process.
- c. **impacts of the extension of Las Posas Road to Buena Creek Road. The road was planning to go along the riparian corridor which is same path of travel used by wildlife. Las Posas in this location could create a mortality sink.**

(Please review the Biological Opinion for the San Marcos Highlands, and review the substaintial record from the Wildlifa Agencies on this project Also see attchement: *EPA to Lafco 12-02 low res.pdf*)

Please let me know if I've interpreted any of these documents in error. I think there is a project for this site but not one that is so out of character with the adjacent County properties or does so much damage wildlife and Agua Hedionda Creek. Let them come up with a reasonable project that honors the environmental constraints of the site.

Thank you for your consideration in this matter.

Sandra Farrell
Ph: 760-415-3349

Johnston, Kevin

From: slfarrell [<mailto:slfarrell@cox.net>]

Sent: Sunday, March 25, 2012 2:51 PM

To: Fogg, Mindy

Cc: sandilord@cox.net; Holley, Lisa K.; Suzanne Hosie; swhumphrey7@cox.net; trhumphrey7@cox.net; amomentindesign@cox.net

Subject: NC22 Study Area- my questions and response based upon the March documents to the Board of Supervisors

Hi Mindy,

I hope you can clarify some questions and understand my concerns regarding the NC22 property specific request and Study Area as described in the March 20th letter from the County. I've included links and some information so my neighbors can understand some of the background and go online to find more detailed information.

In January 2012 Mr. Kubba's consultant Mr. Simmons requested the density change from the Board of Supervisors for his property that abuts properties along Esplendido Ave.

http://www.sdcounty.ca.gov/dplu/gpupdate/docs/BOS_Jan2012/01092012_Regular_mo.pdf

Attached are the details of Mr. Kubba's request from the Board of Supervisor's March hearing with the full set of documents for the hearing on line.

http://www.sdcounty.ca.gov/dplu/gpupdate/docs/BOS_March_2011/C12_NCM_3162011.pdf

At that time, the City of San Marcos and Mr. Kubba through consultant Jim Simmons, requested SR2 or 1 dwelling unit per 2 acres and not SR1 that is in the March 20th letter. The SR1 density is twice the density of the SR2 density. Can you tell me if this has changed and when it changed to SR2 to SR1?

Knowing that Mr. Kubba owns approximate 261 acres, with 130 acres within the City of San Marcos and 131 acres in the unincorporated County is a concern to me. The developable portion--not on steep slopes-- is in the portion of the property that is shown as NC22 and in unincorporated County. If the County assigns a density that is similar to the City of San Marcos, it will prompt annexation of Mr. Kubba's property to the City which will allow him to develop under the City's 1990 Specific Plan Amendment. This specific plan amendment allowed a maximum density of 300 dwellings for the entire site. Attached is a copy of the map Mr. Kubba tried to process through the City and failed to get extended in 2006. You will see this map places a very dense development against existing rural County residents, requires removal of the existing pond, extensive grading, and place Las Posas Road up through the middle of a recognized wildlife corridor that follows along Agua Hedionda Creek. Can you tell me if the County been requested to aid annexation by increasing the density for this area? Is there a person or agency making this request?

As I understand it, the County's new clustering policies would allow Mr. Kubba to circumvent the steep slope reduction on his, creating a project on the 131 acres having a maximum yield of 131 dwellings with the SR2 designation and 261 dwellings with the SR1 designation. Can you provide detail on how clustering will impact yield?

County staff recommended SR10 or 1 dwelling per 10 acres. Although not shown on the attached report, the Twin Oaks Community Sponsor Group supported staff's recommendation of SR10 for the Kubba property. Under SR10 I believe a clustered project would have a maximum yield of 14 dwellings which would more closely match the density of the adjacent County areas and homes in my neighborhood.

My mother and I don't support either the SR1 or SR2 for our area or Mr Kubba's property. The steep slopes, presence of wildlife, and quiet environment is the reason my family moved here in 1961 and why we continue to live here today. Many of the homes on Esplendido reflect the individual sprit of our rural community. We value our open space, our privacy, and the wildlife. Many of the homes on Esplendido have been occupied by the same families for many years; far longer than what is normally found in many more urban communities.

