

From: patsyfritz@aol.com
To: [Montgomery, Thomas E](#); [Mehnert, Paul J](#); [Fitzpatrick, Lisa](#); [Wardlaw, Mark](#); [Slovick, Mark](#)
Subject: Letter to County Counsels; Submittal to Planning Commission re Lilac Hills Ranch SP/GPA 8/7
Date: Wednesday, August 05, 2015 3:20:37 PM
Attachments: [Letter to CC, PC, DPDS re LHR 8.05.15.docx](#)
[LHR General Plan Consistent Alternative.docx](#)

Thank you, County Counsels, for scheduling your closed session August 7,
My letter is attached.

To Mark Wardlaw and Mark Slovick: please present a complete and thorough
discussion of Alternative C to the Lilac Hills Ranch application - an application that
cannot comply with the County General Plan. See attached.

Alternative C is the GENERAL PLAN CONSISTENT ALTERNATIVE

To Ms. Fitzpatrick: Please distribute this e-mail and its two attachments to Chairman
Woods and all members of the San Diego County Planning Commission in advance
of the August 7 Hearing on the Lilac Hills Ranch SP, GPA etc.

Thank you!

Patsy Fritz
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CHAPTER 4.0

PROJECT ALTERNATIVES



ALTERNATIVE 3

MAP is page 239 of 249 pages in Chapter 4, Part 1, of the Draft Final Environmental Impact Report entitled “Project Alternative.”

TEXT (below) is found on pages 13 through 18 of 249 pages

4.4 Analysis of the General Plan Consistent Alternative

4.4.1 Description and Setting

The General Plan Consistent Alternative would allow development in accordance with the General Plan Land Use designation, Semi-Rural.

Pursuant to the General Plan, the 530 acres of the project site within the Valley Center community plan area include two land use designations: 131 acres are designated Semi-Rural 10 (1 unit per 10, or 20 gross acres, depending on slope) and 399 are acres designated Semi-

Rural 4 (1 unit per 4, 8, or 16 gross acres, depending on slope).

Pursuant to the General Plan, the 78 acres of the project site within the Bonsall community plan area are designated with the Semi-Rural 10 Land Use designation.

This alternative would be subject to the County's Conservation Subdivision Ordinance (CSO), which requires the preservation of 75 percent of the project site within the SR-10 as open space.

The CSO applies to the 131 acres within the SR-10 designation within Valley Center and the 78 acres within the SR-10 designation with Bonsall.

Compliance with the CSO would thus require the preservation of 156.75 acres of open space on-site within the SR-10.

Overall, this alternative would yield 110 single-family dwelling units.

The single-family homes would be clustered to preserve sensitive biological resources, as illustrated on Figure 4-2. Ninety-eight acres of open space would be preserved within the SR-4 land use designation,

and 159 acres would be preserved within the SR-10, thus conforming to the requirements of the CSO.

The General Plan Consistent Alternative also would include half-width improvements to the existing West Lilac Road on the project site, consistent with General Plan Mobility Element roadway network standard Road 2.2C. All other internal roadways would be constructed to the same standard as proposed by the project. No gates would be included in this alternative.

In order to accommodate development consistent with the General Plan/CSO, this alternative would consist of two separate subdivisions accommodating 2-acre lot minimums for single-family homes.

The northern subdivision (area known in the project as Phases 1, 2, and 3) would take access from West Lilac Road with internal private roadways. The southern subdivision (area known in the project as Phases 4 and 5) would take access from the existing Covey Lane and an additional access point would be provided from Mountain Ridge Road.

This alternative would include: approximately 256.6 acres of dedicated total open space.

Due to the reduced scope of this alternative, it would not include a WRF, RF, school, or civic uses, including a fire station. The single-family homes would be served by septic systems. Parks and trails would be provided consistent with the County PLDO and Subdivision Ordinance requirements.

4.4.2

Comparison of the Effects of the General Plan Consistent Alternative to the Project

4.4.2.1 Visual

Development under the General Plan Consistent Alternative would consist of a 110-unit semi-rural residential community on larger lots than the village-based, higher density residential development of the project.

As discussed above, site planning and design standards are included in the project's Specific Plan to address potentially significant visual

impacts. This includes the placement of the widest lots along the northern boundary of the project site in the area of the existing homes.

Additionally, the implementation of mitigation measures and design guidelines focused on the monitoring and maintenance of landscape plans result in a reduction of visual impacts; however, impacts relative to the visual environment in terms of dominance, scale, diversity, and continuity, as viewed from West Lilac Road and surrounding residential areas would remain significant and unavoidable. Additionally, short-term visual impacts associated with construction of the project and cumulative impacts to the viewshed would remain significant and unavoidable.

