

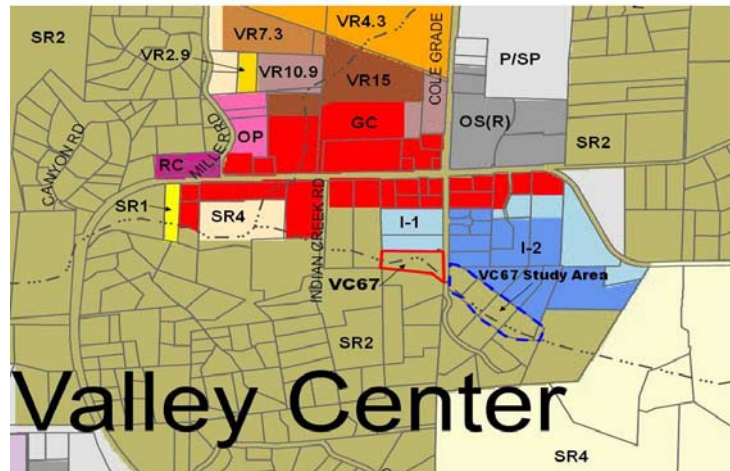
VC67 and Study Area (also linked to RM3)

Existing GP Designation	SR-2
Requestor(s) Position: I-2 (Medium Impact Industrial)	
Area (acres): 13.6 [4.3 PSR, 9.3 study area]	
# of parcels: 6	

Workplan Designation(s) Evaluated	N/A
CPG Position	No position
Opposition Expected	N/A
# of Additional Dwelling Units	N/A
Complexity	N/A

Discussion: VC67 and the associated study area are located almost entirely within a County designated floodway. Because the County of San Diego participates in the National Flood Insurance Program (NFIP), it is required to regulate private property consistent with federal criteria. Federal law (44 CFR 60.3(b)(4) and 60.3(d)(3)) prohibits encroachment in the floodway, unless it can be demonstrated that the proposed encroachment would not result in any increase in flood levels during an occurrence of the base flood (100-year flood) discharge. The County's Flood Damage Prevention Ordinance (Section 811.506) is consistent with Federal law and refers to this requirement as the 'No Rise' certification which substantially restricts the placement of any structures, materials, vehicles, or other obstructions on the property. FEMA generally allows structures on piers in the designated floodway, but in accordance with the County Zoning Ordinance (Section 5466) they cannot be used for human habitation, a place of work, or by the public. Additionally, the Resource Protection Ordinance Section 86.604c limits uses within a floodway to agricultural, recreational, and other such low-intensity uses provided that the use does not substantially harm the environmental values of a particular floodway area. Potentially viable uses on the property while it remains in a designated floodway include agriculture, a solar farm, and law enforcement vehicle storage, all of which are allowed under the current designation and zoning. Staff could foresee no Industrial use that could be in the floodway that would be consistent with County regulations and Federal guidance. Therefore the current designation and zoning best reflect the restricted nature of the site. The Board of Supervisors could provide direction for staff to restudy the area to determine whether the floodway is appropriately mapped. However, because the current mapping is based on 30+ year old data, it is possible that the flooding area would increase with the new mapping due to the added development in the community not considered when the current mapping was developed and the required use of newer calculation methodologies.

Existing General Plan Designations:

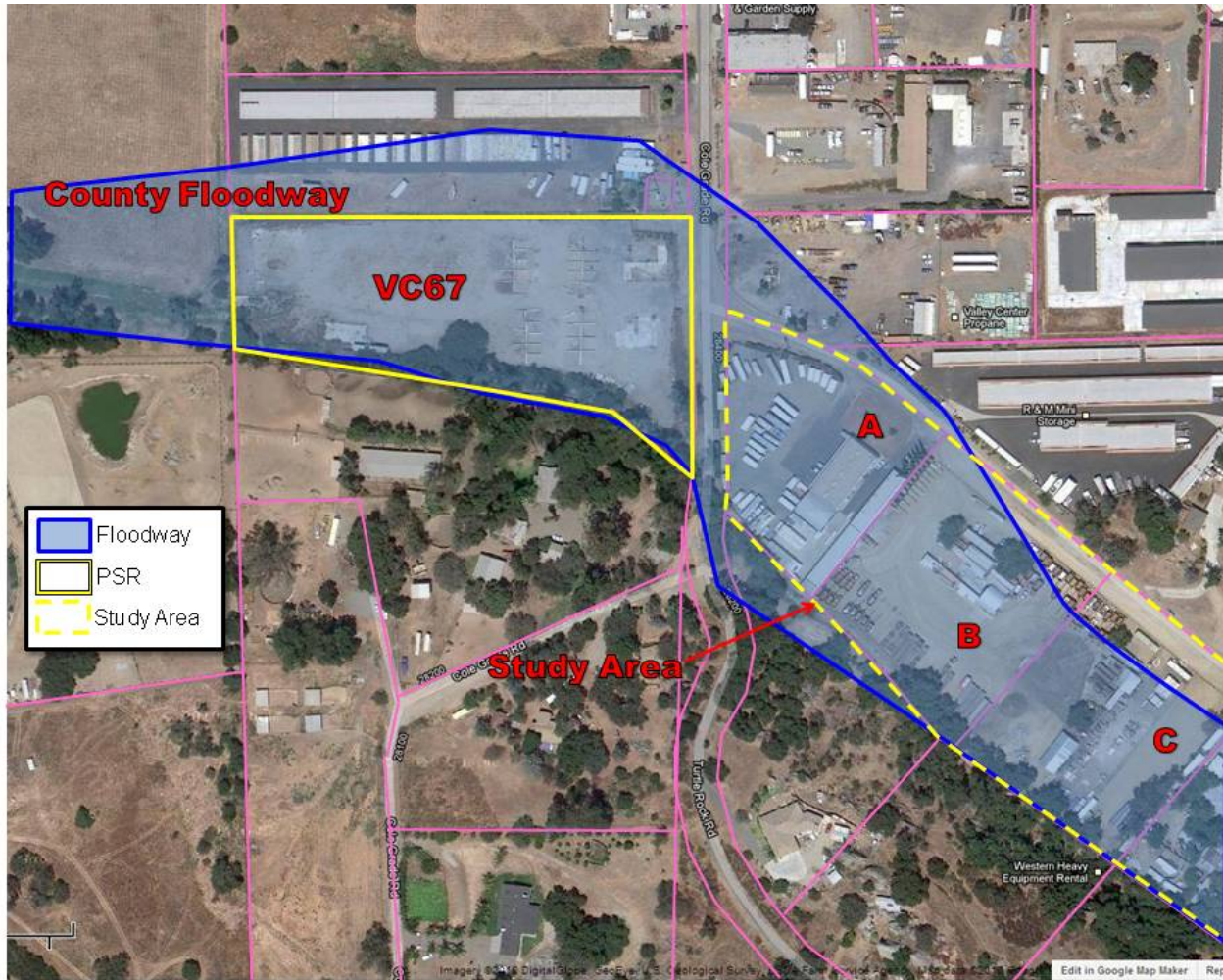


Workplan Designation(s) Evaluated:

N/A

VC67 and Study Area

VC67: APN 188-260-37



APN 188-260-37, 28404 Cole Grade Road Owner: Reed Family Trust 4.3 acres; approximately 4.2 acres in the floodway

Site Pictures



Property frontage facing west from Cole Grade Road



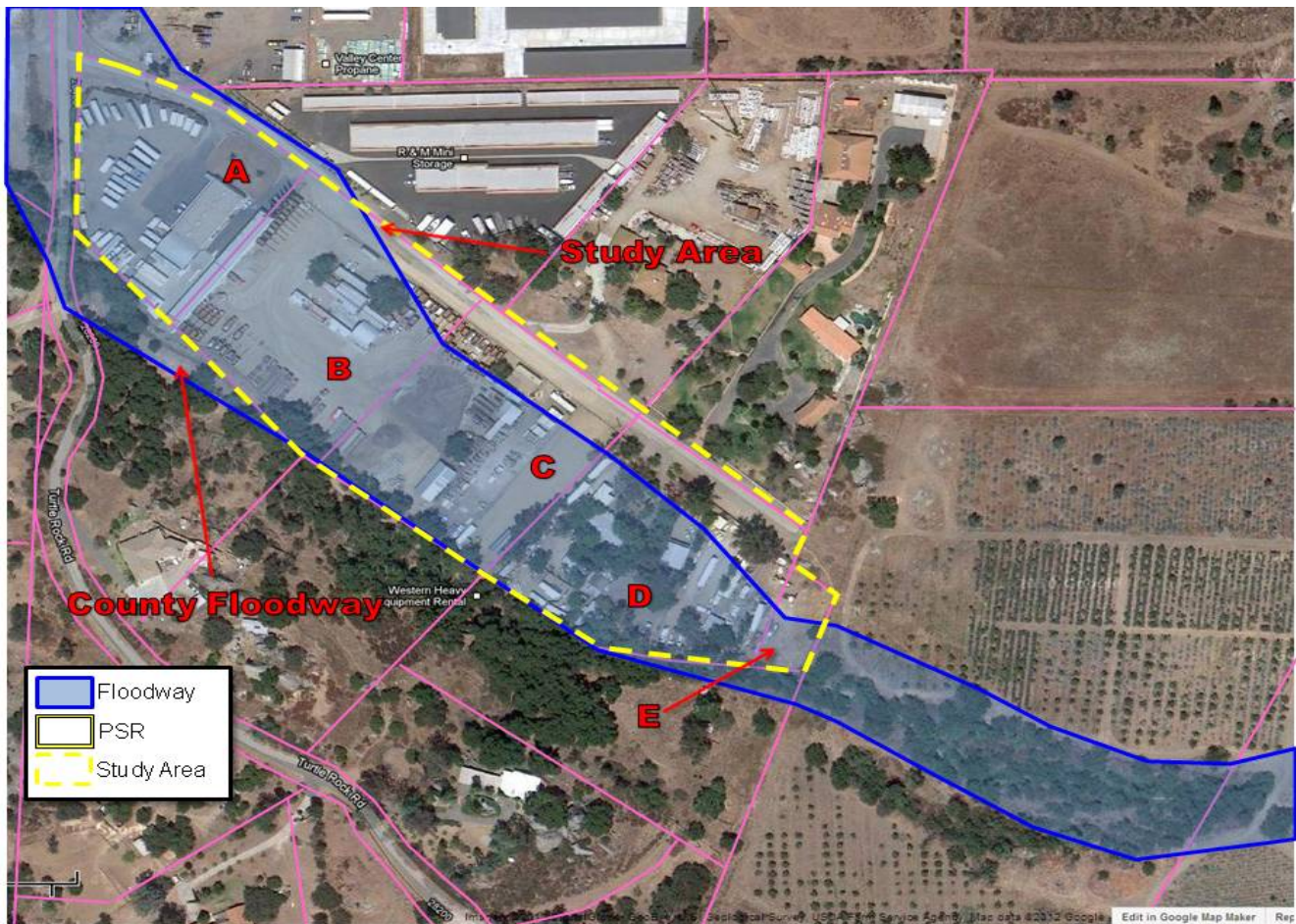
Facing southwest at subject property from the northern property line



Facing west at RV storage

Parcel	Uses Onsite	Code Compliance
VC67	Storage of mobile homes, trailers, RVs, boats, trucks, and construction equipment.	Active Code Enforcement case for unpermitted storage of trailer coaches, vehicles, mobile homes, construction materials, and cargo containers.

Study Area: APNs 189-013-16, 189-013-15, 189-013-12, 189-013-11, 189-013-27



Parcel	Uses Onsite	Code Compliance
Study Area Parcel A APN 189-013-16	Storage business - cargo containers, 2 storage buildings; outdoor storage of RVs, trucks, boats	Building permit issued in 1978 for one of the storage buildings, no other evidence of legal structures; No active Code Enforcement cases; Parcel flagged to not issue any permits until Flood Control approves
Study Area Parcel B APN 189-013-15	Quonset hut storage, office trailer, cargo containers, several truck trailers, lumber	No evidence of existing legal structures; No active Code Enforcement cases ; Parcel flagged to not issue any permits until Flood Control approves
Study Area Parcel C APN 189-013-12	Cargo containers, several truck trailers, lumber, stockpiles	Building permit for a shed; No active Code Enforcement cases; Parcel flagged to not issue any permits until Flood Control approves
Study Area Parcel D APN 189-013-11	Second building (unknown use), awning, truck storage, cargo containers, propane tank storage	Building permits for modular home and 2 sheds, no other evidence of legal structures; No active Code Enforcement cases; Parcel flagged to not issue any permits until Flood Control approves
Study Area Parcel E APN 189-013-27	Cargo containers, awnings, truck and semi-trailer storage	No active Code Enforcement cases; Parcel flagged to not issue any permits until Flood Control approves

Study Area Parcel Pictures

Study Area Parcel A, APN 189-013-16, 28325 Cole Grade Road



Facing southeast at frontage/signage from Cole Grade Road



Facing south at storage building, Quonset hut storage, and outdoor RV storage



Facing south at storage units

Study Area Parcels B & C, APN 189-013-15, 28329 Cole Grade Road and APN 189-013-12, 28333 Cole Grade Road (uses cover both lots, with no fencing or wall separation)



Facing south at stockpiles, trucks, and trailers



Facing west at semi trailers along northern property line



Facing south at lumber stockpiles

Study Area Parcel D, APN 189-013-11, 28335 Cole Grade Road



Facing south at possible residential structure, awning, and cargo containers



Facing southwest at propane storage tank storage



Facing south at possible office structure and truck storage

Study Area Parcel E, APN 189-013-27, (adjacent to, and east of 28335 Cole Grade Road)



Facing southeast at vehicle storage and cargo containers



Facing south at cargo containers



Facing southeast at vehicle storage

Background

Federal Regulations

The County participates in the National Flood Insurance Program (NFIP). The NFIP is administered by the Federal Emergency Management Agency (FEMA). Through the NFIP, FEMA works with private insurance companies to provide flood insurance to property owners and renters. As a requirement for participating in the NFIP, the County agrees to adopt and enforce ordinances that meet or exceed FEMA standards for floodplain management. The County also participates in FEMA's Community Rating System. This is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. Currently, the County has a rating of '6' in this program (with a '1' as the highest rating). A rating of '6' allows for a 20% reduction in standard flood insurance rates for properties in Special Flood Hazard Areas (SFHAs) and a 10% reduction in rates for properties outside of SFHAs. The SFHA includes the floodway and floodplain.