As an individual who values our wonderful wildlife, habitat, and quiet community, I'm concerned Mr. Kubba's request will cause us to lose everything we moved here for. I acknowledge his right to develop his property but not in a manner that is a detriment to his neighbors, the community, and the wildlife of our area. Development needs to acknowledge the topography and the resources that make a site unique. The Board of Supervisors paid for a staff of experienced and knowledgeable planners. I believe the SR10 designation is the correct designation for NC22 and our area.

Thank you very much for your consideration.

Sincerely,

Sandra Farrell
1900 Esplendido Ave
Vista, CA 92084

Ph: 760-415-3349

Johnston, Kevin

From: Muto, Devon
Sent: Monday, March 26, 2012 10:24 AM
To: Howard, Daniel; Johnston, Kevin
Subject: FW: NC-22

Please file

From: sandilord@cox.net [<mailto:sandilord@cox.net>]
Sent: Sunday, March 25, 2012 1:36 PM
To: Undisclosed recipients
Subject: NC-22

Please do not increase the density of our small semi-rural paradise. We like it the way it is.

A few years ago, an Orange County developer tried to put some 300 houses in the valley below the hilltop where we and our neighbors live. This was his second attempt. His first try was ended by a recession about 20 years ago. He apparently was forced by the economy at that time to withdraw his request for rezoning.

Again, he requested a large number of home sites, including what appeared to be apartments, on the parcel he owns below us, through which a creek and a couple of ponds run. This time it was to be a clustered community, surrounded by wilderness through which our local animals travel for water. This includes deer, bobcats, coyotes and the occasional mountain lion. These animals help keep the ecology here in balance, particularly with respect to rabbits and rodents, which are also important to the ecology of the region. But without the predators, the rabbits and rodents will overpopulate and wreak havoc in our semi-rural neighborhood and rural areas adjacent.

In addition, the traffic is already extremely heavy for our neighbors in the valley to our east, which provides the only ingress/egress to this land. Adding hundreds of additional residents to this burden is unfair to our neighbors, as well as to the students/faculty/staff of Palomar College, whose traffic this affects greatly.

We have already fought this proposed development twice with the City of San Marcos, over the twenty-something years we have lived here. Please do not change the zoning in NC-22 to enable this ill-advised over-development of our valley. There are plenty of other places in the North County to build without changing the character of our surroundings solely for the purpose of allowing a rich developer to become richer.

This area can be built as intended, as low-density rural homes with room for people, livestock and wildlife, without unduly harming the daily lives of its current residents. PLEASE don't allow this rezoning.

And if at all possible, please hold hearings in this area, to prevent dozens of residents having to travel to San Diego for a matter of local concern.

Thanks for listening,

Sandi Lord
1901 Esplendido Ave.
Vista, CA 92084

Memo to: Mindy Fogg and DPLU Staff
From: Mary Clarke, Sierra Club and Friends of Hedionda Creek
Subject: Property Owner's request to change zoning to allow more density
(Property Specific Request NC-22)
Date: March 28, 2012

INTRODUCTION

Sandra Farrell and I have requested this meeting to provide DPLU staff with information and documents to support the current GP2020 zoning on the Kubba property in the County, north of San Marcos. The property owner, Mr. Kubba, has requested that the zoning be changed from 1 du per 10 acres to 1 du per 2 acres. We understand that the City of San Marcos has also made this request.

BACKGROUND

We became aware that Mr. Kubba wanted to develop his property when CEQA documents were made available to the public, in the 1999 timeframe. We were immediately concerned because his development of about 230 clustered dwelling units, in both the City of San Marcos and the County, would have severe impacts on the headwaters of Agua Hedionda Creek; would involve removal of a significant amount of native habitat (CSS and wetlands habitat) on the property; and would require the extension of Las Posas Road through the wetlands. In addition, the clustered development would be at odds with the low-density, rural nature of the surrounding properties in the County. The proposed development was called the San Marcos Highlands. The development would be in both the City and the County. The City planned to annex the Kubba property in the County.

Due to the environmental impacts of the Highlands project, various agencies became involved, including the Wildlife Agencies, the EPA, the Army Corps of Engineers, and the County. (See related documents.) Also, environmental organizations such as the Sierra Club and the Endangered Habitats League opposed the project.