The General Plan Consistent Alternative would result in development that would be more similar in character to surrounding land use patterns than the project. Lots would be an average size of over 2 acres. Over 250 acres of open space would be preserved on-site thus providing greater visual buffering from vantage points within the viewshed.

Visual impacts associated with construction would be less than significant because grading would be limited to building pads and

private roads. Overall, visual impacts associated with this alternative would be less than the project due to the reduced density/intensity of development.

4.4.2.2 Air Quality

The number of lots under this alternative (110) is contemplated in existing County plans and SANDAG 2030 forecasts. Therefore, this alternative does not represent a conflict with San Diego RAQS or SIP, and impacts would be less than significant.

This alternative would generate 1,320 ADTs, which would be approximately 93 percent less than the project. Traffic-related air quality impacts associated with this alternative would therefore be less than the project.

Likewise, the construction of this alternative would require less grading, resulting in less than significant construction related emissions.

Operational impacts associated with 110 single-family detached homes would be below the threshold standard and impacts would be less than significant.

The project has significant air quality impacts because the density proposed is greater than that considered in regional air quality plans and the resultant emissions from construction and operation exceed thresholds.

This alternative would result in reduced construction and operational traffic levels, therefore, contributing a lower level of air emissions than the project. Therefore, air quality impacts associated with this alternative would be less than the project.

4.4.2.3 Transportation/Traffic

This alternative would generate 1,320 ADTs, which would be approximately 93 percent less than that generated by the project. Because most roads surrounding the site currently operate at LOS A, the existing road system would be able to accommodate both direct and cumulative traffic associated with this alternative. Traffic impacts

under this alternative would be less than significant and less than those of the project.

4.4.2.4 Agricultural Resources

This alternative would result in the subdivision of 110 lots. Like the project, development of this alternative would result in conversion of agricultural land and indirect impacts, including exposure to noise, odors, and agricultural chemicals that are associated with adjacency to off-site agricultural resources.

Like the project, the General Plan Consistent Alternative, would reduce significant agricultural adjacency conflicts through the implementation of HOA-maintained agricultural buffers within residential lots. Because this alternative proposes substantially larger lots, a greater amount of on-site open space and no school, fewer areas of agricultural adjacency conflicts would occur. This alternative would preserve 256.6 acres of primarily biological open space pursuant to CSO requirements and would not include any areas of dedicated common area open space/agriculture. Agricultural activities may continue where they presently occur on-site within wetland buffers and other limited areas within dedicated open space.

Similar to the project, this alternative could result in significant impacts to agricultural resources that would be mitigated through the same measures as identified for the project. Overall, this alternative would result in fewer agricultural impacts as compared to the project.

4.4.2.5 Biological Resources

Like the project, development under the General Plan Consistent Alternative would include the preservation of on-site wetland areas.

However, consistent with the CSO, this alternative would preserve 256.6 acres of on-site open space for the protection of sensitive biological resources, compared to the 104.1 acres preserved by the project.

Like the project, this alternative would assure that the open space is protected from intruders. Additionally, an HOA would provide control over pet activity, providing on-leash requirements. Likewise, trails would be regularly maintained to protect against accumulation of debris.

Like the project, this alternative would be required to provide mitigation for impacts to sensitive habitats, species and wildlife

movement, including the off-site purchase of sensitive land within the proposed North County MSCP PAMA.

Overall, biological impacts would be less due to the reduced footprint and greater preservation of on-site open space, under this alternative compared to the project.

4.4.2.6 Cultural Resources

The General Plan Consistent Alternative would entail substantially less grading than would be required for the project, as 256.6 acres would be preserved in open space, significantly fewer homes would be constructed and less infrastructure would be required compared to the project.

Under the General Plan Consistent Alternative, impacts to cultural resources would be mitigated in the same fashion as for the project, including grading monitors and data recovery, if necessary.

Therefore, impacts associated with this alternative would be less than the project, because there would be less area of ground disturbance, which may lead to uncovering archaeological resources.

4.4.2.7 Hazards/Hazardous Materials

Like the project, this alternative does not include the transport, emission, or disposal of hazardous materials. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a significant hazard to the public or the environment.

Neither the project, nor this alternative would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, or result in impacts associated with vectors.

As discussed in subchapter 2.7, the project site is located within very high and moderate FHSZs. It is also located within a mapped Wildland Urban Interface Area indicating its propensity for brush fires.

