



**San Diego County**  
**Local Agency Formation Commission**  
 Regional Service Planning | Subdivision of the State of California

**6a**

**AGENDA REPORT**  
 Public Hearing | Action

October 6, 2025

**TO:** Chair Whitburn and Commissioners

**FROM:** Keene Simonds, Executive Officer  
 Michaela Peters, Local Government Analyst II

**SUBJECT: Proposed “Valiano – Eden Hills Reorganization” |  
 Annexation to the San Marcos Fire Protection District, Detachment from  
 Rancho Santa Fe Fire Protection District and Related Actions (RO/OAS19-26)**

**SUMMARY**

The San Diego County Local Agency Formation Commission (LAFCO) will consider a landowner-initiated reorganization proposal to accommodate the planned 243-unit "Valiano" residential development in the Harmony Grove unincorporated community. The requested approval involves detaching approximately 11 acres of the project site from the Rancho Santa Fe Fire Protection District (FPD) and annexing it to the San Marcos FPD to ensure the entire 239-acre project site is under one fire agency's jurisdiction. Staff recommends conditional approval of the proposal as submitted with a conforming sphere of influence amendment for Rancho Santa Fe FPD. Conditions include requiring an out-of-agency service agreement between the two FPDs as detailed in the staff report. Staff also recommends the Commission waive protest proceedings, waive Policy L-106, and adopt parallel findings to the Environmental Impact Report (EIR) adopted by the County of San Diego.

**BACKGROUND**

**Applicant Request**

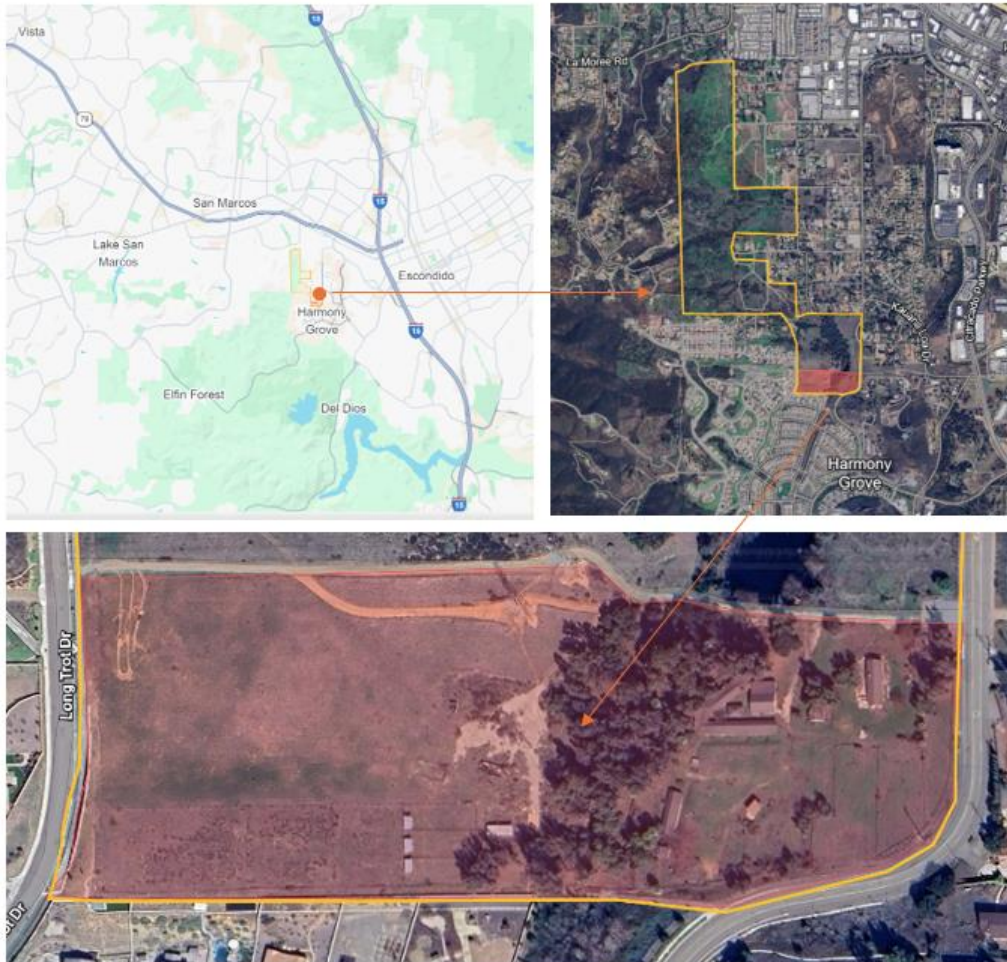
San Diego LAFCO has received a landowner-initiated reorganization request from Eden Hills, LLC (Greg Waite, Lance Waite, and Gill Miltenberger) for 10.8 acres within the Valiano project

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site in the Harmony Grove community. The Valiano project overall encompasses 13 legal parcels that are largely undeveloped and unimproved. The affected territory subject to reorganization consists of a single parcel (232-500-24) at the southern end of the project site located at 1805 Country Club Drive, which contains a previously developed but now unoccupied single-family residence.

### Regional Setting

The approximately 10-acre affected territory is in the unincorporated community of Harmony Grove in north-central San Diego County, positioned between the Cities of Escondido and San Marcos — although outside both spheres of influence. The affected territory is surrounded by the established Harmony Grove Village development to the south and rural residential neighborhoods to the east and west. The eastern area is known locally as Eden Valley. Political representation for the affected territory includes County Supervisor Terra Lawson-Remer (Supervisorial District 3), Assemblymember Darshana Patel (Assembly District 76), and Senator Brian W. Jones (Senate District 40). An aerial map of the affected territory and its regional setting – including footprint relative to the Valiano project site – follows with a more detailed map with jurisdictional boundaries provided as Attachment One.



Google Earth

## Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves two subject agencies: Rancho Santa Fe FPD and San Marcos FPD.<sup>1</sup> A summary of the subject agencies in terms of population, size, functions, and financial standing follows.