Neighboring property owners also opposed the project. At the final hearing at the City on this project, in 2006, when the City Council had to decide whether to give the developer another time extension on the project (to get his permits), many County residents spoke against the project. The City Council decided not to allow another time extension.

Since the time extension was denied in 2006, we have worked with Mr. Kubba to try to buy this property for conservation. The CA Dept. of Fish and Game supports this acquisition and has said that Section 6 funds would be available to help buy it. However, the appraised value of the property (\$9.5 - \$10 million) was not high enough to meet Mr. Kubba's expectation of at least \$12 million, so the acquisition could not proceed.

INFORMATION AND DOCUMENTATION IN SUPPORT OF THE CURRENT ZONING (one du per 10 acres)

* Sandra Farrell's letter of January 22, 2012, to County Staff, addressing several

statements that were made by Mr. Kubba and his representative, Mr. Simmons, at the Board of Supervisors' hearing. Their statements included some misleading information. Sandra provided the following documents to help clarify the issues:

- Transcript of the Council hearing, City of San Marcos, 1/24/06.
- The Biological Opinion from the US Fish and Wildlife Service to the ACOE, 4/8/05.
- Letter from EPA to LAFCO dated 12/31/02.
- Letter from Wildlife Agencies to the City of San Marcos dated 12/28/ 2001, Comments on the Supplemental EIR – Highlands project.

- * The County has identified the Kubba property in the County as “high” to “very high” in habitat value, and has included the County portion of the property in the North County MSCP PAMA. (See “Revised Preliminary Draft, North County Multiple Species Conservation Program, Volume I,” Figure 1A, County of San Diego, 2/25/08)
- * The County has also identified lands to the northwest of and contiguous to the Kubba property as PAMA; all these lands form one large, biologically important open space area, intended for conservation. (See map of area, showing currently conserved properties, and the importance of the Kubba property as a link between the conserved properties in the City of San Marcos and the County.)
- * The Wildlife Agencies have stated that the Murai property, adjacent to the Kubba property on the southwest side, is in a 75% conservation area in the MHCP, and only 25% of this property on the northwest side of Agua Hedionda Creek may be developed. (Letter from CA Dept. of Fish and Game, “Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of San Marcos General Plan and Zoning Ordinance Update Project SCH# 2011071028,” 8/9/11, page 2, item 2. under Specific Comments.)

CONCLUSION

The current GP 2020 zoning of one du per 10 acres is appropriate to the site and should be retained. (See map of possible development of the Kubba property under the current zoning of 1 du/10 acres, prepared by Sandra Farrell.)

Since we have been working on the issues of conservation/development of the Kubba property for over 10 years, we have accumulated a lot of documentation. We would like to provide County Staff with whatever they might need to support the retention of the current GP 2020 zoning of 1 du/10 acres.

We urge the staff to recommend denial of any zoning on the Kubba property that will allow more dense development than 1du/10 acres.

Thank you for your time and consideration of our position.

Sincerely,



Johnston, Kevin

From: Lisa Holley [lisa.k.holley@gmail.com]
Sent: Wednesday, April 04, 2012 8:40 PM
To: Fogg, Mindy; Muto, Devon; Johnston, Kevin
Cc: sifarrell@cox.net
Subject: SR 10 designation - Kubba property

Dear Sirs and Madam,

I am writing this email in support of maintaining the SR 10 designation for the Kubba property and my home area. I am a home owner on Esplendido Ave and have lived her for 15 years now. I have lived in Southern California my entire life.

In the last 30 years we have seen population density rise to the point that it has become a planning crisis. In 1990 the population in San Marcos was approximately 39,000 people. In 2010, already 2 years ago, it was nearly 84,000 people. And San Marcos is not alone. A staggering percentage of the population growth in San Diego County has occurred in the North County areas. We have not only seen our traffic stretched to the limit, our water resources strained and our quality of life eroded, but we have lost precious watershed and habitat that are necessary to maintain the land and animals that are part of what North County always has been and should continue to be.

I understand that with continued population growth in this world (in my lifetime the world has gone from less than 3 billion to over 7 billion people) that building more places for people to live is inevitable. However, without a sustainable plan to balance our quality of life, our history, our resources, and our infrastructure we will only be participants in the loss of our land and quality of life. My vote is not to just build and build without thoughtful planning, but work instead on a real plan that meets the needs of all that share their lives here.