The permitting of incompatible development in floodways and floodplains could put the County at risk, in terms of NFIP participation and/or Community Rating System reviews. In addition to the provision of flood insurance through FEMA, participation in the NFIP allows a community to access disaster mitigation grants for flood disasters. If FEMA audits reveal the permitting of incompatible uses, or easing of floodplain/floodway regulations and enforcement, the County risks both suspension of the class 6 rating in FEMA's Community Rating System, leading to higher flood insurance rates in the County, and probation or suspension from the NFIP, possibly leading to loss of the availability of flood insurance, federal grants, and disaster assistance.

An integral requirement in the federal regulations for floodways is found in section 60.3d(3) of Title 44, Code of Federal Regulations, which states,

"Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;"

County Regulations

Floodway development in the County is regulated by the Flood Damage Prevention Ordinance, the Grading Ordinance, the Watershed Protection Ordinance, the Resource Protection Ordinance, and the Zoning Ordinance, in addition to state and federal regulations on watercourses. The floodway includes the watercourse channel and adjacent land required to discharge the 100-year flood without increasing the water surface elevation more than one foot. This definition used in County floodway regulations is in accordance with the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) requirements.

The County Flood Damage Prevention Ordinance requires a 'No Rise' certificate issuance before any encroachment, structures, fill, or storage is allowed in the floodway. A 'No Rise' certificate requires the applicant to prove that any obstructions or modifications to the floodway would not result in an increase in the water surface level of the 100-year flood. A 'No Rise' certificate is rarely achieved. This County regulation for floodways is in accordance with the FEMA regulation.

Section 811.506 of the County Code of Regulatory Ordinances – Flood Damage Prevention Ordinance notes,

"No encroachments, structures, fill, new construction, substantial improvements, additions, development, storage or placement of vehicles, debris or other materials, or other uses which may increase flood depths or interfere with flood flows to any degree are allowed unless certification by a registered professional engineer is provided to the Flood Plain Administrator through a "No Rise" Certification demonstrating that the proposed use shall not result in any increase in flood levels or the volume or velocity of flood flows during the occurrence of the base flood discharge."

Sections 5470 and 5472 of the Zoning Ordinance discuss the parameters for allowing the placement of temporary structures in the floodway during the dry season, and for allowing the parking of operational vehicles in the floodway, as incidental to a residential or business use. However, the "No Rise" Certification requirement would take precedence in the evaluation of these types of uses. Section 811.304 of the County Code of Regulatory Ordinances – Flood Damage Prevention Ordinance notes, "Where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the most stringent restrictions shall prevail."

The Property Specific Request subject parcel and study area parcel have uses, structures, and vehicle storage in the floodway, without permits. The subject parcel is involved in a current Code Enforcement case for unpermitted storage of vehicles, trailers, mobile homes, construction materials, and cargo containers.

Valley Center Design Review Board

January 11, 2012

Mr. Eric Gibson, Director
San Diego Department of Planning and Land Use
5201 Ruffin Road
San Diego, CA 92123-1666

RE: Jerry Gaughan's property at 28404 South Cole Grade Road (APN 188-260-37)

Dear Eric,

Jerry Gaughan visited the Design Review Board meeting yesterday to discuss the situation with his property at 28404 South Cole Grade Road, formerly and for many years the location of an aggregate supply business. This property is located in a section of the north village that has been designated for industrial businesses and activities for as long as anyone can remember.

Since Mr. Gaughan purchased the property he has done an admirable job of cleaning it up, installing new fencing back from the travel way where it must be to allow the landscape buffer called for in VC's Design Guidelines, and has begun to attractively landscape the road edge. Members of the Design Review Board are quite pleased with these initial improvements. We have also given Mr. Gaughan suggestions for varying plant material and are confident that he will, as he has assured us, install an attractive mix of plants as he continues to improve the look of the property.

Mr. Gaughan is significantly invested in Valley Center, as you know, and has a longstanding relationship with both our board and the community planning group. We have worked cooperatively and extensively for many years with him and his partners to create a new vision for the North Village that includes several properties and several hundred acres in the heart of town. As you may not know, Eric, Jerry and his partner Napoleon Zervas are to be commended for several years ago bringing a wonderful new design sensibility to the North Village project with the retaining of planner Richard Law and architect David Ko. Citizens for Century 3 awarded this effort with C3s Revelle Award.

Based on all of this history our Board is unanimous in our support of Mr. Gaughan in his efforts attempts to work out a solution for this property that will continue to benefit Valley Center and we hope that DPLU will assist this effort. As you know, Valley Center's industrial area is quite limited. Even though the property has been re-designated in the General Plan Update, the uses that Mr. Gaughan intends for the property are consistent with historical and current uses on surrounding properties.

Sincerely,



Lael Montgomery

cc: Jerry Gaughan
Rich Grunow
Dustin Steiner
DRB Members

Valley Center Community Planning Group

PO Box 127 Valley Center CA 92082



Oliver Smith
Chair

Ann Quinley
Vice Chair

Steve Hutchison
Secretary

Dave Anderson

Brian Bachman

Hans Britsch

Robert Davis

Bob Franck

Larry Glavinic

Deb Hofler

Mark Jackson

Christine Lewis

**LaVonne
Norwood-Johnson**

Rich Rudolf

Jon Vick

Mr. Eric Gibson, Director
San Diego Department of Planning and Land Use
5201 Ruffin Road
San Diego, CA 92123-1666

January 11, 2012

RE: Jerry Gaughan's property at 28404 South Cole Grade Road (APN 188-260-37)

Dear Eric,

Jerry Gaughan appeared before the Valley Center Community Planning Group and requested we provide you with a letter outlining our opinions regarding his proposed use of his property at 28404 South Cole Grade Road.

Jerry's presentation noted that the property had been zoned M54 prior to GP Update and zoning was revised to RR2 as part of GP Update. He is requesting that the property zoning be revised back to M54 to reflect the property usage as it has been over the last 30+ years. Prior to Jerry's acquisition, the property in question was last used as an aggregate storage area. Before that, it had been used in a number of other outdoor storage applications consistent with an industrial area.