- **Rancho Santa Fe FPD** is an independent special district established in 1946 that serves an estimated 36,497 residents across 28,179 acres (44 square miles). The agency’s jurisdiction covers the unincorporated community of Rancho Santa Fe and several smaller county areas, including Whispering Palms, Sun Valley, South Pointe Farms, Rancho Cielo, Del Dios, 4S Ranch, Crosby, Santa Fe Valley, Fairbanks Ranch, Del Mar Country Club, and Elfin Forest. A five-member elected Board of Directors governs the agency and its three integrated active service functions: fire protection, rescue and emergency medical services. LAFCO last updated the agency's sphere of influence in 2008, setting it larger than the agency’s actual boundary to include all jurisdictional areas plus more than 1,500 acres of additional lands. As of June 30, 2024, agency’s net position is \$35.1 million with \$11.2 million in unrestricted funds. Available cash on hand at the end of the fiscal year totals \$22.6 million. The agency’s overall net position has declined (19.6%) over the past three audited fiscal years.
- **San Marcos FPD** is a subsidiary district of the City of San Marcos established in 1936, that serves an estimated 106,015 residents across 21,120 acres (33 square miles). The agency covers all of the City of San Marcos plus surrounding unincorporated areas, including a significant portion of Harmony Grove. San Marcos City Council serves as the agency’s Board of Directors and oversees its four integrated services: fire protection, rescue, emergency medical, and ambulance transport.<sup>2</sup> All FPD activities are performed by San Marcos employees. LAFCO last reviewed the agency's sphere of influence in 2014, designating it as "transitional/zero." This designation means the sphere includes no additional territory and suggests the district's functions should eventually be transferred to San Marcos. Agency financials are incorporated into the City of San Marcos. As of June 30, 2024, San Marcos’ net position is \$1.093 billion and reflects an overall increase of 4.6% over the prior three-year period. San Marcos has separately generated a positive total margin within its governmental activities in two of the last three years with a period average of 0.5%.

## Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and spheres of influence of 10 local agencies directly subject to San Diego LAFCO's planning and regulatory responsibilities as listed below. These agencies qualify as "affected agencies" relative to the proposal before the Commission and received notice as part of the administrative review.<sup>3</sup>

<sup>1</sup> State law defines “subject agency” to mean any district or city for which a change of organization or reorganization is proposed. This definition covers Rancho Santa Fe (detachment and sphere amendment) and San Marcos FPDs (annexation and sphere amendment). For purposes of this report, LAFCO is using subject agency in an expanded definition to also include the two other agencies directly affected by the proposal – Cities of Escondido (out-of-agency service agreement and sphere amendment) and San Marcos (sphere amendment).

<sup>2</sup> The agency provides direct services to about 25% of its unincorporated service area, while also contracting with San Diego County's Office of Emergency Services to provide advanced life support ambulance transport as an Exclusive Operating Area provider.

<sup>3</sup> State law defines “affected local agency” as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

- County Service Area No. 135 (regional communications)
- Metropolitan Water District of Southern California
- North County Cemetery District
- North County Transit District
- Palomar Healthcare District
- Resource Conservation District of Greater San Diego
- Rincon del Diablo Municipal Water District
- San Diego County Flood Control District
- San Diego County Street Lighting District
- San Diego County Water Authority

The affected territory also lies within the following school and college districts and accordingly have received notice of the proposal as part of the administrative review:

- Escondido Union School District
- Escondido Union High School District
- San Marcos Unified School District
- Palomar Community College District

## **DISCUSSION**

This item is for San Diego County LAFCO to consider a landowner-initiated proposal to reorganize approximately 11 acres of the planned 243-unit Valiano residential development by transferring the territory from Rancho Santa Fe FPD to San Marcos FPD. The proposal also requires conforming sphere of influence amendments. The Commission may consider applying approval conditions (so long as they do not directly regulate land use, property development, or subdivision requirements) and/or modifying the proposal to add or remove territory. The Commission may also disapprove the proposal. Additional discussion on purpose, associated land uses, and Commission focus areas follows.

### **Proposal Purpose**

The purpose of the approval request before San Diego LAFCO is to facilitate the planned 243-unit Valiano residential development in the Harmony Grove unincorporated community. Specifically, LAFCO's role is to reorganize and consolidate fire protection services within the affected territory under one service provider—San Marcos FPD. The timing of this proposal stems from the applicant's conditional approval from San Diego County in July 2018 for the underlying development, which included reorganization of fire protection services among other requirements. The Elfin Forest Harmony Grove Town Council and Sierra Club challenged the approval, leading to negotiated settlements in late 2024 that revised the development's scope and most notably reduced the number of residential units from 326 to 243. The fire protection reorganization remains a required condition of the development project.

## Current and Planned Uses

The affected territory is unincorporated and under the land use authority of San Diego County and its adopted policies. The territory was most recently redesignated and rezoned by the Board of Supervisors in July 2018 as part of approving the Valiano project. The current project scope includes 243 single-family residences and related improvements (roads, curbs, community spaces, etc.) as well as dedicated open space. The affected territory will be developed in the first of five construction phases, featuring nine single-family residences on the western half of the subject parcel with the remainder dedicated to ancillary improvements and open space. Additional details on County land use policies are provided in Appendix A.

## Commission Focus

State law provides three central and sequential policy items underlie San Diego LAFCO's consideration of the proposal to facilitate the Valiano development project by consolidating fire protection services under San Marcos FPD. These three policy items require determinations on (a) a conforming sphere of influence amendment, (b) the reorganization itself, and (c) whether modifications or approval conditions are appropriate.

## ANALYSIS

San Diego LAFCO's analysis of the proposal is divided into two subsections. The first subsection evaluates the three central issues referenced in the preceding section, considering both statutory and local policy requirements for the requested reorganization of fire protection services. The second subsection addresses other relevant issues, particularly compliance with the California Environmental Quality Act (CEQA).

## LAFCO Statute and Local Policy

### Item No. 1 |

#### Conforming Sphere Amendment

The proposed reorganization requires San Diego LAFCO to consider a conforming sphere of influence action to achieve consistency under statute and local policy.<sup>4</sup> The action specifically involves removing the affected territory from Rancho Santa Fe FPD's sphere. No amendment is necessary for San Marcos FPD given its designation as a transitional or "zero" sphere.<sup>5</sup> This action is premised on LAFCO's statutory responsibility to designate spheres that delineate the appropriate jurisdictional boundaries and/or service areas for affected agencies now and into the immediate future. The following analysis addresses the relevant state and local policy factors underlying the Commission's decision-making.

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<sup>4</sup> A sphere of influence is a planning boundary indicating where a city or district is expected to provide services in the future, while a jurisdictional boundary defines the area where it currently holds legal authority and provides services.

<sup>5</sup> A zero-sphere designation does not include territory and may be designated to signal service responsibility of the agency should ultimately be reassigned to another agency. In the case of San Marcos FPD, LAFCO approved a transitional sphere of influence in 1984 to reflect the District's status as a subsidiary of the City of San Marcos.

