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Letter O3e

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VIA EMAIL

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**Subject:** DEIR Public Comment to the Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)-**General Plan and Community Plan Inconsistencies**

Dear Mr. Slovick –

Our firm represents Heart of Valley Center, a California Non-Profit Corporation. On its behalf, we offer the following comments on the General Plan and Community Plan Consistency discussion in the Draft Environmental Impact Report (“DEIR”). By way of summary, the failure of the DEIR to meaningfully analyze an unprecedented number of project inconsistencies with the County General Plan and the Valley Center Community Plan requires that the DEIR be rewritten and recirculated for public review and comment.

As you are aware, inconsistency is often evidence that an inconsistent project feature will have a significant environmental effect. If the inconsistency has not been identified or analyzed, significant environmental impacts of the Lilac Hills project may likewise have not been identified or analyzed. In addition, the inconsistencies may, or (in the case of this project) do, need to be cured before the project can be approved. See *Families Unafraid v. County of El Dorado* (1998) 62 Cal.App.4<sup>th</sup> 1332(project must satisfy mandatory general plan policy that is fundamental and unambiguous).

Moreover, the type and number of GP policies requiring amendment in order to accommodate this inconsistent project will require far reaching revision of the San Diego County General Plan with appropriate comprehensive environmental review of associated impacts throughout the County.

O3e-1

O3e-1

This comment is an introduction to comments that follow. The responses follow below. Please also refer to Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W.

The project proposes and will require a project-specific General Plan Amendment (GP 12-001). Specifically, GP 12-001 proposes to: (1) amend the regional Land Use Element map to allow a new Village, (2) amend the Valley Center Community Plan Map to allow Village Residential and Village Core land uses (and revise the community plan text to include the project), (3) amend the Bonsall Community Plan to allow Village Residential land uses, and (4) amend the Mobility Element to reclassify West Lilac Road and specify the reclassified road segments at Table M-4 (FEIR, Subchapter 1.2.1.1). Such amendment is purely specific to the proposed project. Since the General Plan Amendment will not amend General Plan principles, goals, objectives or policies, it will not necessitate countywide environmental review of the General Plan Update adopted on August 11, 2011.

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**I. GENERAL PLAN INCONSISTENCY OVERVIEW**

In comments submitted over the last year, the Valley Center Planning Group and the Valley Center Design Review Board have challenged the proponent's assertions that this Specific Plan/General Plan Amendment ("SP/GPA") is consistent with the adopted County General Plan ("GP"), or with Valley Center's Community Plan ("VCCP"), or with Valley Center Design Guidelines.

These previous comments, which are attached hereto as Exhibits 1-2 are incorporated herein by reference, submitted as part of the public comments on this DEIR and require a response. These previous comments have also challenged the logic exhibited throughout the Specific Plan and now in the DEIR: that amending a particular GP Regional Category to suit the project somehow also reconciles the project's inconsistencies with a wide array of General and Community Plan Goals and Policies.

The proposed SP/GPA is inconsistent in broad and fundamental ways with the San Diego County General Plan and the Valley Center Community Plan. Further, the DEIR fails to disclose and analyze these broad and fundamental inconsistencies and their environmental consequences as CEQA requires. The DEIR is derelict in concluding as it does that: *"Overall the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant"* (DEIR Chapter 3 Environmental Effects Found Not To Be Significant p. 3-65). As explained below, the project presents multiple inconsistencies with the GP and VCCP and a "reasonable person" could not find this project to be consistent with either the GP or the VCCP. See *No Oil v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 242; *Mitchell v. County of Orange* (1985) 165 Cal.App.3d 1185.

This DEIR fails to perform the analyses required for decision makers, first, to understand the parameters of this proposal, and, second, to appreciate the nature and reach of its impacts. The DEIR does not even have a rudimentary analysis of Consistency with the General Plan.

Internal consistency of all County General Plans in California is required by California State Law. Therefore, in considering a Specific Plan, particularly one that requires amendments to an adopted General Plan, it is crucial to understand exactly where the Specific Plan is inconsistent with General Plan regional categories, land use designations and road classifications, principles, elements, goals and policies.

A Specific Plan is an implementation vehicle. Approval requires compliance with CEQA. A DEIR must examine consistency issues including the web of interconnected and mutually-supporting elements, goals, policies and maps of the County General Plan. 14 Cal. Code Regs. Section 15125(d). Inconsistency requires denial of the project, re-design of the project or amending the General Plan to fit the Specific Plan – the tail wagging the dog.

O3e-2

O3e-3

O3e-2 The commenter's overview is acknowledged. Detailed responses to individual comments follow.

O3e-3 Please refer to Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W. In addition, this comment mischaracterizes the analysis framework of the FEIR and statements found in the FEIR. The FEIR frames the General Plan consistency analysis at Subchapter 1.4 under "Environmental Setting," and describes its current land use planning context. (FEIR, Subchapter 1.4.) Subchapter 1.6 describes the General Plan amendment required for approval of the project and that is analyzed by the FEIR. The General Plan Regional Land Use Map is proposed to be amended to remove the existing regional category and land use designation and to redesignate the project area as Village.

Then subsequently provides detailed analysis of the physical environmental impacts that may flow from the GPA in Chapters 2 and 3, as well as providing a detailed policy inconsistency analysis in the Land Use Planning section, Subchapter 3.1.4 (see FEIR, Chapter 3.0 and Appendix W) Thus, the FEIR clearly and thoroughly presents analysis of the potential physical environmental impacts that would result from project approval and the concomitant amendment of the Regional Land Use Element Map to change the regional land use category from Semi-Rural to Village.

The Regional Categories Map and Land Use Maps are graphic representations of the Land Use Framework and the related goals and policies of the General Plan (Chapter 3.) The County agrees that the General Plan and Community Plans are not subordinate to the project's Specific Plan. General Plan Policy LU-1.2 permits new villages that are consistent with the community development model and meet the requirements set forth therein. Therefore, the language in the General Plan clearly allows for future amendments to the Land Use Map and Regional Categories Map. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a thorough discussion on related topic.

The project is amending the General Plan by adding a new Village that meets the criteria of Policy LU-1.2. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues.

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Making major changes to, for example, the Land Use, Mobility and Safety Elements in the San Diego County General Plan to achieve consistency with the proposed Specific Plan will require revisiting the environmental impacts of the entire San Diego County General Plan. Specific amendments, if not pursued with great caution, would possibly invalidate the entire San Diego County General Plan based upon internal consistency defects.

These are all of course very serious issues for the entire County. Accordingly, both the law and sound public policy require that the DEIR for this SP/GPA analyze specifically and individually the General Plan Vision and Guiding Principles and the reflection of these in the Community Development Model, as well as specific goals, policies and relevant maps across the GP's seven elements: Land Use, Mobility, Conservation and Open Space, Housing, Safety and Noise. The goals and policies of the Bonsall and Valley Center Community Plans must also be considered.

Once inconsistencies are disclosed there are only three ways to resolve them: reject the project, re-design the project, or re-build the County General Plan to suit these applicants. Inconsistencies with General and Community Plans, Design Guidelines and other ordinances and policies are NOT subordinate to this project's Specific Plan, as the Specific Plan asserts.

California Government Code Section 65454 "Consistency with General Plan" provides:

***No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan.***

As detailed below, the Accretive Lilac Hills SP is inconsistent with multiple principles, goals and policies of the County General Plan and the VCCP. These inconsistencies must be fully identified, analyzed and cured.

**II. GP AMENDMENTS NECESSARY TO ACCOMMODATE THIS SP/GPA WILL REQUIRE REJECTING THE GP'S FOUNDATIONAL VISION OF SMART GROWTH AND ELIMINATING MANY GP POLICIES SUPPORTING IT.**

It is manifestly not the intention of the San Diego County General Plan to drop "new villages" into semi-rural and rural areas. To the contrary, the County General Plan is rooted in its "Smart Growth" intention. Smart Growth is a two-sided concept. On the one hand, Smart Growth locates future development in areas where infrastructure is established; and on the other hand, Smart Growth also retains and/or enhances the County's rural character, economy, environmental resources, and unique communities. These are integrated, co-dependent concepts. They work together.

The proposal to drop a dense, from-scratch 608-acre Village of 5000 people into

O3e-3  
cont.

O3e-4

O3e-3 (cont.)

The project does not propose to amend any guiding principles, goals, objectives, or policies of the San Diego County General Plan adopted August 11, 2011. The project proposes and will require a project-specific General Plan Amendment (GP 12-001). Specifically, GP 12-001 proposes to: (1) amend the regional Land Use Element map to allow a new Village, (2) amend the Valley Center Community Plan Map to allow Village Residential and Village Core land uses (and revise the community plan text to include the project), (3) amend the Bonsall Community Plan to allow Village Residential land uses, and (4) amend the Mobility Element to reclassify West Lilac Road and specify the reclassified road segments at Table M-4. (FEIR, subchapter 1.2.1.1). Such amendment is purely specific to the proposed project. Since the General Plan Amendment will not amend General Plan principles, goals, objectives, or policies, it will not necessitate countywide environmental review of the General Plan Update adopted on August 11, 2011.

As shown throughout the FEIR and detailed in FEIR Appendix W, the project is consistent with all relevant policies of the County General Plan and the Valley Center and Bonsall Community Plans. The project does not intent to supersede the land use policies contained within these documents, but rather creates implementation measures.

O3e-4

The project is amending the General Plan by adding new Village that meets the criteria of Policy LU-1.2. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues.

The underlying premise of the General Plan is to conserve natural resources and develop lands and infrastructure more sustainably in the future (General Plan, p.1-16). The General Plan identifies such goals and policies that contribute to achieving this premise as listed in Table I-1. The FEIR analyzes whether the project meets all of the relevant policies listed in Table I-1, including the "sustainable development" linchpin principles of LU-1.2 and the Community Development Model, as described in Global Response: Project Consistency with General Plan Policy LU-1. and in Appendix-W to the FEIR.

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several thousand acres of infrastructure-lacking, Semi-Rural and Rural land is fundamentally inconsistent with the County's commitment to "sustainable development." This foundational concept is described at length in the introduction to the County General Plan; and it is expressed across the web of interdependent GP Guiding Principles, Goals and Policies that have been put in place to bring about the County's Smart Growth Vision. To reject this Vision now will, in essence, require an entirely new County General Plan.

O3e-4  
cont.

**III. PARAMOUNT AMONG THE PROJECT'S GP INCONSISTENCIES IS ITS FAILURE TO COMPLY WITH LAND USE GOAL LU-1 AND POLICY LU-1-2**

Consistency with Land Use Goal LU-1 and with Policy LU-1.2 is especially crucial for this project's approval. These provisions speak directly to the requirements for establishing NEW villages in San Diego County. They emphasize the primacy of the Land Use Element and the Community Development Model, and prohibition of Leapfrog Development.

**Land Use Element Goal LU-1: Primacy of the Land Use Element.** *A land use plan and development doctrine that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories.*

**Land Use Element Policy LU-1.2: Leapfrog Development.** *Prohibit leapfrog development which is inconsistent with the Community Development Model. Leapfrog Development restrictions do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities, and that are designed to meet the LEED- Neighborhood Development Certification [LEED ND] or an equivalent. For purposes of this policy, leapfrog development is defined as Village densities located away from established Villages or outside established water and sewer service boundaries. (See applicable community plan for possible relevant policies.)*

O3e-5

The DEIR for this SP/GPA asserts that the project is consistent with GP Policy LU-1.2. But, this is clearly not the case. The SP/GPA fails in the most fundamental ways to respect the County's commitment to sustainable development.

O3e-5

Please refer to the Global Response: Project consistency with General Plan Policy LU-1.2. With respect to the projects proposed options for wastewater treatment, please refer to the Global Response: Off-Site Improvements - Environmental Analysis and Easement Summary Table for details of the easement and right of way requirements for each option.

- A. The project is inconsistent with the GP Community Development Model,
- B. The project is inconsistent with LEED ND standards,
- C. The project is inconsistent with the 3<sup>rd</sup> requirement for waiving the prohibition on leapfrog development: provide necessary services and facilities. Among other impacts, the project requires (at least) ten (10) modifications to the County road standards to REDUCE capacities to sub-standard levels. Traffic impacts are significant and deemed unmitigable by the DEIR and the project fails to meet 5 minute response times for Fire and Emergency Medical Services.

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The project also fails to present a legal and viable point design for sewage and waste water treatment and there is insufficient, unavailable right of way for private roads into and out of the proposed development.

O3e-5  
cont.

**A. The Accretive SP/GPA is Inconsistent with the GP Community Development Model**

The proposal, by definition, is inconsistent with the Community Development Model because consistency can be achieved only by amending the General Plan to fit the project. The General Plan states (San Diego County General Plan: Land Use Framework; Community Development Model, p.3-6): *"The Community Development Model directs the highest intensities and greatest mix of new uses to Village areas, while directing lower-intensity uses, such as estate-style residential lots and agricultural operations to Semi-Rural areas .... To facilitate a regional perspective the Regional Categories of Village, Semi-Rural and Rural Lands have been applied to all privately-owned lands ..."*

**First**, as the above statement in the County General Plan makes clear, **the Community Development Model is not a moveable abstract concept**. If this were true then Village "puzzle pieces" could be dropped into Semi-Rural and Rural lands anywhere in the County and pronounced consistent with the Community Development Model.

Rather, the Community Development Model reflects a complex of planning principles and ideas that are expressed through the whole system of the General Plan's Regional Categories. Amending a Regional Category, therefore, requires also amending the network of planning concepts that the category implements, for example:

O3e-6

1. The General Plan states (pp.3-7), *"Village areas function as the center of community planning areas and contain the highest population and development densities. Village areas are typically served by both water and wastewater systems. Ideally, a Village would reflect a development pattern that is characterized as compact, higher density development that is located within walking distance of commercial services, employment centers, civic uses, and transit when feasible."*
2. The proposed site is designated not for Village development but for large semi-rural parcels (SR 10 and SR-4). This SP/GPA proposes to place a high density Village into the middle of an area that the Community Development Model designates for Semi-Rural and Rural development. This action requires AMENDING the Community Development Model. Instead, with no discussion or analysis, the SP/GPA and the DEIR all assert that consistency with the Community Development model is achieved with a simple change to the Land Use map.

O3e-6

This comment contains a number of statements that are incorrect. The logic behind the commenter's assertion would lead to the conclusion that no general plan amendments would be allowed. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues.

The General Plan on page 2-7 recognizes the need to accommodate future growth by planning and facilitating housing in existing and planned villages. The General Plan on page 1-15 states that it is intended to be a dynamic document and there are numerous policies in the General Plan that accommodate planning for future growth, such as M-2.1 (require development projects to provide road improvements), M-3.1 (require development to dedicate right-of-way), S-3.1 (require development to be located to provide adequate defensibility) and COS-2.2 (requiring development to be sited in least biologically sensitive areas).

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- 3. The site abuts SR-4, SR-10 and Rural-40 acreage. The Community Development Model **requires** a "feathering" of residential densities from intense Village development to SR-0.5, SR-1, SR-2, SR-4, and so forth. (GP pp. 2-8 through 2-9) The Accretive SP/GPA is inconsistent with the concept of feathering which is reflected properly in the current pattern of land use designations in Valley Center's central valley.
- 4. This SP/GPA is located many miles from areas that the Community Development Model designates for Village development and miles from employment centers, shopping, entertainment, medical services, and civic organizations and activities.
- 5. Regarding infrastructure, there are few existing roads in the area. They are built and planned to service Semi-Rural and Rural development, as in the current General and Community Plans. Despite proposing intense Village development, the proponents also propose to retain or **reduce** capacities of these roads. Water infrastructure serves 50 homes and agricultural irrigation. There is no wastewater service.
- 6. The intent of the Community Development Model is to intensify development in **existing** Villages -- not to create NEW Villages through the destruction of Semi-Rural and Rural lands. The Community Development Model was applied in Valley Center during the General Plan update process. Village boundaries were drawn. Village densities were planned to feather from the commercial and mixed use core to meet the Semi-Rural designations. Twenty-five percent (25%) of the community's future development is now planned for the "Village" area in the center of the Valley Center Planning Area, at the community's traditional "crossroads" where road, water and wastewater infrastructure, as well as schools, churches, shops and businesses are **already** in place.
- 7. A key component of including a Community Development Model in the General Plan with "integrity" was to create a framework for future growth in and around existing villages. The DEIR ignores this GP concept by concluding that a high density project placed in a semi-rural and rural area would not be growth inducing. This conclusion defies reality and contradicts the General Plan which identifies existing villages as the hubs for growth.
- 8. The lands surrounding the proposed project (and some lands which the proposed project surrounds) will still be designated at lower semi-rural densities than the village densities proposed for the Accretive SP/GPA. Into the future, these land owners will likely seek similar higher density treatment. The County has a long track record of approving General Plan Amendments that increase density using the density of adjacent properties as justification. The DEIR claims that this would not occur, but history and reality have proven otherwise.

O3e-7

O3e-8

O3e-9

O3e-10

O3e-11

O3e-12

- O3e-7 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.
- O3e-8 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.
- O3e-9 All roads in the vicinity of the project will operate at LOS D or better when the project is built out. See subchapter 2.3 of the FEIR for the analysis of the project's impacts to roads, intersections and Caltrans' facilities and is based on the Traffic Impact Study, attached as Appendix E to the FEIR. A complete synopsis of the significant direct and cumulative impacts related to the project can be found in subchapter 2.3.S.1. Table 2.3-24 and Table 2.3-25 provide a mitigation summary for the direct and cumulative impacts, respectively, for the project. The VCMWD has adopted a Water Supply Assessment and will provide water (Appendix S). The water system adequately sized for the project will be constructed as will the wastewater infrastructure (see subchapter 3.1.7.)  
  
Please also refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.
- O3e-10 There is no language in the General Plan that supports the assertion that the Community Development Model applies only to existing Villages. Also see response to comment O3e-6 above. The project proposes to amend the Community Plan adding a third Village. This goal in the Valley Center Community Plan text will be revised to indicate that there are three Villages in the community plan. The County's Community Development Model does not dictate the number of Villages that may be developed. Rather, it guides new Village development into more compact development as a means to reduce associated impacts. As discussed in the FEIR subchapter 3.1.4.2, the project would be consistent with the Community Development Model. See also response to comment O3e-6 above.

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	<p>O3e-10 (cont.)  Subchapter 4.1.1.1 of the FEIR analyzed the two sites designated in the Valley Center Community Plan for planned villages as an alternative project site. However, these two Villages reflect existing land use patterns and are designed to complete the existing community. These two were found to pose many constraints and disadvantages relative to the location of the proposed project, including encumbered emergency access and evacuation; greater potential VMT and associated GHG emissions due to the greater distance of these sites from regional facilities (e.g., transportation corridors, employment centers and shopping); and substantially greater constraints and impacts relative to traffic and required roadway improvements (subchapter 4.1.1.1 of the FEIR). Whereas, General Plan Policy LU-1.2 permits new villages (like the project) that are consistent with the Community Development Model and meet the requirements set forth therein. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a thorough discussion on related topic.</p> <p>O3e-11 Please refer to comments O3e-6 and O3e-10 above and Global Response: Project Consistency with General Plan Policy LU-1.2.</p> <p>O3e-12 It is acknowledged that sites surrounding the project will remain at their currently designated densities. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider. However, as pointed out by the commenter, the approval process of project-specific requests to amend the General Plan is not a foregone conclusion and processing will be lengthy. See also subchapter 1.8 of the FEIR regarding Growth Inducing Impacts. The project could have the potential to result in adverse physical environmental effects due to growth inducement but the potential impacts are too speculative for evaluation in this FEIR because the specific nature, design and timing of future projects is unknown at this time.</p>
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9. The DEIR refers to the Property Specific Request (PSR) General Plan Amendment process that was directed by the Board of Supervisors and claims that the project is not growth inducing. This suggestion is misleading. The outcome of the PSR/GPA process remains to be seen. Approval is not a foregone conclusion and processing will be lengthy. More likely is that approval of the Accretive Lilac Hills project would usher approval of the PSRs/GPAs in Valley Center, thus inducing unplanned growth of this area.

O3e-13

**Second, the project design defies the GP principles, goals and policies for Village development and for Village expansion, which the Community Development Model reflects.**

O3e-14

1. The 608-acre project site, only a portion of which is actually owned by the applicant, sprawls 2 miles N-S, and 2 miles E-W across several thousand acres, largely in active agriculture. These surrounding acres are owned by people whose dreams and ambitions for their rural properties are in accord with the Community Development Model's Regional Category assignment: Semi-Rural and Rural.

O3e-15

2. The sprawling site creates some 8 miles of edge effects that will threaten surrounding agriculture, horticulture and animal husbandry that the GP Community Development Model protects by designating this area for Semi-Rural and Rural development. This sprawling shape also increases the likelihood that the proposed project will be growth inducing as previously mentioned.

O3e-16

3. With 1746 units and 90,000 SF of commercial on 608-acres, there is insufficient land available for "feathering" residential densities as the Community Development Model intends and describes.

O3e-17

4. The site requires 3 separate commercial nodes to support the "walk-able" claim. The project cannot be characterized as a "walk-able Village" when it is, in fact, three circles of dense housing. Two of these housing areas are at least a mile from what the Community Development Model would characterize as Village amenities. The LEED Neighborhood Development standard ("LEED ND") for "walking distance" is ½ mile, the GP also cites ½ mile (GP, p.3-8).

5. This is not the "walk-able" compact Village it purports to be. The faux Town Center is more than one and a half miles from the ½ mile standard required by LEED ND and cited in the General Plan.

O3e-18

6. The proximity of Rural Lands to the project presents wildfire threats which the applicant's Fire Protection and Evacuation Plans recognize. However the threats are not adequately mitigated. In addition to wildfire, the Accretive project adds the additional hazards of Urban Multi Story Structure Fires and nearly two orders of magnitudes increased volume and complexity of Emergency Medical Services

O3e-13 EIR subchapter 1.8 has been clarified to state that the surrounding Property Specific Requests (PSRs) represent that the location of the project site can accommodate growth: close to infrastructure, and within utility districts.

O3e-14 The comment expresses the opinions of the commentator. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

O3e-15 The comment states that the size of the project will result in 8 miles of edge effects that will threaten surrounding agricultural uses and the sprawling shape will also be growth inducing. As discussed in FEIR subchapter 2.4.6 or Section 3.4 of the Agricultural Resources Report (Appendix H) of the FEIR; the project would include on-site biological open space, common open space, and LBZ, as well Mitigation Measures 2, 3, and 4, in order to ensure that urban/agriculture compatibility conflicts are less than significant. A minimum of 50 foot buffer with two rows of orchard trees are required at all of the agricultural adjacency (AA) areas regardless of the crop type grown within the off-site parcel. In addition to the 50-foot buffer, most of the AA areas are also required to implement fences, Fuel Modification Zone restrictions, and nighttime lighting requirements. The FEIR Agricultural Resources Report includes mitigation measures to ensure that no significant unmitigated impacts to existing agriculture will occur, such as: 1. 50-foot wide buffers planted with two-rows of citrus, avocado, or olive trees (M-AG-1). 2. Installing 6-foot high fencing to protect adjacent agricultural activities from unwanted intrusions by people and domestic pets (M-AG-2). 3. Prohibiting habitable structures as well as any structure that could attract residents, visitors, or children to congregate nearby (M-AG-3).

Regarding growth inducement, subchapter 1.8 of the FEIR was revised to conclude that the intensification of land uses on-site could encourage intensification in the immediate project vicinity and thus be growth inducing. However, potential impacts are too speculative for evaluation in the FEIR because the specific nature design and timing of future projects are unknown at this time. Any direct and cumulative impacts that could be associated with the identified growth inducing features of the project would be evaluated at the time future projects are identified and processed.

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	<p>O3e-16 Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a thorough discussion on this topic.</p> <p>O3e-17 Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a thorough disucssion on this topic.</p> <p>O3e-18 Fire hazard. The FPP evaluated the fire hazard of the area and its potential effect on the project as well as the potential increased hazard that may result from the proposed project. A wildland Fire Behavior Assessment was included in the FPP to provide four worst-case scenarios for wildland fires. (See Section 3.3.2 of the FPP) As a result of the findings of the fire modeling, project design features were incorporated into the Project in order to reduce the risk of fire hazard, including fuel modification zones, use of ignition resistant building materials, and the provision of secondary emergency access roads. The project would also meet all fire and building code requirements, and an adequate supply of water for fire hydrants was deemed available (See Appendix T). The Draft FEIR analyzed each of the design features to determine whether the features would reduce the risk of exposure of people or structures to a significant risk of loss, injury or death from wildland fires. The FEIR found that with the adoption of Mitigation Measure M-HZ-1, impacts to wildland fires would be reduced to less than significant. (FEIR, subchapter 2.7.2.4, and subchapter 2.7.3.4 of the FEIR also identified that the project’s contribution to a potential cumulative impact would be less than cumulatively considerable with respect to wildland fire hazards based on implementation of the FPP, associated landscaping plans.</p> <p>The Evacuation Plan (FEIR Appendix K) considers both evacuation and first responders’ traffic, as shown by it stating the following: “[d]uring an emergency evacuation from the proposed Lilac Hills Ranch development, the primary and secondary roadways will have to be shared with responding emergency vehicles...” As indicated in the FEIR subchapter 2.7.6, impacts associated with emergency response and evacuation plans would be less than significant and no mitigation is warranted. The contingency plan provides that evacuations will be implemented in phases based on predetermined trigger points, so smaller percentages of the evacuees are on the road at the same time. When a wildfire occurs, if it reaches a predetermined trigger point, then the population segment located in a particularly vulnerable area downwind of that trigger point would be</p>
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	<p>O3e-18 (cont.)</p> <p>evacuated. Then, when the fire reaches the next trigger point, the next phase of evacuation would occur. This would allow smaller groups of people and correspondingly fewer vehicles to more freely evacuate areas. The Evacuation Plan determined that the location of the project and the existing and planned roads provide adequate multi-directional primary and secondary emergency evacuation routes (Evacuation Plan, page 8).</p> <p>The comment asserts that the FPP does not sufficiently address structure fires or emergency medical services such that the impact and mitigation can be assessed. The Fire Response Capabilities Assessment, prepared by Dudek and Hunt, dated May 24, 2014, ("Capabilities Assessment"), evaluated three separate response scenarios, including a structure fire, a wildland fire with structural threat, and a medical aid response. The response routes included one from each of the four existing stations providing service to DSFPD (Stations No. 11, 12, 13, and 15). ( See Capabilities Assessment, attached as an Appendix to the Specific Plan, Section 2.3, page 50.) In addition, structure fires are included in analyzing the call load data and was included in the call volume and is a part of the evaluation. The data indicated that a very large volume of responses for DSFPD is for medical aid (37%), traffic collisions (11%), and cancelled calls (17%). Based on this data, and the information presented in the Capabilities Assessment, the FPP concluded that DSFPD would have the existing capacity to respond to all of these types of expected calls from the proposed Lilac Hills Ranch project (see FPP APPENDIX 'K' - 2005–2011 Response Data for Deer Springs Fire Protection District). (See also Section 4.1 of the FPP) Also, the project included design features for new development in WUI areas to minimize structural ignitions as well as providing adequate access by emergency responders. (See Section 1.1.2 of the Capabilities Assessment.) Guidance to mitigate fire protection measures and to mitigate structural firefighting risks for individual commercial/structure and other public facilities will be established in accordance with the requirements of the County Consolidated Fire Code and California Building Code. (Section 4.9 of the FPP) The County of San Diego and the DSFPD will review all proposed building plans for compliance with the requirements of fire codes and this Fire Protection Plan. Also the FPP includes specific requirements, for commercial, industrial, school, age-restricted community, and other public facilities structures on the project site.</p>
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	<p>O3e-18 (cont.)</p> <p>The comments from DSFPD that are referred to herein do not reflect the most recent comment letter provided by DSFPD, dated July 28, 2014. First, the District states it has the capacity and intent to provide service to the Project. DSFPD also states that should the County accept the use of Miller Station as meeting the intent of the General Plan (see Fire Option 1 in subchapter 2.7 of the FEIR), the District will respond to the development under its own response time standards of 7 to 9 minutes within the Project. With respect to the comment that a new fire station would have to provide emergency response within five minutes for not only the Project, but for other residents of the District would go beyond any standard that is presently required by the County for new development projects. See Global Response: Fire and Medical Services for a thorough discussion regarding General Plan Policy S-6.4 from which the five minute standard is derived. Finally, the Project has conducted an analyses with respect to the locations in which a station could be sited in order to provide service within the five minute travel time standard to the Project. (See Capabilities Assessment.) The Project would pay its fair share if the District wanted to conduct a district wide study to determine the optimal location of new fire stations to serve the entire district.</p> <p>The FEIR analyzed response times and their impact on public safety. Subchapter 2.7.2.4 of the FEIR concluded that although response time from Station 11 to the project would not meet the requirements of General Plan Policy S-6.4, the four options identified in the FEIR would allow the project to be in compliance with the response times of the General Plan. DSFPD also determined that the project included additional factors that when considered by the District allowed them to determine that adequate service could be provided to the project site. Please refer to Global Response: Fire and Medical Services. DSFPD concluded that a 7-9 minute response time is acceptable to the District to ensure adequate fire services to protect health, safety and the general welfare of the community. (Project Facility Availability Form attached to Specific Plan.)</p> <p>The FEIR also concluded that the increase in personnel and expansion of facilities under the four options would not adversely affect the environment.</p>
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(EMS). The Accretive Fire Protection Plan barely mentions the Structures and EMS hazard potential, and does not provide reasonable mitigation plans. The Deer Springs Fire Protection District (DSFPD) has gone on the record three times (6/12/2012, 3/5/2013 and 8/7/2013) stating that DSFPD has major issues with the Project as proposed. Accretive has glossed over these issues raised by a Public Safety agency and the County has allowed the Project to proceed in the General Plan Amendment process. The DEIR needs to specifically address the issues raised by the DSFPD.

O3e-18  
cont.

**B. The Accretive SP/GPA is Inconsistent with LEED Neighborhood Development Certification standards**

Compliance with LEED Neighborhood Development Certification standards is a second critical requirement for this project. Without meaningful analyses required by CEQA, the DEIR merely asserts compliance with LEED-Neighborhood Development requirement.

The DEIR is required to comprehensively address the numerous and exacting requirements of LEED Neighborhood Development Certification ("LEED ND"). If the County is not applying LEED ND but an "equivalent standard" as policy LU1-2 allows, the DEIR analysis must name the standard and show how it is equivalent.

We believe there is no recognized equivalent to LEED ND.

Attached hereto as Exhibit "3" are key excerpts from the booklet, **LEED 2009 FOR NEIGHBORHOOD DEVELOPMENT**. However, the DEIR, in analyzing consistency, should consider the entire publication where these exacting standards are discussed and illustrated in detail. The booklet is published by the U.S. Green Building Council and is available on its website, USGBC.org.

O3e-19

As the attached excerpts make clear, to obtain LEED ND Certification, certain location, conservation and design criteria are mandatory. This means that, regardless of how many "points" are accumulated for "green" amenities, LEED ND Certification cannot be achieved without meeting essential standards in particular categories.

GP LU Policy 1-2 provides that the Accretive SP/GPA must comply with all essential standards that are required for LEED-Neighborhood Development Certification. These standards include the following:

**SMART LOCATION and LINKAGE**

These are PRE-REQUISITE criteria. Compliance is mandatory.

Prerequisite 1 Smart Location

Prerequisite 2 Imperiled Species and Ecological Communities

Prerequisite 3 Wetland and Water Body Conservation

O3e-18 (cont.)

The comment states that the project is inconsistent with LEED-ND Certification standards and that there is no recognized equivalent to LEED-ND. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2.

O3e-19 through O3e-22

Comments Oe19 through O3e-22 apply the specific requirements for LEED-ND to the project. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues.

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Prerequisite 4 Agricultural Land Conservation  
Prerequisite 5 Floodplain Avoidance

**NEIGHBORHOOD PATTERN AND DESIGN**

These are PRE-REQUISITE criteria. Compliance is mandatory.

Prereqs  
Prerequisite 1 Walkable Streets  
Prerequisite 2 Compact Development  
Prerequisite 3 Connected and Open Community

} O3e-19  
cont.

**Accretive's SP/GPA fails to meet fundamental requirements for LEED ND Certification for the following reasons:**

1. **The site is not a "Smart Location."** (See p. 1 LEED 2009 for Neighborhood Development ("LEED 2009") attached hereto as Exhibit 3). The EIR concludes that the project is consistent with LEED ND but completely overlooks its mandatory site selection requirements. Further, the EIR does not address how this site selection aspect of LEED ND can simply be overlooked when the LEED program was specifically designed to "place emphasis" on site selection. A fundamental premise of Smart Growth is to lower automobile dependency as compared to average development. The SANDAG average miles/trip for all of San Diego County is 5.8 miles/trip. The SANDAG average miles/trip for unincorporated San Diego County is about 13 miles/trip which is why the region is directing growth to the incorporated cities and existing villages. Accretive is proposing an automobile based urban sprawl community that even with exceedingly high and unsubstantiated internal trip rate estimates ( see traffic analysis submitted under separate cover) is 47% higher than the San Diego County average ( 8.52/5.8) trip distance.

} O3e-20

2. **The site is too large (exceeds the 320-acre maximum size).** (See p. xvi LEED 2009) This maximum area is based on critical factors such as providing the appropriate density of services and neighborhoods within a compact community and achieving walkability. The EIR fails to address how the project is still in compliance with the LEED ND program when it exceeds a standard that was determined by the "core committee's research."

} O3e-21

3. **The proposed SP/GPA fails to meet LEED ND standards for a "walkable" neighborhood** (See p. xvi LEED 2009). The DEIR repeatedly asserts that the proposed project will be "walkable". However, the only "evidence" provided of "walkability" consists of three circles on a map and a suggestion that someone could walk to someplace within any circle. This does not evidence or constitute a walkable community. The LEED ND standards were developed through the research of a core committee which suggests that a walkable neighborhood is no more than 320 acres and all services, civic uses, employment, and high density housing are contained within that 320 acres.

} O3e-22

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Describing the proposed project as walkable is unsubstantiated and misleading. Further, technical analyses that rely on the unfounded and unsubstantiated premise that the project is walkable have impacted the assessment of impacts and thereby likely underestimated the impacts of the project on traffic, air quality, and greenhouse gas emissions.

O3e-22  
cont.

4. **The proposed project is neither an infill site nor a new development proximate to diverse uses or adjacent to connected and previously developed land. It is sprawl placed into a functioning agricultural area, with no existing infrastructure.** (See p. 1 LEED 2009) The objectives of the LEED ND program are clearly compatible and in alignment with the guiding principles of the County of San Diego's General Plan and with the siting of "new green neighborhoods." As a result, the LEED ND program was integrated into the Leapfrog development policy of the General Plan. Any proposed deviation from LEED ND, such as ignoring siting criteria, size restrictions, and density guidelines, should be carefully scrutinized for significant environmental impacts.

O3e-23

O3e-23 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.

5. **Because a site design is not available for the Town Center area we have no way of knowing whether this area itself complies with LEED ND standards.** The Specific Plan claims compliance, but this claim is not substantiated.

O3e-24

O3e-24 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.

6. **The site is not served by existing water infrastructure that is adequate to serve urban density.** Water infrastructure is designed for agricultural users and needs significant revision for high density Urban uses. There is no wastewater infrastructure.

O3e-25

O3e-25 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.

7. **No water or wastewater service is planned to serve urban development of this area.** (See p. 1 LEED 2009) The General Plan and the VCMWD's plans do not currently call for expansion of the infrastructure required for a project such as this. The Project clearly must provide new water and wastewater infrastructure but it cannot do so because Accretive does not own sufficient easements for sewer and wastewater lines. (See Letter from Kevin K. Johnson APLC regarding Wastewater Management Alternatives Study submitted to the County on August 9, 2013).

O3e-26

O3e-26 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.

8. **The Project description demonstrates that the SP/GPA cannot satisfy ANY of the 3 OPTIONS for the Smart Location REQUIREMENT**(See p. 1 LEED 2009):

- a. It is not an Infill Project.
- b. It is not an Adjacent Site with Connectivity (does NOT have is at least 90 intersections/square mile as measured within a 1/2-mile distance of a continuous segment of the project boundary, equal to or greater than 25% of the project) boundary, that is adjacent to previous development.

O3e-27

O3e-27 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.

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- c. The site is not designed as a Transit Corridor or Route with Adequate Transit Service. The only mass transit consists of two bus routes located 4 miles north of the Project which run the circuit of the 4 Indian Casinos on SR- 76.
- d. None of the LEED ND significant public transit service requirements are met by the proposed circulation system.
- e. The only transit mentioned by the Specific Plan and/or the DEIR is that NCTD might consider a bus stop serving part of the project. This is inadequate.

O3e-27 cont.

**C. The Accretive SP/GPA fails to provide necessary services and facilities for the intense urbanization being proposed.**

**1. ROADS. Traffic impacts are significant and the applicant has proposed no acceptable mitigation measures.**

Accretive proposes Village development of a rural area but it **does not propose Village capacity roads necessary to accommodate the traffic that will be generated by the Village project.** Incongruently, and not disclosed or analyzed openly in the SP or the DEIR, the applicant has proposed ten (10) modifications to the County Road Standards that will *reduce capacities* of roads that were planned, in the first place, to accommodate Rural and Semi-Rural residential development.

One key purpose of the General Plan Mobility Element and County Road Standards is to specify road standards and automobile capacities that are necessary to serve surrounding land uses throughout the County. Land Use and Mobility Elements are coordinated and interrelated. Village-capacity roads are specified as necessary to serve Village land uses. Degrading road capacity standards will likely cause a variety of known and unknown environmental impacts.

O3e-28

In essence, the applicant proposes to compromise standards that are employed uniformly across the County in order to win for themselves entitlements to urbanize land uses -- without responsibility for urbanizing road capacities. Specifically, they propose to add 20,000 Average Daily Trips to Mobility Element roads, and to pass the real costs of improving these roads on to the taxpayers. They seek "consistency" with County planning standards not by complying with them, but by relaxing them.

For example, their proposal is to **DOWNGRADE** West Lilac Road from its current Class 2.2C to a reduced-capacity Class 2.2F (DEIR Ch. 3, p. 65). They further propose that two segments of West Lilac Road and one segment of Old Highway 395, which will operate at unacceptable Levels of Service E and F as a result of the Project be sanctioned as official "exceptions" to the County standard for minimum Level of Service. TIF fees of approximately \$5 Million are utterly inadequate to afford the road reconstruction necessary to service this development's traffic. The Valley Center Road widening five years ago cost in excess of \$50 million.

O3e-28 The project does include ten requests for exceptions to County Road Standards as part of this project and are described in Figures 1-4A and 1-4B. The purpose of the exceptions being requested are to reduce traffic speeds to support traffic calming measures.

All of the exceptions being requested for the roadway improvements were included as part of the project's circulation design and considered as a part of the analysis for each subject area discussion within the FEIR. The exceptions would be granted by the County where capacity and safety are not unduly affected. (FEIR, subchapter 2.3.2.3.) The proposed roadway exceptions would not affect road capacity As detailed in Table 1-2 of Chapter 1 of the FEIR, 4 of the 10 proposed roadway exception requests would affect design speed. Two of those roads are internal to the project site.

Subchapter 2.3 of the FEIR provides the analysis of the project's impacts to roads, intersections and Caltrans' facilities and is based on the Traffic Impact Study, attached as Appendix E to the FEIR. A complete synopsis of the Significant Direct and Cumulative impacts related to the Project can be found in subchapter 2.3.S.1. Table 2.3-24 and Table 2.3-25 provide a mitigation summary for the direct and cumulative impacts, respectively, for the project. There are two significant and unavoidable impacts to County roadways. The remaining significant and unavoidable impacts are to Caltrans facilities. Significant impacts to County roads include: the segment of Pankey Road, between Pala Mesa Drive and SR-76 (identified in the FEIR as Impact TR-16) and the segment of Gopher Canyon Road between E. Vista Way to Little Gopher Canyon Road (identified in the FEIR as Impact TR-12). Mitigation for these road segments is determined infeasible, as discussed in section 6.4 of Appendix E of the FEIR, because the cost to construct the improvement is not roughly proportional to the impact of the project. Mitigation measures must be roughly proportional to the environmental impacts caused by the project. These significant and unmitigable impacts are fully disclosed in the FEIR for consideration by the Board of Supervisors. In addition, the segment of Pankey Road is currently required to be improved to the Mobility Element Road Classification of 4.2B as a condition of the previously approved Campus Park and Meadowood projects. While the General Plan has a desired LOS standard for Mobility Element roads, the General Plan does not prohibit projects from having significant and unmitigable impacts on County

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	<p>O3e-28 (cont.)</p> <p>roadways. Subchapter 2.3.2.3 of the FEIR analyzed the issue of transportation hazards with respect to the road network design for the Project, and determined that overall the road network design for the Project would provide adequate ingress and egress for residents as well as emergency access and therefore impacts associated with transportation hazards would be less than significant. A number of exceptions pertain to the roundabouts that are proposed along W. Lilac Road and Main Street. The roundabouts help to calm traffic, improve safety, and increase roadway capacity, thereby enhancing the comfort and safety of both cyclists and pedestrians.</p> <p>The resulting effects on roadway capacity of each of the design exceptions are also described in the TIS. All of the exceptions being requested for the roadway improvements, were included as part of the project's circulation design and considered as a part of the analysis for each subject area discussion within the FEIR. None of the proposed exception requests to road standards would affect the capacity of the roadways, including Mountain Ridge Road in which it was concluded that Mountain Ridge Road could accommodate the project's 1,190 ADT. (Subchapter 1.2.3 of the TIS, attached as Appendix E.)</p> <p>The project also includes a Road Design Alternative in Chapter 4.0 of the FEIR that evaluates the proposed project without each of the exception requests. Ultimately, the Board of Supervisors will decide whether to approve the proposed project or pick and chose from the excetion requests analyzed in the alternative.</p> <p>The project includes a General Plan Amendment to the Mobility Element to downgrade the segment of West Lilac Road from New Road 3 to Main Street from a 2.2C to a 2.2F road, addressed in subchapter 1.6 of the FEIR (See also subchapter 2.3, Traffic with respect to West Lilac Road and Road 3). Under the General Plan Build-out condition (see FEIR, subchapter 2.3.3.2), an amendment to Table M-4 would also be required because the reduction of West Lilac Road from a 2.2C to a 2.2F would result in West Lilac Road operating below acceptable levels of service. As described under</p>
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	<p>O3e-28 (cont.)</p> <p>Goal M-2, there are instances where the County considers it more appropriate to retain a road classification that could result in a LOS E/F rather than increase the number of travel lanes where the County has determined that the adverse impacts of adding travel lanes does not justify the resulting benefit of increased traffic capacity. These instances are based on criteria established under Policy M-2.1.</p> <p>West Lilac Road is being proposed to be added to Table M-4 and exempt from LOS standards because improvements to General Plan standards of 2.2C would adversely affect active agricultural operations and mature oak woodland habitat. Additionally, the improvement of West Lilac Road to 2.2C width would require the condemnation of private land on the northern side of West Lilac Road. West Lilac Road would be improved in compliance with the County Public Road Standards, unless road exceptions are granted by the County. The section of West Lilac Road proposed to be downgraded to a 2.2F Mobility Element road will operate at LOS D or better in every scenario except with Road 3 as shown on the current Mobility Element. As noted in the TIS, Section 9.2.3, SANDAG has purchased the 902 acre Rancho Lilac property, through which Road 3 runs for permanent biological open space. Therefore, it would be unlikely that Road 3 would be constructed in this location. (See FEIR, subchapter 2.3, Traffic.)</p> <p>With respect to TIF fees, said fees are established by the County and are assessed in order for developers to pay their fair share for cumulative impacts to roadway network when warranted.</p>
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In remote places road improvement costs are often enough to make projects infeasible. Here the project applicant argues *against* improving roads to capacities that are functional and safe because it:

- is too difficult and costly
- will require rights-of-way that may be unobtainable
- will be time consuming to construct
- will be disruptive to off-site property owners
- will face opposition from existing neighbors
- will require condemnation of right-of-way
- will impact biological open space

These are, of course, the exact reasons why the San Diego County General Plan and LEED Neighborhood Development both direct urban development away from undeveloped sites like this one into areas where infrastructure, necessities and amenities required for urban dwellers are already present. In other words, the clear goal is to avoid sprawl.

The proposed SP/GPA will add 5000 urban residents to country roads while *reducing* road widths, *reducing* road design speeds and *ignoring other standards* established for safe, efficient transportation. The proposal:

- Fails to provide necessary services and facilities
- Is inconsistent with GP premises that development will pay for itself;
- Is inconsistent with the GP minimum standard for LOS D on County roads;
- Compromises the safety, comfort and quality of life of prospective residents as well as all the other residents of Valley Center who depend on these Mobility Element roads.

Sanctioning the requested road standard exemptions will create significant long term SAFETY and liability issues for the County of San Diego.

**2. INTERSECTIONS.** Additionally, in order to meet County Road Standards, two out of four secondary access intersections (Covey Lane and Mountain Ridge) with public roads will require the use of County prescriptive rights (for continual brush clearance) and eminent domain (to secure land from unwilling property owners). Accretive Investments has filed Sight Distance Analyses on these two intersections that confirm the above assertion.

**3. RESPONSE TIME.** The SP/GPA fails to meet 5 minute response time for Fire and Emergency Medical Services. The Deer Springs Fire Protection District has commented in writing that none of the proposed options listed in the Specific Plan and Fire Protection Plan are feasible solutions for the District to meet the 5 minute emergency

O3e-29

O3e-30

O3e-31

O3e-32

O3e-29 The comment asserts that the roadway exceptions are being requested for the reasons listed in the comment. The purpose of the exception requests are to avoid impacts to surrounding properties and to support traffic calming measures. See response to comment O3e-28 above. See also Global Response: Project Consistency with General Plan Policy LU-1.2.

O3e-30 Please refer to response to comment O3-28, above.

A complete synopsis of the Significant Direct and Cumulative impacts related to the traffic impacts of the Project can be found in subchapter 2.3.S.1. Table 2.3-24 and Table 2.3-25 provide a mitigation summary for the direct and cumulative impacts, respectively, for the project. There are two significant and unavoidable impacts to County roadways. The remaining significant and unavoidable impacts are to Caltrans facilities. Significant impacts to County roads include: the segment of Pankey Road, between Pala Mesa Drive and SR-76 (identified in the FEIR as Impact TR-16) and the segment of Gopher Canyon Road, between E. Vista Way to Little Gopher Canyon Road (identified in the FEIR as Impact TR-12) . Mitigation for these road segments is determined infeasible, as discussed in section 6.4 of Appendix E of the FEIR, because the cost to construct the improvement is not roughly proportional to the impact of the project. Mitigation measures must be roughly proportional to the environmental impacts caused by the project. These significant and unmitigable impacts are fully disclosed in the FEIR for consideration by the decision maker. In addition, the segment of Pankey Road is currently required to be improved to the Mobility Element Road Classification of 4.2B While the General Plan has a desired LOS standard for Mobility Element road, the General Plan does not prohibit projects from having significant and unmitigable impacts on County roadways.

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	<p>O3e-30 (cont.) The cost of improving Mobility Element roads is not passed on to the taxpayer. The project applicant will mitigate direct impacts through construction of improvements as noted in the FEIR, Chapter 1.0 and as required through mitigation measures in subchapter 2.3. Cumulative impacts will be mitigated through the payment of TIF, whenever available and feasible to mitigate the cumulative impacts. Table 2.3-24 and Table 2.3-25 provide a mitigation summary for the direct and cumulative impacts, respectively, for the project as related to traffic by equivalency dwelling units (EDUs). If any impacts cannot be mitigated, the FEIR has fully informed the decision maker of such fact for their consideration.</p> <p>O3e-31 Please refer to the Global Response: Easements (Covey Lane and Mountain Ridge Roads) for a thorough discussion on this topic.</p> <p>O3e-32 The commenter raises a concern about project fire response times. Please refer to Global Response: Fire and Medical Services for a thorough discussion on related topic.</p>
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response requirement for Lilac Hills Ranch.

4. **WASTEWATER TREATMENT.** The project fails to present a legal and viable point (site location and sewage and waste water treatment functional description) design for sewage and waste water treatment. The preferred option listed by the applicant lacks legal right of way for offsite sewer and recycled water pipelines.

**IV. THE ACCRETIVE S/GPA IS INCONSISTENT WITH THE PURPOSE, INTENT AND GUIDING PRINCIPLES OF THE COUNTY GENERAL PLAN .**

**A. Purpose of the General Plan.** Chapter 1 of the General Plan contains in its Introduction and Overview an array of highly relevant directives that the DEIR fails to identify and discuss.

*The General Plan must be referred to in its entirety, including separately bound portions (such as community plans). While the General Plan is internally consistent, some issues are addressed through multiple policies and some receive refined and more detailed direction in community plans. (GP at p.1-4)*

1) *Policies cannot be applied independently.*

2) *If you are a SD County resident or property owner, the General Plan indicates the general types of uses that are permitted around your home and changes that may affect your neighborhood, and the policies the County will use to evaluate development applications that might affect you or your neighbors. The Plan also informs you regarding how the County plans to improve mobility infrastructure, continue to provide adequate parks, schools, police, fire, and other public services, protect valued open spaces and environmental resources ...*

3) *Future development decisions must be consistent with the Plan.*

4) *The essence of the Plan lies in its goals, policies, and implementation programs.*

5) *Policies provide guidance to assist the County as it makes decisions relating to each goal and indicates a commitment by the County to a particular course of action. (GP at p.1-5)*

**B. General Plan Guiding Principles.** These Guiding Principles are intended to GUIDE development and conservation in San Diego County.