Like the project, development of a subdivision under the would be regulated by the County requirements for fire safety, including the Consolidated Fire Code and existing regulations associated with flammable building materials, allowable landscaping, and fire access.

Like the project, this alternative would require discretionary review, and therefore, would be required to develop and implement a FPP to address fuel management, emergency access, and other wildland fire safety issues.

With the larger lots proposed, a 100-foot FMZ would be provided throughout the site.

The project also would be conditioned on one of several scenarios relative to the provision of fire protection services for the project site. Therefore, adequate fire protection services would be provided to the project site and the fire department would be able to respond within required times.

This alternative would not require options for the expansion or construction of an additional fire facility; therefore, impacts would be less compared to the project relative to this issue.

Response times would remain the same as under the existing condition.

Although certain areas of the project would be unable to meet the standard 100-foot FMZ, the project includes a FPP that provides design measures to assure adequate fire protection especially in those areas.

These measures provide equal safety measures as a 100-foot FMZ, and impacts would be less than significant with this mitigation, similar to the project.

4.4.2.8 Noise

This alternative project would construct 1,636 fewer residential units than the project and 93 percent fewer ADT, resulting in lower overall ambient traffic noise levels. However, nearly all the lots would have some portion within the noise contour of a road.

This alternative could avoid significant impacts by precluding placement of home sites within the noise contours on the roadways through the filing of a Tentative Map or the requirement of Site Plans for individual lots.

The project would place residences adjacent to roadways where exterior and interior noise impacts are projected to exceed County standards resulting in significant impacts and therefore, mitigation in

the form of additional noise analysis, placement of noise barriers and indoor attenuation is required.

Therefore, due to the reduced number of units, the noise impacts associated with this alternative would be less than the project.

4.4.3 Conclusion

Compared to the project, the GP Consistent Alternative would result in reduced visual impacts due to the reduced density/intensity of development that would occur within the site.

Impacts associated with fire service time would be less because no new service options would be required for the DSFPD to serve the project site.

This alternative also would reduce significant and unavoidable air quality impacts because it would conform to the existing air quality plans and result in fewer operational emissions due to fewer ADT.

Likewise, significant and unavoidable cumulative traffic impacts would be reduced to less than significant.

Significant mitigable air quality impacts associated with short term construction would remain, but be reduced from those of the project.

Significant and mitigated impacts associated with direct and cumulative roadways and intersections, agricultural, biological and cultural resources, noise, and hazards/hazardous materials would be less than the project.

No impacts would be greater.

This alternative would only meet three of the seven project objectives (3, 4, and 5).

It would provide parkland and trails, as required by County ordinance.

This alternative would preserve natural on-site habitat within a preservation easement pursuant to the CSO.

This alternative would consist only of single-family detached residential housing with no on-site public facilities; therefore, it would not meet project objectives 1, 6, or 7.

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5 August 2015 2015

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Ref: Lilac Hills Ranch Hearing August 7, 2015

Gentlemen and Ms. Fitzpatrick:

Thank you for holding the Closed Session before The Planning Commission Hearing on Lilac Hills Ranch, August 7 pursuant to (2)(d)54956.9

Because the Commission's decision and recommendations on Lilac Hills Ranch requires the Planning Commission to consider compliance with General Plan policies, this will be the opportunity to re-examine Policy LU1.2, in light of conflicting claims that a "variation on a theme" could serve just as well.

County Counsel; Planning Commission; DPDS
5 August 2015
page two

The Board of Supervisors voted unanimously, April 13, 2011 for the text as it appears today. It was the last issue on which the Board voted, prior to the General Plan's approval on August 3, 2011.

I was there.

At that late stage in the 13-year General Process, there was no way the Board could throw open the entire unincorporated area to leapfrog development – even if they wanted to. The General Plan included an extensive (and expensive) EIR.

Note that the Board did not vote to rescind the leapfrog development prohibition they had approved during the General Plan Update process. They did, however, at the last minute, provide the opportunity for interested developers to find appropriate land – based on the Board's focus on the need for public transit, connectivity, and reduction of greenhouse gas – as required by the State.

Throwing open the 800,000 acres of private property in the unincorporated area to unbridled leapfrog development at the last minute would have triggered the need for a new, extensive and very expensive EIR for the updated General Plan.

It could have added 2-3 years to the process. Nobody wanted that. Thus, using LEED-Neighborhood Development as the criterion served as the brake to rampant leapfrogging. Even a farmer like me could see that – there was going to be no Levittown built on the back forty.