Members of the Planning Group have visited the property and noted that it has been significantly cleaned up from the perceived eyesore it had been prior to his acquisition. The flat dirt surface has had depressions filled in and debris removed, the previously dilapidated fence repaired, and some landscaping buffer added in front of the fence along South Cole Grade Road. Jerry noted that the landscaping was based on suggestions by the Chair of the Valley Center Design Review Board.

The Valley Center Community Planning Group discussion highlighted that the property has been cleaned up from an aesthetics viewpoint and commended Mr. Gaughan on those improvements. We noted that the proposed outdoor storage use of the property is consistent with the previous property uses and other land in the area. In addition, the area is considered part of the industrial lands identified for Valley Center and the proposed use is in alignment with those considerations. Finally, Jerry and his partner have been working diligently with the planning group on a portion of the proposed North Village developments, resulting in a good working relationship between themselves and the planning group.

At our regular meeting on January 9, 2012, the Valley Center Community Planning Group voted to support a proposed M54 rezone and use of the property at 28404 South Cole Grade Road by Jerry Gaughan in a 13-0-0 vote with 2 members being absent.

If you have further questions, I can be reached at (760) 749-5899.

Respectfully,

Oliver Smith, Chair
Valley Center Community Planning Group

Cc: Dustin Steiner, Supervisor Horn Land Planning Advisor
Lael Montgomery, VCDRB Chair
Jerry Gaughan
Richard Grunow, DPLU Planner

Valley Center Community Planning Group

Preliminary Minutes of the March 12, 2012 Meeting

Chair: Oliver Smith; Vice Chair: Ann Quinley; Secretary: Steve Hutchison

7:00 pm at the Valley Center Community Hall; 28246 Lilac Road, Valley Center CA 92082

A=Absent/Abstain A/I=Agenda Item BOS=Board of Supervisors DPLU=Department of Planning and Land Use IAW=In Accordance With N=Nay
P=Present R=Recuse SC=Subcommittee TBD=To Be Determined VCCPG=Valley Center Community Planning Group Y=Yea

Forwarded to Members: 13 March 2012

Approved:

1.		Call to Order and Roll Call by Seat #:								7:08 PM				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
A N D E R S O N	H U T C H I S O N	H O F L E R	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W O S O O D N	S M I T H	J A C K S O N	R U D O L F	D A V I S	B A C H M A N
P	P	P	P	A	P	P	P	A	P	P	P	P	A	P

Notes: Lewis, Davis excused

Quorum Established: 12 present

Pledge of Allegiance

2. Approval of Minutes: February 13, 2012

Motion: Move to approve Minutes of February 13, 2012, as corrected

Maker/Second: Quinley/Glavinic

Carries/Fails 12-0-0 (Y-N-A): Voice

3. Open Forum:

Smith asks VCCPG if an audience member may speak in open forum to address a property specific request presented to BOS [not permitted to speak at BOS]; or, should he be included in item 5.e.? Rudolf, noting that the request was not part of the list of requests already included and reviewed as item 5.e., suggests he speak in open forum rather than 5.e., which would allow the VCCPG to vote on his request at the April meeting. Glavinic doesn't mind if proponent speaks tonight during 5.e. discussion. A vote to allow the proponent to speak during 5.e fails, so proponent is permitted to speak during open forum:
Abe Boulds owns the property at 28582 Valley Center Rd. He relates the history of his ownership, including a failed percolation test in 2008 that required him to retest. The poor economy made it impossible to move forward in 2009. He revisited the project in 2011. However, the property was down-zoned from commercial to rural residential as part of the General Plan Update process. He met with County staff, who indicated they would work with proponent. But, the staff said he must go before the VCCPG first. VCCPG denied his request to revert to a previous commercial designation. He indicates his willingness to help the community and recounts some of the ways he has cooperated in the interests of the community. However, he doesn't think the community is now returning the favor. The proponent has met with both Rudolf and Vick on this issue. The proponent is a longtime resident. Questions about the address of the property ensue with the previous owner attesting that he had properly obtained the address presented. Proponent will return in April.

MOTION: Move to allow property specific request proponent, Abe Boulds, to speak in conjunction with agenda item 5.e.

MAKER/SECOND: Smith/Quinley

Carries/Fails 5-7-0 (Y-N-A):

A N D E R S O N	H U T C H I S O N	H O F L E R	G L A V I N I C	B R I T S C H	F R A N C K	Q U I N L E Y	V I C K	L E W I S	N J O O R H W O S O O D N	S M I T H	J A C K S O N	R U D O L F	D A V I S	B A C H M A N
N	N	N	Y	A	N	Y	Y	A	Y	Y	N	N	A	N

right to do as they see fit. Rudolf says that the open-space in such cases is typically owned by a homeowners' association [HOA]. If the HOA dissolves, the zoning status could change. Glavinic worries about risk of losing open space to development. Jackson says the discussion is off track, these are General Plan issues and not design guideline issues. Montgomery's concerns are how the recommendations document fits into the regulatory system. The guidelines shouldn't apply to single family homes or conventional subdivisions. A further issue is whether the guidelines should be mandatory or voluntary. She believes they should be mandatory. She then reviews the major themes of the recommendations. The guidelines should be applied appropriately within the categories of use, i.e. rural residential, semi-rural residential, village, etc. We shouldn't apply village guidelines to rural residential areas, for example.

Motion: Move to accept the report of the GPU SC and ratify the recommendations in the DRB Recommendations [appended below] to be included with the DPLU staff's report to the BOS on Residential Design Guidelines, which were sent to Marcus Lubich prior to the 2/25/2012 deadline for comments.

Maker/Second: Rudolf/Quinley

Carries/Fails 11-1-0 (Y-N-A): Voice; Glavinic dissents

5.c.

Discussion and possible vote on the Draft County of San Diego Climate Action Plan, Draft Guidelines for Determining Significance: Climate Change as well as the Draft Report Format and Content Requirements: Greenhouse Gas Analyses and Reporting. Public Comment period runs from February 17, 2012 to March 10, 2012 (Smith)

Discussion:

No discussion

5.d.

Discussion and possible vote on the Escondido General Plan Update, EIR, Downtown Specific Plan Update, and Climate Action Plan as those plans impact Valley Center. Comments have been submitted in advance of the meeting by the VCCPG Chair and will be subject to a ratification vote. (Smith)

Discussion: Smith addresses development along Valley Center Rd. [Valley Pkwy in Escondido] that will likely impact traffic on Valley Center grade. Another area along I-15 was designated for commercial development that seemed misplaced. Smith sent an email to the City of Escondido objecting to plans for those two areas. Rudolf clarifies some technicalities in the plan, and notes the fuzziness of the boundaries of areas in question. He describes an annexation proposal that may lead to further development of land along the Valley Center grade in what is now designated open space. Glavinic addresses Sager Ranch development and suggests it should be subjected to much higher traffic impact fees [TIF] than what are now required. Rudolf says TIF only applies in County. Glavinic says an equivalent fee should be applied by City of Escondido. Smith says Mirar de Valle would have to be improved to provide second exit. Rudolf says there is no proposal to annex north of Daley Ranch.