- Sphere Factor No. 1:  
Consideration of a Municipal Service Review

Statute requires LAFCO to prepare municipal service reviews to inform sphere updates every five years with L-106 requiring reviews within five years for amendments unless waived. Rancho Santa Fe FPD's most recent review was completed in 2007. A new municipal service review does not appear warranted given the limited scope of this amendment and the evaluation performed for this proposal.

- Sphere Factor No. 2:  
Consideration of the Agency-Affected Territory Relationship

Statute requires LAFCOs to consider five factors when acting on spheres of influence. These factors focus on agency-territory relationships, service needs and adequacy, land use compatibility, and effects on disadvantaged unincorporated communities. The factors and staff analysis follow.

- With respect to **present and planned land uses**, the affected territory consists of one parcel totaling 10.8 acres of unincorporated territory developed with a currently unoccupied single-family residence. The subject parcel is currently designated Semi-Rural-2 with a minimum lot size of 2.0 acres. The County has conditionally approved re-designating as part of the Valiano development to Semi-Rural-0.5 with a minimum lot size of 0.5 acres. The planned development will place nine single-family residences on the subject parcel and proportionally increase the need for integrated fire protection, rescue, and emergency medical services. Removing the subject parcel from the Rancho Santa Fe FPD sphere facilitates the detachment and concurrent annexation into San Marcos FPD as required by the development approval, ensuring uniform administration of fire code and related building and construction standards under one fire service provider.
- With respect to the **present and probable need for one or more public services**, there is existing need for integrated fire protection, rescue, and emergency medical services to the subject parcel and its existing single-family residence. This existing need will intensify with the planned placement of nine single-family residences as part of the larger 243-unit Valiano project. Removing the subject parcel from the Rancho Santa Fe FPD sphere facilitates the detachment and concurrent annexation into San Marcos FPD as required by the development approval, ensuring uniform administration of fire code and related building and construction standards for the entire project under one fire service provider.
- With respect to the **overall adequacy of the agencies' public services**, emergency first responder services to the subject parcel for fire protection, rescue, and emergency medical will remain with Rancho Santa Fe FPD given the proximity of its newly constructed Fire Station No. 5 and its assigned resources. Additional analysis on emergency first responder duties is provided in the following section.

- With respect to **social or economic communities of interest if relevant to the agencies**, the sphere amendment to accommodate the reorganization ensures the subject parcel will be served by San Marcos FPD, providing uniform administration of fire code and related building and construction standards for the entire project under one fire service provider.
  - With respect to the **present and probable need for services involving any disadvantaged unincorporated communities (DUC)**, the entire affected territory is part of a large qualifying DUC under LAFCO statute. However, further analysis is not required in this case, as the reorganization does not involve a city - an action that would otherwise trigger additional review under state law and local LAFCO policy. Further, other service needs within the affected territory - specifically fire and police protection, water, and wastewater - are already available.
- Sphere Factor No. 3:  
Consideration of Policy L-102

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San Diego LAFCO's sphere of influence policies are codified under L-102, which directs the Commission to use spheres to guide reorganizations, preserve community identities, discourage service duplication, and encourage agency consolidations. The proposed sphere amendment conforms with L-102 by facilitating modest jurisdictional changes to ensure uniform fire code and building standards administration across the entire Valiano project site through San Marcos FPD.

## CONCLUSION | MERITS OF A CONFORMING SPHERE OF INFLUENCE AMENDMENT

The conforming sphere amendment to Rancho Santa Fe FPD appears justified based on the preceding analysis and following two assumptions.

- It is assumed the Commission believes a new municipal service review under L-106 is unnecessary for Rancho Santa Fe FPD - and/or perhaps San Marcos FPD - given local circumstances. Specifically, the amendment to remove the affected territory from Rancho Santa Fe FPD's sphere to facilitate detachment and annexation into San Marcos FPD involves a limited and well-defined change that can be sufficiently evaluated on a micro level as part of this proposal evaluation.
- It is assumed the Commission believes prioritizing the accommodation of the Valiano project as conditioned by the County of San Diego and emphasis on uniform fire and building code standards to cover the entire Valiano development site via reorganization justifies the conforming sphere amendment; emergency first responses from Rancho Santa Fe FPD will continue to the affected territory.

## Item No. 2 | Reorganization Request

San Diego LAFCO’s consideration of the proposed reorganization and its timing draws on analyzing baseline factors required in statute as well as applicable policies set by the Commission.<sup>6</sup> Applicable local policies prompted for consideration are headlined by L-107 and its attention to disclosing and/or addressing any known or perceived jurisdictional disputes.

An analysis of these two related timing factors follows.

- Timing Factor No. 1:

Baseline Considerations: Regional Policies + Service Relationships

State law requires LAFCOs to consider multifaceted factors when reviewing jurisdictional changes. These factors range from mandatory disclosures (land uses, assessed values, voter counts, etc.) to discretionary analyses evaluating the relationship between proposed changes and community needs, service capacities, and agency financial resources. Key conclusions regarding service needs, availability, capacities, and financial considerations follow.

- With respect to **service needs**, the planned Valiano project will intensify land use within the affected territory from one existing single-family residence to nine single-family residences – a nine-fold increase in residential density. This development will significantly elevate the demand for integrated fire protection, rescue, emergency medical services, and related administrative functions, including fire prevention and building code enforcement services. The proposed reorganization would designate San Marcos FPD as the legal entity responsible for providing these services going forward.
- With respect to **service availability and capacities**, the proposed reorganization addresses integrated fire protection, rescue, emergency medical services, and related administrative functions - including fire prevention and building code enforcement - within the affected territory. The reorganization would transfer the legal responsibilities from Rancho Santa Fe FPD to San Marcos FPD. Both agencies have available capacity to serve the affected territory at its planned development intensity. However, geographic proximity creates a unique operational situation. Rancho Santa Fe FPD's Station No. 5 is located less than 0.5 miles away at 2604 Overlook Point Road and will likely remain the probable first responder post-reorganization due to its proximity advantage. This station opened in October 2020 – two years after Valiano project approval – and operates 24/7 with a staffed fire engine company. San Marcos FPD's closest resource is Station 3 at 404 Woodland Parkway and is approximately 2.5 miles away; it similarly maintains 24/7 operations with a staffed fire engine company with paramedics.

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<sup>6</sup> Most of the baseline factors in statute focus on disclosing and otherwise addressing compatibility issues with external goals and policies of other state, regional, and local agencies as well as assessing the ability of subject agencies to provide services going forward. (Reference to Government Code Section 56668).