Advance Planning Staff worked with hundreds of stakeholders-citizens, property owners, real estate developers, environmentalists, agricultural organizations, building

} O3e-32 cont.

} O3e-33

} O3e-34

O3e-33 The FEIR (subchapter 3.1.7.1.) described several alternatives for treatment of wastewater, both on and offsite as requested by VCMWD. The project applicant would implement one of the options for wastewater treatment as approved by the VCMWD.

With respect to the comment related to having sufficient right of way to construct the sewer force main or recycled water lines, a fourth alternative pipeline location has been added to Appendix S of the FEIR (Wastewater Management Alternatives Report). This alternative would utilize public road rights-of-way along Covey Lane (upon acceptance of the IODs ), West Lilac Road and Circle R Road to reach the Lower Moosa Wastewater Treatment Facility. This alternative does not have any new impacts to undisturbed land because the pipeline would be located within existing roadways. This alternative would require the County acceptance of an existing IOD and grant additional right of way. FEIR subchapters 1.2.1.7 and 3.1.7.2 have been revised after receipt of public review comments to clarify that additional alternative routes for sewer lines have been considered and analyzed. Locating the pipeline along a public road right of way is consistent with VCMWD Administrative Regulations Sec. 200.4 provides that under normal circumstances, sewer and water lines are to be located in a maintained roadway.

With respect to the comment regarding the lack of legal viability of the other options because of lack of right of way, VCMWD has stated that in order for the project to use three of the four routes additional right-of-way may need to be secured. VCMWD Administrative Regulations Sec. 200.3[d] provides that properties requiring an offsite line extension that do not have adequate easements to extend water lines may petition the VCMWD Board of Directors to initiate proceedings to acquire the easements through eminent domain. Ultimately it is in the discretion of the Board of Director's to decide whether to initiate proceedings to acquire the easements. California law also grants local public agencies the ability to impose conditions on private development requiring the construction of public improvements located within land not owned by the developer. (See Government Code Section 66462.5) Therefore none of the four alternatives are infeasible because of easement restrictions in that such rights may be legally obtained.

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	<p>O3e-34 Regarding project consistency with the General Plan ten guiding principles, all of the goals and policies of the General Plan are based upon the ten guiding principles that are set forth in Chapter 2 of the General Plan. (General Plan, pp.-6) The FEIR analyzes whether the project meets the ten guiding principles by its analysis of the appropriate policies that implement those principles throughout each of the subchapters of the FEIR and in Appendix W to the FEIR. Please also refer to Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W. (See also FEIR, Chapter 3.0.) Also see response to comments O3e-35 through O3e-46, below.</p>
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industry representatives, and professional planners-for years to create a General Plan that would build what is reasonably needed, and to conserve what we must. These Guiding Principles gave birth to the Community Development Model, and to the systematic method through which planning principle, and the County's commitment to authentic sustainable development, was transferred from human hearts and minds to the ground.

The DEIR should, but does not, thoroughly discuss and analyze the GP Guiding Principles (GP pp. 2-6 through 2-15), but merely cursorily sets them out and in some cases, without analysis of to the factual aspects of the Accretive project, asserts compliance.

The following discussion reviews several key **San Diego County General Plan Guiding Principles**, their application to the proposed project and reveals the project's failure to comply with these guiding principles.

**Guiding Principle 1: Support a reasonable share of regional population growth.** (GP p. 2-6)

The DEIR fails to note that the GP forecasts Valley Center to have 9,796 residential housing units at the end of 2030, the General Plan planning horizon. (GP Housing Element Update Report p. 41). At the average Valley Center persons/house factor of 2.97 persons, this equates to a residential population at build-out of 29,094, not the 41,000-plus that would result from this project's placement of a new city in the middle of a well-functioning agricultural area. This discrepancy is not recognized or analyzed. Additionally, the General Plan already accommodates more growth than SANDAG projects for 2050. In this context, the DEIR fails to justify the need for 1,746 additional homes and 90,000 additional SF of commercial.

There are significant environmental and planning consequences from providing an excess of housing and employment in a rural area that are not addressed in the DEIR:

1. As a region, with SANDAG providing coordination, we have been trying to steer growth to incorporated cities where transportation investments are occurring and goods, services, and employment are in abundance. The proposed project undermines this effort. It contradicts growth principles that all jurisdictions have developed through SANDAG, and conflicts with the Regional Transportation Plan and Sustainable Communities Strategy (SCS).
2. The SCS is the region's strategy for addressing GHG emissions targets for land use and transportation yet the DEIR fails to address the consequences of the proposed project conflicting with it.
3. By providing a glut of housing in a rural area, the proposed project throws a wrench in the region's growth strategy. The provision of more

O3e-34 cont.

O3e-35

O3e-35 The proposed project does comply with Guiding Principle one in that it would help contribute to the County-wide need for housing. Although the ccommenter notes that Valley Center already accommodates increases in population as forecasted under the current General Plan, the County population forecast model was intended to forecast population at a regional scale, and did not consider individual property boundaries or individual property constraints. The model identified the number of future residential units that would be allowed at build-out according to the proposed land use map and derived the forecasted population for the various community plan areas. (County of San Diego's General Plan Update Final Program EIR, Section 1.13.1, page 1-27 which page is incorporated by reference into this response.) In other words, the population of the various community planning areas were theoretical projected at build out but no adjustments were made for actual physical constraints (such as setbacks, slope, terrain, water availability, and other physical limitations) or constraints related to actual market availability of land parcels. The numbers and actual location of growth are not certain in that it is impossible to anticipate all the circumstances that can affect development nor the reduction of units that may result due to such constraints. Actual development in any city or county is a result of market forces, population growth (including birth rates and immigration) as well as physical constraints, availability of resources and other federal , state and local regulations. The County has only limited control over growth and cannot control external factors such as market demands and the intent of individual property owners, businesses and citizens. \_While population growth and associated development through the horizon year of the General Plan can be considered reasonably foreseable, potential development on any particular parcel is not certain at a general plan level. In fact the North and South Villages of the Valley Center Community Plan were found to pose a number of constraints and limitations as described in comment C1c-6.

Although the General Plan has directed growth to certain areas within the community planning areas of Valley Center, General Plan Policy LU-1.2 provides flexibility to the General Plan to accommodate population increases as necessary in a manner that meets the requirements of the Sustainable Communities Strategy of the General Plan. (consistent with Assembly Bill 32) The General Plan clearly allows for future amendments to the Land Use Map and

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	<p>O3e-35 (cont.)</p> <p>Regional Categories Map and is intended to be a dynamic document and provides that amendments will be reviewed to ensure that the change is in the public interest and would not be detrimental to public, health, safety, and welfare. (General Plan, page 1-15) Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues.</p> <p>The 2050 RTP and the SCS, which is incorporated into the RTP, is based upon principles of sustainability and smart growth. Smart-growth development incorporates a number of principles including: preserving open spaces, ecological resources and agricultural land; locating mixed land uses in close proximity to one another; providing a variety of housing types, densities and levels of affordability, and compact building footprints to minimize land consumption and maximize energy efficiency; designing distinctive, attractive communities, and neighborhoods for pedestrian activity; and providing a broad range of mobility options to improve community health, conserve energy, and reduce greenhouse gas (GHG) emissions. The 2050 Regional Transportation Plan (RTP) seeks to better link jobs, homes, and major activity centers by enabling more people to use transit and to walk and bike, efficiently transport goods, and provide fast, convenient, and effective transportation options for all people (2050 Regional Transportation Plan, available at <a href="http://www.sandag.org/uploads/2050RTP/F2050rtp_all.pdf">http://www.sandag.org/uploads/2050RTP/F2050rtp_all.pdf</a> and incorporated herein by reference).</p> <p>The County's General Plan is also based upon the same principles of developing lands and infrastructure more sustainably in the future and conserving natural resources. (General Plan, p.1-16) The General Plan identifies the goals and policies that contribute to achieving these principles and are listed in Table I-1. The FEIR analyzed whether the project met all of the relevant policies listed in Table I-1, including the principles of LU-1.2 and the Community Development Model.</p>
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	<p>O3e-35 (cont.)</p> <p>The project carries out the intent of the SCS and is consistent with the County's related General Plan policies. The project locates higher density and mixed use development where infrastructure can be provided. It will provide reclaimed water that can be used for many non-potable purposes, reducing reliance on potable water supplies. It will provide a town center with commercial and employment opportunities potentially reducing the need for surrounding residents to travel by automobile several miles to the closest neighborhood center. The Project is a compact walkable community providing neighborhood serving commercial uses within one-half mile of all residents. Besides sidewalks, residents and the public will have access to 16 miles of trails that connect the commercial areas, residential areas, school and park creating pedestrian friendly commercial centers and development. (See Global Response: Project Consistency with General Plan Policy LU-1.2.) The FEIR shows impacts on agriculture will be mitigated by the preservation of off-site agricultural land. The project incorporates mitigation measures and project design features to assure the protection of agricultural operations. Specifically, on-site prime and statewide importance soils that would be converted to non-agricultural uses would be mitigated through the purchase of agricultural conservation easements at a 1:1 ratio. Additionally, 42.2 acres of agricultural buffers and agricultural open space are included as part of the project design, and ongoing agricultural cultivation would be allowed to continue in these areas. (Subchapter 2.4.6 of the FEIR) Impacts associated with biological resources would be reduced to less than significant. The property is not located within a proposed Pre-Approved Mitigation Area and impacts to upland vegetation will be mitigated through the dedication of appropriate habitat. (Subchapter 2.5 of the FEIR.) Impacts on GHG emission will be less than significant. (Subchapter 3.1.2.1 of the FEIR.) The average trip length for people in this project will be 7.6 to 8.25 miles. (Chen Ryan 2014-TIS) The average trip length throughout the entire community planning area is 8.25 miles. When the project is combined with the community planning area, the average trip length is reduced to 8.17 due to the inclusion of local services in closer proximity than existing.</p>
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	<p>O3e-35 (cont.)</p> <p>Please note that SANDAG's SCS, including the forecasted development pattern, is not intended to regulate the use of land, as explicitly provided by the California Legislature when enacting SB 375. Rather, pursuant to Government Code section 65080(b)(2)(K), the SCS does not regulate the use of land; does not supersede the exercise of the land use authority of cities and counties within its region; and, does not require that a city's or county's land use policies and regulations, including its general plan, be consistent with it.</p> <p>Please refer to Respons O9-36 and O9-37.</p> <p>The comment asserts that this project will eliminate the need for 1,746 homes that would otherwise have been built in a city. There is no support or documentation for this assertion. SANDAG projects the need for 388,000 new homes of all types in all areas of the county (including cities) by 2050. The project will provide a very small portion of these homes. See Table 3.2 – 2050 Regional Growth Forecast Projections, available at <a href="http://www.sandag.org/uploads/2050RTP/F2050rtp_all.pdf">http://www.sandag.org/uploads/2050RTP/F2050rtp_all.pdf</a>, which is incorporated herein by this reference.</p>
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homes in Valley Center will reduce the demands for homes elsewhere. Generally, it has been the incorporated cities that have needed to plan for more homes to accommodate future regional growth. The proposed project will eliminate that need by 1,746 homes. If built in the incorporated cities pursuant to regional plans, these homes would have shorter vehicle trip lengths, be closer to transit, jobs, and services, and use less water and electricity. The DEIR fails to address these consequences.

O3e-35  
cont.

There are also impacts of providing excessive commercial uses. The proposed project plans for commercial uses in excess of local and regional forecasted needs. There are two possible consequences of this situation:

1. The commercial space in the proposed project will remain vacant and the town center will not function as intended;
2. The proposed project will pull commercial uses from other existing commercial areas nearby such as the Valley Center and Bonsall town centers. This will result in vacancies and blight in these village centers and will undermine their growth strategy and vision.

O3e-36

The DEIR needs to include a comprehensive economic study of the proposed project and its economic viability within the context of community and regional plans. The results of such a study will reveal grounds for the evaluation of additional environmental impacts of the project.

O3e-37

**Guiding Principle 2: Promote health and sustainability by locating new growth near existing and planned infrastructure, services and jobs in a compact pattern of development.** (GP p. 2-7)

As previously discussed, the Accretive project site lacks both existing and planned infrastructure. Infrastructure proposed by the project cannot be provided at a level consistent with County standards. The proposed project is not a compact pattern of development. It sprawls over 2 miles and has to include 3 town centers rather than 1 to try to support the claim that it is "walkable" and thus, presumably, compact.

O3e-38

The project and DEIR fail to analyze this inconsistency with Guiding Principle 2 (and its implementing Goals and Policies) and attempt to avoid it with the fiction that adopting a map with different land use designations for 608 acres will create compliance with the County General Plan.

The GP and VC Community Plan currently embody and comply with Guiding Principle 2, with the design for the central Villages and the feathered-out supporting semi-rural and rural designations. The Accretive project is inconsistent with and would destroy that design and compliance.

O3e-36 and O3e-37

Section 4.1 of the TIS (attached Appendix X to the FEIR) describes the commercial center as consisting of commercial retail uses which may include a 25,000 square foot general store-local serving, small scale and boutique style specialty retail – nothing of the nature that would raise the issue of blight as suggested by the commenter. Also, it is unlikely that the proposed project would pull commercial uses from other existing commercial areas, the FEIR, subchapter 2.3, and Table 2.3-10, shows a maximum of 920 trips on any segment of Camino Del Rey at project buildout. With two phases of the project built, prior to any commercial within the project, less than 300 trips are added to any segment of Camino Del Rey (TIS Table 5.7). In short, very few residents are driving to Bonsall with or without onsite commercial uses. In the town of Valley Center, the project only adds 80 trips to Valley Center Road between Woods Valley Road and Lilac Road at build out (TIS Table 5.3). This is the location of the North and South Villages. In short, few project residents will be driving to the commercial areas in central Valley Center.

While economic and social effects ordinarily need not be discussed in an EIR, physical changes, such as blight, are secondary impacts that must be analyzed if they are significant. The potential for commercial uses in the project blighting other parts of the community planning areas is too speculative. The commercial uses intended for the project will be sized to meet the needs of the project. The Specific Plan design guidelines for the Town Center and Neighborhood Centers specifically exclude big box type commercial uses within the project area. In addition, the lead agency is not obligated to assess indirect impacts resulting from urban decay merely because the project includes a commercial center and therefore no economic study is required by CEQA. (Melom v. City of Madera (2010) 183 Cal.App4th 41.) The project does not include a supercenter and the commercial uses would not have hours of operation or traffic concerns that would be similar to these types of uses. No substantial evidence has been presented by the commenter.

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	<p>O3e-38 The commenter questions the consistency of the project with Guiding Principle 2, raising specific concerns about infrastructure, compact development and feathering. The project is amending the General Plan by adding a new Village in accordance with the criteria of Policy LU-1.2. See Global Response: Project Consistency with General Plan Policy LU-1.2 for a more detailed discussion on these topics.</p> <p>The project includes several methods of transitioning from the denser uses onsite to the less dense uses surrounding the property. These include the use of the biological open space to separate the project from adjacent uses and buffers where adjacent to existing agricultural areas. The Specific Plan also requires the use of wider lots and certain grading techniques to further separate the project from adjacent uses. The Project is anchored by a pedestrian-oriented, mixed-use Town Center that includes high-density residential, commercial and professional offices, various private and public facilities, a park and the community trails. Compact residential neighborhoods radiate out from the Town Center towards the Project perimeter and support several small parks and the community trails. Neighborhood centers include clusters of attached homes, commercial and professional uses, a 13-acre public park and the community trails. The Project perimeter transitions to surrounding semi-rural areas by featuring: wider, ranchette-style lots, a 50-foot wide orchard-planted buffer, a 104 acre natural preserve, and the community trails. The road network is densest at the Town Center and there are over sixteen miles of landscaped, lighted, and signed multi-use community trails stitching every part of the community together and connecting to county regional trails. (See Specific Plan, Part V.B., pp. v-7 to v-9.)</p>
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	<p>O3e-38 (cont.)</p> <p>The comment also refers to the existing Villages that are designated in the Bonsall and Valley Center Community Plans as “village cores” within the community development model and contends that the project will destroy these existing Villages’ design and compliance with the Community Development Model. The General Plan allows for the designation of new villages that meet the criteria of LU-1.2. The project will have little impact on either town as is documented by the number of trips that will be added to the roads. (See response to comments O3e-36 and O3e-37, above.)</p>
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**Guiding Principle 3: Reinforce the vitality, local economy, and individual character of existing communities when planning new housing, employment, and recreational opportunities.** (GP p. 2-9)

O3e-39

The Accretive project does not comply with or implement this Principle. The DEIR fails to recognize Valley Center's two existing villages or analyze the impact of the Project on the existing and proposed central Village economy and character. In its inadequate discussion of the key CEQA issue whether the project will physically "Divide an Established Community" the DEIR states that there is no established community! (DEIR Ch. 3, section 3.2.4, p. 3-120.) and thus there is no need to address this issue in the DEIR. The central valley villages DO exist, they are the heart of the existing Valley Center community, and they are where the GP and CP plan Valley Center's future growth consistent with the General Plan. Consistency with Guiding Principle 3 must be fully analyzed in the DEIR.

**Guiding Principle 4: Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance.** (GP 2-10)

O3e-40

The Project fails to comply with this principle and proposes bulldozing 4 Million cubic yards of natural hills to make manufactured slopes to accommodate an urban-styled city in an active and productive agricultural area.

**Guiding Principle 5: Ensure that development accounts for physical constraints and the natural hazards of the land.** (GP 2-11)

O3e-41

In contrast to this principle, the Project proposes bulldozing 4 Million cubic yards of natural hills to make manufactured slopes, to accommodate an urban-styled city in an active and productive agricultural area.

**Guiding Principle 6: Provide and support a multi-modal transportation network that enhances connectivity and supports community development patterns and, when appropriate, plan for development which supports public transportation.** (GP 2-11)

O3e-42

The DEIR indicates that NCTD might be interested in a bus stop. The project is isolated from existing villages and entirely car-dependent. If approved there are no commercial amenities, no schools, and no parks until phase 3, 6-8 years after building phase one houses in an area entirely removed from public transportation. The Project does not have easement rights for the required ingress and egress to the planned homes. If the homes were constructed, they would undermine rather than enhance existing connectivity by the applicant's request to downgrade a portion of West Lilac Road from a 2.2C Circulation Element road to a 2.2F Circulation Element road.

O3e-39 With respect to the comment that the proposed project fails to analyze the impact of the Project on the existing and proposed central Village economy and character, the project is located 10-12 miles away from the town centers of Valley Center and Bonsall. The project will have little impact on either town as is documented by the number of trips that will be added to roads. The FEIR, subchapter 2.3, Table 2.3-10, shows a maximum of 920 trips on any segment of Camino Del Rey at project buildout. With two phases of the project built, prior to any commercial within the project, less than 300 trips are added to any segment of Camino Del Rey (TIS Table 5.7). In short, very few residents are driving to Bonsall with or without onsite commercial uses. In the town of Valley Center, the project only adds 80 trips to Valley Center Road between Woods Valley Road and Lilac Road at build out (TIS Table 5.3). This is the location of the North and South Villages. In short, few project residents will be driving to the commercial areas in central Valley Center.

Section 4.1 of the TIS describes the commercial center as consisting of commercial retail uses which may include a 25,000 square foot general store-local serving, small scale and boutique style specialty retail nothing of the nature that would raise the issue of blight as may be suggested by the commenter. The potential for commercial uses in the project blighting other parts of the community planning areas is too speculative. The commercial uses intended for the project will be sized to meet the needs of the project. The Specific Plan design guidelines for the Town Center and Neighborhood Centers specifically exclude big box type commercial uses within the project area. In addition, the lead agency is not obligated to assess indirect impacts resulting from urban decay merely because the project includes a commercial center and therefore no economic study is required by CEQA. The project does not include a supercenter and the commercial uses would not have hours of operation or traffic concerns that would be similar to these types of uses. (See *Melom v. City of Madera* (2010) 183 Cal.App4th 41.)

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	<p>O3e-39 (cont.)</p> <p>The commenter raises concern about the project dividing an established community. As the FEIR discusses the project will not divide an established community (FEIR, subchapter 3.2.4) because the project site is at the western edge of Valley Center and does not serve as a connecting point between community areas. The roadways on-site provide access to the on-site uses but do not provide a connection between community areas. Since the project does not serve as a connection point between community areas, the project would not significantly disrupt or divide an established community. However, the FEIR, subchapter 3.2.4 has been clarified after public review to explain that the project site is currently a mix of undeveloped open space, agricultural uses and rural residences. The project site is located along the western fringe of the rural community of Valley Center. On site, the project consists of rural residential uses and agricultural land. Although the proposed Project would not divide an established community, the project addressed its relationship to existing and planned land uses with adjacent properties. Subchapter 3.1.4.2 evaluated the project's compatibility with surrounding off-site land uses and the project's internal compatibility with existing and planned land uses on site. Compliance with the goals and policies of both Valley Center and Bonsall community plans are detailed in the General Plan Consistency Analysis (see Appendix W) and in subchapter 3.1.4.2. Compliance with the project's design guidelines and other provisions of the Specific Plan assures the project's compatibility with the adjacent off-site land uses and within the project. Overall, the project is consistent with the relevant policies of both the Bonsall Community and Valley Center Community Plans and land use impacts associated with policy inconsistencies would be less than significant.</p>
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	<p>O3e-40 The project would not result in significant impacts to biological resources. The property is not located within a proposed Pre-Approved Mitigation Area and impacts to upland vegetation will be mitigated through the dedication of appropriate habitat. (Subchapter 2.5 of the FEIR.) The project design incorporates the preservation of 104.1 acres of open space, the on-site creation of 6.0 acres of wetland habitat for wildlife use, and the enhancement of 12 acres of existing disturbed riparian habitat to native riparian habitat for wildlife use. See FEIR, subchapter 2.5 and Biological Resources Report, Section 8.0 and Table 10.</p> <p>The biological open space being preserved on the project site conserves the local important wildlife corridors. See Figures 14a and 14b of the FEIR, subchapter 2.5 and Biology Resource Report. In addition, see Section 8.0 and Table 10 for a summary of impacts and mitigation measures. Mitigation measures will protect raptor foraging habitat, will restore, enhance, and maintain open space subject to a reviewed Resource Management Plan, funded through an endowment or community facilities district, will enhance and create wetlands, under the jurisdiction of local, state, and federal resource agencies, and will include a Revegetation Plan, with numeric success criteria, and subject to local, state, and federal review and approval prior to issuance of wetland and the first and all subsequent grading permits. The FEIR shows impacts on agriculture will be mitigated by the preservation of off-site agricultural land. The project incorporates mitigation measures and project design features to assure the protection of agricultural operations. Specifically, on-site prime and statewide importance soils that would be converted to non-agricultural uses would be mitigated through the purchase of agricultural conservation easements at a 1:1 ratio. Additionally, 42.2 acres of agricultural buffers and agricultural open space are included as part of the project design, and ongoing agricultural cultivation would be allowed to continue in these areas. (Subchapter 2.4.6 of the FEIR.)</p> <p>Grading for the project maintains the overall general contour of the property, requiring 2,300 cubic yards of grading per home, which would require a minor grading permit on an individual lot basis. This is consistent with projects of this size. Private roads are used that reduce grading by reducing the design speeds and overall development foot print, and following the contours of the property.</p>
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	<p>O3e-40 (cont.)</p> <p>The FEIR includes conceptual grading plans showing how the grading would adhere to existing landforms and contours. The project Grading Plan is at FEIR Figure 1-15.</p> <p>The Specific Plan, Ch. III, Section G, includes guidelines for grading all areas of the project beginning on page III-51. Grading in all phases, including off-site improvements, would comply with these Landform Grading Guidelines as contained in the Specific Plan, which will include the blending and rounding of slopes, roadways, and pads to reflect the existing surrounding contours and undulating slopes, replicating the natural terrain. Therefore the project's grading would conform to the natural contours of the land and would not substantially alter the profile of the site as shown by the grading cross-sections included as Figure 68 in the Specific Plan. In addition, approximately 99.7 percent of the RPO 'steep slopes' are avoided. All graded areas will be landscaped with drought tolerant plantings that are compatible with the surrounding environment as well as the theme of the project.</p> <p>No more than 50 acres of the project site will be actively graded at any one time. See FEIR, Table 1-4 for grading phasing. Please refer to FEIR, Appendix W, for a thorough discussion of project consistency with General Plan Land Use policies.</p>
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November 24, 2014

Accretive Investments, Inc  
 12275 El Camino Real, Ste. 110  
 San Diego, CA 92130  
 Attn: Jon Rilling

RE: Response to Lilac Hills Ranch VCCPG Comment - C1e-56

Mr. Rilling,

We are aware that the EIR for the above referenced project has been circulated and you have received comments from the community some of which pertain to Guiding Principle #4 which states "Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance." In response to the VCCPG Comment – C1e-56 which states that the Lilac Hills Ranch project "...fails to comply with this principle and proposes bulldozing over 4 million cubic yards of natural hills to make manufactured slopes to accommodate an urban-style city in an active and productive agricultural area", KCM Group has performed an analysis of similar projects in similar terrain and setting. This research includes Master Planned communities in the San Diego (SDC), Riverside (RC), and Los Angeles (LAC) Counties and has been formulated to not only address the concerns about the quantity of grading but also underscore the environmental measures which have been featured in the project to specifically satisfy GP#4. The analysis below presents the grading cut/fill yardage in consideration of the acreage and lot count of the various projects analyzed. The data and analysis is as follows:

Project	Units	Density (DU/AC)	CY per Unit	CY per Acre
Lilac Hills Ranch	1,746	2.87	2,290	7,950
SDC Project #1	1,659	4.40	3,440	14,965
SDC Project #2	844	4.20	3,065	12,810
SDC Project #3	415	3.80	2,770	10,540
SDC Project #4	37	1.50	5,990	8,870
RC Project #1	563	4.50	4,180	18,855
RC Project #2	464	4.00	5,200	20,910
RC Project #3	139	2.00	5,905	11,895
LAC Project #1	1260	1.60	16,500	26,280

Per the analysis, the Lilac Hills project has the least amount of grading per unit as well as the least amount of grading per acre of all the projects analyzed which is indicative of the design sensitivities which have been taken into account on the project. Also, as demonstrated by the data, the project has an average unit density that is lower than all but two projects of the other projects. The lower amounts of earthwork per unit and per acre are due to the project design which reflects the existing topography with streets and neighborhoods following the natural layout of the land. The proposed earthwork has been minimized (especially along all perimeters of the site) by focusing the higher density units in locations where the existing slopes are minimal. As discussed in EIR Subsection 2.1, contour grading techniques are utilized to protect the undeveloped character of existing hillsides. The

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unit design techniques have also contributed to grading reduction as shown in the Specific Plan text which includes a number of single family development templates that step down the hillsides. All earthwork activities will also occur only within the project boundaries as required. In the final grading process, grading will be further refined to mimic adjacent natural slopes, blending into the surrounding landscape.

In addition to minimizing the proposed earthwork, the Lilac Hills Ranch project proposes many other improvements which promote environmental stewardship and protect the range of natural resources and habitats including utilizing measures to mitigate the impacts of the anticipated increase in peak single-event runoff, water quality runoff, and hydromodification as a result of the proposed development, as defined below;

1. Each single-family lot, multi-family lot and town center will be equipped with a bio-retention area or other similarly effective treatment facilities within the landscaped areas which will accommodate all the anticipated discharge from hardscaped areas such as roof tops and paved driveways and walkways prior to entering the main storm water conveyance system. This ensures that only treated, clean runoff enters the storm drain system. This is the first step in enhancing the quality of the stormwater leaving the site.
2. The runoff from paved roadways will first enter fossil filter equipped catch basins and curb inlets before entering the storm drain system. These fossil filters will pre-screen most of the trash, debris, and larger sediment particles before the first flush runoff enters the catch basins or curb inlets.
3. Once the pre-screened first flush runoff enters the catch basins or curb inlets, a water quality low-flow pipe installed below the regular 100-year peak runoff conveyance pipe will convey the first flush runoff to nearby bio-retention areas built into adjacent slopes to treat the first flush runoff before discharging onto natural terrain. The low-flow pipes will only have the capacity to handle the first flush runoff. Higher intensity runoff will overwhelm and bypass them and enter the main storm drains.
4. Finally, the main storm drains will convey the 100-year peak runoff into one of three proposed detention basins. One basin is located at the final discharge point of each of the three watersheds in this project just before the on-site runoff leave the project site. These detention basins will function as the 100-year peak runoff attenuation devices where a restricted outlet structure will control the outflow from these basins to be at or below that of the pre-development conditions such that the runoff will not result in additional impact to downstream facilities.
5. These detention basins are also designed to mitigate the anticipated hydromodification effects of the proposed project. The outlet structures of the detention basin will be equipped with restriction devices such that the storm water discharge leaving the project site will be at or below the pre-development runoff in both duration and frequency within the compliance storm events from 10% of the 2-year runoff up to the 10-year storm as defined by the County of San Diego HMP manual.
6. These detention basins are the last step of the water quality treatment process. The bottom of these detention basins will be vegetated to provide additional bio-retention and infiltration of the first flush runoff, further enhancing the overall water quality of the runoff reaching downstream facilities.
7. Smart landscaping and irrigation will be employed for the project. Draught and pest tolerant and native vegetation will be planted such that the need for regular and frequent irrigation beyond the establishment period can be minimized. This will further reduce the potential of pollutant laden runoff being generated and discharged into downstream facilities.
8. In addition to the fossil filters, bio-retention facilities and detention basins proposed for the Lilac Hill Ranch project, the application also proposes optional measures (subject to the approval of the RWQCB as acceptable mitigation) such as permeable pavers on the streets and rain barrels for future individual homes as an enhancement to the stormwater treatment facilities. The permeable pavers and rain barrels will be closer to the source of the pollutants – i.e. streets and roof tops. The permeable pavers and their engineered base material will

- have an elevated capacity to capture and treat the first flush runoff on the street. The rain barrels will offer additional holding capacity of the runoff from each roof top, and the captured water can be used for irrigation that will reduce the demand on imported water.
9. Under the predevelopment conditions, the project site consists of approximately 392 acres of agricultural operations with irrigated rowed crops, vineyards and orchards. According to the 2010 USEPA approved 303d list, as well as Project Clean Water, two of the main pollutants of the San Luis Rey watershed are nutrients and total dissolved solids. The main source of these principle stressors is agriculture storm runoff. Currently, there are no storm runoff treatment facilities on site to mitigate the potentially principle stressor laden runoff leaving the site. The proposed development will eliminate all but approximately 42 acres of the existing agriculture land use, effectively removing a major potential source of major pollutants that is negatively impacting the water quality of downstream watershed. The proposed on-site storm water runoff treatment control BMPs (Best Management Practices) such as the bio-retention areas on each single-family lot and adjacent to roadways, fossil filter inserts in catch basins and curb inlet as well as the detention basins will further reduce and eliminate pollutants within the storm runoff before it is discharged into downstream facilities.
  10. The Lilac Hills Ranch project will remove a major source of principle pollutants of the existing watershed. The proposed treatment BMPs will enhance the water quality of the discharge leaving the site. The proposed detention basins as well as their outlet structures will regulate the peak runoff leaving the site to be at or below that of the pre-development conditions for both the single-year peak flow as well as the hydromodification compliance events. The Lilac Hills Ranch project, overall, will improve the water quality of the watershed and provide a cleaner environment; enhancing the overall quality of life in the surrounding and downstream communities.
  11. The project is proposing an onsite waste recycling facility to serve the Project and surrounding community. Recycling will reduce the amount of waste sent to landfills and incinerators, conserve natural resources such as timber, water, and minerals; prevent pollution by reducing the need to collect raw materials; saves energy; and reduces greenhouse gas emissions that contribute to global climate change.
  12. Lilac Hills Ranch plans on using recycled water onsite for irrigation. Using recycled water for irrigation reduces the strain on the potable water system as well as decreasing wastewater discharge which prevents pollution. During the current (and reoccurring) drought cycle California is in, the use of recycled water greatly increases the sustainability of this project.

In addition to the measures above, Lilac Hills Ranch has taken extraordinary measures to avoid the manufactured slope appearance by undulating landforms to match the rolling hills that currently exist. Natural landform grading in addition to significant environmental mitigation design features will result in a community which is aesthetically compatible, sustainable and environmentally friendly. By purposefully designing slopes which mimic the surrounding natural slopes and proposing the above detailed project impact mitigation measures, the Lilac Hills Ranch project will be implementing environmental processes and aesthetic improvements that protect the County's natural resources and habitats. Lilac Hills Ranch is striving to create a low impact Master Planned community designed to support growth of the County while still protecting the surrounding natural environment.

Thank you,



Gordon Kovtun  
Principal  
KCM Group

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	<p>O3e-41 The project accounts for the physical constraints and natural hazards of the land. With respect to grading, the overall shape of the land would remain intact as shown by the grading cross-sections included as Figure 68 in the Specific Plan. Grading in all phases, including off-site improvements, would comply with the Landform Grading Guidelines contained in the Specific Plan which will include the blending and rounding of slopes, roadways, and pads to reflect the existing surrounding contours by undulating slopes and replicating the natural terrain. The FEIR includes conceptual grading plans showing how the grading would adhere to existing landforms and contours. (See also response to comment O3e-40, above.) With respect to other physical constraints and natural hazards: approximately 91 percent of the RPO 'steep slopes' are avoided and flood prone areas within the project are located in open space. The Fire Protection Plan analyzes the potential fire safety issues of the project area and includes detailed fire prevention measures that have been incorporated into the project design. In addition a 50 to 100 foot wide fuel modification zone is provided around the internal perimeter of the property and along natural open space areas as required by the Fire Protection Plan. Additional measures are included to ensure that safety is not compromised in those areas in which the 100 feet wide fuel modification zone is not met and require the approval of the Fire District. (see, FEIR Figure 1-6), Ignition resistant construction provides additional safety.</p>
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	<p>O3e-42 The project is consistent with Guiding Principle 6 by enhancing the connectivity of the County's transportation network and provides a transportation system that supports public transportation. The Project's circulation network was designed to accommodate the public traveling from the adjacent public road system while maintaining the rural atmosphere and rural theme of the surrounding Community. The project will make improvements to widen West Lilac Hills Road . Although the transportation system in the unincorporated areas of the County will rely primarily on the public road network, the Specific Plan reserves a site for a future transit stop in the Town Center that could be utilized when the Community reaches a point in its development in which the NCTD system will be able to provide transit service. The project includes a Transit Demand Management Plan that ensures project linkage to the regional transit system through implementation of an interim plan and through long-term coordination with regional transportation agencies. In addition, the TDM includes an interim transit service to transport residents to the nearest transit stop until the NCTD establishes a transit route to the Project.</p> <p>The comment states that the project would build roads to degraded standards, have degraded emergency ingress and egress for fire, law enforcement and evacuation in event of fire, and detract from community development patterns in the existing central Villages. The comment also states that the project does not have assurances that commercial amenities, schools, and parks will be built until phase 3, there are not easement rights for required ingress and egress to planned homes, the project's request to downgrade a portion of West Lilac Road from a 2.2.C circulation Element road to a 2.2.F Circulation element road would undermine existing connectivity.</p> <p>With respect to roads being built to degraded standards. All of the exceptions being requested for the roadway improvements were included as part of the project's circulation design and considered as a part of the analysis for each subject area discussion within the FEIR. See response to comment O3e-28, above.</p> <p>The project includes a General Plan Amendment to the Mobility Element to downgrade the segment of West Lilac Road from Running Creek Road (Road 3) to Main Street from a 2.2C to a 2.2F road, addressed in subchapter 1.6 of the FEIR (See also subchapter 2.3, Traffic with respect to West Lilac Road and Road 3).</p>
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In short, my adding 5,185 residents in an automobile dependent commuter community with no access to public transit and with a degradation in road standards, the project will degrade emergency ingress and egress for fire, law enforcement and evacuation in the event of fire and detract from, not support, community development patterns in the existing central Villages.

O3e-42  
cont.

**Guiding Principle 7: Maintain environmentally sustainable communities and reduce green house gas emissions that contribute to climate change.** (GP p. 2-12)

This Project claims it is environmentally sustainable, but ignores fundamental requirements for sustainable building where substantial investments have already been made in urban infrastructure and amenities. Moreover, the project replaces agricultural operations and functioning rural lands that genuine "sustainable development" would preserve and protect. The characterization of the project as "sustainable" is without factual support and undermines the ability of the public and decisions makers to reasonably evaluate the project and its impacts.

O3e-43

**Guiding Principle 8: Preserve agriculture as an integral component of the region's economy, character, and open space network.** (GP p. 2-13)

The Project conflicts with this principle by removing 504 acres of productive agricultural lands from use and replacing this valuable acreage with an urban city. The DEIR relies on an inappropriate model to devalue existing productive agriculture and ignores the reality that the project site and surrounding area contain some of the most unique and valuable agricultural operations in the region.

O3e-44

**Guiding Principle 9: Minimize public costs of infrastructure and services and correlate their timing with new development.** (GP p. 2-14)

The SP and implementation plan are inconsistent with this principle and are geared to increase public infrastructure costs while minimizing the Applicant's infrastructure costs, in an area currently devoid of infrastructure.

O3e-45

**Guiding Principle 10: Recognize community stakeholder interests while striving for consensus.** (GP p. 2-14)

This applicant has ignored the Valley Center community and the Valley Center Community Planning Group throughout the planning process. No changes or attempts to reach consensus were ever made in response to community comments and concerns.

O3e-46

The project is inconsistent with and fails to fulfill the foregoing guiding principles.

O3e-42 (cont.)

An amendment to Table M-4 would also be required because the reduction of West Lilac Road from a 2.2C to a 2.2F would result in West Lilac Road operating below acceptable levels of service (in the General Plan build-out scenario). West Lilac Road is being proposed to be added to Table M-4 and exempt from LOS standards because improvements to General Plan standards of 2.2C would adversely affect active agricultural operations and mature oak woodland habitat. Additionally, the improvement of West Lilac Road to 2.2C width would require the condemnation of private land on the northern side of West Lilac Road. West Lilac Road would be improved in compliance with the County Public Road Standards, unless road exceptions are granted by the County. The section of West Lilac Road proposed to be downgraded to a 2.2F Mobility Element road will operate at LOS D or better in every scenario except with Road 3 as shown on the current Mobility Element. As noted in the TIS, Section 9.2.3, SANDAG has purchased the 902 acre Rancho Lilac property, through which Road 3 runs for biological open space. Therefore, it would be unlikely that Road 3 would be constructed in this location.

With respect to emergency ingress and egress being degraded, the FEIR analyzed the issue of transportation hazards with respect to the road network design for the Project, and determined that impacts associated with transportation hazards would be less than significant. The overall road network design for the project would provide adequate ingress and egress for residents as well as emergency access and conform to Goal M-4. The roads within the project site were designed to accommodate emergency vehicles and allow residents to evacuate efficiently if necessary (Policy M-4.4) and the project would provide four connecting points to existing roads ensuring that both local and surrounding residents have alternate routes (Policy M-4.2). (FEIR, subchapter 2.3.3.3.) The Evacuation Plan examined the existing and the Project's planned roads and determined that it would provide adequate multi-directional primary and secondary emergency evacuation routes.

With respect to detracting from community development patterns in the existing central Villages, it is noted that the General Plan has directed growth to certain areas within the community planning areas of Valley Center and Bonsall for development, General Plan Policy

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	<p>O3e-42 (cont.)</p> <p>LU-1.2 provides a degree of flexibility to the General Plan to accommodate additional population increases as necessary in a manner that meets the requirements of the Sustainable Communities Strategy of the General Plan (consistent with Assembly Bill 32) (County of San Diego General Plan, adopted August 3, 2011, pp 2-7 through 2-9, which pages are incorporated herein by this reference.) The General Plan clearly allows for future amendments to the Land Use Map and Regional Categories Map and is intended to be a dynamic document and provides that amendments will be reviewed to ensure that the change is in the public interest and would not be detrimental to public, health, safety, and welfare. (County of San Diego General Plan, adopted August 3, 2011, page 1-15, which page is incorporated herein by reference.) General Plan Policy LU-1.2 permits new villages that are consistent with the Community development model and meet the requirements set forth therein. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 and Appendix W for a thorough discussion on related topic.</p> <p>The comment is correct in that the commercial amenities, schools and parks will be built with phase 3. However, even though the project phasing provides flexibility, the project requires the implementation of each of the mitigation measures identified in the FEIR by either phase, building permit issuance or other applicable measurement that will ensure construction and provision of services commensurate with development impacts. ( For instances, Table 2.3-24 and Table 2.3-25 provide a mitigation summary for the direct and cumulative impacts, respectively, for the project as related to traffic by EDUs.) Therefore the project will be required to build the infrastructure needed to serve the project when the project requires such facility, such as in the case of the public parks. The project will dedicate a public park (P7) to the County and provide the amenities in accordance with the County's Park Lands Dedication Ordinance. An interim park will be provided after a period of time has lapsed as described in the Specific Plan. With respect to schools, the project will be required to pay the appropriate fees at building permit issuance. If any impacts cannot be mitigated by the construction of the needed infrastructure, the FEIR has fully informed the decision maker of such fact for their consideration.</p>
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	<p>O3e-42 (cont.)          With respect to the commercial center, the commenter is correct in that there is no requirement that all phases of the project will be constructed at a certain point in the project or that the town center be operational within a specific period of time. Please refer to comment C1c-173.</p> <p>With respect to the comment that there are not easement rights for required ingress and egress to planned homes, please refer to Global Responses: Easements (Covey Lane and Mountain Ridge Roads) and the Off-site Improvements - Environmental Analysis and Easement Summary Table regarding rights-of-way included in these response to comments.</p> <p>O3e-43          The comment states that the project does not provide any support that the project meets the requirements of sustainable development. The underlying premise of the General Plan is to conserve natural resources and develop lands and infrastructure more sustainably in the future. (General Plan, p.1-16) The General Plan identifies such goals and policies that contribute to achieving this premise as listed in Table I-1.</p> <p>The FEIR analyzes whether the project meets all of the relevant policies listed in Table I-1, including the “sustainable development” linchpin principles of LU-1.2 and the Community Development Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues.</p> <p>O3e-44          The comment states that the project conflicts with the Guiding Principle 8 by removing 504 acres of productive agricultural lands from use, uses an inappropriate model to devalue existing productive agriculture and ignores reality that the project site and surrounding area contain some of the most unique and valuable agriculture operations in the region.</p> <p>The project does not conflict with Guiding Principle 8. The site is currently located in an area of agricultural and rural residential uses. The project incorporates mitigation measures and project design features to assure the protection of agricultural operations.</p>
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	<p>O3e-44 (cont.)  Specifically, on-site prime and statewide importance soils that would be converted to non-agricultural uses would be mitigated through the purchase of agricultural conservation easements at a 1:1 ratio. Additionally, 42.2 acres of agricultural buffers and agricultural open space are included as part of the project design, and ongoing agricultural cultivation would be allowed to continue in these areas. As discussed in subchapter 3.2.3 of the FEIR, the project would include on-site biological open space, common open space, LBZ buffers, as well as Mitigation Measures 2, 3, and 4, which would ensure that urban/agriculture compatibility conflicts are less than significant.</p> <p>Further, by concentrating new housing in a compact form of development that is within a planned village setting, accessible to infrastructure and transportation; development pressure on areas that contain farmland of agricultural importance would be reduced and would not, in turn, encourage such existing agricultural uses from being developed. Accordingly, the project is consistent with LU-7 relative to retaining and protecting farming and agriculture as beneficial resources that contribute to the County's rural character. Please refer to Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W.</p> <p>O3e-45 The comment states that project will increase public infrastructure costs while minimizing the applicant's infrastructure costs.</p> <p>The project would be responsible for funding the construction/ improvement of public facilities including wastewater, recycled water, and imported water infrastructure, which would be sized to serve the project's population. Infrastructure improvements will follow the phasing plan outlined in the Lilac Hills Ranch Specific Plan. In addition, the applicant would be required to meet various commitments prior to approval of each Tentative Map such as providing landscaping, street improvements, parks, open space dedications, and satisfying the mitigation measures included in the FEIR. This will ensure that adequate infrastructure is available to each phase of development at the appropriate time as required to implement the project.</p>
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	<p>O3e-45 (cont.)</p> <p>The project would be responsible for the construction/improvement of roadways and provision/extension of public facilities, which would be sized to serve the project. Please refer to subchapter 2.3 of the FEIR for the analysis the project's impacts to roads, intersections and Caltrans' facilities based on the Traffic Impact Study, attached as Appendix E to the FEIR. The project includes numerous improvements to area roadways both as design features and required as mitigation measures. Specifically, as detailed in subchapter 1.2.1.4, the project includes the construction of a number of off-site roadway improvements to several roadway segments in the project's vicinity. These improvements include the widening, repaving, and restriping of portions of the following existing roadways:</p> <ul style="list-style-type: none"><li>• West Lilac Road</li><li>• Covey Lane</li><li>• Rodriguez Road</li><li>• Mountain Ridge Road</li></ul> <p>Additionally, the project includes the following intersection improvements:</p> <ul style="list-style-type: none"><li>• Installation of traffic lights at the following intersections: Gopher Canyon Road and I-15 ramps; Highway 395 and Circle R Drive; Highway 395 and West Lilac Road, Highway 395 and East Dulin Road, and Miller Road and Valley Center Road.</li><li>• Dedicated right-turn lanes at the westbound Gopher Canyon Road approach and the northbound East Vista Way approach to East Vista Way/Gopher Canyon Road intersection.</li><li>• Intermittent turn lanes at major access locations along Lilac Road from Old Castle Road to Anthony Road including the segment between Robles Lane and Cumbres Road, and the intersection of Sierra Rojo Road and Lilac Road.</li></ul>
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	<p>O3e-45 (cont.)</p> <p>There are two significant and unavoidable impacts to County roadways. The remaining significant and unavoidable impacts are to Caltrans facilities. Significant impacts to County roads the segment of Pankey Road between Pala Mesa Drive and SR-76 (identified in the FEIR as Impact TR-16), the segment of Gopher Canyon Road between E. Vista Way to Little Gopher Canyon Road (identified in the FEIR as Impact TR-12) . Mitigation for these road segments is determined infeasible, as discussed in Section 6.4 of Appendix E of the FEIR, because the cost required improvement is not roughly proportional to the impact of the project. Mitigation measures must be roughly proportional to the environmental impacts caused by the project. These significant and unmitigable impacts are fully disclosed in the FEIR for consideration by the decision maker. In addition, the segment of Pankey Road is currently required to be improved to the Mobility Element Road Classification of 2.1A as a condition of the previously approved Campus Park and Meadowood projects. While the General Plan has a desired LOS standard for a Mobility Element road, the General Plan does not prohibit projects from having significant and unmitigable impacts on County Roadways.</p> <p>See also the discussion in the FEIR regarding the transportation system network, sewer and schools at subchapters 2.3, 3.1.7, and 3.1.5 respectively and Appendix W regarding General Plan Policy conformance.</p> <p>O3e-46</p> <p>The project was forwarded to the group for review as appropriate throughout the process and the project was redesigned to address the comments as appropriate. In addition, public meetings and informational meetings were held by the County for community residents to provide information about the project.</p>
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**V. COUNTY PLANNING STAFF IDENTIFIED 121 GP POLICY CONFLICTS IN THE SCOPING LETTER. THESE CONFLICTS ARE NOT ANALYZED IN THE DEIR OR THE SPECIFIC PLAN**

On June 13, 2012, County staff issued a "Project Issue Checklist" listing (on 350-plus pages) more than 1000 project "issues" regarding the project and its planning documents. The list included Major Project Issues (with GP Policies) as well as GP and CP Policies that posed potential conflicts.

The staff directive to the applicant at that time was, "Please immediately review the policies and indicate to staff how you would propose to revise these policies or if you disagree with staff's analysis. If policy revisions are required to the County's General Plan, then the project's EIR must also analyze the impacts to the County's General Plan." In subsequent editions, the "Checklist" refers the reader to other documents – in some instances to a GPAR (General Plan Amendment Report), in others to the Land Use Section of the DEIR. However, a review of these resources shows there is no policy by policy discussion of consistency. This level of analysis must be provided.

The June 13, 2012 version of the Project Checklist is attached hereto as Exhibit "4". The DEIR should discuss in detail each of these GP and CP consistency issues.

**VI. THE LIMITED CONSISTENCY ANALYSIS THAT DOES APPEAR IN THE DEIR IS INCOMPLETE AND INSUFFICIENT**

The DEIR (in Section 3.1.4.1, pp 3-56–3-64) lists what it calls the "relevant policy and regulatory framework" for the project. But this list is not the detailed analyses that CEQA requires; instead, under the rubric of "Existing Conditions" this section is mainly a summary of applicable planning documents.