Motion: Move to Ratify comments sent previously by the chair to County and include VCCPG's strenuous opposition to any proposed annexation by the City of Escondido east of Daley Ranch including anything east of Valley Center Road.

Maker/Second: Rudolf/Hofler

Carries/Fails 12-0-0 (Y-N-A): Voice

5.e

Discussion and vote on Property Specific requests including comments on Special Study Area 3. These items were considered at the February 23rd meeting of the General Plan Update Subcommittee. (Rudolf)

Discussion: Rudolf presents a review of property specific requests including the process history of some of the properties. He says all requests can be located on a map posted on the wall in the meeting room. Rudolf and Smith received two calls regarding particular requests, but no property owners attended the meeting of General Plan Update [GPU] SC on this topic and none are present tonight. Smith notes that he spoke to another property owner, advising him of opportunities to speak at this meeting and to other officials. The principal concern among requestors was downzoning to allow fewer dwellings per acre. However, no property owners are present to speak to this issue at this meeting. Rudolf reviews some history of the GPU process and why these requests would defeat the purpose and goals of the General Plan Update. Rudolf specifically

addresses Gaughan request but sees no reason to accept it. Glavinic voices his concerns about the process of downzoning. He also questions the development potential in Lilac Ranch considering a road is proposed through the property. Rudolf says that his best information is that it will not be developed. Smith addresses special study area 3a. Rudolf questions validity of allowing one property owner to up-end entire GPU process given the ramifications of avoiding spot zoning. Smith thinks this property might be addressed without causing a cascade of zoning changes. Rudolf defends recommendation by clarifying surrounding property designations that warrant the recommended designation.

Motion: Move to accept the recommendations as presented by the GPU SC [appended below]

Maker/Second: Rudolf/Hofler **Carries/Fails 11-1-0 (Y-N-A):** Voice Glavinic dissents

5.f. Approval of Vice Chair Quinley's expense statement of \$60 for post-office box rental in 2012. (Quinley)

Discussion: Smith notes a routine submission for expense reimbursement by Vice-Chair Quinley.

Motion: Move To approve expense statement submittal by Vice-Chair Quinley

Maker/Second: Hofler/Glavinic **Carries/Fails 12-0-0 (Y-N-A):** Voice

6. Subcommittee Reports & Business:

- a) Mobility – Robert Davis, Chair.
- b) GP Update – Richard Rudolf, Chair.
- c) Nominations – Hans Britsch, Chair.
- d) Northern Village – Ann Quinley, Chair.
- e) Parks & Recreation – Brian Bachman, Chair.
- f) Rancho Lilac – Ann Quinley, Chair. - inactive
- g) Southern Village – Jon Vick, Chair. :
- h) Spanish Trails/Segal Ranch – Mark Jackson, Chair. - inactive
- i) Tribal Liaison – Larry Glavinic, Chair:
- j) Website – Robert Davis, Chair:
- k) Pauma Ranch – Christine Lewis, Co-Chair; LaVonne Norwood-Johnson, Co-Chair.
- l) I-15/395 Master Planned Community [Accretive] – Steve Hutchison, Chair
- m) Equine Ordinance - Smith, Chair

7. Correspondence Received for September 12, 2011 Agenda:

- a) DPLU to VCCPG, Statement of Economic Interest (FORM 700) for VCCPG members. (all)
- b) City of Escondido Planning Division to VCCPG, Notice of Availability of a Draft Environmental Impact Report assessing the Escondido General Plan Update, Downtown Specific Plan Update and Climate Action Plan Draft. The Draft EIR is Available at <http://www.escondido.org/general-plan-update.aspx>. Written comments must be received by February 27, 2012 at 5:00 PM directed to Jay Petrek, AICP, Principal Planner, City of Escondido Planning Division, 201 North Broadway, Escondido, CA 92024
- c) DPLU to VCCPG; County of San Diego, DPLU will be the lead agency and will prepare an EIR for POD 11-011, Tiered Equine Ordinance which proposes amendments to the County of San Diego Zoning Ordinance for equine uses. It will implement a new tiered system of permitting for horse stables with both ministerial and discretionary tiers of permitting. (Smith)
- d) Tentative Agenda for March 9, 2012 meeting of the Traffic Advisory Committee. The meeting will begin at 9:00 AM in the Department of the Sheriff, Room 2, 9621 Ridgehaven Court in San Diego. (Note: there are no items of special concern to Valley Center on this agenda.
- e) Notice of Consideration of Award of Construction Contract for Asphalt Resurfacing and Culvert Replacement of various roads (Oracle Project 1016226). Road segments in Supervisor Horn's district (5) include Fallbrook Street from State Coach Lane to Main Avenue; Lago Lindo from Via De la Cumbre to Ave de Acacias; Via del la Valle from Paseo Delicias to Via de Santa Fe; 1st Street (DG Road) from Chica Rd to Huffstatler; Chica Rd (DG Road) from Rainbow Valley Blvd to 1st Street.

8. Motion to Adjourn: 8.57pm

Maker/Second: Smith/Quinley Carries/Fails (Y-N-A): 12-0-0 Voice

Note: Next regular meeting scheduled for 9 April 2012

Agenda Item 5.e.:

To: VCCPG

From: GPU Subcommittee

Re: Recommendations on Property-Specific post-GPU Referrals

Date: March 12, 2012

Recommendation:

Accept this Report and Recommend the Attached Chart and Recommendations be included with the DPLU staff's Report to the Board for May 2012, and forward them to Devon Muto ASAP.

Discussion:

See Attachment 1 hereto, 3/12/12 GPU Subcommittee Property-Specific Recommendations (vote: 7-0-0, except as noted below). The subcommittee recommends you recommend no changes from those you approved and sent to DPLU staff for inclusion in the new general Plan, on 1/31/2011. All members were present except Dave Anderson and Brian Bachman.

PREVIOUS ITEMS:

The subcommittee recommends that the Planning Group reaffirm its previous votes on all items 6 through 66 shown in the column "1/11 VCCPG and GPU Rec," because of topography, fire danger level, remoteness from public roads, consistency with surrounding agricultural uses and with "Smart Growth" principles that growth be concentrated not in green fields but on infill Village development. The GPU Planning Principle of "feathering" justifies SR4 or greater for all of these properties. Feathering density from a concentrated Village core (and established village services and amenities such as sewers, road networks, schools to Semi-Rural and Rural areas adheres to the Board's direction at the beginning of the GPU process that GP updating follow these principles of "Smart Growth". To increase green field development now with a publicly financed Amendment to the new General Plan that was approved only a few months ago and as an after-thought to this entire 12-year process appears a "bait & switch" strategy directed by and for the benefit of a few development interests at the expense of Valley Center's future.

