

January 30, 2009

Mr. Devon Muto
Department of Planning & Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123

RE: Alliance Comments on the County General Plan Update

Dear Devon:

On behalf of the Alliance for Habitat Conservation, I would like to submit the following comment letter on the DRAFT San Diego County General Plan. The Alliance has long followed the development of this plan with an eye toward ensuring that it is consistent with NCCP/HCP plans adopting or pending adoption in the County of San Diego. Given the complexity of land use law in general, and of land use regulations in San Diego County in particular, it is extremely important that the Draft General Plan provide an easily understood vision that will guide growth in the unincorporated portion of the County for many years in the future. This vision must be flexible enough to change in the rapidly evolving field of global warming and climate change. Current state law mandates that urban areas maximize infill and redevelopment opportunities but does little to address growth in rural areas. This is a significant omission as rural unincorporated areas throughout the state will likely be the location of a significant amount of growth in the next 20-30 years. This need for flexibility and trends toward more efficient, intense development patterns is contracted by the fact that many existing unincorporated communities do not want to accommodate any change, and have expressed a desire to continue the existing pattern of large lot, widely scattered homes.

Noted.

In our opinion, the County has a significant opportunity to direct growth in new and creative ways that will result in a quality of life that is unparalleled in California and consistent with the goals and mandates under the Multiple Species Conservation Program. Unfortunately, in our review, the Draft General Plan (DGP) does not achieve this. Not only does the DRAFT General Plan not allow for the construction of housing to keep pace with population growth, it also does not resolve the conflict between protecting the environment and natural topography of the region and the desire of many community groups to protect the "rural character" typified by large lot development. In short, we believe the DGP is setting the County on a collision course with state land use policy and the community groups in the county.

Noted.

RESPONSES

With this in mind, we offer the following general and specific comments:

Guiding Principles

1. Support a Reasonable Share of Projected Regional Population Growth: The County is setting conditions on accommodating growth that is forecast to occur, and apparently hoping that new residents will gravitate to cities. Unfortunately, this approach falls short of a commitment to provide homes for the children of existing residents (most growth is due to births over deaths rather than people moving into the state) and continues existing practices that will result in continued housing shortages. It is strongly suggested that the County review and revise this Principle and commit to accommodating the next generation. The draft document is also lacking in guidance as to how existing communities should accommodate growth in a manner that will either re-vitalize and energize existing communities by providing new opportunities for economic growth and development, resulting in an improved quality of life for all residents.

2. Promote Sustainability by Locating New Development Near Existing Infrastructure, Services and Jobs: The County is to be commended for noting that the low density, large parcel pattern of development that covers thousands of acres brings with it continued automobile dependence, increased GHG emissions and habitat fragmentation. Compact development footprints would generally accommodate a large number of homes in a much-reduced area and would foster a small-town feel that is desirable and also allow for design that will better protect natural resources.

However, the insistence that all development be located adjacent to existing development fails to recognize that this is often infeasible and prohibitively expensive. In many existing communities, infrastructure is at capacity. Increasing the capacity of existing delivery systems is very expensive (beyond the ability of a single development) and the necessary charges are often opposed by existing residents. Revisions to this section must recognize that growth will not be accommodated solely in existing communities. It should be noted that even the Regional Comprehensive Plan states that only one-third of forecast growth will occur as infill or in existing urban areas, meaning that two-thirds will occur elsewhere.

While locating new villages is not necessary, this Principle could be revised to recognize that new villages may not only be desirable, but necessary, and should establish how new communities could be built over time. An example of this is the area of I-15 and SR-76 where a new village of 2,000 homes is envisioned complete with a transit oriented design, higher density, walkable neighborhoods, a community college, offices and retail opportunities. Such an approach is realistic, accommodates the continued growth in population and relieves pressure on existing communities. New villages can start from scratch and are not hampered by obsolete and deficient infrastructure.

DPLU does not agree. The County is committed to providing for reasonable, growth as evidenced by its commitment to provide a range of housing types, but this growth is best served where designated by the Land Use Map for this General Plan.

Noted.

Staff concurs that all development can not be accommodated near existing development, but the GP Update has been able to accommodate approximately 80% of the growth within the County Water Authority boundary. Growth outside of this area is also planned in select areas in focused, compact patterns of development.

Staff contends that the compact development model accomplishes this. Guiding principle has been revised to reference this compact pattern of development.

RESPONSES

3. Community Character vs. Balance of Housing, Jobs and Recreation: This Principle states that new development must be comparable to or provide a transition to existing development. This may not be feasible given the Community Development Model that the County is using. Under this model, the densest development is located at the center of a community. However, this is where most development has already occurred in existing communities. Infill or redevelopment projects are likely to be small, and not contribute much in the way of either housing or employment. The transition that would be necessary would generally be located at the outer edges of a community. A transition in such areas would be at a lower density, unless the County is willing to allow higher density residential and employment producing uses at the edges of existing communities.

It should also be pointed out that the language in this principle has little to do with actually providing a balance of housing, jobs and recreation. This Principle should clearly state the County's vision. How is the stated desired balance of uses to be achieved? If vibrant, economically sound communities are desired where residents have more opportunity to work in the communities in which they live, then this should be described. If there is a desire to allow residents that were born here to live and work in the communities where they grew up (rather than forcing them to move to the "big city" because that is the only place where new homes are being provided), then this should be stated, and ample provision for a variety of housing and employment opportunities in existing communities should be made.

4. Protect the Natural Resources and Habitats that Define the County's Character and Ecological Importance: There is specific language that would indicate to the casual reader a bias amongst county staff regarding development. Specifically, the statement that "Development practices during recent decades have degraded these resources..." is unnecessary and in many ways inaccurate.

Development occurs in direct response to population growth...not the other way around. People have always found San Diego to be a desirable place to live. Agriculture and recreation as well as community pressure to only allow large lot development have all contributed to the loss of biological resources within the western one-third of the County where population growth has been pushed over the last 50 years. The desire of people to live in this region must be managed to ensure that natural resources are conserved. This should not mean that all growth in the unincorporated County is prohibited or very limited, nor should it mean that all current open space should be maintained at all costs. This is the point of the HCP/NCCP to help balance these needs. Much of the land in the unincorporated areas do not support endangered species, and existing County rules are far more strict than are either State or Federal regulations.

The County has, indeed, been at the forefront of efforts to conserve biological resources on a landscape level through the MSCP. The overarching goal of the MSCP and other Natural Community Conservation Plans (NCCP) is to conserve scarce biological resources on a landscape level *and* to allow continued economic growth and development. Continued efforts to protect

Staff does not concur that compact development patterns that retain or enhance community character are not feasible at the center of a community, such as Fallbrook, Alpine, or Valley Center.

Noted.

Statement has been reworded to better describe past practices.

Noted.

Noted.

representative areas of open space, *balanced by compact, efficient projects*, will ensure that the rural, open area of the County continues to exist and be appreciated by all residents regardless of income.

5. Ensure that Development Accounts for Physical Constraints and the Natural Hazards of the Land: This principle states that “In high risk areas, development should be prohibited or restricted in type and/or density.” Most of the County is mapped as being in some sort of high-risk category or zone. Such a broadly worded statement will only lead to misunderstandings and misinterpretations. Some high-risk areas, such as active earthquake faults, must be avoided. Others, such as landslides, can be eliminated through remedial grading. High fire risk can be mitigated through design and fuel management. The Safety Element includes such language that provides both vision and guidance and could be used to more clearly state the County’s intent.

6. Provide and Support a Multi-Modal Transportation Network that Enhances Connectivity and Supports Community Development Patterns: This Principle is clearly stated and presents a vision of what travel in the County could be in the future. Unfortunately, it is contradicted by a mobility plan that allows congestion on certain roadways to continue to build, forcing existing residents in large areas of the County to live with perpetual gridlock. This plan maintains that certain roads cannot be expanded due to cost and/or environmental constraints. Nowhere is a road expansion likely to result in extinction of a species or elimination of an ecosystem. The County has an opportunity to carry out its desire to have congestion-free roads through the development of a long-term plan to eliminate or significantly reduce traffic congestion through a combination of right-of-way protection, phased construction, mitigation fees, grants and other means. The development of such a plan should be stated in the Mobility Element and given a very high priority in the Implementation Plan.

7. Maintain Environmentally Sustainable Communities and Reduce Greenhouse Gas Emissions that Contribute to Climate Change: This principle calls for a sustainable economy and society that recognizes the need to balance the environment with economic and social equity needs. It goes on to state that control of development patterns and construction, compact developments, provision of walking and bike paths, and proper design will accomplish sustainability and reduction of GHG emissions. While land development is ONE aspect of reducing GHG emissions, it is not the only means. In addition, many of the mechanisms called for in this Principle have already been discussed in Principle 2. County staff should be encouraged to expand this principle to address other mechanisms of GHG reduction. For example, new land development will comprise a very small portion of the total amount of land that is developed. New buildings will represent a small percentage of the total buildings that exist in the unincorporated area. What does the County envision for the areas that already exist? How will existing home and building owners be encouraged to reduce their own GHG emissions, water use and vehicles miles traveled?

RESPONSES

Language has been added to address development that does occur in high risk areas.

This GP Update road network is the result of a multiple-phased planning and analysis. In conjunction with community input and traffic model forecasts, an initial road network was developed. This network has been refined to maximize capacity, while minimizing the need to add travel lanes. Also, these are areas forecasted to operate at a lower LOS, staff does not agree that if this road network is built out, that significant congestion will occur.

These recommended measures are addressed as policies in the Climate Change section of the COS Element.

This principle promotes a sustainable economy, but does not address how this will be attained. A vibrant economy is one of the major aspects of quality of life, one that is made more meaningful when a citizen has the opportunity to live and work in the same area where he or she was born. How will the County ensure that a vibrant, varied economy exists through the life of this plan?

8. Preserve Agriculture: Preservation of agriculture is a laudable goal that we support. However, there are four categories of businesses that each have a positive economic effect of the County that exceeds that of agriculture. What is the County doing to maintain and enhance these other economic forces?

9. Minimize Public Costs of Infrastructure and Services and Correlate Their Timing with New Development: This section should recognize that new development provides the vast majority of new infrastructure. Except for regional facilities, the vast majority of new facilities are also maintained by homeowners' associations. Rather than promotion of a Principle that effects very little of the infrastructure, the County should address the provision of public infrastructure that meets the needs of existing residents. There are many areas of the County where roads, water and sewer systems are not adequate for existing needs. Addressing these unmet needs through efficient, state of the art upgrades could do much to reduce water use (for example) by existing residents.

10. Recognize Community and Stakeholder Interests While Striving for Consensus: This Principle is laudable and will hopefully be achieved. Perhaps citizen education could be added to this section to ensure that citizen input is fully informed and up to date.

Chapter 2

Section 2-2, Vision, does not include a vision. The strategic initiatives (Kids, The Environment and Safe and Livable Communities) are not a vision statement and one needs to be added. This section states what the General Plan could do (e.g. improve opportunities for children through recreation and a safe environment) but this is not a vision.

Community Development Model

This model, described in Guiding Principle 2, essentially promotes the concentric circles method of land use planning in which there is a dense central core or "village" surrounded by less intense uses described as Semi-Rural, which in turn are surrounded by even lower intensity Rural uses. This is the stated manner in which growth is to be accommodated, mostly within existing communities. This model is contradicted by the Regional Categories Map, figure LU-1. Examples include but are not limited to:

RESPONSES

The County, with its land use authority, is accommodating other economic development through the Land Use Map, which designated areas of commercial and industrial development to support jobs and economic development.

The County Capital Improvements Program aggressively maintains public roads within the unincorporated area; however, maintenance of water and sewer systems are the responsibility of independent water and sewer districts outside of the purview of the County.

Noted. Public outreach is addressed in the Introduction chapter.

This section has been rewritten to more clearly convey the vision.

Noted.

RESPONSES

Land Use Map does include adjacent areas of SR-1.

Noted.

The Land Use Map builds upon the existing patterns of development for the area.

These areas are still under consideration and could be revised through Community Plan updates.

Your issues appear to be with the Land Use Map, which has and continues to go through a comprehensive planning process. Throughout this process, staff has worked with property owners, advisory groups, planning groups, and individuals to develop the alternative being evaluated in the EIR. In addition, staff has considered AB 32 and SB 375 legislation in developing the land use map.

- I-15/SR-76: The Village Designation here is bounded by Rural, with no Semi-Rural transition. More development can and should be accommodated in this area.
- There is only a very small Village area for the Pala area, with scattered Semi-Rural areas. A larger Village would offer opportunities for residents to live and work in this area. A consolidated Semi-Rural area would offer opportunities to continue the development of a unique sense of place, separated from other communities in North County.
- It appears that Valley Center will continue to exist as two separate villages, encouraging continued use of automobiles to get from one village to another.
- There are many scattered Semi-Rural areas throughout the southern portion of the County (Jamul, Portrero, Campo). The addition of Village designations would accommodate population growth and provide opportunities for job producing uses, allowing residents to live and work in their community and reducing the need for long commutes.

Chapter 3

This chapter constantly states that development of certain lands is not feasible due to environmental constraints, steep slopes, limited access or lack of public facilities. These statements are not made once or twice, but are a theme that runs through the DGP. In fact, limited access and lack of infrastructure can be remedied through planning and engineering and are not a reason to deny or reduce basic property rights. Much of the eastern two-thirds of the County does not support sensitive species, or may over a limited area. The County's current development regulations are stricter than either the state or federal government. If the County chooses to downzone thousands of acres of land, then this Chapter must be more specific as to why this is being done. In addition, the County should explain how the loss of housing that results from the use of sweeping generalizations is still compatible with state housing policy that requires that enough housing be built to accommodate all income levels. Instead of massive down zoning of tens of thousands of acres which will make it impossible to provide the infrastructure that is necessary to accommodate population growth, the DGP should provide guidance and policies that will encourage the development of housing and business opportunities for existing and new communities along with infrastructure improvements and upgrades that improve services for all residents.

Land Use Goal 1, Primacy of the Land Use Element, states "A land use plan and development that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories. It includes policies that will restrict the ability of future Boards of Supervisors to consider changes to the DGP through prohibitions of certain changes unless tied

to a comprehensive general plan update. Village expansion is severely limited. Finally, there is a proposed policy that “prohibits” consideration of adjacent land use patterns in other jurisdictions as a justification for changing land use designations in the unincorporated area. This last policy does not include any mention of the fact that such land may be in the Sphere of Influence of another jurisdiction, nor that services may be available. The inclusion of such policies that do restrict actions that future Boards may take is problematic in light of the fact that the Draft Land Use Element does not carry out the Community Development Model and contradicts certain Guiding Principles.

Please revise the DGP to allow reasonable changes in the land use designations when processed in accordance with County regulations and approved by the Board of Supervisors.

Land Use Goal 2, Maintenance of the County’s Rural Character, requires that development proposals be compatible with existing densities and lot sizes, and allows land uses to be limited when necessary to maintain community character. This contradicts other stated DGP goals that envision more efficient, smaller development footprints that will reduce GHG emissions and vehicle miles traveled. It also contradicts the Housing Element, which identifies specific properties for densities of up to 30 units per acre in areas that are partially developed with 1-4 units per acre in order to encourage the provision of affordable housing.

The County is missing an opportunity to provide guidance as to how small compact developments, while different from surrounding areas, improve Village ambience by increasing opportunities to be pedestrian friendly and reduce the use of cars. Please revise these policies to suggest positive ways to meet the demands of new State land use and housing laws while adding to the vibrant nature of existing communities.

The policies supporting LU-2 conflict with those in Land Use Goal 3. LU-3 policies call for a diverse mix of housing and neighborhood centers in projects with 1,000 or more units. This contradicts LU-2 policies that allow land uses to be limited in order to “retain character”, and to ensure that any new commercial centers maintain or enhance the viability of existing commercial areas. Please revise the LU-2 policies to eliminate this conflict.

Land Use Goal 4 requires coordination with adjacent jurisdictions. However, two policies, LU-4.2 and LU-4.4, require opposition to annexations or to projects adjacent to another jurisdiction when such proposals would result in uses that are not compatible with unincorporated lands. These policies ignore the fact that such proposals may be within the Sphere of Influence of another jurisdiction and served by that jurisdiction’s facilities. The County should certainly comment upon and work with such proposals, but to for the General Plan to require opposition

RESPONSES

Noted.

Policies under Goal LU-1 revised as appropriate.

Some community groups have been reluctant to allow densities above 15 dwelling units per acre and they provide examples of past development that has ignored community character, along with the basic principles of good design. Until these groups have a level of comfort that good higher density projects can be context sensitive, they will continue to resist increased density. One way to provide this level of comfort is for the development community to partner with community groups and propose examples of good higher density that is compatible with their character. Until that time, the County will provide further guidance in implementing measures such as town center plans and design guidelines.

See above response.

This comment seems to be referring to policy LU-4.5. This policy has been revised in coordination with LAFCO.

oversteps the County's jurisdiction. Please revise the DGP to include policies that will encourage coordination and cooperation.

Land Use Goal 6, Environmental Balance, requires a built environment that is in balance with the environment and unique character of individual communities. The policies that would implement this goal require conservation of natural resources and open space and natural resources through design measures that cluster development. It also includes policies that require avoidance of natural features, preservation of scenic views, preservation of wildlife corridors and wildlife habitat, floodplains, wetlands and steep slopes.

There are a host of concerns and contradictions within these policies that will continue to make provision of housing and economic opportunity extremely difficult and time consuming.

First, community character is not a scarce environmental resource. It is not appropriate to include community character in this goal, nor is it mentioned in the policies. Please remove from this section of the DGP the statement that "unique character of individual communities" be retained.

Second, the County defines nearly all existing undeveloped land as "sensitive", and interprets this to mean that little to no development should be allowed on any sensitive parcel. Most parcels in the unincorporated area do not support endangered species and are certainly not sensitive. While protection of truly scarce natural resources is necessary, applying these terms to nearly all property is actually detrimental, as it does not allow scarce public monies to be directed to the most endangered resources. Please revise the DGP be more specific in terms of what should be preserved and provide scientific justification for these conclusions.

Third, policies LU- 6.3 and 6.4 *require* clustering. Yet, most community planning groups have made it very clear that they will not allow clustering in their communities. The County must decide whether they want to continue existing large lot land use patterns or promote more efficient, small-lot developments that do not increase total yield, but that do use the *minimum amount of land*. Please revise the DGP to either eliminate these clustering policies or to provide strong guidance to community groups about how development patterns must change. Leaving these "as is" will needlessly cost landowners and builders much time and money, delaying the provision of a variety of homes and encouraging the emission of existing amounts of GHG.

Fourth, policies LU-6.6 through 6.11 continue the existing pattern of avoiding nearly all land that is not flat and that supports nearly any type of native-like vegetation (irrespective of the presence of endangered species). These policies will continue the existing practices that result in small, scattered patches of lots, connected by roads that fragment habitat and are difficult to

RESPONSES

Noted.