Section 3.1.4.2 (p 3-64) is titled "Analysis of Project Impacts and Determination of Significance." In the subsection entitled "Impact Analysis" specifics are either missing or inadequate, and replaced with brief descriptions of the project followed by unsupported assertions. Select examples follow:

1. The DEIR fails to identify the array of GP policies that would have to change in order to approve the proposed SP/GPA. Instead, the DEIR merely asserts the unsupported conclusion that: "The proposed project includes a General Plan Amendment which, if approved, would result in the project being consistent with the General Plan."
2. There is no discussion of LEED ND criteria, and the GP Community Development Model is presented as if it is no more than an arrangement of densities rather than a reflection of a whole complex of interdependent ideas about sustainable development. Nevertheless, the DEIR asserts without any

O3e-47

O3e-48

O3e-49

O3e-47

The statement references a Project Issue Checklist that was sent by the Planning and Development Services Department to the Applicant that raised numerous issues regarding the project and its planning documents. These issues have been addressed as a part of the process through review of technical studies, revisions to the project, and the General Plan Consistency Matrix, Appendix W, that was provided. It is standard for a project to have major project issues that need to be addressed throughout the process. Please note that the letter predates the public review period of the prior draft of the project's EIR and the FEIR. CEQA requires that comments on a draft EIR should focus on the sufficiency of the document in identifying an analyzing the possible impacts on the environment and ways in which the project's significant effects might be avoided or mitigated, especially specific alternatives or mitigation measures. (Guidelines 15204(a).) Since the attached letters were written before the FEIR was out for public review, the letter goes beyond the scope of CEQA and does not raise any environmental issue with respect to this document.

O3e-48

The project does not propose to amend any guiding principles, goals, objectives or policies of the San Diego County General Plan. The project's consistency with the existing General Plan was analyzed and it was concluded that no such amendments to goals or policies to the San Diego County General Plan was needed. Please refer to FEIR Appendix W.

O3e-49

Please see the Global Response: Project Consistency with General Plan Policy LU-1.2.

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substantiation that *“the proposed project would be consistent with the Community Development Model of the County General Plan and designed to meet the LEED Neighborhood Development Certification or an equivalent.”*

3. In the few cases where specific GP policies are cited, the evidence for consistency with the policy is in some cases asserted by merely repeating the language of the policy itself. For LU-1.2: *“the project is not “leap frog development” because it is designed to conform to the Community Development Model, provides necessary services and facilities, and would be designed to meet the LEED Neighborhood Development Certification or an equivalent.”* For LU3-1, LU3-2 and LU3-3: *“The project likewise provides ‘a complete neighborhood’ to include a neighborhood center within easy walking distance of surrounding residences (LU-3-3) while providing a mixture of residential land use designations and development regulations that accommodate various building types and styles (LU-3-1and LU-3-2).”*

4. In a few cases where the SP/GPA proposes amendments to Mobility Element road classifications or acceptable LOS, the DEIR asserts that the SP/GPA is not inconsistent with the GP because relaxing the standards makes it consistent. Again, the tail is wagging the dog and consistency is achieved only by amending the General Plan to fit the project.

5. The DEIR (Section 3.1.4, p 3-56, Land Use Planning, line 4) refers the reader to the Specific Plan, and asserts incorrectly (p. 3-65) that *“the project’s conformance with other General Plan policies is detailed in the Specific Plan. Overall, the project would be consistent with the General Plan; therefore land use impacts associated with policy inconsistencies would be less than significant.”*

6. In its cursory and indefensible dismissal of Growth Inducement (DEIR 1.8.1 p. 1-37) the DEIR states: *“...While the project site and surrounding areas are not identified in the General Plan for growth, it is a location where such growth is likely to occur because the project area can accommodate the growth.”* The DEIR then makes the untenable assertion that : *“Typical obstacles to growth include a lack of services and infrastructure which are not present in this area. The project area is positioned in proximity to the I-15 and within existing districts for sewer water and fire service. There is an adequate road network offering multiple routes throughout the project and would ultimately connect with freeway ramps.”* Elsewhere, the DEIR acknowledges and recognizes the project’s lack of infrastructure in the areas of road, water and sewer but inconsistently asserts at p. 1-37 that these obstacles to growth are not present in this area. The DEIR disingenuously continues: *“By itself, the proposed project takes advantage of the location of the project site, but would not result in any change in density for surrounding areas....”* There is a brief reference to potential increased density from

O3e-49 cont.

O3e-50

O3e-51

O3e-52

O3e-53

O3e-50 Please refer to Global Response: Project Consistency with General Plan Policy for LU-1.2 for a thorough analysis of this issue.

O3e-51 Please refer to Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W.

The project includes a change to the Mobility Element classification of West Lilac Road (between Main Street and Road 3) from 2.2C to 2.2F. This change would reduce required right-of-way and shoulder width. The project would include improvements to 2.2F standards subject to an exception request (#5) that would allow construction of a modified half-width 2.2F Light Collector improvement widening the existing 24 feet of pavement to 26 feet.

An amendment to Table M-4 would also be required because the reduction of West Lilac Road from a 2.2C to a 2.2F would result in West Lilac Road operating below acceptable levels of service in the General Plan build-out scenario. As described under Goal M-2, there are instances where the County considers it more appropriate to retain a road classification that could result in a LOS E / F rather than increase the number of travel lanes where the County has determined that the adverse impacts of adding travel lanes do not justify the resulting benefit of increased traffic capacity. These instances are based on criteria established under Policy M-2.1.

West Lilac Road is being proposed to be added to Table M-4 and exempt from LOS standards because improvements to General Plan standards of 2.2C would adversely affect active agricultural operations and mature oak woodland habitat. Additionally, the improvement of West Lilac Road to 2.2C width would require the condemnation of private land on the northern side of West Lilac Road. West Lilac Road would be improved in compliance with the County Public Road Standards, unless road exceptions are granted by the County. The section of West Lilac Road proposed to be downgraded to a 2.2F Mobility Element road will operate at LOS D or better in every scenario except with Road 3 as shown on the current Mobility Element. As noted in the TIS, Section 9.2.3, SANDAG has purchased the 902 acre Rancho Lilac property, through which Road 3 runs for biological open space. Therefore, it would be unlikely that Road 3 would be constructed in this location.

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	<p>O3e-51 (cont.)</p> <p>Also, exceptions have been requested as part of the Project approvals including a segment of West Lilac Road along the project frontage would avoid significant grading of steep slopes and disruption of existing driveways. Alternative options for improvements to West Lilac Road along the project frontage including (A) follow the existing pavement and build to classification 2.2F unmodified, (B) follow the existing pavement and build to classification 2.2C, and (C) follow the SC-270 alignment and build to classification 2.2C. With any of these options, the road would function adequately with implementation of the project improvements.</p> <p>The FEIR does not identify significant and unmitigated impacts to any segments of West Lilac Road. The project will be required to improve West Lilac Road to accommodate anticipated traffic. While frontage improvements would be required at approval of the first Final map, off-site improvements would be required prior to recordation of the Final Map associated with the 929th EDU of the Lilac Hills Ranch Specific Plan. West Lilac Road Improvements between Old Highway 395 and Main Street would be required to meet the General Plan Mobility Element classification of 2.2F or 2.2C, subject to exceptions as approved by the County. Refer to subchapter 2.3 and Appendix E of the FEIR for details on the analysis of impacts and proposed improvements along West Lilac Road. The analysis shows that project impacts to West Lilac Road would be fully mitigated to below a level of significance.</p> <p>O3e-52 The comment states that the discussion of the General Plan conformance in the FEIR is incorrect but does not identify any specific concerns or issues. Please refer to Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W.</p> <p>O3e-53 Subchapter 1.8.3 of the FEIR determined that the project's proposed on-site circulation plan and off-site road improvements would not result in the removal of a barrier to additional growth in the area. The road improvements associated with the project are designed to provide adequate primary and secondary access to serve the project and would not add any additional capacity to facilitate additional growth or remove a barrier to growth in the area around the project site.</p>
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	<p>O3e-53 (cont.)</p> <p>The comment states that the statement in FEIR that the addition of a new school is growth accommodating does not take into consideration the presently vacant school in the North Village of Valley Center and the lack of interest by both the Bonsall Unified School District and the Valley Center Pauma Unified School District in a new school on the project site.</p> <p>The commenter questions the adequacy of the analysis of growth inducing impacts for its failure to deem as growth inducing the provision of a school. Subchapter 1.8 was revised but still concludes the project's dedication of a school site and the construction of a school by the district would be growth accommodating and not growth inducing. As detailed in subchapter 3.1.5.2 of the FEIR, pursuant to state law, SB 50 fees are paid as mitigation for a project's impact to school facilities. These fees, collected school district help fund the acquisition of sites and construction of new school facilities. Therefore the provision of a K-8 school by a district or private entity in the future would be in response to and facilitated by development and student generation within the district. Therefore the project's dedication of a school site and the potential for the construction of a school by a district is growth accommodating.</p> <p>As stated in the October 30, 2014 letter to Mark Slovick, the Bonsall Unified School District is interested in the project's school site for a possible location to operate a new school. See also, response to comment C1g-61. As the proposed on-site K-8 school is intended to serve the Lilac Hills Ranch project, the traffic impacts associated with the school use are accounted for in the projects Traffic Impact Study (FEIR Appendix E). A majority of the traffic generated by the school would be internal trips which would not leave the project site. As the school would serve the community, extensive use of buses on surrounding roadways is not anticipated.</p>
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	<p>O3e-53 (cont.)</p> <p>Regarding growth inducement, the FEIR at subchapter 1.8 analyzes various factors, including project density, additional housing, roadway construction, public facilities, fire and emergency services, schools, and water and wastewater services, and concludes the project could be growth inducing due to the intensification of uses on-site, lower fire response times to the vicinity, and expansion of water and sewer infrastructure. The project would make improvements to existing off-site roads, but would not add additional travel lanes or construct new roads to serve undeveloped areas. Road improvements would be made to the degree needed to support direct and anticipated cumulative traffic. Therefore the project's proposed on-site circulation plan and off-site improvements would not result in the removal of a barrier to additional growth.</p>
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Property Specific Requests near the Project, **but there is NO discussion or analysis of the growth inducing impacts of new road, water and sewer infrastructure that properties west, east and south of the project would rely upon as reasons why they too should be developed at comparable higher, urban densities. The DEIR's conclusions concerning growth inducement are indefensible.**

O3e-53  
cont.

7. The DEIR should also discuss and analyze the growth inducing impact and precedential effect of approving this project's notion that the Community Development Model is simply a "Village" puzzle piece that any developer can drop anywhere in the San Diego County's rural countryside.

O3e-54

8. There is no General Plan Amendment Report (GPAR). Historically, a GPAR presents the details of a GPA and discusses its consistency, or lack of consistency, with all GP elements, but this *Specific Plan* text does NOT include a *General Plan Amendment Report* (GPAR) even though the SP at page 1-12 states that "... Chapter V of the *General Plan Amendment Report* and *Appendix A* provides detailed analysis regarding how and why this *Specific Plan* is consistent with the goals and policies of the County General Plan..." There is neither a GPAR nor an Appendix A! This is a fundamental problem requiring a rewrite and reissuance of the DEIR.

O3e-55

**VII. ADDITIONAL APPLICABLE GENERAL PLAN GOALS AND POLICIES NOT DISCUSSED OR ANALYZED IN THE DEIR INCLUDE:**

**A. Land Use Element**

**LU-1.4 Village Expansion:** "Permit new Village Regional Category designated land uses **only where contiguous** with an existing or planned Village and where all the following criteria are met:

- Public facilities and services can support the expansion without a reduction of services to other County residents
- The expansion is consistent with community character, the scale, and the orderly and **contiguous** growth of a Village area." (emphasis added).

**Comment-INCONSISTENT:** If there was an existing or planned Village in western Valley Center, Accretive could try to use this provision, instead of being prohibited by the Leapfrog Development provisions of LU-1.2. However, the only "existing or planned Village" in Valley Center is the Village in the central valley where north and south nodes are separated by a dramatic escarpment and Moosa and Keyes Creeks. This area has existed as a "Village", has been planned for expansion for more than 50 years and was designated a SANDAG Smart Growth Opportunity area with the recent update of the County General Plan. The area is sewered and has received a large grant from the state of California to expand wastewater facilities. Valley Center Road which traverses this area and connects to Escondido and Pauma Valley was improved to Major Road standards only a few years ago in anticipation of expanded

O3e-56

O3e-54 The project proposes a project-specific General Plan Amendment (GP 12-001). Specifically, GP 12-001 proposes to: 1) amend the regional Land Use Element map to change the existing Semi-Rural Regional Category to a Village Regional Category, 2) amend the Valley Center Community Plan Map to change the existing land use designation from Semi-Rural SR-4 to Village Residential and Village Core (and revise the community plan text to include the project as a third village), 3) amend the Bonsall Community Plan to change the existing land use designation from Semi-Rural to Village Residential land uses, (and revise the community plan text to include the project), and 4) amend the Mobility Element to downgrade the segment of West Lilac Road from Running Creek Road (road 3) to Main Street from a 2.2C to a 2.2F road, addressed in subchapter 1.6 of the FEIR (See also subchapter 2.3 with respect to West Lilac Road and Road 3) allowing West Lilac Road to operate below acceptable levels of service in the General Plan build-out condition.

The comment mischaracterizes the analysis in the FEIR with respect to the project's consistency with the General Plan. General Plan Policy LU-1.1 provides that land use designations on the Land Use Map are to be assigned in accordance with the Community Development Model and boundaries established by the Regional Categories Map. This does not prevent future amendments to the Regional Land Use Map; rather the Regional Categories Map and the Land Use Maps are graphic representations of the Land Use Framework and the related goals and policies of the General Plan. The Land Use Maps must be interpreted in conjunction with the language of the General Plan's Goals and Policies which expressly provide authority to make future amendments as may be determined appropriate by the County Board of Supervisors. (County of San Diego General Plan, adopted August 3, 2011, page 3-18, which page is incorporated herein by this reference.)

General Plan Policy LU-1.2 provides a degree of flexibility to the General Plan to accommodate new villages. The Community Development Model is a planning model adopted by the County to be used in part to assign future land use designations on the County's Land Use Map. Therefore, when LU-1.1 is viewed in the context of all of the General Plan's goals and policies, future amendments to the Land Use Map and Regional Categories Map are allowed.

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	<p>O3e-54 (cont.)          The project is amending the General Plan by adding a new Village that meets the criteria of Policy LU-1.2. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues. The General Plan Amendment will not amend General Plan principles, goals, objectives or policies. The only textual changes would be to the Bonsall and Valley Center Community plans. The project's consistency with the existing General Plan was analyzed and it was concluded that no such amendment to the San Diego County General Plan was needed. Please refer to FEIR Appendix W and comment C1e-3.</p> <p>O3e-55          This comment is based upon the previous draft EIR circulated in 2013. In addition, there is no requirement to prepare a General Plan Amendment Report. However, a General Plan Consistency Matrix was prepared and attached as Appendix W to the FEIR. Please also refer to Global Response: General Plan Amendment CEQA Impacts Analysis.</p> <p>O3e-56          The commenter's assertion that a new village is not authorized "if Policy LU1.4 is to be given effect" would lead to the conclusion that the County would be prohibited from amending its General Plan in the future to allow for the establishment of any new villages other than what has already been designated by the current General Plan Land Use Map. Policy LU-1.4 specifically addresses the "expansion" of existing or planned villages under very specific circumstances. LU-1.4 permits new Village Regional Category Designations contiguous to existing or planned villages. It does not address the provision of new villages designed to be consistent with the community development model in areas where none currently exist. That condition is addressed in LU-1.2 which was adopted to ensure that new villages would be allowed. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues.</p> <p>While the General Plan does state that villages are intended to grow in compact land development patterns, the General Plan also recognizes the need to accommodate future growth. (Page 2-7) The General Plan states that it is intended to be a dynamic document and provides that amendments will be reviewed to ensure that the</p>
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	<p>O3e-56 (cont.)</p> <p>change is in the public interest and would not be detrimental to public, health, safety, and welfare. (County of San Diego General Plan, adopted August 3, 2011, Page 1-15) There are numerous policies in the General Plan that contemplate that future growth will occur and provide direction with respect to its future planning, such as M-2.1 (require development projects to provide road improvements), M-3.1 (require development to dedicate right-of-way), S-3.1 (Require development to be located to provide adequate defensibility) and COS-2.2 (Requiring development to be sited in least biologically sensitive areas).</p> <p>With respect to the comments regarding reducing services and taking away from economic viability refer to response to comments O3e-36 and O3e-37. and blocking emergency evacuation, refer to response to comments O3e-57 and O3e-42.</p>
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development here. The Valley Center Community Planning Group has increased residential densities in this area so that about 25% of the community's growth can be accommodated in the "vibrant, compact Villages" the community has envisioned.

This provision is a clear companion and complement to the other GP goals and policies designed to intensify development in existing Village areas and avoid leapfrog development by permitting new Village uses only where contiguous with an existing Village. The Project cannot satisfy this foundational requirement and fails to meet the additional criteria: Its construction would clearly reduce services to all Valley Center residents outside the development by taking away from the economic viability of the existing two Villages, as well as blocking emergency evacuation ability for current residents. Its urban pattern is totally out of "character and scale" with Valley Center's vision. A new Regional Category Village is simply not authorized if this Land Use policy is to be given effect according to its plain meaning.

**LU-2.3 Development Densities and Lot Sizes:** "Assign densities and minimum lot sizes in a manner that is compatible with the character of each unincorporated community."

**Comment-INCONSISTENT:** This is another example of the interrelated and internally consistent fabric of the GP. Densities and lot sizes reflect community character. Valley Center's community character is primarily rural, exemplifying the Community Development Model at the heart of the GP. Urban densities and lot sizes proposed by this Project are inconsistent with the Semi-Rural land use designations established by the GP and CP for this area.

**LU-2.4 Relationship of Land Uses to Community Character:** "Ensure that the land uses and densities within any Regional Category or Land Use Designation depicted on the Land Use Map reflect the unique issues, character, and development objectives for a Community Plan area, in addition to the General Plan Guiding Principles."

**Comment-INCONSISTENT:** Requiring projects to comply with the applicable Community Plan is the most effective way to meet the GP Goal LU-2, to maintain the county's rural character. Valley Center's community character is primarily rural, exemplifying the Community Development Model at the heart of the GP. This Project is inconsistent with the Semi-Rural land use designations established by the GP and CP for this area, as well as all the Guiding Principles.

**LU-5.3 Rural Land Preservation:** "Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations."

**Comment-INCONSISTENT:** The Project as proposed fails to ensure the preservation of this rural area.. The proposed project destroys open space, agricultural lands, wildlife habitat and corridors, and watersheds with its urbanized design, density, and size. Urban densities and lot sizes proposed by this Project are inconsistent with

O3e-56  
cont.

O3e-57

O3e-58

O3e-59

O3e-57 Subchapter 3.2.4 has been clarified after public review to explain that the project site is currently a mix of undeveloped open space, agricultural uses and rural residences. The project site is located along the western fringe of the rural community of Valley Center. On site, the project site consists of rural residential uses and agricultural land. Although the proposed Project would not divide an established community, the project addressed its relationship to existing and planned land uses with adjacent properties. Subchapter 3.1.4.2 evaluated the Project's compatibility with surrounding off-site land uses and the Project's internal compatibility with existing and planned land uses on site. Compliance with the goals and policies of both Valley Center and Bonsall community plans are detailed in the General Plan Consistency Analysis (see Appendix W) and in subchapter 3.1.4.2. Compliance with the project's design guidelines and other provisions of the Specific Plan assures the project's compatibility with the adjacent off-site land uses and within the project. Overall, the project is consistent with the relevant policies of both the Bonsall Community and Valley Center Community Plans and land use impacts associated with policy inconsistencies would be less than significant.

The community character of both the Valley Center and Bonsall is acknowledged as rural communities with relevant goals within each community plan addressing interest in preserving the rural character of the planning areas. Specifically, Goal 1 of the VCCP Community Character Goals is to preserve and enhance the rural character of Valley Center. The project proposes many different densities and architectural styles, integrated into a cohesive community through landscaping, trails, and a Town Center to provide community focus. The Design Guidelines and other provisions of the Specific Plan assure that monotony in design is avoided. The proposed project further assures consistency with relevant policies associated with this goal through the requirement for Site Plan review by the Valley Center Design Review Board. Additionally, BCP Policy LU-1.1.1 requires development in the community to preserve the rural qualities of the area. Conformance to this policy is reflected through the varied land uses proposed within the project site including different patterned homes, the maintenance of on-site agriculture within biological buffers and common areas, and small village commercial centers. Additionally, the project places the highest density of homes closest to the center of the site, furthest from

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	<p>O3e-57 (cont.) adjacent agricultural operations. Developing the village in this manner would provide housing needs in a compact village design.</p> <p>Finally, as detailed in the Agricultural Resources Report (see Appendix F of the FEIR), one of the project’s objectives includes the recognition of the existing rural atmosphere of the surrounding area through use of agriculture on-site and provision of transitional features to provide adequate buffering between types of residences and active agriculture. The Specific Plan includes agriculture throughout the project site , biological open space, and manufactured slopes. HOA-maintained agricultural open space would be retained along many of the boundaries of the project site, as agricultural compatibilities buffers including groves of orchard trees, such as avocado and citrus. Other agricultural-related commercial uses may also be established by the project as allowed in the C-36 zones. Project grading would conform to the natural contours of the land and would not substantially alter the profile of the site as shown by the grading cross-sections included as Figure 68 in the Specific Plan. Please also refer to Appendix W.</p> <p>O3e-58 See response to comment O3e-57, above.</p> <p>O3e-59 The project is consistent with the intent of LU-5.3. With respect to consistency of the project with project density and sizes, Policy 5.3 is not applicable to the project because the policy is concerned with “permitting development under the Rural and Semi-Rural Land Use Designations.” The project is requesting a General Plan Amendment approval of which would result in a change in Land Use Designation from Semi-Rural to Village. Please refer to response to comment C1c-136 regarding consistency of project density and lot sizes with the community character. Please refer to FEIR, Appendix W, for a discussion of project consistency with General Plan Land Use policies.</p>
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the Semi-Rural land use designations established by the GP and CP for this area.

**LU-6.1 - Environmental Sustainability:** "Require the protection of intact or sensitive natural resources in support of the long-term sustainability of the natural environment."

**Comment- INCONSISTENT:** There have been thirteen (13) Group 1 animal 'species of concern' observed on the Accretive project site. DEIR Subchapter 2.5-11. They include lizards, snakes, raptors, small mammals, large mammals and passerine birds. Most of the wildlife surveys conducted focused on the proposed open space areas, functionally ignoring the environmental value for foraging and habitat of the considerable land area devoted to agriculture. Of the 608-acres on the Project site, 504-acres will be graded, cut and filled, for the construction of the Project.

The DEIR acknowledges the impacts to these 13 species [and presumably to other species numerous enough not to be of concern], and particularly the significant impacts to the foraging habitat of the raptor species [white-tailed kite, Cooper's hawk, turkey vulture] due to the loss of 504-acres of foraging area [including agricultural areas]. DEIR Subchapter 2.5-18, 34. The DEIR dismisses this loss with 81.7-acres of on- and off-site mitigation area (DEIR Subchapter 2.5-38) [presumably already populated by members of these species with whom the impacted Project species will compete] and a substantial differential from the entire 608-acres actually impacted by the Project. Many of the individuals of the 13 species will be killed during construction operations, particularly the smaller, less mobile animals. Those surviving the construction impacts will be forced into new territory.

The Project is not consistent with this policy and fails to require the protection of sensitive natural resources with the exception of riparian wetlands. Such practices of building urban density projects in rural and even agricultural areas will ultimately decimate the natural environment.

**LU-6.4 Sustainable Subdivision Design:** "Require that residential subdivisions be planned to conserve open space and natural resources, protect agricultural operations including grazing, increase fire safety and defensibility, reduce impervious footprints, use sustainable development practices, and when appropriate, provide public amenities. [See applicable community plan for possible relevant policies.]"

**Comment-INCONSISTENT:** The Accretive Project instead proposes the minimum required open space, eliminates existing and imperils adjacent agricultural operations, and substantially worsens fire safety and defensibility, as shown by the Deer Springs Fire District comments. Instead of reducing impervious footprints, it proposes 1,746 residential units and commercial development, covering 504 of its 608 acres. Trumpeting "sustainable" development practices, it completely ignores the fundamental requirements of LEED ND to have a Smart Location and preserve Agriculture. The public amenities necessary to support this proposed city in the country, such as parks, schools and sewers, are all couched in "conceptual" terms, with built-in defaults to convert acres to still more additional residences. If, for example, the school or park sites

O3e-59  
cont.

O3e-60

O3e-61

O3e-60 The project is consistent with LU-6.1. The project site does not support any threatened or endangered species, or significant populations of sensitive species pursuant to Federal, State or County guidelines. As discussed in FEIR subchapters 2.5 and 3.1.4, sensitive on-site wetland areas will be preserved and disturbed wetlands will be restored and enhanced at ratios of 3:1. Mitigation for impacts to upland habitats, suitable for foraging value, will be located off-site in areas that better contribute significant resources to an integrated preserve system within the proposed PAMA contributing to the long-term sustainability of upland vegetation types including coastal sage scrub and chaparral. See also Appendix W.

O3e-61 The project is consistent with LU-6.4. Please refer to response to comment O3e-44, above. See also Appendix W to the FEIR. As discussed in FEIR subchapter 2.4, the project requires the implementation of mitigation measures to ensure both the safety of on-site residents from adjacent agricultural operations, as well preserve the integrity of those off-site operations from on-site land uses. Development in accordance with the Fire Protection Plan will ensure safety for residents. Please also refer to Global Responses: Project Consistency with General Plan Policy LU-1.2 and Fire and Medical Services.

The comment is incorrect that the project lacks assurances that amenities, such as parks would be built. In the case of the public park, the project will dedicate a public park (P7) to the County and provide the amenities in accordance with the County's Park Lands Dedication Ordinance. An interim park will be provided after a period of time has lapsed as described in the Specific Plan. The project will be required to build infrastructure to serve the project when such facility is needed, such as sewer facilities. The project requires the implementation of each of the mitigation measures identified in the FEIR by either phase, building permit issuance or other applicable measurement that will ensure construction and provision of services commensurate with development impacts. However, with respect to schools, the project will be required to pay the appropriate fees at building permit issuance. As detailed in subchapter 3.1.5.2 of the FEIR, pursuant to state law, SB 50 fees are paid as mitigation for a project's impact to school facilities. These fees, collected school district help fund the acquisition of sites and construction of new school facilities.

<p>August 13, 2013</p> <p>(proposed without school and park amenities or facilities) are not accepted, the SP provides for their easy conversion to residential uses.</p> <p><b>LU-6.6 Integration of Natural Features Into Project Design:</b> <i>"Require incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and require avoidance of sensitive environmental resources."</i></p> <p><b>Comment-INCONSISTENT:</b> Over four million cubic yards of grading destroys natural features and creates "manufactured" hills suitable only for urbanized residential construction. Native vegetation habitats will be destroyed and mitigated off-site. Animal populations will be destroyed or shoved to the remaining riparian set-asides or off-site. Avoidance of sensitive environmental resources is minimal. Destruction of this area's natural features and mitigation elsewhere are the preferred approaches for this project and are inconsistent with this policy and Valley Center planning objectives.</p> <p><b>LU-6.7 Open Space Network:</b> <i>"Require projects with open space to design contiguous open space areas that protect wildlife habitat and corridors; preserve scenic vistas and areas; and connect with existing or planned recreational opportunities."</i></p> <p><b>Comment-INCONSISTENT:</b> This Project has reserved minimal open space along wetlands and riparian areas that are protected by federal, state, and county laws. The continuity of the open space will be broken by multiple road crossings with culverts mostly inadequately sized for safe wildlife passage. Intensely urban development will dominate the presently rural agricultural and natural vistas with rows of dense urban rooftops. The open spaces being set aside are not coordinated with the draft Multiple Species Conservation Program/Pre Approved Mitigation Area ("MSCP/PAMA") and will <u>not</u> connect with any similar open space uses off-site. While the Project is within the draft MSCP boundary, it is not part of a PAMA.</p> <p><b>LU-6.9 Development Conformance with Topography:</b> <i>"Require development to conform to the natural topography to limit grading; incorporate and not significantly alter the dominant physical characteristics of a site; and to utilize natural drainage and topography in conveying stormwater to the maximum extent possible."</i></p> <p><b>Comment-INCONSISTENT:</b> The destruction of natural features proposed by this Project's over four million cubic yards of grading is clearly inconsistent with this policy. The Project does not limit grading in a manner consistent with this policy. The Project proposes to significantly alter the dominant physical characteristics of the site.</p> <p><b>LU-9.6 Town Center Uses:</b> <i>"Locate commercial, office, civic, and higher-density residential land uses in the Town Centers of Village or Rural Villages at transportation nodes...."</i></p> <p><b>Comment-INCONSISTENT:</b> As previously pointed out in the comments on the Project's failure to meet the LEED ND Smart Location Requirement, the Project is not designed as a Transit Corridor or Route with Adequate Transit Service. It is not a "transportation node."</p>	<p>O3e-62 The project is consistent with LU-6.6. The most recognizable and sensitive natural feature on the property are the drainages with their mature oak woodlands. As discussed in FEIR subchapter 2.5, these features will be preserved within permanent open space easements. See also Appendix W to the FEIR.</p> <p>O3e-63 The project is consistent with LU-6.7. The project is not located within any planned or proposed regional preserve system. The project will preserve the sensitive wetlands on-site while focusing development in less sensitive upland areas where there are no significant populations of native species. The area is adjacent to and drains into the proposed preserve envisioned in the Draft North County Multiple Species Conservation Program (NC MSCP). While allowable road crossings are proposed, the project will conserve approximately 90% of on-site wetlands and restore degraded habitat in accordance with the Resource Protection Ordinance. The wetlands will be maintained through compliance with regulatory requirements of the National Pollutant Discharge Elimination System. There are no regional wildlife corridors or core areas identified on the project site. However, the on-site creation of 6.0 acres of wetland habitat and the enhancement of 12 acres of existing disturbed riparian habitat will conserve local wildlife corridors. See FEIR, subchapter 2.5 and Biological Resources Report, Section 8.0 and Table 10. In particular, see Section 8.0 and Table 10 for a summary of impacts and mitigation measures. Mitigation measures will protect raptor foraging habitat, will restore, enhance, and maintain open space subject to a reviewed Resource Management Plan, funded through an endowment or community facilities district, will enhance and create wetlands, under the jurisdiction of local, state, and federal resource agencies, and will include a Revegetation Plan, with numeric success criteria, and subject to local, state, and federal review and approval prior to issuance of wetland and the first and all subsequent grading permits. Local movement is maintained through preservation of major drainage areas through the property in both north-south and east-west directions. Impacts to upland habitat will be mitigated offsite by providing land located within the proposed PAMA contributing to the long-term sustainability of upland vegetation types including coastal sage scrub and chaparral. Proposed culverts are sized to allow water to flow unimpeded. The project would cluster higher density residential development to preserve the sensitive wetlands and riparian habitat. A total of 104.1</p>
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	<p>O3e-63 (cont.) acres of natural open space would be preserved as permanent open space throughout the development. Sensitive hillsides would be protected from development and grading would be minimized through the implementation of Grading Plan Development Standards. In the final grading process grading will be designed to mimic adjacent natural slopes, blending into the surrounding landscape. As discussed in FEIR subchapter 2.1, contour grading techniques are utilized to protect the undeveloped character of existing hillsides. See comment O3e-40, above.</p> <p>O3e-64 The project is consistent with LU-6.9 in that grading in all phases, including off-site improvements would comply with the Landform Grading Guidelines contained in the Specific Plan, which will include the blending and rounding of slopes, roadways, and pads to reflect the existing surrounding contours by undulating slopes, replicating the natural terrain. Runoff is directed to existing drainages through appropriate mechanisms as discussed in the FEIR, Chapter 3.0 and in Appendix U-1, 2, 3 relating to hydrology and storm water management to the maximum extent practicable. See also response to comment O3e-40, above</p> <p>Grading for the project maintains the overall general contour of the property, requiring 2,300 cubic yards of grading per home, which would require a minor grading permit on an individual lot basis. This is consistent with projects of this size. 99.7 percent of all steep slopes are retained in open space and private roads are used that reduce grading by reducing the design speeds and overall development footprint, and following the contours of the property.</p>
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	<p>O3e-65 The project is consistent with LU-9.6 in that the Town Center is located at the main intersection of Main Street and Lilac Hills Ranch Road in the north-central portion of the property at transportation node. This node is easily accessible and is where a transit stop could be included in the future when the NCTD bus service is extended to this area. Neighborhood Centers are also located with other civic and commercial uses to enhance viability and ensure that they can be easily reached on foot or bike. With respect to the comment regarding the Project's failure to meet the LEED-ND Smart Location Requirement, please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.</p>
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**LU-9.11 Integration of Natural Features into Villages:** *“Require the protection and integration of natural features, such as unique topography or streambeds, into Village projects.”*

**Comment-INCONSISTENT:** This provision was included in the GP because Valley Center required the developers of the north Village to do exactly that, making the streambed there an open space centerpiece of their design in their cooperative plans for their adjacent projects. Accretive instead proposes to obliterate the natural topography for their entire project site, grading over four million cubic yards of “natural features” into faux hills.

O3e-66

**LU-10.2 Development- Environmental Resource Relationship:** *“Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character, and avoid sensitive or intact environmental resources and hazard areas.”*

**Comment- INCONSISTENT:** This Project does not respect nor significantly conserve the unique natural flora and fauna of the site, nor does it conserve the rural character of the site. This Project will destroy a mosaic of natural vegetation habitats that are interspersed among agricultural uses. The current mix of natural habitats, orchards and row crops provides distinctive opportunities for a variety of faunal species [several of them sensitive], benefits the local hydrology by restraining and filtering run-off, and presents a pastoral viewshed that is historically characteristic of north San Diego County. The Project will create severe hydrology issues with the addition of hundreds of acres of impermeable road and rooftop surfaces that will cause excessive run-off. Run-off that would otherwise enter the water table and help to stabilize levels vital to the riparian habitats downslope, will be impounded and/or dispersed on the surface.

O3e-67

The Project will be composed of dense urban village configurations that are completely at odds with rural and semi-rural areas and the natural habitats and populations they support.

**B. Mobility Element**

**M-12.9 Environmental and Agricultural Resources:** *“Site and design specific trail segments to minimize impacts to sensitive environmental resources, ecological system and wildlife linkages and corridors and agricultural lands. Within the MSCP preserves, conform siting and use of trails to County MSCP Plans and MSCP resource management plans.”*

**Comment-INCONSISTENT:** Presently, the trails proposed for the Project will intrude into the buffer and Limited Building Zone (“LBZ”) areas adjacent to the designated biological open space as well as the open space itself. The fences proposed to separate and protect segments of the open space from the edge effects created by the Project [human intrusions, domesticated cats and dogs, invasive plant species, etc.] will also create barriers to the movement of wildlife. Instead of treating the biological

O3e-68

O3e-66 The project is consistent with LU-9.11. Please refer to response to comments O3e-40 and O3e-62, above.

O3e-67 The project is consistent with LU-10.2 by conserving unique natural features and avoiding sensitive environmental resources. The Project design incorporates the preservation of 104.1 acres of open space, the on-site creation of 6.0 acres of wetland habitat for wildlife use, and the enhancement of 12 acres of existing disturbed riparian habitat to native riparian habitat for wildlife use. See FEIR, subchapter 2.5 and Biological Resources Report, Section 8.0 and Table 10. The biological open space being preserved on the project site conserves the local important wildlife corridors. See Figures 14a and 14b of the FEIR, subchapter 2.5 and Biology Resource Report. Mitigation measures will protect raptor foraging habitat, will restore, enhance, and maintain open space subject to a reviewed Resource Management Plan, funded through an endowment or community facilities district, will enhance and create wetlands, under the jurisdiction of local, state, and federal resource agencies, and will include a Revegetation Plan, with numeric success criteria, and subject to local, state, and federal review and approval prior to issuance of wetland and the first and all subsequent grading permits. The project also respects the rural character of the surrounding agricultural lands. FEIR shows impacts on agriculture will be mitigated by the preservation of off-site agricultural land. The project incorporates mitigation measures and project design features to assure the protection of agricultural operations. Specifically, on-site prime and statewide importance soils that would be converted to non-agricultural uses would be mitigated through the purchase of agricultural conservation easements at a 1:1 ratio. Additionally, 42.2 acres of agricultural buffers and agricultural open space are included as part of the project design, and ongoing agricultural cultivation would be allowed to continue in these areas. (Subchapter 2.4.6 of the FEIR).

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	<p>O3e-68 The project is consistent with M-12.9. Project trails may be located along the prominent drainages and through the oak woodlands. Existing dirt roads will be used as trails to minimize the need for clearing of natural vegetation although improvements may still be required. These will be designed to minimize impacts to these habitats while still allowing residents to enjoy a natural experience. Please refer to the Specific Plan and FEIR Figure 1-8 for more details on trail locations. Fencing will be used along back yards to separate the developed areas from the open space. This will block pets from entering the open space and keep wildlife from entering back yards. Fencing will also be used at trail entry points to guide users onto the trails. See also FEIR subchapter 2.5 for further discussion of wildlife movement and project effects on biological resources.</p>
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open space as retreats and corridors for the movement of wildlife, the trails proposed would become parks for humans and their pets. This will have an adverse effect on the value of the open space for wildlife.

**C. Conservation And Open Space Element**

**GOAL COS-2 Sustainability of the Natural Environment:** *"Sustainable ecosystems with long-term viability to maintain natural processes, sensitive lands, and sensitive as well as common species, coupled with sustainable growth and development."*

**Comment-INCONSISTENT:** The Project will eliminate 504-acres of mixed native and agricultural lands that provide foraging area for numerous animal species identified in the biological resources report. This represents an incremental loss of habitat and ultimately a loss of local wildlife populations within the county and the Project site. The removal of the project site from the inventory of rural lands to create an urban village will constitute an irreversible loss and opposes the intent of sustainable development. It will result in growth inducing pressure on surrounding properties as the rural and natural characteristics of the land disappear.

**COS-2.1 Protection, Restoration and Enhancement:** *"Protect and enhance natural wildlife habitat outside of preserves as development occurs according to the underlying land use designation. Limit the degradation of regionally important Natural habitats within the Semi-Rural and Rural Lands regional categories, as well as within Village lands where appropriate."*

**Comment-INCONSISTENT:** This Project proposes to set a devastating precedent for the intrusion of urban development into rural lands. While the Project site is within the MSCP boundary, it is not a part of a PAMA. The site is presently designated for estate housing and agricultural uses but would be modified to allow urban village densities, which would diminish rural and natural lands within the MSCP area and likely induce similar densities on surrounding properties. Such creeping higher densities within the MSCP would ultimately impact the neighboring PAMA areas through edge effects and compromise the value of those native habitats and the intent of the MSCP/PAMA program.

**COS- 2.2 Habitat Protection through Site Design:** *"Require development to be sited in the least biologically sensitive areas and minimize the loss of natural habitat through site design."*

**Comment- INCONSISTENT:** Like GP Goal COS 2.2, the prerequisite of the LEED ND standard also is to place development in smart growth locations, such as urban infill and brown fields or adjacent to urban areas where there is easy access to infrastructure and job centers. This Project fails to meet those goals and, consequently, it will cause significant destruction of biological assets in an area that should be spared under the criteria for a smart growth location.

O3e-68  
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O3e-69

O3e-70

O3e-71

O3e-69 The project is consistent with COS-2. In keeping with the project objectives of a consolidated development footprint, the project preserves the on-site sensitive wetland habitat while developing less sensitive upland areas where no significant populations of native species are located. As detailed in the FEIR subchapter 2.5, mitigation measures are required to assure the conservation of upland habitat in off-site areas to compensate for the loss of resources on-site. The amount of required mitigation is consistent with County and Wildlife Agency ratios. Preserving this land off-site, in areas of greater sensitivity, allows the County to fulfill the goals of the draft North County MSCP. The areas identified for off-site preservation (NC MSCP PAMA) will ensure that the natural environment is preserved in an interconnected preserve system.

See also subchapter 1.8 of the FEIR regarding Growth Inducing Impacts. The project could have the potential to result in adverse physical environmental effects due to growth inducement but the potential impacts are too speculative for evaluation in this FEIR because the specific nature, design and timing of future projects is unknown at this time. See also Global Response: Project Consistency with General Plan Policy LU-1.2.

O3e-70 The project is consistent with COS-2.1. Please refer to response to comment O3e-69, above. As discussed in FEIR subchapter 2.5, the project is consistent with the Draft NC MSCP.

O3e-71 The project is consistent with COS-2.2. Please refer to response to comment O3e-69, above. As shown on FEIR Figure 1-9, the on-site sensitive wetland habitats are preserved and could connect offsite to a planned regional preserve system. Please also refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.

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**COS- 3.1 Wetland Protection:** “Require development to preserve existing natural wetland areas and associated transitional riparian and upland buffers and retain opportunities for enhancement.”

**Comment-INCONSISTENT:** The project is preserving and restoring the on-site wetlands, habitats that are in shortest supply regionally, but the upland components will be subjected to severe grading, and fuel modification to accommodate the development. Rather than retaining any opportunity for preservation or enhancement, the upland areas will be deprived of any continuing value for both flora and fauna.

O3e-72

**COS- 3.2 Minimize Impacts of Development:** “Require development projects to:

- Mitigate any unavoidable losses of wetlands, including its habitat functions and values; and
- Protect wetlands, including vernal pools, from a variety of discharges and activities, such as dredging or adding fill material, exposure to pollutants such as nutrients, hydromodification, land and vegetation clearing, and the introduction of invasive species.”

**Comment –INCONSISTENT:** The Project proposes to mitigate the loss of wetlands caused by new road crossings by restoring or creating wetlands on-site adjacent to existing wetlands. The value of mitigating wetland losses on-site is questionable given the edge effects caused by human intrusion, domestic cats and dogs, invasive plant species, trash, etc. that cause mitigation efforts to be diminished.

The trails plan exacerbates these edge effects by establishing trails within and adjacent to the biological open spaces.

O3e-73

Further, the Project’s storm water run-off from the construction of hundreds of acres of impermeable surfaces will impact the water regime within the biological open spaces. Adding too much or, conversely, removing too much water from the water table can have adverse effects on the survivability of the riparian habitat.

**D. Housing Element**

**H-1.9 Affordable Housing Through General Plan Amendments:** “Require developers to provide an affordable housing component when requesting a General Plan amendment for a large-scale residential project when this is legally permissible.”

**Comment-INCONSISTENT:** There appears to be NO discussion anywhere in the SP or DEIR regarding Affordable Housing or Goal H-1 and Policy H-1.9. Perhaps, since there are no firm plans for anything beyond the Phase I -354 homes, the County considers this not to be a “large-scale residential project” Since the overall Project proposes more than 1,746 homes and over 5000 new residents, it appears to be a “large-scale residential project” for which the GP requires an affordable housing component. The DEIR should contain some discussion and analysis of why this provision is not applicable or is otherwise satisfied.

O3e-74

O3e-72 The project is consistent with COS-3.1. The project will conserve approximately 90% of onsite wetlands and restore degraded habitat in accordance with the Resource Protection Ordinance. The wetlands will be maintained through compliance with regulatory requirements of the National Pollutant Discharge Elimination System. Impacts to upland habitat will be mitigated based on mitigation ratios designed to provide adequate preservation of each habitat type within the unincorporated County and to comply with the federal Endangered Species Act, state Endangered Species Act, and state Natural Communities Conservation Planning Act As discussed in FEIR subchapter 2.5, mitigation for impacts to upland natural communities will be achieved through the purchase and conservation of off-site habitat within future PAMA lands. The preservation of this habitat in off-site mitigation areas allows the County to build the MSCP preserve.

O3e-73 The project is consistent with COS-3.2. Please refer to response to comment O3e-72, above. As discussed in FEIR subchapter 2.5, the project is consistent with the California Natural Community Conservation Planning Act of 1991 (NCCP), and County’s Resource Protection Ordinance (RPO). The project is also consistent Watershed Protection Ordinance (WPO). Through consistency with these regulatory plans, the project demonstrates its consistency with COS 3.2. As detailed in the FEIR subchapter 2.5.2.5, the project is consistent with all relevant policies, ordinances, and conservation plans related to protection and mitigation of wetlands. The coastal sage scrub habitat on-site and off-site does not support any sensitive species. The loss of coastal sage scrub habitat due to project impacts would not isolate the remaining habitats from other natural resources or habitats required for the preparation of a subregional NCCP plan as the project site is not in a high biological habitat value core area.

The project would have impacts to RPO wetlands. An analysis of the required findings to allow crossings of RPO wetlands was prepared for the on-site crossing impact locations (see Appendix G). This analysis concludes that the proposed crossings meet the findings necessary to allow the impacts through impact avoidance and minimization by placing the proposed crossings where RPO wetlands are narrow, disturbed, and at existing roads. All impacts to RPO wetlands will be mitigated per County requirements.

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	<p>O3e-73 (cont.)</p> <p>The project site is not located in a Biological Resource Core Area, is not a substantial habitat linkage, and does not include narrow endemic species. The proposed mitigation, including sensitive habitat mitigation ratios as shown in FEIR Table 2.5-1, would be in compliance with the BMO.</p> <p>As detailed in the FEIR subchapter 3.1.2, the project is consistent with the WPO to assure that proposed on-site hydromodification changes will not impact storm water run-off. A Major SWMP has been developed for the project to identify a preliminary list of BMPs, which would be implemented as project design features, to minimize disturbance, protect slopes, reduce erosion, and limit or prevent various pollutants from entering surface water runoff.</p> <p>O3e-74</p> <p>General Plan Policy H-1.9 provides that the County will require developers to provide an affordable housing component when requesting a GPA for a large scale residential project when <i>legally permissible</i>. Currently, the County does not have an affordable housing program.</p> <p>Figure 15 of the Specific Plan shows individual planning areas within the Town Center and central Neighborhood Center where densities of 25 units per acre can be accommodated. This density is regarded as providing affordable housing for the purposes of the Regional Housing Needs Allocation that is applicable to the unincorporated area.</p>
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**H-2.1 Development That Respects Community Character:** *"Require that development in existing residential neighborhoods be well designed so as not to degrade or detract from the character of surrounding development consistent with the Land Use Element. [See applicable community plan for possible relevant policies.]"*

**Comment:** Requiring projects "not to degrade or detract from the character of surrounding development consistent with the Land Use Element" explicitly ties housing back to the bedrock Land Use Element, the Community Development Model, and the LEED ND Smart Location Requirement. Placing an urban project the size of Del Mar into a rural, predominantly agricultural area designated for Semi-Rural uses, is a significant degradation and detract from the "character of surrounding development." This Project is inconsistent with the Semi-Rural land use designations established by the GP and CP for this area, as well as all the Guiding Principles.

O3e-75

**VIII. VALLEY CENTER COMMUNITY PLAN ("VCCP") INCONSISTENCIES**

**A. Community Character Goals**

*Preserve and enhance the rural character of Valley Center by "maintaining a pattern of land use consistent with the following regional categories: A. Village. Enhance the rural village character of Valley Center's north and south villages... B. Semi-Rural Lands: Preserve and maintain the overall rural and agricultural character of the semi-rural areas...."*

*Policy 1 "Require that future projects are consistent with the goals, policies, and recommendations contained in the Valley Center Community Plan.*

*Policy 2. Maintain the existing rural character of Valley Center in future developments by prohibiting monotonous tract developments. Require Site design that is consistent with rural community character. (VCCP p. 4)*

**Comment:** The SP and DEIR cannot avoid the clear inconsistency with these provisions by the fiction of merely adopting a new Map showing three Villages instead of two. The rural character of the project site, indeed all of the Planning Area, will be destroyed by placing an urbanized area the size of Del Mar in the middle of an active agricultural area. Destruction of a designated Semi-Rural agricultural area cannot be interpreted as "preservation." The DEIR must, but does not, explain and analyze the environmental effects of this patent inconsistency.

O3e-76

**B. Land Use Goals**

*"Two economically viable and socially vibrant villages where dense residential uses, as well as commercial and industrial uses, are contained.*

*"A pattern of development that conserves Valley Center's natural beauty and resources, and retains Valley Center's rural character...."*

*"Development that maintains Valley Center's rural character through appropriate location and suitable site design." (VCCP p. 8)*

O3e-77

O3e-75 The project is consistent with H-2.1. The project will expand the variety of housing opportunities available to residents of the unincorporated area in a well-designed Village and will be constructed in accordance with a comprehensive set of design guidelines. This will not degrade or detract from the character of the area. See response to comment O3e-41, above and Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W.

O3e-76 The commenter is correct in that the project, is proposing to amend the General Plan Regional Land Use Map to remove the existing regional category and land use designation and to re-designate the entire 608-acre site as 'Village'. The project also proposes a General Plan Amendment to change the Valley Center and Bonsall Community Plan land use designations to Village Residential (VR 2.9) and Village Core (C-5). The project's Specific Plan would include agriculture as an allowed use within much of the project site including common open space areas and manufactured slopes. HOA-maintained agricultural open space would be permitted, including groves of orchard trees, such as avocado and citrus. Other agricultural-related commercial uses may be established by the project within the C34 zoned areas and would include such uses as farmers markets and wineries. The project would support and complement the rural lifestyle in Valley Center via the Specific Plan, which supports the continuation of on-site agriculture throughout the project site including common open space areas and biological open space. Overall, the project would include trails, equestrian opportunities, retained agriculture, preserve sensitive habitat and define neighborhood with architecturally appealing concepts.

