

Comment Letter B	
 <p>2025 Elfin Forest Road Elfin Forest, CA 92029</p> <p>Carl Stehl, Planner Advance Planning, San Diego County DPLU 5510 Overland Ave Suite 310 San Diego, CA 92123</p> <p>March 7, 2013</p> <p>Re: Draft Equine Zoning Ordinance</p> <p>Dear Carl,</p> <p>The Elfin Forest Harmony Grove (EFHG) Town Council appreciates the opportunity to comment on the draft Equine Ordinance (POD 11-011) in the County of San Diego Zoning Ordinance.</p> <p>Our residents overwhelmingly feel that keeping horses is an important aspect of our community's rural atmosphere (2005 Community Survey). Our community plan (http://www.sdcourt.ca.gov/dplu/docs/CELEFIN_FOR_HARM_GROVE_CP.PDF) provides for horses and large animal keeping with responsible husbandry (Policy LU-1.3.1) but further states: "Policy LU-1.1.4 Prohibit commercial and industrial uses with the exception that existing agricultural uses may conduct commercial activity, if it is ancillary to and supportive of the primary agricultural use of the property." Clearly allowing commercial uses NOT ancillary to an existing agricultural use is in violation of our community plan. While we support equine activities on residential properties, we do not want to encourage commercial riding stables.</p> <p>We do feel strongly that horse owners should maintain their pastures, fencing, and barns, and be responsible for good BMP's regarding storm water run-off, soiled bedding, manure management, insect abatement, noise, and dust control. The structures, pastures etc. should be placed with proper setbacks, with all applicable building and grading permits in place.</p> <p>We agree with the proposal of using TIERS to reflect the varying needs of the horse community across San Diego County. We agree that the First Tier that allows a minimal amount of boarding would help our horse owners offset the considerable expense of horse keeping. We agree that the First Tier of the proposed Equine Ordinance would accomplish this for the EFHG community without the need for a ministerial or discretionary permit, and have minimal impact on our perceived community character. Our goal is to keep the rural residential feel of our community and not encourage larger commercial enterprises.</p> <p>We disagree with allowing signage, lighting, sound amplification or any other commercial aspect currently allowed in Tiers Two, Three, and Four of the draft Equine Ordinance. Tier Two would be in character with our community plan if the density were 6 horses per acre, it did not allow signage, but it still required all the permitting and BMPs as proposed.</p> <p>We disagree that Tiers Three and Four will have less-than-significant impact in an area such as EFHG. Our area is primarily residential on large lots with a rural atmosphere. County Zoning ordinance, Sections 5750-5758, Scenic Area Regulations, includes provisions to provide for the maintenance and enhancement of a community's individual character and identity. The density of 10 horses per acre and</p>	<h2 style="text-align: center;">Response to Comment Letter B</h2> <h3 style="text-align: center;">Bonnie Baumgartner</h3> <h4 style="text-align: center;">March 7, 2013</h4> <p>B-1 This comment is introductory in nature and does not raise any specific environmental issues for which a response is required.</p> <p>B-2 The commercial Horse Stable use type is allowed under zoning in much of the unincorporated County and this has been the case since the adoption of the Zoning Ordinance in October 1978. Policy LU-1.1.4 was added to the Elfin Forest Harmony Grove community plan in August 2011. A commercial use, such as a Horse Stable that is and was already allowed in the zone may not be retro actively prohibited by a policy in a community plan. The intent of the policy is for new commercial and industrial uses that are not allowed by existing zoning to be discouraged.</p> <p>B-3 Best Management Practices (BMPs) are required with permits for building and grading. For example, a new barn and associated grading permit for a horse stable would require BMPs. In addition, BMPs are required for all horse uses, private or commercial in perpetuity. For example, an area being used to spread or compost manure should have some BMPs to account for potential stormwater run-off. Stables are required to comply with the Grading, Stormwater and Watershed</p>

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	<p>Protection Ordinances, which require BMPs for compliance with standards. Stables not found in compliance will be subject to enforcement to ensure compliance with applicable ordinances and regulations.</p> <p>B-4 The rural residential feel of a community, such as San Dieguito or Elfin Forest, is supported by private and commercial horse uses.</p> <p>B-5 Signage, lighting and sound amplification are already allowed with existing limitations in the Zoning Ordinance and Noise Abatement and Control section of County Code. The draft ordinance is clarifying and referencing these regulations in the new horse stable section. Staff proposes a density of 10 horses per acre and does not support 6 horses per acre. The proposal of 10 horses per acre meets with project objectives including streamlining the permit process to better facilitate the development of such uses in the County. Signage is already allowed in the Zoning Ordinance, amending the ordinance to not allow signs either in this community or County-wide would unnecessarily single-out this use type with limitations when other similar use types can have signs (such as large farms, nurseries, dog kennels, etc.). This again, does not meet with project objectives to facilitate development of horse stables assisting property owners with existing signs to come into compliance with regulations. The dark sky policy of the community plan and the</p>