Staff appreciates your comment but does not agree that preserving community character should be removed from this goal. The physical features make up a large part of a community's character; especially in rural areas.

Staff does not agree with the assertion that the County defines all existing undeveloped land as sensitive. When reviewing development projects, the County uses an extensive GIS database which identifies where sensitive resources are located. These policies are intended for development to avoid the resources to the maximum extent that is feasible.

The County is currently developing a Conservation Subdivision Program that will implement these policies.

RESPONSES

defend from wildfires. Again, the Guiding Principles state that the County wishes to promote efficient use of land through the accommodation of housing on compact development footprints that conserve resources and defensible. Such development consolidates development into one area, limiting the edge effects caused by humans. Inherent to such a development pattern is that some steep slopes, wetlands and sensitive biology is lost in order to protect much more. These policies will accomplish just the opposite. Please revise the DGP to include provisions that will creatively allow new innovative clustered developments that will enhance and add variety to existing communities.

Land Use Goal 9 requires well-defined, planned, and developed community cores such as Villages and Town Centers that contribute to a community's identity and character. The policies that would implement this are all laudable and appropriate, and new villages, if allowed, will be better through implementation of such policies. However, given other requirements that projects not conflict with existing community character, it is not likely that these policies will ever be implemented. Please revise the DGP to insure that community plans will carry out this Land Use Goal.

Land Use Goal 13, Policy LU-13.2 requires that development identify adequate water resources to support development. This policy is redundant with State law that sets specific requirements for identification of water sources for development. Please revise this policy to ensure that it does not conflict with or set different standards from existing State law.

Chapter 4

The Mobility Element states that the "Central theme is support for a multi-modal transportation network that enhances connectivity and supports existing development patterns while maintaining environmental sustainability by reducing consumption and greenhouse gas emissions". Another stated goal is the reduction of vehicle miles traveled. It also states that it "strives to minimize the need to widen existing roads by maximizing the performance of the existing network and the use of alternative modes of travel." All of these statements point to the conclusion that the County intends to allow the construction of few new roads. This may not be the best solution to addressing mobility and environmental sustainability issues. Please revise this section to ensure that sufficient mobility infrastructure can be built that will serve demand in the region.

Several goals and policies call for rural road standards and/or roads that maintain the rural nature of the area within which they are located. The tables and cross-sections that define various road standards do not include rural road standards or cross-sections to allow such roads to be constructed. In fact, these types of road will allow for better-designed development that

Staff does not agree with this assertion. For example, policy LU-6.8 does not require building on flat land, rather than development be designed in a manner to respect the natural contours of the land.

Community Plans are being revised to ensure they are consistent with the General Plan.

Reference to State law has been added to policy LU-13.2.

This section is not intended to infer that there will be few new roads. That is a separate issue and new roads can lead to a reduction in vehicle miles traveled if they reduce trip length. VMTs will be reduced by build-out of the County GP Land Use Map, which focuses where growth will occur and provides to opportunity to colocate job and residential areas.

is more protective of the natural environment. Please provide discussion in the GDP of the need to develop rural road standards that will allow roads in rural areas to be similar to those that already exist.

Chapter 5

Conservation Goal 1, an interconnected preserve system, never mentions the MSCP. One of the main tenets of the only existing MSCP is that the program would be the biological mitigation program for the MSCP area. Additional mitigation would be required for newly listed, non-MSCP covered species and wetlands, but not for other sensitive species that live in the vegetation types that are conserved through the MSCP. Please revise this section to ensure that this major feature of the existing MSCP will be honored.

Policy COS-1.2 prohibits development within established preserves. Please clarify that this applies to preserves that are publically or privately owned that have a conservation agreement or easement in place. This policy should not mean that development is prohibited within designated PAMA's, where development is clearly allowed.

Conservation Goal 2 calls for sustainable ecosystems. This is one of the main results of the MSCP, and scientific information is evaluated to ensure that the recommended preserve system results in conservation of sensitive species. Growth is allowed, and even encouraged outside of the designated preserve area. This goal and its accompanying policies do not recognize that any scientific input is necessary, does not recognize the MSCP, and uses broad sweeping language that can be interpreted to disallow development anywhere irrespective of the resources present. Calling generally for limiting degradation of natural habitats in the Semi-Rural and Rural designations results in the set aside of lands with few or no sensitive resources. Requiring all development to be sited in the least sensitive areas of a property is not necessary in much of the backcountry. Such policies far exceed state and federal law and will necessitate clustering, again fostering the collision course between the County's stated desire to achieve small development footprints and the community planning groups which have clearly stated that they do not want such development. Please revise the very general language to require conservation to be directed to lands that truly support sensitive resources and connecting corridors. Please revise the GDP to either allow continued large lot, low density development throughout the County or require that the community plans allow clustering, include town centers and otherwise support mixed use, clustered developments within Villages that are large enough to accommodate forecast growth.

Conservation Goal 3 requires the protection and enhancement of wetlands. It should be recognized that this does not mean that all wetlands must be avoided. State and federal law

RESPONSES

This will be addressed in the GP Implementation Plan. [See Implementation Measures 4.2.2.B Context-Sensitive Design and 4.2.2.C Community Road Standards]

The MSCP is identified in the Implementation Plan [see section 5.1.1 Habitat Conservation Plans].

Staff does not feel that it is necessary to further distinguish established preserves and PAMA.

The community plans must be consistent with the General Plan, therefore community plans will not be able to prohibit clustering. Staff does not agree that language requiring development to avoid sensitive resources should be changed.

Policy COS-3.2 does this by requiring mitigation of any unavoidable losses of wetlands.

allow impacts with appropriate mitigation. Please include language that recognizes that wetland impacts can occur with mitigation.

The Water Resources section states that groundwater is of great importance to providing an adequate water supply for the region. Yet other section of the Draft General Plan state that little is known about groundwater supplies, and that groundwater provides a small portion of the supply for the unincorporated area. Please revise the DGP to make the various sections of the Draft General Plan that deal with water internally consistent.

Conservation Goal 4 calls for a balanced, integrated water management approach, yet the policies under this goal, addressing conservation, drought-tolerant landscaping, stormwater filtration and avoidance of groundwater contamination have little to do with the coordination that is necessary to achieve a balanced, integrated water management approach. Please revise the policies to achieve the goal.

The section on Air Quality, Climate Change and Energy discusses the requirements of AB 32 to reduce GHG emissions. It also notes that the population will continue increase by an estimated 38 % by 2030. AB 32, and the subsequent SB 375 both allow increased in GHG emissions consistent with population growth. Has staff considered these allowances in developing the goals and policies within this section, or is staff mandating a reduction to 1990 levels irrespective of population growth?

Conservation Goal 14 calls for sustainable land development that will reduce GHG emissions. Policies under this goal call for reduction in vehicle miles traveled in new developments. The County has already adopted interim guidelines (2008) that require a 10% reduction, as well as a reduction in construction emissions of 33%. In short, the County is already requiring reductions in GHG emissions that were called for in State law. Are the policies that call for reductions in vehicle miles traveled in addition to what the County is already requiring, or are the policies meant to continue the interim guidelines? Please revise the DGP clarify the intent.

Conservation Goal 14 is another of the many areas that perpetuates an impossible contradiction, calling for compact development that reduces vehicle miles traveled while being compatible with community character. Please revise the DGP to either allow continued large lot, low density development throughout the County or require that the community plans allow clustering, include town centers and otherwise support mixed use, clustered developments within Villages that are large enough to accommodate forecast growth.

Conservation Goal 20, Governance and Administration, includes policies that call for the preparation of a Climate Change Action Plan and for monitoring GHG emissions. These activities are required (SB 375) to be done at a regional level by SANDAG. Please revise these

RESPONSES

Water resources section has been edited to be consistent with other sections.

A policy has been added on the use of reclaimed water and other policies have been revised as appropriate.

The policies are intended to provide broad direction. The Climate Change Action Plan is being prepared and will more specifically address the requirements of AB 32 and SB 375.

The policy is meant to reinforce both the land use map and community development model as indicated by the reference to “regional and community-level development patterns”.

The land use map, more so than community plans, addresses providing for sufficient capacity to accommodate forecast growth.

RESPONSES

policies to insure that there is no duplication of effort. Coordination rather than proceeding independently would result in a more desirable outcome.

Chapter 6

The Regional Comprehensive Plan by SANDAG states that roughly 29,000 people drive from Riverside County to San Diego County every day to work. The reason most often given for accepting such a commute is that affordable housing did not exist in San Diego County. An additional 40,000 people cross into San Diego each day from northern Baja and an unknown number commute from Imperial County. SANDAG's final growth forecast for 2030 estimates that only 314,000 new homes will have been constructed by that time, and that 96,000 units will have been exported out of the area because jurisdictions do not encourage the construction of housing.

The Housing Element calls out a number of restrictions that constrain housing supply. These include a huge amount of environmentally sensitive land, which was not considered suitable for higher densities that might support affordable housing (Housing Element Background Report). However, the County defines nearly all natural (and one unnatural) vegetation types as sensitive. Any land that might support an endangered species is defined as sensitive, even though that species may occupy a very small portion of the property, and both state and federal law allow impacts to endangered species with the proper permits and mitigation. The Housing Element also states several times that densities necessary to support lower income housing and public transit are often not compatible with either existing villages or with the overall rural atmosphere that exists in the unincorporated area. Finally, the Land Use Element both creates and continues obstacles to increasing the supply of housing through the use of contradictory goals and policies.

For example, vast areas in the unincorporated area are not truly sensitive. Many properties that support an endangered species can be developed. Yet, such areas are being unilaterally downzoned. Small infill properties can be developed at densities in the 10-30 unit per acre range without creating huge impacts, but such projects are often denied due to community character.

There are many creative ways to accommodate a variety of housing types in a manner that enhances existing development and that does not try to force lower income residents into urban areas. These should be encouraged and guidance provided that allows enhancement and variation within community character.

Housing Goal 1 promotes a variety of housing types to meet the needs of all residents. Several of the policies under this goal call for provision of senior and other types of housing in villages,

Policy COS-20.3 require collaboration with SANDAG, while policies COS-20.1 and 20.2 address actions that the County will be responsible with.

Noted.

Noted.

Noted.

Noted.

RESPONSES

near transit nodes, and in other higher intensity areas. These also call for opportunities for small-lots, duplexes, triplexes and other multi-family homes in villages. Such housing types often are not the same of existing housing, and will not be viewed as compatible with community character. How will the County commit to allow such housing in the face of community opposition?

Two policies under this goal call for a mix of housing types in large-scale developments. Since most of the unincorporated area of the County is proposed to be down zoned to densities less than one unit per ten acres, where is large-scale development envisioned?

Housing Goal 2 calls for housing that respects local character, and the policies under this goal call for “well-designed” projects. Projects are often well designed, but are still opposed by communities because they are not consistent with community character. This “character” is often described as being large lots. . How will the County commit to allow such housing in the face of community opposition?

Housing Goal 3 calls for housing that is affordable to all segments of the population. The Housing Element and Background Report both state that the County maintains an inventory of properties that could be suitable for development at densities that could provide housing to residents with lower and moderate income. A review of this inventory shows that the County violates its own principles. Examples include but are not limited to:

- Fallbrook and Lincoln Acres: sites are proposed to be changed from densities ranging from 2-7.3 units per acre, to a density of 24 units per acre.
- Property in Alpine is proposed to be designated at 15 units per acre although surrounding properties appear to be developed at much lower densities, and bounds land designated for one unit per acre. Another property designated for an increase in density in Alpine supports undisturbed chaparral.
- Property in Bonsall supports grassland, usually regarded as sensitive, and is surrounded by land designated at two units per acre. This property is proposed to be designated for 15 units to the acre.

How will the undoubted community opposition to such increases be treated since the proposed density is very different from the surrounding area and not necessarily in keeping with “community character”?

Staff does not agree that such housing types can not be designed to be sensitive to the community character. There are techniques, such as buffering and blended densities to name two.

Lage scale developments are already proposed in Fallbrook (I-15 / SR-76) and Valley Center, to name two.

Staff does not concur that a “well-designed” project would not be consistent with community character and could win community support.

Refer to above response concerning context sensitive design techniques.

RESPONSES

How does the County justify higher density designations on some properties that support sensitive vegetation types while using the same rationale to downzone vast areas of the County?

How does the County justify proposed multi-family densities in areas surrounded by much lower designations, and include policies in the Land Use Element that would discourage or prohibit such development?

The Alliance appreciates the opportunity to provide these comments and looks forward to further discussions regarding the County's Draft General Plan. Should you have any comments or questions, please do not hesitate to contact us at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'CB', with a long horizontal line extending to the right.

Craig Benedetto
Executive Director

The County's highest priority is to preserve sensitive resources in semi-rural and rural areas, while allowing more flexibility in villages so that population increase can still be accommodated.

Refer to previous response concerning context sensitive design techniques, such as blended densities.

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RESPONSES

January 29, 2009

Mr. Devon Muto
Department of Planning & Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123

RE: BIA Comments on the County General Plan Update

Dear Devon:

Thank you for the opportunity to provide input on the County's General Plan Update. The building industry supports the County's efforts to update its General Plan and looks forward to the implementation of a land use framework that supports population and job growth in the County as well as respects the County's rural character and unique communities.

Key to the successful implementation of the County's General Plan are the land use tools and implementing ordinances, the "complete package" that the County has committed to implementing concurrently with the General Plan Update. These tools include clustering (smaller lot sizes in residential, semi-rural and rural land use designations), alternative septic systems by-right, by-right density (the density in the land use designation is the density you are allowed to build to), and revisions to the Resource Protection Ordinance to bring steep slope regulations into alignment with the Biological Mitigation Ordinance with the goal of having development occur on the least environmentally sensitive portion of the site. These land use tools must be brought forward concurrently with the implementation of the General Plan.

Also key to the success of the General Plan is a Programmatic EIR that addresses cumulative impacts, including but not limited to air quality, CO2 emissions, and traffic. The General Plan EIR needs to set the tone for how cumulative impacts are mitigated in the County such that individual projects are freed from the costly and complex burden of analyzing these impacts.



RESPONSES

The County will work with SANDAG to prepare the SP375 Blueprint.

Noted – meeting the target population projections is a guiding principle in the GPU.

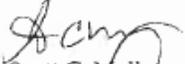
Staff does not agree with this suggested deficiency which is responded to in more detail on the following pages.

RESPONSES

Our comments are offered in the spirit of remedying this deficiency in the General Plan. We begin with a series of “big picture” general comments on the plan and follow with recommended changes to the guiding principles and the policy framework. We also offer comments on specific policies in the General Plan that are not appropriate for the General Plan.

We look forward to working with the County on implementing a General Plan with a complete vision for the County’s future and land use and policy framework that facilitates this vision.

Very truly yours,



Scott C. Molloy
Public Policy Advisor

cc: Chandra Wallar, Deputy Chief Administrative Officer
Eric Gibson, Director of Planning & Land Use

“BIG PICTURE” COMMENTS

1. **The overarching purpose of the County’s General Plan Update should be to plan for population and economic growth in the unincorporated communities.**

This purpose should serve as the preamble for the entire General Plan and define the policy framework of the General Plan such that all individual goals and policies emanate from and are consistent with this overarching goal.

To reinforce this goal, we recommend a separate Guiding Principle that includes clear direction on planning for the housing and employment needs of the County. We recommend the following “Guiding Principle” be added:

“Ensure that the County’s General Plan Land Use framework meets the future housing and employment needs of the unincorporated communities with development that achieves planned densities and land use intensities.”

The General Plan land use policy framework should reinforce this key planning principle in a manner that is consistent with the County’s other guiding principles and goals and policies. To do so, we recommend the addition of three new land use policies:

“In Villages, ensure that future residential development achieves planned densities through multi-family, mixed use, and small-lot single-family projects.”

“In Villages, ensure that future employment uses achieve planned land uses consistent with the commercial and industrial land use policy framework.”

“In Semi-Rural and Rural Areas, ensure that future development achieves planned densities through smaller lot sizes, consolidated development footprints, and preservation of sensitive resources.”

2. **Individual policies must be consistent with each other. There are several examples of inconsistency and divergence in the Land Use Element.**
3. **The General Plan should contain sufficient flexibility for a broad range of potential land use changes, including potential changes to the Regional Categories Map.**

It is conceivable that, as time progresses, land uses and transportation uses will evolve, necessitating everything from minor to major changes to the County’s land use plans. Any individual project should be permitted to make the case for the full

1. DPLU appreciates your comment but does not agree. We feel that this is adequately addressed by Guiding Principles #1 and #2. In GP #2, the Land Use Map capacity is sufficient to accommodate planned growth in the unincorporated County.

Staff does not agree that this policy is appropriate at the General Plan level. It should be included in individual community plans, when appropriate.

DPLU does not agree with this policy because commercial and industrial land uses must be able to be economically sustained. The GPU Land Use Map designates more commercial land uses than can be sustained by the forecasted build-out population.

While DPLU can endorse efforts to achieve planned development in Villages, we do not place the same level of commitment in Semi-Rural and Rural lands where physical conditions and other environmental impacts may preclude achieving full build-out.

2. DPLU does not agree with the suggestion of inconsistencies as further explained herein.

3. The decision to limit changes to Regional Categories is the result of a compromise with other stakeholders, who wanted even less flexibility when making changes to the Land Use Map.



range of land use changes, including a change to the Regional Categories Map, based on the merits and mitigation strategy of the project.

4. The General Plan misses the opportunity to highlight the County's employment lands and lay out the County's vision for future economic development.

The County plays an important role in meeting the region's future employment needs. There are significant opportunities for commercial, industrial and office development throughout the County, and there are areas of the County that hold significant value as centers of employment, including Otay Mesa, Lakeside, and along the I-15 Corridor. The General Plan should emphasize these opportunities and ensure that its land use policies facilitate rather than constrain economic development in these areas.

5. The General Plan Mobility Element and transportation-related policies should be governed by the infrastructure needs of existing and future residents, not the other way around.

In other words, it is fruitless to attempt to constrain population growth by constraining the provision of infrastructure. This will not work. Instead, projected population growth needs to govern land use which governs the provision of infrastructure. The County's Land Use Map must be planned to accommodate SANDAG's projected population and job growth and the infrastructure must be planned to accommodate the land use framework. In short, population and job growth drive the land use planning which drives the infrastructure planning, not the reverse.

6. The General Plan policy framework falls short of implementing the principles of SB375.

The land use policy framework clearly articulates the County's vision for preserving rural areas and sensitive natural resources, however this vision should be juxtaposed with a vision to focus housing and employment uses in the more urban, suburban and village areas of the County. Without this juxtaposition being clearly articulated in the policy framework, and without the policy framework being free of inconsistencies in this regard, the General Plan policy framework will fail to implement the planned land uses of the County and fail to implement the principles of SB375.

To illustrate this point, Land Use Policies under goals LU-3 and LU-9 begin to outline a vision for transforming the way communities will grow in the future, however these policies are contradicted and undermined by land use policies

RESPONSES

DPLU agrees with the importance of the County's employment lands, but does not agree that additions to the Draft General Plan are necessary. The proposed goals and policies are sufficient to support these uses.