As discussed in subchapter 3.2.3 of the FEIR, the project would include on-site biological open space, common open space, LBZ buffers, as well as Mitigation Measures 2, 3, and 4, which would ensure that urban/agriculture compatibility conflicts are less than significant. The project incorporates mitigation measures and project design features to assure the protection of agricultural operations. Specifically, on-site prime and statewide importance soils that would be converted to non-agricultural uses would be mitigated through the purchase of agricultural conservation easements at a 1:1 ratio. Additionally, 42.2 acres of agricultural buffers and agricultural open space are included as part of the project design, and ongoing agricultural cultivation would be allowed to continue in these areas.

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	<p>O3e-76 (cont.)</p> <p>The FEIR adequately analyzes the potential effects the Project would have on nearby agricultural land and the potential for the project to make agriculture less viable from a financial and practical perspective. Subchapter 2.4.3.3 of the FEIR states, “The pressure, inconvenience, and increased costs of operating remaining farms in areas converting to other uses may render continued farming infeasible or, at least, heighten the attractiveness of selling other farms for development.” The analysis concludes that a potentially significant impact would occur due to the potential incompatibility, but concludes impacts would be fully mitigated by proposed mitigation measures. Please see Global Response: Agricultural Resources, Indirect Impacts for information responsive to this comment.</p> <p>The FEIR also analyzed the potential growth-inducing impacts and adequately acknowledged the project's potential growth-inducing effect on agricultural resources. The FEIR addresses the intensification of land uses on the project site that would result from project development and whether such intensification would encourage substantial economic or population growth, or the construction of additional housing in the surrounding area, either directly or indirectly. (FEIR, p. 1-45) The analysis further reports that the proposed project would amend the Valley Center and Bonsall Community Plan Land Use designations for the project site, which would result in an increase of allowable dwelling units from approximately 110 to 1,746. (FEIR, p. 1-46) This would result in a direct increase in population that would exceed the population allowed by both the General Plan and Community Plans. (FEIR, p. 1-46) As a result of this growth, the FEIR concludes that “the intensification of land uses on-site could encourage intensification in the immediate project vicinity. As more intense uses are developed on-site, existing adjacent less intense or vacant lands may be encouraged to intensify.” (FEIR, p. 1-46.)</p> <p>Thus, the FEIR acknowledges that the intensification of land uses on-site resulting from the change in designation from “Semi-Rural” to “Village,” which would result in an increase in allowable dwelling units from approximately 110 to 1,746 could encourage similar intensification and conversion of land uses in the immediate project vicinity, which could (FEIR, pp. 1-46 and 1-48) result in adverse</p>
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	<p>O3e-76 (cont.)</p> <p>physical environmental effects, including impacts to visual resources, air quality, biological resources, cultural resources, and noise. (FEIR, p. 1-49) While not expressly listed, it is evident from the analysis that the referenced intensification of land uses in the immediate project vicinity potentially would impact current agricultural resources, as such uses potentially give way to residential uses. However, as the FEIR analysis properly concludes, such potential impacts are too speculative for evaluation at this time because the specific nature, design, and timing of future projects is unknown, and any potential impacts would be evaluated at the time the future projects are identified and processed. (FEIR, p. 1-49) Specific to agricultural resources, while growth in the surrounding areas may be encouraged due to the intensification of uses on the project site, it is speculative to assume that such future development would occur on (i.e., convert) Prime or Farmland of Statewide Importance, the two relevant soil classifications. (See County Guidelines, p. 40)</p> <p>Accordingly, even if agricultural resources were expressly referenced in the FEIR text, such potential impacts, like the other impacts, are too speculative to identify, at this time.</p> <p>Community character is discussed throughout FEIR subchapter 3.1.4. The community character of both Valley Center and Bonsall is acknowledged as rural communities with relevant goals within each community plan addressing interest in preserving the rural character of the planning areas. Specifically, Goal 1 of the VCCP Community Character Goals is to preserve and enhance the rural character of Valley Center. The project proposes many different densities and architectural styles, integrated into a cohesive community through landscaping, trails, and a Town Center to provide community focus. The Design Guidelines and other provisions of the Specific Plan assure that monotony in design is avoided. The proposed project further assures consistency with relevant policies associated with this goal through the requirement for Site Plan review by the Valley Center Design Review Board.</p>
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	<p>O3e-76 (cont.)</p> <p>Further, by concentrating new housing in a compact form of development that is within a planned village setting, accessible to infrastructure and transportation; development pressure on areas that contain farmland of agricultural importance would be reduced and would not, in turn, encourage such existing agricultural uses from being developed. Accordingly, the project is consistent with LU-7 relative to retaining and protecting farming and agriculture as beneficial resources that contribute to the County's rural character. Please refer to Global Response: General Plan Amendment CEQA Impacts Analysis and Appendix W.</p> <p>To interpret VCCP Community Plan Goals in the manner the commenter proposes would prevent future amendments of the General Plan and would mean that the land would be required to remain agriculture in perpetuity. This interpretation would remove all future discretion from the Board of Supervisors on individual projects and be inconsistent with its other policies that clearly anticipate future growth and not be a reasonable interpretation of the General Plan in its entirety. Please see response to comment O3e-57, above.</p> <p>O3e-77</p> <p>The project is consistent with the Land Use Goals contained in the VCCP. The project proposes to amend the Community Plan by adding a third Village. This goal in the Valley Center community plan text will be revised to indicate that there are three Villages in the community plan. Proposed changes to the community plan text were available for public review on the County's website.</p> <p>The County's Community Development Model does not dictate the number of Villages that may be developed. Rather, it guides new village development into more compact development as a means to reduce associated impacts.</p>
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**Comment:** The SP and DEIR cannot avoid the clear inconsistency with these provisions which recognize only the two existing Villages, do not contemplate additional villages and are consistent with both the GP and VCCP, the Community Development Model, and the Smart Location requirements of LEED ND. The DEIR must, but does not, explain and analyze the Project's inconsistency with these provisions or environmental effects of these inconsistencies.

O3e-77  
cont.

**C. Village Boundaries Map** (VCCP p. 9)

**Comment:** The SP and DEIR cannot avoid the clear violation of the existing Map, which shows the two existing villages, not three villages. Merely adopting a new Map showing three Villages instead of two fails to address the other resulting conflicts with the numerous identified GP and VCCP provisions. The DEIR must, but does not, explain and analyze the environmental effects of these multiple inconsistencies.

O3e-78

**D. Rural Compatibility Policies** (VCCP p. 11)

4. "Require new residential development to adhere to site design standards which are consistent with the character and scale of a rural community. The following elements are particularly important: Roads that follow topography and minimize grading; Built environment integrated into the natural setting and topography; Grading that follows natural contours and does not disturb the natural terrain; Structure design and siting that allows preservation of the site's natural assets; Retention of natural vegetation, agricultural groves, rock outcroppings, riparian habitats and drainage areas."

5. "Require new residential development to construct roads that blend into the natural terrain and avoid "urbanizing" improvements such as widening, straightening, flattening and the installation of curbs, gutters and sidewalks. Follow Valley Center's Community Right of Way Development Standards."

6. "Buffer residential areas from incompatible activities which create heavy traffic, noise, odors, dust, and unsightly views through the use of landscaping and preservation of open space."

**Comment:** Neither the SP nor the DEIR is clear as to which design standards apply. The SP purports to override all county documents and states it prevails over any inconsistent provisions in the GP, VCCP, ordinances or design guidelines. In other places, it states some aspect of the project is consistent with the VC Design Guidelines, implying that they would, nevertheless, be applicable. The many pictures clearly show urbanized design, out of scale and character for a rural community. The massive grading replaces natural hills with manufactured slopes to accommodate urban design, ignoring natural topography for both roads and residences. The request for deviations from road standards is also in direct conflict with these provisions in the VCCP. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

O3e-79

**E. Commercial Goals** (VCCP p. 13)

"Commercial uses should be concentrated within the boundaries of these two Village[s]".

O3e-80

O3e-77 (cont.)

Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.

O3e-78

The project proposes to amend the Regional Land Use Element Map of the General Plan to change the existing Semi-Rural Regional Category to a Village Regional Category; amend the Valley Center Community Plan Map to change the existing land use designation from Semi-Rural SR-4 to Village Residential and Village Core (and revise the community plan text to include the project as a third village); amend the Bonsall Community Plan to change the existing land use designation from Semi-Rural to Village Residential land uses, (and revise the community plan text to include the project); and amend the Mobility Element to downgrade the segment of West Lilac Road from Running Creek Road to Main Street from a 2.2C to a 2.2F road.

General Plan Policy LU-1.1 provides that land use designations on the Land Use Map are to be assigned in accordance with the Community Development Model and boundaries established by the Regional Categories Map. This does not prevent future amendments to the Regional Land Use Map; rather the Regional Categories Map and the Land Use Maps are graphic representations of the Land Use Framework and the related goals and policies of the General Plan. The Land Use Maps must be interpreted in conjunction with the language of the General Plan's Goals and Policies which expressly provide authority to make future amendments as may be determined appropriate by the County Board of Supervisors. (County of San Diego General Plan, adopted August 3, 2011, page 3-18, which page is incorporated herein by this reference.)

General Plan Policy LU-1.2 provides a degree of flexibility to the General Plan to accommodate additional population increases as necessary in a manner that meets the requirements of the Sustainable Communities Strategy of the General Plan (consistent with Assembly Bill 32) (General Plan, pp 2-7 through 2-9.) The Community Development Model is a planning model adopted by the County to be used in part to assign future land use designations on the County's Land Use Map. Therefore, when LU-1.1 is viewed in the context of the General Plan's goals and policies, it is clear that future

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	<p>O3e-78 (cont.)</p> <p>amendments to the Land Use Map and Regional Categories Map are allowed. The project is a new Village whose structure, design and function are based on the Community Development Model. (FEIR, subchapter 3.1.4.2, Land Use Planning; Technical Appendix W, Att. A, pp. 1-2; Specific Plan, Part II.G, pp. II-38-40); the Project is located within existing water and sewer boundaries (SDCWA boundaries) as contemplated by the General Plan (FEIR, subchapter 1.8.4, and the Specific Plan, Part I.E.2; Water Resources, p. 1-7); and, the project is designed to be LEED-ND equivalent (Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a thorough discussion on this related topic.)</p> <p>The FEIR frames the General Plan consistency analysis at subchapter 1.4 under “Environmental Setting,” and describes its current land use planning context (current general plan land uses and both community plans). (FEIR, subchapter 1.4.) Subchapter 1.6 describes the General Plan amendment required for approval of the project and is analyzed by the FEIR. Also, every chapter of the FEIR contains a discussion of the project’s consistency with the existing General Plan and whether any physical environmental impacts may result. The land use consistency analysis for the proposed project is presented in the FEIR subchapter 3.1.4 and in Appendix W. The FEIR does conclude that land use impacts would be less than significant in that the project would be consistent with the General Plan. The FEIR clearly and thoroughly analyzes the potential physical environmental impacts that could result from project approval and the amendment of the Regional Land Use Element Map to change the regional land use category from Semi-Rural to Village. Please also refer to the Global Response: Project Consistency with General Plan Policy LU-1.2 and FEIR Appendix W.</p>
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	<p>O3e-79 The comment states that the Specific Plan is not clear and does not identify what Design Standards apply.</p> <p>The Specific Plan meets the requirements of the County and Government Code Section 65451. The Specific Plan includes text and a “diagram” that specifies the distribution, location and extent of all land uses, public and private infrastructure and standards and criteria by which development will proceed.</p> <p>The Specific Plan regulates development by the following:</p> <ul style="list-style-type: none"><li>• The land uses for the project. (See Specific Plan, Section II (B) for a description of the land uses)</li><li>• The Specific Plan and zoning restricts building height to 35 feet with the exception of the non-habitable clock tower.</li><li>• Buffers are provided to provide separation between existing agriculture and proposed homes. In some areas where buffers are not provided, the Specific Plan requires that various methods be used at the time of individual project design to separate existing from proposed uses. Grade separation, use of wide lots or more substantial landscaping could all buffer existing uses from those proposed by the project.</li><li>• The Specific Plan also shows the circulation system necessary for the entire project. The Specific Plan identifies the general location of the roadways for the future phases; however, the final design and location would be completed through subsequent discretionary permits, including Tentative Maps, Site Plans and Major Use Permits.</li><li>• The trail system is also identified in the Specific Plan and design guidelines are found in Section III of the Specific Plan.</li></ul>
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	<p>O3e-79 (cont.)</p> <ul style="list-style-type: none"><li>• The Lilac Hills Ranch Specific Plan includes Design Guidelines (Section III) that will ensure that development will be consistent and compatible throughout. A detailed lot design and architectural design guidelines are a part of the Specific Plan in which future development applications will need to show compliance through a Site Plan that identifies which lot design and architectural style guidelines will be applied to each lot. The development guidelines that are found in Section III of the Specific Plan allow for and will result in a variety of lot sizes and architectural styles in the Specific Plan.</li><li>• The Specific Plan also includes the application of the B Special Area Regulator, which would be applied within the areas designated with the C34 Zoning Use Regulation. The B Special Area Regulator is applied to those areas which will include uses subject to the Valley Center Design Guidelines. Similarly the V Setback Regulator will allow the setbacks for each lot to be established when the individual lot configuration is identified for each lot.</li><li>• Section II-KI of the Specific Plan, provides a Sign Plan, which provides community sign standards on the types of signs, design and locations for project interior signs. Individual sign programs are required for each residential area as well as the Town Center and Neighborhood Centers, and must meet the stated guidelines.</li><li>• Lighting guidelines are located throughout the Specific Plan in Ch. 3, and are specific to each land use. All lighting is designed to be directed downward and designed to minimize glare and intrusion into adjacent properties.</li><li>• Subsequent to this public review. Section N was added to the Specific Plan to add Green Building Performance standards, in combination with other standards contained within Section III of the Specific Plan. In particular, Section N(1)(a) provides that the Implementing Site Plan shown in Phase 2 shall show the Recycling Facility for the recycling of containers and compost to conserve energy and raw materials. The inclusion of the Recycling Plant is an integral project component.</li></ul>
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	<p>O3e-79 (cont.)</p> <ul style="list-style-type: none"><li>• The Specific Plan, Ch. III, Section D, includes extensive guidelines for grading of all areas of the project beginning on page III-16. The overall shape of the land would remain intact as shown by the grading cross-sections included as Figure 68 in the Specific Plan. The project Grading Plan is at FEIR Figure 1-15. Grading for the project maintains the overall general contour of the property, requiring 2,300 cubic yards of grading per home, which would require a minor grading permit on an individual lot basis. This is consistent with projects of this size. 99.7 percent of all steep slopes are retained in open space and private roads are used that reduce grading by reducing the design speeds and overall development foot print, and following the contours of the property.</li><li>• Section IV Implementation includes a Community Phasing Plan, starting on page IV-1. Construction of the project is anticipated to occur over an eight to twelve year period in response to market demands and to provide a logical and orderly expansion of roadways, public utilities, and infrastructure. The five phases of the project are shown in Figure 15a of the Specific Plan and phasing would be implemented through the recording of the Final Maps.</li></ul> <p>Please also refer to the response to comment O3e-57, above, addressing Community Character. The comment does not explain how exceptions for roadway standards are in conflict with the provisions of the VCCP.</p> <p>O3e-80 The project proposes to amend the General Plan by adding new Village that meets the criteria of Policy LU-1.2. Indeed, the project is a new Village whose structure, design and function are based on the Community Development Model. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2 for a full discussion relevant to these issues. The Valley Center Community Plan text will be revised to indicate that there are three Villages in the community plan.</p>
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**Policies:**

1. "Prohibit strip commercial development by containing commercial uses in the Cole Grade and Valley Center Road area and the Mirar de Valle Road and Valley Center Road area.

9. The Application of Land Use Designation Semi-Rural 2 and regional category of semi-rural lands are proposed for those properties that are currently zoned commercial and located outside of the Villages."

**Comment:** Neither the SP nor the DEIR deals with the fundamental fact that the VCCP establishes commercial uses only in the two existing Villages, and eliminates commercial uses elsewhere, consistent with smart growth principles and the Community Development Model. The Semi-Rural Land Use Designation for the Project Site is required by both the GP and SP to remain so. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

**F. Agricultural Policies** (VCCP p. 15)

1. "Support agricultural uses and activities throughout the CPA, by providing appropriately zoned areas in order to ensure continuation of an important rural lifestyle in Valley Center.

3. Prohibit residential development which would have an adverse impact on existing agricultural uses."

**Comment:** Neither the SP nor the DEIR address this major focus of both the GP and VCCP to "support" Agriculture, not destroy it. The DEIR must, but does not, explain and analyze the environmental effects of this inconsistency.

**G. Mobility Policies** (VCCP p. 52-53)

2. "Road design shall reflect the rural character and needs unique the Planning Area. For example, turn radii shall be such that agricultural vehicles and equestrian rigs can be safely accommodated."

4. "Road alignment shall minimize the necessity of altering the landscape by following as much as possible the contours of the existing, natural topography without sacrificing safety or sight distance criteria."

5. "Required roadside and median landscaping shall reflect standards as outlined in the Valley Center Design Guidelines."

12: "Where a clear circulation need that benefits the overall community can be demonstrated, public roads consistent with Department of Public Works policy shall be dedicated and constructed. Where appropriate, future subdivisions shall be required to access public roads via at least two separate access points."

**Comment:** As noted above, neither the SP nor the DEIR is clear as to which design standards apply. There appears to have been no consideration of : (1) whether this Project can provide two separate LEGAL access points to public roads; or (2) whether public roads within the project would provide a clear circulation need that benefits the entire community . The massive grading proposed appears to violate the requirement to minimize altering the landscape and follow existing natural topography. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

O3e-80  
cont.

O3e-81

O3e-82

O3e-81 The project is consistent with the Agricultural Goals contained in the VCCP. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider. Active agricultural areas are included throughout the project as part of the community landscaping. See the FEIR subchapter 2.4 for a detailed discussion on impacts to agriculture. See also comment C1c-60 and C1c-77 above.

O3e-82 The project is consistent with the Mobility Goal contained in the VCCP. The proposed street system is interconnected and provides residents with at least two ways to access their home. Roads are curved to fit the topography and are all two-lane, as is appropriate for a village of this size. The circulation plan designs roadways to flow with the natural terrain (see Figure 70). The project does include ten requests for exceptions to County Road Standards as part of this project and are described in Figures 1-4A and 1-4B. The purpose of the exceptions requests are to avoid impacts to surrounding properties and to support traffic calming measures. All of the exceptions being requested for the roadway improvements were included as part of the project's circulation design and considered as a part of the analysis for each subject area discussion within the FEIR. The exceptions would be granted by the County where capacity and safety are not unduly affected. (FEIR, subchapter 2.3.2.3.) The proposed roadway exceptions would not affect road capacity. As detailed in Table 1-2 of Chapter 1 of the FEIR, four of the 10 proposed roadway exception requests would affect design speed. Two of those roads are internal to the project site.

The grading necessary to connect the road system over the 608 acre project has been minimized to the maximum extent feasible consistent with meeting safety and sight distance criteria. The project's Master Landscape Concept Plan reinforces a community theme through the design of streetscapes incorporating informal patterns of street trees, entry monuments using natural or simulated natural materials, and historical landscape zones using site specific plant palettes. The streetscapes will also feature meandering paths and informal planting of trees, vineyards, and groves as detailed in Chapter III, Development Standards and Regulations. Community entries and key focal points enhance the rural theme through similar appropriate plant materials and theme

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	<p>O3e-82 (cont.)</p> <p>signage. All proposed planting and improvements within the public right-of-way for streets within the Community are subject to approval by the County of San Diego's Department of Public Works. (Specific Plan, page II-28.)</p> <p>The Master Landscape Plan also unifies the many neighborhoods and enhance the rural feel of the community. Landscaping will emphasize plants appropriate to the climate of the area and will blend with the natural environment. The Community theme is further reinforced through the design and landscaping of Community recreation areas and the use of groves, drought tolerant and naturalizing plant materials to transition to natural open space areas. Vegetation indigenous to the area is emphasized, supplemented by compatible, non-invasive ornamental plant materials. The public road pathways have been designed to meet the design requirements of the Valley Center Community Road Design Guidelines. Grading and visual impacts associated with the project's development is discussed in FEIR subchapter 2.1. In addition community landscaping is required to comply with the applicable requirements of the Valley Center and Bonsall Design Guidelines, and the Design Guidelines of this Specific Plan for commercial and mixed-use planting areas. (Specific Plan, page II-28.)</p>
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**H. Fire Protection Policies** (VCCP p.54)

1. "All new development utilizing imported water shall provide infrastructure for fire suppression (such as pipes and hydrants) in accordance with the prevailing standards."

**Comment:** The continued objections of the Deer Springs Fire District to this Project undermine conclusions regarding compliance with this policy. The DEIR must, but does not, explain and analyze the environmental effects of this inconsistency particularly when viewed in conjunction with objections from the Fire District.

O3e-83

**I. Education Policies (School Facilities)** (VCCP p. 54)

1. "Coordinate school facility planning with residential development to ensure that school facilities will be available to accommodate the increase in enrollment without overcrowding."

**Comment:** No school district has accepted the possible additional students generated by the Project. The residential construction will precede, not be coincident with, school construction. The potential school site will be converted into additional residences if not accepted by a school district. The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

O3e-84

**J. Open Space Policies** (VCCP p. 62)

3. "Incorporate publicly and semi-publicly owned land into a functional recreation/open space system wherever feasible."

5. "Design new residential development in a way that preserves an atmosphere of openness and access to surrounding open space."

**Comment:** The SP only tentatively designates a 12-acre public park site. The Project minimally meets the Park Lands Dedication Ordinance requirement of 3-acres per 1,000 population requirement, falling woefully short of the 10-acres per 1,000 GP goal for parks. At least 350 homes will be constructed and occupied before any parks, public or private are available. The SP makes no provision for construction of park amenities, just dedication of raw land. Overall Project site planning appears to destroy any existing connectivity for animal migration, instead of creating or maintaining a functional open space system. The Project design creates an isolated urbanized compound totally unrelated to its surroundings. This will be a closed community of urban sprawl, not one with "openness and access to surrounding open space." The DEIR must, but does not, explain and analyze the environmental effects of these inconsistencies.

O3e-85

**IX. CONCLUSION**

The Accretive Lilac Hills DEIR fails to meaningfully analyze an unprecedented number of project inconsistencies with the County General Plan and the Valley Center Community Plan. The SP and DEIR fail to substantiate the limited GP consistency discussion with facts and evidence and fail to justify exemption from the clear prohibitions against Leapfrog development exemplified by this project. These

O3e-86

O3e-83 The comments from DSFPD that are referred to herein are out of date and do not reflect the new comment letter provided by DSFPD, dated July 28, 2014. See Global Response: Fire and Medical Services.

O3e-84 The comment states that no school district has accepted the additional students that would be generated by the Project.

Subchapter 3.1.5.1 provides that based on the increased student body associated with the project, there would not be adequate capacity in the local schools to serve the project's student generation. However the school districts had indicated that Valley Center Elementary Upper School which is currently closed, could re-open to accommodate students. Additionally, BUSD has indicated its ability to place temporary portable classrooms on existing school sites as an interim solution to the new students. In addition a proposed school site would be offered to the local districts or could be used as a private school if not accepted by the school districts. In addition, the applicant will be required to pay school impact fees pursuant to California Government Code Section 65996(b).

O3e-85 The project requires 15.09 acres of public parks pursuant to the Park Land Dedication Ordinance (PLDO). The project would exceed this requirement by providing 23.6 acres of parkland. As shown in FEIR Figure 1-9, the project would provide numerous parks located throughout the project site including a 13.5-acre public park (gross acres). As detailed in the Specific Plan Section III, the project includes provision for private recreation areas to include dog parks, play structures, sports courts and fields, multi-purpose trails, and recreational centers.

The 10-acre per 1,000 is a County Goal for parks and does not pertain to park obligations related to private development as set forth in State law. However, the private developer would contribute to this goal by providing parks in accordance with State Law and the PLDO.

LETTER

RESPONSE

August 13, 2013

informational shortcomings deprive the public and the decisionmakers of essential information required by CEQA. Under the circumstances, the DEIR must be rewritten and recirculated for public review and comment.

} O3e-86  
(cont.)

Very truly yours,  
**KEVIN K. JOHNSON APLO**

  
Kevin K. Johnson

cc: Claudia Anzures, Esq. (via email)  
Mark Mead, Esq. (via email)

Attachments:

- Exhibit 1: Letter from Valley Center Community Planning Group("VCCPG") dated March 11, 2013 to Mark Slovick, Project Manager re: Lilac Hills Ranch Specific Plan and Related Documents with Appended Letter from VCCPG dated October 22, 2012
- Exhibit 2: Letter from Valley Center Design Review Board dated February 25, 2013 to Mark Slovick et.al re: Accretive Investment Group's 2<sup>nd</sup> revised submission (02-13-13) with attached comments from October 15, 2012 and June 14, 2012
- Exhibit 3: Excerpts from LEED 2009 for Neighborhood Development Created by the Congress for New Urbanism, Natural Resources Defense Council and U.S. Green Building Council (Updated October 2012)
- Exhibit 4: June 13, 2012, County of San Diego Planning and Development Services Project Issue Checklist for Lilac Hills Ranch Master Planned Community – Project Number(s) 3800 12-001(GPA), 3810 12-001 (SP), 3600 12-003 (REZ), 3100 5571 (TM), 3100 5572 (TM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)

} O3e-87

O3e-86 Please refer to Global Response: General Plan Amendment CEQA Impact Analysis and Appendix W.

O3e-87 Attachments are acknowledged as public records.

LETTER

RESPONSE

**EXHIBIT 1**

DEIR Public Comment Letter dated August 13, 2013 from Kevin K. Johnson APLC re:  
Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan  
PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)-**General Plan and  
Community Plan Inconsistencies**

} O3e-88

O3e-88 Title and introduction of exhibit is acknowledged.

LETTER

RESPONSE

March 11, 2013

To: Mark Slovick, Project Manager, Lilac Hills Ranch Project

From: Valley Center Community Planning Group

Re: Lilac Hills Ranch Specific Plan and Related Documents,  
GPA 12-001; SPA 12-001

On 11 February 2013, the San Diego County Department of Planning and Development Services [the County] electronically distributed the third draft of the Lilac Hills Ranch [the Project] Specific Plan and tentative maps, submitted to them by Accretive Investments [the Applicant], to the Valley Center Community Planning Group [VCCPG]. Printed hardcopies of the documents were received in the mail about a week later.

Notably, the released documents do *not* include the proposed general plan amendment text, the collection of technical reports that support the specific plan assertions, or a letter from the applicant that responds to the Project Issue Checklist. The Project Issue Checklist contains approximately 1000 major and minor issues with the Project, raised by the County, Bonsall Sponsor Group and VCCPG in response to the Applicant's second draft specific plan, submitted on 25 September 2012. The Applicant was to have submitted the Project Issue Checklist letter by 31 January 2013 as required in the County's response to the second draft specific plan dated 10 December 2012. However, the Applicant was granted an extension of 60-days to submit the letter. At about the same time the extension was granted, the County released the third draft of the Project's specific plan for public review.

The Project Issue Checklist letter required by the County is crucial to the effective review of all aspects of the Project. Without the letter, it is impossible to know what remedies, if any, the Applicant proposes to resolve those identified issues. The issues listed for the first and second drafts of the specific plan have largely remained unaddressed in the present third draft. The Applicant's third draft has particularly failed to address the major issues relating to building a project of such large urban scope in a rural, agricultural area removed from the infrastructure needed to sustain it. This Project is at odds with the San Diego County General Plan, adopted in August 2011, and the Valley Center Community Plan and Bonsall Community Plan, which are integral to the General Plan. The responses to the Project Issue Checklist will determine, in great measure, how the applicant intends to reconcile, or not, the Community Plans of Valley Center and Bonsall and the County's General Plan with their Project's specific plan. Presently, the Lilac Hills Ranch Specific Plan is diametrically opposite of the intended outcome of the General and Community Plans.

O3e-89

O3e-89

As part of the application process, the County prepared a Project Issue Checklist detailing all information and documentation needed to move forward with the processing of the project. A GPAR was included as an item required to allow the County to consider the issue of General Plan consistency. As of June 13, 2013 the County determined that all technical studies had been accepted and the FEIR addressed consistency with the applicable General Plan policies. This determination removed the need for a GPAR to be included in any further submittals. A GPAR is not required by state law or by County ordinance or policy.

See responses to comments O3e-3, O3e-10, and O3e-47 above. Also Global Response: Project consistency with General Plan Policy LU-1.2 and Appendix W.

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Not surprisingly, the third draft of the specific plan continues to be vague about many important details and avoids specifying the details of the Project at the level required by state law. At the stage of the third draft, one expects that issues raised over six months ago would be addressed or explained in the context of the General Plan and Community Plans.

However, we are aware that in order to remain effectively engaged in the review of this Project, we must respond to the recently released third draft specific plan.

Based on the materials received to date, *the Valley Center Community Planning Group continues to be strongly opposed to this Project's approval or construction.* Because so much of what is presented in this third draft of the specific plan is essentially the same as the previous two drafts, we will reiterate our major concerns followed by specific concerns raised by the third draft. You should reference our previously submitted comments on specific plan drafts one and two along with our present comments, since nearly all still apply. We reserve the right to make further comments and to revise previous comments as more detailed documentation is released to the community in the future. This letter, and letters dated 11 June 2012, 9 July 2012, and 22 October 2012 [attached] should not be construed as our "one bite of the apple."

**Major Concerns**

**1. The Project is too large and too dense for Valley Center and it is improperly located**– Placing 1,746 homes and 5,000 people on 608 acres with densities as high as 20+ dwelling units per acre is simply incompatible with the rural location in which the Project has been sited.

**2. Roads and Traffic**– The nature of the roads that must carry traffic generated by Lilac Hills Ranch is one of the most fraught and difficult topics associated with this project. The area has been able to move cars across winding, two lane roads that pass through hilly landscape only because of its present lack of density. With the addition of 1,746 homes, the roads will, without extensive new road construction plus considerable widening and straightening of existing roads, will be greatly challenged to handle, safely and efficiently, the additional five thousand individuals who will populate the development. The County's very limited road construction budget is already over-taxed, and unlikely to provide for the huge influx of automobiles created by Lilac Hills Ranch. Questions of the cost of off-site road construction, evacuation needs and acquisition of rights-of-way over existing private roads by the Applicant, are also extremely serious.

**3. Compliance with the General Plan**– The Lilac Hills Ranch Specific Plan threatens to overturn virtually every element in the County's new General Plan adopted in 2011 after 12 years of discussion and community involvement, millions of dollars in government expenditures and countless hours of effort on the part of local citizens. If the Lilac Hills Ranch Project is allowed to proceed,

O3e-89  
cont.

O3e-90

O3e-91

O3e-92

O3e-90 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2 2.

O3e-91 See also response to comments O3e-28 and O3e-45 above.

O3e-92 Please refer to response to comments O3e-3, O3e-35 through O3e-85.

<p>one has to question if there is any development that would be rejected because it violated the General Plan. Exactly what destruction of local communities does the General Plan prevent?</p> <p><b>4. Services and Infrastructure-Water, Schools, Fire, Waste Treatment-</b> Infrastructure is expensive. Putting in new roads, adding additional lanes to a bridge, building a fire station, putting up a new school, installing sewer and waste treatment plants and building trails all cost large amounts of money. A principal reason why the General Plan Update strongly favors "compact, town center developments" while stating that it intends to limit "growth in areas without adequate roads, water and sewer service" is because of the demands on the public purse for building these infrastructure items over and over.</p> <p>Lilac Hills Ranch is seeking to build a city the size of Del Mar that will require an almost entirely new infrastructure--new roads, schools, sewer systems and a broad range of other infrastructure items. That a private development could or would build this expansively strains credulity. The Valley Center Community Planning Group doubts the viability of this approach.</p> <p><b>5. LEED/Sustainable and Walkable Community-</b> It is necessary for the Lilac Hills Ranch project to argue that they are potentially able to qualify for LEED ND certification, or its equivalent, in order to avoid the General Plan prohibition on Leapfrog Development. The project, placed as it is, miles from the heart of Valley Center, violates Guiding Principle 2 and General Plan Policy L-1, which define and govern Leapfrog Development, not to mention one of the fundamental precepts of LEED ND, which is to avoid green field development. Leapfrog Development is defined as Village densities located away from established Villages or outside established water and service boundaries. Lilac Ranch Hills <i>is</i> leapfrog development and it cannot qualify as a LEED community under any reasonable understanding of the standards.</p> <p><b>6. Agriculture-</b> The General Plan Update has set aside the area where Lilac Hills Ranch would be built as a place for agriculture and other rural and semi rural uses. In contrast to the claims made by the Project proponents, the area is not characterized by <i>historical</i> agricultural activity. It is a present-day agricultural area. Avocado, citrus, cactus commercial nurseries and other farm operations are located in and around the project areas. These agricultural uses attract insect and fungal infestations, which mean that aerial spraying is often necessary. Spraying could pose a danger to individuals living in the area. On the other hand, prohibiting spraying would make farming nearly impossible. Building Lilac Hills Ranch in the area for which it is currently planned would greatly damage many productive, beautiful and successful agricultural operations.</p> <p><b>7. Twists of meaning and lack of clarity in the plan-</b> One of the most difficult aspects of the Lilac Hills Ranch Specific Plan is the extent to which it makes</p> <p style="text-align: right;">3</p>	<p>O3e-93 This comment does not address the environmental analysis provided in the FEIR. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider. See Global Response: Project Consistency with General Plan Policy LU-1.2.</p> <p>O3e-94 Please refer to the Global Response: Project Consistency with General Plan Policy LU-1.2.</p> <p>O3e-95 The Specific Plan includes language, which provides a process to inform future residences of the adjacent agricultural uses and that the State "right to farm" act prohibits future land use protests. CALIFORNIA CIVIL CODE § 3482.5.</p> <p>As discussed in FEIR subchapters 2.4.6 and 3.4 of the Agricultural Resources Report (Appendix H) of the FEIR, a minimum 50-foot buffer with two rows of orchard trees is implemented at all of the agricultural adjacency (AA) areas regardless of the crop type grown within the off-site parcel. In addition to the 50-foot buffer, most of the AAs are also required to implement fences, FMZ restrictions, and nighttime lighting requirements. These mitigation measures and project design considerations will still serve to mitigate compatibility impacts should the crop type change in the future.</p> <p>The project would not preclude aerial spraying, which could still occur provided the applicable state and County regulations are adhered to. These regulations require prevention of "drift" onto neighboring properties and impose penalties. Nevertheless, the project design incorporates 50-foot buffers as well as land use restrictions where there are potential conflict locations in order to minimize the chance that humans would be within the areas subject to "drift" should it occur (illegally but accidentally). The Agricultural Technical Report discusses this topic in detail within subchapter 3.2.3.</p> <p>O3e-96 The comment expresses the opinions of the commentator only. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required. See also Global Response: Project Consistency with General Plan Policy LU-1.2.</p>
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misleading claims. They would have us believe that they are building a LEED ND or equivalent development even though Lilac Hills Ranch violates virtually all LEED standards, that adding 5,000 residents to a rural area actually improves traffic over narrow winding back roads, that grading and moving 4.4 million cubic yards of earth (enough to build a path 4 feet wide around the equator of Earth) preserves natural resources and habitat for animals.

Elaboration of these major concerns is available in the comments submitted by the VCCPG on 22 October 2012 [attached below].

**Other New Concerns**

**General Plan Conformance**

The Lilac Hills Specific Plan takes care, in several sections, to address the General Plan and Valley Center Community Plan. Yet the Lilac Hills Ranch Specific Plan fails to adequately acknowledge the fact that both of these thoughtfully constructed governing documents intend a completely different set of uses for the Lilac Triangle of west Valley Center, and fails to provide justification for the dramatic changes it proposes. The area was zoned for and intended to accommodate agricultural activities and large-acreage residential uses. The proposed Lilac Hills Ranch project is clearly incompatible with these intended uses. Both the General and Valley Center Community Plans designate other areas for land-uses such as Lilac Hills Ranch project proposes. If one were to propose and construct a residential project of this magnitude that would be useful to society in general and this region in particular, they would apply their efforts to the central village area of Valley Center. The current project, as proposed, is a cynical endeavor.

On January 24, 2013 San Diego City Mayor Bob Filner, in discussing a large development called One Paseo that would add dense commercial and residential use to Carmel Valley said, "Look, the community plan was a contract as far as I could see."

The parcel on which One Paseo would be constructed is zoned for 500,000 square feet of office space. The project initially intended to construct 2.1 million square feet of development, but the project has since been scaled down to 1.4 million square feet. "I don't understand how anybody who said they respected the community starts off with four times what the community plan says," Filner said at a public hearing, "I don't understand how you start with that." "After all," the mayor said, "the community plan can be considered a contract and should not be violated without substantial reason. ... They are agreements with the community on the way we ought to develop," he said. "People spend a lot of time going into making that a shared vision and it's a shared vision that **only with the consent of both sides**, do you modify." (emphasis added)

O3e-96  
cont.

O3e-97

O3e-97 See response to comments O3e-3 and O3e-10 above and Global Response: Project Consistency with General Plan Policy LU-1.2. With respect to Bob Filner's comment on One Paseo, the comment provides factual background information, but does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue with respect to the FEIR, no further response is required.

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Those who read about the Lilac Hills Ranch Plan iteration after iteration well may have some of the same questions that Mayor Filner raises. The Applicant plans to locate up to 2.9 units per acre on land that currently allows, under the new County General Plan, 1 dwelling until per four acres (for 400 of the acres) or 1 dwelling per 10 acres (for 132 of the acres). Thus the land on which the Applicant wishes to build 1,746 homes is reserved in the General Plan for much lower density. The Applicant would increase the density not four times over what the General Plan permits (as in the One Paseo project) but more than 13 times the present allowable density. If four times the density may indicate a lack of respect for the community, 13 times the allowable density certainly indicates callous disregard for community character and community concerns.

Consider the 10 guiding principles that the San Diego County General Plan outlines for development:

1. Support a reasonable share of projected regional population growth.
2. Promote health and sustainability by locating new growth near existing and planned infrastructure, services, and jobs in a compact pattern of development.
3. Reinforce the vitality, local economy, and individual character of existing communities when planning new housing, employment, and recreational opportunities.
4. Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance.
5. Ensure that development accounts for physical constraints and the natural hazards of the land.
6. Provide and support a multi-modal transportation network that enhances connectivity and supports community development patterns and, when appropriate, plan for development which supports public transportation.
7. Maintain environmentally sustainable communities and reduce greenhouse gas emissions that contribute to climate change.
8. Preserve agriculture as an integral component of the region's economy, character, and open space network.
9. Minimize public costs of infrastructure and services and correlate their timing with new development.
10. Recognize community and stakeholder interests while striving for consensus.

Can anyone who has read the Lilac Hills Ranch Specific Plan submission believe that it does not violate at least 8 or 9 of them? It requires the development of new roads, a new sewer system, and new water sources—all of them described vaguely and many of them resources to which the applicant does not have clear title or a well developed plan for acquiring. It moves over 4 million cubic yards of earth by grading and by blasting. It is far from the heart of Valley Center where denser development is being accommodated.

O3e-98

O3e-98 This comment does not address the environmental analysis provided in the project FEIR. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider.

O3e-99

O3e-99 Please refer to response to comments O3e-35, and O3e-38 to O3e-46, above.

**Relationship to General Plan**

The specific plan cites the General Plan Amendment Report and Appendix A to justify the project within the context of the County's General Plan and the included Valley Center and Bonsall Community Plans. Neither the General Plan Amendment Report, nor Appendix A, is part of the submissions from the Applicant at this point, making comment impossible.

Given the absence of the General Plan Amendment Report and Appendix A, we are led to assume that sufficient justification and consistency with the County's General Plan does not yet exist and, therefore, cannot be made public and a part of this review. Consistency with the recently adopted General Plan is a fundamental first step in proposing a development of this magnitude...a step that this project continues to stumble over.

The degree of change proposed by this project will grossly change the character of the existing rural, agricultural area.

**Specific Plan Goals**

The Applicant suggests that their Project will "augment" the several other large-scale projects along I-15 between Escondido and Fallbrook. A thoughtful analysis of the referenced projects will show that the only other project that compares with this Project is Lake Rancho Viejo at Hwy. 76. The other projects were approved under a less demanding older General Plan and the two largest projects, Circle R Ranch and Lawrence Welk Resort, are actually clustered developments with an associated open space component of about 40% of the total acreage, unlike this Project which is currently expressing only a 16% open space component.

That being said, a guiding principal of the current General Plan [principle #2] is to permit high-density development within or next to already developed property so that the infrastructure requirements can be more easily met. The goal is not to spread dense development to outlying rural areas where infrastructure must be extended and expanded to meet those needs, as is the case with this Project.

Another new wrinkle in the current specific plan is the Applicant's desire to allow homes proposed for construction within the Project, instead, to be used, possibly, for a time-share resort. This 'possibility' confounds the stated description of the Project as a residential community and wanders even farther from the definition of "specific" in the term 'specific plan.'

**Sustainable Community Goals/Policies**

In this iteration of the specific plan the Applicant has chosen to diminish their commitment to sustainability by making some of their once earnest goals and features decidedly optional. The recycling facility will be built "if feasible." The use of existing Green Building standards adopted by the County will be implemented but builders will be required only to offer homeowners the "option" of installing energy efficient fixtures and appliances. And, they have abandoned completely

O3e-100

O3e-101

O3e-102

O3e-100 Please refer to response to comments O3e-3 and O3e-89.

O3e-101 The commenter asserts that the other designated Specific Plans because of their density are rural projects. There are eight specific plans (six are residential) approved in the Valley Center Community Planning Area and discussed in the Valley Center Community Plan text including the Circle R specific plan which unlike the others is not designated as 21-SPA. Three of the designated SPAs: Ridge Ranch I, Ridge Ranch II, and Live Oak Ranch include rural densities, but allow for one acre lots and include provisions for sewer service, which is not considered typical for rural development.

Woods Valley Ranch SPA in the same rural regional category as the others includes a rural density but also includes three neighborhoods with lots ranging from 5,000 square feet, 15,000 square feet and one-half acre, plus a golf course, and restaurant. As stated in the Valley Center Community Plan text, this project is designed to, "...create an environmentally sensitive development that successfully integrates a rural residential community (emphasis added) consistent with the community character as described in the Valley Center Community Plan Text," and "...create a rural residential community with an identity consistent with the community character of Valley Center as described in the Valley Center Community Plan Text."

The Orchard Run SPA is located within the urban village of Valley Center, which allows for urban scale development. This SPA includes a density of 7.3 dwelling units per acre in the northern portion and 1.5 dwelling units per acre in the southern portion of the property. The plan will result in the creation of seven residential development areas (Garden Apartments, Patio Homes, Estate Lots, and Executive Homes). As stated in the Valley Center Community Plan text this project is designed to, "...create an environmentally sensitive residential community within the central valley of Valley Center that will offer an affordable and diverse range of housing opportunities within the community, and "...provide for a variety of low to moderate attached and detached housing opportunities using a cluster design in the northern portion of the property."

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	<p>O3e-101 (cont.)</p> <p>The Circle R Specific Plan does not include the 21-SPA designation. This specific plan was originally adopted in 1978 and last modified in 1983. Like most of the other Specific Plan designated areas above it is located in a rural land use designation which only allows for a rural density of 1 du/2acres (SR-2). The Circle R specific plan as approved (and built); however, includes 378 townhomes on lots of 2,800 square feet, and 27 'estate' lots with lot sizes up to 4 acres and a golf course and restaurant. It is served by sewer and like Woods Valley and Orchard Run implements and is "...based on the Valley Center Community Plan and the County General Plan.</p> <p>Neither the FEIR nor the Specific Plan includes any provision for time share types of development.</p> <p>An assessment of the proposed project in comparison to the other adopted specific plans in Valley Center illustrates that both the oldest and the most recent specific plans in the rural designated portions of Valley Center include lot sizes comparable to the proposed project and also include sewer service. The project also proposes a General Plan Amendment to establish a Village Regional category and the implementing specific plan also includes scales of development (2.9 du/acre) which are similar to what was adopted 20 years ago with the Orchard Run designated specific plan (1.5 and 7.3 du/acre) in the Village of Valley Center.</p> <p>O3e-102 This comment references prior iterations of the project and not the project description as detailed in the FEIR circulated for public review. As such, this comment does not address the environmental analysis provided in the project FEIR. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider.</p>
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<p>their commitment to implementing structural systems that achieve high performance thermal efficiency. These sagging goals seem disingenuous.</p>	<p>O3e-102 cont.</p>	<p>O3e-103 This comment references prior iterations of the project and not the project description as detailed in the FEIR circulated for public review. As such, this comment does not address the environmental analysis provided in the project FEIR. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider.</p>
<p><b>Land Use Plan</b> The Land Use Plan shows some considerable changes based on the shifting acreages among the different types of land uses in the Project. However, the phase descriptions continue to be very conceptual rather than specific. The question continues to be: at what point will the specific plan become specific rather than merely suggestive, contingent or conceptual? There continues to be only one Tentative Implementing Map for phase one with the others for phases 2-5 not scheduled to appear for some length of time after approval of the project. This is rather like buying a pig in a poke.</p>	<p>O3e-103</p>	
<p><b>County Land Use Regulations</b> The applicant has not justified their proposed general plan amendment to amend the Regional Land Use Element Map changing the Regional Category Designation of their property from Semi-Rural to Village and Commercial designations. To build what the applicant proposes, it is necessary for the designation to change, but they have offered no justification for the change. Such changes to the County's General Plan as well as the Valley Center Community Plan and the Bonsall Community Plan should be justified. The point of such plans is to guide development in a direction that is consistent with the community's desires and commitments to the County for growth.</p>	<p>O3e-104</p>	<p>O3e-104 Please see subchapter 1.1 of the FEIR for the project's objectives. Ultimately, the decision makers will determine whether the amendment is in the public interest and would not be detrimental to public health, safety, and welfare.</p>
<p><b>Distribution of Land Uses</b> Table 1 – Land Use Summary inaccurately shows a total of 608 net acres, however, addition of the line items in the table totals 611.3 net acres. This should be clarified and corrected.</p>	<p>O3e-105</p>	<p>O3e-105 This comment references prior iterations of the project and not the project description as detailed in the FEIR circulated for public review. As such, this comment does not address the environmental analysis provided in the project FEIR. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider.</p>
<p>Table 1 shows that proposed public parkland in the Project decreased from 21 acres in a few parks to 12 acres in a single park since the previous iteration of the specific plan. And, private parkland increased from 4.4 to 11.8 acres in 14 small pocket parks. The county standard for parkland is 15 acres per thousand population for local parks. It seems the numbers are moving in the wrong direction. Further, larger parks would serve the Project better than the multitude of pocket parks described.</p>	<p>O3e-106</p>	<p>O3e-106 Community character is established by the uses in an area. The area is characterized by diverse uses and lot sizes with denser uses generally located within specific planning areas. The proposed project is similar in nature and will fit into the established land use patterns. Please refer to Response 57 above. In any event, the commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider.</p>
<p><b>Parcel Size Distribution in the Vicinity of Lilac Hills Ranch</b> The applicant's 1-mile analysis [fig. 6] seems to want to justify high density for the Project by citing that 18% of lots are less than 2-acres. These smaller lots are not recently created, they are the residue of earlier, less carefully considered general plans. The requirements have changed. And, by deduction, 82% of present lots within the 1-mile radius [wherever it is centered] are two acres or larger and consistent with the General Plan. In fact, 46% of lots in the 'radius' are greater than 4-acres. A few moments of reflection would lead to the understanding that the applicant's representation of the parcel size distribution</p>		

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can be misleading. Having a greater number of smaller lots within an area does not mean that the majority of the acreage is in smaller lots. In fact, the majority of the acreage within the radius is in larger lots. The analysis should be looking at the acreage within categories of lot size rather than the number of lots of a particular size.

The 5-mile radius analysis [fig. 5] is equally skewed since it attempts to include Circle R Ranch development and Lawrence Welk Resort as high-density developments. Both of those developments are clustered developments and include a minimum of 40% open space, a fact conveniently sidestepped in the analysis. The mobile home park at Lawrence Welk was permitted under an older general plan that has since been superseded.

It should be remembered that the recently adopted general plan and the associated community plans are the defining factor in describing the desired plan for the community rather than the parcel size analysis of the Applicant.

**Development Approvals Needed**

Apart from the need to amend the General Plan, and the Valley Center and Bonsall Community Plans, the Applicant is asking for approval of a site plan for "V" and "D" special area regulations. Setback designator "V" allows for very close urban spacing of buildings, spacing that is grossly inconsistent with the General Plan and, consequently, the Valley Center Community Plan.

Special Area Regulator 'D' has several Site-Plan criteria that this project fails to adequately address:

**"a. Building Characteristics.** The dimensions, color, architectural design of the proposed buildings and structures shall be compatible and in keeping with those existing in the designated area."

The proposed project intends to inject a sweepingly new architectural treatment to the designated area. The types, dimensions, densities and architectural design being proposed are not consistent with the Lilac Triangle.

**"b. Building and Structure Placement.** The placement of buildings and structures shall not detract from the visual setting or obstruct significant views."

The density and heights of proposed buildings and other architectural features will dramatically and adversely impact the present rural, natural and agricultural setting of the area. This impact cannot be mitigated under the provisions set forth in this specific plan and will deprive existing residents of their expectation of a rural, natural life style and environment.