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<p>50 horses maximum is too high and out of character with the rest of the state. In the EIR assessment areas of Aesthetics, Air Quality, Noise, and Traffic, the impact of 10 horses per usable acre makes this Draft ordinance inconsistent with our community plan in Tiers Two, Three, and Four.</p> <p>Aesthetics and Visual Quality We agree with the findings of the EIR section 2.1.3.1 that the density on Tier Two (i.e. 10 horses per acre with possible vertical housing structure, etc.) could have a substantial adverse effect on scenic vistas. In addition, we have a "dark sky policy" in our community plan. Commercial enterprises that encourage after dark light sources would cause light pollution in violation of our community plan. Allowing high voltage lighting in Tiers Three and Four could have significant impact to our community in terms of light and glare (2.1.3.4). In addition, the allowance for commercial signage in Tiers Two through Four is inconsistent with our community plan. The cumulative impact (2.1.4) with density of 10 horses per acre would be significant in a rural residential community.</p> <p>Air Quality and Greenhouse Gases The emissions associated with 10 horses per acre and the maintenance of facilities to house these horses could be significant to our residential community given commercial enterprises as described in Tiers Three and Four.</p> <p>Traffic/Transportation Ambient noise associated with commercial equine facilities include vehicular traffic, either from patrons or deliveries, and increased traffic on our small, privately maintained rural "lanes". Tiers Three and Four would significantly impact our private roads, and could pose significant problems of ingress and egress in times of fire and natural disaster, therefore increasing hazards.</p> <p>Noise The noise associated with amplified sound would infringe upon our community's desire for a quiet rural atmosphere in a primarily residential area.</p> <p>Recreation This project will "increase the use of existing neighborhood facilities" by bringing the paying public to ride and use our network of private trails, which are all on private property. These trails are all personally financed and maintained by local resident volunteers. Tiers Three and Four could potentially worsen the impact on this neighborhood by increasing trail wear and tear and increasing the need for repair.</p> <p>Solid Waste The impact of 50 horses per acre could be significant in an area such as EFHG, which is surrounded by mitigated land, protected watershed and environmentally sensitive areas. Our residents want to be assured that the enforcement of proper BMPs will be included in this project.</p> <p>In summary, EFHG could accommodate Tier One and Tier Two facilities if modified to decrease the number of horses to 6 per acre and a total of 30 maximum per parcel for Tier Two but we would like to propose that the EFHG Planning Area be separated from the greater San Diego County in the Equine ordinance to better reflect the rural residential feel of our community. Due to our predominantly residential land use and the amount of mitigated and protected land in our community, we appeal to the DPLU and the Board of Supervisors to give EFHG its own equine designator, which would allow Tiers One and Two (with modification) but not Tiers Three and Four.</p> <p>Thank you for this opportunity to comment on this proposal.</p> <p>Sincerely,</p> <p>Bonita Baumgartner, Chair EFHGTC</p>	<p>B-7</p> <p>B-8</p> <p>B-9</p> <p>B-10</p> <p>B-11</p> <p>B-12</p> <p>B-13</p> <p>B-14</p>	<p>existing dark skies ordinance are the same. Horse stables are required to comply with light pollution code (the dark skies ordinance) Section 6322 – 6324 of the Zoning Ordinance.</p> <p>B-6 Depending on the issue impact, such as Aesthetics or Biology or Air Quality, the EIR does state that the ordinance as proposed will have significant impacts in the EFHG area and throughout the County. Although, for some issue areas, there will be a less than significant impact. The area is primarily residential with a rural atmosphere, which is where in staff's experience most horse uses are found, either private or commercial. The Scenic Area Regulations of the Zoning Ordinance in sections 5750-5758 apply to certain identified Scenic Areas of the unincorporated County. There are no identified Scenic Areas in EFHG.</p> <p>B-7 The density of 10 horses per acre with up to 50 horses allowed by a Zoning Verification permit is an allowed maximum. The horse industry is one where numbers change, depending on various factors, such as the economy, the proposed 10 horses maximum density provides flexibility which important in relation to the project objectives. The density of 10 horses per acre develops a tiered permitting process that assists property owners in coming into compliance with the County's equine regulations by allow for various types and sizes of operations. Not every stable will be able</p>
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	<p>to support densities that high, nor do most existing facilities (permitted or not) in the County. Most current facilities have a capacity for about 3-5 horses per acre and operate at a density of less than that. The 10 horses per acre provides the flexibility desired in a tiered permitting process. Stables permitted under the ordinance in Tiers three and four will be required to conform to the General Plan and EFHG community plan as part of the discretionary process. The ordinance provides design measures and limitations such as setbacks, manure management, fire protection, vector control, lighting, dust, odor, noise compliance and BMPs under tier two which are consistent with the EFHG community plan.</p> <p>B-8 Comment noted. See Responses B-5 and B-7.</p> <p>B-9 Comment noted. This comment does not raise any specific environmental issues for which a response is required.</p> <p>B-10 Comment noted. Potential impacts related to hazards and transportation and traffic are addressed in Sections 2.6 and 2.8 of the DEIR, respectively.</p> <p>B-11 Comment noted. Potential impacts related to noise are addressed in Section 2.7 of the DEIR.</p> <p>B-12 Horses are restricted to riding on approved trails in the unincorporated County. Any infractions should be</p>
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	<p>documented by the Parks and Recreation Department or code enforcement for action. Additionally, the proposed project would not result in a substantial increase in the numbers of horses or equine facilities in the County. Rather, the proposed project is intended to update equine regulations and would allow many unpermitted facilities in the County to come into compliance with the ordinance.</p> <p>B-13 See Response B-3 regarding BMPs. In addition, please see Section 3.2.6, Utilities and Service Systems, for an analysis regarding solid waste.</p> <p>B-14 This comment does not raise a significant environmental issue for which a response is required. This comment will be added to the public record for consideration</p>
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