The road network classifications were driven by the forecast trips that would be generated by full build-out of the Land Use Map to achieve an acceptable level of service. In some finite and distinct instances, road design resulting in a LOS E/F has been determined to be acceptable according to specific rationale (see draft EIR Appendix I). Additionally, this comment incorrectly applies SANDAG's population projections. SANDAG projects population based on the County's General Plan. Therefore, the plan dictates SANDAG's projections, not the reverse as suggested.

This General Plan has attempted to balance many competing interests. In this light, implementation of the General Plan policies must also be balanced. DPLU does not agree with the suggestion that General Plan does not support SB 375. DPLU has been in close coordination with SANDAG who is charged with implementing SB 375 for this region.

throughout the document which overemphasize consistency with community character and matching existing development patterns.

Still other land use policies undermine the broader goals of shifting growth to areas with existing and planned infrastructure such as sphere of influence lands and unincorporated lands bordering cities.

7. Community Plans must conform to the General Plan Policy Framework, not the other way around.

There are several examples of language like “when consistent with the Community Plan” that undermine the policy framework of the General Plan by deferring to community plans to dictate policy. This is fundamentally inconsistent with the purpose of a General Plan. The General Plan must lay out the policy framework for the community plans, not the other way around. Instead, the draft plan includes exceptions for community plans, community plans which presumably do not even exist yet if they are all to be updated following the General Plan Update.

RESPONSES

Neither of the referenced goals or their supporting policies require that existing development patterns be “matched”. The policies under these goals require consistency with the applicable community plan, which is a requirement of State law. DPLU disagrees with the suggestion that these additions are excessive.

DPLU appreciates the comment, but does not agree. The General Plan establishes the broad policy framework, but relies on community plans for more context specific policies. This is common planning practice. Since the community plans are part of the General Plan, they must be consistent pursuant to State law.

RESPONSES

COMMENTS ON GUIDING PRINCIPLES

The Guiding Principles are surprisingly silent on a complete vision for growth in the County. The Guiding Principles suggest that the County will be able to determine how much population growth occurs in the County; they fail to clearly articulate where this growth will occur and the County’s responsibility to plan for it; and they overemphasize community character and rural preservation as the basis for the plan.

Our recommendations below and our recommendations on the General Plan policy framework are intended to rectifying these deficiencies in the plan. We also recommend the addition of the following separate Guiding Principle that includes clear direction on planning for the housing and employment needs of the County (see General Comment #1):

“Ensure that the County’s General Plan Land Use framework meets the future housing and employment needs of the unincorporated communities with development that achieves planned densities and land use intensities.”

1. ~~“Support a Reasonable Share of~~ Accommodate the County’s Projected Share of Regional Population Growth.”

It is imperative that the County’s General Plan Update accommodate SANDAG’s projected population growth for the unincorporated area. The discussion for guiding principle #1 should explicitly commit the General Plan Update and the Community Plan Updates to this goal. This section should also state that the accommodation of this future population will be facilitated, in part, by the planning for multi-family housing. We suggestion the following changes:

~~“As population growth continues in the region, the County will a reasonable share will be accommodated its projected share of the region’s growth in the unincorporated County provided a manner that it sustains the County’s natural setting, characteristics, and qualities that distinguish the County, its communities, and rural places as special places to live. The County will implement this goal by planning for and facilitating housing, including entry-level and multi-family housing, in and around existing and planned villages. Over time it is likely that an increasing share of regional growth will choose to live in urban areas, close to jobs and transit, with corresponding decreases in the unincorporated County areas.”~~

We recommend removal of this last statement in the above paragraph. The statement is not supported by fact and instead portends the potential for a growing resistance by the

DPLU does not agree with these comments and notes that the guiding principles by nature are intended to be broad in their scope and detail.

See response provided on page 4.

SANDAG forecasts Countywide growth, but the distribution of that growth is primarily a result of the land use maps for each jurisdiction.

Edits were generally made as recommended.

County to meeting future population growth needs, which we do not believe is the County's intent.

2. **"Promote Sustainability by Locating New Development Near Existing and Planned Infrastructure, Services and Jobs."**

The discussion accompanying this principle needs to emphasize more the relationship between housing and jobs. The principle should also reference planned infrastructure as there will be significant new infrastructure in the County that supports planned development.

3. **"Reinforce the vitality, local economy, and individual character of existing communities ~~while balancing when planning new~~ housing, employment, and recreational opportunities."**

This section would benefit from a discussion about communities in the County which will transition into important employment centers, such as Otay Mesa and Lakeside, and how the community plans in these communities will need to emphasize the community's role in providing employment and housing opportunities. This section should also emphasize the need for communities that are adjacent to or within urbanized areas to facilitate higher density development. The General Plan policy framework needs to make an important distinction between the county's more rural communities and those that will serve an important role in meeting the region's employment and housing needs. We suggest the following addition to the discussion:

"Critically important in defining the San Diego region is the diversity and character of its distinct communities. Some are located at the edges and serve as transitions from coastal and inland urbanized cities to agriculture and open spaces. Others are remotely located in agricultural, pine-covered mountain, valley, and desert locations. Each has emerged in a distinct physical setting with a unique history, culture, character, life style, and identity that has attracted residents and, in some cases, tourists. And other communities in County are well integrated into the more urban fabric of region and will serve an important role in meeting the region's employment and housing needs. All of the communities in the County will play an important and unique role in meeting the County's future employment and housing needs with a diversity of housing types and employment opportunities."

Revisions made as recommended.

Revisions made as recommended.

Revisions made as appropriate.

RESPONSES

4. **“Promote environmental stewardship that protects the range of natural resources and habitats that uniquely define the County’s character and ecological importance.”**

This section would greatly benefit from a discussion about how more compact mixed-use development and smaller lot sizes are major tools to preserving sensitive resources with new development.

5. **“Ensure that Development Accounts for Physical Constraints and the Natural Hazards of the Land.”**

We believe this policy is discounting the tremendous progress that has been made in building codes and development regulations in virtually eliminating the risks that earthquakes, fires, and landslides pose. The statement that “development should be prohibited or restricted” in high risk areas ignores this progress. In fact, as it relates to fire, much of the County is considered a high fire risk area. This section should instead emphasize the need for more careful review of development in these high risk areas rather than outright prohibitions or restrictions. We suggest the following changes:

“In high risk areas, development should be ~~prohibited or restricted in type and/or density~~ carefully reviewed for consistency with the County’s building code and development regulations to eliminate or minimize any potential risk.”

6. **“Provide and Support a Multi-Modal Transportation Network that Enhances Connectivity and Supports Community Development Patterns and plan for development which supports multi-modal transportation.”**

This section should emphasize the need to plan for densities and land uses that support multi-modal transportation. Not only is it in the best interest of County’s existing and future residents from a transportation perspective, it is also necessary to ensure compliance with AB32. The goals and policies should not be restricted to new development. The County will need to ensure that existing villages and communities GP to ensure that the goal of comprehensive networks can be achieved. This principle is an opportunity to emphasize that commitment. We suggestion the following addition:

“The transportation network should be built to support and correlate with community development patterns. And land uses within village areas should be planned at densities and land use types that support multi-modal transportation, in particular transit and pedestrian alternatives. Residential densities and development regulations (e.g., parking standards) in village areas will need to facilitate these transportation alternatives to ensure that they are viable

Text added

Staff appreciates your comments, but does not agree that building codes alone are sufficient in eliminating risks.

Revisions made as appropriate.

Edits made as recommended.

Text was added to plans for development that supports public transportation, when appropriate.

RESPONSES

alternatives and to enable the County to meet its greenhouse gas reduction requirements of AB32.”**7. Maintain Environmentally Sustainable Communities and Reduce Greenhouse Gas Emissions that Contribute to Climate Change.**

We support this principle and support the County’s efforts to achieve sustainability with new development. We believe that this section should include a discussion about how higher density/mixed use development is the best way to achieve sustainability with new development.

8. Preserve agriculture as an integral component of the region’s economy, character, and open space network.

We support the preservation of important agricultural lands in the County, however we question the statement in this section that “permitted densities in prime agricultural areas should be reduced to sustain sufficient parcel size for viable agricultural activities.” Instead, the loss of density on agricultural land has the potential to actually jeopardize the agricultural operation as the landowner/farmer loses the land value needed to finance the farming operation. And the density assigned to a given property has never precluded larger parcel sizes. This statement is a non sequitur and should be revised or removed.

9. Minimize Public Costs of Infrastructure and Services and Correlate Their Timing with New Development.

We question the statement that “property taxes do not generate sufficient revenue to fund operational costs.” To begin with, the state keeps much of the property tax revenue and then redistributes these funds in various forms to local cities and counties some of which comes back in the form of funding for operations and maintenance costs. Secondly, new development areas generate substantially more property tax revenue than older areas as the properties are much younger and have been more recently assessed. New development areas also tend to generate higher income and sales tax revenues, which also eventually come back in the form of funding for operations and maintenance. Lastly, from a public health and safety standpoint, new development is substantially safer than many existing areas, with incidences of fire, crime, and emergency service calls substantially lower with new development. So we take issue with this statement that property taxes do not fund operational costs. We believe it is a matter of perspective.

As it relates to the idea that more compact development reduces the cost of providing infrastructure and services, while there is truth to this statement, it is important to

The section reemphasizes the need to develop compactly, which is primarily discussed under GP #2.

Staff appreciates your comment, but does not agree. This principle identifies various measures that support agriculture. The purpose of retaining sufficient parcel size ensures that prime agricultural areas are not impacted by development of incompatible land uses.

Noted. No change was made.

RESPONSES

BIA Comments on County GPU

01-30-09

consider that certain services and facilities are purely population-based (schools, libraries, parks, etc.), whereas others are a combination of population levels and response times.

LAND USE ELEMENT

GOAL LU-1

Primacy of the Land Use Element. A land use plan and development that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories.

LU-1.1 **Assigning Land Use Designations.** Assign land use designations on the Land Use Map in accordance with the **Community Development Model** and boundaries established by the Regional Categories Map.

Question: *What is the community development model? Where is this defined?*

LU-1.2 **Regional Categories Map Amendments.** ~~Avoid~~ Carefully review General Plan and Specific Plan amendments requiring a change to the Regional Categories Map to ensure consistency with the General Plan guiding principles and policy framework ~~unless part of a County-initiated comprehensive General Plan Update.~~

Comment: *The policy in its original form removes any flexibility for the County's General Plan to adapt to changing conditions. Instead the County should allow for these types of General Plan changes provided that they meet the guiding principles and policy framework of the General Plan.*

~~LU-1.4 **Leapfrog Development.** Prohibit leapfrog development that is inconsistent with the Community Development Model and Community Plans. Leapfrog development is defined as Village densities located away from established Villages or outside established water and sewer service boundaries.~~

Comment: *This policy is highly subjective and very difficult to interpret. Is a mixed-use or technology cluster along the I-15 corridor "leapfrog development"? Is a complete master planned community surrounded by open space "leapfrog development"? Defining "leapfrog" development as village densities away from established villages precludes the creation of new villages in large scale projects that will incorporate village centers. See policy LU-9.9 ("identified growth areas"). Lastly, this policy is simply unnecessary when the land use maps and the multitude of other land use policies in the General Plan will address what could be considered true "leapfrog" development. As a rule, the General Plan should avoid terms of this nature that foster a purely emotional, subjective response rather than a methodical and objective response.*

Community Development Model is defined under Guiding Principle 2. Textbox added with policy referring back to GP #2.

DPLU appreciates your comment. As written, this policy provides assurance that the map, and its guiding principles, will not be easily changed. It represents a compromise between the Steering Committee who requested greater restrictions and some of the stakeholders such as the commentor who favored less.

DPLU does not agree with the removal of this policy or that it is difficult to interpret. Village densities are clearly shown on the land use map.

LU-1.6 **Village Expansion.** Permit expansion to the Village Regional Category only where contiguous with ~~the an~~ existing or planned Village and where all of the following criteria are met:

- ~~The expansion is part of a County-initiated comprehensive General Plan update~~
- Potential Village development would be compatible with environmental conditions and constraints, such as topography and flooding
- Potential Village development would be accommodated by the General Plan road network
- Public facilities and services can support the expansion without a reduction of services to other County residents
- The expansion ~~is consistent with~~ respects and enhances community character, the scale, and the orderly and contiguous growth of a Village area

Comment: *The term "consistent with (community character)" serves as a constraint to implementing the General Plan planned land uses when significant changes in density, scale, and lot sizes are necessitated by the new land use designations. We recommend the term "respects and enhances" which provides a lot more flexibility for a change in the form development takes in the future but still ensures that community character is not adversely impacted.*

~~LU-1.7—Relationship of County Land Use Designations with Adjoining Jurisdictions. Prohibit the use of established or planned land use patterns in nearby or adjacent jurisdictions as precedent or justification for land use designations of unincorporated County lands.~~

Comment: *This policy is inconsistent with policy LU-4.3. It is also a blanket prohibition that would preclude smart planning in many parts of the unincorporated area that border incorporated areas.*

~~LU-1.8—Conversion of Public Lands to Private Ownership. Assign lands designated for public use that change in ownership from public to private with a designation of Rural Lands 80 until the appropriate long-term use of the property is determined and a general plan amendment approved for redesignation of the property. This policy applies to areas on the Land Use Map designated Public/Semi-Public Facilities, Federal and State Lands, and Tribal Lands.~~

Comment: *This is an arbitrary policy that again may lead to bad planning outcomes.*

Revisions made as recommended

This policy refers to the designation of land uses prior to an annexation. The intention is to designate land uses based on the objectives and goals of the County's General Plan, until such time as annexation. Policy language has been changed so that consideration of adjoining land uses is not totally prohibited.

This policy is intended to provide a mechanism for converting lands from public to private use. Policy has been edited to provide additional clarity.

RESPONSES

~~LU-1.9 **Maximum Residential Densities.** Determine the maximum number of dwelling units permitted within the boundaries of any subdivision or single lot based on the applicable land use designation(s). When the total number of dwelling units is less than one, this shall be interpreted as permitting one dwelling unit. When more than one dwelling unit is permitted, fractional dwelling units are rounded down to the nearest whole number of dwelling units.~~

Comment: *This policy does not belong in the General Plan but rather in implementing ordinances such as the zoning code. It is also inconsistent with established practice whereby fractional dwelling units are rounded up if the fraction is 0.5 or higher.*

LU-1.10 **Density Transfers on Project Sites.** Permit transferring units between designations on contiguous land within the project site to provide flexibility in project design ~~only when appropriate and consistent with the applicable Community Plan and approved by Major Use Permit or Specific Plan.~~ The policy is not intended to allow a project to receive more units than is established by the Land Use Maps nor to supersede Housing Element requirements related to achieving the County's Regional Housing Needs Allocation.

Comment: *It's not clear why this wouldn't be permitted as a rule. There is no overall increase in density and there is a decrease in project impacts.*

GOAL LU-2

Maintenance of the County's Rural Character. Conservation and enhancement of the unincorporated County's varied communities, rural setting, and character.

LU-2.1 **Community Plans.** ~~Maintain~~ Ensure that Community Plans Updates, as part of the General Plan, ~~to~~ guide development to reflect the ~~character and visions for each individual unincorporated community~~ guiding principles and policy framework of the General Plan.

Comment: *This policy must be reformatted to ensure that community plan updates are consistent with the General Plan.*

DPLU appreciates your comment but does not agree. This policy is intended to provide overall guidance for implementing ordinances, and is the result of consensus building efforts with community representatives.

DPLU appreciates your comment but does not agree. This policy is the result of consensus building efforts with community representatives who want to ensure there are opportunities for community review of these developments. It is also important to note that under the current General Plan, no transfers are allowed.

Language added to address consistency between Community and General Plans.

LU-2.2 Development Densities and Lot Sizes. Assign densities and minimum lot sizes in a manner that ~~is compatible with~~ respects and enhances the character and economic vitality of each unincorporated community.

Comment: *Requiring densities and lot sizes with new development to be compatible with existing development simply means no change. In its original form, this policy is inconsistent with policies LU-3.1 and -3.2. This policy is also inconsistent with the guiding principles, the planning objectives of the Village and Semi-Rural categories, and the purpose and intent of the conservation subdivision. Instead, this policy and the policy framework of the general plan should emphasize respecting and enhancing community character, giving the County the flexibility to approve, for example, development projects which achieve biologically superior outcomes and projects which provide a broader range of housing types (see policies LU-3.1, -3.2, -9.4 and -9.5—mixture of housing types).*

LU-2.3 Relationship of Land Uses to Community Character. ~~Allow for the limitation of the types of~~ Ensure that the land uses and densities within any Regional Category or Land Use Classification depicted on the Land Use Map ~~to~~ reflect the unique issues, character, and development objectives ~~for a Community Plan area~~ of the General Plan.

Comment: *Change this policy from being restrictive and limiting to one that is permissive and adaptive.*

LU-2.4 Greenbelts to Define Communities. Establish and maintain greenbelts between communities ~~in order to curb sprawl and~~ reinforce the identity of individual communities.

Comment: *Avoid using subjective inflammatory terms like “sprawl” which trigger an emotional response rather than an objective response.*

~~**LU-2.5 Development near Neighboring Jurisdictions.** Require that development in the proximity of neighboring jurisdictions retain the character of the unincorporated community and use buffers or other techniques where the neighboring jurisdiction is incompatible.~~

Comment: *This policy is inconsistent with planning practices that occur with sphere of influence lands and, as a blanket policy, it will lead to undesirable and uncreative planning outcomes (See policy LU-4.3). It is also inconsistent with the principles of SB375.*

Staff appreciates your comment but does not agree. This policy is the result of consensus building efforts.

Revisions made as appropriate.

Policy revised as recommended.

DPLU does not concur with deleting this policy. The intent is to maintain a separation between cities and the unincorporated communities, until this area is annexed. Buffers should only facilitate implementing objectives of SB375 since they will provide more flexibility in establishing new land use plans once these areas are incorporated.

LU-2.6 **Commercial Viability.** Ensure that new commercial centers maintain or enhance the viability of ~~existing commercial areas~~ the community.

Comment: *It is advisable that the County avoid trying to make determinations on whether a new commercial center or project will impact existing commercial areas. The County could be put in the awkward position of trying to defend existing individual property owners or commercial businesses against a perceived competitor, a new commercial project. Instead, the county should ensure that new commercial centers "enhance the viability of the community" through project design, mitigation of impacts, etc.*

Staff appreciates your comment, but does not agree. The intent of the policy is to address new commercial development that could be economically detrimental to the existing commercial core of a community.

LU-2.7 **Mitigation of Development Impacts.** Require measures that minimize ~~adverse-significant~~ impacts to surrounding areas from uses or operations that cause excessive noise, dust, odor, aesthetic impairment and/or are detrimental to human health and safety.

Policy revised as recommended.