O3e-106  
cont.

O3e-107

O3e-108

O3e-107 As noted by the reviewer, the proposed zoning includes the use of both the V Setback Regulator and the D Special Area Regulator. These have been applied for different reasons to assure that all development authorized by the Specific Plan will be implemented with the use of a Site Plan which will include details of the proposed development that otherwise would not be required. The D Special Area Regulator has been applied to require a Site Plan for all development. The Specific Plan includes detailed lot design and architectural design guidelines, and development applications will need to include a Site Plan to identify which lot design and architectural style guidelines will be applied to each lot. Similarly the V Setback Regulator will allow the setbacks for each lot to be established when the individual lot configuration is identified for each lot. These designators will ensure that the development guidelines in Section III of the Specific Plan will be followed.

O3e-108 The D designator allows each lot to be reviewed in accordance with a specific standard. Here the standard to be applied to each lot will be the Specific Plan Guidelines. Therefore, in this context, the Design Guidelines of the Specific Plan will direct the application of this criteria (San Diego County Zoning Code Section 5902.)

**"c. Landscaping.** The removal of native vegetation shall be minimized and the replacement vegetation and landscaping shall be compatible with the vegetation of the designated area and shall harmonize with the natural landscaping. Landscaping and plantings shall be used to the maximum extent practicable to screen those features listed in subsections "d" and "e" of this section and shall not obstruct significant views, either when installed or when they reach mature growth."

O3e-109

The project proposes to excavate and fill over 4 million cubic yards of earth in pursuit of building sites and common areas on a total of 582.2 acres. Nearly all of the native and agricultural vegetation will be removed and existing agricultural areas will be severely diminished and completely altered as a result. The proposed plan will leave narrow strips, of so-called, biological open space that will be of little or no use to wildlife once other fuel modification requirements are met.

**"d. Roads, Pedestrian Walkways, Parking and Storage Areas.** Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas shall be screened from view, to the maximum extent feasible, by existing topography, by the placement of buildings and structures, or by landscaping and plantings."

O3e-110

The roadways proposed do not provide adequate ingress and egress for the proposed housing and commercial areas. The applicant has failed to provide substantive documentation of legal rights to develop adequate access routes for evacuation requirements. Further, the trail network proposed appears to depend on access along Covey Lane, a private easement for which the applicant has demonstrated no legal right.

**"e. Grading.** The alteration of the natural topography of the site shall be minimized and shall avoid detrimental effects to the visual setting of the designated area and the existing natural drainage system. Alterations of the natural topography shall be screened from view by landscaping and plantings which harmonize with the natural landscape of the designated area, except when such alterations add variety to or otherwise enhance the visual setting of the designated area."

O3e-111

As noted earlier, the project proposes to move nearly four and a half million cubic yards of earth on the 608-acre site, with blasting required for about 20% of that total. Obviously, this will not result in minimal alteration and it will detrimentally affect, in the most gross way the visual setting of this rural, agricultural area.

**"f. Signs.** The number, size, location, and design of all signs shall not detract from the visual setting of the designated area or obstruct

O3e-112

O3e-109 The D designator allows each lot to be reviewed in accordance with a specific standard. Here the standard to be applied to each lot will be the Specific Plan Guidelines. Therefore, in this context, the Design Guidelines of the Specific Plan will direct the application of this criteria. (San Diego County Zoning Code Section 5902.) In other words, this standard applies to a lot when its site plan is under review. In any event, the project will include an additional 20.8 acres of agriculture, outside of the biological open space, to be conserved throughout the community. The project would also preserve and enhance continued and future agricultural operations at a more optimal location, by Mitigation measure M-AG-1 that requires the purchase of an agricultural conservation easement for 43.8 acres of prime and statewide importance soils at a 1:1. Finally, the FEIR Agricultural Resources Report includes additional measures where deemed necessary to ensure that no significant unmitigated impacts to existing agriculture will occur, such as: 1) 50-foot-wide buffers planted with two rows of citrus, avocado, or olive trees (M-AG-1); 2) Installing 6-foot-high fencing to protect adjacent agricultural activities from unwanted intrusions by people and domestic pets (M-AG-2); 3) prohibiting habitable structures as well as any structure that could attract residents, visitors, or children to congregate nearby (M-AG-3).

With respect to the biological open space being of little or no use to wildlife, the project Biological Open Space plan assures the permanent conservation of wetlands and associated riparian and upland habitats, the restoration of degraded wetland habitat, and the provision of opportunities for wetland enhancement, in accordance with an approved and funded Resource Management Plan that meets rigorous wetland conservation and mitigation criteria required by local, state, and federal natural resource agencies.

O3e-110 Refer to the Global Response: Easements (Covey Lane and Mountain Ridge Roads).

Subchapter 2.3.2.3 of the FEIR analyzed the issue of transportation hazards with respect to the road network design for the project, and determined that overall the road network design for the project would provide adequate ingress and egress for residents as well as emergency access and therefore impacts associated with transportation hazards would be less than significant. See also the evacuation plan.

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<p>significant views. Subsequent to the site plan review and approval, any alteration to signs other than general maintenance shall be subject to a new Site Plan or an Administrative Permit."</p> <p>The only reference to signage found concerns the monuments at the entrances to the Project. The monuments description in the specific plan is more nearly marketing language than specific details about construction design and materials. A conceptual design is provided, but it is merely suggestive and provides no assurance that it is consistent with the Valley Center Design Guidelines. Clearly, the specific plan should defer to the existing Valley Center Design Guidelines, and those guidelines should be acknowledged in this plan to direct the implementation of signage for the project as a whole, but especially for the commercial areas within the project.</p> <p>"g. <b>Lighting.</b> The interior and exterior lighting of the buildings and structures and the lighting of signs, roads and parking areas shall be compatible with the lighting employed in the designated area."</p> <p>Since the designated area is presently rural and agricultural and subject to the Valley Center Design Guidelines, the Project and its specific plan should recognize those guidelines as the authority for all lighting implementation. Generally, little lighting is used in this area presently, so any change will be a significant departure from what exists and will severely challenge the present conditions.</p> <p>The specific plan is ambiguous about the need for a recycled water storage tank. This tank may, or may not, be part of a major use permit required for the Water Reclamation Facility. More details and specificity would be helpful.</p> <p>Another approval needed by the Applicant is for the vacation of two existing biological open space easements totaling 3.64 acres. These two easements were at one time considered important set-asides for maintaining regional biological resources, resources that cannot be turned on and off and still retain significance. The Applicant will be setting aside over 102 acres of open space for the same purpose. It would seem prudent and reasonable to include the two existing easements in addition to the proposed easements for this Project.</p> <p><b>Development Standards and Regulations/Design Concept</b> The Applicant's specific plan suggests that the Project will help support the area's reasonable share of projected population growth. However, that is a specious assertion given that Valley Center's reasonable share of growth is 905 dwelling units [only 755 more than the existing General Plan provides] and more than that number have been accounted for in the plans for the north and south villages. There is no apparent need for the 1746 units being proposed by the</p> <p style="text-align: right;">10</p>	<p>O3e-111 This criteria is to be applied to individual lots. As described above, the D designator allows each lot to be reviewed in accordance with a specific standard. Here the standard to be applied to each lot will be the Specific Plan Guidelines. Therefore, in this context, the Design Guidelines of the Specific Plan will direct the application of this criteria. (San Diego County Zoning Code Section 5902.) In other words, this standard applies to a lot when its site plan is under review.</p> <p>With respect to the project, visual impacts are discussed in subchapter 2.1 of the FEIR. As stated in the conclusions, subchapter 2.1.6, the project would change the composition of the visual environment in terms of dominance, scale, diversity, and continuity, resulting in a significant unavoidable impact. Additionally, short-term construction-related visual impacts would remain significant and unavoidable.</p> <p>O3e-112 Please refer to response to comment O3e-107. The comment expresses the opinions of the commentator only. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.</p> <p>O3e-113 Light and glare impacts associated with the project are discussed in FEIR subchapters 2.1.2.4 and 2.1.2.5, respectively. See also response to comment O3e-107 above.</p> <p>O3e-114 The FEIR, subchapter 3.1.7 contains a complete description of the alternatives for wastewater collection and treatment. These alternatives include on-site treatment at a treatment plant shown in the FEIR and Specific Plan as well as alternatives for sending all wastewater to the existing Lower Moosa Wastewater Treatment Facility. The decision about which alternative will be used is the jurisdiction of the VCMWD. The impacts of all alternatives are addressed in the FEIR.</p> <p>The commenter is correct that there are two open space easements that exist within the project site. One open space easement was granted to the County of San Diego in conjunction with Parcel Map No. 17704, on June 10, 1996. The second easement was granted to the County per document No. 1996-030583 on July 12, 1996. Both</p>
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	<p>O3e-114 (cont.) easements prohibit all of the following on any portion of the land subject to the easement: grading, excavation, placement of structures, construction, mineral excavation, trash, dumping or any use other than open space. Limited vegetative clearing by hand as required by the fire authority is permitted within the first open space easement; within the second incidental agriculture, such as nursery crops, is permitted. Both open space easements would need to be vacated for development within those areas in conjunction with the approval of the Final Maps for the project. Both open space easements currently cover agricultural land, which would not require substitute mitigation. A small area of oak riparian woodland that is located within one of the existing open space easements would be preserved within the project's biological open space.</p> <p>O3e-115 The comment suggests that there are established fair share population targets by community. This is not the case. The County accommodates its proportion of regional growth as projected by SANDAG through the many community plans but General Plan does not include a population limit for each community or for the County in general. SANDAG regularly updates their population projections to reflect changes in jurisdictional land use plans, the regional economy and changes in economy. These changes include, for example, land approved for housing that will never be built because of purchases of land for open space. The comment also states that the project is in an area remote from community infrastructure. As noted in the FEIR, subchapter 3.1.7, water is available at the property boundary. There are several options for providing wastewater treatment. Land is designated for a neighborhood park and school, The property is located less than one-half mile from the I-15 corridor. This is much the same of the state of infrastructure for the North and South Villages. Those areas have a water supply. They do not currently have wastewater treatment. Schools already exist but parks must be provided or expanded by the village development. Finally, the North and South Villages are located 20 to 30 minutes from a major interstate highway depending on the route taken.</p>
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Applicant, especially as they are proposed for an area remote from community infrastructure.

**Senior Citizen Neighborhood**

Although not apparent to the Applicant, the designation of 468 dwelling units for an age-restricted Senior Citizen Neighborhood with a 200-bed assisted living facility could present a significant problem for prospective residents of those units who may need emergency health care. Presently, emergency services cannot respond to the Project within the guidelines required for such service. In addition, the nearest hospital is about 17 miles distant. To have a neighborhood facility for such a potentially fragile population without emergency medical services close at hand may prove problematic.

Another issue is the contention by the Applicant that the addition of kitchens to the 200 individual units in the Group Residential/Care Facility at the time of construction would not impact the total number of other dwelling units [1746 dwelling units]. It seems the definition of 'dwelling unit' has shifted in this case. Under current zoning regulations, this defines an apartment. This is an increase in density of 200 units from the 1746 DU request to a total of 1946 DU's. So, although not counted in the total dwelling units for the Project, they do add, effectively, 200 dwelling units that would seem to drive the overall density up to about 3.2 du/ac from 2.9 du/ac. That proposed increase in density results in an increase in Average Daily Trip traffic generation for the proposed Project. Even without the kitchens, these units are a density deception.

**Town Center/Neighborhood Centers**

The bed and breakfast of earlier specific plans has become a substantially sized, 50-bed Country Inn. Commercial square footage has been increased from 75,000 sq. ft. to 90,000 sq. ft. (see II-10 Table 3: 61,500 sq. ft.– Specialty Commercial; 28,500 Office). Rather than scaling back the Project for rural compatibility as the VCCPG has suggested in previous comments, the current specific plan is expanding and extending commercial and office areas. The language used to describe these 'centers' continues to be vague and loose and non-specific.

**On-site Water Reclamation Facility**

There continues to be ambiguity concerning the water reclamation facility being proposed. The specific plan states that Valley Center Municipal Water District will direct trucking of wastewater to an off-site treatment facility for the initial development [presumably phase one], and that wastewater from up to 100 dwelling units may be trucked off-site. However, phase one consists of 350 units, which may necessitate additional trucking of wastewater over narrow twisting roads.

The Project will not build a wastewater treatment plant during the initial phase of development, but, it is not clear from the specific plan when the facility is to be

O3e-115 cont.

O3e-116

O3e-117

O3e-118

O3e-116 The FPP and Capabilities Assessment report analyzed both EMS and structure fire calls, along with any other type of call, which historically occurred in the DSFPD. The types of calls projected from the project are anticipated to follow County wide statistics for type of call, number of calls per capita per year (with a higher rate for the senior residential and Alzheimer care facility). Based on those numbers, at least 85 percent of the calls will be emergency medical response. A smaller percentage, 3 percent or less, would be structure fires. The options for fire service at the site provide the apparatus and staffing needed to respond to any type of call that would be anticipated from the project.

With respect to the residential care facility adding more density with respect to trip generation, the trip generation rates for the senior citizen community, developed utilizing SANDAG's Guide to Vehicular Traffic Generation Rates for the San Diego Region, is proportionally less than the generation rate shown for other similar types of uses as described in Tables 4.3 thru 4.8 of the TIS.

While the project supports densities up to 24 units per acre, the overall project density is 2.9 units per acre. This was calculated by dividing the number of units by the number of acres in the project. The density identified in the Specific Plan conforms to General Plan Policy LU-1.7 Maximum Residential Densities, which states that residential density is determined by taking the maximum number of dwelling units permitted within the boundaries of any subdivision based on the applicable land use designation. Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2.

O3e-117 This comment does not address the environmental analysis provided in the project FEIR. The commenter's opinion is acknowledged and is included in the project's FEIR for the decision makers to consider.

built. The current version of the specific plan has reverted to an earlier proposal of collecting and trucking the effluent to an off-site facility for treatment, making it unavailable for irrigation. This procedure will add numerous daily trips to and from the Project, trips that could go on for a lengthy but undetermined period. The last proposal was to construct a temporary 26,000-foot [5 miles] four-inch force main sewer line where effluent would be pumped from a temporary pumping station. While the current specific plan mentions treating the trucked effluent, it does not mention if the reclaimed water would be transported back to the Project, which would double the daily trips to and from the Project.

The specific plan has not defined the proposed Project's wastewater management system beyond a platitudinous discussion of top-level options. But, it does appear that a wastewater reclamation plant for recycling of wastewater is proposed on-site to the Project. There is no discussion whatsoever on sewage treatment, leaving an informed reader asking two fundamental questions:

1. If the on-site wastewater plant is only engaged in water recycling, to which Title 22 level of standard and intended usage is the Applicant proposing (see table below)? Describe the on-site treatment processes to be employed.

Table D-1 summarizes the water quality criteria for the four types of recycled water as defined by the Title 22 Code of Regulations. These water types are: disinfected tertiary, disinfected secondary 2.2, disinfected secondary 23, and un-disinfected secondary. Table D-2 summarizes the minimal allowable non-potable uses for each recycled water type. All information contained in this appendix is adapted from, "California Department of Public Health – Regulations Related to Recycled Water January 2009."

Table D-1. Water Quality Standards for Various Water Recycling Sites		
Water Type <sup>2,3</sup>	Parameter	Quality Criteria <sup>4,5</sup>
Disinfected Tertiary <sup>3,6</sup>  (recycled water that has been oxidized, filtered and disinfected)	Total Coliform	<ul style="list-style-type: none"> <li>• Median concentration must not exceed 2.2 MPN/100 mL using the last 7 days analyses were completed</li> <li>• Must not exceed 23 MPN/100 mL in more than one sample in any 30 day period</li> <li>• Must not exceed 240 MPN/100 mL at any time</li> </ul>
	Turbidity for Filtration Using Natural Undisturbed Soils or a Filter Bed	<ul style="list-style-type: none"> <li>• Must not exceed average turbidity of 2 NTU within a 24-hour period</li> <li>• Must not exceed 5 NTU more than 5 percent of the time within a 24-hour period</li> <li>• Must not exceed 10 NTU at any time</li> </ul>
	Turbidity for Filtration Using Microfiltration, Ultrafiltration, Nanofiltration or Reverse Osmosis	<ul style="list-style-type: none"> <li>• Must not exceed 0.2 NTU more than 5 percent of the time within a 24-hour period</li> <li>• Must not exceed 0.5 NTU at any time</li> </ul>
Disinfected Secondary – 2.2  (recycled water that has been oxidized and disinfected)	Total Coliform	<ul style="list-style-type: none"> <li>• Median concentration must not exceed 2.2 MPN/100 mL using the last 7 days analyses were completed</li> <li>• Must not exceed 23 MPN/100 mL in more than one sample in any 30 day period</li> </ul>
Disinfected Secondary – 23  (recycled water that has been oxidized and disinfected)	Total Coliform	<ul style="list-style-type: none"> <li>• Median concentration must not exceed 23 MPN/100 mL using the last 7 days analyses were completed</li> <li>• Must not exceed 240 MPN/100 mL in more than one sample in any 30 day period</li> </ul>
Un-disinfected Secondary  (recycled water that has been oxidized but not disinfected)	---	---

O3e-118

O3e-118 The commenter is concerned that by trucking wastewater in the initial phase, it would mean that wastewater for up to 350 dwelling units would require trucking.

Wastewater treatment plants require a minimal continual flow to start-up and operate. Trucking of raw wastewater to an off-site treatment facility would occur if the new wastewater treatment plant is constructed on-site to serve the first phase of development. Trucking of up to the first 100 homes would allow sufficient flows to accumulate to operate the new treatment facility. Once sufficient flows to operate the plant have accumulated (up to 100 homes), trucking of raw wastewater would cease (subchapter 3.1.7).

With respect to recycled water, Chapter 3.0 of the FEIR describes the recycled water facilities which would be constructed (including a pump station to transfer recycled water from the Lower Moosa Canyon WRF to the project). Additionally, Figure 5-2 in Appendix S – Wastewater Management Alternatives to the FEIR provides an overall exhibit of the proposed recycled water facilities.

<p>2. In what location will sewage treatment occur with a process description of the level of treatment and methodology for disposal of residual solids including long-term agreements if other agencies are involved in solid waste handling?</p> <p><b>Residential Component</b>          In the first two drafts of the specific plan, the Applicant claimed an overall density of 2.9 du/ac, which is apparently the smallest applicable category the County recognizes for overall density [the calculation is 1746 du divided by 608 acres]. But, that density has been revised in the third draft, and reported to be an overall density of 2.36 du/ac [the result of dividing 1371 dwelling units on 582.2 acres]. However, that density yield seems specious. The 582.2 acres used in that calculation include open spaces, roads, parks and schools, areas that do not play much of a role in the perception of density. Oddly, the 582.2 acres does not include the areas with the C-34 designation or the 375 du that are a part of it.</p> <p>Looking at the 375 dwelling units in the Project that occupy 23.8 acres in the C-34 zoned areas, reveals urban densities in excess of 13 du/ac and, of that total, nearly 8 ac would have an urban density in excess of 20 du/ac.</p> <p>And those densities exclude the 200-bed assisted living facility that questionably doesn't factor into the number of dwelling units.</p> <p>As we noted in earlier comments, densities of this magnitude [13.8 du/ac and 20.75 du/ac and even the overall density of 2.9 du/ac] are more comparable to large urban centers than the rural, agricultural areas that surround the Project property.</p> <p><b>Services and Infrastructure (Water, Schools)</b>          The Applicant asserts that it is "looking at" four sources of water to meet the Projects needs in addition to Valley Center Municipal Water District [VCMWD] water, including "ground water, rain water harvesting, grey water and reclaimed water." Apart from the existing water wells on-site for ground water, which will be subject to VCMWD guidelines that are unexplained, the Applicant is vague about the other sources and specifically how they will be employed. The Applicant says cisterns and roof collection systems are "allowed" on single-family dwellings, but does not commit to employing them. Grey water systems are an "allowed use", but there is no commitment to employ them. And, the Applicant suggests the possibility of obtaining additional treated water from the Moosa Treatment Plant, although the plant does not have tertiary treatment capability and does not produce recycled water. This is all too fuzzy for a specific plan.</p> <p style="text-align: right;">13</p>	<p>O3e-119 EIR Appendix S – Wastewater Management Alternatives describes the specific treatment processes which would be constructed for each alternative. The appendix also describes that the level of treatment will be to Title 22 requirements for unrestricted reuse. Also described further in Appendix S, disposal of residual solids (whether from the new on-site or the Lower Moosa Canyon WRF) will occur via local landfill (as is the current practice at the Lower Moosa Canyon WRF).</p> <p>O3e-120 (a) The overall project density is 2.9 units per acre. This was calculated by dividing the number of units (1,746) by the number of acres (608) in the project. The density identified in the Specific Plan conforms to General Plan Policy LU-1.7 Maximum Residential Densities, which states that residential density is determined by taking the maximum number of dwelling units permitted within the boundaries of any subdivision based on the applicable land use designation. Section I.B. of the revised Specific Plan, further describes that the actual residential density permitted by the Specific Plan is calculated by dividing the residential units contained within the "RU" zone (1,371) by the land designated "RU" which equals a density of 2.36 du/acre. This is not an overall density, as the commenter has stated. Section I.B. and Table 1 calculate and describe that the C34 zone allows for 375 units on 27.8 acres, which equals a density of 13.5 du/acre. Lastly, this comment incorrectly references 582.2 acres as part of the yield calculations. The correct acreage for the "RU" zone is 580.2 acres (608 acres minus 27.8 acres zoned C34 equals 580.2 acres zoned for RU.)</p> <p>(b) The comment incorrectly refers to 23.8 acres as the acreage for the C34 zone. The correct acreage of C34 zone is 27.8 acres. The overall density within this zone is 13.5 du/acre (calculated by dividing 375 units by 27.8 acres). Please refer to Global Response: Project Consistency with General Plan Policy LU-1.2.</p> <p>(c) The 200-bed assisted living facility is not considered a "residential" use under County land use policy and thus does not meet the criteria to be defined as density. As explained in Section II.B.6.a. in the Specific Plan, "a maximum of 200 group residential and/or Group Care units complete with the required group kitchen facilities. Because of the central kitchen this use is classified as a "Civic" use and not a "Residential" use, so these units do not count against the project density."</p>
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	<p>O3e-120 (cont.)</p> <p>(d): With respect to the comment that densities such as in the project are not comparable to the rural surrounding areas, please see subchapter 3.1.4 regarding community character. The community character of both the Valley Center and Bonsall is acknowledged as rural communities with relevant goals within each community plan addressing interest in preserving the rural character of the planning areas. Specifically, Goal 1 of the VCCP Community Character Goals is to preserve and enhance the rural character of Valley Center. The project is designed consistent with the County's Community Development Model, which contains the highest densities in the center of the community, and the lowest densities at the edges, along with many different densities and architectural styles, integrated into a cohesive community through landscaping, trails, and a Town Center to provide community focus. The Design Guidelines and other provisions of the Specific Plan assure that monotony in design is avoided. The proposed project further assures consistency with relevant policies associated with this goal through the requirement for Site Plan review. Additionally, BCP Policy LU-1.1.1 requires development in the community to preserve the rural qualities of the area. Conformance to this policy is reflected through the varied land uses proposed within the project site including different patterned homes, the maintenance of on-site agriculture within biological buffers and common areas, and small village commercial centers. Additionally, the project places the highest density of homes closest to the center of the site, furthest from adjacent agricultural operations. Developing the village in this manner would provide housing needs in a compact village design. Please also refer to the response to comment O3e-3 and Appendix W.</p> <p>O3e-121 Water supply for the project would come from the Valley Center Municipal Water District (VCMWD). A Water Supply Assessment (WSA) was prepared for the project by the VCMWD (Appendix Q of the FEIR). The WSA report evaluates water supplies that are or will be available during normal, single-dry year, and multiple dry water years during a 20-year projection to meet existing demands, existing plus projected demands of the project, and future water demands served by the VCMWD. As detailed in the WSA and in subchapter 3.1.7 of the FEIR, the project's total anticipated imported water demand would be less than the project's site's existing water</p>
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The issue of which school districts will be serving the proposed Project continues to be unresolved. The latest specific plan proposes a twelve-acre site for a K-12 school, but there is no Project Availability Form from Valley Center-Pauma Unified School District, or Bonsall Union School District agreeing to manage the school. Further, the Applicant has excluded the Fallbrook Union High School District from their current specific plan even though the Project is still partially within that district and potentially will be served by that district. The issues of school location and school district choice matter because it fundamentally affects the project's required traffic study. Are students to go to school in Valley Center and be bussed or driven over that set of highly impacted roads or are they to go to school in Bonsall or Fallbrook and be transported that way? Where traffic will be directed affects where roads will be impacted and need improvement.

O3e-122

Since neither Bonsall nor Valley Center has indicated a willingness to manage an additional school, the Applicant now suggests that "a private school may desire to acquire the site for a 'charter' school." It is further suggested that if neither a public nor private entity is interested in establishing a school, the project may just place housing on the site currently reserved for the school. How, then, are the community or other decision makers to know which roads will be impacted and by how many children (will we need to consider K-12 or just high school students) or how to evaluate the data provided in the traffic study?

**Open Space/Conservation Policies**

The Project's conservation goal of sparing the most sensitive habitats on the property presents itself well on first hearing. However, as laudable as saving sensitive habitat is [and it is required], the Project will be excavating and mounding the remainder of the Project site [that's about 1.5 cubic yards of earth moved for every square yard of the Project property]. Further, the Applicant has abandoned the notion of developing any off-site mitigation of sensitive habitat within close proximity of the MSCP PAMA. So, restoration of habitat could occur almost anywhere else but the Project site or its immediate neighborhood. This prospect is dismaying in that the destruction of habitat in Valley Center may lead to restoration of habitat elsewhere in the county without benefit to Valley Center.

O3e-123

**Circulation Goals & Policies/Street System**

The circulation goals/policies have changed little from the previous version of the specific plan, except in one respect. There is apparently no further interest in integrating private road development in the Lilac Hills Ranch Specific Plan with existing land uses in the surrounding areas and the regional transportation network. This appears to mean that the circulation system in the Project will be effectively closed except for the "Main St." bypass to West Lilac Road. This has implications for the Special Area Regulation "D" designation site plan considerations.

O3e-124

Both figures 14 [Specific Plan Map] and 24 [Project Internal Circulation Map] show what is available of the internal road system, but continue to fail to show

O3e-121 (cont.)

demand in light of water demand offsets including the use of recycled and existing groundwater. Based on the VCMWD's water supply reliability analysis contained in the 2010 Urban Water Management Plan, the WSA concludes that the VCMWD would have adequate water supply to meet and exceed expected demands for a 20-year planning horizon, including the project's water demands. In addition, the VCMWD issued an updated letter dated May 6, 2014 verifying that the conclusions of the WSA are still valid considering recent drought conditions and associated water use restrictions. This letter has been included as a cover letter to Appendix Q of the FEIR. The mix of water to be used to supply potable and landscaping supplies will be determined by the VCMWD. Chapter 3 of the FEIR describes various alternatives and analyzes the impacts of each. Rain barrels will also be allowed and encouraged. The use of either or both systems would reduce the cost of water to individual users.

O3e-122

Both districts have provided service availability letters. With respect to the comment that the school district that will serve the project is unresolved, it is incorrect. As noted in subchapter 3.1.5 of the FEIR, Chapter 3, Proposition BB was approved by voters in Fallbrook and Bonsall school districts to create a new K-12 district. A new Bonsall high school would be established by the district using existing facilities. The Bonsall Unified School District is composed of four schools all of which could potentially serve the students.

Approximately 401 acres of the project site are located within the VCPUSD. According to the PFAF, a number of schools could serve the project within this school district.

Ultimately, the provision of school services is the responsibility of the school districts. Students would attend schools in the district in which they are located if or until a school is built on-site. The districts are not obligated to build the school and would make any such determination based on need. The school site is being offered to the local districts or to potentially a private school. However, ultimately per SB 50, statutory fees are the exclusive means of mitigating school impacts.

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	<p>O3e-122 (cont.)          The traffic study (FEIR subchapter 2.3) addressed traffic impacts based on current school district boundaries which includes trips generated by the proposed school. Section 12.3 of the Traffic Impact Study analyzes the traffic impacts that would occur if the school is not built, again using current district boundaries.</p> <p>O3e-123          As discussed in the FEIR subchapter 2.5, the proposed project preserves 103.6 acres of natural habitat on-site, consisting mostly of wetlands and riparian woodlands. It is anticipated that mitigation for wetland impacts will be provided onsite through restoration and enhancement. Mitigation for upland vegetation would be provided off-site within the proposed PAMA. Consistent with the proposed North County MSCP, the location would be anywhere in the PAMA that supports the appropriate vegetation. Limiting the mitigation location to a specific location may not provide the most benefit to the resources being conserved.</p> <p>O3e-124          The comment that the private roads are not integrated with existing land uses in the surrounding areas and the regional transportation network. In particular, the commenter asserts this would mean that the circulation system in the project will be closed except for Main Street bypass to West Lilac Road.</p> <p>The proposed circulation plan for the project is shown in the FEIR, Chapter 1.0, Figure 1-7, which shows both on- and off-site road improvements. Regional access to the project would be from West Lilac Road that leads directly to the Walter F. Maxwell Memorial Bridge over I-15 providing access to this freeway and SR-76. The project can be accessed by the public from West Lilac Road and Covey Lane. Main Street provides an alternate route to West Lilac Road through the project, allowing that portion of West Lilac Road to maintain the existing centerline. The FEIR also analyzed the issue of transportation hazards with respect to the road network design for the project, and determined that impacts associated with transportation hazards would be less than significant. The overall road network design for the project would provide adequate ingress and egress for residents as well as emergency access and conform to Goal M-4. The roads within the project site were designed to accommodate emergency vehicles and allow residents to evacuate efficiently if necessary (Policy M-4.4) and the project would provide four</p>
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	<p>O3e-124 (cont.)</p> <p>connecting points to existing roads ensuring that both local and surrounding residents have alternate routes (Policy M-4.2) (FEIR, Subchapter 2.3.3.3.). The FEIR and Specific Plan, both state that the roads within the proposed project are private but are open to use by the public. The only exception to this is the senior community which is gated.</p> <p>The comment also states that the maps failing to show residential private roads in any of the residential phases and the connection of the two halves of the Lilac Hills Ranch Road in the vicinity of Covey Lane.</p> <p>The Specific Plan shows the circulation system necessary for the entire project. The street system for each phase will be designed at that time and shown on subsequent implementing tentative maps.</p> <p>With respect to the comment about the map that shows a private road arrow, the proposed project does show Lilac Hills Ranch Road, a private road, crossing an existing legal lot to re-enter the project area. That lot is owned by the project applicant. It is not included within the Specific Plan area, nor is it required to be. A Specific Plan amendment would be needed in the future should the landowner desire to add this lot to the Specific Plan.</p> <p>With respect to the comment that the request to reclassify from West Lilac Road Mobility Element Classification from a 2.2C light collector to a 2.2F light collector to divert traffic through their commercial center along 'Main Street' without regard to the existing community, this is incorrect.</p> <p>The proposed change in Mobility Element Designation from Light Collector 2.2C to 2.2F will allow the current centerline to be maintained. This will reduce impacts to residents with direct access to West Lilac Road, maintaining the current nature of that road. The County Mobility Element currently classifies West Lilac Road between Old Highway 395 and Covey Lane as a Light Collector with intermittent turn lanes (2.2C) while the segment between Covey Lane and Circle R Road is classified as a Light Collector with reduced shoulder (2.2F). Both the 2.2C and 2.2F standards require two 12-foot travel ways and two 12-foot-wide parkways (i.e., the area between the curb and the right-of-way). The 2.2F standard requires</p>
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	<p>O3e-124 (cont.)</p> <p>two-foot-wide shoulders while the 2.2C requires shoulders that are two to eight feet wide. A road built to 2.2F standards requires a narrower right-of-way which is essential in reducing the impacts of road widening on the existing adjacent homes. The south half of the road along the project boundary will be improved to 2.2F standards consistent with standard subdivision practice. A multi-purpose trail will be added as discussed in the FEIR and Specific Plan, Chapter 2.0, consistent with the Valley Center Community Plan. The analysis in the FEIR analyzes this segment of the roadway consistent with 2.2.F standards. Per the FEIR Table 2.3-1, with the Mobility Element amendment, all segments of West Lilac Road will operate at LOS A-D when the project is built out with the 2.2F classification. (The analysis of West Lilac Road without modifications can be found in subchapter 4.8 of the FEIR, Analysis of Road Design Alternative.)</p> <p>The proposed road system does follow the topography as much as is allowed and still be consistent with County road standards.</p>
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residential private roads in any of the residential phases. The maps are unclear about the connection of the two halves of the Lilac Hills Ranch Road in the vicinity of Covey Lane. The maps also show a residential private road arrow traversing over property outside the Project boundary with no explanation of right of way.

West Lilac Road forms much of the northern border of the Project and is a county mobility element road. The current specific plan changes the West Lilac Road Mobility Element Classification from a 2.2C light collector to a 2.2F light collector. It is unacceptable to make that change to accommodate the aims of the Applicant to divert traffic through their commercial center along 'Main St.' without regard to the existing community. The 2.2C light collector classification provides better traffic flow and greater traffic capacity because it includes dedicated turn lanes. These are essential characteristics for a mobility element roadway. The 2.2F light collector classification has a reduced two-foot shoulder, a rolled curb with graded pathway and a narrow right of way. Figure 25 of the specific plan shows a street section for the proposed change to West Lilac Road with an 8-foot minimum meandering pathway alongside. However, the standard should be a 10-foot minimum pathway.

The same concerns generated by earlier versions of the specific plan regarding roads that are graded to the natural contours with minimal disturbance to the natural terrain continue in this version. The lack of rural compatibility and sensibility in this specific plan extends to the residential architectural standards as well as the roads.

**Community Recreational Elements**

The trails network is somewhat changed from previous versions of the specific plan, but the trail standards for the various types of trails continue to be an issue. The Project should adopt the trail standards of the Valley Center Trails Association/County as a way of implementing consistent standards for public trails throughout the Project. The standards for the Project's 'public' trails allow the tread area to narrow to as little as 3 feet, an unacceptable width for new trails.

**Conclusion**

Surely, the Lilac Hills Ranch Project tramples far too much of the General Plan and the Community Plans to be approved. The County should instruct the Applicant to revisit those plans and conform the Project to them. The Applicant's General Plan Amendment and Specific Plan—which deviates so greatly from existing planning law—could, if approved, set a new precedent in San Diego County land use policy that overrides the intent of the General Plan and severely diminishes the authority of the community plans. The Applicant must provide the VCCPG the kinds of specific, detailed information necessary for a reasoned

O3e-124 cont.

O3e-125

O3e-126

O3e-125 The proposed trail system includes a variety of trails as described in the Specific Plan. The trail system incorporates some of the existing dirt roads to minimize the need for new disturbance of natural vegetation. The County Parks and Recreation Department has determined that the proposed trail system is acceptable.

O3e-126 The comment expresses the opinions of the commentator only. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

With respect to the comment requesting that the Applicant provide the VCCPG the kinds of specific, detailed information necessary for a reasoned evaluation, the project's FEIR includes an executive summary, six chapters of environmental analysis and 35 technical appendices. CEQA requires an EIR to provide a reasonable, good faith disclosure based on a practical analysis of environmental impacts even though others may disagree with the underlying analysis or conclusions. An EIR should provide sufficient information to enable decision makers and the public to understand the environmental consequences of a project. Reviewing courts will resolve any disputes regarding the adequacy of an FEIR analysis in favor of the lead agency if there is substantial evidence in the record supporting the EIR's approach. (Laurel Heights Improvement Assn v. Regents of California (1988) 47 Cal.3d 376.) CEQA Guidelines 15384 defines substantial evidence to mean enough relevant factual information from which reasonable inferences can be drawn.

The statement also states that none of the issues requiring resolution identified in the October 22, 2012 Valley Center Community Plan comment letter or the December 10, 2012 Planning and Development Services letter to the Applicant have been addressed. Both these letters predate the public review period of the FEIR. CEQA requires that comments on a draft EIR should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the project's

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evaluation. Most of what we have been presented so far is suggestive, contingent or conceptual with no intent to commit to a specific plan.

None of the substantive issues requiring resolution identified in either the October 22, 2012 Valley Center Community Plan comments or the December 10, 2012 Planning and Development Services letter to the Applicant have been addressed.

Those of us who have read iteration after iteration of the Lilac Hills Ranch Specific Plan are mystified. We are not seeking unusual or difficult documents. We wish merely to have this applicant produce the standard studies and analyses that all past applicants have been required to prepare so we can efficiently review the Project for compliance with the Community Plan and the General Plan. We want the Project to show respect for the General Plan and its principles. We want a project that will not destroy Valley Center, the lives of our neighbors and the entire planning process in the County.

O3e-126 cont.

**Appended 22 October 2012 Comment Letter:**

October 22, 2012

To: Mark Slovick  
Project Manager

From: Valley Center Community Planning Group

Re: Lilac Hills Ranch Specific Plan  
GPA 12-001; SPA 12-001

O3e-127

**Introduction**

On September 25, 2012, Accretive Investments submitted to the Department of Planning and Development Services [DPDS] the Specific Plan and tentative maps for their Lilac Hills Ranch Development. Subsequently the documents (Plan Text and some maps) were provided to the Valley Center Community Planning Group for review. The pages that follow provide commentary on the materials that we have in hand.

The available documents continue to be incomplete and not sufficient for a full review. Many key elements such as the Traffic Study and other technical reports are not yet available. We continue to reserve the right to make additional comments as more key documentation is released to the community. This letter

O3e-126 cont.

significant effects might be avoided or mitigated, especially specific alternatives or mitigation measures. (Guidelines 15204(a).) Since the attached letters were written before the FEIR was out for public review, the letter goes beyond the scope of CEQA and does not raise any environmental issue with respect to this document. Therefore, no response is required.

O3e-127 Title and introduction of exhibit is acknowledged.

The statement also states that none of the issues requiring resolution identified in the October 22, 2012 Valley Center Community Plan comment letter or the December 10, 2012 Planning and Development Services letter to the Applicant have been addressed. Both these letters predate the public review period of the FEIR. CEQA requires that comments on a draft EIR should focus on the sufficiency of the document in identifying an analyzing the possible impacts on the environment and ways in which the project's significant effects might be avoided or mitigated, especially specific alternatives or mitigation measures. (Guidelines 15204(a).) Since the attached letters were written before FEIR was out for public review, the letter goes beyond the scope of CEQA and does not raise any environmental issue with respect to this document. Therefore, no response is required.

and the letters dated June 11, 2012 and July 9, 2012 (both attached) should not be construed as our "one bite of the apple."

Furthermore, many of the objections contained in this letter have been raised in previous reviews. Most have not been addressed by Accretive in the new iteration of the Specific Plan and so our substantive concerns remain. We continue to be concerned as well by the lack of clarity in most aspects of the plan and with the absence key documents.

*Based on the materials available for review thus far, the Valley Center Community Planning Group is strongly opposed to the approval or construction of the Lilac Hills Ranch project. The pages that follow detail our objections to the Specific Plan. We begin by outlining seven areas that we find critically important—and that, in themselves, appear to be a strong argument for refusing the plan. Later in this document we discuss the seven objections in greater detail along with other, lesser main concerns. The seven main objections include:*

**1. The Project is too large and too dense for Valley Center and it is improperly located.** Placing 1,746 homes and 5,000 people on 608 acres with densities as high as 8.8 dwelling units per acre is simply incompatible with the rural location in which the Project has been sited.

**2. Roads and Traffic.** The nature of the roads that must carry traffic generated by Lilac Hills Ranch is one of the most fraught and difficult topics associated with this project. The area has been able to move cars across winding, two lane roads that pass through hilly landscape only because of its present lack of density. With the addition of 1,746 homes, the roads will, without extensive new road construction plus considerable widening and straightening, will be greatly challenged to handle, safely and efficiently, the additional five thousand individuals who will populate the development. The county's limited road construction budget will be severely taxed—and diverted from other pressing needs—to provide for the huge influx of automobiles created by Lilac Ranch. Questions of the cost of road construction, evacuation needs and acquisition of rights-of-way by the applicant are also extremely serious.

**3. Compliance with the General Plan** The Lilac Hills Ranch Specific Plan threatens to overturn virtually every element in the County's new General Plan adopted in 2011 after 12 years of discussion and community involvement, millions of dollars in government expenditures and countless hours of effort on the part of local citizens. If the Lilac Hills Ranch Project is allowed to proceed, one has to question if there is any development that would be rejected because it violated the General Plan. Exactly what destruction of local communities does the General Plan prevent?

**4. Services and Infrastructure-Water, Schools, Fire, Waste Treatment** Infrastructure is expensive. Putting in new roads, adding additional lanes to a

bridge, building a fire station, putting up a new school, installing sewer and waste treatment plants and building trails all cost large amounts of money. A principal reason why the General Plan Update strongly favors "compact, town center developments" while stating that it intends to limit "growth in areas without adequate roads, water and sewer service" is because of the demands on the public purse for building these infrastructure items over and over.

Lilac Hills Ranch is seeking to build a city the size of Del Mar that will require an almost entirely new infrastructure--new roads, schools, sewer systems and a broad range of other infrastructure items. That a private development could or would build this expansively strains credulity. The Valley Center Community Planning Group doubts the viability of this approach.

**5. LEEDS/ Sustainable and Walkable Community.** It is necessary for the Lilac Hills Ranch project to argue that they are at least potentially able to qualify for LEEDS certification in order to avoid the General Plan prohibition on Leapfrog Development. The project, placed as it is miles from the heart of Valley Center, violates Guiding Principle 2 and General Plan Policy L-1 which defines and governs Leapfrog Development. Leapfrog Development is defined as Village densities located away from established Villages or outside established water and service boundaries. Lilac Ranch Hills *is* leapfrog development and it cannot qualify as a LEEDS community under any reasonable understanding of the standards.

**6. Agriculture.** The General Plan Update has set aside the area where Lilac Hills Ranch would be built as a place for agriculture and other rural and semi rural uses. In contrast to the claims made by the Project proponents, the area is not characterized by *historical* agricultural activity. It is a present-day agricultural area. Avocado, citrus, cactus commercial nurseries and other farm operations are located in and around the project areas. These agricultural uses attract insect and fungal infestations which mean that aerial spraying is often necessary. Spraying would pose a danger to individuals living in the area. On the other hand, prohibiting spraying would make farming nearly impossible. Building Lilac Hills Ranch in the area for which it is currently planned would greatly damage many productive, beautiful and successful agricultural operations.

**7. Twists of meaning and lack of clarity in the plan.** One of the most difficult aspects of the Lilac Hills Ranch Specific Plan is the extent to which it makes misleading claims. They would have us believe that they are building a LEEDS or equivalent development even though Lilac Hills Ranch violates virtually all LEEDS standards, that adding 5,000 residents to a rural area actually improves traffic over narrow winding back roads, that grading and moving 4.3 million cubic yards of earth (enough to build a path 4 feet wide around the equator) preserves natural resources and habitat for animals.

**Broader Discussion of the Seven Major Problems.**

**1. Lilac Hills Ranch is too Large, too Dense and in the wrong location.** To place a city the size of Del Mar in a rural area fundamentally alters the character of the community in almost every way. It poses major problems for evacuation in the event of fire (a major issue in a community like Valley Center), complicates the provision of services and the creation of adequate roads. The development destroys the quality of life for individuals who already live in that area.

There is nothing remotely like the proposed project in Valley Center. It's size—608 acres and 1746 dwelling units plus Assisted Living facilities of an undetermined size—its density—locating up to 8.8 dwelling units per acre on land that is currently zoned semi-rural by the new General Plan allowing only 1 dwelling unit per four acres (400 of the acres) or 1 dwelling unit per 10 acres (132 of the acres)—and its location of urban densities and infrastructure in an area long reserved for rural living and agriculture are all wrong for the site they have selected.

More fundamentally, there is no need for this project in order to provide housing or services for Valley Center. Valley Center is already accepting and planning for its share of San Diego County's growth through 2030 as predicted by SANDAG. About 25% of that growth will be served by the construction of two compact Villages built along Valley Center road. Valley Center population will nearly double from its current 19,000 to 38,000. In preparation for the construction of these Villages (which are near schools, fire protection, parks and libraries), Valley Center Road has been widened and improved at a cost of \$54,000,000.

Extending sprawl and urban development into agricultural portions of the county is a mistake—and for what purpose? Valley Center is actively planning and investing in developments that do a better job of locating homes where infrastructure and people already exist.

**Roads and Traffic**

The Roads that exist in and around the site of the Lilac Hills Ranch project are decidedly small, winding and built to carry the volume of traffic associated with a relatively unpopulated rural area. The population increment that the Project proposes will necessitate extensive building, widening and reconfiguring of roads at great cost.

On October 12, 2012, the North County *Times* reported that the Board of Supervisors voted to reduce developer fees (TIF) by half. The fee rates, which have been a source of criticism from building industry leaders, were set to pay for \$900 million of expected road improvements. According to the North County *Times*, "County Officials now say \$353 million is needed to support growth

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because the county's newly approved General Plan favors compact, town-center development in rural communities and it severely limits growth in areas without adequate road, water and sewer service." Approval of the Lilac Hills Ranch stands in direct opposition to this decision. With the TIF greatly reduced, compact, contiguous development takes on even greater significance.

In addition to the need to build expensive new roads to carry traffic created by the development, the Lilac Corridor roads are a critical pathway for evacuation. In the event of a major fire or other disaster in Valley Center, the Lilac Hills Ranch development will act like a cork in a wine bottle. Its thousands of residents will clog the roads preventing the evacuation of residents who live in more central areas of Valley Center. Even costly new roads will likely not be sufficient to safely move the volume of traffic that will crowd them should evacuation be necessary.

The Specific Plan cites goals for its circulation plan that are clearly not met by the roads it would construct. The goals call for a safe and efficient circulation system but Figure 24 in the Specific Plan presents a circulation map that is highly inefficient. The connections between the northern and southern pods of the Project are tenuous. It is unclear that sufficient easements are in place to allow any connection between the north and south pods. The Project's entrance and exit in the south pod along Mountain Ridge Road is questionable in terms of legal access. Residential roads throughout the Project are only indicated by suggested starting points rather than mapped placements. It seems that the applicant is seeking the entitlements to build this Project without providing the details needed to evaluate the impact of the entitlements.

The *Traffic Impact Study* necessary to evaluate traffic and circulation impacts has yet to be provided. While it is clear that new roads will be constructed, considerable mystery surrounds what will be done and what traffic loads will be accommodated. Thus, the Specific Plan is lacking in adequate detail to enable proper analysis of the compliance of the proposed road network with county standards. In addition, the Valley Center context map incorrectly shows Road 3A as passing through the project. Road 3-A was deleted from the General Plan last year and should be removed from all maps of the area. *The Valley Center Community Planning Group asks that the Traffic study be provided at the earliest date possible because it is key to a clear analysis of traffic impacts.*

The private roads described in the Specific Plan and Master Tentative Map have several road intersection designs that pose safety concerns. Further, in the Specific Plan and Master Tentative Map the applicant is asserting legal rights to road easements on Private Roads for which the applicant likely does not have rights to access or use.

*Traffic Impact and Traffic Impact Study*

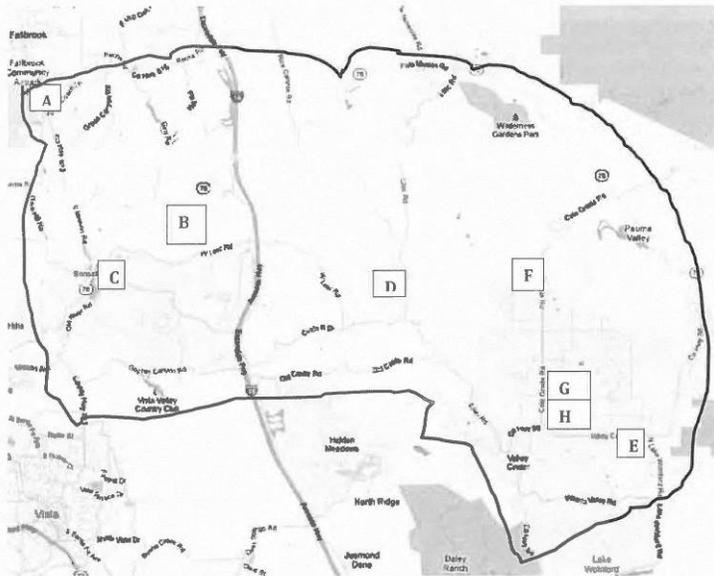
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The September 2012 second draft of the Specific Plan is the first release to the public by the County of any information that enables even rough order of magnitude (ROM) sizing of vehicular traffic generated by this proposed commuter, high density, urban development not serviced by transit facilities and nearly 20 miles from the nearest SANDAG designated Employment Center.