Likewise, adding “or an equivalent” acknowledged that an \$18,600,000 General Plan is a workhorse, designed for 20-30 years of good and faithful service. But, if over the years LEED-ND wandered astray from its intent, became defunct, or acquired another name through merger or acquisition of the Green Building Council, the Board of Supervisors could adjust accordingly, meeting the original merits of the LEED-ND certification. But LEED-ND has not changed, and its focus is still on energy efficiency and greenhouse gas reduction – a tight parallel to the intent of the County's General Plan, and required by AB 32. CALIFORNIA GLOBAL

WARMING SOLUTIONS ACT (AB 32)

County Counsel; Planning Commission; DPDS

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page three

It is not up to applicant Accretive, their consultants or advocates to say “I don’t like this rule. Here – try mine.” This is the Board’s prerogative. And the Board is well aware that any change to LU1.2 at this time would require the inevitable “extensive and expensive” EIR covering the entire County. The Board has made no move to do this

Thus, with all the rhetoric, the two dubious “alternatives, and a 46-page hard-sell “Global Response” touting standards written by the developers’ trade council, National Association of Home Builders (NAHB) subsidiary, “Home Innovation Research Laboratory” that barely touches on LOCATION as a criterion, the Planning Commission’s briefing by County Counsel will be well spent.

Speaking as a member of the public, the County’s General Plan is well-loved and respected. Over the past six years, through the “Road 3A” uproar (resolved by the Board with a 5-0 vote – disappointing the developer, who lusted over that land, but bringing a great sigh of relief to the ranch owners who had invested time, toil and talent for years to build a successful cactus business on the 32-acre mesa) and through recent iterations and reiterations of the Lilac Hills Ranch project, I have spoken seriously to the residents of the West Lilac Triangle as to their outlook on the project

Not one has ever said, “Don’t let them build.” Unanimously they support the developer’s right to build – but they want this to comply with the General Plan.

They are well aware that the General Plan cost \$18,600,000. They know it was taxpayer money. They know there are far more “just ordinary citizens” who are taxpayers than there are developers who are taxpayers. They believe that the General Plan protects their rights. The County itself has told them it is their land use “Constitution.” They believe their homes and communities should not be turned upside-down for developer profit. Please, do your best to protect them.

County Counsel; Planning Commission; DPDS

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The public doesn't see the General Plan as a box of chocolates for developers to root around in, looking for the super-deluxe liqueur-soaked cherry – and if he doesn't find one, the public thinks he has no right to demand that one be made up for him.

I agree with that, and to that end, I thank Director Mark Wardlaw and Project Manager Mark Slovick and their team, for bringing forth alternatives to Lilac Hills Ranch, a project which clearly cannot comply with the General Plan.

This letter is my request that Director Wardlaw review “Alternative C” for the Planning Commission in the fullest detail.

Explain, Mark, ALL the advantages that this provides: 93% less traffic; cleaner air; no assault on the lungs from silica shards from blasting 4 million cubic yards of granite that is 70% silica; protection of the environment, continuation of farming, protection of community character, no assault on private property by takings by eminent domain; no EXPENSIVE sewer system required; far less expensive infrastructure – ALL NOW SLATED TO BE FINANCED BY MUNICIPAL BONDS with principal and interest LAID ON THE BUYER'S PROPERTY TAXES for 30 years. With Alternate C fire safety continues through appropriate service rendered by Deer Springs Fire Protection District (the four “offerings” by Accretive are unacceptable to DSFPD and the developer refuses to build and equip a fire station and pay for staffing that 1,746 homes and ancillary structures will need) – AND, a development compliant with the General Plan will NOT result in “the cork in the bottle” that prevents 10,000 existing Valley Center residents from fleeing fire in emergency evacuation.

Don't kid yourselves, gentlemen: the cost of infrastructure LAID ON TOP of the homes' normal property tax, PLUS huge HOA costs for maintenance of its “public facilities” and vast tree-scaping and landscape maintenance does NOT result in “middle class homes” for San Diego County. This has all been hidden from you.

County Counsel; Planning Commission; DPDS

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Your Closed Session before Friday's Hearing states: "A decision on the Lilac Hills Ranch project requires the Planning Commission to consider compliance with General Plan policies."

Since 2012 DPDS has maintained the fiction, promoted by the Applicant's consultants that Accretive's application "complies with the General Plan."

It does not. What better proof do you need than the title of Alternative C?

The General Plan Consistent Alternative

There's your choice, gentlemen, to be consistent with our much-loved General Plan - one that won't end up losing in the lower and upper courts, attacked not only by a wolfpack of attorneys, but by the State Attorney General as well.

Respectfully submitted,

Patsy Fritz

Attachment:

Alternative C - The General Plan Consistent Alternative