GOAL LU-3

Diversity of Residential Neighborhoods. A land use plan that accommodates a range of building and neighborhood types suitable for a variety of lifestyles, ages, affordability levels, and design options.

LU-3.1 **Diversity of Residential Designations and Building Types.** Maintain a mixture of residential land use designations and development regulations that accommodate various building types and styles.

LU-3.2 **Mix of Housing Units in Large Projects.** Require new large residential developments (generally greater than 200 dwelling units) to integrate a range of housing types and lot and building sizes ~~when consistent with the Community Plan.~~

Staff does not agree that inclusion of "when consistent with Community Plans" compromises the GP policy framework.

LU-3.3 **Complete Neighborhoods.** Require new development sufficiently large to establish a complete neighborhood (typically more than 1,000 dwelling units) to include a neighborhood center within easy walking distance of surrounding residences ~~when consistent with the Community Plan.~~

Comment: *The General Plan policy framework must govern the Community Plans, not the other way around.*

RESPONSES

GOAL LU-4

Inter-jurisdictional Coordination. Coordination with the plans and activities of other agencies that relate to issues such as land use, community character, transportation, energy, other infrastructure, public safety, and resource conservation and management in the unincorporated County and the region.

LU-4.1 **Regional Planning.** Participate in regional planning to ensure that the unique communities, assets, and challenges of the unincorporated lands are appropriately ~~recognized~~ addressed with the implementation of the planning principles and land use requirements of SB375.

Policy revised as recommended.

LU-4.2 **Review of Impacts of Projects in Adjoining Jurisdictions.** Review, comment, and coordinate when appropriate on plans, projects, and proposals of overlapping or neighboring agencies to ~~support~~ compatibility with the Community Development Model and ensure that the County's General Plan and adjacent communities are not adversely impacted.

Policy revised as recommended, with minor edits.

LU-4.3 **Relationship of Plans in Adjoining Jurisdictions.** Consider the plans and projects of overlapping or neighboring agencies in the planning of unincorporated lands, and invite comments and coordination when appropriate.

GOAL LU-5

Climate Change and Land Use. A land use plan and associated development techniques and patterns that reduce emissions of local greenhouse gases in accordance with state initiatives, while promoting public health.

LU-5.1 **Reduction of Vehicle Trips within Communities.** Incorporate a mixture of uses within Villages and Rural Villages and plan residential densities at a level that encourage people to supports multi-modal transportation, including walking, bicycling, and/or the use of public transit.

Policy revised as recommended, with the addition of "when feasible" because sustaining public transit in some communities is not feasible without increases in density beyond the land use map.

Comment: Reducing VMT cannot be accomplished without affirmatively planning for land uses that have a demonstrated ability to support transit, walking and bicycling. This policy needs to more clearly state the County's objective to do so.

LU-5.2 **Sustainable Planning and Design.** Require that new development consider, and incorporate when feasible, sustainable planning and design ~~to conserve land and resources.~~

Question/Comment: *Is this policy effective within in Village Cores? Are projects within village cores going to be expected to preserve land? If so, this makes the Land Use Element out of compliance with the Housing Element and Housing Element Law when planned densities cannot be achieved. We recommend removing the reference to preserving land and resources or clarifying that this particular language in the policy only applies in semi-rural and rural areas.*

LU-5.3 **Rural Land Preservation.** ~~Ensure the preservation of~~ **Preserve existing undeveloped 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 Land Use Designations~~ **that provide carbon sequestration benefits.**

LU-5.4 **Planning Support.** Support ~~and undertake~~ **when possible,** planning efforts that promote infill and redevelopment of uses that accommodate walking and biking within communities.

LU-5.5 **Projects that Impede Non-Motorized Travel.** ~~Prohibit~~ **Ensure that development projects and road improvements do not that impede bicycle and walking-pedestrian access. Where impacts to existing or planned routes would occur, ensure that impacts are mitigated and acceptable alternative routes are implemented,** e.g., large parking areas ~~that cannot be crossed by non-motorized vehicles, and new developments that block through access on existing or potential bicycle and pedestrian routes.~~

Comment: *This policy should be changed from one that is restrictive and reactive to one that is encouraging and proactive.*

GOAL LU-6

Development—Environmental Balance. A built environment in balance with the natural environment, scarce resources, natural hazards, and the unique local character of individual communities.

LU-6.2 **Reducing Development Pressures.** **Where appropriate and consistent with the regional categories,** Assign low-density or low-intensity land use designations to areas with sensitive natural resources.

LU-6.3 **Conservation-Oriented Project Design.** Support conservation-oriented project design ~~when appropriate and consistent with the applicable~~ **Community Plan.** This can be achieved with mechanisms such as, but

Policy revised as recommended.

Policy revised as recommended, with minor edits.

Policy revised as recommended.

Policy revised as recommended, with minor edits.

Staff does not agree that the additional text is necessary and would be inconsistent with the Land Use Map.

not limited to, ~~Specific Plans~~, lot area averaging, [alternative septic systems](#), and reductions in lot size with corresponding requirements for preserved open space (~~Planned Residential Developments~~). Projects that rely on lot size reductions should incorporate specific design techniques, perimeter lot sizes, or buffers, to achieve compatibility with community character.

- 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 ~~development impervious~~ footprints, use sustainable ~~infrastructure development~~ practices, and, ~~where appropriate~~, provide public amenities.
- LU-6.5 **Sustainable Stormwater Management.** ~~Where applicable and consistent with the County's LID Handbook, Require ensure that development to~~ minimize the use of impervious surfaces and ~~use other~~ incorporates Low Impact Development techniques as well as a combination of site design, source control, and stormwater best management practices.
- LU-6.6 **Integration of Natural Features into Project Design.** ~~Require Where~~ [appropriate, encourage the](#) incorporation of natural features (including mature oaks, indigenous trees, and rock formations) into proposed development and avoidance of sensitive environmental resources.
- LU-6.10 **Protection from Wildfires and Unmitigable Hazards.** ~~Assign land uses and densities in a manner that minimizes~~ [Ensure that new development in hazardous wildfire areas or other unmitigable hazardous areas complies with the County's building and fire code and fire safety planning guidelines.](#)

Comment: *Much of the unincorporated area is considered a high fire hazard area but this was not the basis for the creation of the Land Use Maps. This policy is inconsistent with the draft land use maps and is also un-implementable if taken literally.*

RESPONSES

Staff does not agree with removing compatibility with community plans as this policy is a result of consensus building with planning groups. Text revised to add "alternative septic systems".

Policy revised as recommended.

Policy revised as recommended.

The policy as written does not require the County to enforce every project. It is the County's discretion to balance this policy with other policies.

Staff does not agree with this comment. The intention is to assign low densities to high fire hazard areas as the building and fire codes decrease risks, but minimizing the number of structures in these areas is preferred. In addition, high fire hazard areas were considered when developing the land use map.

RESPONSES**GOAL LU-7**

Agricultural Conservation. A land use plan that retains and protects farming and agriculture as beneficial resources that contribute to the County's rural character.

LU-7.1 **Agricultural Land Development.** Protect agricultural lands ~~with lower-density land use designations~~ that support continued agricultural operations.

Comment: *lower-density land use designations do not protect agricultural lands. Instead, they devalue land values, thereby jeopardizing financing for farming operations on the land.*

LU-7.2 **Parcel Size Reduction as Incentive for Agriculture.** Allow for reductions in lot size when large tracks of ~~existing historically agricultural~~ land are preserved in conservation easements for continued agricultural use.

Comment: *This policy should also be incorporated into the policy framework of Goal LU-2 (Rural Character) and LU-10 (Rural and Semi-Rural Lands).*

GOAL LU-8

Aquifers and Groundwater Conservation. Sustainable aquifers and functional groundwater recharge areas.

~~LU 8.3—Groundwater-Dependent Habitat. Discourage development that would draw down the groundwater table to the detriment of groundwater-dependent habitat.~~

Comment: *This policy would be extremely difficult to enforce or interpret. Development in groundwater dependent areas will be governed by the project's ability to comply with policy LU-8.1 and LU-8.2. In other words, if the project complies with LU-8.1 and 8.2, then LU-8.3 would be a non-issue.*

Staff does not agree. The intent is to protect agriculture lands from encroachment from incompatible land uses, which is often higher density residential uses. Policy COS-6.4 is intended provide financial support.

Staff appreciates your comment, but does not agree with changing the policy. Policy is intended to support agricultural land with long history.

DPLU does not agree with removal of this policy. DPLU does agree that there will be some difficulties with implementation which will be addressed in guidance documents prepared by the department.

RESPONSES

GOAL LU-9

Distinct Villages and Community Cores. Well-defined, planned, and developed community cores, such as Villages and Town Centers, that contribute to a community's identity and character.

- LU-9.1 **Village and Community Core Planning.** Encourage the delineation of and development of more detailed planning direction for the character, design, uses, densities, and amenities of Village areas, Town Centers, and other community cores in Community Plans to assist in the future planning of residences, infrastructure, businesses, and civic uses.
- LU-9.2 **Density Relationship to Environmental Setting.** Assign Village land use designations in a manner consistent with the Community Plan, community character, and environmental constraints. In general, ~~Village~~ areas that contain more [steep](#) slopes or other environmental constraints should receive lower density designations.
- LU-9.3 **Village and Community Core Guidelines and Regulations.** Support the development and implementation of design guidelines, Village-specific regulations for roads, parking, and noise, and other planning and regulatory mechanisms that recognize the unique operations and character of Villages and Town Centers. Such mechanisms should ensure that new development ~~be compatible with~~ [respects and enhances](#) the overall scale and character of established neighborhoods.
- LU-9.4 **Infrastructure Serving Villages and Community Cores.** Prioritize infrastructure improvements and the provision of public facilities for Villages and community cores and the intensity of development allowed by the Land Use Map.
- LU-9.5 **Village Uses.** Encourage development of distinct areas within communities offering residents places to live, work, and shop, and neighborhoods that integrate a mix of uses and housing types.
- LU-9.6 **Town Center Uses.** Locate commercial, office, civic, and residential land uses in the Town Centers of Villages or at transportation nodes. Exceptions to this pattern may be allowed for established [or planned communities](#), industrial districts and secondary commercial districts or corridors.
- LU-9.7 **Town Center Planning and Design.** Plan and guide the development of Town Centers as the major focal point and activity node for Village

Policy revised as recommended.

Policy revised as recommended.

Staff does not agree because these uses should be located within the town center of planned communities.

areas. Utilize design guidelines to ~~maintain~~ respect and enhance the unique character of a community. Roadways, streetscapes, building facades, landscaping, and signage within the town center should be pedestrian oriented. Wherever possible, locate public facilities, such as schools, libraries, community centers, and parks in Town Centers and Villages.

Comment: *Community character must be permitted to evolve over time. Rather than "maintaining" community character, new development should respect and enhance community character. The character of all the communities in the County would benefit from enhancement. Rather than "maintaining" character, "enhancing" charactering should be the litmus test.*

LU-9.8 Village Connectivity and Compatibility with Adjoining Areas. Where appropriate, ~~Require~~ new development within Villages to include road networks, pedestrian routes, and amenities that create or maintain connectivity; and site, building, and landscape design that is compatible with the Community Plan and surrounding areas.

GOAL LU-10

Function of Semi-Rural and Rural Lands. Semi-Rural and Rural Lands that buffer communities, protect natural resources, foster agriculture, and accommodate unique rural communities.

LU-10.1 Residential Connectivity. ~~Require~~ Where appropriate, ensure that residential development in Semi-Rural and Rural areas to be integrated with existing neighborhoods by providing connected and continuous street, pathway/trail, and recreational open space networks.

LU-10.2 Development—Environmental Resource Relationship. Require development in Semi-Rural and Rural areas to conserve the unique natural features, preserve-respect and enhance rural character, and avoid sensitive environmental resources and natural hazard areas.

LU-10.3 Village Boundaries. Use ~~Semi-Rural and~~ Rural land use designations to define the boundaries of Villages and serve as buffers between communities.

RESPONSES

Policy revised as recommended.

Staff does not agree. Refer to response on page 19 for policy LU-6.6.

Policy revised to remove the requirement in Rural Lands.

Staff does not agree because the intention is to preserve rural character.

Policy revised to remove semi-rural areas as buffers between communities.

GOAL LU-11

Commercial, Office, and Industrial Development. Commercial, office, and industrial development that is appropriately sited and designed to enhance the unique character of each unincorporated community and to minimize vehicle trip lengths.

LU-11.2 Compatibility with Community Character. Require that commercial, office, and industrial development be located, ~~sited, and~~ designed to ~~be compatible with~~ respect and enhance the unique character of the community.

LU-11.5 Large-Format Retail Stores. ~~Allow~~ Carefully plan large-format retail uses, typically referred to as “big box stores,” ~~only where the scale of such that~~ the use and design ~~is are~~ compatible with the surrounding areas. Large-format retail typically means retail stores with floor plans that are larger than 65,000 sq. ft.

LU-11.6 Office Development. Locate new office development complexes ~~within Village in~~ areas where ~~public~~ services are available, in proximity to housing and along primary vehicular arterials (ideally with transit access) with internal vehicular and pedestrian linkages that integrate the new development into the ~~Village~~-transportation network where feasible.

Comment: New office development should not just be limited to village areas. It is hard to conceive of office development in Otay Mesa or Lakeside, good locations for multi-tenant industrial and office development, occurring within a traditional “village” setting. There are also locations along the I-15 corridor that will be prime locations for office development but will not be within a village setting. This policy should be amended to recognize these scenarios and retain flexibility for office development while still ensuring that office development occurs along transportation corridors and within proximity to services and housing.

LU-11.7 Office Development Compatibility with Adjoining Uses. Require compatibility in the scale, design, site layout, and circulation patterns of adjacent existing or planned commercial and residential development.

Policy revised as recommended, with minor edits.

Staff does not agree with proposed edits. The intent of the policy is to restrict where big box retail is located, as much as how it is designed.

Policy revised to incorporate minor edits, but retains “within Villages” as a key component of the policy. Portions of Otay Mesa and Lakeside that are suggested as suitable for Office Development are almost entirely designated with the Village Regional Category. DPLU does not support Office Development outside of the Village Regional Category lands, which are traditionally not in close proximity to services and/or housing.

Text added as recommended.

LU-11.9 **Development Density and Scale Transitions.** ~~Locate transitions~~
~~or~~ Where appropriate, ~~buffers between~~ lower intensity uses, such as low-density residential districts, ~~from and~~ higher intensity development, such as commercial or industrial uses. Buffering may be accomplished through increased setbacks or other techniques such as grade differentials, walls, and/or landscaping.

Policy revised to clarify transitions.

LU-11.11 **Industrial Compatibility with Adjoining Uses.** Require industrial land uses with outdoor activities or storage to provide screening (e.g., landscaping) and a buffer from adjacent incompatible land uses.

Text added to provide examples of buffering.

GOAL LU-12

Infrastructure and Services Supporting Development. Sustainable infrastructure, public facilities, and essential services that meet community needs and are provided concurrent with growth and development.

LU-12.2 **Maintenance of Adequate Services.** Require development to ~~maintain~~
~~the~~ mitigate significant impacts to existing service levels of public facilities or services for existing residents and businesses.

Policy revised as recommended.

Comment: This policy should be rephrased to be consistent with CEQA. New development should not be required to maintain existing service levels if facilities are under-utilized/operating below full capacity. To be consistent with CEQA, the project needs to mitigate significant impacts to public facilities.

GOAL LU-13

Adequate Water Quality and Supply. A balanced and regionally integrated water management approach to ensure the long-term viability of San Diego County's water quality and supply.

LU-13.1 **Adequacy of Water Supply.** Coordinate ~~land use planning with~~ water infrastructure planning with land use planning to maintain an acceptable availability of a high quality water supply. Ensure that new development includes both indoor and outdoor water conservation measures to reduce water demand.

Policy revised as recommended.

GOAL LU-14

Adequate Wastewater Facilities. Communities with adequate wastewater disposal that address potential hazards to human health and the environment.

LU-14.4 Sewer Facilities. ~~Prohibit sewer facilities that would induce unplanned growth.~~ Require sewer systems to be planned, developed, and sized to serve the land use pattern and densities depicted on the Land Use Map. ~~Sewer systems and services shall not be extended beyond Village boundaries except when necessary to preserve open space or serve civic facilities.~~

Policy revised to provide better clarification.

Comment: The first part of this policy is highly subjective. The last part of the policy would preclude good infrastructure planning practices (getting homes off septic and on sewer). The Regional Categories and land use designations will drive density. Extending sewer service then should not be an issue. Incidentally, this policy would also preclude extending sewer service to employment lands which are not within an official "village" setting.

LU-14.5 Alternate Sewage Disposal Systems. Support the use of alternative on-site sewage disposal systems ~~when conventional systems are not feasible~~ and in conformance with State guidelines and regulations.

Policy revised as recommended.

Comment: Alternative septic systems have a well-documented and several decade-old history of outperforming conventional systems, including leading to substantially lower release of nitrates and other undesirable groundwater impacts. There is no good reason these systems are not allowed by-right throughout the County.

MOBILITY ELEMENT

Edits made as appropriate.

M-1.3 **Peripheral Location for High-Volume Roadways.** Locate new State freeways, and high-volume regional arterials and Mobility Element roads at the periphery of areas planned for intense residential or commercial development to reduce noise, air, and visual impacts as well as land acquisition costs. To reduce ~~adverse environment impacts and construction and maintenance costs~~, where public safety would not be compromised, consider allow narrower rights-of-way, more flexible road design standards, and lower design speeds in areas planned for substantial development.

M-2.1 **Level of Service Criteria.** Require a level of service of "D" or higher on all Mobility Element roads except for those where a failing level of service is deemed acceptable by the County when any criteria specifically identified in Table M-3 (Criteria for Accepting Level of Service E/F Roads) is met.

Reductions in planned land use have been removed from the criteria.

Comment: *Table M-3 recommends land use modifications (reductions in planned land uses) as a possible solution to not improving a road due to environmental constraints. Environmental constraints alone should not dictate whether a road can be built. Public safety, i.e., the safe and efficient movement of vehicles, should be of pre-eminent importance and override environmental constraints if not building a road would lead to or perpetuate a public safety hazard. The broad application of a policy to not improve roads where environmental constraints would occur will cause the County's General Plan to be out of compliance with its Housing Element and it will lead to the County not being able to meet its Regional Housing Needs Assessment under SB375 if planned land uses cannot be accommodated.*

M-2.3 **Environmentally Sensitive Road Design.** Locate and design public and private roads to minimize impacts to significant environmental and visual resources, while balancing construction costs. Avoid road alignments through floodplains to minimize impacts on floodplain habitats and limit costs for constructing flood control measures. To reduce environment impacts and construction and maintenance costs, where public safety would not be compromised, allow narrower rights-of-way, more flexible road design standards, and lower design speeds.

Staff does not agree that additional text is necessary since design that minimizes impacts is already included in the policy language.