Using SANDAG Mixed Use Trip Generation Model V4 for Average Daily Trip (ADT) generation, it becomes apparent that approximately 31,000 average daily trips (ADT) will be generated. The 31,000 trips are *9 times* the current 3,500 ADT load that moves on Circulation element roads with current land use and residential pattern. If roads must carry this new volume of traffic they will require extensive off site public road improvements to avoid Level of Service F conditions. (See Appendix A for detail on the application of the Mixed Use Generation Model V.4)

Because of circulation patterns that will include Valley Center and Bonsall schools and other daily commutes, the Traffic Impact Study Area must include an area that covers roughly SR-76 to the north, Valley Center Road and Lake Wohlford Road on the east, Castle Creek/Gopher Canyon to the south, and East Vista Way in Bonsall to the West. The schools that may service the Project and an outline of the proposed Traffic Impact Study Area are below:



- Traffic Impact Study Area Zone
- A - Fallbrook High School
  - B - Bonsall Middle School
  - C- Bonsall Elementary School
  - D- Lilac Elementary (VC)
  - E- VC Middle School
  - F- VC High School
  - G- VC Primary School
  - H-VC Elementary School

*The Valley Center Community Planning Group requests that the County require that the Traffic Impact Study Area be as broad as indicated above and that the County release such Traffic Impact Study for Public Review immediately.*

Safety Concerns

In *West v County of San Diego et.al. 37-2008-00058195-CU-PO-NC*, the County is being sued for defective design of the intersection of Covey Lane at West Lilac Road resulting in a vehicular fatality on August 9, 2007.

The Applicant is proposing multiple traffic designs that have systemic safety issues far greater than *West* alleges. The private roads described in the Specific Plan and Master Tentative Map have multiple road intersections and designs that raise safety concerns.

For example, the Applicant's proposed use of Covey Lane as an "Interim Public Road" 600 feet from the intersection of West Lilac Road (as indicated in the Tentative Master Map) along with dramatically increasing Average Daily Trips at the intersection is a major safety issue. There is a very limited sight line at this intersection. At the level of traffic the Applicant is proposing, extensive off site improvements to West Lilac Road and the addition of a traffic signal or similar controls are likely required. The Applicant has not provided for these measures in his design.

There is an additional safety issue of major concern with the Applicant's proposed integration of the existing Covey Lane Private Road with the "Covey Lane 600 foot Interim Public Road." The merger of the existing 40' private road with the Public Road appears not to conform to road design standards.

The Applicant's proposed use of Mountain Ridge as a Private Road, 3800 feet to the intersection of Circle R Road (as indicated in the Tentative Master Map) along with increasing the average daily trips at the intersection more than two orders of magnitude, is another major safety concern. There is an extremely limited sight line at this intersection. At the level of traffic the Applicant is proposing, extensive off site improvements to Circle R Road and addition of a traffic signal or similar controls are likely required. Again, the Applicant has not provided for these measures in his design.

The Applicant's proposed 500-foot transit of Lilac Hills Ranch Road across APN 128-290-78-00 and intersecting Covey Lane (See page III-6 of the Specific Plan) and the increase in average daily trips at the intersection by more than three orders of magnitude is a major safety issue. There is less than a 100-foot sight line at this intersection. At the level of traffic the Applicant is proposing, extensive off site improvements to the existing Covey Lane Private Road and addition of a traffic signal or similar controls are required, unless the Applicant is proposing an elevated bridge.

The use of traffic circles (at these dimensions and traffic volumes the Institute of Traffic Engineering defines these as Traffic Circles, not "Roundabouts") to merge

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the Applicant's proposed "New West Lilac Road" with the existing West Lilac Road as indicated in the Tentative Master Map appears more driven by the desire to minimize the amount of land dedicated to public road use and the avoidance of the non-recurring and recurring cost of traffic signals than it does with public safety. There is a safety concern with this proposed use of traffic circles because of the lack of information and experience and documented safety data for similar designs in San Diego County. The Valley Center Community Planning Groups asks that the County perform Safety and Traffic Load analyses of these Traffic Circles as designed and release the results to the Public for review at the earliest possible date. In fact, the Valley Center Community Planning Group requests that the County perform Safety and Traffic Load analyses on all of these safety concerns and share them with the public at the earliest possible date.

*Legal Rights for Private and Public Road Easements.*

On February 7, 2011, the County issued the Applicant the following instructions regarding Easements in the Pre Application Scoping Letter MPA 10-25:

**4. Off-Site Grading for Public and/or Private Road Improvements**

To allow for public and/or private improvements for areas outside the boundary of this subdivision along Interstate 15, Old Highway 395, West Lilac Road, proposed Mobility Element Road 3A, Birdsong Drive, Covey Lane, Mountain Ridge Road, Nelson Way, Rodriguez Road, and other roads in the vicinity of the project site, the following shall be completed:

It is the applicant's responsibility to provide suitable evidence that offsite improvements including grading, dedications, grants (if any), and easements can be accomplished without resorting to County of San Diego assistance. This evidence can be provided in several forms (provide a letter of explanation with the below forms) used:

- A Title Report showing applicant has the right to construct improvements along with a Title Company Guarantee (\$20,000) acknowledging those rights;
- Recorded Grant Deed or Recorded Right To Purchase for the area where improvements are to be constructed;
- Other evidence satisfactory to the County that clearly shows an existing and continuing right to construct the required improvements.

The applicant's evidence must also show the ability to have any existing utility easements subordinated to the new Public Easement (if any) as per County Subdivision Ordinance. The foregoing must be accomplished to the satisfaction of DPLU and DPW prior to DPW writing final requirements for this project.

Provide a Map, to Engineer's scale, which clearly indicates any off-site road Easements/Dedications/Letters of Permission to Grade/Improve to be acquired, existing I.O.D.s, existing Public Road Easements, etc. Letters of Permission to Grade/Improve must be notarized. Please note that existing off-site road easements may need to be expanded to accommodate road widening required by the project. The ultimate right-of-way width required would be determined through the results of a traffic study.

A coalition of concerned property owners and a surveyor retained by the property owners have done extensive research into road easements asserted by the Applicant in the Specific Plan (SP) and Master Tentative Master Map (TM).

In the Master Tentative Master Map, we believe that the Applicant has placed Roads in locations for which he has no Legal Rights. Those roads are:

1) *Mountain Ridge Private Road*. On Sheet 8 of the Temporary Map and in the Specific Plan, the Applicant has indicated the implementation of future road improvements and use of Mountain Ridge as a private road for purposes of traffic circulation for his Development. On Sheet 2 "Existing Easements" and Sheet 3 "Easement Notes", the Applicant has referenced no road easements for use of Mountain Ridge beyond the boundaries of his proposed subdivision. Detailed

analysis of the Title for APN's 129-300-09 and 129-300-10 has indicated that there are no Easements for usage of Mountain Ridge from the proposed Subdivision Boundary and 3800 feet southerly until the intersection with Circle R Road.

The Valley Center Community Planning Group requests that the Department of Planning and Development Services [DPDS] obtain Certified Legal Road Easements from the Applicant for Mountain Ridge consistent with Item 4 in the 2/7/11 Letter MPA 10-25 and release the information for public review in the near future.

2) *Six hundred foot Covey Lane west of West Lilac as a public road.* On Sheet 8 of the Tentative Map and in the Specific Plan, the Applicant has indicated the implementation of a future approximate 600-foot Covey Lane Public Road for purposes of connecting West Lilac Road to his proposed Subdivision on APN 129-010-68 of his proposed Subdivision. On Sheet 2 "Existing Easements" and Sheet 3 "Easement Notes", the Applicant makes no claim of an existing Road Easement Right for this location.

3) *Irrevocable Offer to Dedicate.* On Sheet 8 of the Tentative Map and in the Specific Plan text the Applicant refers to an "Existing 30-foot Irrevocable Offer To Dedicate" and indicates moving water meters and fences on APN's 129-010-83 and 129-010-84 which are privately owned and outside the Applicant's proposed Subdivision.

An Irrevocable Offer to Dedicate (IOD) to dedicate 30 feet of road easement was offered to the County and rejected for use August 29, 2000 via Subdivision Map TM 18536. The IOD granted and rejected by the County does not fully connect to the east to West Lilac Road. Additionally this IOD probably conflicts with the Covey Land 40 foot Private Road Easement Agreement 79-539700 recorded December 28, 1979.

Accretive does not have legal rights for the "Covey Lane (Pub) road depicted in Sheet 8 of TM5571 RPL 1. The IOD for an approximate 30 feet of road easement is property of the County and Accretive cannot use these rights without resorting County of San Diego assistance, violating a condition previously imposed on Accretive by the County.

There is no valid IOD for the "COVEY LANE (PUB)" as represented by the Applicant on Sheet 8 of TM 5571 RPL 1. If there is a valid IOD, it would be property of the County of San Diego, not the Applicant.

The Valley Center Community Planning Group requests that the Department of Development and Planning Services obtain Certified Legal Easements from the Applicant that enable the 600-foot Covey Lane Public Road consistent with Item

4 in the 2/7/11 Letter MPA 10-25 and release the information for public review in the near future.

4) *Covey Lane Private Road Easement*. Extensive research has concluded that the 40-foot Private Road Easement for Covey Lane was created by Private Road Easement Agreement 79-539700 recorded December 28, 1979, and has not been modified or superseded.

While the Applicant has rights as an "heir or assignee" to this 12/28/79 agreement for properties that he owns, there are eleven other current "heirs and assignees" that would need to grant the Applicant additional rights to use Covey Lane as the Applicant has described in the Specific Plan and represented in the Temporary Map.

Therefore, the Applicant does not have the right to overburden Covey Lane with any traffic from the Applicant's proposed Subdivision, including intersecting Covey Lane with Lilac Hills Ranch Road as proposed on SP page III-6 Item 2 "Private Roads" b) "Off-site Private Road Improvements" i) "Lilac Hills Ranch Road."

The Valley Center Community Planning Group requests that the DPDS obtain Certified Legal Easements from the Applicant for Covey Lane Private Road consistent with Item 4 in the 2/7/11 Letter MPA 10-25 and release the information for Public review in the near future.

5) Rodriguez Road – Property Owners have not yet done an assessment of Easement Rights asserted by the Applicant on the Rodriguez Private Road.

The Valley Center Community Planning Group (VCCPG) requests that the DPDS obtain Certified Legal Easements from the Applicant for the Applicant's intended use of Rodriguez Road (Private) consistent with Item 4 in the 2/7/11 Letter MPA 10-25 and release the information for Public review in the near future.

#### **Compliance with the General Plan**

The San Diego County General Plan is based on 10 guiding principles. It is difficult to understand why the Lilac Hills Ranch is receiving such serious consideration when it appears to violate each of them. The 10 are:

#### **Guiding Principles**

The General Plan maps, goals and policies, and implementation programs are based on a set of ten interrelated principles that provide guidance for accommodating future growth while retaining or enhancing the County's rural character, its economy, its environmental resources, and its unique communities. The ten Guiding Principles are:

1. Support a reasonable share of projected regional population growth.

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2. Promote health and sustainability by locating new growth near existing and planned infrastructure, services, and jobs in a compact pattern of development.
3. Reinforce the vitality, local economy, and individual character of existing communities when planning new housing, employment, and recreational opportunities.
4. Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County's character and ecological importance.
5. Ensure that development accounts for physical constraints and the natural hazards of the land.
6. Provide and support a multi-modal transportation network that enhances connectivity and supports community development patterns and, when appropriate, plan for development which supports public transportation.
7. Maintain environmentally sustainable communities and reduce greenhouse gas emissions that contribute to climate change.
8. Preserve agriculture as an integral component of the region's economy, character, and open space network.
9. Minimize public costs of infrastructure and services and correlate their timing with new development.
10. Recognize community and stakeholder interests while striving for consensus.

To anyone who has carefully read the Accretive submission, it appears that they have designed a project that would violate each of these ten principles. Their Specific Plan only purports to address and show consistency with the goals of the General Plan. The project is not located near existing or planned infrastructure, services and jobs in a compact pattern of development (#2). The proposed project is compact only in the sense that 1746 units are compressed into a 608 acre project site which is presently zoned for around 110 units.

The Project certainly does not reinforce the vitality and individual character of the existing community (#3) in the area the proponent has selected. The west of Valley Center is and has long been an area of agriculture and rural homes. The building of schools and homes would take away those uses. The aerial spraying that often accompanies and is necessary for robust plant growth would have to stop if confronted with dense residential development.

The Lilac Hills Ranch Specific Plan does not promote environmental stewardship that protects the natural resources of the region nor ensure that development accounts for the physical constraints of the land. (# 4 and 5). The Project will move 4.4 million cubic yards of earth on a 608-acre site destroying land contours and natural resources and not respecting the physical constraints of the land. Cutting and filling, on average, one and a half cubic yards of earth for every square yard of the project's surface is not a recipe for the Applicant to "integrate, maintain, or preserve" the major physical features of the site nor "preserve natural resources...and enhance connectivity to community development patterns". The results will be to completely disturb and reshape the landscape to suit the high density of housing proposed leaving only narrow corridors for wildlife transit and connectivity.

There is no multi-modal transportation network that enhances connectivity. The project will require its residents to commute to jobs in San Diego or Temecula thereby adding to Greenhouse gases. (#6 and 7) The commercial areas of the development will generate only a small number of low-paying retail jobs and even fewer relatively low-paying senior health/maintenance jobs. Few, if any, of these jobs would be capable of supporting a mortgage on the housing the applicant proposes to build. There will be increased daily trips for these workers as they travel to and from their homes and for residents of Lilac Hills Ranch as they commute to employment centers in Escondido, Temecula, Vista, and Oceanside. The 75,000 square feet of commercial mixed-use space will not provide the array of services and retail opportunities required by a Del Mar-sized town of over 5000 residents. And, that makes this project one that distinctly does not encourage "non-automobile mobility."

The Project certainly will not preserve agriculture having selected as its site one of the richest agricultural regions of Valley Center nor will it minimize public costs of infrastructure and services. (# 8 and 9). Although the Applicant claims in the Specific Plan to have "worked" collaboratively with the Valley Center Community and in fact that "the project was extensively redesigned in response to the comments and issues raised during the meetings and workshops held over the past several years", this is simply not so. To the contrary the applicant has cherry picked supporters and held "private" meetings while specifically excluding those who question the project, some of whom are the community's elected officials. (#10)

The Lilac Ranch Specific Plan raises major questions about the extent to which the County of San Diego values and is prepared to defend its General Plan, 2011.

#### **Services and Infrastructure (Water, Schools, Fire, Waste Treatment)**

Lilac Ranch will require virtually all new infrastructure. We have considered roads at considerable length and noted the problems associated with them. Much the same picture applies to schools, water, fire protection and waste treatment.

*Schools.* It is unclear where students who live in Lilac Ranch will attend school. The Specific Plan notes that there will be an 11.2-acre site on which to build a K-8 school. Despite the claims made by the applicant, there is no Project Facility Availability Form from Valley Center-Pauma Unified School District, Bonsall Union School District, or Fallbrook Union School District attached to the Specific Plan. There is no indication of support from any district for the suggestions made in the Specific Plan.

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If a new school was built, none of the three districts has indicated interest in managing the new facility on the Project site. Valley Center-Pauma USD has one school that is presently vacant and so, certainly, adding a remote school site to Valley Center-Pauma would constitute a substantial and unnecessary expense for that school district.

If no school is built in Lilac Ranch Hills, students would either be bussed or transported by parent to existing schools, not only for grades K-8 but also for grades 9-12. Such an arrangement would have an impact on district bussing costs. It would also impact traffic flows through the Valley Center and Bonsall/Fallbrook areas and must be addressed in the traffic study for the Project. It appears that a new school in the project is not sought by any of the neighboring school districts but it would serve to reduce trips across roads ill equipped to handle them. As in other aspects of the project, exactly how primary education will be managed remains unclear and likewise the impacts associated with moving students to schools in nearby communities are undefined.

*Fire.* The Lilac Hills Ranch Fire Protection Plan relies on the Deer Springs Fire Protection District (DSFPD) and CALFIRE to provide fire protection. According to the DSFPD Project Facility Availability Form in the Appendix of the Specific Plan, there is no fire protection available for the Project for the next five years (the length of time for consideration called out by the form). Further, the applicant has measured the emergency response times from the CALFIRE Miller Station adjacent to the Project. However, that station is seasonally manned and does not have assigned paramedic units. DSFPD says the correct primary response station is Station 2 on Circle R Road which is five miles distant from the primary entrance to the Project, making emergency response considerably longer than the time required by law.

*Water and Waste Water.*<sup>1</sup> The Applicant suggests that the Valley Center Municipal Water District (VCMWD) is able to serve the Project but mentions none of the conditions or limitations contained in the Project Facility Availability Form in the Appendix of the Specific Plan. They cited several conditions that are not specifically addressed in the Specific Plan. The applicant continues to suggest that recycling wastewater for use irrigating landscaping is only a goal but VCMWD has said it is a requirement. The Plan should acknowledge this requirement. The applicant says the Project will supplement recycled water with well water, claiming that 90% of the neighboring properties don't use well water since they are served by VCMWD. However, those neighboring property owners may be using well water as a supplementary source for irrigation of agricultural crops just as the applicant proposes.

<sup>1</sup> The Valley Center Planning Group was notified 22 Oct 2012, that the Valley Center Municipal Water District voted to provide water to the proposed Lilac Hills Ranch project pursuant to the conditions listed in their Project Facility Availability form.

Since the Valley Center Municipal Water District (VCMWD) has indicated that it does not have the facilities near the site to serve the project within the next five years (see Specific Plan Appendix, Project Facility Availability Form – Water), the applicant will have to build new pipelines, treatment and recycling facilities to serve the Project. While LEED 2009-ND allows for such construction, the intention of the standard is to allow it in urban infill areas to extend existing infrastructure. In this case, the new construction is being proposed for a green field, rural agricultural area, which is expressly discouraged by LEED 2009-ND.

Again in this section of the Specific Plan the applicant continues to use equivocating language that suggests recycling of wastewater for onsite irrigation "... could possibly then be used to irrigate all of the common areas, front and rear yards of residential homes and potentially be available as a backup water supply system in the event of major fires." The question becomes, will it happen or not? The language suggests, at the very least, there is much uncertainty whether or not such a system will be in place. However, VCMWD has said it must be in place in order to meet the water demands of the Project.

The Project will not build a wastewater treatment plant during the initial phases of development. The initial proposal was that wastewater would be collected and trucked to an offsite facility for treatment, making it unavailable for use as irrigation water. This procedure would have added numerous daily trips to and from the Project, trips which could go on for a lengthy but undetermined period. The most recently revised map now proposes installing a temporary 26,000 foot (5 miles) four inch (4") force main sewer line where effluent will be pumped from a temporary pumping station in Phase I. The temporary force main will be buried two to three feet below current grade, transiting from Phase I, southerly through the project, across Mountain Ridge and then down Circle R to the Moosa Canyon treatment plant. There is a significant risk to sensitive habitat and streams if there is a break or rupture in the line. The Waste water Treatment Plan and Recycling Facility is currently planned for construction in phase 3. To avoid environmental damage, phase three, or at least the Water Treatment Plant and Recycling Facility should be moved up the priority list for construction.

There are other facilities and services that Lilac Hills Ranch will require— recycling, emergency medical services to name but two—but the pattern of problems is the same. Public agencies are unable to provide the required service within the foreseeable future and the Project is unclear about how it will proceed under the conditions that the Project confronts. These problems are not unexpected in a project that seeks to create so many facilities and services on such a large scale.

**Leeds and Sustainable/Walkable communities.**

It is necessary for the Lilac Hills Ranch project to argue that they are at least potentially able to qualify for LEEDS certification in order to avoid the General Plan prohibition on Leapfrog Development. The project, placed as it is, miles from the heart of Valley Center, violates General Plan Guiding Principle 2 and General Plan Policy L-1, which defines and governs Leapfrog Development. Leapfrog Development is defined as Village densities located away from established Villages or outside established water and service boundaries. Leapfrog Development standards do not apply to new villages that are designed to be consistent with the Community Development Model, that provide necessary services and facilities and that are designed to meet the LEED-Neighborhood Development Certification. The LEEDS-ND 2009 standards are important for Lilac Hills to reach so that it will not be considered (and prohibited) as leapfrog development. The criteria for LEEDS certification are as follows:

• **LEED 2009 for ND Project Checklist:**

- Prerequisite 1- Smart Location
- Prerequisite 2- Imperiled Species and Ecological Communities
- Prerequisite 3 - Wetland and Water Body Conservation
- Prerequisite 4- Agricultural Land Conservation
- Prerequisite 5- Flood Plain Avoidance
- Preferred Locations 10 pts
- Locations with Reduced Automobile Dependence 7 pts
- Housing and Job Proximity 3 pts
- Steep Slope Protection 1 pts
- Site Design for Habitat or Wetland and Water Body Conservation 1 pt
- Long-term Conservation Management of Habitat or Wetlands/ Water Bodies 1 pt

The LEED 2009 for Neighborhood Development web-site says, " *This rating system is designed primarily for the planning and development of new green neighborhoods, whether infill sites or new developments proximate to diverse uses or adjacent to connected and previously developed land. Many infill projects near transit will be in urban areas, which help direct growth into places with existing infrastructure and amenities.*

It is clear from this list of standards and explanation that Lilac Hills Ranch is not truly designed with any of them in mind. Their Specific Plan does claim to be LEED 2009-ND compliant but fails to meet the prerequisites for the first 5 categories of compliance. The quote from the LEED 2009 Neighborhood Development Rating System suggests that the applicant does not understand the requirements for a LEED 2009-ND project. The Smart Location and Linkage prerequisites include smart location, avoidance of imperiled species and ecological communities, wetland and water body conservation, agricultural land conservation and flood plain avoidance. This project fails to meet four of the five prerequisites for a green LEED 2009-ND project. Regardless of how much the

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new construction addresses green processes and materials, it fails to meet the basic location requirements.

With regard to the structure of neighborhoods, Leeds guidelines say, *"The neighborhood, as laid out in LEED-ND, is in contrast to sprawl development patterns, which create pod-like clusters that are disconnected from surrounding areas."* The Lilac Hills Ranch Project is characteristic of sprawl development by being proposed for current agricultural lands, making extensive grading alterations that will disturb both agriculture and wildlife, and impinging on wetlands with roads and urban runoff. It's one achieved prerequisite is that it is not proposed for a flood plain. The three pod-like "neighborhoods" of the Project are barely connected in terms of distance and boundaries. Questions regarding roads and transit access make the claim for smart location even harder for this Project to achieve. The Project site is not a preferred location under the evaluation criteria. Many of the other claims for compliance with LEED ND requirements are misinterpreted or incorrect.

The guidelines continue, *"This compact form of development will locate housing close to retail, services, schools, and jobs, allowing for the preservation of an increased amount of open space, natural habitat and agriculture that will contribute to the retention of the rural setting and lifestyle of the adjacent community."* The footprint of the Lilac Hills Ranch project is not compact by any measure. And, rather than preserving more open space, it is doing the opposite by proposing to build with urban density on existing green field agricultural and low density residential land. And, thereby, destroying open-space and the rural setting and lifestyle that it purports to preserve.

The goal of a mixed-use pedestrian-oriented sustainable community is defeated from the start by the stretched, amoebic shape of the Project which extends from north to south for over two miles and from east to west for over three quarters of a mile. Further, the Project is nearly severed near the middle by properties not included in the Project. This shape drives the developer to make three "community nodes" to claim walkability distances of the recommended half mile radius. However, taken together, the Project inhabitants will have to walk well over a mile to get from end to end of the Project. The three commercial nodes for a walkable community would not be necessary if the project area was more regular and compact rather than stretched out and discontinuous.

The two smaller commercial "neighborhood centers" seem intended to address the 'walkability' requirement of the LEED 2009-ND standards. However, neither of these centers will be adequate to satisfy the needs of prospective residents, requiring them to travel, likely by car, to other stores most likely outside the project to a distant commercial zone

The claim that Lilac Ranch Hills augments the area adjacent to I-15 is incorrect. This Project will supplant an existing agricultural/rural residential low-density

usage with a high-density, urban pod development that relates to nothing surrounding it. The commercial/mixed use areas will not provide enough employment or the quality of employment needed by residents to significantly reduce average daily trips. Neither will those commercial areas significantly reduce trips for residents outside of the Project because there will not be the diversity of services needed to accomplish that goal. In the end, this Project fails to balance population, housing needs, open space, agriculture and infrastructure because it attempts to create an isolated urban project with an outsized population density compared to the area now, with only a shadow of an acknowledgement of the present agricultural and open space uses.

There are no circumstances under which the presently proposed project can successfully "incorporate and encourage low impact development and sustainable practices" at the proposed Project site. At every turn, this Project will have tremendous impacts on the current and planned Lilac Triangle agriculture and rural residential uses because its proposed urban structure is inherently incompatible with present uses and development patterns.

The applicant refuses to acknowledge those impacts and instead wants to mitigate them by offering up token patches of orchard and remnant strips of open space. To accomplish this urbanization of the Lilac Triangle, will require the applicant to install urban services onsite, none of which fulfill the intent of low impact and sustainable development practices. *The applicant is planning to build the entire infrastructure needed to support such a large and dense project because none of it presently exists*, a condition that runs counter to the requirements of LEED 2009-ND and virtually all other serious green and sustainable building standards. Those are standards the San Diego County General Plan purports to support. Recycling centers, schools, recreational facilities, roads, and utilities are all the sorts of infrastructure that exist in the County's incorporated cities and are desirable for the kind of infill development that this Project should be. To build new infrastructure for this kind of Project defeats the entire concept of green and sustainable development and makes a mockery of County support for green and sustainable development.

### **Agriculture**

The Project calls the Lilac Triangle an area of "historical agricultural activities" but the chart presented below indicates that Agriculture is flourishing in the area today. The Britsch cactus farm ships rare specimens all over the world and provides high-grade cactus to numerous retail operations. Archie's Acres produces organic produce and trains returning veterans, many of whom have Traumatic Stress Disorder, in organic and hydroponic techniques that provide both therapy and a means of useful employment. Citrus, avocados, tropical plants, proteas and eucalyptus, palms, tangerines, flowers, pomegranates, and orchids all flourish in the area.

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Modern technology could enhance agriculture here as well. The remoteness of the area lends itself to solar arrays and wind generation, both quite compatible uses in agricultural area. Grapes for wine—a new industry in Valley Center—could also thrive on the hills and steep slopes of this area.

Without question, it is the intention of the Valley Center Community and the Valley Center Community Planning Group that the rugged, remote and fire prone areas in its western areas should remain as large parcels in agriculture while the core of the town—represented by the North and South Villages—should accept planned development and services.

Lilac Ranch Hills will not augment the area adjacent to I-15. This Project will supplant an existing agricultural and rural residential low-density usage with a high-density, urban pod development that relates to nothing surrounding it. It will have tremendous impacts on current and planned Lilac Triangle agriculture and rural residential uses because its proposed urban structure is inherently incompatible with present uses and development patterns. Why should area farmers give up their livelihood to allow a high density, high impact project? Why should taxpayers support the creation of new infrastructure built almost from scratch that destroys the areas natural features?

The map below, painstakingly created by a Valley Center resident marks with pink and yellow flags many of the areas of active agriculture in and in the immediate vicinity of the Lilac Hills Ranch project. There are more than 100 of them that range from small family businesses to major commercial agricultural enterprises. Following the map is a list the growers currently active in the area of Lilac Hills Ranch



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Location	Agricultural Product	Owner/Business Name
1	Cactus	Britsch - Western Cactus
2	Avocados	Purdy
3	Lemons/Avocados	Covey Farms
4	Avocados	Accretive
5	Figs	Padilla Guadalupe
6	Cactus	Richard Thompson
7	Avocados	Accretive
8	JR Organic Farms (Produce)	Accretive
9	Flowers	
10	Avocados	
11	Proteas	Accretive
12	Worm Castings	
13	Flowers	LaChapelle
14	Avocados & Palms	
15	Wholesale Nursery & Green Houses	
16	Flowers	
17	Avocados	
18	Cactus	Far West
19	Cactus & greenhouses	Altman Plants
20	Avocado Groves (very large grove)	
21	Avocados & citrus	
22	Avocados (Calavo growers)	
23	Avocados	
24	Cactus & succulents	
25	Tropical Plants	Ben's Subtropicals
26	Proteas & Eucalyptus	
27	Greenhouse - succulents	
28	Flowers	
29	Avocados & citrus	
30	Organic Produce & Hydroponic G.H.	Archies Acres Farms
31	avocado	
32	palms (shade cloth greenhouses	
33	avocado/citrus	
34	citrus	
35	king palms	
36	avocados	
37	avocados	
38	succulents & green houses	
39	tangerines	
40	avocados	
41	citrus	
42	avocados	
43	avocados	
44	flowers	
45	JR Organic Farms (Produce)	

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46	greenhouses	
47	avocado, citrus & flowers	
48	avocados	
49	avocados & kiwis	
50	avocados	
51	avocados	
52	avocados	
53	produce	
54	flowers	
55	avocados	
56	flowers	
57	produce	
58	avocados	
59	avocados	
60	avocados	Kamp Kuper Youth Retreat Ctr.
61	avocados	
62	pomegranates/avocados	
63	cactus/green houses	
64	Avocados/pomegranates/ loquats	
65	avocados	
66	avocados	
67	pomegranates	
68	palm nursery	
69	avocados	
70	avocados	
71	Wholesale Nursery	
72	Palm Nursery	
73	Eucalyptus	
74	avocados	
75	avocados	
76	avocados	
77	palm nursery	
78	green houses	Euro American
79	avocados	
80	avocados	
81	avocados	
82	avocados	
83	palm/cactus/ornamentals	Poncianos nursery
84	avocados	
85	avocados	
86	avocados	
87	avocados	
88	avocados	
89	avocados	
90	avocados	
91	avocados	
92	avocados	
93	quarry (rocks)	

94	avocados	
95	palm nursery	
96	orchids	Reids Orchids
97	flowers	
98	citrus	
99	citrus	
100	avocados	
101	Sunnataran Residence	Retreat

**Twists of meaning and lack of clarity in the plan**

As is apparent from what has already been presented, The Lilac Hills Ranch plan is not what it purports to be. Arguments the plan advances seem to assume that making an assertion gives it truth. They talk about “sustainability”, environmental sensitivity, being compatible with the surrounding community, preserving significant portions of the existing on site resources, being a LEEDS-ND community, being compatible with the San Diego County General Plan’s ten guiding principles. Close examination of what they actually intend to do makes it clear that what they say and what is actually planned are quite different.

For example, the Plan says, *“The overall objective is to provide an environmentally sensitive, residential community compatible with the character of the surrounding area while preserving significant portions of the existing on-site sensitive resources, including eighty-five percent of the wetlands in open space easements.”* (See p. 41, ll-3) This statement is absurd given the degree to which the applicant intends to modify the environment and character of the area (from agricultural and natural to urban; from rolling hills and steep slopes to artificial contours; from one dwelling unit per 2,4, & 10 acres to as many as 8.8 dwelling units per acre.)

Quoting from the General Plan that “sustainability is a key theme” and making that a goal of the Project merely mouths the words without delivering a design that addresses sustainability for a rural, agricultural site.

They argue that adding 1746 homes and 5,000 residents to a rural back country area will improve traffic and they take as part of their planning for circulation, roads that they have no entitlement to use.

While the material that has been released indicates that there will be 1746 homes, there will also be 200 patient beds in the Assisted Living Facility—which will be *in addition to* the 1746 units. These beds will have a significant impact on traffic because of visitation, staff and deliveries.

They distort their claims when distortion is helpful to the argument. They claim, for example, that the project site is one-half mile from the I-15 without noting that

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road construction along the route the crow files is impossible because of a mountainous ridge which would make any road that accessed the I-15 *considerably* longer than ½ mile.

They talk about a "walkable village" when the site spreads over two square miles and requires three retail nodes in order to be even remotely walkable. The applicant has taken the position that such an oddly shaped and sized Project is "compact" and "efficient". But this is merely the kind of false speak that attempts to misdirect attention from reality

The applicant is planning to build the entire infrastructure needed to support such a large and dense project because none of it presently exists, a condition that runs counter to the requirements of LEED 2009-ND and virtually all other serious green and sustainable building standards. Yet they claim to be LEEDS 2009 ND compliant.

The Project will generate only a small number of low paying retail jobs and the 75,000 square feet of commercial mixed use space will not meet the community's shopping needs. The Project, counter to the assertions of Lilac Ranch Hills planners, distinctly does not encourage non-automobile mobility.

There are also problems with the slope calculations that are contained in the Specific Plan.

• **Land Use Plan** – As can be seen in the slope map below, the



assertion by the applicant that the Project site consists of "gentle topography" and that "97.6% of the property is less than 25 percent slope per the Resource Protection Ordinance (RPO) steep slope calculations" is incorrect and must be recalculated by County staff. Slopes that are mapped with 10 foot contours show many fewer 25% slopes than do County Standard slopes and this is exactly what Lilac Hills Ranch Planners have done.

Beyond concerns expressed here about what we have been told, there are issues of concern in the information that has yet to be supplied. We have mentioned the lack of a Traffic study, which is critical to understand the roads, but much else is missing. For example, we have not yet seen a Soils Report. There is the potential for blasting on the site that will last for an undetermined period of time (Will it be 6 days or 6 months?) Given that this area has granite rock, putting substantial amounts of silica into the air has serious health implications. The Soils Report will help determine the impact of moving 4.4 million cubic yards of material. It is important to identify the soil material, understand how it will be distributed, blasted or placed and to determine compliance with County Grading Standards.

How will grading be phased and balanced? Is imported material needed to complete the grading project? If so, what material will be brought to the site and where is it coming from? Letters of permission to grade appear to be identified but not yet obtained, which means final grading and impacts on adjoining

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properties have not yet been identified and it is difficult to determine if changes will need to be made to the plans. We ask the applicant to provide grading plans to show finished grade elevations.

What is the life of the temporary sewer pump station and the end date of its use? Due to phasing, it is possible that the temporary sewer pump station and force main could be in place for years before a permanent facility is brought on-line and the temporary line removed. The Force Main sewer line is approximately 26,000 feet (5 miles) at a depth of 2 to 3 feet below existing grade. How does this relate to phased grading? How does this relate to open spaces and other sensitive areas etc.? The Valley Center Community Planning Groups asks that the County provide construction plans for the force main sewer line.

When will Sewer Treatment Facilities be built and in what phases? (Typically all must be installed and operating with finished roads before homes can be built). Answers to these concerns are important in that the force main could be in place for years before building a treatment facility. We should be able to see that treatment plant will be built in an appropriate phase and time.

How will migratory corridors be maintained? Please identify blue line streams, vernal pools and habitat.

Because of the Porter – Cologne Act (California State Water Control Protection Act) we are requesting the SWPPP (Storm Water Pollution Prevention Program) plan and an explanation of how it relates to all phases of development. We would also like to see plans for compliance with the Porter-Cologne Act, NPDES (National Pollution Discharge Elimination System), RWQCB, AQMD and SWPPP.

Please provide both wet and dry utility plans along with offsite and onsite plans and identify wells that will be used in conjunction with the wet utility plan.

### Conclusion

This is the wrong location for this many homes.

It will create an urban traffic gridlock area. It will destroy agriculture and sensitive ecological habitats. It borders rural lands and is within 1 ½ miles of the Rancho Lilac Conservation Area recently purchased by the state of California for Habitat Destruction Mitigation.

The cost of providing infrastructure in this remote region with challenging topography is economically infeasible for the developer. In order for this development to proceed, it will require large public subsidies in the form of county sponsored long-term financing, infrastructure financing districts (IFD) or assessment districts (AD). These financing methods shift the cost of direct development impact to other area residents or to the county at large.

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On page IV-12, Item 3 of the Specific Plan the applicant makes the statement that no one outside the development will pay for Lilac Hills Ranch infrastructure improvements. The applicant then enumerates an itemized request in Table 8 for a very large helping of public subsidies in this version of the Specific Plan, strongly telegraphing that this development is not economically feasible if the developer has to pay for his direct development impact

The proposed development is not in the best interests of the citizens of San Diego County.

**Appendix A – Road Capacity- SANDAG Mixed Use Trip Generation Model V4 for Average Daily Trip (ADT) Generation**

**Section 3 - Trip Generation**

	Quantity	Units	Trip Equation Method (if applicable)
<b>Residential</b>			
Estate, Urban or Rural		DU	
Single Family Detached	1400	DU	
Condominium	346	DU	
Apartment		DU	
Mobile Home (Family)		DU	
<b>Retail</b>			
Super Regional Shopping Center		ksf	Average Rate
Regional Shopping Center		ksf	Average Rate
Community Shopping Center	85	ksf	
Neighborhood Shopping Center		ksf	
Specialty Retail / Strip Commercial	0	ksf	
Supermarket		ksf	
Drugstore		ksf	
Bank with Drive-Thru		ksf	
Discount Store		ksf	
<b>Restaurant</b>			
Quality		ksf	
Sit-down, High Turnover	0	ksf	
Fast Food (With Drive-thru)		ksf	
Fast Food (Without Drive-thru)	0	ksf	
Delicatessen (7 AM - 4 PM)		ksf	
<b>Office</b>			
Standard Commercial Office	0	ksf	Fitted Curve
Large Commercial Office		ksf	Fitted Curve
Office Park		ksf	
Single Tenant Office		ksf	
Corporate Headquarters		ksf	
Government (Civic Center)		ksf	
Post Office (Community, w/mail drop lane)		ksf	
Medical-Dental		ksf	
<b>Industrial</b>			
Industrial / Business Park (with commercial)		ksf	
Industrial / Business Park (no commercial)		ksf	
Industrial Plant		ksf	

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	Manufacturing		ksf	
	Warehousing		ksf	
	Storage		ksf	
	Science Research & Development		ksf	
<b>Lodging</b>	Hotel (w/convention facilities, restaurant)	20	Occ. Room	
	Motel		Occ. Room	
	Resort Hotel		Occ. Room	
<b>Misc. Uses</b>	Movie Theater	0	seat	
	Religious Facility	7.5	ksf	
	Gas Station (w/Food Mart and Car Wash)		Pump	
	Hospital	20	Bed	
	Convalescent / Nursing Facility	200	Bed	
	Library		ksf	
	Park (developed with meeting rooms and sports facilities)	25.5	acre	
	Transit Station (Light Rail with Parking)		occupied pkg space	
	Park & Ride Lot		occupied pkg space	
<b>Education</b>	University	210	Student	
	Junior College	125	Student	
	High School	349	Student	
	Middle / Junior High	165	Student	
	Elementary	708	Student	
	Day Care		Student	
		Daily	AM Peak Hour	PM Peak Hour
<b>Trips from Land uses not covered above ==&gt;</b>		2860	0	0
<b>Jobs in those Land Uses</b>		0		
		Daily	AM Peak Hour	PM Peak Hour
<b>Total "Raw" SANDAG Trip Generation Trips</b>		31,442	2,460	2,802

LETTER

RESPONSE

**EXHIBIT 2**

DEIR Public Comment Letter dated August 13, 2013 from Kevin K. Johnson APLC re:  
Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan  
PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)-**General Plan and  
Community Plan Inconsistencies**

### Valley Center Design Review Board

February 25, 2013

TO: Mark Slovick, Larry Hofreiter, Jarrett Ramaiya, Kristin Blackson, Beth Murray and Mark Wardlaw  
San Diego Department of Planning & Development Services  
CC: Oliver Smith, Ann Quinley, Steve Hutchison, Margarette Morgan  
RE: **Accretive Investment Group's 2<sup>nd</sup> revised submission (02-13-13)**  
**GPA12-001, SP-001, Master Tentative Map 5571, Implementing Tentative Map 5572**

#### Why is this applicant permitted to abuse the process?

Ordinarily we appreciate the opportunity to comment on projects that are being proposed for our community. We are accustomed to working closely and amicably with real estate developers, especially of Village projects, to develop plans that reflect the community's vision. We very much look forward to the completion of Village projects in Valley Center's central valley which have been planned for many years. This is the traditional heart of Valley Center where businesses, churches, schools, playing fields, and library are located, where very significant road infrastructure improvements were completed several years ago at a cost to the taxpayers of some \$50 Million, where wastewater treatment facilities are located and low-interest state loans have been secured for expansion. Here Village residential and commercial development will be welcomed.

In glaring contrast, we are deeply disturbed and alarmed by this project and this application. Review after review of a proposal that fails repeatedly to respond to previous comments seems to be design to demoralize the staff and discourage community participation.

This project is a sad anomaly that continues to disappoint citizens who care deeply about our community. Though the applicants claim to have "worked with the community", in fact they have done whatever they can behind the scenes to undermine what state law defines as the "constitution of land use" and what tens of thousands of San Diego County citizens understand and depend upon as a kind of contract with our County government -- our County General and Community Plans. These applicants share San Diego County with hundreds of thousands of citizens who are invested in the region's plans for the future and who benefit collectively by a common set of rules. What encourages and then allows this applicant to bull and bully its way past procedures that everyone else follows? From the get-go this applicant has gamed the system, disregarded the processes and products of public planning, misrepresented basic and essential facts, ignored input and correction. On and on it goes, seemingly endless deviations from standard protocols are tolerated. From the sudden appearance of a surprise Specific Plan Area on Valley Center's land use maps in 2008, through the Planning Commission's approval of the PAA application (against staff's recommendation AND contradicting the Commission's unanimous endorsement of the General Plan Update just weeks before), and now to this 2<sup>nd</sup> iteration -- the review process has been corroded and frustrated. Why is this applicant permitted to abuse the standard process, and what will become of San Diego County when we all abuse the system similarly?

#### Concerning this submittal and the process:

Except for increasing commercial square footage (75K SF to 90K SF, increasing hotel beds (20-50) and adding kitchenettes to 200-units in the group home facility (more intensity, not less) and a few minor changes -- this submission is unchanged from the previous submission and the one before that; and, again,

it is incomplete. This submission lacks details that have been requested in the past; it also lacks a letter from the applicant which, according to County protocol, is required to explain how the new submission addresses the Project Issue Checklist. (The Project Issue Checklist is the 364 page document, prepared by the PDS staff and released in December 2012, which lists more than 1000 items that the applicant needs to address.) Without this letter one can only guess whether the applicant is misunderstanding, overlooking, ignoring, or merely defying the issues that have been raised several times already by staff and community groups.

Nevertheless, despite missing pieces, community groups have been given 30-days to review the material and submit comments to the County. At the same time, evidently, the applicant has been given a 60-day extension to submit the Project Issue letter and has submitted "some studies" for the staff to "preview". Information about which studies have been submitted is not being made available to the community. Nor can anyone predict, obviously, how these will be assessed and what revisions may be requested by staff after they have been previewed. As a result of these considerable uncertainties, several of us suggested that formal community review should be delayed until the resubmission is complete rather than pushed forward with so many missing pieces. We were told accommodatingly that we could submit our comments anytime – but within 30-days if we wanted our comments to be included in staff's comments. Given the infamous "one-bite policy" and the fact that this project threatens to set aside Valley Center's entire community plan, volunteers who are reviewing this project on behalf of the community feel that we cannot risk being told in a few months that we had a chance to comment – and chose not to. So we are complying with the 30-day deadline even though compliance requires volunteers to drop everything, hold special meetings and respond immediately to yet another incomplete submission, and do it all over again in 60 days. All this is to accommodate an applicant who requires one extension after another, who is also unresponsive to staff and community comments and ignores County protocol.

This said, after reviewing the Specific Plan text and maps which show zero effort to remedy the project's basic problems, it's hard to imagine what a Project Issue Letter from this applicant might add (more frosting on a missing cake?) We will all have to wait for the long-anticipated "studies" to understand the substance of the applicant's plan for this property. At this point, issues we raised in September 2012 and the previous June 2012 all remain unaddressed.

**In addition to our previous concerns, which are attached, we emphasize the following:**

#### **SPECIFIC PLAN**

The Specific Plan text is still riddled with wiggly information and assertions that are contradicted by the facts. This creates a confusing stew: information too vague and mutable to assess, indecipherable nonsense, and plain misrepresentations of the truth – all dangerous in a serious planning document. A Specific Plan is not a sales pitch. It is a proposal to amend and then to implement the San Diego County General Plan. This particular Specific Plan will govern the development of an entire new city of 5000-people. This proposal DOUBLES the growth planned between now and 2020 for the entire 55,000 acre planning area. According to SANDAG's Regional Growth Forecast Valley Center adds 989 homes between 2010 and 2020. The Accretive project alone proposes twice that on just 608 acres: 1746 homes, a 50-bed hotel, a 200-unit (bedrooms & kitchenettes) group care facility and 90,000 SF commercial.)

Vague and inconsistent particulars are too numerous to list. As every reviewer has exclaimed, there is no definitive plan beyond the plan to explode the development potential of this rural area by more than 1800%. Design vignettes and "conceptual" layouts are meaningless substitutes for genuine design

standards and a commitment to a specific approach. Even unit allotments for each phase are subject to change. Virtually the entire "masterplan" is one concept that is subject-to-change laid over another concept that is subject-to-change. Nothing about this project is clear except the statement that this nebulous Specific Plan will prevail over every official County planning document. Processing should be halted until the Specific Plan is, at least, complete, factually correct and internally consistent. It is none of these.

The plan is laced with ludicrous claims, misrepresentations and outright inaccuracies, again too numerous to detail here. However, to assist the fact checkers, the whoppers are most pervasive in sections that pertain to community character, both the character of the proposal and the character of other properties in the area. Perhaps because "consistency" with legal planning documents and "compatibility" with existing and planned development on the ground is, one would hope, requisite for approval of this proposal, the applicant persists in these claims whether or not they make any sense. For example:

#### 1. MIS-CHARACTERIZATION OF EXISTING SPECIFIC PLAN AREAS IN VALLEY CENTER

Page I-10, Section H, 1<sup>st</sup> paragraph

ASSERTION: *"the Valley Center planning area has a number of existing specific plans ... containing large scale urban development"*. This is not true. Specific Plans in VC have a minimum of 40% open space and, with the exception of a section of Orchard Run, are built or clustered at Semi-Rural densities. The VC Community Plan lists the facts of these 7 Specific Plans:

1. Lilac Ranch: permanent open space preservation
2. Circle R Resort: recreational community on 361 acres. Density 1 du:2ac clustered.
3. Live Oak Ranch: 307 acres. 40% preserved in open space. Clustered 1du:1ac minimum lot size
4. Ridge Ranch I: 138 acres, 25 homes. 1 du: 5acres
5. Ridge Ranch II: 687 acres, 108 homes. 1du: 6 acres
6. Woods Valley: Village golf course community on 437 acres. 40% preserved in open space. Clustered 1du:min 1/2 acre
7. Orchard Run: Village core community on 118 acres. Minimum 40% open space. Density from 1.5 du:ac to 7.3du:ac

#### 2. MIS-CHARACTERIZATION OF SURROUNDING RESIDENTIAL DEVELOPMENT PATTERNS

Page I-10/11 2<sup>ND</sup> paragraph

The applicant claims that a Metroscan analysis *"documents a robust diversity of parcel sizes"* within a five mile radius of their site. This "study" misses the mark completely and comes to a preposterous conclusion that a drive through the area would reveal. The study overlooks hundreds of acres of open space that characterize the resort and recreational communities along Old 395. These are not spot-zoned urban enclaves as the applicant's study mis-concludes, but are mainly recreational destinations that advertise their country settings, recreational amenities, wildlife and so forth.

1. Circle R Resort: recreational community on 361 acres. 118-acre golf course. Homes clustered. Underlying density 1 du: 2 acres.
2. Lawrence Welk Resort: vacation resort on 600-plus acres. 326 vacation villas. Two 18-hole golf courses, 8 swimming pools, 5 recreational areas, small retail area to serve vacationing guests.
3. Champagne Lakes RV Resort: RV vacation resort on 50 acres. RV campsites. The resort website says, "The resort is 50 acres of nature and wildlife preserve with 3 lakes that are fed by the local mountain streams. Wild ducks and geese have made these lakes their homes for over 40 years."
4. Lake Rancho Viejo, which IS a Fallbrook CPA residential community on 469 acres, allows an overall density of 1.48 dus:ac. Flood plain and uplands are preserved open space.

**3. MISCHARACTERIZATION OF THEIR OWN PROJECT**

Assertions about their project are not supported and, in many cases, are contradicted by the applicant's own plan. For example: The assertion that "natural landforms remain" is ludicrous when 4 MILLION cubic yards will be graded, and 20% of that blasted. (For comparison, 4,000,000 cubic yards of dirt is just shy of the amount of concrete in Hoover Dam, enough to build a 2 lane road from Seattle, Washington to Miami, Florida or a 4 ft. wide sidewalk around the Earth at the Equator.) Nothing could be less "natural" than grading and compacting 80% of the site, creating 20-30-foot cut/fill slopes (two and three stories high) and lining streets with row upon row of identical symmetrical lots.

More than 80% of the site will be bulldozed, blasted, stripped of organic material, compacted and covered solidly by development; the narrow ribbons of biological open space (less than 20% of the property) that lace through the blasted, bulldozed "natural contours" will be massively impacted: 265 acres will be covered in home sites, 75 acres in "manufactured slopes", 83 acres in asphalt, 40 acres in facilities, a mere 23 acres in parks (see #4).

This is a from-scratch city with MORE HOMES, PEOPLE AND CARS than the City of Del Mar on HALF THE LAND AREA. (City Data: Del Mar: 1.8 square miles, population 4224. The Accretive project: .95 square mile, population 5063.) The project is NOT in accord with the General Plan Community Development Model as the applicant claims. Quite to the contrary, the project defies the General Plan and corrodes its integrity. The applicants propose to explode a 608-acre city in the middle of the rural countryside without adequate feathering or buffering to soften impacts on neighboring farms, rural estates or even biologically sensitive creek beds.

