

PATSY FRITZ  
33265 Mill Creek Road  
Pauma Valley, CA 92016  
  
(760) 742-4511  
[patsyfritz@aol.com](mailto:patsyfritz@aol.com)

20 July 2015

Mark Wardlaw, Director  
Department of Planning & Development Services  
County of San Diego

Subject: PUBLIC RECORDS REQUEST  
General Plan Policy LU1.2; Leapfrog Development

Mr. Wardlaw:

In the County's "Global Response" to comments received, see link:

[http://www.sandiegocounty.gov/content/dam/sdc/pds/regulatory/docs/LILAC\\_HILLS\\_RANCH/dfeir/responsetocomments/8\\_Global%20Response-LU-1.2.pdf](http://www.sandiegocounty.gov/content/dam/sdc/pds/regulatory/docs/LILAC_HILLS_RANCH/dfeir/responsetocomments/8_Global%20Response-LU-1.2.pdf)

for Accretive's Lilac Hills Ranch application for a General Plan Amendment and Specific Plan, you included a letter written to you, dated June 29, 2015, from the "brand strategy" firm (see their letterhead), "CarrierJohnson+Culture."

The letter is Attachment D to your FEIR Global Response, on the above link. (42<sup>nd</sup> page out of the 46 pages.) It accompanies the FEIR now submitted to the County of San Diego Planning Commission for hearing August 7, 2015.

The June 29, 2015 letter from CarrierJohnson+Culture states:

"CarrierJohnson was hired to independently review and verify the Lilac Hills Ranch project for conformance with the NGBS program. On April 6, 2015 we submitted a letter to the County confirming our verification ..."

The April 6, 2015 letter was omitted from the "FEIR Global Response" for the Lilac Hills Ranch application.

PUBLIC RECORDS REQUEST

County of San Diego – Mark Wardlaw

20 July 2015

page two

Under provisions of the California Public Records Act, please provide (electronically) a copy of that April 6, 2015 letter from CarrierJohnson and, in addition, provide (electronically) the distribution (list) showing when and how widely you provided this document to the Board of Supervisors, DCAO - LUEG, Office of County Counsel, County staff, Planning/Sponsor Groups, any members of the public including the applicant, its attorney(s) or other interested parties.

Please note that the June 29, 2015 letter cited above and other items from CarrierJohnson, et al, were submitted to the County ELEVEN months after the close of Public Comment on the RDEIR, so the public has had ZERO opportunity to respond, never having been able to see any of what you base your conclusions on until two days ago (July 18, 2015) when you released the FEIR for Lilac Hills Ranch.

One minor note: my May 8, 2015 submittal to County DPDS regarding Lilac Hills Ranch and your earlier efforts to eliminate LEED-ND to favor the project (Public Workshops on February 11 and 21, 2015), was not included with the FEIR.

LEED-ND is a significant safeguard against unqualified leapfrog developments which increase vehicle miles traveled and production of greenhouse gases. You advocated LEED-ND should be replaced, to permit leapfrog development along all 1,291 miles of the County's Mobility Road network.

Attachments A-D to the County's Global Response cleverly infer that the "studies" prepared by "Home Innovations Lab," to INVALIDATE General Plan Policy LU1.2's inclusion of LEED-ND, were prepared at the County's request or under contract to the County. Your "Global Response" does not dispute nor clarify that anywhere within its 46 pages.

Under the Public Records Act, please provide all documents that requested such studies as well as any contract(s), RFP or RFQ related to such studies, reports or opinions.

PUBLIC RECORDS REQUEST

County of San Diego – Mark Wardlaw

20 July 2015

page three

If not authorized by the County, please explain why this was released with the Lilac Hills Ranch FEIR, and why the studies it references now form the BASIS for your rejection of LEED-ND, when the “new criteria” you support are solely and exclusively designed to support developers’ financial interests and which were paid for by their trade association, NAHB (National Association of Home Builders.)

As you will recall, on March 4, 2015 the Board of Supervisors directed you to return on April 22 with a report to clarify activity on County General Plan Policy LU1.2, which prohibits leapfrog development, with narrow exceptions.