M-4.3 **Rural Roads Compatible with Rural Character.** Design and construct public roads to meet travel demands in Semi-Rural and Rural Lands that are consistent with rural character while safely accommodating transit stops when deemed necessary, along with bicyclists, pedestrians, and equestrians. Where possible, utilize rural road design features (e.g., no

Edits made as appropriate.

- curb & gutter improvements) to reduce road construction and maintenance costs.
- M-4.6 **Interjurisdictional Coordination.** Coordinate with adjacent jurisdictions so that roads within Spheres of Influence (SOIs) or that cross jurisdictional boundaries are designed to provide a consistent cross-section and capacity. To the extent possible, ensure that road improvements that cross jurisdictional boundaries are done concurrently or sequentially to optimize and maintain road capacity.
- M-5.1 **Regional Coordination.** Coordinate with regional planning agencies, transit agencies, and adjacent jurisdictions to provide a transportation system with the following:
- Sufficient capacity consistent with the County General Plan Land Use Map
 - Travel choices, including multiple routes and modes of travel to provide the opportunity for reducing vehicle miles traveled
 - Facilities sited and designed to be compatible with the differing scales, intensities, and characteristics of the unincorporated communities while still accommodating regional, community, and neighborhood travel demands
 - Facilities which, where feasible and applicable, incorporate narrower rights-of-way and road standards tailored to environmental and physical constraints
 - Maximized efficiency to enhance connectivity between different modes of travel
- M-8.3 **Transit Stops That Facilitate Ridership.** Locate transit stops and facilities in areas that facilitate transit ridership, and designate such locations as part of planning efforts for Town Centers, transit nodes, and large-scale commercial or residential development projects. Ensure that the planning of Town Centers and Village Cores incorporate uses that support the use of transit, including multi-family and mixed-use transit-oriented development.
- M-9.1 **Transportation Systems Management.** Prior to increasing the number of road lanes, ~~explore the provision of~~ where possible maximize operational improvements that increase the effective vehicular capacity of the public road network.
- M-9.2 **Transportation Demand Management.** Where feasible, ~~Require~~ large commercial and office development to use TDM programs to reduce
- Edits made with minor revisions.
- Staff does not find this necessary since the policy already addresses road design.
- Revisions made as recommended with minor revisions.
- Revisions made as appropriate.

RESPONSES

single-occupant vehicle traffic generation, particularly during peak periods to maximize the capacity of existing or improved road facilities.

- M-9.3 **Preferred Parking.** ~~Require~~ Encourage and provide incentives to large-scale commercial, office, and industrial development to that provide shared parking facilities and preferred parking for carpools, vanpools, electric vehicles and flex cars. [Refer also to Policy COS-16.3 (Low-Emission Vehicles) in the Conservation and Open Space Element.]

Comment: See Policy COS-16.3 which uses "encourage and provide incentives."

- M-10.7 **Parking Area Design for Stormwater Runoff.** Where feasible and consistent with the County's storm water regulations, Hydrology Manual, and Low Impact Development Handbook, rRequire that parking areas ~~be~~ are designed to reduce pollutant discharge and stormwater runoff through site design techniques such as permeable paving, landscaped infiltration areas, and unpaved but reinforced overflow parking areas that increase infiltration.

- M-11.4 **Bicycle Network Connectivity.** ~~Require residential and commercial development in Villages and Rural~~ Ensure that Villages provide comprehensive internal pedestrian and bicycle networks that connect to existing or planned adjacent community and countywide networks and ensure that Village development incorporates these networks where applicable.

- M-12.3 **Trail Planning.** Encourage trail planning, acquisition, development, and management with appropriate jurisdictions.

- M-12.4 **Land Dedication for Trails.** Require development projects to dedicate and improve trails or pathways where the development will occur on land planned for trail or pathway segments shown on the Regional Trails Plan or Community Trails Master Plan.

- M-12.5 **Future Trails.** ~~Maximize opportunities to designate or construct~~ Appropriately plan future trails on County-owned lands, lands within the Multiple Species Conservation Program (MSCP), or other lands already under public ownership or proposed for public acquisition consistent with the MSCP allowable uses in open space, open space and trails management considerations, and public safety considerations (e.g., trails in high fire hazard areas).

Staff does not agree that the proposed change is necessary. With the variety of TDM programs, we are not sure when it would not be feasible to use some measures for large development projects.

Edits made as recommended, with minor revisions.

Staff does not agree that added text is necessary. The LID, Hydrology Manual, etc. would be addressed in the GPU Implementation Plan. [See Implementation Measure 4.3.1.C Parking Lot Design]

Edits made as recommended, with minor revisions.

This is similar to a policy in the Community Trails Master Plan that has already been adopted by the Board of Supervisors.

Comment: Given all of the issues that have arisen over the years with allowing the public unfettered access to open space areas, it is a bit surprising that the County's goal would be to maximize opportunities to create trails throughout the County's open space lands. Instead, this goal needs to weigh carefully public safety, open space management, off-road motorized vehicle use prevention, illegal immigration issues, and endangered species/MSCP issues.

~~M 12.9 Trails on Private Lands. Maximize opportunities that are fair and reasonable to secure trail routes across private property, agricultural and grazing lands, from willing property owners.~~

Comment: This policy as worded is highly problematic. With rare exceptions, the public should not have access to private property for the reasons

This is similar to a policy in the Community Trails Master Plan that has already been adopted by the Board of Supervisors.

CONSERVATION /OPEN SPACE ELEMENT

COS-4.3 **Stormwater Filtration.** Consistent with the County's LID Handbook, ~~Maximize~~ ensure that development incorporates stormwater filtration and/or infiltration in areas that are not subject to high groundwater by ~~maximizing the~~ preserving natural drainage patterns and the retention of natural vegetation and other pervious surfaces. The exception is for areas with high groundwater, where raising the water table could cause septic system failures and/or moisture damage to building slabs.

Page 5-14 (Top Right Corner): "Development that is potentially incompatible with intensive agricultural uses includes schools and civic buildings where the public gather, daycare facilities under private institutional use, private institutional uses (e.g., private hospitals or rest homes), ~~residential densities of two dwelling units per acre or higher,~~ and offices and retail commercial."

COS-12.2 **Development Location on Hillsides.** ~~Require~~ Encourage development to preserve and enhance the physical features by being located down and away from ridgelines so that structures are not silhouetted against the sky.

GOAL COS-23

Open Space Resources. Acquisition and management of valuable open space resources where public recreational opportunities are balanced with the preservation of natural resources.

Comment: *Add the following policy:*

COS-23.3 **County MSCP Funding Commitment.** Fulfill the County's obligation to fund its ~~share of~~ responsibility for the acquisition and management of open space under the Multiples Species Conservation Program.

COS-24.1 **Park and Recreation Contributions.** Require development to provide fair-share contributions toward parks and recreation facilities and trails, ~~to the maximum extent permitted under local,~~ consistent with state, and federal laws.

Comment: *Over the last half century, development has provided the bulk of open space dedication in the County. Development also provides the bulk of funding for state of the art recreation facilities and public parks. Added to that, economic development has generated billions in state and federal funding for additional open space acquisition and*

RESPONSES

It is not necessary to identify the LID Handbook in the policy. It would be identified in the Implementation Plan. [See Implementation Measure 5.2.3.G Low Impact Design]

Language changed to higher than two acres. Staff feels that these residential densities are potentially incompatible with intensive agriculture uses.

Staff does not concur with proposed policy language revisions. Policy title was changed to "Development Location on Ridges" as this policy is intended to deny future development on ridgelines.

Policy has been added that addresses funding.

Edits incorporated with minor revisions.

RESPONSES

parks. In fact, there has been a large and growing reliance on development to fund these efforts and little or no effort to implement a much "fairer" contribution of broad-based funding sources.

COS-24.2 Funding Opportunities. Utilize broad-based funding sources such as sales tax increment to mMaximize funding opportunities for the following:

- The acquisition, expansion, and development of parks, recreation facilities, open space preserves, and trails
- The operation, maintenance, and management of parks, recreation facilities, open space preserves, and trails

Staff does not agree with proposed revisions. Policy as written is broad and offers flexibility.

HOUSING ELEMENT

Page 6-6, Compliance with State Requirements:

1st Paragraph, 2nd Sentence: “The County’s development history demonstrates that residential densities exceeding 20 or 30 units per acre (depending on location) are not likely to be constructed, even when permitted, due to infrastructure limitations, environmental resource locations, and market conditions. In addition, densities above 15 or 20 dwelling units per acre are not consistent with the rural character of the County’s communities.”

2nd Paragraph, Last Sentence: “Because the unincorporated County has very little land appropriate for development at 30 units per acre, this element has been required to demonstrate that lower-income housing can be built in the unincorporated County at densities less than 30 units per acre.”

Comment: *These statements are disingenuous, inflammatory and anti-housing. Infrastructure limitations do not limit the density of housing, without improvements, they limit the total quantity of housing. Environmental resources are not present or even a factor on thousands of acres of Village land suitable for multi-family densities. Market conditions support multi-family densities in the County, it is the County’s zoning, development regulations and community planning groups that do not (see page 6-7, Village Issues, first two bullets!). Residential densities above 15 dwelling units per acre are absolutely not inconsistent with rural character, “rural” villages all over Europe and other parts of California and the U.S. support residential densities well above these densities. This statement should be removed in its entirety from the Housing Element.*

Page 6-7, Village Issues:

- Infrastructure and Services: Providing roads, sewer, and other infrastructure to support urban or suburban development is a challenge in many communities, particularly in the County’s outlying communities. ~~Higher residential densities cannot be supported due to equipment limitations in many fire districts.~~

Comment: *This is not a legitimate constraint to residential densities. There are plenty of 30-foot tall buildings in the County, including many single-family homes.*

Page 6-7, Last Paragraph, 2nd Sentence:

“Although the designations assigned in the land use plan were designed to reflect the carrying capacity of the land, a project level analysis was not possible due to the regional nature and scope of the plan update.”

DPLU appreciates the BIA’s concern with these statements, but disagrees that infrastructure and community character issues have no bearing on Land Use Planning for appropriate densities. DPLU recognizes that the State of California presumes 30 dwelling units an acre as its recognized density for affordable housing development in a metropolitan County, such as San Diego, and uses these statements to explain some of the real constraints to development of housing at these densities.

The intent of this statement was to explain some of the reasons multi-family residential is not appropriate in many of the Rural Villages, outside of the CWA and constrained by infrastructure. The statement has been revised to clarify this intent.

Comment: *We were informed by County staff that the County had in fact done a capacity analysis that looked at each parcel in the County and its ability to support development based on the level of development on the property today and environmental constraints. Is this not the case?*

Page 6-8, 2nd Paragraph, Last Sentence:

“The update also designated low densities within the County’s major agricultural areas, its Multiple Species Conservation Area (MSCP) preserves, and areas with significant physical or environmental constraints.”

Comment: *The MSCP was never intended to be the basis for downzoning property. If it had been, it would have never gotten the support of the landowners and the building industry. Instead, it was always intended that clustering development and relaxing steep slope standards would achieve preservation goals inside Pre-Approved Mitigation Areas.*

Page 6-8, 3rd Paragraph:

“Improving housing affordability in Semi-Rural and Rural Lands is a challenge because high-density housing cannot be accommodated in these locations.”

Comment: *This statement is not supported by fact. It confuses the issue between density and housing capacity.*

Page 6-8, 3rd Paragraph, 2nd Bullet:

■ **Housing choice:** Affordable housing that is consistent with rural character includes mobile or manufactured homes, second units, [multi-family housing](#), and farmworker housing. Existing regulations should facilitate this type of development.

Comment: *Multi-family housing should be added to this list.*

Page 6-8, 3rd Paragraph, 3rd Bullet:

■ **RHNA requirements for lower income households:** Although the State encourages the use of higher density zoning to meet RHNA requirements for lower income families, multi-family densities cannot be supported in rural locations.

Comment: *We strongly disagree with this comment. Density is not the issue. It is housing capacity and the availability of infrastructure and services. If the infrastructure*

RESPONSES

DPLU has done an inventory of higher density residential lands as part of the Regional Housing Needs Assessment Inventory of Vacant or Underutilized sites. As such this inventory only includes the approximately 200 parcels that are considered most ripe for development in the 5 year RHNA cycle. This inventory is included in the Housing Element Background Report.

This statement has been modified to clarify staff’s intent, that areas containing Significant Biological Resources are designated low densities.

DPLU disagrees, housing on large acreage in Semi-Rural and Rural Lands is single family dwelling units and not affordable, especially in light of State law promoting 30 dwelling units per acre as the goal for affordable units. Multi-family (10.9 du and higher) housing is not designated for, nor can it be accommodated, in these lands.

DPLU appreciates, but disagrees with this comment. Affordable housing consistent with our rural communities outside of the County Water Authority Line are listed, and multi-family housing is not included in this list.

See DPLU Response on next page

and services are available to support 1,000 homes, it does not matter whether those 1,000 homes are on 1,000 acres or 10 acres. In fact, multi-family projects use less water and less energy and generate less traffic per home than do single-family homes, even of comparable size (# of bedrooms). They also encourage more walking and bicycling. Multi-family development makes more efficient use of available infrastructure and services.

Page 6-8, Last Paragraph:

“As such, the goals and policies contained in this Housing Element are entirely consistent with other elements of the General Plan.”

Comment: *There are fundamental inconsistencies in the General Plan policy framework that must be resolved in order for the General Plan to meet state law and the legislative intent of SB375.*

GOALS & POLICIES

H-1.2 Development Intensity Relative to Permitted Density. Encourage a development intensity of ~~at least 80 percent of~~ the maximum permitted gross density for sites designated at 15 to 30 dwelling units per acre in development projects and create incentives for the use of density bonus with projects in this density range.

Comment: *Why only 80%? Why not 100%? Why not encourage the use of density bonus with sites in this density range? The County needs to strengthen its commitment to housing in its General Plan Update.*

H-1.5 Senior and Affordable Housing near Shopping and Services. ~~Provide opportunities for~~ Encourage senior housing and affordable housing development within town centers, transit nodes, and other areas that offer access to shopping and services.

H-1.9 Affordable Housing through General Plan Amendments. Require developers to provide ~~an affordable~~ a multi-family housing component when requesting a General Plan amendment for a large-scale residential project.

Comment: *This a major policy change that has not undergone Board review and direction or stakeholder involvement. We strongly oppose the inclusion of this policy in the General Plan.*

H-3.4 Housing for Moderate-Income Families in Villages. Facilitate the production of housing for moderate income families within Villages by

RESPONSES

DPLU disagrees with this statement, Village (two dwelling units per acre and higher) density housing densities requires increased sewer infrastructure that could be provided with septic systems on a lower density development. The absence of adequate sewer and other infrastructure in rural areas makes them not conducive to Multi-Family development and such DPLU has not applied Multi-Family densities in the rural backcountry. Village and Multi-Family densities have been applied in appropriate communities with adequate infrastructure.

DPLU appreciates, but disagrees with this comment. It continues to work with the State of California, Department of Housing and Community Development to ensure consistency with State Law.

DPLU has spent an extensive amount of time studying environmental and physical constraints with each of the Land Use designations applied, however does not think it is necessary to require such a stringent standard. Housing Element Program 1.1.3-1 has commitments from the County of San Diego to remove governmental constraints within the zoning ordinance, and to consider the provisions of a minimum density requirement in certain areas.

DPLU does not see the reasons for this suggestion and disagrees.

Noted. General Plan amendments that accommodate large scale residential projects increase the overall growth capacity of the County. Growth capacity is used by the State to allocate requirements for affordable housing. Therefore, there is a clear connection to the requirements.

DPLU appreciates the comments from the BIA, comments are on the next page.

permitting developments that ~~offer affordable housing~~ include multi-family housing to incorporate other compatible housing types within areas zoned for single-family residential development.

- H-5.4 **Flexibility in Regulations.** Modify regulations, as appropriate, to ~~reflect support desired~~ planned densities and the unique characteristics of town center areas.

RESPONSES

DPLU understands but does not agree with the suggested revision, the intent of this policy is to allow for alternative affordable housing types, such as second dwelling units, duplex or triplex units. Implementation Program 1.2.1-4 shows this intent and proposed actions

Policy has been revised to expand options to provide flexibility in the regulations.

SAFETY ELEMENT

Page 7-7, last bullet:

■ **Multi-Story Structural Fires:** The ability of rural fire protection districts to safely fight structural fires above three-stories is an issue in rural locations when higher density multi-family residential developments are needed to provide affordable housing or alternate housing types, since the rural fire protection districts simply do not have the resources to fight multi-story structure fires.

Comment: We strongly question the validity of this statement. There are multi-story single family and estate homes throughout the County, including in rural areas. Multi-story/multi-family buildings have indoor fire sprinklers and individual units are separated by 1-hour fire walls per the current California Building Code. California has the most stringent building and fire codes in the Country for multi-family construction.

S-3.4 **Service Availability.** ~~Locate-Plan~~ development where fire and emergency services are available or planned.

S-6.4 **Fire Protection Services for Development.** Require that development demonstrate that fire services can be provided that meet the minimum travel times identified in Table S-1 (Travel Time Standards).

Travel times are calculated using accepted methodology based on the travel distance from the fire station to the furthest dwelling unit of the development. Fire stations must be staffed year-round, publicly supported, and committed to providing service. These do not include volunteer stations, seasonal fire stations, and stations that are not obligated by law or agreement to automatically respond to an incident. Table S-1 establishes a service level standard for fire and first responder emergency medical services that is appropriate to the area where a development is located. Standards are intended to (1) help ensure development occurs in areas with adequate fire protection and/or (2) help improve fire service in areas with inadequate coverage by requiring mitigation for service-level improvements ~~prior to~~ as part of project approval.

Comment: It is not possible to make service level improvements prior to project approval. This footnote needs to be rephrased.

DPLU appreciates your comment but does not agree. After coordination with CAL FIRE, we have determined that the present firefighting equipment is insufficient when required to fight fires in buildings that are more than three stories, regardless of their fire suppression systems.

Revisions made as suggested.

Revisions made as suggested.

RESPONSES

~~S-6.5—Concurrency of Fire Protection Services. Ensure that fire stations required to serve development are operating prior to, or in conjunction with, the development.~~

Comment: *It is virtually never possible to have a new fire station operational before the development project is built and it is not possible for the majority of development projects to have the fire station operational in conjunction with the development project. This policy is not achievable and should be removed.*

S-10.6 Stormwater Hydrology. ~~Require~~ Ensure that development ~~to avoid~~ diverting drainage, increasing velocities, and altering flow rates to off-site areas to ~~maintain the~~ minimize adverse impacts to the existing area's hydrology.

S-14.1 Vehicular Access to Development. Require development to provide vehicular connections that ~~reduce response times and~~ facilitate access for law enforcement personnel.

Comment: *You cannot require development to improve an existing deficiency, i.e. "reduce response times."*

Policy has been amended to provide the requirement that existing station must be able to accommodate growth until there is sufficient development to support a new station.