- With respect to **related financial considerations**, staff analysis shows San Marcos FPD, via its subsidiary status within the City of San Marcos, has the financial resources and administrative controls to readily assume integrated fire protection, rescue, and emergency medical services for the affected territory in support of its planned uses without impacts to current residents. This assessment considers a financial analysis of the last three fiscal years with key findings as follows:
  - o San Marcos has generated a positive total margin within its governmental fund activities in two of the last three audited fiscal years (FY22 to FY24). The average total margin has been 0.5%.
  - o San Marcos' most recent audited net position is \$1.093 billion as of June 30, 2024. This amount represents an overall increase of 4.6% over the last three audited fiscal years (FY22 to FY24).
- Timing Factor No. 2:  
Consideration of Policy L-107

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San Diego LAFCO adopted Policy L-107 in May 2010 requiring all applicants to disclose jurisdictional disputes or related items associated with their proposal filings, with additional details as determined by the Executive Officer.<sup>7</sup> As part of the administrative review process, the applicants disclosed litigation and subsequent settlement involving the underlying development project associated with the reorganization. The settlement agreement with the Elfin Forest Harmony Grove Town Council and the Sierra Club produced project revisions that include all of the following:

- Reduction of 25% in residential units from 326 to 243.
- Reduction of the development footprint by approximately 7 acres.
- Addition of a fire emergency access road from Hill Valley Road to La Moree Road (within the City of San Marcos).
- Reduction in Neighborhood 5 from 55 to 25 lots to support larger parcels and equestrian uses (included in the overall unit reduction).

No other disputes have been disclosed by the applicant or the subject agencies.

(continued)

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<sup>7</sup> The Executive Officer retains discretion to determine the extent of consultation needed.

## CONCLUSION | MERITS OF REORGANIZATION

The proposed reorganization supports a 243-unit residential development conditionally approved by the County of San Diego in 2018 and covers the affected territory and 228 additional acres. This development substantiates the need for integrated fire protection, rescue, emergency medical services, and related administrative functions throughout the project site. Assigning San Marcos FPD as the legal service provider aligns with LAFCO policies directing urban development toward cities and their subsidiaries. However, a significant development has occurred since County approval with Rancho Santa Fe FPD opening Station No. 5 within 0.5 miles of the affected territory. This means Rancho Santa Fe FPD – and not San Marcos FPD – will be the probable first responder for the entire Valiano project. Consequently, the reorganization timing appears dated and creates conflict with LAFCO's fundamental task to align service responsibilities with jurisdictional boundaries. This dynamic merits additional consideration, and staff believes this is most appropriately addressed in LAFCO's conditioning authority.

Additional analysis of the statutory factors is provided in Appendix A.

### Item No. 3 | Modifications and Terms

No modifications to the submitted reorganization have been identified by San Diego LAFCO staff meriting Commission consideration at this time. This includes confirmation the reorganization of the affected territory would not generate any corridors or otherwise illogical jurisdictional features. The application of standard approval terms appears sufficient and includes requiring the applicant to pay any outstanding fees necessary to complete the approval as provided under the San Diego LAFCO fee schedule.

In addition to standard terms, staff believes a special condition is merited for Commission consideration to address the timing issue detailed in the preceding section where Rancho Santa Fe FPD – rather than San Marcos FPD – will be the probable first responder to the entire Valiano project site based on existing resources. Conditioning approval on San Marcos FPD entering into an out-of-agency service agreement with Rancho Santa Fe FPD would memorialize expected first-response duties and – pertinently – compensation (monetary or other). This condition would serve as an effective workaround within LAFCO statute to approve the reorganization while addressing the need to match and formalize service responsibilities with service providers – either in annexation form or, as a substitute, through out-of-agency agreement form. It concurrently helps to ensure Rancho Santa Fe FPD constituents are not subsidizing costs for an out-of-jurisdiction development.

## CONCLUSION | MERITS OF ANY MODIFICATIONS OR TERMS

No modifications to the submitted reorganization appear warranted. Conditions are recommended as provided above and marked by San Marcos FPD entering into an out-of-agency service agreement with Rancho Santa Fe FPD to address its first responder role for the Valiano project site. The agreement would not need authorization from the Commission under Section 56133(e), but would need to be signed by both agencies and submitted to LAFCO before a Certificate of Completion is recorded.

### Other Statutory Considerations

#### Exchange of Property Tax Revenues

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before San Diego LAFCO can consider any jurisdictional change involving an annexation and/or detachment unless an applicable master agreement applies. The associated statutes also empower the County of San Diego to make all related property tax exchange determinations on behalf of special districts. LAFCO is in receipt of a tax exchange agreement covering the proposed reorganization adopted by the County Board of Supervisors on September 10, 2025. This agreement provides for a full exchange of the portion of property taxes currently allocated from the affected territory to Rancho Santa Fe FPD to San Marcos FPD should the proposal be approved by LAFCO. The current fiscal year value of the property tax exchange is \$660.

#### Environmental Review

San Diego LAFCO is obligated under CEQA to assess whether environmental impacts would result from activities approved under the Commission’s authority, either as a lead or responsible agency. Accordingly, the Commission is tasked with making one or more findings under CEQA in consideration of the proposed reorganization. Staff analysis follows.

- The County of San Diego serves as the lead agency for assessing potential impacts of the reorganization proposal under CEQA. On December 6, 2024, the County certified an Addendum Environmental Impact Report (EIR) and adopted a Notice of Determination (NOD), making findings that the project will not have a significant effect on the environment. This included conditioning the project on mitigation measures outlined in an adopted Mitigation Monitoring and Reporting Program. Staff independently believes the County has prepared sufficient documentation as lead agency in assessing and mitigating potential impacts, and it would be appropriate for the Commission to adopt parallel findings as responsible agency.

- San Diego LAFCO serves as lead agency under CEQA for the conforming sphere of influence amendment to Rancho Santa Fe FPD. It is recommended the Commission find this action constitutes a project under CEQA but is exempt from further review under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given that spheres are planning policies that do not result in environmental changes or authorize new uses.

## Protest Proceedings

Protest proceedings for the proposed reorganization may be waived by LAFCO should the Commission proceed with approval under Government Code Section 56662. The waiver appropriately applies given that the affected territory is uninhabited as defined under LAFCO law (i.e., fewer than 12 registered voters), the subject agencies have not filed an objection to the waiver, and the landowner has consented to the underlying action.<sup>8</sup>

## RECOMMENDATION

Staff recommends actions to conditionally approve the reorganization proposal as submitted with a conforming sphere of influence amendment to Rancho Santa Fe FPD. This recommendation is consistent with Alternative One in the following section.

## ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

### Alternative One (recommended):

Adopt the attached resolution conditionally approving the reorganization proposal along with a conforming sphere of influence amendment to Rancho Santa Fe FPD. The following sub actions are also provided within the draft resolution:

- Waive L-106
- Waive Protest Proceedings
- Make CEQA Findings

### Alternative Two:

Continue consideration to the next regular meeting.

### Alternative Three:

Disapprove of the reorganization proposal with direction to staff to return at the next regular meeting with a conforming resolution for adoption.

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<sup>8</sup> LAFCO law defines uninhabited as territory in which less than 11 registered voters reside.

## PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO’s agenda as part of a noticed public hearing. The following procedures are recommended in the consideration of this item:

1. Disclose any material ex parte communications.
2. Receive verbal presentation from staff unless waived.
3. Open the public hearing and invite comments from the applicant and general public.
4. Discuss item and consider the staff recommendation.

On behalf of the Executive Officer,



Michaela Peters  
Local Governmental Analyst II

Appendix:

- A) Analysis of Proposal Review Factors

Attachments:

- 1) Vicinity Map of the Affected Territory
- 2) Draft Resolution of Approval
- 3) Application Materials
- 4) County of San Diego, Addendum EIR Resolution (online only)

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## APPENDIX A

### Government Code Section 56668 Mandatory Proposal Review Factors

- a) **Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, in the next 10 years.**

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The affected territory as submitted comprises a 10.8-acre unincorporated parcel currently within the County of San Diego, situated between the Cities of Escondido and San Marcos and immediately north of the Harmony Grove development. The subject parcel is one of 13 comprising the Valiano development and is planned to be developed into nine single-family residences as part of a 243-unit project.

- b) **The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

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The proposed reorganization affects only integrated fire protection, rescue, and emergency medical services. The affected territory is currently served by the Rancho Santa Fe FPD and is expected to continue post-reorganization and detachment given established first-response practices among public safety providers.

- c) **The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.**

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Approving the reorganization would create social and economic ties between the affected territory with San Marcos FPD.

- d) **The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies/priorities set forth in G.C. Section 56377.**

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The proposed reorganization supports a 243-unit residential development conditionally approved by the County of San Diego in 2018 and covers the affected territory and 228 additional acres. This development substantiates the need for integrated fire protection, rescue, emergency medical services, and related administrative functions throughout the project site. Assigning San Marcos FPD as the legal service provider aligns with LAFCO policies directing urban development toward cities and their subsidiaries. However, geographic proximity creates a unique operational situation. Rancho Santa Fe FPD's Station No. 5, located less than 0.5 miles away at 2604 Overlook Point Road, will likely remain the probable first responder post-reorganization due to its proximity advantage. This topic is detailed in the associated agenda report.

The affected territory does not contain “open space” as defined under LAFCO law and no conflicts exist under Government Code Section 56377.

**e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.**

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The affected territory does not contain “prime agricultural land”, or “agricultural land” as defined under LAFCO law. Specifically, the affected territory does not contain lands currently used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program. Approval of the out-of-agency service agreement and reorganization proposal would not adversely affect the physical or economic well-being of agricultural lands.

**f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment, the creation of islands or corridors of unincorporated territory, and other similar matters.**

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LAFCO is in receipt of a draft map and geographic description of the affected that details metes and bounds that appear consistent with the standards of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on approval of the map and geographic description by the County Assessor’s Office and address any modifications enacted by the Commission. No irregular or otherwise illogical boundary features would be generated from proposal approval.

**g) A regional transportation plan adopted pursuant to Section 65080.**

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The proposed reorganization would reconstitute fire protection, rescue, and emergency medical services to the affected territory and in doing so accommodate the planned construction of a 243-unit residential subdivision consistent with County zoning. The anticipated outcomes do not generate any known conflicts with *San Diego Forward*, the regional transportation plan adopted by the San Diego Association of Governments.

**h) Consistency with the city or county general and specific plans.**

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The affected territory is designated by the County via an amended General Plan as Semi-Rural Residential (SR 0.5), allowing for one dwelling unit per 0.5 acre. A similar zoning amendment designates the area as Specific Plan (S88), allowing one dwelling unit per 0.5 acre.

**i) The sphere of influence of any local agency affected by the proposal.**

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See agenda report.

**j) The comments of any affected local agency or other public agency.**

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Notice of the reorganization proposal was distributed to all affected and subject agencies as

required under LAFCO law. Notices were also provided to all local college and school districts, and no written comments were submitted in response.

- k) The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**
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See agenda report.

- l) Timely availability of adequate water supplies for projected needs as specified in G.C. Section 65352.5.**
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The affected territory’s planned residential uses are within the Rincon del Diablo MWD’s retail potable water system with wholesale supplies provided by the San Diego County Water Authority and the Metropolitan Water District of Southern California. Approval of the proposed reorganization would not affect these existing relationships and/or commitments.

- m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.**
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The proposed reorganization would not impact any local agencies in accommodating their regional housing needs.

- n) Any information or comments from the landowners, voters, or residents.**
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The affected territory is considered uninhabited as defined by LAFCO law (containing 11 registered voters or less). The landowner supports the proposed reorganization and have provided written consent to the proceedings as the petitioners.

- o) Any information relating to existing land use designations.**
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See above analysis for (h).

- p) The extent to which the proposal will promote environmental justice.**
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The proposed reorganization is not expected to have a negative impact on environmental justice. A review of existing pollution burdens and susceptible populations within the affected territory follows, based on data available from the California Environmental Protection Agency through its online assessment tool (CalEnviroScreen 4.0).

- The affected territory's **composite pollution burden ranking** falls in the 58th percentile with an internal range between the 8th and 96th percentiles. Five pollution burden measurements exceed the 50th percentile and are considered noteworthy. These measurements are related to Cleanup Sites, Groundwater Threats, Hazardous Waste, Impaired Water, and Solid Waste.