The Kubba property contains key watershed. I have watched hundreds of waterfowl fly in this year. It is well documented that Coastal wetlands are among the most endangered habitat types in the world, second only to tropical rain forests. It's estimated that more than 50% of the wetlands in the continental United States have been irreversibly altered or destroyed. We have lost more than 90% in the last 200 years. San Diego County wetlands are probably the most threatened resource on the California coast. The sane thing to do is to say no Mr Kubba, it makes no sense in this year 2012 with all that we have seen and learned in the last 20 years to sacrifice yet more watershed, more land, more open habitat to build more homes next to the 78 freeway. Instead, we need a real, practical, sustainable plan to address all of the concerns pressing on North County. Our infrasture, our resources, our quality of life, our vision for the future, and our ability to sustain all of it.

My vote is to keep SR 10

Thank-you for your consideration.

Lisa Holley
760-822-5859

Johnston, Kevin

From: swhumphrey7@cox.net
Sent: Wednesday, April 04, 2012 11:32 PM
To: Fogg, Mindy; Johnston, Kevin
Cc: Muto, Devon
Subject: Study Area NC 22

Dear Ms. Fogg,
Mr. Moto
Mr. Johnston

April 4, 2012

RE: Study Area NC 22

As a long time property owner on Esplendido Ave, I am very much in favor of retaining the recommendation of the County staff of a SR10 designation for the Study Area NC22, and the adjacent NC22 area. We are a peaceful rural area. Many people enjoy the uniqueness of the area and have developed a life style appropriate for the surroundings. The sloping land has added to the beauty of the area and provided homes for wildlife. Increasing the density, even with clustering, as Mr. Kubba has suggested, would do nothing but downgrade the area. Some wildlife has been able to survive in what is left of the Agua Hedionda Creek. Migratory birds find resting places in the lakes though there are not as many as in previous years. Year around wildlife have been able to use the corridors. Increasing density would cut them off from what is left of open areas. There has been a failure to recognize the value to the people of these limited flora and fauna areas in San Diego County.

The homes surrounding NC22 are on large lots. People have purchased them because they like the rural quiet life. They like space between houses. My husband and I do not want to loose that atmosphere.

Please consider the people that already live in the area and give it the SR10 designation.

Sincerely,

Sue Humphrey

Johnston, Kevin

From: slfarrell [slfarrell@cox.net]
Sent: Wednesday, April 18, 2012 10:14 AM
To: Johnston, Kevin
Subject: Fw: San Marcos Highland Project

----- Original Message -----

From: [marie villescas](mailto:marie.villescas)
To: slfarrell@cox.net
Sent: Saturday, March 31, 2012 5:29 PM
Subject: Fw: San Marcos Highland Project

----- Original Message -----

From: [marie villescas](mailto:marie.villescas)
To: mindy.Fogg@sdcounty.ca.gov
Sent: Saturday, March 31, 2012 5:24 PM
Subject: San Marcos Highland Project

Hello,

I would like to let whoever is in charge of the San Marcos Highland Project that we, Allen and Marie Villescas are Not in favor of moving forward with this project.

We bought this property 12 years ago to get away from dense housing. We lived in the Glenaire homes on south Melrose drive in Shadowridge. When we found this place it was like a breath of fresh air having the serene quiet, wildlife and rural living.

Your plan would change that in so many ways. Our property would be greatly impacted by this change of ten acres per dwelling to something else.

We want to protect this land surrounding us.

Please help us keep it rural.

Thank you for your time...Blessings...

Allen and Marie Villescas

1884 Esplendido Ave

Vista

Johnston, Kevin

From: Wilson, Robert [Robert.Wilson@sdsheriff.org]
Sent: Friday, April 13, 2012 12:42 PM
To: Fogg, Mindy; Muto, Devon; Johnston, Kevin
Subject: zoning change in area NC22

With regard to the proposed zoning change from SR 10 in area NC22, as a long time resident, I heartily object to the mitigation of this rural area.

