



**RANCHO SANTA FE FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA**

Rancho Santa Fe FPD
Board Room – 18027 Calle Ambiente
Rancho Santa Fe, California 92067

January 31, 2019
2:30 pm PT
Special Meeting

RULES FOR ADDRESSING BOARD OF DIRECTORS

Members of the audience who wish to address the Board of Directors are requested to complete a form near the entrance of the meeting room and submit it to the Board Clerk.

Any person may address the Board on any item of Board business or Board concern. The Board cannot take action on any matter presented during Public Comment, but can refer it to the Administrative Officer for review and possible discussion at a future meeting. As permitted by State Law, the Board may take action on matters of an urgent nature or which require immediate attention. The maximum time allotted for each presentation is FIVE (5) MINUTES.

Pledge of Allegiance

1. Roll Call

2. Public Comment

3. New Business

a. Limited Building Zone Easement

To discuss and/or approve a 50 foot Limited Building Zone Easement granted to the County of San Diego on Lot 73 (RSF5) for the protection of an adjacent open space area. [Staff Report 19-02](#)

Action Requested: **Approve the easement and authorize the Board President to execute the agreement**

4. Adjournment

The next regular meeting Board of Directors meeting to be February 20, 2019 in the Board Room located at 18027 Calle Ambiente, Rancho Santa Fe, California. The business meeting will commence at 1:00 p.m.




RANCHO SANTA FE FIRE PROTECTION DISTRICT
Board of Directors Special
Meeting Agenda
Thursday, January 31, 2019
2:30 pm PT

CERTIFICATION OF POSTING

I certify that on January 25, 2019 a copy of the foregoing agenda was posted on the District's website and near the meeting place of the Board of Directors of Rancho Santa Fe Fire Protection District, said time being at least 24 hours in advance of the meeting of the Board of Directors (Government Code Section 54954.2)

Executed at Rancho Santa Fe, California on January 25, 2019



Karlena Rannals
Board Clerk

STAFF REPORT

19-02

TO: BOARD OF DIRECTORS
FROM: FRED COX, FIRE CHIEF
SUBJECT: RSF5 – LIMITED BUILDING EASEMENT
DATE: JANUARY 25, 2019



RECOMMENDATION:

Staff recommends approval the 50' Limited Building Easement (LBZ) and to record such easement with the County of San Diego.

BACKGROUND:

As a condition to proceed in the permitting process for Fire Station 5, a 50' LBZ is required to be granted to the County of San Diego along the southwestern property line. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent Biological Open Space Easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:

1. Decking, fences, and similar facilities.
2. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
3. When properly designed mitigation measures are employed and approved by the local Fire Authority having Jurisdiction and Director of Planning & Development Services (PDS), such building(s) shall be allowed to be constructed into this easement, if such measures allow for reduced vegetation management zones, which require no intrusion into the open space.
4. When in the interest of public safety, any essential public facility or project, in which mitigation measures have been incorporated into the facility or project, and there are no other feasible less environmentally damaging location, alignment, or non-structural alternatives that would meet project objective.

SPACE ABOVE FOR RECORDER'S USE ONLY

LIMITED BUILDING ZONE EASEMENT

NO TRANSFER TAX DUE

Document Transfer Tax: -0- R&T 11922

Assessor's Parcel No.: 235- 562-02-00

Project: Rancho Santa Fe Fire Protection District - Fire Station 5

RANCHO SANTA FE FIRE PROTECTION DISTRICT, a California special district

herein designated **GRANTOR**, owner of the hereinafter described lands, for a valuable consideration, the receipt of which is hereby acknowledged, hereby grants to the COUNTY OF SAN DIEGO, a political subdivision of the State of California, its successors and assigns hereinafter designated **GRANTEE**, together with the right to convey said 50' easement, a perpetual Limited Building Zone Easement, over that area described as follows:

Parcel No. 235-562-02-00

A PORTION OF LOT 73, TRACT NO. 5365-1, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 15888, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JANUARY 18, 2013, AS MORE PARTICULARLY DESCRIBED IN **EXHIBIT "A"** AND DEPICTED IN **EXHIBIT "A-1"** ATTACHED HERETO AND MADE A PART HEREOF, FOR ILLUSTRATIVE PURPOSES ONLY AND IS NOT INTENDED TO BE USED IN THE CONVEYANCE OF LAND.

This perpetual Limited Building Zone Easement is for the protection of an adjacent area containing sensitive biological resources (encumbered by an open space easement) from encroachment due to clearing of vegetation or fire clearing activities and prohibits any new construction, erection or placement of any structure designed or intended for occupancy by humans or animals within this easement on or after the recording date of this easement. The exception(s) to this prohibition are:

1. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
2. Decking, fencing, and similar facilities.

3. When properly designed mitigation measures are employed and approved by the local Fire Authority having Jurisdiction and Planning and Development Services, such building(s) shall be allowed to be constructed into this easement, if such measures allow for reduced vegetation management zones, which require no intrusion into the open space.
4. When in the interest of public safety, any essential public facility or project, in which mitigation measures have been incorporated into the facility or project, and there are no other feasible less environmentally damaging location, alignment, or non-structural alternatives that would meet project objectives.

The County of San Diego shall have the right, but not the obligation, to enter upon the land subject to this easement only to remove any material, structure or other thing placed or maintained contrary to the terms of this easement, and to do any work necessary to eliminate the effects of any violation of this easement.

This easement shall not authorize the County of San Diego, any assignee, or any member of the public to use or enter upon the land subject to this easement for any other reason; it being understood that the purpose of this easement is solely to restrict the use of said land. The terms of this easement may be specifically enforced or enjoined by proceedings in a court of competent jurisdiction, and shall be binding upon the Grantor(s) and its or their successors and assigns.

Dated this _____ day of _____, 2019

RANCHO SANTA FE FIRE PROTECTION DISTRICT
a California Special District

By: _____
James Ashcraft
President, Board of Directors

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On _____ before me, _____, a Notary Public in and for the said State, personally appeared _____

(FOR NOTARY SEAL OR STAMP)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity(ies) and by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and Official Seal.

Signature: _____
Name (typed or printed), Notary Public in and for said County and State

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the foregoing deed or grant to the County of San Diego, a political subdivision, is hereby accepted on behalf of the Board of Supervisors of said County of San Diego pursuant to authority conferred by Resolution No. 12-159 of said Board adopted on _____ and the Grantee consents to recordation thereof by its duly authorized officer.

Dated this _____ day of _____, 2019

THE COUNTY OF SAN DIEGO
a political subdivision of the State of California

By: _____
Name: _____
Its: _____

EXHIBIT "A"

LIMITED BUILDING ZONE
DESCRIPTION

A PORTION OF LOT 73, TRACT NO. 5365-1, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 15888, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JANUARY 18, 2013, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 50' LIMITED BUILDING ZONE BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 73, THENCE ALONG THE SOUTHERLY BORDER LINE OF SAID PARCEL 73 TERMINATING AT THE SOUTH WEST CORNER.

EXHIBIT "A-1"

LIMITED BUILDING ZONE
DEPICTION