The site is NOT COMPACT, as the applicant claims. It stretches two miles in each direction, with some 8 miles of edge effects. The project is NOT WALK-ABLE, the sprawling configuration of the Accretive site requires the design of three separate Town Centers to justify the contention that this is a pedestrian community; it is an automobile-dependant community. The project quite obviously does NOT meet the most basic location criteria for LEED Neighborhood Development. This is NOT an in-fill site with existing infrastructure; this is a rural site. Building 1746 homes here quite obviously does NOT reduce the need to build and operate new road networks, emergency and law enforcement facilities, libraries, schools, parks and other public services; it CREATES the need to build all of these on green fields that are many miles from jobs, transit, shopping, churches, movie theaters and other accoutrements to support a population of this size. The project does NOT reduce development impacts or reduce traffic trips; it creates devastating impacts and adds thousands of cars to rural roads. The site plan does NOT integrate development into the natural features of the property; it obliterates the natural features of the property. Moreover this project's edge effects will cause the destruction of about 2000 acres of rugged, remote and rural property where hundreds of families have invested in a rural quality of life.

Absolutely NOTHING of the natural site or the rural lifestyles of the people who live there will remain. The applicant needs to quit claiming otherwise. The project requires extremely significant amendments to the General Plan and to the Valley Center and Bonsall Community Plans because it completely overturns these public visions. Period.

**4. PARK AREA FAILS TO MEET THE COUNTY STANDARD**

The County standard for parks per 1000 residents is 10 acres of local parks, and 15 acres of regional parks. This project seems to provide 23 acres for 5063 people, less than half than the standard, and in an area where very dense development requires MORE parks, not less. Phase 1 of this project (350

houses/1000 people on 62 acres) requires 10 acres of parks, it has 3.2 acres; Phase 2 (466 houses/1351 people on 36.3 acres) requires about 15 acres of parks, it has 3 acres ... and so forth.

A point quite minor in the context of everything else: there are no proposed tree/plant species listed for "Parks" in either the Conceptual Landscape plan or the specific plan text, even though there are symbols and a proposed layout.

#### 5. PREEMINENCE OF THE COUNTY GENERAL PLAN

The Specific Plan states on page II-2 that, in the case of conflicts or discrepancies between the Accretive project Specific Plan and the County's General Plan, the Valley Center and Bonsall Community Plans, and County development regulations and zoning standards, the Accretive Specific Plan will prevail. State law requires consistency across these documents, there should be no "conflicts or discrepancies". A Specific Plan is required by law to implement the General Plan and Community Plans, and cannot "prevail" over them. This language should be revised for its inconsistency with state law while the entire Specific Plan should be purged of marketing braggadocio and revised as a serious planning document to reflect its proper place in the hierarchy of legal planning documents.

#### 6. AUTHORITY OF VALLEY CENTER DESIGN REVIEW

References to the "authority" of Valley Center Design Review are splayed through the Specific Plan, most prominently in Section III. We believe that this Village project is subject in its entirety to Valley Center Design Review and Valley Center's Design Guidelines based upon the information in the Introduction of the Guidelines themselves, the content of the booklet overall and the fact that the VC Design Review Board has reviewed every commercial, industrial and residential project that has been proposed for the North and South Villages. We have worked closely with developers of these areas for more than ten years. Although residential development on Semi-Rural and Rural parcels outside our "Country Town" (now called "Village") area is NOT subject to Design Review, planned residential development proposed for our Village areas has always participated in design review in accord with our understanding that Village design is the intended focus of the County design review program.

The Specific Plan text also asserts or implies in several places in Section III that Valley Center's Design Guidelines will also be replaced by the applicant's Specific Plan. This applicant's Specific Plan requires considerably more attention to design, and more elaboration of standards for this particular project, for this Specific Plan to merit authority. The entire planning and design community recognizes the importance of forethought and thoughtful design to the functioning of even the tiniest place, let alone an entirely new city. Again, the content of this Specific Plan is severely inadequate to perform this responsibility.

Our previous comments still apply and are attached.

Respectfully,  
Lael Montgomery  
Robson Splane  
Susan Moore  
Jeff Herr  
Keith Robertson

### Valley Center Design Review Board

October 15, 2012

TO: Mark Slovick, Jarrett Ramaiya, Rich Grunow, Mark Wardlaw  
San Diego Department of Planning & Development Services

RE: **Accretive Investment Group revised submission (09-25-12)**  
**GPA12-001, SP-001 Master Tentative Map 5571, Implementing Tentative Map 5572 and respective grading plans.**

The Valley Center Design Review Board met on October 9, 2012 to again discuss Accretive Investment Group's proposal for the West Lilac triangle in light of September's revised submission. We were disappointed that neither the applicant nor the political consultant, Chris Brown, attended the meeting because the DRB Chair had expressly invited Chris Brown to present the revisions.

**Comments Focus on Macro Planning Issues:**

The revised submission fails to remedy the basic problems with the proposal which we addressed in our comments of June 14, 2012, which are attached below. Therefore, our comments continue to focus on macro development issues.

- 1) This is still an urban project in a rural area.
- 2) The proposal fails in the same basic and essential ways as the previous submission to respect Valley Center's rural character and its most fundamental design principles.
- 3) New sections describing lot, architectural and landscape design follow the same pattern.  
For example:
  - a. "Conceptual Architectural Elevations" shown are generic in nature and have no relevance to the site, its surroundings or to the community in general. Pages 25-37 of the Valley Center Design Guidelines specifically incorporate the design principles of Early California Architecture which reflect the character of the state's early missions and adobes. None of the proposed elevations reflect any of these design principles.
  - b. Lot designs, also generic and out-of-context, ignore both spirit and letter of Valley's Center Guidelines and depict exactly the monotonous development that Valley Center wants to avoid.
  - c. Landscape design is uniform and urban; species selected are ill-advised in some cases for particular locations (eg. fruit trees for road edges and medians) and in other cases for Valley Center microclimates.
  - d. The proposal further ignores requirements for private open space in accordance with the County of San Diego Zoning Ordinance Section 4915: a minimum of 200 square feet per dwelling. Further, the design recommendations call for private open space on the ground to be a minimum of 10 feet in length and width and should be screened from public view by landscaping, a wall, privacy fence or other acceptable method. None of the proposed configurations meet this requirement.
- 4) The proposal provides no evidence that the project is necessary: the new County General Plan already accommodates more growth than SANDAG projects for 2030. There is no demonstrated need for increasing the capacity of the new GP by building a new city many miles from existing infrastructure and services. The proposal fails to justify a change of GP Regional Category from the largest SEMI RURAL parcels (SR-10 and SR-4) to VILLAGE densities as high as 27 dwellings per acre; a 1587% increase in dwelling units (from a total of 110 units allowed under the current GP to 1746).

- 5) The Master Planning approach avoids showing the locations and relationships of residential lots, interior streets and other elements of the site design. This also avoids revelation of site development issues that should deeply concern decision-makers as they consider such extreme and precedent-setting transformation of this rural property. Out-of-sight = out-of-mind looks to be an overall strategy for this application.
- 6) The Master Planning approach coupled with GP Policy LU-1.8 (which the applicant cites to argue that densities can be transferred across land use designation boundaries) make the entire proposal, first, too vague and, second, too mutable to take seriously. This application is a one-way street that asks unprecedented density increases for – what exactly? What IS specific about this Specific Plan?
- 7) The applicant's political consultant insists that "Master Planning happens all the time" and that this project is "the same as the 4-S Ranch project". However, fundamental differences are obvious: the 4-S Ranch project was CONSISTENT with General Plan Regional Categories, Goals and Policies, and Land Use, Mobility and Conservation Elements. 4-S Ranch was inside the existing Current Urban Development Area (CUDA). This urban project proposes – for the sole benefit of a single private real estate speculator/developer – profound revisions of County public planning policy as well as the complete transformation of the rugged and rural countryside.
- 8) **The proposal is riddled with Orwellian "doublethink"** and other convoluted logic. (Orwell defines "doublethink" as accepting two mutually contradictory ideas or beliefs at the same time).  
A few examples are:
- destroying agriculture conserves agriculture;
  - adding 1746 homes/ 5000 residents to back-country roads improves traffic;
  - "compact" urban development of this rural area allows for increased open space and natural habitat;
  - grading 4 million cubic yards of dirt respects natural landforms and preserves natural resources;
  - pronouncing the Accretive site a "Smart Location" under the LEED ND Certification Program when the project will actually *BUILD* the "Nearby Neighborhood Assets" that LEED ND certification requires as a pre-requisite. (By this logic LEED ND criteria can be manipulated to justify urban development of any Semi-Rural location.)
  - insisting that the Accretive GPA/SPA is in accord with the GP Community Development Model simply because their context-free development plan is a New Urbanist design. (Again, by this logic, new cities can be plopped into any Semi-Rural or Rural area – NOT what most stakeholders believed was the intention of the new San Diego County General Plan.)
  - (*And, incredibly for a GP Amendment that seeks to overturn the last 12 years of work on the parts of hundreds of planners, residents, and property owners to create the new San Diego County General Plan*) ... calling on "General Plan Consistency" to declare that Valley Center and Bonsall Community Plans cannot be allowed to interfere with the applicant's audacious ambitions to re-write them!
- 9) **The proposal is also rife with errors, distortions and/or misrepresentations.**  
A few examples are:
- Claiming that Lilac Ranch and Circle R both are consistent with the proposal's Village densities. Both are, in fact, inconsistent. Lilac Ranch is permanent conservation land and Circle R is a CLUSTERED Semi-Rural project (underlying residential density is 1du:2 acres);
  - Slopes mapped with 10-foot contours reveal significantly less coverage in 25% slopes than County standard contours;
  - Claiming that the project site is ½ mile from the I-15 without citing that road construction along the route the crow flies is prohibited by a mountainous ridge;

- d. Touting "walkable" design when the project site jigs and jags across two square miles and requires three retail nodes in order to claim "walk-ability." More than half the homes, including Senior and Assisted Living neighborhoods, are a mile and a half from the Village Core. This is an automobile-dependent community.
- e. Asserting "compact development" when edge-effects of this sprawling configuration impact adjacent rural properties for a distance of some 8 miles.
- f. Extolling "planning collaboration" with the Valley Center community. This is an overreach that abandons reality in order to invent points toward LEED ND certification. For several years the Accretive Investors have held, not community meetings by any stretch of the term, but closed "private" meetings with cherry-picked supporters. Meetings have pointedly excluded, sometimes disinvented, folks who have voiced opposition to the project, particularly those people who are most familiar with County planning history and the rationale underlying the new General and Community Plans.

Contained in the 82-pages of the Valley Center Design Guidelines are numerous diagrams and sketches, as well as lengthy descriptive copy that make all of these points, and others, quite clear. The Design Guidelines themselves are meant to work together to produce an integrated, whole objective. They cannot be cherry-picked and also produce their intent.

As in any "design", success is a result of combining the right design elements in the right way – in the right place. This project appears off the mark on all counts.

**Our comments dated June 14, 2012 continue to apply. Please refer to them, beginning on the next page.**

The Valley Center Design Review Board  
Lael Montgomery, Chair  
Jeff Herr  
Susan Moore  
Keith Robertson  
Robson Splane

### Valley Center Design Review Board

June 14, 2012

TO: Mark Slovick, Rich Grunow, Jarrett Ramaiya, Jeff Murphy  
San Diego Department of Planning and Development

RE: **Accretive Investment Group GPA 12-001, SP 12-001, Master Tentative Map 5571,  
Implementing Tentative Map 5572 and respective Grading Plans**

#### 1. Insufficient Detail

The applicant has submitted maps and documents that lack sufficient detail for the group to understand any the development plan for this property. Further, there has been no presentation of the project by the applicant; as a result the most basic facts of the development plan remain murky.

The applicant has filed this GPA/SPA much earlier in the project-development process than developers who have co-developed their plans through community meetings before filing a GPA or an SPA. Therefore, we are accustomed at the point of application to having much greater familiarity with a project, and to the provision in the application documents of considerably more detail.

Neither the DRB nor the Planning Group has worked with this applicant in the way we have worked with the developers of the North and South Village where the land uses proposed have been in accord with the community plan, which is not the case with this project. We received a copy of the Specific Plan Text on Tuesday 6/5/12. Chris Brown encouraged the group to take more time with our review and comments on the text. (He said he is requesting an additional 30-45 days from the County.) However, from a cursory reading, the SP Text fails to provide sufficient additional substantive information to warrant any delay.

Considerably more detail about the overall development plan is necessary. We understand from the County planner, Mark Slovick, and from the developer's consultant, Chris Brown, that there will be revised iterations of the project. More detailed comments will come in response to more detailed plans.

#### 2. Focus of Comments.

Our comments at this time are focused in areas which are pre-requisite for any development proposal to meet Valley Center's community character objectives.

#### 3. Project Undermines the Vision for VC.

DRB members believe that this project fails in basic and essential ways to respect Valley Center's rural character and its most fundamental design principles. If approved, this General Plan Amendment would upzone this property by about 2000% to allow 1746 dwellings and three commercial areas. The Regional Category would change to Village from its recently-approved GP Regional Category of Semi-Rural which allows approximately 350 homes on 2, 4 and 10 dwellings per acre.

The imposition of an artificial "village" in Valley Center's rural countryside dismantles the community's recently-approved Community plan. County planners along with Valley Center residents, property owners and developers have invested hundreds of hours, and extensive public and private resources to create the VC Community Plan, and to plan the private Village development to support it. This work was approved by

the Board less than a year ago. VC's plan is a two-part growth strategy: first, 25% of the future growth is compact "infill" development of two existing Village "nodes" in the central valley along Valley Center Rd; second, residential density feathers from the village core to Semi-Rural and Rural designations in remote, hilly, fire-prone areas to the east, north and west. These "green-field" areas, in accord with principles of the new General Plan, also "buffer" the community from adjacent communities. This is a classic "Smart Growth" plan, it concentrates intense development in the Village area which has evolved over the last 150 years as the business "crossroads" of Valley Center, as has been the formal intention since the first community plan of the 1960s, and it retains existing larger parcels for agriculture, horticulture and animal husbandry that have historically characterized Valley Center.

This faux Village both undermines the plan to attract new businesses and residential vibrancy to existing genuine Village areas AND destroys greenfields, as well.

**The following comments refer directly to particular VC Design Guidelines. We have not re-typed the Guidelines here. Please refer to the pages that are cited below.**

#### **4. P 3. The Purpose of Design Review**

**Comment:** The proposed project fails to consider the community context in which it takes place, and fails to make an effort to develop a compatible relationship to the natural setting, neighboring properties and community design goals.

#### **5. P4/10 Community Design Objectives**

**Comment:** The proposal ignores the most fundamental of Valley Center's Design Objectives, which is to PRESERVE NATURAL FEATURES and OPEN SPACES. For starters, the project will move 4.4 MILLION cubic yards of dirt on 608 acres. Do the math. There are 3,291,200 square yards in 608 acres. This means *the project will move more 1 ¼ cubic yard of dirt for every square yard of the property.* Natural land forms, vegetation and wildlife will all be obliterated.

This development plan completely disregards Valley Center's "strong requirements for the protection of existing natural features (that are) provided in the Design Guidelines for new development" (among them) "special measures to preserve oaks and sycamore trees, significant resources that contribute to the character of the valley and the community." The applicant should address how grading, scraping and denuding what looks to be at least 80% of the site reconciles with being sensitive to the natural environment?

#### **6. P16. Site Analysis**

**Comment:** No site analysis has been submitted. The site design process should begin with a thorough analysis of the site.

#### **7. P17. Site Design Concept**

**Comment:** General Criteria 1 and 2: There is no evident effort for the project design to comply at all with these criteria. The project ignores the rural residential character of the area, and destroys all of its natural features. As for General Criteria 3 and 4, the application does not include enough detail to determine anything about the internal integrity of the project. We will say, however, the pre-requisite site location issues make internal design details quite irrelevant. All of its failures to comply with the community's design objectives are rooted in this basic incompatibility of locating urban development in a rural area.

**8. P18-22. Protection of Natural Features (to include Oaks and Sycamores)**

The Guidelines state, "All development proposals shall demonstrate a diligent effort to retain existing natural features characteristic of the community's landscape. Existing topography and land forms, drainage courses, rock outcroppings, vegetation and views shall be recorded in the Site Analysis and incorporate, to the maximum extent feasible, into the future development of the land." See pp. 18-19 items A-H, all numbers under each item, noting the general rule, the "hand of man" is to be felt lightly", And pp. 20-22 about mature tree preservation and handling.

**Comment:** No effort evident. How much of the natural environment will be left... out of how much destroyed? How many trees? Rock outcroppings? Natural canyons? Hilltops? And so forth.

**9. P26-35. Architectural Character and Compact Building Groups**

**Comment.** Chapters 5 and 6 in Part III of VC's Design Guidelines address the array of requisite site planning and architectural approaches, and the ways these elements of design must be combined in order to produce Village development that aligns with historic patterns. Based both on the Master and the Implementing Tentative Map and Grading Plans, the Accretive plan for Village housing shows hyper-conventional suburban sprawl, little rectangular lots lined up cheek-to-jowl like rows of teeth on both sides of every road, obscuring from view the very countryside the plan claims to celebrate.

The Specific Plan Text for this project waxes rhapsodically about "Italian Hill Villages" that bear no resemblance to Accretive's development plan for this property. Italian hill villages are characterized, first and foremost, by their location at authentic "crossroads" and their gradual development to meet the authentic needs of the surrounding authentic community; and are further characterized by their irregularity and by the charm of a built environment arranged around the natural environment. The Accretive project is a rote suburban tract overbuilt to urban densities, sprawled across remote, roadless greenfields.

Nothing but a complete revision of this plan would hope to achieve what the Guidelines or the Specific Plan Text for this project describes.

Italian hill villages are characterized by their locations at authentic well-travelled "cross-roads", by the charms of irregularity and diversity, and by the arrangement of the built environment around the beauty of the natural landscape.



The Accretive plan imposes a monotonous sprawling geometric sameness on a contrived cut and filled landscape in a remote location. Below is a photograph of this developer's San Elijo project that shows cuts in landscape similar to their plan for West Lilac.



**10. P67. Hillside Development**

**Comment:** The applicant's development plan will destroy the natural topography in this area and "re-grade" the land. The applicant's consultant asserts that that "contour grading" of home sites -- so that each little

geometric rectangle is a few feet higher or lower than its immediate neighbor -- is the same as retaining the natural organic land forms. This is a ludicrous assertion that demonstrates the extreme extent to which this proposal contradicts the most basic concepts of rural design.

#### 11. Landscape Concept

**Susan Moore's Comments:** The master TM lacks sufficient detail for a thorough review. However, from the documents that have been submitted, I can make the following comments. In my opinion, following the lot design as it does, the landscape plan is also an urban concept that needs to be completely re-done to be compatible with the property's rural surrounds. To create the "natural" character of Valley Center requires an organic, asymmetrical landscape design.

As for plant material, there are too few species; diversity (of trees, shrubs and ground covers) needs to be much greater. Several specified trees will not grow well in our zone generally and will definitely not succeed in Valley Center's colder micro-climates. Another is an allelopathic variety (suppresses growth of different plants other than itself due to release of toxic substances) tree listed for medians/entries where other plants are listed. Trees listed for the medians will not grow due to conditions that characterize road medians. "Grove" trees will not thrive in road median conditions and will be messy for automobiles and pedestrians. Fruit-producers are typically specified AWAY from streets and sidewalks where human activity is present.

\*\*\*\*

Contained in the 82-pages of the Valley Center Design Guidelines are numerous diagrams and sketches, as well as lengthy descriptive copy that make all of these points, and others, quite clear. The Design Guidelines themselves are meant to work together to produce an integrated, whole objective. They cannot be cherry-picked and also produce their intent.

As in any "design", success is a result of combining the right design elements in the right way -- in the right place. This project appears off the mark on all counts.

The Valley Center Design Review Board  
Lael Montgomery, Chair  
Jeff Herr  
Susan Moore  
Keith Robertson  
Robson Splane

LETTER

RESPONSE

**EXHIBIT 3**

DEIR Public Comment Letter dated August 13, 2013 from Kevin K. Johnson APLC re:  
Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan  
PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)-**General Plan and  
Community Plan Inconsistencies**

# LEED 2009 FOR NEIGHBORHOOD DEVELOPMENT

**For Public Use and Display**  
LEED 2009 for Neighborhood Development Rating System  
Created by the Congress for the New Urbanism, Natural Resources  
Defense Council, and the U.S. Green Building Council  
(Updated October 2012)



LETTER

RESPONSE

--	--

## PREFACE FROM USGBC

The built environment has a profound impact on our natural environment, economy, health, and productivity. Through its Leadership in Environmental and Energy Design (LEED®) certification programs, the U.S. Green Building Council (USGBC) is transforming the built environment. The green building movement offers an unprecedented opportunity to respond to the most important challenges of our time, including global climate change, dependence on nonsustainable and expensive sources of energy, and threats to human health. The work of innovative building planning professionals is a fundamental driving force in the green development movement. Such leadership is a critical component to achieving USGBC's mission of a sustainable built environment for all within a generation.

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USGBC's greatest strength is the diversity of our membership. USGBC is a balanced, consensus-based nonprofit with more than 20,000 member companies and organizations representing the entire building industry. Since its inception in 1993, USGBC has played a vital role in providing a leadership forum and a unique, integrating force for the building industry. USGBC's programs have three distinguishing characteristics:

#### Committee-based

The heart of this effective coalition is our committee structure, in which volunteer members design strategies that are implemented by staff and expert consultants. Our committees provide a forum for members to resolve differences, build alliances, and forge cooperative solutions for influencing change in all sectors of the building industry.

#### Member-driven

Membership is open and balanced and provides a comprehensive platform for carrying out important programs and activities. We target the issues identified by our members as the highest priority. We conduct an annual review of achievements that allows us to set policy, revise strategies, and devise work plans based on members' needs.

#### Consensus-focused

We work together to promote green buildings and neighborhoods, and in doing so, we help foster greater economic vitality and environmental health at lower costs. We work to bridge ideological gaps between industry segments and develop balanced policies that benefit the entire industry.

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### PARTNERSHIP

The Congress for the New Urbanism and the Natural Resources Defense Council collaborated with the U.S. Green Building Council in creating the LEED for Neighborhood Development Rating System. USGBC's consensus-focused approach to rating system development was furthered by these organizations' expertise in New Urbanism and smart growth strategies.

LEED FOR NEIGHBORHOOD DEVELOPMENT

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**ACKNOWLEDGMENTS**

The LEED 2009 for Neighborhood Development Rating System has been made possible only through the efforts of many dedicated volunteers, staff members from USGBC and the two partner organizations, consultants, and others in the USGBC community. The rating system development work was managed and implemented by USGBC staff and the LEED for Neighborhood Development Core Committee and included review and input by many Technical Advisory Group (TAG) members with oversight by the LEED Steering Committee. We extend our deepest gratitude to all of our LEED committee members who participated in the development of this rating system, and especially the LEED for Neighborhood Development Core Committee, for their tireless volunteer efforts and support of USGBC's mission:

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LEED v3.0® FOR HIGH-RISE BUILDINGS DEVELOPMENT

LETTER

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**LEED for Neighborhood Development Core Committee**

The LEED 2009 for Neighborhood Development Rating System is the work of members of the LEED for Neighborhood Development Core Committee, both those who have worked on this version and those who helped create previous versions. In addition, staff would like to thank Criterion Planners, Urban Advantage, and AECOM for the graphics.

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LEED 2009 FOR NEIGHBORHOOD DEVELOPMENT

**LEED 2009 FOR NEIGHBORHOOD DEVELOPMENT PROJECT CHECKLIST**

**Smart Location and Linkage**

**27 possible points**

<input checked="" type="checkbox"/>	Prerequisite 1	Smart Location	Required
<input checked="" type="checkbox"/>	Prerequisite 2	Imperiled Species and Ecological Communities	Required
<input checked="" type="checkbox"/>	Prerequisite 3	Wetland and Water Body Conservation	Required
<input checked="" type="checkbox"/>	Prerequisite 4	Agricultural Land Conservation	Required
<input checked="" type="checkbox"/>	Prerequisite 5	Floodplain Avoidance	Required
<input type="checkbox"/>	Credit 1	Preferred Locations	10
<input type="checkbox"/>	Credit 2	Brownfield Redevelopment	2
<input type="checkbox"/>	Credit 3	Locations with Reduced Automobile Dependence	7
<input type="checkbox"/>	Credit 4	Bicycle Network and Storage	1
<input type="checkbox"/>	Credit 5	Housing and Jobs Proximity	3
<input type="checkbox"/>	Credit 6	Steep Slope Protection	1
<input type="checkbox"/>	Credit 7	Site Design for Habitat or Wetland and Water Body Conservation	1
<input type="checkbox"/>	Credit 8	Restoration of Habitat or Wetlands and Water Bodies	1
<input type="checkbox"/>	Credit 9	Long-Term Conservation Management of Habitat or Wetlands and Water Bodies	1

**Neighborhood Pattern and Design**

**44 possible points**

<input checked="" type="checkbox"/>	Prerequisite 1	Walkable Streets	Required
<input checked="" type="checkbox"/>	Prerequisite 2	Compact Development	Required
<input checked="" type="checkbox"/>	Prerequisite 3	Connected and Open Community	Required
<input type="checkbox"/>	Credit 1	Walkable Streets	12
<input type="checkbox"/>	Credit 2	Compact Development	6
<input type="checkbox"/>	Credit 3	Mixed-Use Neighborhood Centers	4
<input type="checkbox"/>	Credit 4	Mixed-Income Diverse Communities	7
<input type="checkbox"/>	Credit 5	Reduced Parking Footprint	1
<input type="checkbox"/>	Credit 6	Street Network	2
<input type="checkbox"/>	Credit 7	Transit Facilities	1
<input type="checkbox"/>	Credit 8	Transportation Demand Management	2
<input type="checkbox"/>	Credit 9	Access to Civic and Public Spaces	1
<input type="checkbox"/>	Credit 10	Access to Recreation Facilities	1
<input type="checkbox"/>	Credit 11	Visitability and Universal Design	1
<input type="checkbox"/>	Credit 12	Community Outreach and Involvement	2
<input type="checkbox"/>	Credit 13	Local Food Production	1
<input type="checkbox"/>	Credit 14	Tree-Lined and Shaded Streets	2
<input type="checkbox"/>	Credit 15	Neighborhood Schools	1

**Green Infrastructure and Buildings**

**29 possible points**

<input checked="" type="checkbox"/>	Prerequisite 1	Certified Green Building	Required
<input checked="" type="checkbox"/>	Prerequisite 2	Minimum Building Energy Efficiency	Required
<input checked="" type="checkbox"/>	Prerequisite 3	Minimum Building Water Efficiency	Required
<input checked="" type="checkbox"/>	Prerequisite 4	Construction Activity Pollution Prevention	Required

LEED 2009 FOR NEIGHBORHOOD DEVELOPMENT

<input type="checkbox"/>	Credit 1	Certified Green Buildings	5
<input type="checkbox"/>	Credit 2	Building Energy Efficiency	2
<input type="checkbox"/>	Credit 3	Building Water Efficiency	1
<input type="checkbox"/>	Credit 4	Water-Efficient Landscaping	1
<input type="checkbox"/>	Credit 5	Existing Building Reuse	1
<input type="checkbox"/>	Credit 6	Historic Resource Preservation and Adaptive Use	1
<input type="checkbox"/>	Credit 7	Minimized Site Disturbance in Design and Construction	1
<input type="checkbox"/>	Credit 8	Stormwater Management	4
<input type="checkbox"/>	Credit 9	Heat Island Reduction	1
<input type="checkbox"/>	Credit 10	Solar Orientation	1
<input type="checkbox"/>	Credit 11	On-Site Renewable Energy Sources	3
<input type="checkbox"/>	Credit 12	District Heating and Cooling	2
<input type="checkbox"/>	Credit 13	Infrastructure Energy Efficiency	1
<input type="checkbox"/>	Credit 14	Wastewater Management	2
<input type="checkbox"/>	Credit 15	Recycled Content in Infrastructure	1
<input type="checkbox"/>	Credit 16	Solid Waste Management Infrastructure	1
<input type="checkbox"/>	Credit 17	Light Pollution Reduction	1

**Innovation and Design Process** **6 possible points**

<input type="checkbox"/>	Credit 1	Innovation and Exemplary Performance	1-5
<input type="checkbox"/>	Credit 2	LEED® Accredited Professional	1

**Regional Priority Credit** **4 possible points**

<input type="checkbox"/>	Credit 1	Regional Priority	1-4
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**LEED 2009 for Neighborhood Development Certification Levels**  
 100 base points plus 6 possible Innovation and Design Process and 4 possible Regional Priority Credit points

Certified	40-49 points
Silver	50-59 points
Gold	60-79 points
Platinum	80 points and above

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LEED GREEN NEIGHBORHOOD DEVELOPMENT

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# INTRODUCTION

## I. THE CASE FOR GREEN NEIGHBORHOOD DEVELOPMENTS

As the U.S. population continues to expand rapidly, consumption of land grows exponentially—currently, three times the rate of population growth. At this breathtaking pace, two-thirds of the development on the ground in 2050 will be built between now and then.<sup>1</sup> The way we grow—especially how and where we grow—will have a profound effect on our planet and on us.

Land use and neighborhood design patterns create a particular physical reality and compel behaviors that have a significant effect on the environmental performance of a given place. Segregated land uses accessed by high-speed roadways that necessitate the use of cars have been the predominant development pattern over the past 50 years. In the United States, transportation accounts for roughly one-third of greenhouse gas emissions, a large portion of which can be attributed to personal automobile use.<sup>2</sup> Burning fossil fuels for transportation increases air pollution and related respiratory diseases. Automobile-oriented neighborhoods tend to be hostile to pedestrians and unsupportive of traditional mixed-use neighborhood centers. Sprawling development patterns fragment habitat, endanger sensitive land and water bodies, destroy precious farmland, and increase the burden on municipal infrastructure.

In contrast, by placing residences and jobs proximate to each other, thoughtful neighborhood planning and development can limit automobile trips and the associated greenhouse gas emissions. Mixed-use development and walkable streets encourage walking, bicycling, and public transportation for daily errands and commuting. Environmentally responsible buildings and infrastructure are an important component of any green neighborhood, further reducing greenhouse gas emissions by decreasing energy consumption. Green buildings and infrastructure also lessen negative consequences for water resources, air quality, and natural resource consumption.

Green neighborhood developments are beneficial to the community and the individual as well as the environment. The character of a neighborhood, including its streets, homes, workplaces, shops, and public spaces, significantly affects the quality of life. Green neighborhood developments enable a wide variety of residents to be part of the community by including housing of varying types and price ranges. Green developments respect historical resources and the existing community fabric; they preserve open space and encourage access to parks. Green buildings, community gardens, and streets and public spaces that encourage physical activity are beneficial for public health. Combine the substantial environmental and social benefits and the case for green neighborhoods makes itself.

## II. LEED® RATING SYSTEMS

### Background on LEED®

Following the formation of the U.S. Green Building Council (USGBC) in 1993, the organization's members quickly realized that the sustainable building industry needed a system to define and measure "green buildings." USGBC began to research existing green building metrics and rating systems. Less than a year after formation, the members acted on the initial findings by establishing a committee to focus solely on this topic. The composition of the committee was diverse; it included architects, real estate agents, a building owner, a lawyer, an environmentalist, and

<sup>1</sup> Reid Ewing, Keith Bartholomew, Steve Winkelman, Jerry Walters, and Don Chen, *Growing Cooler: The Evidence on Urban Development and Climate Change* (Washington, D.C.: Urban Land Institute, 2008).

<sup>2</sup> "Greenhouse Gases, Climate Change, and Energy" (Energy Information Administration, May 2008).

industry representatives. This cross section of people and professions added a richness and depth both to the process and to the ultimate product, the Leadership in Energy and Environmental Design (LEED) certification system.

The first LEED Pilot Project Program, also referred to as LEED Version 1.0, was launched at the USGBC Membership Summit in August 1998. After extensive modifications, LEED Green Building Rating System Version 2.0 was released in March 2000, with LEED Version 2.1 following in 2002 and LEED Version 2.2 following in 2005.

As LEED has evolved and matured, the program has undertaken new initiatives. In addition to a rating system specifically devoted to building operational and maintenance issues (LEED for Existing Buildings: Operations & Maintenance), LEED addresses the different project development and delivery processes that exist in the U.S. building design and construction market, through rating systems for specific building typologies, sectors, and project scopes: LEED for Core & Shell, LEED for New Construction, LEED for Schools, LEED for Retail, LEED for Healthcare, LEED for Homes, and LEED for Commercial Interiors. LEED for Neighborhood Development is the latest LEED certification system to be released.

The green building and neighborhood development field is growing and changing daily. New technologies and products are being introduced into the marketplace, and innovative designs and practices are proving their effectiveness. The LEED rating systems and reference guides will evolve as well. Project teams must comply with the version of the rating system that is current at the time of their registration. USGBC will highlight new developments on its website on a continual basis, at [www.usgbc.org](http://www.usgbc.org).

#### **Background on LEED for Neighborhood Development**

The U.S. Green Building Council (USGBC), the Congress for the New Urbanism (CNU), and the Natural Resources Defense Council (NRDC)—organizations that represent leading design professionals, progressive builders and developers, and the environmental community—have come together to develop a rating system for neighborhood planning and development based on the combined principles of smart growth, New Urbanism, and green infrastructure and building. The goal of this partnership is to establish a national leadership standard for assessing and rewarding environmentally superior green neighborhood development practices within the framework of the LEED® Green Building Rating System™.

Unlike other LEED rating systems, which focus primarily on green building practices and offer only a few credits for site selection and design, LEED for Neighborhood Development places emphasis on the site selection, design, and construction elements that bring buildings and infrastructure together into a neighborhood and relate the neighborhood to its landscape as well as its local and regional context. The work of the LEED-ND core committee, made up of representatives from all three partner organizations, has been guided by sources such as the Smart Growth Network's ten principles of smart growth, the charter of the Congress for the New Urbanism, and other LEED rating systems. LEED for Neighborhood Development creates a label, as well as guidelines for both decision making and development, to provide an incentive for better location, design, and construction of new residential, commercial, and mixed-use developments.

Whereas the other LEED rating systems have five environmental categories, LEED for Neighborhood Development has three: Smart Location and Linkage, Neighborhood Pattern and Design, and Green Infrastructure and Buildings. An additional category, Innovation and Design Process, addresses sustainable design and construction issues and measures not covered under the three categories. Regional bonus credits are another feature of LEED-ND. These credits acknowledge the importance of local conditions in determining best environmental design and construction practices as well as social and health practices.

The LEED 2009 minimum program requirements define the minimum characteristics that a project must possess to be eligible for certification under LEED 2009. These requirements do not apply to LEED for Neighborhood Development projects.

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**LEED Credit Weightings**

In LEED 2009, the allocation of points among credits is based on the potential environmental impacts and human benefits of each credit with respect to a set of impact categories. The impacts are defined as the environmental or human effect of the design, construction, operation, and maintenance of the building, such as greenhouse gas emissions, fossil fuel use, toxins and carcinogens, air and water pollutants, and indoor environmental conditions. In the LEED for Neighborhood Development Rating System, social and public health benefits were added to the impact categories, and the impact categories were then applied at the neighborhood scale. A combination of approaches, including energy modeling, life-cycle assessment, and transportation analysis, is used to quantify each type of impact. The resulting allocation of points among credits is called credit weighting.

LEED 2009 uses the U.S. Environmental Protection Agency's TRACI<sup>3</sup> environmental impact categories as the basis for weighting each credit. TRACI was developed to assist with impact evaluation for life-cycle assessment, industrial ecology, process design, and pollution prevention. LEED 2009 also takes into consideration the weightings developed by the National Institute of Standards and Technology (NIST); these compare impact categories with one another and assign a relative weight to each. Together, the two approaches provide a solid foundation for determining the point value of each credit in LEED 2009.

The LEED 2009 credit weightings process is based on the following parameters, which maintain consistency and usability across rating systems:

- All LEED credits are worth a minimum of 1 point.
- All LEED credits are positive, whole numbers; there are no fractions or negative values.
- All LEED credits receive a single, static weight in each rating system; there are no individualized scorecards based on project location.
- All LEED rating systems have 100 base points; Innovation and Design Process and Regional Priority credits provide opportunities for up to 10 bonus points.

Given the above criteria, the LEED 2009 credit weightings process involves three steps for LEED for Neighborhood Development:

1. A reference neighborhood is used to estimate the environmental impacts in 15 categories associated with a typical neighborhood development pursuing LEED certification.
2. The relative importance of neighborhood impacts in each category is set to reflect values based on the NIST weightings.<sup>4</sup>
3. Data that quantify neighborhood impacts on environmental and human health are used to assign points to individual credits.

Each credit is allocated points based on the relative importance of the neighborhood-related impacts that it addresses. The result is a weighted average that combines neighborhood impacts and the relative value of the impact categories. Credits that most directly address the most important impacts are given the greatest weight, subject to the system design parameters described above. Credit weights also reflect a decision by LEED to recognize the market implications of point allocation.

The details of the weightings process vary slightly among individual rating systems. For example, LEED for Neighborhood Development includes credits related to infill development but LEED for New Construction does not. This results in a difference in the portion of the environmental footprint addressed by each rating system and the relative allocation of points.

<sup>3</sup> Tools for the Reduction and Assessment of Chemical and Other Environmental Impacts (TRACI) (U.S. Environmental Protection Agency, Office of Research and Development, <http://www.epa.gov/nrm1/std/sub/traci/>).

<sup>4</sup> Relative impact category weights based on an exercise undertaken by NIST (National Institute of Standards and Technology) for the BEES program, <http://www.brl.nist.gov/ocw/software/bees/>.

The weightings process for each rating system is fully documented in a weightings workbook. The credit weightings process will be reevaluated over time to incorporate changes in values ascribed to different neighborhood impacts and neighborhood types, based on both market reality and evolving knowledge related to buildings and neighborhood design. A complete explanation of the LEED credit weightings system is available on the USGBC website, at [www.usgbc.org](http://www.usgbc.org).

### III. OVERVIEW AND PROCESS

The LEED 2009 for Neighborhood Development Rating System is a set of performance standards for certifying the planning and development of neighborhoods. The intent is to promote healthful, durable, affordable, and environmentally sound practices in building design and construction.

Prerequisites and credits in the rating system address five topics:

- Smart Location and Linkage (SLL)
- Neighborhood Pattern and Design (NPD)
- Green Infrastructure and Buildings (GIB)
- Innovation and Design Process (IDP)
- Regional Priority Credit (RPC)

#### When to Use LEED for Neighborhood Development

The LEED for Neighborhood Development Rating System responds to land use and environmental considerations in the United States. It is designed to certify exemplary development projects that perform well in terms of smart growth, urbanism, and green building. Projects may constitute whole neighborhoods, portions of neighborhoods, or multiple neighborhoods. There is no minimum or maximum size for a LEED-ND project, but the core committee's research has determined that a reasonable minimum size is at least two habitable buildings and that the maximum area that can appropriately be considered a neighborhood is 320 acres, or half a square mile. A project larger than 320 acres is eligible but may find documenting certain credits difficult and may want to consider dividing the area into separate LEED-ND projects, each smaller than 320 acres. Although projects may contain only a single use, typically a mix of uses will provide the most amenities to residents and workers and enable people to drive less and safely walk or bike more. Small infill projects that are single use but complement existing neighboring uses, such as a new affordable-housing infill development in a neighborhood that is already well served by retail and commercial uses, are also good candidates for certification.

This rating system is designed primarily for the planning and development of new green neighborhoods, whether infill sites or new developments proximate to diverse uses or adjacent to connected and previously developed land. Many infill projects or projects near transit will be in urban areas, which helps direct growth into places with existing infrastructure and amenities. LEED-ND also promotes the redevelopment of aging brownfield sites into revitalized neighborhoods by rewarding connections beyond the site, walkable streets within the site, and the integration of any historic buildings and structures that will give the new neighborhood development a unique sense of place.

Existing neighborhoods can also use the rating system, and its application in this context could be especially beneficial in urban areas and historic districts. It is, however, important to point out that the owner or owners applying for certification should already own, have title to, or have significant control over a majority of the land within the project boundary and the plan for new construction or major renovation for the majority of the project's square footage. The new construction could take place on vacant land within the boundary, and the major renovations could involve existing buildings, recent or historic, within the project. In addition to guiding infill development opportunities, LEED-ND has additional relevance for existing neighborhoods, as a tool to set

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performance levels for a group of owners wanting to retrofit their homes, offices, or shops, and finally for shaping new green infrastructure, such as sidewalks, alleys, and public spaces. Many prerequisites or credits have a specific compliance path for existing buildings; this is highlighted in the rating system, and more detail is provided in the reference guide.

LEED-ND also can be used in suburban locations. There are tremendous opportunities to retrofit the suburbs, whether this involves reviving old shopping centers and their surrounding parking lots or adding new units and vibrant walkable town centers to existing subdivisions. Increasingly, many suburbs are well served by transit and thus should be considered good candidates for creating mixed-use, walkable developments with the potential to decrease residents' and workers' dependence on personal automobiles.

LEED for Neighborhood Development was not designed as a rating system for existing campuses, such as colleges, universities, and military bases. Many campuses have circulation patterns and building forms and placement that differ from the strategies outlined in LEED-ND. As a result, the rating system may not be appropriate for such facilities, but it could be applied in certain situations. For example, LEED-ND could be used for a civilian-style development on or adjacent to a military base, especially now that there is increased interest in developing mixed-use main streets as a focal point for new residential development in military bases. In addition, with many installations facing closure under the Base Realignment and Closure Act, LEED-ND could be used to guide the redevelopment of a base as it finds a new use. For colleges and universities, the program best lends itself to campuses that are expanding or undergoing major redevelopment. Increasingly, many universities are creating mixed-use development projects, often with local partners, to serve as catalytic projects in their communities, and LEED-ND could be a good framework and certification tool. Some universities are looking to their own campus lands for new development opportunities, particularly for housing that is affordable to faculty and staff but also walkable to campus and other amenities, and LEED-ND may be appropriate.

LEED for Neighborhood Development is not meant to be a national standard that replaces zoning codes or comprehensive plans, nor has it been designed to certify sector plans or other policy tools. Local development patterns and performance levels vary greatly across the country because land regulation is largely controlled by local governments. One city may be a leader in stormwater management, and another an innovator in traffic calming, but neither may be advanced in all areas covered by LEED-ND. The rating system should therefore not be considered a one-size-fits-all policy tool. Instead, LEED-ND is a voluntary leadership standard, and local governments should consider promoting its use by the development community or public-private partnerships. In addition, LEED-ND can be used to analyze whether existing development regulations, such as zoning codes, development standards, landscape requirements, building codes, or comprehensive plans are "friendly" to sustainable developments. By comparing a locality's development practices with the rating system, public officials and the planning department can better identify code barriers that make it onerous, costly, or even impossible to undertake some aspects of sustainable development. Finally, public sector projects (e.g., those sponsored by housing authorities, redevelopment agencies, or specialized development authorities) are eligible to use the rating system. Please visit the LEED for Neighborhood web page at [www.usgbc.org](http://www.usgbc.org) for LEED-ND policy guidance for state and local governments.

**"Neighborhood Development," Defined**

Based on research on the origins of neighborhood design and current best practices for locating and designing new development, the LEED for Neighborhood Development core committee has developed a rating system for smart, healthy, and green neighborhood development. Although LEED-ND does not strictly define what constitutes a neighborhood, the prerequisites and credits are written to encourage a type of development that recalls the siting and design of traditional neighborhoods and promotes best practices in new neighborhood development today.

Since ancient times, cities around the world have been spatially divided into districts or neighborhoods. Excavations of some of the earliest cities reveal evidence of social neighborhoods. Urban scholar Lewis Mumford noted that "neighborhoods, in some primitive, inchoate fashion exist wherever human beings congregate, in permanent family dwellings; and many of the functions of the city tend to be distributed naturally—that is, without any theoretical preoccupation or political direction—into neighborhoods."<sup>5</sup> In basic terms, a neighborhood is an area of dwellings, employment, retail, and civic places and their immediate environment that residents and/or employees identify with in terms of social and economic attitudes, lifestyles, and institutions.

A neighborhood can be considered the planning unit of a town. The charter of the Congress for the New Urbanism characterizes this unit as "compact, pedestrian-friendly, and mixed-use."<sup>6</sup> By itself the neighborhood is a village, but combined with other neighborhoods it becomes a town or a city. Similarly, several neighborhoods with their centers at transit stops can constitute a transit corridor. The neighborhood, as laid out in LEED-ND, is in contrast to sprawl development patterns, which create podlike clusters that are disconnected from surrounding areas. Existing and new traditional neighborhoods provide an alternative to development patterns that characterize sprawl, such as the single-zoned, automobile-dominated land uses that have been predominant in suburban areas since the 1950s. Instead, traditional neighborhoods meet all those same needs—for housing, employment, shopping, civic functions, and more—but in formats that are compact, complete, and connected, and ultimately more sustainable and diverse.<sup>7</sup> The metrics of a neighborhood vary in density, population, mix of uses, and dwelling types and by regional customs, economies, climates, and site conditions. In general, they include size, identifiable centers and edges, connectedness with the surroundings, walkable streets, and sites for civic uses and social interaction.

Size is a defining feature of a neighborhood and is typically based on a comfortable distance for walking from the center of the neighborhood to its edge; that suggests an area of 40 to 160 acres. In the 1929 Regional Plan of New York and Environs, urban planner Clarence Perry outlined a neighborhood center surrounded by civic uses, parks, residential uses, a school, and retail at the edge, all within one-quarter mile—about a 5-minute walk. This amounts to an area or pedestrian "shed" of 125 acres, or if the land area is a square, 160 acres. Although Perry's diagram does not address many of the sustainable features of LEED-ND, such as access to multimodal transportation options, location of infrastructure, and building form, it serves as a reference point for the mix of uses and walkable scale of neighborhood development encouraged in the rating system. Most people will walk approximately one-quarter mile (1,320 feet) to run daily errands; beyond that, many will take a bicycle or car. Additional research shows that people will walk as far as a half-mile (2,640 feet) to reach heavy rail transit systems or more specialized shops or civic uses.<sup>8</sup> Since half a square mile contains 320 acres, the core committee has decided that this size should serve as guidance for the upper limit of a LEED-ND project.

<sup>5</sup> Lewis Mumford, "The Neighbourhood and the Neighbourhood Unit," *Town Planning Review* 24 (1954): 356-370, p. 358.

<sup>6</sup> Charter of the Congress for the New Urbanism, [www.cnu.org/charter](http://www.cnu.org/charter), 1996.

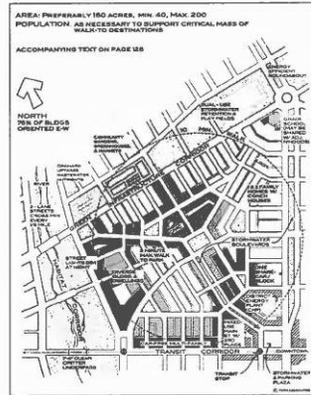
<sup>7</sup> *Ibid.*

<sup>8</sup> H. Dittmar and G. Ohland, eds., *The New Transit Town: Best Practices in Transit-Oriented Development* (Washington, D.C.: Island Press, 2004), p. 120.

Figure 1. Clarence Perry's Neighborhood Unit, 1929.  
Source: Regional Plan Association



Figure 2. A "sustainable" update of Perry's neighborhood unit. Source: Douglas Farr, *Sustainable Urbanism*



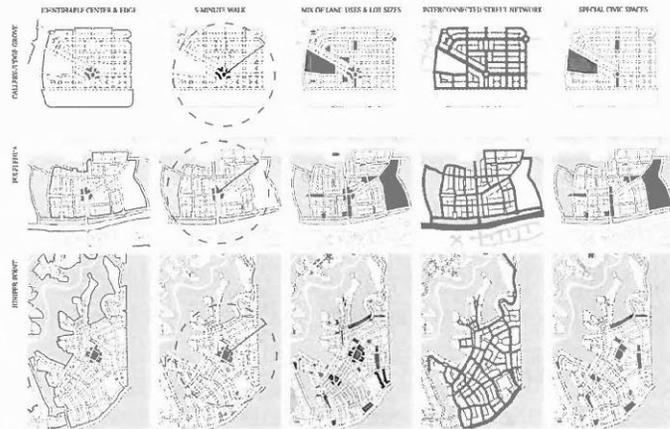
A neighborhood should have places where the public feels welcome and encouraged to congregate, recognizable as the heart of the community. A proper center has at least one outdoor public space for this purpose, designed with pedestrians in mind; this is the most well-defined outdoor “room” in the neighborhood. The best centers are within walking distance of the primarily residential areas, and typically some gradient in density is discernible from center to edge. The “center” need not be in the geographic center of the neighborhood; it can be along the edge, on an arterial or transit line. It is important for a neighborhood to have boundaries as well as a defined center, and this characteristic is often achieved through identifiable edges, either man-made or natural, such as adjacent farmland, parks, greenways, schools, major rights-of-way, or other uses.

When a neighborhood has a robust network of internal streets and good connections to surrounding communities, pedestrians, bicyclists, and drivers can move more efficiently and more safely. Multiple intersections and short blocks also give pedestrians a more interesting environment. The maximum average block perimeter to achieve an integrated network is 1,500 feet, with a maximum uninterrupted block face of ideally no more than 450 feet; intersecting streets are placed at intervals of 500 to 600 feet, and no greater than 800 feet apart along any single stretch.