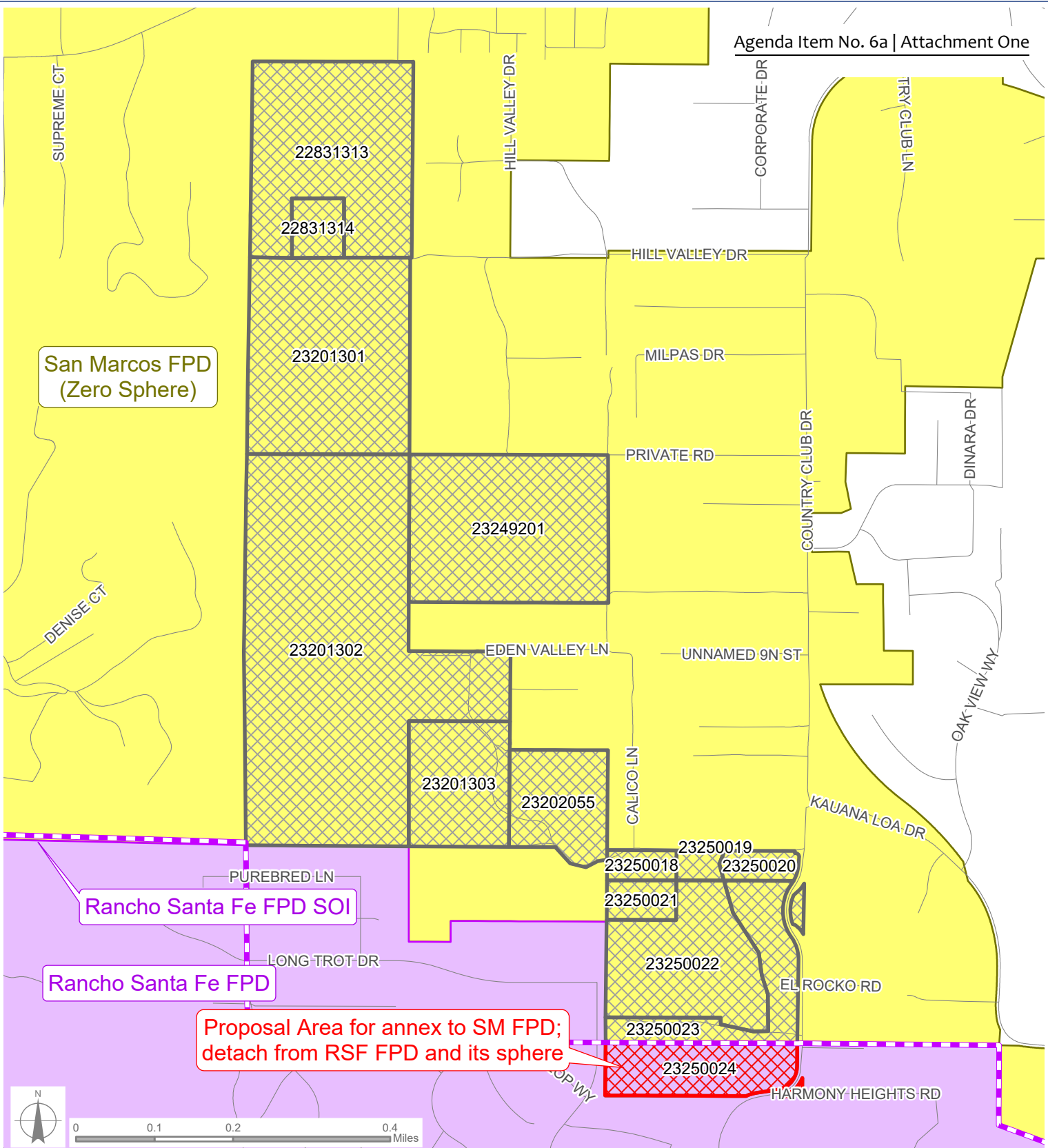
- The affected territory's **composite susceptible population ranking** falls in the 23rd percentile with an internal range between the 4th and 76th percentiles. Two of these at-risk groups exceed the 50th percentile and include Low Birth Rate and Housing Burden.

A summary of all tracked pollution burdens and susceptible populations follows.

Census Tract No. 6073020306	
Pollution Burdens and Susceptible Population	
(Source: California Environmental Protection Agency and SD LAFCO)	
Affected Territory + Surrounding Land	
Census Tract No.	6073020306
Estimated Population	9,659
Pollution Burden	Weighted Percentile
... Percentile	<b>58.7</b>
Indicator   Air Quality: Ozone	45.0
Indicator   Air Quality: PM 2.5:	13.0
Indicator   Air Quality: Diesel PM:	26.6
Indicator   Pesticides:	45.5
Indicator   Toxic Releases:	15.2
Indicator   Traffic:	47.6
Indicator   Drinking Water Contaminants:	42.5
Indicator   Lead in Housing:	8.7
Effects   Cleanup Sites:	<b>64.7</b>
Effects   Groundwater Threats:	<b>64.2</b>
Effects   Hazardous Waste:	<b>89.2</b>
Effects   Impaired Water:	<b>96.3</b>
Effects   Solid Waste:	<b>66.7</b>
Sensitive Population	Weighted Percentile
... Percentile	23.0
Population   Asthma:	4.9
Population   Low Birth Weight:	<b>51.3</b>
Population   Cardiovascular Disease:	24.9
Population   Education:	15.8
Population   Linguistic Isolation:	24.8
Population   Poverty:	42.6
Population   Unemployment:	26.9
Population   Housing Burden:	<b>76.0</b>

- q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.

The County of San Diego General Plan includes a hazard mitigation component addressing risks from fire, flooding, and earthquakes. The affected territory is designated within a “very high” fire hazard severity zone, a “low” earthquake hazard zone, and is located outside of both tsunami hazard zones and the 100-year floodplain.



RO19-26 "VALIANO - EDEN HILLS REORGANIZATION" | ANNEXATION TO SAN MARCOS FPD, DETACHMENT FROM RANCHO SANTA FE FPD AND RELATED ACTIONS  
SOI = Sphere of Influence

- Rancho Santa Fe FPD SOI
- Proposal Area - fire related
- Specific Plan 13 parcels & 228-313-14
- Rancho Santa Fe FPD
- San Marcos FPD

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RESOLUTION NO. \_\_\_\_\_

**SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION**

**MAKING DETERMINATIONS, APPROVING, AND ORDERING A REORGANIZATION**

**“VALIANO – EDEN HILLS REORGANIZATION”**

**ANNEXATION TO THE SAN MARCOS FIRE PROTECTION DISTRICT, DETACHMENT FROM RANCHO SANTA FE FIRE PROTECTION DISTRICT AND RELATED ACTIONS**