Policy revised as recommended.

Concur. Policy wording remains unchanged, but "whenever feasible" added to the end.

January 3, 2009

VIA ELECTRONIC AND SURFACE MAIL

Devon Muto
Dept. of Planning and Land Use
5201 Ruffin Rd., Suite B
San Diego, CA 92123

RE: Comments on Draft General Plan

Dear Mr. Muto:

General Comments

The Endangered Habitats League (EHL) appreciates the progress being made on the General Plan Update. As you know, EHL has been involved in this process since its inception, and is committed to its success.

Noted

The draft is well formatted. It *looks* good. However, the text is set in a *san-serif* typeface, which is less readable. *San-serif* is often used for headings. The document also needs a general editing to improve awkward sentences, etc.

Noted

Policies are often stated *tentatively*, such as to “promote” or “encourage” rather than as *commitments* to actually accomplish the objective. Such phrasing should be revised to make direct and affirmative statements, except in the occasional circumstances where an indirect approach is necessary. Where hortatory rather than mandatory language is used, an explanation should be given as to why the policy should not be required in all circumstances, and the types of circumstances that would justify ignoring implementation of the policy.

DPLU appreciates your comment, but does not agree. A conscious effort was made when deciding whether a policy should be promoted, encouraged, or required. Staff will reevaluate each individual policy based on the comments received.

In many cases, and particularly in the Land Use Element, various policies are repeatedly – and unnecessarily – conditioned upon “consistency” with the Community Plan or with “community character.” Regarding Community Plans, consistency among General Plan components is already a requirement of state law as legal matter, and does not have to be reiterated in goals and policies.

Although it may seem redundant, it is important to the Community Planning and Sponsor Groups that this be included.

The requirement for “consistency with community character” will be used to justify the imposition of an environmentally unsustainable *status quo* from an outdated, past pattern of development. It becomes code language for never allowing densities that are higher than existing conditions, even if the project is strong in village or rural design.

Use of consistent is important to Planning and Sponsor Groups.

RESPONSES

“Compatible” is a better choice than “consistent” in this context. It should be defined in the text as “Capable of harmonizing with existing conditions due to design features.”

The jargon of “balance” is a pervasive problem in the portions of the draft relating to natural resources. The plan *itself* already reflects a “balance” by permitting development in certain locations at certain densities, while preserving natural resources through the implementation of mandatory policies. If the natural resource protection policies themselves require a further “balancing,” while planned development is viewed as an entitled “floor,” then the *original* “balance” struck is negated. As described below, natural resources must attain equal status in the General Plan with other goals, and not be treated as second-rate considerations.

Guiding Principles

The Guiding Principles are generally sound. For example, #8 (agriculture) ties critical land use factors into the goal of ongoing agriculture and #9 (costs of development) is well documented.

However, Guiding Principle 2 on sustainability (“Promote sustainability by locating new development near existing infrastructure, services, and jobs.”) is inconsistent with the Community Development Model described on p. 2-8). This model enshrines Semi Rural as one of its cornerstones, despite the fact that it has none of the features of *compact development*, which are well stated in the guiding principle text. Semi-Rural consists of low density suburban estate parcels, which epitomize all the cited service, infrastructure, and resource consumption inefficiencies, and the commuter-based greenhouse gas production problems, associated with a dispersed pattern of development.

There is no reason to create *more* Semi Rural land above and beyond the enormous existing pool of such lands. Thus, the Community Development Model should not establish Semi-Rural as the *sole outcome* of community design, but should clarify that such circumstances reflect *existing conditions*, and that other, more sustainable models both exist and are preferred.

Specifically, there is no reason to “Gradually reduce land use intensity from the central core of the Village to the edge of the community.” Rather there can be a *sharp demarcation or boundary* between Village and Rural, as is common in most parts of the world. Thus, the model currently depicted should be labeling as reflecting existing conditions, and a *second* Community Development Model provided that transitions directly from Village to Rural. (This more sustainable model should also acknowledge that the most intense uses will be in the central as opposed to peripheral parts of the Village.) As the document itself says, “As automobile use and energy consumption are principal contributors to GHG emissions, compact land use patterns and development practices that reduce trip generation and distances will be essential.” The document should take its own advice!

Noted, but the development community would most likely disagree with your assertion that development is viewed as “entitled”.

We appreciate this comment.

Much of the unincorporated County is already developed at semi-rural densities, as such semi-rural is a major component in the Community Development Model. The Land Use Map merely recognizes existing patterns of development, and there are very few, if any, instances where new semi-rural areas are created.

Text modified to note that the semi-rural is primarily a reflection of existing conditions.

Text has been modified to note that this is an ideal condition.

Land Use Element

Guiding Land Use Principles

Suggest adding a reference to hazards on page 3-5:

The location and densities of land uses, as depicted on the Land Use Map, are based on an analysis of development constraints such as road access, available water/sewer services, topography, significant habitats, groundwater resources, hazards, and accessibility to emergency fire protection services.

Text revised to reflect comment.

Table LU-1 Land Use Designations and Compatible Regional Categories

- Why are OS-C and OC-R only compatible with Rural as opposed to Village or Semi-Rural?
- Why are residential densities applied within OS-C? (d. Maximum residential densities are applied per the Zoning Ordinance)
- Where are Public/Semi-Public Facilities (P/SP) to be sited if not compatible in any category?
- For Specific Plan Area, a footnote should be added to clarify that these solely reflect those designations that were retained from the old General Plan, and that that new SPAs will not be permitted after adoption of the Update (per page 3-17).

Table revised to show OS-C and OS-R are also compatible in semi-rural and village areas.

OS-C does not have any density. Table LU-1 clarified to reflect this.

Table revised to show compatibility in any category.

Footnote added as recommended.

Goals and Policies

LU-1

EHL supports the intent of those policies that provide certainty for the General Plan. We further recommend that GPAs be limited to comprehensive update cycles *at 10-year intervals*. As written, however, the policies are flawed in that only certainty between *regional categories* is provided. This is insufficient; certainty for *designations* must also be achieved. For example, a change within Semi-Rural Land Use Designations from SR-10 to SR-1 would change small farms that support the agricultural economy into residential estates serving commuters, and likely require sewerage. Similarly, a change within Rural Land Use Designations from RL-80 to RL-20 would change ranch land into ranchettes, with a high degree of environmental, fuel modification, and habitat impact.

DPLU appreciates your response, but does not agree. Limiting the flexibility of the Board of Supervisors, beyond the policies proposed in the Draft General Plan, is not consistent with seeking consensus between the various stakeholders.

Thus, changes in designation – though within category – would fundamentally alter the outcomes intended by the General Plan, and should therefore also be limited to comprehensive update cycles. As an item for more discussion, because Village Land Use Designations are often so close together in density, more flexibility should be considered within this regional category if the amendment is done through a Community Plan or Special Study Area, which are comprehensive rather than piecemeal processes.

Thus, suggest modifications to protect the integrity of the General Plan are as follows:

GOAL LU-1

Primacy of the Land Use Element. A land use plan and development that sustain the intent and integrity of the Community Development Model and the boundaries between Regional Categories and Land Use Designations.

Policies

LU-1.2 **Regional Categories and Land Use Designation Map Amendments.** Avoid General Plan and Specific Plan amendments requiring a change to the Regional Categories Map or to the Land Use Designation Map unless part of a County-initiated comprehensive General Plan Update scheduled at 10-year intervals.

OR

LU-1.2: **Regional Categories and Land Use Designation Map Amendments** Avoid General Plan and Specific Plan amendments requiring a change to the Regional Categories Map or to the Land Use Designation Map unless part of a comprehensive General Plan Update scheduled at 10-year intervals, unless the amendment is within the Village Regional Category and adopted through a Community Plan or Special Study Area.

A more definitive *substitute* for LU-1.2, and supported by EHL, is as follows. It could also be modified to exempt amendments within the Village category if adopted through a Community Plan or Special Study area.

LU-1.2: All General Plan Amendments to the Regional Categories Map or Land Use Designation Map shall only occur during comprehensive General Plan Updates scheduled every 10 years.

Note: Any of the above revisions to LU-1.2 would require an exception to the effect of “except to avert a taking of all reasonable economic use of a property, in which case the amendment shall be the minimum necessary to avert the taking.”

Initiation of GPA’s outside of comprehensive updates should require three filters – Planning Director, Planning Commission, and Board of Supervisors – as suggested below. Why exempt “public projects”? What are examples of public project that require exemption?

LU-1.3 **Initiation of Plan Amendments.** Require approval from the Planning Director, Planning Commission, and Board of Supervisors to initiate General Plan Amendments ~~for private projects~~ outside of a comprehensive General Plan Update.

LU-2

RESPONSES

Refer to comment under LU-1 on previous page.

Refer to comment under LU-1 on previous page.

Refer to comment under LU-1 on previous page.

“Outside of a comprehensive GPA” text has been added, but remainder of policy has been retained. The deletion of “for private projects” would require even staff initiated GPAs to require prior Board approval.

RESPONSES

Policy LU-2.2 holds minimum lot sizes hostage to “the character of each unincorporated community,” which is vague and undefined. It could eliminate the potential for clustered development that, though rural design standards and accompanying open space, improves the community. As written, LU-2.2 would freeze planning in an inefficient and unsustainable model of dispersed development. The following modification is necessary:

LU-2.2 Development Densities and Lot Sizes. Assign densities ~~and minimum lot sizes~~ in a manner that is compatible with the character of each unincorporated community.

The intent of LU-2.3 is unclear as the text is basically jargon. What does it mean in practice? Also, what is a “Land Use Classification”? Is this term defined?

Outdated SPAs that are contrary to the intent of the General Plan should be *eliminated* during this current Update process. It would also be beneficial to add this policy:

New Policy: Eliminate all remaining Specific Plan Areas and replace with Regional Category and Land Use Designations consistent with the surrounding area, and the vision of the General Plan.

LU-5

The following policies are so conditioned and equivocal so as to lose meaning. They should be simply stated as affirmative policies.

LU-5.2 Sustainable Planning and Design. ~~Require that new development consider, and~~ incorporate into new development sustainable planning and design to conserve land and resources.

LU-5.4 Planning Support. ~~Support, and Undertake when possible,~~ planning efforts that promote infill and redevelopment of uses that accommodate walking and biking within communities.

LU-6

This section is poorly conceived and written and needs substantial revision. The heading in the earlier draft had been “Sustainability,” which is a defined concept with illustrious origins in an historic United Nations report (“Our Common Future,” United Nations World Commission on Environment and Development, 1987). However, “sustainability” been replaced by the tired platitude of development-environmental “balance.” At best, this concept is a meaningless bromide. At worst, it is a favorite phrase of the development industry and a code word for continuing to “cut the baby in half” and preserve less and less of an irreplaceable landscape.

DPLU appreciates your comment, but does not agree. Planning and Sponsor Groups are strongly committed to the inclusion of minimum lot sizes in this policy.

Concur that policy is unclear as written. Policy rewritten and “classification” has been changed to “designation”.

All outdated SPAs were eliminated during this GP Update process; therefore, the recommended policy is not necessary.

Text revised to reflect comment.

Text revised to reflect comment.

DPLU is very committed to the concept of sustainability, where the word is used extensively in the Conservation and Open Space Element.

RESPONSES

Rather than “balance,” we should build what is *necessary* in a way that is *least impactful* to the environment. This is a process that sustainably avoids, reduces, and minimizes rather than “balances” one half against another half. Indeed, the basic premise of the General Plan Update is to set proper population targets and then rationally distribute the growth. This approach to development planning is not “balance.” Furthermore, environment and development are not always at odds, as “balance” implies. Please return with “sustainability” as a guiding principle.

Policies should be clearly and affirmatively stated, and strengthened. “Critical” and “sensitive” are duplicative terms.

LU-6.1 **Environmental Sustainability.** ~~Support the Protection of critical intact~~ or sensitive natural resources and the long-term sustainability of the natural environment.

LU-6.2 **Reducing Development Pressures.** Assign lowest-density or lowest-intensity land use designations to areas with sensitive or intact natural resources.

LU-6.3 should *revert to its original form* (previously LU-1.23), though stated affirmatively. As modified, LU-6.3 is not only weak (“support . . . when appropriate”), but may allow the Open Space Subdivision to be trumped by future, unwritten Community Plans. The sustainability policies of the General Plan – efficient use of land, reduction in infrastructure costs, reduced fire hazard, lower utility and service costs, and preservation of farm and habitat resources – are advanced by reduced lot sizes and increased and consolidated *permanent* open space. If a Community Plan moves away from these principles by blocking Open Space Subdivisions, it is *less restrictive* than the General Plan and therefore *inconsistent* with the General Plan. Design features that respect adjacent uses are essential, of course. The burden is upon DPLU to ensure that Community Plans will not block the many benefits of the Open Space Subdivision, which include MSCP assembly.

LU-6.3 Provide for reductions in lot size with corresponding requirements for preserved open space, as well as other mechanisms for flexible and conservation-oriented project design. Such projects should incorporate design features, perimeter lot sizes, or buffers to achieve compatibility with adjacent existing land uses.

Suggest a direct, affirmative statement as follows:

LU-6.7 **Open Space Network.** ~~Encourage~~ Provide contiguous open space areas that protect wildlife habitat and corridors; preserve scenic vistas and areas; and connect existing or planned recreational opportunities.

Fully concur with the below:

DPLU feels that the “balance” is appropriate in this instance. There needs to be a balance between development and environment, but that balance may shift depending where the development occurs – in Village, Semi-Rural, or Rural Lands Regional Categories. Sometimes, allowing greater environmental impacts in the Village category supports population growth where it is desired so that environmental impacts can be minimized in rural areas.

Text revised to reflect comment.

Text revised to reflect comment.

DPLU appreciates your comment, but does not agree. Planning and Sponsor Groups are strongly committed to the inclusion of minimum lot sizes in this policy.

Text revised to reflect comment.

RESPONSES

LU-6.10 **Protection from Wildfires and Unmitigable Hazards.** Assign land uses and densities in a manner that minimizes development in hazardous wildfire areas or other unmitigable hazardous areas.

Noted

LU-7

Suggest the following modifications:

LU-7.2 **Parcel Size Reduction as Incentive for Agriculture.** Allow for reductions in lot size when ~~large~~ tracks of existing or historically agricultural land are preserved in conservation easements for continued agricultural use.

Text revised to reflect comment.

LU-8

What is the definition of overdraft? Is it “below the historic water table”? Is it “removing more than is replenished”? Thus, please clarify the actual effect of this policy:

A definition of overdraft is included in both the glossary and within a textbox associated with the policy.

LU-8.2 ■ In areas without current overdraft groundwater conditions, prohibit new development from creating an overdraft condition.

There can certainly be no circumstance when development should harm habitat by drawing down the water table. Discourage is a meaningless term. Thus, recommend the following change:

LU-8.3 **Groundwater-Dependent Habitat.** ~~Discourage~~ Prohibit development that would draw down the groundwater table to the detriment of groundwater-dependent habitat.

Text revised to reflect comment, with the addition of “except in the Borrego Valley”.

LU-9

EHL is concerned over the potential preemption of sound General Plan goals and policies in Villages and Town Centers by Community Plans. Repeatedly, policies are conditioned upon Community Plan consistency, as though the Community Plan is the superior document. By law there must be consistency between the General Plan and Community plan, so is there a reason for constant reiteration? Policies should be stated as affirmative policies, and not conditioned upon unknown documents. Suggestions follow:

Although the Community Plan is equal to the General Plan, it provides an opportunity for communities to establish individual standards that may not be evident by their existing community character.

LU-9.2 **Density Relationship to Environmental Setting.** Assign Village land use designations in a manner compatible ~~consistent~~ with the ~~Community Plan~~, community character, and environmental constraints. In general, Village areas that contain more slopes or other environmental constraints should receive lower density designations.

RESPONSES

LU-9.3 **Village and Community Core Guidelines and Regulations.** Support the development and implementation of design guidelines, Village-specific regulations for roads, parking, and noise, and other planning and regulatory mechanisms that recognize the unique operations and character of Villages and Town Centers. Such mechanisms should ensure that new development be compatible though not necessarily identical with the overall scale and character of established neighborhoods.

Text revised to reflect comment.

LU-9.8 **Village Connectivity and Compatibility with Adjoining Areas.** Require new development within Villages to include road networks, pedestrian routes, and amenities that create or maintain connectivity; and site, building, and landscape design that is compatible with the ~~Community-Plan~~ community and surrounding areas.

See response to policy LU-9.2.

If not retained elsewhere, the old transit node policy (3.12) should be retained.

New policy: Transit Nodes. In areas within a 1/2 mile radius of existing or potential Transit Nodes, land use and development standards should provide for transit use and pedestrian activity through: . . .

“Transportation node” was added to policies LU-9.3 and 9.7, which require a similar development type, configuration and design.

LU-10

The lumping of Semi-Rural and Rural does always work well. For example, street networks between neighborhoods will not apply to densities of 1:20 to 1:160.

LU-10.1: **Residential Connectivity.** Require residential development in Semi-Rural ~~and Rural areas~~ to be integrated with existing neighborhoods by providing connected and continuous street, pathway/trail, and recreational open space networks.

Text revised to reflect comment.

It is important to recognize that “sensitive” is not the full scope of resources in the County that deserve protection. Also, all hazards are not natural, e.g., almost all fires are human-caused.

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

Text revised to reflect comment.

LU-11

State policies throughout the document in a direct, affirmative manner:

RESPONSES

Text revised as recommended, with the addition of “whenever feasible”.

LU-11.1 **Location and Connectivity.** ~~Encourage the location~~ Locate of commercial, office, and industrial development in Village areas with high connectivity and accessibility from surrounding residential neighborhoods.

LU-12

We concur with the following policy:

LU-12.3 **Infrastructure and Services Compatibility.** Provide public facilities and services that are sensitive to the environment with characteristics of the unincorporated communities.

However, Road standards should also reflect the current understanding that wide, *faster* roads are not safer, and that narrower and *slower* roads are preferable within communities. This should be reflected as a new policy within either the Land Use or Mobility Elements.

The Public Road Standards are currently being revised to incorporate context sensitive road types.

New Policy: Pedestrian-Safe Roads. Provide slower, narrower and safer roads rather than wider, faster, and less safe roads.

Mobility Element

Page 4-6 photo caption should read “~~Rural~~ Residential street with parking.”

Corrected

Road classifications

Classifications should reflect that many roads in residential and commercial areas are overbuilt in terms of width and lanes, and therefore sacrifice safety for speed. Studies have shown that the slower speeds generated by narrower roads are safer for pedestrians. The County should avail itself of this literature and revise accordingly.

Noted.

M-2

Language to address road kill and wildlife movement should be added.

Policy revised as recommended.

M-2.3 **Environmentally Sensitive Road Design.** Locate and design public and private roads to minimize impacts to significant environmental and visual resources, while balancing construction costs. Avoid road alignments through floodplains to minimize impacts on floodplain habitats and limit costs for constructing flood control measures. Design new roads to maintain wildlife movement and retrofit existing roads for that purpose. Utilize fencing to reduce road kill and to direct animals to under crossings.