On items 6 and 7 we continue to recommend RL20 because of the VCCPG's previous votes; with the same problems: almost entirely steep slopes, entirely PAMA and extreme fire risk, unique farmland, and high-medium habit value. One reason to consider possible higher density, being close to the higher density of proposed Rancho Lilac, is no longer viable, since those 902 acres have been recently purchased by CALTRANS as a Mitigation

Bank Preserve, and will never be developed. These parcels were part of the Rancho Lilac SPA in the old GP.

Item 51 was separately called out by the Board (See Attachment 2, Board Actions, item 4.24). Staff is requested to review the existing RL20 designation “to identify a moderate solution such as SR4.” The rationale provided to the Board by staff when the staff categorized the potential change as “Moderate” precludes any such modification. The 16-acre parcel is in the extreme north central portion of VC, not far from the Pala Reservation. It is surrounded by RL20 lands of 5 to more than 30 acres. It is separated from an SR4 area (ranging from under 2 to up to 20-acres) by at least one other parcel, and has very limited access. The parcel is entirely steep slope greater than 25%, and entirely Unique Farmland. Staff opined that an additional 131 acres would have to be changed from RL20 to SR4 to accommodate the request. The parcel was designated 1/10 in the old GP, a yield of 1 house, the same as the new GP. Aside from being inconsistent with the Guiding Principles, redesignation to SR4 would require additional environmental analysis beyond that done for the GPU.

On items 6, 7, 9, 11, 20-A and-B, 51, 54, 60, 61, and 66 in the western agricultural area, we recommend the same designations shown on the new General Plan, just adopted in August 2011.

The Board referral to staff and us speaks of “Study Areas.” Essentially, all the parcels designated SR4 in the West Lilac area within and around the Accretive PAA (including items 6, 7, 9, 11, 20-A and-B, 51, 54, 60, 61, and 66) are again being (informally) called a study area, as previously formally requested by Accretive, and rejected by the Board in its final approval of the GPU in August. The subcommittee continues to believe the SR4 or greater designation is THE appropriate designation, based on the GPU Guiding Principles. Our recommendations (All West Side SR4 “Study Area”) would prevent huge, inappropriate, “spot” designations, and be more consistent with topography, and surrounding uses, including agriculture. Additionally, since the Board modified Board Policy I-63 as part of the GPU package, Accretive’s PAA appears to be irrelevant, and will need a new General Plan Amendment in any event. If that General Plan Amendment ultimately comes forward, and is approved, the entire West Lilac area will have to be re-analyzed for appropriate designations. Until and unless that occurs, there appears to be no reason to re-evaluate the designations so recently approved by the Board. (The vote was 6-0-1, with member Britsch abstaining from all votes relating to the West Lilac area, because of the proximity of his home and cactus farm to the Accretive PAA.) Staff estimates approval of the entire “Study Area” would be approximately 2500 acres, adding 7500 population.

On items 57, 63, and 64, the subcommittee recommends the designations shown on ALL

previous maps (Referral, Draft Land Use, and the approved GPU) for each item, SR4. Items 63 and 64 are not shown on the GPU Report to the VCCPG for 1/31/11, but were reported on verbally as late items, and voted on by the VCCPG to be SR4.

Item 57 (Schimpf) is one 21.7-acre parcel adjacent to the Live Oak Ranch SPA, on the east side of Cobb Lane. Item 63 (Caston) is one 6.7-acre parcel, north of the SPA and north of VC Road (almost across the road from #57). Item 64 (Tuluie) consists of 4 parcels totaling 250 acres, west of the SPA.

Item 57 consists of mostly high Habitation Value, high Fire Severity, and about ¼ each Unique farmland and Farmland of Local Importance. It was slope-dependant 1/ 2,4 in the old GP, analyzed and approved at SR4. Staff says accommodating the request would require changing 437 additional surrounding acres, as well as require additional environmental review. The 6.7-acre item 63 (originally asked for SR1, classified a “Major” change by staff, now asking SR2, classified ‘Moderate’) is surrounded by lots ranging from 3 to 20 acres, mostly greater than 2-acres; is entirely High Severity Fire Hazard, and almost all High Habitat Value. Staff information does not specify the number of additional acres that would be required to also be reclassified if this parcel were changed, but it appears to be roughly 300 acres. The change would also eliminate the feathering required by the Community Development Model between SR4 and adjacent easterly RL20. Item 64, although also categorized as “Moderate” is about 2/3 Farmland of Local Importance, 1/3 Unique Farmland, 2/3 High Habitation Value, 2/3 High Severity Fire Hazard, about 1/3 Steep Slope Greater than 25%, and about 1/3 Wetlands and/or in the 100-year Floodplain. These 250 acres were designated 1/ 2,4 slope dependant in the old GP, analyzed and approved at SR4 for the GPU. Staff estimates approval would require redesignation of 470 additional acres to protect General Plan Consistency, as well as additional environmental analysis.

These 3 items collectively result in another “Study Area” (Central/East VC Road ‘Study Area’ on Attachment 1). Together they would require changing an additional approximately 1150 acres (besides the 278.4 for the parcels alone) from SR4 to SR2, adding approximately 4300 population.

NEW ITEM

Item 67 (Gaughan) was added on the last day of the Board Workshop, after Mr. Gaughan obtained a letter from us stating the community liked the landscaping he has accomplished on the former yard site, without addressing his dispute with staff over the land use designation (SR2 instead of I-2, Limited Industrial under the old GP). However, the 2.1-acre parcel was treated similarly to Items 52 and 53, on which the VCCPG voted to accept the county’s compromise with all the parcels in the floodway and floodplain formerly designated Industrial. That is, honor the FEMA Mapping and prohibit any development in

the Floodway unless it obtains a “No Rise Certificate” from the county, unless and until the FEMA mapping changes.

County data shows items 52, 53 and 67 all entirely within the Floodway. The GPU subcommittee recommends no position on Item 67 (we don’t have a dog in this fight). However, the subcommittee recommends that the VCCPG strongly request that the staff look into allowing Solar Farms (allowed in ANY zone with either a Major or Minor Use Permit) in the former Industrial areas. These parcels are very appropriate for such a use (essentially appearing industrial), and are much closer to the SDG & E substation than any of the sites currently being considered by Solar Farm Applicants.

CONCLUSION

The Planning Group should recommend no changes to the Land Use Designations approved by the Board when it adopted the new General Plan. They were crafted over 13 years of negotiations between landowners, the community and staff, honoring the Board’s Guiding Principles for the General Plan countywide within Valley Center. The population “target” for Valley Center’s share of anticipated growth over the life of the new General Plan was 33,000 people. Under the new General Plan, at build out we will have 36,000. Approval of a publicly sponsored GP Amendment as a means to approve the hand full of Property-Specific Requests discussed herein also requires doubling the development potential of approximately 6000 acres on the rural west side and the central valley – because California law prohibits “spot zoning” these properties at higher density than the properties around them. The scheme to make the upzone legal by increasing the density of surrounding green field properties would result in the addition of almost 12,000 to VC’s 2030 population To add another 30% now will destroy the balance we have crafted in dozens and dozens of community meetings during the last 12 years to plan not only land uses but the entire public road network that reflects and supports those land uses.