**LAFCO FILE NO: RO19-26**

**WHEREAS**, on December 10, 2019, Eden Hills LLC filed a landowner petition to initiate proceedings, and an application with the San Diego County Local Agency Formation Commission, hereinafter referred to as "Commission", pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the application before the Commission seeks approval of a reorganization of approximately 10.8 acres of unincorporated territory involving the concurrent detachment from the Rancho Santa Fe Fire Protection District (FPD) and annexation to the San Marcos FPD; and

**WHEREAS**, the reorganization is proposed to facilitate a larger development project known as "Valiano," which comprises approximately 240 unincorporated acres and was conditionally approved by the County of San Diego for development into 243 residential units and ancillary improvements; and

**WHEREAS**, the affected territory as proposed for reorganization includes one legal parcel of approximately 10.8 acres identified by the County of San Diego's Assessor's Office as 232-500-24 with a current situs of 1805 Country Club Drive; and

**WHEREAS**, on September 10, 2025, and consistent with law, the County of San Diego adopted a property tax exchange agreement that will govern the property tax exchange associated with the reorganization of the affected territory; and

**WHEREAS**, the Commission has reviewed and considered the California Environmental Quality Act (CEQA) documentation prepared for the Valiano project and reorganization by the County of San Diego as the lead agency; and

**WHEREAS**, the Commission's Executive Officer has reviewed the proposed reorganization – including the merits of a conforming sphere of influence amendment for Rancho Santa Fe FPD – and prepared a report with recommendations; and

**WHEREAS**, the Executive Officer's report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission provided notice of the public hearing on the proposal in the manner required by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a noticed public meeting on the proposal on October 6, 2025; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code Sections 56425 and 56668 as well as adopted local policies and procedures.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission as follows:

1. The public meeting was held on the date set therefore, and due notice of said meeting was given in the manner required by law.
2. At the public meeting, the Commission considered the Executive Officer's report.
3. With respect to considering the effects of the proposed reorganization under CEQA, the Commission's makes the following findings:
  - a) The County of San Diego serves as the lead agency under the CEQA for the reorganization as part of its discretion to approve the underlying Valiano development project. On December 6, 2024, the County certified an Addendum Environmental Impact Report (EIR) and adopted a Notice of Determination (NOD), making findings that the project – including the proposed reorganization – will not have a significant effect on the environment. This included conditioning the project on mitigation measures outlined in an adopted Mitigation Monitoring and Reporting Program. The Commission independently believes the County has prepared sufficient documentation as lead agency in assessing and mitigating potential impacts, and it would be appropriate for the Commission to adopt parallel findings as responsible agency.
  - b) San Diego LAFCO serves as lead agency under CEQA for the conforming sphere of influence amendment to facilitate the proposed detachment of the affected territory from Rancho Santa Fe FPD. The Commission finds this activity qualifies as a project under CEQA but exempt from further review under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres are planning policies, and any amendments do not make any changes to the environment or authorize any new uses.
4. The Commission CONDITIONALLY APPROVES the amendment to remove the affected territory from Rancho Santa Fe FPD's sphere of influence and in doing so accommodate the reorganization as shown in the vicinity map provided as Exhibit A.

- a. Approval of the above-stated sphere of influence amendments includes an enabling waiver by the Commission as recommended by the Executive Officer of the provision in L-106 that would otherwise require the preparation of one or more municipal service reviews.
  - b. Approval of the above-stated sphere of influence amendment is contingent upon the approval and related issuance of a Certificate of Completion.
  - c. Approval includes the Commission making findings under Government Code Section 56425 consistent with the statements provided in the accompanying Executive Officer's written report.
  - d. The Commission attests no amendment is necessary to the San Marcos FPD sphere of influence given its "transitional designation" and expectation therein by the Commission that the agency ultimately dissolve and fully annex into the City of San Marcos at a future time.
5. The Commission CONDITIONALLY APPROVES the reorganization without physical modifications subject to conditions as provided. Approval involves all the following jurisdictional changes:
  - a) Detachment of the affected territory from Rancho Santa Fe FPD as shown in "Exhibit B-1" and described in Exhibit "B-2."
  - b) Annexation of the affected territory to the San Marcos FPD as shown in "Exhibit B-1" and described in "Exhibit B-2".
6. The Commission CONDITIONS all approvals on the following terms being satisfied by October 6, 2026 unless an extension is requested in writing and approved by the Executive Officer:
  - a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
  - b) An agreement between San Marcos FPD and Rancho Santa Fe FPD establishing terms and related compensation – monetary or otherwise – for Rancho Santa Fe FPD to continue to provide first responder fire protection, rescue, and emergency medical services to the affected territory and the balance of the Valiano project.
  - c) Submittal to the Commission of final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Divisions.
  - d) Submittal to the Commission of the following payments:

- A check made payable to LAFCO in the amount of \$100.00 for the County of San Diego-Clerk Recorder to reimburse for filing a CEQA Notice of Exemption and Notice of Determination consistent with the findings in the resolution.
  - A check made payable to the State Board of Equalization for processing fees in the amount of \$500.00.
  - A check made payable to LAFCO to reimburse for the actual costs of noticing the proposal for the public hearing in the San Diego Union Tribune.
- e) Written confirmation from San Marcos FPD that all terms required of their Board involving the reorganization are satisfied.
7. The Commission assigns the proposal the following short-term designation:
- “Valiano – Eden Hills Reorganization”.
8. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
9. The Commission waives conducting authority proceedings under Government Code Section 56662.
10. The Rancho Santa Fe and San Marcos FPDs are registered-voter districts. Both utilize the County of San Diego assessment roll.
11. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the San Marcos FPD as provided under Government Section 57328, and will be subject to any previously authorized taxes, benefit assessments, fees or charges of the San Marcos FPD as provided under Government Code Section 57330.
12. The effective date of approval shall be the date of recordation but not before the completion of a 30-day reconsideration period and only after all terms have been completed as attested by the Executive Officer.
13. As allowed under Government Code Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to the resolution to address any technical defects, errors, irregularities, or omissions.
14. The Executive Officer is hereby authorized and directed to transmit copies of this resolution as provided in Sections 56880-56882 of the Government Code.
15. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

\*\*

PASSED AND ADOPTED by the Commission on October 6, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

\*\*

ATTEST:

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Keene Simonds  
Executive Officer

**EXHIBIT A**  
**MAP OF SPHERE OF INFLUENCE AMENDMENT FOR THE**  
**RANCHO SANTA FE FPD**

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**EXHIBIT B-1**  
**MAP OF THE AFFECTED TERRITORY**  
**CONCURRENT DETACHMENT FROM RANCHO SANTA FE FPD AND**  
**ANNEXATION TO SAN MARCOS FPD**

-Placeholder-

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**EXHIBIT B-2**  
**GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY**  
**CONCURRENT DETACHMENT FROM RANCHO SANTA FE FPD AND**  
**ANNEXATION TO SAN MARCOS FPD**

-Placeholder-

**LAFCO Application - Petition for Proceedings**

**PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG  
LOCAL GOVERNMENT REORGANIZATION ACT OF 2000**

**Part I: NOTICE OF INTENT TO CIRCULATE PETITION**

Proponents are required to file a NOTICE OF INTENT TO CIRCULATE PETITION with the Executive Officer of the San Diego Local Agency Formation Commission before a petition to initiate a change of organization or reorganization can be circulated (Govt. Code § 56700.4).