Robert K. Wilson
760 519-4802

Twin Oaks Valley Community Sponsor Group Meeting

May 16, 2012

General Plan Update:

NC38 - Farrell reviewed the Property Specific Request which is to increase the density from the existing General Plan of one dwelling unit per two acres (SR-2) to one dwelling unit per acre (SR1). Past Sponsor Group actions on this issue, were reviewed from past meeting minutes, going back to January 2011. Tonight the County has requested clarification on past actions regarding NC-38 which was in the NC-48 study area. Farrell reviewed the floodway and floodplain issues per the Goals and Policies in the General Plan and flood plain maps and other information provided by the County. Floodplain and Floodway issues are on three of the properties; the floodway comprises about 6.5 acres out of 30.4 total acres. She reviewed correspondence provided by County staff regarding development in the floodway fringe. There would be about 13 acres outside the floodplain County Staff had said If a General Plan Amendment were approved to change the designation to SR-1, the zoning minimum lot size would be updated to allow 1-acre lots, the owner could get smaller lots than the zoning minimum by using lot area averaging with an Administrative Permit tied to the subdivision project. Staff couldn't say what would be required but likely a clustered project with pads outside the floodplain. There are other issues that could also be identified in the discretionary review process. No one representing the applicant was in attendance; however a neighbor to the property near NC 38 spoke in opposition to the increase in density. Farrell spoke to the October 12, 2010 meeting of the Sponsor Group which was a special meeting to discuss the General Plan Update and property specific requests, the County Staff were participants in the meeting, there are no minutes of the meeting, however, Farrell did record it. It was at this meeting where a motion passed for NC-48 which included NC38 for the flat areas west of Low Chaparral which were currently SR-2 to be changed to SR-1 to match the character of existing development to the South. Farrell explained that at this time, staff had not completed their work, and no information especially about floodways was presented. At the January 19, 2011 sponsor group meeting the staff supplied documentation showing the parcel having significant areas within the floodplain, with high habitat, prime agricultural lands, and a recommendation to keep the property at SR-2. At this meeting the Sponsor Group voted to support staff position and keep the property at SR-2. After further discussion a motion was made by Morris to deny the applicants request and support County staff recommendation for the property to remain SR-2. Binns seconded the motion and it passed 5-0-0.

NC-41- Farrell reviewed the Property Specific Request and explained that we need to be consistent with the analysis of the request especially in light of the vote just taken on NC-38 to remain at SR-2, after further discussion, Farrell made a motion to support County staff recommendation for the property to remain at SR-2, Morris seconded the motion and it passed 5-0-0.

NC-48- Farrell reviewed this Property Specific Request Study Area and explained that due to the previous votes we need to be consistent and after further discussion Jemmott made a motion to support County staff recommendation for the property to remain at SR-2, Farrell seconded the motion and it passed 5-0-0.

NC-22 Study Area- Farrell recused herself, and Jemmott assumed the Chair. Jemmott provided background information on the NC 22 Study Area, and provided County Staff reports regarding the Property Specific Request to increase density from SR 10 (1 du per 10 acres) to SR 1 (1 du per acres) so that it will match a density requested by an adjacent property owner under NC22. The Board of Supervisors has directed staff to review the proposed land use designation to determine whether it can be moved to the moderate category. Staff has proposed for consideration a draft scenario dated February 22, 2012 which Jemmott handed out showing the scenario which designates 65 acres within NC 22 and an additional 28.4 acres of SR1 outside of NC22. Jemmott reviewed the area outside of the NC 22 which is the rural community at the end of Esplendido Ave. Speaking from the audience Farrell described this community at the end of Esplendido where she resides, and the objection that the other residents have to the property specific request of increasing the density in this area to SR 1. She read from correspondence of other property owners and their objection to the request, also in the audience were other neighbors who objected to the request. The NC 22 area was reviewed and general discussion related to the steep slopes, wetlands, habitat value and fire hazard. The areas adjacent to the NC 22 were also reviewed. After further discussion Morris made a motion to reaffirm the vote from the Sponsor Group meeting of March 16, 2011 which was to not make the change requested by the applicant, and to not approve the Draft Land Use Scenario dated February 22, 2012 and not approve the NC 22 Study area, but support the SR 10 per the October 2010 Recommended Project Map. Jemmott seconded the motion and it passed 4-0-0. Farrell returned to the Chair.