The morphology of a sustainable neighborhood—the design of its blocks, streets, and buildings—can serve as the foundation of a walkable environment. Walkable streets have many features, and those elements deemed most important by the core committee are encouraged by the LEED-ND Rating System. These features, such as human-scaled buildings and street widths, wide sidewalks, buildings that are pulled up to the sidewalk to create a continuous street wall, retail storefronts and other uses, and interesting street furniture and trees, are meant to create a safe, inviting, and well-used public realm with visual interest. To keep loading docks, garage openings, and utilities away from sidewalks, neighborhoods with walkable streets often feature alleys.

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Figure 3. Examples of neighborhood morphology. Source: Douglas Farr, *Sustainable Urbanism*



A mix of uses is often integral to the vitality of a neighborhood; the mix can include not only residential and commercial but also a variety of retail establishments, services, community facilities, and other kinds of “diverse uses,” whether available within the neighborhood or adjacent. Urban theorist Ray Oldenburg would classify diverse uses as “Third Places”—small neighborhood grocers, coffee shops, pubs, or post offices that allow residents and workers to mingle and have social interactions. A mix of active and diverse retail uses on a walkable street can create a place that is alive day and night, and not closed down at 6 p.m.

Existing neighborhoods have the added benefit of historic buildings and events with cultural significance. Jane Jacobs argued that every neighborhood needed a mixture of newer and older buildings to allow for a variety of uses, income levels, and even ideas within the neighborhood.<sup>9</sup> New neighborhoods can bring some of the architectural diversity found in existing neighborhoods by including a mix of uses and housing types, each of which might need a different building type and design, thus generating visual interest. Finally, placing important civic buildings, such as churches, libraries, schools, or local government buildings at the termination of a street can create civic pride and also an interesting vista for pedestrians. With a focus on civic buildings and gathering places and the pedestrian experience in general, it is no surprise that walkable neighborhoods are often defined by the social interaction among people living and working near one another.

In conclusion, LEED for Neighborhood Development emphasizes the creation of compact, walkable, vibrant, mixed-use neighborhoods with good connections to nearby communities. In addition to neighborhood morphology, pedestrian scale, and mix of uses, the rating system also emphasizes the location of the neighborhood and the performance of the infrastructure and buildings within it. The sustainable benefits of a neighborhood increase when it offers proximity to transit and when residents and workers can safely travel by foot or bicycle to jobs, amenities,

<sup>9</sup> Jane Jacobs, *The Death and Life of Great American Cities* (New York: Random House, 1961), p. 187.

and services. This can create a neighborhood with a high quality of life and healthy inhabitants. Likewise, green buildings can reduce energy and water use, and green infrastructure, such as landscaping and best practices to reduce stormwater runoff, can protect natural resources. Together, well-located and well-designed green neighborhood developments will play an integral role in reducing greenhouse gas emissions and improving quality of life.

#### Certification

To earn LEED certification, the applicant project must satisfy all the prerequisites and qualify for a minimum number of points to attain the project ratings listed below. Having satisfied the basic prerequisites of the program, applicant projects are then rated according to their degree of compliance within the rating system.

LEED for Neighborhood Development certifications are awarded according to the following scale:

Certified	40–49 points
Silver	50–59 points
Gold	60–79 points
Platinum	80 points and above

#### Stages of Certification

LEED for Neighborhood Development involves projects that may have significantly longer construction periods than single buildings, and as a result the standard LEED certification process has been modified. To provide developers of certifiable projects with conditional approval at an early stage, LEED 2009 for Neighborhood Development certification is divided into a three-stage process. A land-use entitlement, referred to below, is the existing or granted right to use property for specific types and quantities of residential and nonresidential land uses.

**Stage 1. Conditional Approval of a LEED-ND Plan.** This stage is optional for projects at any point before the entitlement process begins, or when no more than 50% of a project's total new and/or renovated building square footage has land-use entitlements to use property for the specific types and quantities of residential and nonresidential land uses proposed, either by right or through a local government regulatory change process. Projects with more than 50% of new and/or renovated square footage already entitled must complete the local entitlement process for 100% of new and/or renovated square footage and apply under Stage 2. If conditional approval of the plan is achieved, a letter will be issued stating that if the project is built as proposed, it will be eligible to achieve LEED for Neighborhood Development certification. The purpose of this letter is to help the developer build a case for entitlement among land-use planning authorities, as well as attract financing and occupant commitments.

**Stage 2. Pre-Certified LEED-ND Plan.** This stage is available after 100% of the project's total new and/or renovated building square footage has been fully entitled by public authorities with jurisdiction over the project. The project can also be under construction or partially completed, but no more than 75% of the total square footage can be constructed; projects that are more than 75% constructed must finish and use Stage 3. Any changes to the conditionally approved plan that could affect prerequisite or credit achievement must be communicated as part of this submission. If precertification of the plan is achieved, a certificate will be issued stating that the plan is a Pre-Certified LEED for Neighborhood Development Plan and it will be listed as such on the USGBC website.

**Stage 3. LEED-ND Certified Neighborhood Development.** This final step takes place when the project can submit documentation for all prerequisites and attempted credits, and when certificates of occupancy for buildings and acceptance of infrastructure have been issued by public authorities with jurisdiction over the project. Any changes to the Pre-Certified LEED-ND Plan that could affect prerequisite or credit achievement must be communicated as part of this submission. If certification of the completed neighborhood development is achieved, a plaque or similar award for public display at the project site will be issued and it will be listed as certified on the USGBC website.

Since the location of a project cannot be changed, whereas its design and technologies can, a review is offered to determine a project's compliance with the Smart Location and Linkage (SLL) prerequisites and inform the team whether the location qualifies. If it does, a project team can proceed; if it doesn't, the team can end its participation in the program before investing more time. This optional review of the SLL prerequisites is available to projects in advance of a Stage 1, Stage 2, or Stage 3 application.

**IV. EXEMPLARY PERFORMANCE**

Exemplary performance strategies result in performance that greatly exceeds the performance level or expands the scope required by an existing credit. To earn an exemplary performance point, teams must meet the performance level defined by the next step in the threshold progression. For a credit with more than one compliance path, an Innovation and Design Process point can be earned by satisfying more than one compliance path if their benefits are additive.

The credits for which exemplary performance points are available are listed in the LEED Reference Guide for Green Neighborhood Development, 2009 Edition.

**V. REGIONAL PRIORITY**

To provide incentive to address geographically specific environmental issues, USGBC regional councils and chapters, the Congress for the New Urbanism chapters, and representatives of Smart Growth America's State and Local Caucus have identified 6 credits per rating system that are of particular importance to specific areas. Each Regional Priority credit is worth an additional 1 point, and a total of 4 additional points may be earned by achieving Regional Priority credits, with 1 point earned per credit. If the project achieves more than 4 Regional Priority credits, the team can choose the credits for which these points will apply. The USGBC website contains a searchable database of Regional Priority credits.

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## SMART LOCATION AND LINKAGE

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### SLL Prerequisite 1: Smart Location

#### Required

##### Intent

To encourage development within and near *existing* communities and public transit infrastructure. To encourage improvement and redevelopment of existing cities, suburbs, and towns while limiting the expansion of the *development footprint* in the region to appropriate circumstances. To reduce vehicle trips and *vehicle miles traveled* (VMT). To reduce the incidence of obesity, heart disease, and hypertension by encouraging daily physical activity associated with walking and bicycling.

##### Requirements

#### FOR ALL PROJECTS

Either (a) locate the *project* on a site served by existing *water and wastewater infrastructure* or (b) locate the project within a legally adopted, publicly owned, planned water and wastewater service area, and provide new water and wastewater infrastructure for the project.

#### AND

#### OPTION 1. Infill Sites

Locate the project on an *infill site*.

#### OR

#### OPTION 2. Adjacent Sites with Connectivity

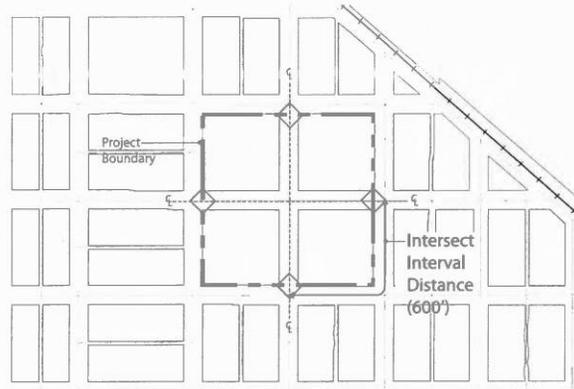
Locate the project on an *adjacent site* (i.e., a site that is adjacent to *previously developed* land; see Definitions) where the *connectivity* of the site and adjacent land is at least 90 intersections/square mile as measured within a 1/2-mile distance of a continuous segment of the *project boundary*, equal to or greater than 25% of the project boundary, that is adjacent to previous development. Existing external and internal intersections may be counted if they were not constructed or funded by the project *developer* within the past ten years. Locate and/or design the project such that a through-*street* and/or nonmotorized right-of-way intersects the project boundary at least every 600 feet on average, and at least every 800 feet, connecting it with an existing street and/or right of way outside the project; nonmotorized rights-of-way may count for no more than 20% of the total. The exemptions listed in NPD Prerequisite 3, Connected and Open Community, do not apply to this option.

Figure 1. Adjacent and connected project site based on minimum 25% of perimeter adjacent to previously developed parcels and at least 90 eligible intersections per square mile within 1/2 mile of boundary segment adjacent to previous development



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Figure 2. Project site with through-street right-of-way intersecting project boundary at least every 600 feet on average



OR

**OPTION 3. Transit Corridor or Route with Adequate Transit Service**

Locate the project on a site with existing and/or planned transit service such that at least 50% of *dwelling units* and nonresidential building entrances (inclusive of existing buildings) are within a 1/4 mile walk distance of bus and/or streetcar stops, or within a 1/2 mile walk distance of *bus rapid transit* stops, light or heavy rail stations, and/or ferry terminals, and the transit service at those stops in aggregate meets the minimums listed in Table 1 (both weekday and weekend trip minimums must be met).

Weekend trips must include service on both Saturday and Sunday. Commuter rail must serve more than one *metropolitan statistical area (MSA)* and/or the area surrounding the core of an MSA.

Table 1. Minimum daily transit service

	Weekday trips	Weekend trips
Projects with multiple transit types (bus, streetcar, rail, or ferry)	60	40
Projects with commuter rail or ferry service only	24	6

LETTER

RESPONSE

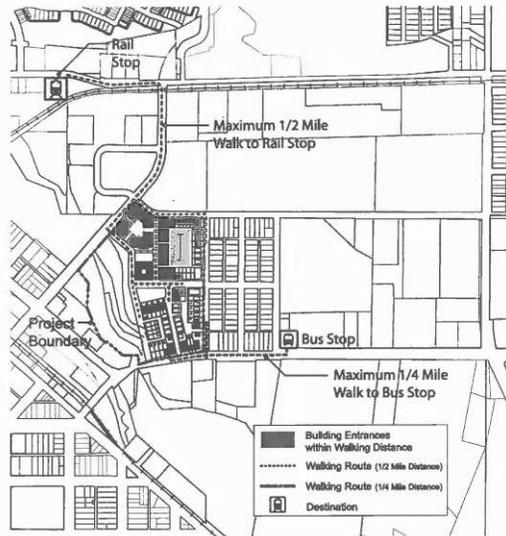
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If transit service is planned but not yet operational, the project must demonstrate one of the following:

- a. The relevant transit agency has a signed full funding grant agreement with the Federal Transit Administration that includes a revenue operations date for the start of transit service. The revenue operations date must be no later than the occupancy date of 50% of the project's total building square footage.
  - b. For bus, streetcar, bus rapid transit, or ferry service, the transit agency must certify that it has an approved budget that includes specifically allocated funds sufficient to provide the planned service at the levels listed above and that service at these levels will commence no later than occupancy of 50% of the project's total building square footage.
  - c. For rail service other than streetcars, the transit agency must certify that preliminary engineering for a rail line has commenced. In addition, the service must meet either of these two requirements:
    - A state legislature or local subdivision of the state has authorized the transit agency to expend funds to establish rail transit service that will commence no later than occupancy of 50% of the project's total building square footage.
- OR
- A municipality has dedicated funding or reimbursement commitments from future tax revenue for the development of stations, platforms, or other rail transit infrastructure that will service the project no later than occupancy of 50% of the project's total building square footage.

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Figure 3. Walking routes on pedestrian network showing distances from dwellings and nonresidential uses to transit stops



OR

**OPTION 4. Sites with Nearby Neighborhood Assets**

Include a residential component equaling at least 30% of the project's total building square footage (exclusive of portions of parking structures devoted exclusively to parking), and locate the project near existing neighborhood shops, uses, and facilities ("diverse uses"; see Appendix) such that the project boundary is within 1/4-mile walk distance of at least five diverse uses, or such that the project's geographic center is within 1/2-mile walk distance of at least seven diverse uses. In either case the qualifying uses must include at least one food retail establishment and at least one use from each of two other categories, with the following limitations:

- a. A single establishment may not be counted in two categories (e.g., a place of worship may be counted only once even if it also contains a daycare facility, and a retail store may be counted only once even if it sells products in several categories).
- b. Establishments in a mixed-use building may each count if they are distinctly operated enterprises with

separate exterior entrances, but no more than half of the minimum number of diverse uses can be situated in a single building or under a common roof.

- c. Only two establishments in a single category may be counted (e.g., if five restaurants are within the required distance, only two may be counted).

Figure 4. Walking routes on pedestrian network showing distances from dwellings and nonresidential uses to diverse use destinations



#### Key Definitions

adjacent site a site having at least 25% of its boundary bordering parcels that are each at least 75% *previously developed*. A street or other right-of-way does not constitute previously developed land; instead, it is the status of the property on the other side of the street or right-of-way that matters. Any fraction of the boundary that borders waterfront other than a stream is excluded from the calculation. A site is still considered adjacent if the 25% adjacent portion of its boundary is separated from previously developed parcels by undeveloped, permanently protected land averaging no more than 400 feet in width and no more than 500 feet in any one place. The undeveloped land must be permanently preserved as natural area, riparian corridor, *park*, greenway, agricultural land, or designated *cultural landscape*. Permanent pedestrian paths connecting the project through the protected parcels to the bordering site may be counted to meet the requirement of SLL Prerequisite 1, Option 2 (that the project be connected to the adjacent parcel by a through-street or nonmotorized right-of-way every 600 feet on average, provided the path or paths traverse the undeveloped land at no more than a 10% grade for walking by persons of all ages and physical abilities).

Adjacent project site based on minimum 25% of perimeter adjacent to previously developed parcels, including allowance for permanently protected land between project boundary and previously developed parcels



connectivity the number of publicly accessible intersections per square mile, including any combination of streets, dedicated alleys, transit rights-of-way, and nonmotorized rights-of-way. If one must both enter and exit an area through the same intersection, such an intersection and any intersections beyond that point are not counted; intersections leading only to culs-de-sac are also not counted. The calculation of square mileage excludes water bodies, parks larger than 1/2 acre, public facility campuses, airports, rail yards, slopes over 15%, and areas nonbuildable under codified law or the rating system. Street rights-of-way may not be excluded.

**infill site a site that meets any of the following four conditions:**

- a. At least 75% of its boundary borders parcels that individually are at least 50% *previously developed*, and that in aggregate are at least 75% previously developed.
- b. The site, in combination with bordering parcels, forms an aggregate parcel whose boundary is 75% bounded by parcels that individually are at least 50% previously developed, and that in aggregate are at least 75% previously developed.
- c. At least 75% of the land area, exclusive of rights-of-way, within a 1/2 mile distance from the *project boundary* is previously developed.
- d. The lands within a 1/2 mile distance from the project boundary have a *preproject connectivity* of at least 1.40 intersections per square mile.

A *street* or other right-of-way does not constitute previously developed land; it is the status of property on the other side or right-of-way of the street that matters. For conditions (a) and (b) above, any fraction of the perimeter that borders waterfront other than a stream is excluded from the calculation.

(a). Infill project site based on minimum 75% of perimeter adjacent to previously developed parcels

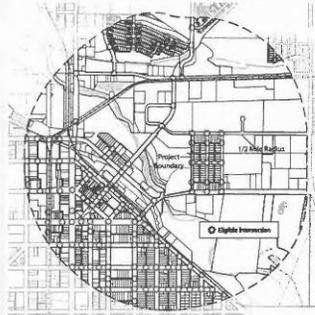
(b). Infill project site based on minimum 75% adjacent to previously developed parcels using project boundary and selected bordering parcels



(c). Infill project site based on minimum 75% of land area within 1/2 mile of project boundary being previously developed



(d). Infill project site based on minimum 140 intersections/sq.mi. within 1/2 mile of project boundary



previously developed altered by paving, construction, and/or land use that would typically have required regulatory permitting to have been initiated (alterations may exist now or in the past). Previously developed land includes a platted lot on which a building was constructed if the lot is no more than 1 acre; previous development on lots larger than 1 acre is defined as the *development footprint* and land alterations associated with the footprint. Land that is not previously developed and altered landscapes resulting from current or historical clearing or filling, agricultural or forestry use, or preserved natural area use are considered undeveloped land. The date of previous development permit issuance constitutes the date of previous development, but permit issuance in itself does not constitute previous development.

LETTER

RESPONSE

**EXHIBIT 4**

DEIR Public Comment Letter dated August 13, 2013 from Kevin K. Johnson APLC re:  
Proposed Accretive Lilac Hills Ranch General Plan Amendment and Specific Plan  
PDS2012-3800-12-001(GPA),PDS2012-3810-12-001 (SP)-**General Plan and  
Community Plan Inconsistencies**

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Comments)	Date Made	Date Received
11	Fire Protection Plan	Please remove the discussion regarding Solar Photovoltaic Power System. The Specific Plan does not include any provisions for a solar facility.	The FPP has been revised to address the comments from the Deer Springs-FPD and County Fire Authority.	01/11/12 12/10/12 3/20/13	01/13/13
11	Fire Protection Plan	Please update the phasing exhibit to address the previous comments.	The FPP has been revised to address the comments from the Deer Springs-FPD and County Fire Authority.	01/11/12 12/10/12 3/20/13	01/13/13
12	General Comment	Please clarify the message of the project site and the number of properties (parcels) throughout the technical studies.			
12	General Comment	Please clarify the number of parcels within the project area throughout the technical studies.		01/11/12 12/10/12	12/10/12
	General Plan Conformance	The project remains inconsistent with the land use map and numerous General Plan and Community Plan policies. Please see the General Plan Conformance Review attached to this letter for a list of the policies that are inconsistent with the letter. Please review the policies and indicate to staff how you would propose to revise these policies or if you disagree with staff's analysis. Some of the policies identified below may not be an issue based on a review of the technical documents requested. If an issue with the project's consistency with these policies will be identified upon acceptance of the technical studies.			
13	1		The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13
13	2	General Plan Conformance - Bonsall Community Plan	Goal LU-1.1: A unique balance of Bonsall's rural agriculture, estate lots, equestrian, equestrian uses, and open space land uses is maintained, supporting open space and low density buffers that maintain the character of rural, agricultural and unincorporated community and new development that conserves natural resources and topography.	01/11/12 12/10/12 3/20/13	01/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PROJECT NAME: Libe Hills Ranch Master Planned Community					
PDS (Department of Planning & Development Services) Planning and CEQR Comments					
Item No.	Subject Area	Issue, Revision or Information Required	ES&I Regulatory Subcategory (Include Conditions)	Date Identified	Date Resolved
13	General Plan Conformance - Bonsall Community Plan	Policy LU-1.1.1 Require development in the community to preserve the rural qualities of the area, minimize traffic congestion, and to not adversely affect the natural environment.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy P LU-1.1.2 Maintain the existing rural lifestyle by continuing the existing pattern of residential, equestrian, and agricultural uses within the Bonsall CPA.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy LU1.1.3 Require development to be sensitive to the topography, physical context, and community character of Bonsall.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Figure 3. Bonsall Village Boundaries.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Goal 1.2 Continued development that is appropriately designed to match the rural character of the Bonsall community.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy 1.2.1 Require development that is designed to be consistent with the rural character of the Bonsall community.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy 1.2.2 Encourage the application of design review to the majority of parcels in the Bonsall CPA.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Goal LU-2.1 Development that centers inside the core Village in Bonsall and discourages spot development outside that area.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PDS [Department of Planning & Development Services] Planning and CEQA Comments					
Item No.	Subject Area	Issue, Revision or Information Required	Stage Reached/Status	Date Identified	Date Resolved
13	General Plan Conformance - Bentsall Community Plan	Policy LU-2.1.1 Encourage development inside the Village boundaries (see Figure 3) which are contained by the Mission Road/Olive Hill Road and State Route 75 Intersections.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Bentsall Community Plan	Goal LU-2.2 The San Luis Rey River Valley retains its rural character and provides opportunities for neighboring cities that are discouraged from annexing areas of Bentsall.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Bentsall Community Plan	Goal LU-3.1 Establish residential development that provides adequate housing opportunities for all residents, while maintaining and enhancing the existing rural atmosphere of the community.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Bentsall Community Plan	Policy LUC-3.1.2 Requires subdivision design to minimize adverse impacts, or to be consistent with the surrounding environment, mitigate any impacts from other uses on the land that could not be avoided. Require mitigation actions to remain within the CPA.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Bentsall Community Plan	Policy LU-5.1.3 Buffer residential areas from incompatible activities, which create heavy traffic, noise, dust, ugliness, views, or from incompatibility with the surrounding environment.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Bentsall Community Plan	Policy LU-5.1.2 Require grading to be confined to lines with natural topography, rather than consist of straight edges.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Bentsall Community Plan	Policy LU-5.1.3 Minimize grading to preserve natural landforms, major rock outcroppings and areas of existing mature trees. Integrate hillside development with existing topography and landforms.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Bentsall Community Plan	Policy LU-5.1.4 Restrict, to the maximum extent feasible, extensive grading for development projects in areas with slopes that are 20 percent or greater, in order to preserve and protect the environment, and to lessen grading and erosion.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/31/13

**ATTACHMENT A  
PROJECT ISSUE CHECKLIST**

**PROJECT NAME:** Ujac Hills Ranch Master Planned Community  
**Project Number(s):** 3800-12-001 (GPA), 3810-12-001 (SP), 3600-12-003 (REZ), 3100-5571 (TM), 2100-5572 (TM), 3300-12-005 (MUP), 3300-12-017 (STP), 3300-12-018 (STP)

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (include Conditions)	Date Identified	Date Resolved
13	General Plan Conformance - Bensall Community Plan	Policy LU-5.1.5 Require development on slopes to be steeped to follow and preserve topography to the maximum extent feasible.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	6/14/12 12/10/12 3/20/13	6/13/13
13	General Plan Conformance - Bensall Community Plan	Policy LU-5.1.6 Minimize cut and fill grading for roads and access ways to the absolute minimum necessary.	The projects conformance with the General Land Use section of the EIR.	6/14/12 12/10/12 3/20/13	6/13/13
13	General Plan Conformance - Bensall Community Plan	Goal LU-6.2 The preservation of groundwater resources, community character and protection of sensitive resources in the Bensall Community Planning Area.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	6/14/12 12/10/12 3/20/13	6/13/13
13	General Plan Conformance - Bensall Community Plan	Policy LU-5.2.1 Require lot sizes, except through planned development, lot area averaging or specific plan projects, to be no smaller than: - 50 percent of the density indicated on the Land Use Map, without clustering or lot averaging, for Semi Rural 4 and higher densities, or - Four acres for Semi Rural 10 and lower densities. Implementation LU-5.2.1 Zoning Ordinance Policy LU-5.2.2 Allow further reduction in minimum lot size for projects that are consistent with the intent of the General Plan Area Averaging, or Specific Plan projects only when setbacks, building scale, and design are appropriate to retain the residential and agricultural community character in the area. Example: Semi Rural 2 establishes a density of one dwelling unit per acre. If a lot size of that density would result in a minimum lot size of one acre.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	6/14/12 12/10/12 3/20/13	6/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PDS [Department of Planning & Development Services] Planning and CEQA Comments PROJECT NAME: Lilaic Hills Ranch Master Planned Community PROJECT NUMBER(S): 3800 12 004 (GPA), 3810 12 004 (SP), 3600 12 003 (REZ), 3100 5571 (TM), 3100 5572 (TM), 3300 12 005 (MUP), 3500 12 017 (STP), 3500 12 018 (STP)					
Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Date Identified	Date Resolved
13	General Plan Conformance - Bonsall Community Plan	Policy LU-5.2.2 Allow further reductions in minimum lot sizes indicated in Policy LU-5.2.1, through Planned Development, Lot Area Averaging, or Specific Plan projects only when setbacks, building scale, and design are appropriate to retain the equestrian and agricultural community character in the area.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bonsall Community Plan	Goal LU-A.1 Infrastructure and public utilities that are provided concurrent to development in a manner compatible with community character while minimizing visual and environmental impacts.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy LU-8.1.2 Parks developed on an orderly, phased basis so that it will not erode public facilities.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bonsall Community Plan	Goal LU-7.1 An adequate supply of water that meets current and projected needs of both residential and agricultural users in Bonsall CPA.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bonsall Community Plan	Goal CM-1.1 A circulation system which preserve the rural character of the community and provides a safe, balanced transportation system for users of automobiles, bicycle, equestrian and pedestrian users.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy CM-1.1.1 Reduce traffic volume on roads recognized as rural roads or scenic roads such as not limited to, providing alternate routes and reducing density.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy CM-1.1.3 Coordinate with Caltrans to design and construct State Route 78, East Vista Way (S13), and Interstate 15 to efficiently carry traffic through the Bonsall CPA. Design and construct interior roads, such as Camino del Rey, West Lilaic, Copley Canyon, and Olive Hill to carry primarily local traffic and remain rural to the degree consistent with safety requirements.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PDS Department of Planning & Development Services) Planning and CEQA Comments PROJECT NAME: Elac Hills Ranch Master Planned Community Project Number(s): 3800 12 001 (GPA), 3810 12 001 (SP), 3800 12 003 (REZ), 3100 5571 (TM), 3100 5572 (TM), 3300 12 005 (MUP), 3500 12 017 (STP), 3500 12 018 (STP)					
Item No.	Subject Area	Issue, Revision or Information Required	Response/Action/Justification (Include Conditions)	Date Identified	Date Received
13	30 General Plan Conformance - Bonsall Community Plan	Policy GM-1.1.4 Prioritize the preservation and protection of scenic resources, including mobility, or realignment. Encourage all mitigation to be on-site and site-specific. Require mitigation within the Bonsall CPA where on-site and site-specific mitigation is not appropriate, whenever feasible.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13
13	31 General Plan Conformance - Bonsall Community Plan	Policy GM-1.1.5 Minimize direct access points onto Mobility Element roads to produce uninterrupted traffic flow in commercial areas. Encourage new Commercial development to provide, where possible, indirect access through the use of intermodal access points, loop, or frontage roads, common driveways or similar means.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13
13	32 General Plan Conformance - Bonsall Community Plan	Policy GM-1.1.8 Minimize the use of cut-dee-cut in the Bonsall CPA and require new subdivisions to provide local connectivity by providing linkages for long-term circulation improvement.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13
13	33 General Plan Conformance - Bonsall Community Plan	Goal GM-4.1.A circulation system which preserves the rural landscape and transportation system, which includes automobile, bicycle, equestrian, and pedestrian users.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13
13	34 General Plan Conformance - Bonsall Community Plan	Policy GM-4.1.2 Prohibit the use of all on-street parking on Mobility Element Roads outside the Village Boundaries and require development to provide adequate on-site parking.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13
13	35 General Plan Conformance - Bonsall Community Plan	Goal GM-5.1 Scenic routes where community character and natural resources are preserved by minimizing the impacts of public or private development along roadways in Bonsall.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13
13	38 General Plan Conformance - Bonsall Community Plan	Policy GM-5.1.1 Design, maintain and/or improve scenic areas, road alignments, and realignments to minimize the alteration of the natural landform by following the contours of the existing natural topography without sacrificing safety or sight distance criteria.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/11/12 12/10/12 3/20/13	01/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PDS (Department of Planning & Development Services) Planning and CEQA Comments PROJECT NAME: Litas Hills Ranch Master Planned Community Project Number(s): 3800 12-001 (GFA), 3810 12-001 (SP), 3800 12-003 (REZ), 3100 3571 (TM), 3100 3572 (TM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)					
Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Trade Identified	Date Resolved
13	General Plan Conformance - Bentsall Community Plan	Goal COS-1.1 The preservation of the unique natural and cultural resources of Bentsall and the San Luis Rey River and riparian areas requires continued support for its traditional rural and agricultural life-style.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bentsall Community Plan	Policy COS-1.1.4 Require development to be compatible with landscape and rural life-style, sensitive to agriculture, agricultural lands, and recreation areas, to provide transition of urban areas throughout the Bentsall Community.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bentsall Community Plan	Goal COS-1.2 The continuation of agriculture as a prominent use for agricultural areas from scattered and incompatible urban lands with its associated greenbelts/buffers between agricultural zoning and urban zoning.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bentsall Community Plan	Policy COS-1.2.1 Encourage the protection of areas designated for agricultural uses from scattered and incompatible urban lands with its associated greenbelts/buffers between agricultural zoning and urban zoning.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bentsall Community Plan	Policy COS-1.2.2 Encourage the use of agriculture easements in agricultural areas as part of the Conservation Sustainment Program, while maintaining community character with rural and semi-rural homes.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Bentsall Community Plan	Policy COS-1.2.3 Require development to minimize potential impacts on agriculture by incorporating adequate buffers, setbacks, and project design measures to protect surrounding agriculture and support local and state right-to-farm regulations.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PDS (Department of Planning & Development Services) Planning and CEQA Comments  
 PROJECT NAME: Llac Hills Ranch Master Planned Community  
 Project Number(s): 3800 12-001 (GPA), 3810 12-001 (SP), 3800 12-003 (REZ), 3100 337.1 (IM), 3100 337.2 (IM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)

Item No.	Subject Area	Issue, Revision or Information Required	Issue Identification Summary (Include Conditions)	Date Identified	Date Resolved
13	General Plan Conformances - Bonsall Community Plan	Policy COS-1.3.3 Preserve and encourage wildlife corridors including buffer areas, which are essential to the long-term viability of wildlife populations, through open space easements, public acquisition, or other appropriate means. The width of the easement will depend on the type of wildlife using the corridor and the type of habitat. Buffer areas shall be determined by a certified wildlife biologist on either side of the corridor, where feasible.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformances - Bonsall Community Plan	Goal COS-1.4.Ah "astronomical dark sky" that retains the rural landscape and the continued operation of the Mt. Palomar observatory.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformances - Bonsall Community Plan	Policy COS-1.4.1 Diminish glare lighting, unless necessary for safety. Reduce street lighting to meet local codes and the County Light Pollution Code, Ordinance #7155.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformances - Bonsall Community Plan	Policy COS-1.5.1 - requires adequate setbacks from all structures, and that structures be designed to enhance aesthetic quality of the riparian environment.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformances - Bonsall Community Plan	Goal COS-1.6 Important historic and prehistoric archaeological resources shall be protected through adequate protection for new sites, as they are discovered.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformances - Bonsall Community Plan	Policy COS-1.6.1 Prevent development, trenching, grading, clearing and grubbing and other related activities that can be damaging to significant prehistoric or historic sites.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformances - Bonsall Community Plan	Goal COS-2.1.A balanced system of local parks, open space, riding and hiking trails, with outdoor recreation facilities and services, which incorporate the outstanding natural features of the CPA and meet the needs of the residents of the Bonsall community.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PROJECT NAME: Llac Hills Ranch Master Planned Community PDS (Department of Planning & Development Services) Planning and CEQA Comments					
Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Date Identified	Date Resolved
13	General Plan Conformance - Bonsall Community Plan	Policy COS-2.1.1 Encourage the acquisition and development of parklands that will protect outstanding, scenic, and riparian areas, and cultural, historical, and biological resources.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy COS-2.1.4 Require appropriate wetland preservation buffers in recreational facilities located adjacent to wetlands to use parkland to provide a transition to the wetland buffer area and buffers for additional passive recreational uses, as permitted.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy COS-2.1.5 Coordinate with the Bonsall Community Sponsor Group on the future siting, naming, and planning of community parks in Bonsall.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy COS-3.1.1 Encourage agricultural and equestrian open space and only encourage linking of open space if it is biological and supports a wildlife corridor system.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	GOAL S-1 Adequate law enforcement, fire protection, and emergency services that contribute to a safe living and working environment for the residents of Bonsall.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy S-1.1 Support the provision of adequate law enforcement, fire protection, and emergency services for the residents of Bonsall.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	GOAL M-1 Protect and enhance Bonsall's acoustical environment by supporting the control of noise at its source, along its transmission path and at the site of sensitive receivers. Maintain an environment free of excessive noise by providing control of noise at its source.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13
13	General Plan Conformance - Bonsall Community Plan	Policy M-1.1 Require site design and building design controls to minimize noise emissions from noise sources.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	8/14/12 12/10/12 3/20/13	8/13/13

ATTACHMENT A  
PROJECT ISSUE CHECKLIST

PROJECT NAME: Lila Hill Ranch Master Planned Community  
 FDS (Department of Planning & Development Services) Planning and CEQA Comments  
 Project Number(s): 3800 12 001 (GPA), 3810 12 001 (SP), 3600 12 003 (REZ), 3100 3571 (TM), 3100 3572 (TM), 3300 12 005 (MUP), 3500 12 017 (SIP), 3500 12 018 (SIP)

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution/Ultimatum (Include Conditions)	Date Issued	Date Resolved
13	General Plan Conformance - Bensall Community Plan	Policy N-1.2 Encourage land use and circulation patterns, which will minimize noise in residential neighborhoods and sensitive wildlife habitat.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	08/14/12 12/01/12 3/20/13	01/13/13
13	General Plan Conformance - Bensall Community Plan	Policy N-1.3 Support limiting truck traffic in designated routes to reduce noise in residential areas.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	08/14/12 12/01/12 3/20/13	01/13/13
13	General Plan Conformance - Bensall Community Plan	Section 6. Specific Plans and Special Study Areas.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	08/14/12 12/01/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	The Background section of the Valley Center Community Plan indicates that the 2010 SANDAG estimates for population and housing in the Valley Center CPA identify a population of 17,562. The number of 6000 housing units, the project would reduce the use of population and total number of housing units within the community.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	08/14/12 12/01/12 3/20/13	01/13/13

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PROJECT ISSUE CHECKLIST

**PROJECT NAME:** Libse Hink Ranch Master Planned Community  
**Project Number(s):** 3800 12-081 (GPA), 3810 12-081 (SP), 3500 12-003 (REZ), 3100 3571 (IM), 3100 3572 (IM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)

PDS (Department of Planning & Development Services) Planning and CEQA Comments

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Date Identified	Date Resolved
13	General Plan Conformance - Valley Center Community Plan	Community Character Goal Preserve and enhance the rural character of Valley Center by maintaining a pattern of land use consistent with the following regional categories: a. Village Enhance the rural village character of valley center's north and south villages defined by the current nodes of industrial, commercial and higher density village residential land use designations. b. Seasonal lands preserve and maintain the overall rural and agricultural character of the semi rural areas. c. Rural lands preserve and maintain the overall rural and agricultural character of the rural lands area outside the semi-rural area.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	Figure 2, Valley Center Control Map.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	Community Character Policy 1: Require that future projects are consistent with the policy and the recommendations contained in the Valley Center Community Plan.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	Community Character Policy 2: Maintain the existing rural character of Valley Center in future developments by prohibiting monotonous tract developments. Require site design that is consistent with the rural community character.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13



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PROJECT ISSUE CHECKLIST

**PROJECT NAME:** Lilee Hills Ranch Master Planned Community  
**Project Number(s):** 3500 12-001 (GPA), 3810 12-004 (SP), 3500 12-003 (REZ), 3100 5571 (TM), 3100 5572 (TM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)

**PDS (Department of Planning & Development Services) Planning and CEQA Comments**

Item No.	Subject Area	Issue, Revision or Information Requested	ES&S Response/Action/Response (Include Conditions)	Date Identified	Date Resolved
13	General Plan Conformance - Valley Center Community Plan	<p><b>B. Rural Compatibility Issues:</b></p> <p>4. Require new residential development to adhere to site design standards which are consistent with the character and scale of a rural community. The following elements are particularly important that follow topography and minimize grading:</p> <ul style="list-style-type: none"> <li>- Built environment that is integrated into the natural setting and topography;</li> <li>- Grading that follows natural contours and does not disturb the natural terrain;</li> <li>- Structure design and siting that allows preservation of the riparian areas;</li> <li>- Retention of natural vegetation, agricultural areas, rock outcroppings, riparian habitats and drainage areas;</li> </ul> <p>5. Require new residential development to construct roads that blend into the natural terrain and avoid "urbanizing" improvements such as widening, straightening, filling and the use of concrete curbs and sidewalks.</p> <p><b>6. Buffer residential areas from incompatible activities which create heavy traffic, noise, odors, dust, and unattractive views through the use of landscaping and preservation of open space.</b></p>	<p>The projects conformance with the General Plan is assessed in the Specific Plan and Land Use Section of the EIR.</p>	<p>01/11/12 12/10/12 3/20/13</p>	01/31/13

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PROJECT ISSUE CHECKLIST

PDS (Department of Planning & Development Services) Planning and CEQA Comments				
Item No.	Subject Area	Issue, Revision or Information Required	Date Identified	Date Resolved
PROJECT NAME: Llac Hills Ranch Master Planned Community Project Number(s): 3800 12-001 (GPA), 3810 12-001 (SP), 3600 12-003 (REZ), 3100 5574 (IM), 3100 5572 (TM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)				
13	General Plan Conformance - Valley Center Community Plan	7. Clustering planned development lot area averaging, and Specific Plan projects which utilize the clustering technique shall in no instance within the Valley Center CPA be used to create a greater number of lots than the property would have been identified to without the use of the above mentioned techniques. Lot calculations shall be subject to the Resource Protection Conference.  8. Once the appropriate number of lots has been established, the developer may elect to "cluster" or "lot area average" to lots of a minimum 0.5 acre in size in a Specific Plan Area Land Use Designation, no minimum lot size in the Village Area and a minimum lot size of 2 acres in SR-10 areas in SR-10 zones in SR-4 and 2.5 acres in SR-10 provided the project is sewered, and providing that: a. The property contains significant environmental resources (such as important, rare, or endangered biological and/or animal habitat, floodplains, drainages, rock outcroppings, or archaeological and cultural resources) which would best be preserved through the intended dedication of the project as an Open Space element to the County or another approved conservation agency. AND: b. Forty (40) percent of the gross acreage of the property is placed into permanent open space. Whenever possible, a link should be provided between all open space units within the property.	01/4/12 12/10/12 3/20/13	01/31/13
13	General Plan Conformance - Valley Center Community Plan	Commercial Grade 1. Prohibit strip commercial development by containing commercial uses in the Cole Grade Road and Valley Center Road area and the Mirar de Valle Road and Valley Center Road area.	01/4/12 12/10/12 3/20/13	01/31/13

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Project Number(s): 3000 12-001 (GPA), 3010 12-001 (SP), 3030 12-003 (REZ), 3100 3571 (NW), 3100 3572 (NW), 3300 12-005 (MUP), 3300 12-017 (SVP), 3300 12-018 (SVP)

PROJECT NAME: Ulae Hills Ranch Master Planned Community

PDS (Department of Planning & Development Services) Planning and CEQA Comments

Item No.	Subject Area	Issue, Revision or Information Required	Issue Addressed (Summary) (Include Conditions)	Date Identified	Date Resolved
13	General Plan Conformance - Valley Center Community Plan	2. Require new commercial development to comply with the Design Guidelines for Valley Center including, but not limited to, the following: a. New commercial development shall be consistent with the community's landscape. Existing topography, land forms, drainage courses, rock outcroppings, vegetation and viewshed shall be incorporated in the design of the future development of commercial land via the "B" Community Design Area.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	3. Ensure that all commercial areas are served by Mobility Element roads or local roads which meet the standards of the County of San Diego. Whenever possible, require new commercial development to provide secondary road access as opposed to access from major through roads.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	4. Commercial and civic uses shall be located in areas which have adequate roads for circulation and provide easy and safe multi-purpose pathways and trails.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	5. Future commercial development shall be planned so that shop commercial development will be avoided.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	6. Commercial/civic uses shall not interfere either functionally or visually with adjacent land uses or the rural atmosphere of the community.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	7. Commercial/civic uses shall be periodically reviewed to ensure that the standards for noise, light, traffic, odors and all other conditions of approval are continuing to be met.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	8. Discourage commercial and civic uses outside of the Villages and limit all such uses to those that are clearly demonstrated as needed and which are compatible with the rural lifestyle of the Valley Center Community Plan.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13

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PROJECT NAME: Libas Hills Ranch Master Planned Community		Project Number(s): 3000-12-001 (GPA), 3810-12-001 (SP), 3600-12-003 (RE), 3100-5571 (TM), 3100-5572 (TM), 3300-12-005 (MUP), 3300-12-017 (STP), 3000-12-018 (STP)			
Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Specific Comments)	Date Identified	Date Resolved
13	79 General Plan Conformances - Valley Center Community Plan	9. The application of Land Use Designation Semi-Rural Zoned properties that are currently zoned commercial and are located outside of the Villages.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	80 General Plan Conformances - Valley Center Community Plan	Agricultural Goals 1. Support agricultural uses and activities throughout the CPA, by providing appropriately zoned areas in order to ensure the continuation of an important rural lifestyle in Valley Center.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	81 General Plan Conformances - Valley Center Community Plan	3. Prohibit residential development which would have an adverse impact on existing agricultural uses.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	82 General Plan Conformances - Valley Center Community Plan	Specific Plan Areas (SPA) section.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	83 General Plan Conformances - Valley Center Community Plan	Figure 4: Valley Center Generalized Specific Plans.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	84 General Plan Conformances - Valley Center Community Plan	Mobility Goals 1. Where appropriate, minimize private driveway and private road access on to Mobility Element roads.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	85 General Plan Conformances - Valley Center Community Plan	2. Road design shall reflect the rural character and needs unique to the Planning Area. For example, turn radii shall be such that agricultural vehicles and equestrian rigs can be safely accommodated.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	86 General Plan Conformances - Valley Center Community Plan	3. Conflicting traffic movements such as uncontrolled access and uncontrolled interchanges shall be minimized.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13

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PROJECT ISSUE CHECKLIST

PDS (Department of Planning & Development Services) Planning and CEQA Comments PROJECT NAME: L'Ac Hils Ranch Master Planned Community Project Number(s): 3800 12-001 (GPA), 3810 12-001 (SP), 3500 12-003 (REZ), 3100 3574 (TM), 3100 3572 (TM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)					
Item No.	Subject Area	Issue, Revision or Information Required	Issue Identification Summary	Date Identified	Date Resolved
13	General Plan Conformance - Valley Center Community Plan	4. Road alignment shall minimize the necessity of altering the landscape by following as closely as possible the contours of existing natural topography without sacrificing safety or sight distance criteria.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/10/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	5. Required roadside and median landscaping shall reflect standards as outlined in the Valley Center Design Guidelines.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	6. Existing trees and vegetation located within the "Right-of-Way" shall be preserved and maintained. New plantings shall be consistent with the Valley Center Design Guidelines.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	7. To promote unimpeded traffic flow in commercial areas, projects shall be designed and constructed to be accessed by recommending new commercial development to provide indirect access through the use of existing road access points, loop or frontage roads, common driveways or similar means.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	8. Woods Valley Road from Valley Center Road, east to Paradise Mountain Road and Liko Road from Old Castle Road to Highway 70 are significant aesthetic resources. Future development shall maintain as much of the original character as possible without compromising safety.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	9. Require that the road system function at a service level no worse than "C" at peak hours at development coors.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	10. Right-of-way development standards for private roads shall be compatible with the standards as outlined in Policy 6 of this plan.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13

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FDS (Department of Planning & Development Services) Planning and CEQA Comments PROJECT NAME: Llac-HBs Ranch Master Planned Community Project Number(s): 3800 12-001 (GPA), 3810 12-001 (SP), 3500 12-003 (REZ), 3100 5574 (IM), 3100 5572 (IM), 3300 12-005 (MUP), 3500 12-017 (STP), 3500 12-018 (STP)					
Item No.	Subject Area	Issue, Revision or Information Required	Response/Action/Status	Date Identified	Date Resolved
13	General Plan Conformance - Valley Center Community Plan	11. Implement community right-of-way development standards for the Valley Center Planning Area to achieve a rural character and alternative features within the shoulder portion of dedicated right-of-way. Such improvements will identify the community's needs and preferences and be approved by the Board of Supervisors Policy L36. These standards shall include: a. Provide decomposed granite walking/jogging paths in lieu of sidewalks; b. Where edge of pavement barrier is necessary, use mountable asphalt dikes (smile dikes), and c. Provide a bike lane within the "travel way".	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	12. Access to new subdivisions shall be carefully examined. Where a clear circulation need which benefits the overall community can be demonstrated, public roads consistent with Department of Public Works policy shall be dedicated and constructed. Where appropriate, future subdivisions shall be required to access public roads via at least two separate access points.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	13. Safely separate pedestrian, equestrian and bicycle traffic from vehicular traffic when these modes share rights-of-way.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	File Protection Goals 1. All new development utilizing imported water shall provide infrastructure for the suppression (such as pipes and hydrants) in accordance with the prevailing standards.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/13/13
13	General Plan Conformance - Valley Center Community Plan	3. New site locations for fire stations within the plan area should be centrally and strategically located.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/13/13

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PROJECT ISSUE CHECKLIST

PROJECT NAME: Libac Hill-Ranch Master Planned Community  
 PDS (Department of Planning & Development Services) Planning and CEQA Comments

Project Number(s): 3800 12-001 (CPA), 3810 12-001 (SP), 3600 12-003 (REZ), 3100 5571 (TM), 3100 5572 (TM), 3300 12-005 (IMP), 3500 12-017 (STP), 3500 12-018 (STP)

Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary	Date Identified	Date Resolved
13 99	General Plan Conformance - Valley Center Community Plan	School Facilities 1. Coordinate school facility planning with residential development to ensure that school facilities will be available to accommodate the increase in enrollment without overcrowding.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/3/13
13 100	General Plan Conformance - Valley Center Community Plan	2. Develop schools in conjunction with neighborhood and community recreation facilities.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/3/13
13 101	General Plan Conformance - Valley Center Community Plan	Water Service Goal 2. The delivery of imported water service to the CPA shall be coordinated and the infrastructure adequacy sized so that service can be provided to all land within the Valley Center Municipal Water District Territory in a cost effective manner.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/3/13
13 102	General Plan Conformance - Valley Center Community Plan	Open Space Goals 3. The CPA shall be designed and sited to be a functional recreation/open space system whenever feasible.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/3/13
13 103	General Plan Conformance - Valley Center Community Plan	5. Design new residential development in a way that preserves an atmosphere of openness and access to surrounding open space.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/3/13
13 104	General Plan Conformance - Valley Center Community Plan	Parks and Recreation Goals 5. Development of local and neighborhood park and recreation facilities shall be coordinated and sited whenever possible by establishing Joint Powers Agreements to promote joint development, operation and maintenance.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/3/13
13 105	General Plan Conformance - Valley Center Community Plan	7. All park lands dedicated in conjunction with the development of a Specific Plan Area (SPA) land use designation will consist of a reasonable amount of flat land suitable for play fields and other similar local park activities.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/4/12 12/10/12 3/20/13	01/3/13

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PROJECT ISSUE CHECKLIST**

PDS (Department of Planning & Development Services) Planning and CEQA Comments					
Item No.	Subject Area	Issue, Revision or Information Required	Issue Resolution Summary (Include Conditions)	Date Identified	Date Resolved
13	106 General Plan Conformance - Valley Center Community Plan	8. Development of park facilities shall comply with the County's Ordinance No. 7150 relating to the reduction of Light Pollution.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	107 General Plan Conformance - Valley Center Community Plan	9. Provide riding and hiking trails, staging areas and other facilities within existing or proposed parks when appropriate to complement the Valley Center Trail System.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	108 General Plan Conformance - Valley Center Community Plan	Noise Goals 1. Develop and implement land use plans and circulation patterns that will minimize noise in residential neighborhoods.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	109 General Plan Conformance - Valley Center Community Plan	2. Permit residential development in areas with projected collector roads that will not exceed the maximum noise level (MNL) specified in the County Noise Exposure Level (CNEL) exceeding 80 decibels near main roads only when traffic noise impacts can be mitigated.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	110 General Plan Conformance - Valley Center Community Plan	3. Design subdivisions to retain natural and landscaped sound barriers in preference to earth berms or walls, where they are needed.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	111 General Plan Conformance - Valley Center Community Plan	4. Encourage the use of buffering devices on off-road vehicles and provide strict enforcement of noise regulations for off-road vehicles.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	112 General Plan Conformance - Valley Center Community Plan	5. Minimize traffic noise impacts by means of roadway alignment and design and the management of traffic flows.	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13
13	113 General Plan Conformance - Valley Center Community Plan	8. Encourage activities to increase public awareness of and participation in the County's program pursuant to the Agricultural Enterprises and Consumer Incentive Ordinance. (This Ordinance was designed to protect established farm operations from being declared a nuisance when following accepted agricultural practices.)	The projects conformance with the General Plan is addressed in the Specific Plan and Land Use section of the EIR.	01/14/12 12/10/12 3/20/13	01/13/13

LETTER

RESPONSE