Did you supply the CarrierJohnson+Culture letter dated April 6, 2015 to the Supervisors? The April 22 Board of Supervisors agenda item was continued pending outreach to the public and stakeholders on this issue. We have yet to hear any response from you – one requested by the Board over four months ago.

The public release of the Lilac Hills Ranch FEIR and related documents, including the 46-page "Global Response" to public comments, is the FIRST indication that you now advocate abandonment of the LEED-ND criterion in favor of developer-written "standards" as a basis for lifting the Board's prohibition against leapfrog development.

Based on those “standards,” you have substituted a NEW de-facto General Plan Policy without any action by the Board of Supervisors, who are solely responsible for County land use policy (and the necessary environmental studies needed under CEQA to review the impact of "legitimizing" leapfrog development).

This “Green Lands” program is financed, developed, owned and promoted by the National Association of Home Builders (NAHB), of which the Building Industry Association (BIA) is the San Diego Chapter, and who represent solely the financial interests of developers.

No professional planning was involved.

This debases County standards and destroys the public trust.

PUBLIC RECORDS REQUEST

County of San Diego – Mark Wardlaw

20 July 2015

page four

In this specific case, NAHB/BIA member Accretive's proposed Lilac Hills Ranch is requesting approval of a 1,700% increase in residential density plus 90 acres of commercial zoning, by converting 604 acres of rural agricultural land to a leapfrog development – an application to the County that you are now attempting to justify. Just when did the NAHB and BIA get approval to re-write County Policy?

"Home Innovation Research Labs," whose report you have included in your Global Response as the basis to reject LEED-ND, is a subsidiary of the National Association of Home Builders. It is a captive functionary of the development industry.

Your Global Response fails to inform County decision-makers of the origin and ownership of this special-interest report. CEQA rigorously requires you to inform them, as does transparency in government, which we cherish from our County.

Please clarify, in writing, whether the title page of its report, which states "Prepared For San Diego County Planning Department JUNE 2015" represents any request, formal or informal, by the County of San Diego, or any contractual relationship between NAHB's "Home Innovation Labs" and the County of San Diego, and please supply all documentation relating to this.

Please note this: your Global Response attachments include a table that shows these developer-industry criteria have NEVER been adopted by ANY city or county in California, and the website for "Home Innovation Research Labs" reinforces this statement.

Under the County's FEIR for the Lilac Hills Ranch GPA and SPA, if this project is approved by the Board of Supervisors – relying on your invalidation of LEED-ND – San Diego County would be the FIRST governmental entity in the entire State of California to be duped by NAHB's growth-inducing "Green Land Standards" that encourage leapfrog development.

PUBLIC RECORDS REQUEST  
County of San Diego – Mark Wardlaw  
20 July 2015  
page five

Why should the residents and taxpayers of the County of San Diego, who paid \$18,600,000 in taxpayer funds, for thirteen years' effort by County staff, County-contracted consultants and over 1,000 community volunteers who served pro-bono on related support committees – why should these taxpayers tolerate this scheme to eviscerate our award-winning "smart growth" County General Plan?

Please note you have a ten-day window for response.  
The County Planning Commission will need this for its August 7 Hearing.

Respectfully requested,

*Patsy Fritz*

CC:

The Honorable Bill Horn,  
Chairman, San Diego County Board of Supervisors  
The Honorable Dave Roberts,  
Vice Chairman, San Diego County Board of Supervisor  
The Honorable Greg Cox, Supervisor, District One  
The Honorable Dianne Jacob, Supervisor, District Two  
The Honorable Ron Roberts, Supervisor, District Four  
Deputy CAO Sarah Aghassi, General Manager, LUEG  
County Counsel Thomas Montgomery  
Planning Commission Secretary Lisa Fitzgerald, for distribution to:  
Planning Commission Chairman Bryan Woods  
Planning Commission Vice-Chairman Michael Beck  
Planning Commissioner Michael Seiler  
Planning Commissioner Leon Brooks  
Planning Commissioner Peder Norby  
Planning Commissioner Douglas Barnhart  
Planning Commissioner David Pallinger