The new General Plan for 2030 already allows thousands more rooftops than SANDAG is forecasting, particularly in Semi-Rural and Rural areas.

Respectfully submitted,

Rich Rudolf

Chairperson

GPU Subcommittee

Attachment 1

ID	Owner	Old GP	Referral Map	New GP	Request	1/11 VCCPG and GPU Rec	
6&7	Lynch	21 SPA	SR2	SR4	SR2	RL20	
9	Jackson	(17) 1/ 2.4	SR2	SR4	SR2	SR4	
11	Pardee	(17) 1/ 2.4	SR2	SR4	SR2	SR4/SR10	
20A	Fahr	(17) 1/ 2.4	SR2	SR4	SR2	SR4	
20B	Crane	(17) 1/ 2.4	SR2	SR4	SR2	SR4	
54	Wollam	(17) 1/ 2.4	SR4	SR4	SR2	SR4	
60	Rahimi	(17) 1/ 2.4	SR4/10	SR4	SR2	SR4/SR10	
61	Blair	(17) 1/ 2.4	SR4	SR4	SR2	SR4	
66	Guzman	(17) 1/ 2.4	SR4	SR4	SR2	SR4	
57	Schimpf	(17) 1/ 2.4	SR4	SR4	SR2	SR4	
63	Caston	(17) 1/ 2.4	SR4	SR4	SR2(1)	SR4	
64	Tuluie	(17) 1/ 2.4	SR4	SR4	SR2	SR4	
51	Rice	GenAg 1/10	RL20	RL20	SR4	RL20	
67	Gaughan	Lim Imp Indus	SR2	SR2	I-2	SR2 Solar?	
	All West Side SR4 "Study Area"			SR4	SR2	SR4 SR4/SR10 RL20	

ID	Owner	Old GP	Referral Map	New GP	Request	1/11 VCCPG and GPU Rec	
	All Central/ East VC Road			SR4	SR2	SR4	

Attachment 2

4.31

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board of Supervisors formally referred to the Chief Administrative Officer all actions previously approved by the Board of Supervisors as tentative during the General Plan Update Property Specific Requests Workshop (Actions 4.1-4.21, 4.24-4.30), excluding those properties within the West Lilac Study area, and return to the Board with a work plan.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

4.32

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board of Supervisors formally referred to the Chief Administrative Officer all actions previously approved by the Board of Supervisors as tentative during the General Plan Update Property Specific Requests Workshop (Action 4.23), regarding the properties within the West Lilac Study area and return to the Board with a work plan.

AYES: Cox, Jacob, Roberts

ABSENT: Slater-Price

RECUSE: Horn

4.23

ACTION – VC7, VC9, VC11, VC20A, VC20B, VC54, VC60, VC61, and VC66:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors tentatively directed the Chief Administrative Officer to review the proposed land use designation for Property Specific Requests VC11, VC20A, VC20B, VC54 and other related parcels in the Valley Center West Lilac study area, including VC7, VC9, VC60, VC61 and VC66, to determine if the request can be modified to be categorized as a moderate request and to determine if the designations can be changed from SR4 to SR2.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

4.24

ACTION – VC51:

ON MOTION of Supervisor Horn, seconded by Supervisor Slater-Price, the Board of Supervisors tentatively directed the Chief Administrative Officer to review the proposed land use designation for Property Specific Request VC51 in the Valley Center area to identify a moderate solution such as SR4.

AYES: Cox, Slater-Price, Roberts, Horn

NOES: Jacob

4.25

ACTION – VC57 and VC63:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors tentatively directed the Chief Administrative Officer to review the proposed land use designations for Property Specific Requests VC57 in the Valley Center area and other parcels in the same study area, including VC63, to determine if the land use designations can be changed from SR4 to SR2.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

4.26 ACTION – VC64:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors tentatively directed the Chief Administrative Officer to review the proposed land use designation for Property Specific Request VC64 in the Valley Center area and other parcels in the same study area.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

4.27 ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board of Supervisors tentatively directed the Chief Administrative Officer to review the proposed land use designation for the property described by Jerry Gaughan located on Cole Grade Road in the Valley Center area and include adjacent parcels.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

Johnston, Kevin

From: Citrano, Robert
Sent: Monday, May 21, 2012 11:31 AM
To: Johnston, Kevin
Subject: FW: Floodway Requirements

Please add this to correspondence.

Bob Citrano, AICP

General Plan Update
County of San Diego
Department of Planning and Land Use
858/694-3229

Keep up with what's happening at DPLU; follow us on Twitter at www.sdcounty.ca.gov/dplu!

From: Durrin, Robert [mailto:Robert.Durrin@fema.dhs.gov]
Sent: Monday, May 21, 2012 11:06 AM
To: Agahi, Sara; Grunow, Richard; 'jerrygaughan@msn.com'; 'shilberg@bemapc.com'
Cc: Kraft, Donald; Muto, Devon; Citrano, Robert; Elias, Pam; Gade, Derek; Heidenreich, Chris; Tesoro, Cid; Sloan, Christine
Subject: Re: Floodway Requirements

Sara - I concur.

Bob Durrin, Former CFM, NFIP Specialist
DHS/FEMA Reg 9
MIT-FM&I
1111 Broadway, Suite 1200
Oakland, CA 94607
510-627-7057 (desk)
510.368.0878 (cell)

Note: new EMAIL = robert.durrin@fema.dhs.gov

From: Agahi, Sara [mailto:Sara.Agahi@sdcounty.ca.gov]
Sent: Monday, May 21, 2012 01:01 PM
To: Grunow, Richard <Richard.Grunow@sdcounty.ca.gov>; 'Jerry Gaughan' <jerrygaughan@msn.com>; scott Hilberg <shilberg@bemapc.com>
Cc: Kraft, Donald <Donald.Kraft@sdcounty.ca.gov>; Muto, Devon <Devon.Muto@sdcounty.ca.gov>; Citrano, Robert <Robert.Citrano@sdcounty.ca.gov>; Elias, Pam <Pam.Elias@sdcounty.ca.gov>; Gade, Derek <Derek.Gade@sdcounty.ca.gov>; Heidenreich, Chris <Chris.Heidenreich@sdcounty.ca.gov>; Tesoro, Cid <Cid.Tesoro@sdcounty.ca.gov>; Durrin, Robert; Sloan, Christine <Christine.Sloan@sdcounty.ca.gov>
Subject: RE: Floodway Requirements

Good Morning Mr. Gaughan,

This email is in response to your email from 5/17 below. I would like to comment on two items that you raise:

1. "The Cole Grade area is not a Fema floodway or shown on the fema maps, there is no available information from Fema"

The parcel in question is shown on the FEMA map (the FIRM) as an unnumbered A Zone subject to 44CFR 60.3c4. This parcel is also shown on County floodplain/floodway maps and is subject to the County's Flood Damage Prevention Ordinance. I have spoken with Bob Durrin, and after he pulled up the map (which I believe he hadn't done when he spoke with you on the telephone) and he concurs. I have also copied him to this email.