Table M-3

RESPONSES

Tier 2 habitat is coastal sage scrub, which due to fires has become increasingly depleted – actually in worse condition than Tier 1 oak woodlands. Also, road criteria should always consider wildlife movement. Thus, suggest the following changes to: Environmental Constraints for changing levels of service.

Proposed alignment or widening would impact significant Tier I or Tier 2 habitat, MSCP preserves, wildlife movement, historic landmarks, wetlands, or significant archaeological sites

M-3

Certain safety features are *not* amenable to “feasibility” considerations such as cost, right of way, topography, etc. Rather, an adequate level of safety is simply required. If a project is not safe, it should not be built for that very reason. Specifically, secondary access is *required* for fire safety.

M-3.3 **Multiple Ingress and Egress.** Require development to provide multiple ingress/egress routes ~~whenever feasible~~ in conformance with State law, the Fire Code, and the Safety Element.

M-4

These policies should address the relationship of road speed and pedestrian safety.

M-4.1 **Walkable Village Roads.** Encourage multi-modal roads in Villages and compact residential areas with pedestrian-oriented development patterns that enhance pedestrian safety and walkability, along with other non-motorized modes of travel, such as by designing narrower but slower speed roads that increase pedestrian safety.

Currently, fire departments drive road standards, causing massively wide roads to accommodate large vehicles and turnarounds. There must be dialogue between the County and fire agencies so that vehicles are not so large and so that road widths are not excessive. Also, this policy is poorly written.

M-4.4 **Accommodate Emergency Vehicles.** Design and construct public and private roads to allow for necessary access for appropriately sized fire apparatus and emergency vehicles while accommodating outgoing vehicles from evacuating residents.

M-4.3 **Rural Roads Compatible with Rural Character.** Design and construct public roads to meet travel demands in Semi-Rural and Rural Lands that are consistent with rural character while safely accommodating transit stops when deemed necessary, along with bicyclists, pedestrians, and Equestrians, such as by designing narrower but slower speed roads that increase pedestrian safety.

Table revised as recommended.

Policy revised as recommended.

Policy revised as recommended.

Policy revised as recommended.

DPLU appreciates the comment, but does not concur that the recommended changes are necessary.

Truck Routes

While SR 94 is currently used by trucks transporting goods from Mexico via the Tecate Port of Entry, this tortuous route is unsafe and fundamentally unsuited for trucking. The Tecate Port should be superceded by expanded Otay Mesa II and Calexico Ports of Entry. While the 2030 RTP calls for improvements to the most *proximal* parts of SR 94, the great majority remains 2-lane, as also called for by SANDAG's 2000 SR-94 Major Investment Study, the 2000 federal General Services Administration action to limit capacity at the Tecate Port of Entry, and the draft County Circulation Element. *This section should therefore discuss the inherent limitations of SR-94 for trucks and anticipate shifting of such traffic to I-8, 125, I-805 and 905 through upgraded Ports of Entry at Otay Mesa II, Calexico, and possibly Jacumba.*

Rail Facilities

What does this sentence mean? Please revise to clarify the intent.

Existing rail lines, such as the Desert Line, may be underutilized at their current capacities and the lines must remain economically feasible for continued operation and their usage maximized to provide an alternative to trucks, whenever feasible.

M-8

The following policy is extremely important for SR-76 and other roads, and no equivocation is necessary, as there is a huge need for transit to serve casinos.

M-8.6 **Park and Ride Facilities.** Coordinate with SANDAG and tribal governments to study transit connectivity and ~~when appropriate~~ address improving regional opportunities for park-and-ride facilities and transit service to gaming facilities and surrounding rural areas to reduce congestion on rural roads.

M-9

Suggest adding programs to reimburse employees for the cost of "free" onsite parking, and thus incentivize switching to transit (as found in M-10.5).

TRAVEL DEMAND MANAGEMENT (TDM)

TDM programs such as employer outreach, carpool partner matching, parking cash outs, vanpools, subsidies and/or preferred parking to rideshare participants, guarantee rides home, bicycle lockers, and other amenities for bicyclists and pedestrians including clothing lockers and shower facilities are designed to increase the efficiency of the transportation system.

RESPONSES

Text revised as recommended.

Text revised to clarify.

Policy revised as recommended.

Policy M-9.3 revised with recommended text.

Text revised as recommended.

RESPONSES

M-9.3 **Preferred Parking.** Require commercial, office, and industrial development to provide preferred parking for carpools, vanpools, electric vehicles and flex cars and to offer parking cash outs. [Refer also to Policy COS-16.3 (Low-Emission Vehicles) in the Conservation and Open Space Element.]

Suggest adding a new policy for the “last leg” between transit and job locations as well as with commercial and civic functions.

New Policy: Shuttles. Provide shuttles, flex cars, and other means of connecting transit stops, job locations, civic, and commercial uses.

M-12

Trails are deservedly promoted in the goals and policies, but their negative impacts are insufficiently recognized. Certain trail uses – such as mountain bikes – cause road kill, and other uses – such as equestrian – propagate invasive species. Recreational trail use has been documented to reduce the densities of coyotes and bobcats by a factor of 5 (Reed and Merenlander, 2008, *Conservation Letters* 1(3):146-154). In San Diego County, proposed trails have threatened a golden eagle nest, which would be abandoned with even low levels of human activity.

M-12.9 **Environmental and Agricultural Resources.** Site and design specific trail segments to avoid and minimize impacts to sensitive environmental resources, ecological systems, and agricultural lands. Within the MSCP, conform siting and use of trails to MSCP management plans.

Conservation and Open Space Element

Purpose and Scope

This section is severely conceptually flawed. The primary purpose of the Conservation and Open Space Element is not to “balance” these values with something else, but to affirmatively advance these values. Otherwise, the Conservation Element is not of “equal status” with other Plan elements. For example, is the primary purpose of the mobility element to “balance” mobility with growth? No, according to that element, it is to move goods and people. Conservation and Open Space should not be singled out as a *second-rate* element of the General Plan. As noted above, “balance” is a code word commonly used by the development industry to justify continued development, and the General Plan should not buy into this mindset and appear to be written for a particular interest group.

Balance is already intrinsic to the General Plan in the form of the areas designated to accommodate growth. Furthermore, from a legal perspective, the use of “balance” is redundant because there are numerous pro-development and pro-housing General Plan

Text revised to encourage parking cash outs.

New policy M-8.8 added to encourage the provision of shuttle services.

Policy revised as recommended.

Noted.

policies that, *as a matter of state law*, are already balanced against those General Plan policies that move in a contrary direction.

The primary focus of the Conservation and Open Space Element is to ~~accomplish provide direction to balance the accommodation of future growth and development in the County of San Diego with~~ the following:

- The conservation, management, and utilization of natural resources
- The protection and preservation of open space
- The provision of park and recreation resources

Biological Resources—Land use-based conservation goals and policies that ~~balance meet~~ the ecological and lifecycle needs of threatened, endangered, or otherwise sensitive species and their associated habitats ~~with appropriate and necessary development~~.

State objectives directly and affirmatively:

- *Water Resources*—~~Promote the e~~Conservation and efficient use of water and to protect water bodies and water courses, which include reservoirs, rivers, streams, and the watersheds located throughout the region.

It is not necessary to subordinate other values to development as there will be numerous housing policies, etc. in other elements of the plan:

- *Paleontological Resources and Unique Geologic Features*—Preserve the County’s rich geologic and paleontological history by establishing achievable land-use-based goals and policies ~~that balance conservation with appropriate and necessary development~~.

Be clear and affirmative:

- *Visual Resources*—~~Emphasize the p~~Protection of scenic corridors, hillsides, and astronomical dark skies within the natural environment.

Goals and Policies

A serious problem with the biological goals and policies is that they imply that biological resources will *only* be protected within the preserve system. While the preserve system is important, natural values are not “written off” outside of it. Rather, there is a variation in standards, so that protection is not absolute outside of preserves but also accommodates the development called for by the General Plan. Some suggested changes follow.

In the following goal, it is important to acknowledge the role of common as well as sensitive species. Because this particular goal is *about* the sustainable interplay between growth and conservation, in this limited case it is appropriate to cite the inter-relationships.

RESPONSES

Text revised to remove the word “balance”.

Text revised as recommended.

Text revised as recommended.

Text revised as recommended.

Text revised as recommended.

Noted.

RESPONSES

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.

Goal revised as recommended.

As noted above, conservation goals should specifically encompass non-preserve areas. There should also be a direct rather than indirect formulation. Due to length, this policy could be divided in two.

COS-2.1 **Protection, Restoration and Enhancement. Outside of preserves.** ~~protect. Encourage the restoration and enhancement of wildlife habitat as development occurs according to the underlying land use designation.~~ and limit the degradation of natural habitats in development located within Semi-Rural and Rural Lands regional categories, as well as within Village Lands where appropriate.

Policy revised as recommended.

Suggest strengthening the following policy to recognize *minimization of impact* as an independent but related part of the site design process. Also, it is not necessary to specify any particular habitat types.

COS-2.2 **Development Siting and Design.** Require development to be sited in the least biologically sensitive areas ~~of the site to~~ and minimize the loss of natural habitat through site design, including woodlands, forests, and tree resources.

Policy revised as recommended.

As the following goal seems to pertain only to wetlands, suggest this change:

GOAL COS-3

Protection and Enhancement of Wetlands. Wetlands that are restored and enhanced and protected from adverse impacts.

Goal revised as recommended.

The following policy is confusing, as a distinction is being made between “protection” and subsequent “preservation.” Isn’t the “protection” as required through the land use process *permanent*? Also, a grammatical change is suggested to clarify that protection is not occurring solely to retain future opportunities.

COS-3.1 **Wetland Protection.** Require development to ~~protect~~ preserve existing wetland areas and associated transitional riparian and upland buffers ~~to~~ and retain opportunities for enhancement ~~and preservation.~~ Minimize any disturbances to wetland areas when total avoidance is not feasible.

Policy revised as recommended.

COS-5

State directly:

COS-5.2 **Impervious Surfaces.** ~~Encourage~~ Require development to minimize the

use of directly connected impervious surfaces and to retain stormwater run-off caused from the development footprint at or near the site of generation.

This objective should be clarified to make explicit the underlying principle, which is the maintenance of natural or pre-development hydrological regimes. This also serves the needs of downstream biotic resources:

COS-5.3 Development Siting and Design. Require development to be appropriately sited and to incorporate measures to retain natural flow regimes, thereby protecting downslope areas from erosion, ~~and disperse capturing~~ runoff to adequately allow for filtration and/or infiltration, and protecting downstream biological resources.

State directly and include biological benefits:

COS-5.4 Invasive Species. ~~Encourage the r~~Removal of invasive species to restore natural drainage systems, habitats, and natural hydrologic regimes of watercourses.

COS-6

State directly:

COS-6.2 Protection of Agricultural Operations. Protect existing agricultural operations from encroachment of incompatible land uses by doing the following:
■ ~~Encouraging development to a~~Allow agricultural uses such as orchards, gardens or pastures on appropriate lots (e.g., residential lots one acre or larger and/or located near surrounding agricultural uses)

Entirely missing is a policy advancing the subdivision of land in a way that maintains viable agricultural operations, such as through the Open Space Subdivision. This could be added as a bullet to COS-6.2:

New policy: Retain or facilitate large and contiguous agricultural operations by the consolidation of development during the subdivision process.

COS-8

State directly:

COS-8.1 Preservation and Adaptive Reuse. ~~Encourage the p~~Preservation and/or adaptively reuse of historic sites, structures, and landscapes as a means of protecting important historic resources.

RESPONSES

Policy revised as recommended.

Policy revised as recommended.

Policy partially revised as recommended. "Encourage" retained as development can not be required to remove existing invasive species. Other edit has been incorporated.

Policy revised as recommended, with inclusion of other recommended changes.

Added as a bullet to policy COS-6.2.

Staff does not concur with this comment because, as proposed, policy language would require buildings to be preserved, which is not always financially feasible.

COS-11

State directly:

- COS-11.1 **Protection of Scenic Resources.** ~~Encourage the p~~Protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.

COS-11 should recognize the need to *expand* the network of County Scenic Highway system and the State-designated system.

New policy: **Expand Scenic Highway Network.** Protect additional scenic resources through additions to the County Scenic Highway system and the State-designated system.

COS-14

As in many instances in the document, “consistency with community character” becomes code language for never doing anything new or different, even if high quality village or rural design. Also in regard to vehicular trips, it is necessary to address the overall pattern of rural development, which affects large areas of the county and cannot be ignored:

- COS-14.1 **Land Use Development Form.** Require that development be located and designed to reduce vehicular trips (and associated air pollution) by utilizing compact regional and community-level development patterns while maintaining ~~consistency with~~ community character. Reduce rural vehicle miles traveled by reducing dispersed patterns of rural development through lowered rural densities, by accommodating population growth in towns and villages, and via more compact subdivisions.

Use direct language:

- COS-14.3 **Sustainable Development.** Require ~~that~~ sustainable design of residential subdivisions and nonresidential development through ~~consider~~ “green” and sustainable land development practices to conserve energy, water, open space, and natural resources.

Energy and water efficiency *ordinances* should be the result of the General Plan, rather than just statements of “support.” Also, “consistency” should not be a code word for “identical.”

- COS-14.4 **Sustainable Technology and Projects.** ~~Support~~ Require technologies and projects that contribute to the conservation of resources in a sustainable manner, that are ~~consistent-compatible~~ with community character, and that

RESPONSES

Policy revised as recommended.

Noted, but this policy will not be added at this time. Additions to the scenic highway network could be added through the Community Plan updates, as well.

The recommended addition to the policy should be unnecessary because this was generally accomplished through the land use map.

Policy revised as recommended.

Policy revised as recommended.

RESPONSES

increase the self-sufficiency of individual communities, residents, and businesses.

Achieving GHG reductions cannot rely *solely* upon incentives:

COS-14.13 **Incentives for Sustainable and Low GHG Development.** Provide incentives for developers that go beyond baseline requirements to maximize use of sustainable and low GHG land development practices such as expedited project review and entitlement processing.

Policy revised.

COS-15

If progress is to be made, then “encouragement” is insufficient:

COS-15.1 **Design and Construction of New Buildings.** ~~Encourage~~ Require the design and construction of new buildings in accordance with “green building” programs that incorporate techniques and materials that maximize energy efficiency, incorporate the use of sustainable resources and recycled materials, and reduce emissions of GHGs and toxic air contaminants.

Policy revised.

COS-17

Improvement by definition must go beyond the *status quo*:

COS-17.7 **Material Recovery Program.** Improve the County’s rate of recycling by ~~continuing~~ expanding solid waste recycling programs for residential and non-residential uses.

Policy revised as recommended.

COS-19

Stronger language is needed, noting that “feasible” is already a qualifier:

COS-19.2 **Recycled Water in New Development.** ~~Promote and support~~ Require the use of recycled water in development wherever feasible.

Policy revised as recommended.

In open space preserves, public recreation should be *compatible* with natural resources rather than “balanced” at a net loss to the habitat. People can adapt, animals often cannot.

GOAL COS-23

Open Space Resources. Acquisition and management of valuable open space resources where public recreational opportunities are ~~balanced~~ compatible with the preservation of natural resources.

Policy revised as recommended.

Housing Element

RESPONSES

Policy Framework, Community Character and Environment

Within Towns and Villages, there will need to be well-designed yet higher density buildings, and these should not be constrained as long as high quality design is present:

Development should be ~~compatible~~ complement in bulk, style, and scale ~~with~~ the character of its surroundings while still meeting the needs of its residents.

H-1

Stronger policies will be needed to reach affordability goals. If the land use intensities are properly assigned, this should not be a problem:

H-1.2 **Development Intensity Relative to Permitted Density.** ~~Encourage~~ Ensure a development intensity of at least 80 percent of the maximum permitted gross density for sites designated at 15 to 30 dwelling units per acre in development projects.

Policies must not be ineffectual:

H-1.3 **Housing near Public Services.** ~~Encourage the development of~~ Provide the great majority of housing in areas served by transportation networks, within close proximity to job centers, and where public services and infrastructure are available.

What is “large scale”?

H-1.7 **Mix of Residential Development Types in Villages.** Support the design of large-scale residential developments in Villages that include a range of housing types, lot sizes, and building sizes.

Semi-Rural areas are not appropriate for “large scale” residential development unless redesignated as Town or Village. However, reduced lot sizes while maintaining the underlying density are a positive step. What is meant by “large scale”?

H-1.8 **Variety of Lot Sizes in ~~Large-Scale~~ Rural Residential Developments.** ~~Promote~~ Provide a range of lot sizes large-scale residential development in Semi-Rural ~~that include a range of lot sizes~~ to improve housing choice.

H-3

The State density bonus law has mandated inappropriate densities – 30% over maximum yield – in areas that cannot support it due to service, infrastructure, and environmental constraints. The goal of the General Plan was to assign proper and

Policy revised as recommended.

DPLU has spent an extensive amount of time studying environmental and physical constraints with each of the Land Use designations applied, however does not think it is necessary to require such a stringent standard. Housing Element Program 1.1.3-1 has commitments from the County of San Diego to remove governmental constraints within the zoning ordinance, and to consider the provisions of a minimum density requirement in certain areas.

Staff appreciates the comment, but feels that “encourage” is more appropriate because the County does not provide affordable housing, but can only encourage and facilitate the provision of housing through the land use map and development regulations.

Policy revised to define large-scale as 200 units, consistent with LU-3.2.

SR-1 designations in the Semi Rural Areas are appropriate for large scale residential development, as defined and allowed with the land use designation, and could benefit from a range of lot sizes, as described in the Conservation Subdivision Program, to reduce development footprint and increase open space.

Please see response on next page

achievable densities that meet housing demand. If necessary for low income housing, a density bonus program should be limited to Villages and Towns where services are available.

H-3.3 **Density Bonus as a Means to Develop Affordable Housing. In Towns and Villages.** Provide a local density bonus program to encourage the development of housing affordable to lower income households and special needs households.

H-4

Stronger action is needed for this important goal:

H-4.1 **Rehabilitation and Revitalization Strategies.** ~~Promote and support~~ Provide rehabilitation and revitalization strategies aimed at preserving the existing supply of affordable housing.

H-4.2 **Redevelopment of Deteriorated Housing.** ~~Encourage and support~~ Provide residential redevelopment in areas characterized by deteriorated housing.

Safety Element

Fire Hazards

Recently passed state law (SB 1595, Kehoe, <http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1551-1600/sb_1595_bill_20080927_chaptered.html>) clarifies that fuel to be managed within defensible space *includes* patio furniture, trash, plantings, etc.

■ *Defensible Space:* Defensible space refers to a separation zone between wildlands and structures where fuel, including natural and ornamental vegetation, and man-made combustible materials, is managed or modified to minimize the spread of fire to the structure and allow space for defending structures from burning vegetation. This separation is important to improving the survivability of structures in a wildland fire event and is most readily maintained when planned for as part of project design.