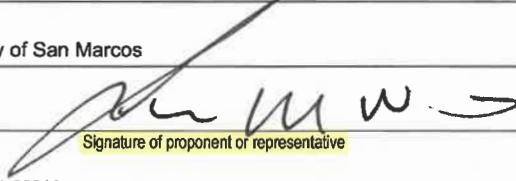
1. Notice is hereby given to circulate a petition proposing to: Annex APN # 232-500-24 to the San Marcos FPD, remove from Rancho Santa Fe FPD | Sphere amendment to remove APN # 228-313-13 from San Marcos to City of Escondido

2. The reason(s) for the proposal are: To annex parcels to San Marcos FPD w/detachment from Rancho Santa Fe FPD + related sphere of influence amendments

(-) Sphere of influence amendment to City of San Marcos

Lance M. Waite

Proponent's Name (print)

  
Signature of proponent or representative

701 Palomar Airport Rd. Suite 150, Carlsbad, CA 92011

Proponent's Address

City, State, Zip

Pursuant to Section 56700.4 of the California Government Code, this NOTICE OF INTENT TO CIRCULATE PETITION was filed with me on \_\_\_\_\_

Date

\_\_\_\_\_  
Executive Officer (Print and Sign)

**PART II: DISCLOSURE REQUIREMENTS**

The Political Reform Act prohibits a person appointed to the Local Agency Formation Commission from soliciting or accepting campaign contributions of more than \$250 within the preceding 12 months from parties, participants, or their agents while a proceeding is pending before LAFCO and for three months following the decision. LAFCO commissioners who receive such contributions are required to disqualify themselves from participating in the proceedings. Both commissioners and contributors who are parties to the proceeding are required to disclose the contributions received or made. Names of current LAFCO commissioners and LAFCO disclosure forms are available at [HTTP://WWW.SDLAFCO.ORG](http://www.sdlafco.org) or by calling 858/614-7755.

Pursuant to Government Code Section 56700.1, any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expend \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act (Title 9 [commencing with Section 81000]) as provided for local initiative measures.

Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be submitted to the Secretary of State and the appropriate city or county clerk. Copies of the reports must also be filed with the Executive Officer of San Diego LAFCO.

**Part III: PETITION FOR CHANGE OF ORGANIZATION OR REORGANIZATION**

This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code, Section 56000 et seq. of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

- (a) The specific change(s) of organization proposed is/are: Sphere amendment to remove APN# 228-313-13 from City of San Marcos, Annex APN# 232-500-24 w/ (+) SOI to San Marcos FPD & detachment from Rancho Santa Fe FPD (-) SOI amendment
- (b) The boundary of the territory included in the proposal is as described in the attached legal description and map and is by this reference incorporated herein.
- (c) The proposed action(s) will be subject to the following terms and conditions: County Specific Plan 13-001
- (d) The reason(s) for the proposal is/are: To develop 243 units on 238.8 acres called the "Valiano" Specific Plan
- (e) Signers of this petition have signed as (select one):  landowner;  registered voter.
- (f) The name(s) and mailing address(s) of the chief petitioner(s) (not to exceed three) is/are:

- 1. Lance M. Waite 701 Palomar Airport Rd Suite 150, Carlsbad, CA 92011  
Name of chief proponent (print) mailing address
- 2. \_\_\_\_\_  
Name of chief proponent (print) mailing address
- 3. \_\_\_\_\_  
Name of chief proponent (print) mailing address

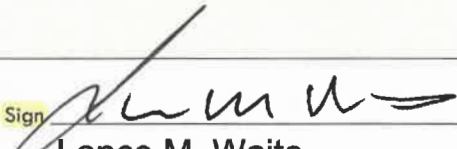
- (g) It is requested that proceedings for this proposal be taken in accordance with Section 56000 et seq. of the Government Code.
- (h) This proposed change of organization (select one)  is  is not consistent with the sphere-of-influence of any affected city or district.
- (i) The territory included in the proposal is (select one)  inhabited (12 or more registered voters)  uninhabited (11 or less registered voters).
- (j) If the formation of a new district(s) is included in the proposal:
  - 1. The principal act under which said district(s) is/are proposed to be formed is/are: N/A
  - 2. The proposed name(s) of the new district(s) is/are: N/A
  - 3. The boundary(ies) of the proposed new district(s) is/are described in the attached legal description and map and are by this reference incorporated herein.
- (k) If an incorporation is included in the proposal:
  - 1. The name of the proposed city is: N/A
  - 2. Provisions are requested for appointment of:  city manager  city clerk  city treasurer
- (l) If the proposal includes a consolidation of special districts, the proposed name of the consolidated district is: N/A

**Part IVb: LANDOWNER PETITION**

Petitions must meet minimum signature requirements (see Part V). Signatures must be secured within six months of the date on which the first signature was affixed. Petitions must be submitted to the LAFCO Executive Officer within 60 days after the last signature is affixed (Govt. Code § 56705).

**Each of the undersigned states:**

- I personally signed this petition.
- I am a landowner of the affected territory.
- I personally affixed hereto the date of my signing this petition and the Assessor's Parcel Number(s), or a description sufficient to identify the location of my land.

Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
Sign  Print <u>Lance M. Waite</u>	See Attachment A (Application)	1-22-2025	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

## **List of Assessor Parcel Numbers**

## **Attachment A**

Specific Plan SP 13-001 consists of 13 individual parcels referenced as follows:

**ASSESSOR PARCEL NUMBERS:**

228-313-13, 232-013-01, 232-013-02, 232-013-03, 232-020-55, 232-492-01,  
232-500-18, 232-500-19, 232-500-20, 232-500-21, 232-500-22, 232-500-23,  
232-500-24

**Fire District Reorganization:**

**ASSESSOR PARCEL NUMBERS:**

232-500-24