2. Regarding zoning – DPLU will address this topic in greater detail, but just a few comments from Flood Control:

In addition to the flood control requirements, there are also water quality requirements that need to be considered. It would not be sound floodplain management to encourage outdoor industrial uses adjacent to a water way that floods, as this could introduce all kinds of industrial fluids, oils, etc into the Regional Water Quality Control Board regulated receiving water. Residential uses are acceptable in special flood hazard areas if they are designed and constructed according to the flood provisions.

FEMA does not have the authority to dictate to a community how to determine land uses and zoning, except to encourage wise use of the special flood hazard area. Furthermore, while, according to FEMA, the best practice for reducing risk of flood damages and to public safety is to leave floodways as open space in perpetuity, the local agency must balance this with the need to allow people to develop and utilize their land as allowed by law.

Thank you,
Sara Agahi

Sara Agahi, PE, CFM | Flood Control | (858) 694-2665 Phone

From: Grunow, Richard
Sent: Friday, May 18, 2012 7:35 AM
To: 'Jerry Gaughan'; scott Hilberg
Cc: Kraft, Donald; Muto, Devon; Citrano, Robert; Agahi, Sara; Elias, Pam; Gade, Derek; Heidenreich, Chris; Tesoro, Cid
Subject: RE: Floodway Requirements

Jerry,

Thanks for the info. Through this email I'll ask the DPW flood control review your information and provide a response to the floodway issue.

Thanks, Rich

From: Jerry Gaughan [mailto:jerrygaughan@msn.com]
Sent: Thursday, May 17, 2012 4:12 PM
To: Grunow, Richard; scott Hilberg
Subject: FW: Floodway Requirements

Hello Rich

I have been speaking with Robert Durrin with Fema, Ph # 510-627-7057, San Diego is his area, We spoke about the regulation and about the Cole Grade in detail, several items were brought forward,

The Cole Grade area is not a Fema floodway or shown on the fema maps, there is no available information from Fema, It is a County establish flood way

When Tony from the County floodway spoke with Robert about this area, Robert was told that it was a Fema floodway, He will be sending a correction to the County

Robert stated that Fema and his recommendations for uses in a floodway are as follows,
#1 recommended use is Commercial & office use with-in Flood ways
#2 Outdoor Industrial use is not highly recommended unless strictly regulated thru several options, evaluation plan was a good option, This was stated by Robert
#3 Residential use is not recommend at all.

Below is a letter from Robert Durrin[Fema] regarding our conversation and his comments
he also mentioned, if requested he would be available to be present at the board meeting for any questions

When we were in the meeting, I asked why the County was changing the zoning, the response I received was that it affected the County insurance Rating,
according to Robert, That not the case, He said credits are given when the county produced there own flood plain information & mapping and when a property is given as open space, not in any way if a property is rezoned to residential, Robert stated that in no way, fema regulation were mean to take property zoning away from them, only to help regulate the properties when in use, per Fema Regulations 44 CFR 60.3 B-4
Robert stated that Commerial & industrical uses are located in flood ways thru out the united states and perform well if regulated
Thanks Rich,
thought I would share this information with you

From: Robert.Durrin@fema.dhs.gov
To: jerrygaughan@msn.com
CC: Anthony.Barry@sdcounty.ca.gov
Date: Thu, 17 May 2012 18:26:16 -0400
Subject: Floodway Requirements

Jerry,

Upon further review and contrary to what I assumed prior to our talking, the area in question is (what is commonly referred to as) an "unnumbered A Zone". As such, FEMA has produced no technical or scientific data that would result in base flood elevations or floodways. 44CFR 60.3b4 does require a participating community to utilize BFE and/or floodway data from another source as they consider permitting requirements associated with proposed development.

Considering the aforementioned, the County will utilize the data they have in hand to assure any additional development at this site and in the A Zone is conducted in a safe manner.

As for zoning/land use? FEMA has no particular regulatory authority re: how a community decides to restrict or allow certain developments in or on certain areas under their jurisdiction. I can say that, based on my experience, in floodways in particular, commercial buildings (offices, shops, etc.) have a higher rate of survival than other types of buildings. Specifically, properly designed commercial buildings can withstand flooding and avoid aggravating flooding much more effectively than an industrial development that includes outdoor storage of machinery and materials that may be washed into floodwaters thereby aggravating the flood hazard. New residential buildings may survive the floodwaters structurally but can be rendered uninhabitable and require taxing of publically owned equipment for rescue of stranded or sick residents. Overall, all development proposed in floodways must be considered very carefully against this significant and dangerous hazard.

In the final analysis, floodplain management is conducted by local authority. Land use and zoning are local issues. Unnumbered A Zones are void of scientific and/or technical data from FEMA. The County has data in hand that can be reasonably utilized to assure safe development in this unnumbered A Zone.

Floodways, whether FEMA developed or locally developed are highly hazardous areas usually subjected to high velocities and (realistically) debris. From a regulatory standpoint, they are a theoretical hydraulic feature of a floodplain that is reserved for the safe passage of 1% per year (100 year) floodwater. Consequently, development permitting standards are quite rigorous.

FYI – the County participates in the Community Rating System (CRS) and is afforded credit for activities such as higher regulatory standards, open space, utilization of locally produced flood risk studies and much more.

Bob Durrin, NFIP Specialist, Former CFM
DHS/FEMA Reg 9
MIT-FM&I
1111 Broadway, Suite 1200
Oakland, CA 94607
510-627-7057 (desk)
510.368.0878 (cell)

In the absence of available BFE data from other sources, the community may require the permit applicant to elevate the structure two or more feet above the highest adjacent grade which qualifies the structure for reduced flood insurance rates. Elevation of the structure to four feet above the highest adjacent grade will enable the structure to qualify for substantially reduced flood insurance rates.

*Managing Floodplain Development in Approximate
Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood
Elevations - III-6*

From: Jerry Gaughan [mailto:jerrygaughan@msn.com]
Sent: Thursday, May 17, 2012 2:42 PM
To: Durrin, Robert
Subject: RE: Durrin

From: Robert.Durrin@fema.dhs.gov
To: jerrygaughan@msn.com
Date: Thu, 17 May 2012 17:26:09 -0400
Subject: Durrin

Bob Durrin, NFIP Specialist, Former CFM
DHS/FEMA Reg 9
MIT-FM&I
1111 Broadway, Suite 1200
Oakland, CA 94607
510-627-7057 (desk)
510.368.0878 (cell)

In the absence of available BFE data from other sources, the community may require the permit applicant to elevate the structure two or more feet above the highest adjacent grade which qualifies the structure for reduced flood insurance rates. Elevation of the structure to four feet above the highest adjacent grade will enable the structure to qualify for substantially reduced flood insurance rates.

*Managing Floodplain Development in Approximate
Zone A Areas: A Guide for Obtaining and Developing Base (100-Year) Flood
Elevations - III-6*