The following statement is highly controversial and needs substantial modification. Clarity should be provided to differentiate wildland fuel modification from that for defensible space around structures. Wildland fuel modification is accepted within conifer forests and as strategic fuel breaks in chaparral systems. Otherwise, fuel reduction may provide little or no benefit in wind-driven fires and ultimately increase the risk of fire through type conversion of chaparral and coastal sage scrub to flammable weeds. Effectiveness is also generally limited to areas near the urban-wildland interface. The results of the recent County fire workshops should guide this section.

RESPONSES

DPLU acknowledges that density bonus law may be inappropriate for unincorporated communities. Included in the 2009 Legislative Review Program adopted by the County of San Diego to sponsor proposals that “Pursue reform of the state’s Density Bonus laws so that unincorporated areas are not adversely impacted by regulations.” DPLU does not agree that this change is appropriate without revisions to State Law.

Noted, but these policies and the associated programs are contingent upon funds received by the Federal and State Governments and the text was not revised as suggested. Additionally, there is a significant number of programs in the Housing Element Appendix that implement these policies.

Text revised as recommended.

Noted

RESPONSES

■ *Fuel Management:* ~~Outside of defensible space around structures, Reducing, thinning, or otherwise modifying the amount of vegetation (fuel) may reduce the risk of fire within conifer forests as well as through strategic fuel breaks near the urban-wildland interface reduces the risk of fire and helps slow the rate and intensity of a fire and improve the survivability of structures.~~

Text revised as recommended.

The following is a dangerous and open-ended loophole for those who would avoid secondary access at the cost of safety. There is no substitute for secondary access in high fire hazard zones. “Shelter in place” strategies have worked only in limited circumstances, are risky and experimental, and *do not* provide the “overall same practical effect.” When residents or firefighters cannot escape life-threatening danger due to blockage of a primary evacuation route, there is *nothing* equivalent to a secondary route. Being trapped is fundamentally different from escaping.

However, secondary egress routes are often needed for *emergencies only* rather than to serve as day-to-day access to jobs and services. In these cases, there is no reason for secondary egress routes to be used except for emergency purposes. This is particularly important when secondary egress roads traverse open space or preserve lands and traffic will cause road kill, disrupt wildlife movement, and harm the scenic and recreational values of the open space. In these cases, gates should be installed that are easily operated by residents and emergency service providers. Such egress roads should be of the minimum width needed and may not need to be paved in all cases.

■ *Access/Egress Routes:* ~~Multiple access/egress routes are required in high to extreme fire hazard zones desirable. Where such multiple routes are unavailable or infeasible, design, construction, and fuel management should be considered to achieve the overall same practical affect. When traversing open space or preserve lands, such routes shall be of minimum necessary width and shall use gates or other means to restrict use to emergencies, unless there are no alternatives to provide for day-to-day access.~~

Text revised as recommended.

S-3

This following section is deficient. *Missing entirely is the fundamental concept of minimizing fire risk by avoiding or reducing development in high hazard zones.* This land use process is inferred in S-1.1 (“Minimize the population exposed to hazards by assigning land use designations and density allowances that reflect site specific constraints and hazards.”) but not carried through into S-3. Other problems are noted below.

Noted

New policy: Avoid risk to life and property. Avoid development or reduce its intensity in high to extreme fire hazard zones.

Concept added to policy COS-3.1.

This following policy, which properly addresses the important subject of the amount of development-wildland “edge,” is poorly titled and worded:

S-3.3 **Minimize Interface with Flammable Vegetation.** Site and design

RESPONSES

<p>development to minimize the likelihood of a wildfire spreading to structures by <u>minimizing limiting</u> pockets, or peninsulas <u>of development</u>, or islands of flammable vegetation within a development.</p>	<p>Policy revised as recommended.</p>
<p>See above for the deep flaws in allowing loopholes for developers at the expense of public safety.</p>	
<p>S-3.5 Secondary Access. In high to extreme fire hazard areas, Require development to include secondary access when <u>the minimum distance to primary roadways in the Fire Code is exceeded or otherwise necessary to ensure adequate fire safety. Where multiple routes are unavailable or infeasible in development, ensure that the same practical affect is achieved through site design, construction, and fuel management.</u></p>	<p>Policy generally revised as recommended.</p>
<p>What mitigation measures are anticipated? What are examples?</p>	
<p>S-3.6 Mitigation Measures. Ensure that development located within high to extreme fire threat areas implement measures that reduce the risk of structural and human loss due to wildfire.</p>	<p>Mitigation measures provided in a text box.</p>
<p><u>New policy:</u> Fire safe construction. Because most structural fires are caused by wind-driven burning embers, require all new, remodeled, or rebuilt structures to meet current fire resistance construction codes and establish and enforce reasonable and prudent standards that require retrofitting of existing structures in high to extreme fire hazards areas.</p>	<p>New policy is partially incorporated.</p>
<p>S-4</p>	
<p>SB 1595, which sets standards for defensible space, should be acknowledged, and the findings of the scientific workshops on fuel management should be incorporated:</p>	
<p>S-4.1 Fuel Management Programs. Support programs <u>consistent with state law</u> that require fuel management/modification within established defensible space boundaries and <u>when strategic fuel modification is necessary outside of defensible space</u>, balance fuel management needs with the preservation of native vegetation.</p>	<p>Policy revised as recommended.</p>
<p>It is <i>response</i> times rather than travel times that are meaningful. If no service provider is available or on duty, then travel time is irrelevant. Revised standards with response times should be substituted. Also, as written, the reference to “fire services” is confusing, as it implies that <i>services are expected to be available 24/7</i> to achieve the indicated travel time. Is this correct?</p>	<p>There are no local, state, or national standards for response time to use as a guide.</p>
<p>S-6.4 Fire Protection Services for Development. Require that development demonstrate that fire services can be provided that meet the minimum travel times identified in Table S-1 (Travel Time Standards).</p>	<p>Correct, services are expected to be available 24/7.</p>

RESPONSES

S-7

Policies should be strengthened if safety is taken seriously:

- S-7.4 **Unreinforced Masonry Structures.** Require the retrofitting of unreinforced masonry structures ~~during extensive remodels~~ to minimize damage in the event of seismic or geologic hazards.
- S-7.5 **Retrofitting of Essential Facilities.** ~~Support the~~ Seismic retrofitting of essential facilities to minimize damage in the event of seismic or geologic hazards.

Policy revised as recommended.

Policy revised as recommended.

S-9

The flood goals and policies should be reviewed for consistency with the RPO, and language that references relevant RPO provisions included.

- S-9.5 **Development in Semi-Rural and Rural Lands.** Prohibit development in the floodplain fringe to maintain the capacity of floodplain; unless the lot is entirely within the floodplain or when sufficient land for development on a project site is not available and where clustering is not feasible to minimize encroachment on floodplains. In such cases, development will not cause significant adverse environmental impacts.

Policy revised as recommended.

S-10

The following policy is not consistent with the RPO, which states that, “Uses permitted in a floodway shall be limited to agricultural, recreational, and other such low-intensity uses . . .”

- S-10.1 **Land Uses within Floodways.** Limit new or expanded uses in floodways to agricultural, recreational, and other such low-intensity uses and those that do not result in any increase in flood levels during the occurrence of the base flood discharge, do not include habitable structures, and do not substantially harm the environmental values of the floodway area. This policy does not apply to minor renovation projects, improvements required to remedy an existing flooding problem, legal sand or gravel mining activities, or public infrastructure.

Policy revised as recommended.

The following policy should be made consistent with RPO, which provides that:

Concrete or rip-rap flood control channels are allowed only where findings are made that completion of the channel is necessary to protect existing buildings from a current flooding problem. Buildings constructed after the enactment of this Ordinance shall not be the basis for permitting such channels.

Noted

RESPONSES

In high velocity streams where it is necessary to protect existing houses and other structures, minimize stream scour, or avoid an increase in the transport of stream sediment to downstream wetlands and other environmentally sensitive habitat areas, grade control structures, and other erosion control techniques, including the use of rip-rap, that are designed to be compatible with the environmental setting of the river, may be permitted. The use of rip-rap shall be allowed only when there is no other less environmentally damaging alternative feasible.

- S-10.2 **Use of Natural Channels.** Require the use of natural channels for County flood control facilities except where necessary to protect existing structures from a current flooding problem and where natural channel use is deemed infeasible. The alternative must achieve the same level of environmental protection.

Policy revised as recommended.

Grammatical correction:

- S-10.6 **Stormwater Hydrology.** Require development to avoid diverting drainage, increasing velocities, and altering flow rates to off-site areas to maintain the ~~existing~~-area's existing hydrology.

Policy revised as recommended.

S-15

The last portion of this policy should be rewritten as its intent is unclear.

- S-15.4 **Private Airstrip and Heliport Location.** Locate private airstrips and heliports outside of safety zones and flight paths for existing airports and in a manner to avoid impacting public roadways and facilities compatible with surrounding established and planned land uses.

Policy revised to clarify intent.

Noise Element

Strikingly missing is noise from recreational off-highway vehicles. This is a major nuisance in semi-rural, rural, open space and conservation areas. *Goals and policies to abate this major source of noise and degradation of quality of life should be added to the Noise Element.*

Noted

Noise may disrupt wildlife feeding, hunting, nesting, etc. Add wildlife habitat as a noise sensitive use:

Noise-Sensitive Land Uses

Noise-sensitive land uses include areas where an excessive amount of noise would interfere with normal activities. Primary noise-sensitive land uses include residential

Staff does not concur. Impacts to wildlife are addressed in biological analysis and not in the Noise Element, which is intended to address human habitation.

uses, public and private educational facilities, hospitals, convalescent homes, hotels/motels, daycare facilities, wildlife habitat, and passive recreational parks.

RESPONSES

Table N-2 Noise Standards

The category of “Passive recreational parks, nature preserves, contemplative spaces, cemeteries” should have no less protection from noise than single family residential. Indeed, because these facilities are of necessity *outdoors* rather than indoors behind walls, the standards should if anything be *more* rigorous.

DPLU appreciates your comment, but does not concur. Single family dwellings differ from those uses in that they often have 24 –hour human habitation, where the recreational areas are just part-time uses.

N-1

“Encourage” is weak to the point of ineffectual:

Policy revised replacing “encourage” with “require”.

N-1.2 **Noise Management Strategies.** ~~Encourage~~ Adopt the following strategies as higher priorities than construction of conventional noise barriers where noise abatement is necessary:

N-5

Strengthen and add wildlife habitat:

Policy revised as recommended.

N-5.2 **Noise-Generating Industrial Facilities.** ~~Encourage~~ Locate noise-generating industrial facilities ~~to be located~~ at the maximum practical distance from residential zones and habitat areas. Promote the use of setbacks between noise generating equipment and noise sensitive uses and limit the operation of noise generating activities to daytime hours as appropriate where such activities may affect residential uses.

Temporary and/or Nuisance Noise

Added

Add off-highway vehicles:

Policies in this section are directed toward minimizing intermittent or temporary nuisance noise including, but not limited to, construction and maintenance equipment, landscaping equipment, trash collection vehicles, parking lot/street sweepers, barking dogs, amplified music, car alarms, off-highway vehicles, and special events.

N-6

Add goals and policies to address the terrible nuisance from recreational off-highway vehicles, affecting both residential and habitat areas.

Although not specifically called out, off-highway vehicles are addressed in policy N-6.1. In addition, the County recently adopted an Off-Highway Vehicle Ordinance.

Glossary

Why is grazing limited to “prime or improved” pastureland?

RESPONSES

Agriculture—Use of land for the production of food and fiber, including the growing of crops and/or the grazing of animals on natural prime or improved pastureland.

This definition has been deleted.

We will not typically have enough information about population dynamics to know whether a habitat area supports a “source population.” Suggest alternative language:

Core Wildlife Area—A large block of habitat that ~~supports a source population of a sensitive wildlife species or multiple wildlife species~~ is large enough to allow ecological processes to function naturally. Core areas are typically buffered from edge effects of urban development and support sensitive species and/or a high diversity of species. Core wildlife areas are typically 500 acres or more (not limited to project boundaries), though smaller areas with particularly valuable resources may also be considered a core wildlife area.

Revision made as suggested.

SB 1595 appropriately includes the clearing of all flammable materials, not just vegetation. Also, clearing and thinning requirements do *not* necessarily call for replacement with selected plant materials. (Such materials are often prescribed only in the inner portion of a fuel modification zone.)

Fuel Modification Area—A wide strip of land where combustible vegetation and/or other combustible material has been removed or modified or both ~~and with or without being~~ partially or totally replaced with approved drought-tolerant, fire-resistant, and/or irrigated plants, to provide an acceptable level of risk.

Revision made as suggested.

What is the basis for “large lot subdivisions”? Are these defined?

Impact Neutral—An area not considered impacted, but cannot be credited toward mitigation requirements. For example, wetlands and wetland buffers that are avoided to comply with the Resource Protection Ordinance are impact neutral. ~~Large lot subdivisions may designate impact neutral areas.~~

Definition of large lot subdivision provided.

What is the intent of these two categories, and what is their use in the General Plan?

Interface Community—Structures are built at densities greater than one unit per 40 acres, the percentage of native vegetation is less than 50 percent, the area is more than 75 percent vegetated, and It is within 1.5 miles of an area greater than a census block (1,325 acres).

This definition has been deleted.

Intermix Community—Structures are built at densities less than or equal to one unit per 40 acres, vegetation is continuous outside of and within the developed area, fire protection districts funded by various taxing authorities normally provide life and property fire protection and may also have wildland fire protection responsibilities,

This definition has been deleted.

emphasizes a population density of between 28–250 people per square mile.

Add wildlife habitat due to documented sensitivities. Also suggest rewording for clarity.

Noise Sensitive Land Uses—Land uses considered more sensitive to noise than others due to the amount of noise exposure and types of activities typically involved at the land use location such as, residences, schools, motels and hotels, libraries, religious institutions, hospitals, nursing homes, wildlife habitat, and certain types of parks are more sensitive to noise and are considered noise sensitive land uses.

This definition has been deleted.

Open space does not have to be formally “set aside” to be “open space.”

Open Space—Natural areas that ~~are set aside for~~ have one or several of the following ~~reasons-attributes: for preservation of~~ natural resources (e.g., vegetation communities, fish wildlife, and associated habitats); ~~for conservation of the managed~~ production of resources (e.g., agriculture lands, rangelands, woodlands, aggregate deposits); ~~for~~ outdoor recreation; ~~for~~ public health and safety (e.g., water quality basins, flood easements, river levees); ~~for~~ public services (e.g., utility easements, community gardens); ~~for~~ urban form/scenic resources (e.g., community separation/gateways, greenways/highway corridors, viewsheds, and urban reserves).

This definition has been deleted.

“Sensitive” has a specific meaning under CEQA and this term should not be used when it is not consistent with that context. Open Space Preserves may shelter sensitive or common species.

Noted

Open Space Preserves—Open Space Preserves include areas of environmental significance and beauty. The primary purpose of Open Space Preserves is to preserve sensitive environmental resources and to make these resources available for public enjoyment. These parks will offer passive recreational opportunities and may provide interpretive or educational amenities. Typically, only minimal improvements such as trails, parking, and restroom facilities are found in Open Space Preserves. The size of these parks is dependent on the size of the resource preserved, and access is normally limited according to the sensitivity of the resource.

Revision made as suggested.

The following definition misses the concept of community or project design, such as grid streets that allow access to commercial areas.

Pedestrian-oriented—Development that is primarily accessible to pedestrians rather than automobiles through community or project street networks that are permeable for accessing residential, commercial and civic uses, by locating entrances and street-level uses near sidewalks, locating parking to the rear of buildings, providing continuous and well-designed sidewalks, and incorporating landscaping, signage, and building design elements at a pedestrian scale.

This definition has been deleted.

The issue of ownership does not seem relevant:

RESPONSES

Preserve—A discrete area of conserved land, ~~which is owned and/or managed by one entity.~~

This definition has been deleted.

The 5-acre threshold for raptor foraging habitat is arbitrary and has no scientific basis. Small raptors such as kites, shrikes, or burrowing owls may utilize smaller areas for foraging. Furthermore, foraging habitat *by definition* does not *also* have to be nesting or sheltering habitat.

Raptor Foraging Habitat—Land that is ~~a minimum of 5 acres (not limited to project boundaries) of fallow or open areas and suitable for foraging by a raptor species with any evidence of foraging potential (i.e., burrows, raptor nests, etc.).~~

Revision made as suggested.

Why is this category limited to viewsheds in the Local Coastal Program? Why not other or inland viewsheds?

Scenic Area Regulation—Shall be applied to areas of unique scenic value including but not limited to; scenic highway corridors designated by the San Diego County General Plan, critical viewshed and prime viewshed areas as designated on the Local Coastal Program Land Use Plan, and to areas adjacent to significant recreation, historic, or scenic resources, including but not limited to federal or State Parks.

This definition has been deleted.

Is it candidate of special concern or candidate or special concern?

Sensitive Species—

■ Those species that are included on generally accepted and documented lists of plants and animals of endangered, threatened, or candidate of or special concern by the federal government or State of California

This definition has been deleted.

Not all scenic resources will be utterly unique.

Scenic Resources—The objective and subjective visual elements of a unique ~~and or~~ irreplaceable landscape, including rewarding views of vegetation, topography, geological formations, and historical sites.

Revision made as suggested.

The definition of “structure” goes against common usage, which classifies buildings – including those for human shelter – as structures. According to Dictionary.com, a structure is “something built or constructed, as a building, bridge, or dam.” This definition should be revised accordingly:

Structure—The term “structure” is used to describe a construction made for a functional purpose rather than creating human shelter. Examples of structures include mines, flumes, roads, bridges, dams, and tunnels.

This definition has been deleted.

The EPA definition for “sustainability” is more commonly in use:

RESPONSES

Sustainability means “meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

Sustainable—Community use of natural resources in a way that does not jeopardize the ~~ability of future generations to live and prosper~~ compromise the ability of future generations to meet their own needs.

The definition of viewshed is oddly restricted. It is unclear what “routed” means or why a viewshed must take the form of a corridor.

Viewshed—~~A visual corridor; a routed;~~ physically bounded area of landscape visible to an observer.

Water may be recycled for potable use, as in Orange County where it is treated and stored underground. The current definition limits important future options.

Water Recycling—The treatment and disinfection of municipal wastewater to provide a water supply suitable for non-potable or potable reuse.

In conclusion, it is a privilege for Endangered Habitats League to be able to work with you on this historic General Plan Update. Challenging issues remain, and we offer our continued commitment to work constructively with you, other stakeholders, and decision-makers.

With best regards,

Dan Silver
Executive Director

Electronic copies: Eric Gibson
Jeff Murphy
Jimmy Wong
Interested parties

Revision made as suggested.

Revision made as suggested.

Revision made as suggested.

The organization’s support is noted and appreciated.