

# **HARMONY GROVE VILLAGE SOUTH**

## **APPENDIX C**

### **RESOURCE PROTECTION STUDY STEEP SLOPE WAIVER**

*for the*

### **DRAFT FINAL ENVIRONMENTAL IMPACT REPORT**

PDS2015-GPA-15-002

PDS2015-SP-15-002

PDS-REZ-15-003

PDS2018-TM-5626

PDS2015-MUP-15-008

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*Prepared for:*

**COUNTY OF SAN DIEGO**

**PLANNING & DEVELOPMENT SERVICES**

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## RESOURCE PROTECTION STUDY – STEEP SLOPE WAIVER INFORMATION FOR THE READER

The July 17, 2015 Resource Protection Study Steep Slope Waiver has not changed between public circulation and this final document.

This final version does additionally contain the PDS Director's initial finding on the study, which is attached immediately following this page.

The initial finding is consistent with the information provided in the circulated Draft Environmental Impact Report (DEIR). No changes were identified to less-than-significant impact assessments based on these data. The additional information provides additional documentation, but does not result in any significant new information requiring recirculation.

PDS has reviewed and analyzed the report entitled "Resource Protection Ordinance (RPO) Study Steep Slope Waiver," dated June 24, 2015 by HELIX Environmental Planning ("RPO Study"). Based on the information contained in this report, PDS has determined that the project's tentative map qualifies for additional encroachment on the steep slope areas that are identified in the RPO Study. This conclusion was based on the RPO Study that showed how the Project utilized encroachment into certain steep slope areas to avoid impacts to other areas on the project site that contained significant biological resources that were identified in the draft North County Multiple Species Conservation Program for possible future conservation. The preservation of high-quality biological resources, located contiguous to the permanent open space area of the Del Dios Highland Preserve (DDHP), played a crucial role in the project's design; rather than the standard subdivision design that would target development of all non-RPO slope areas regardless of whether sensitive biological resources are located there. Preservation of such resources could not be avoided by any other means given the need to preserve those areas located adjacent to the DDHP, resulting in the need to cluster development on certain areas of the project site and encroach on certain steep slope areas to avoid impacts to sensitive biological resources. By way of example, the County's Biological Mitigation Ordinance was adopted to implement the Subarea Plan for the Multiple Species Conservation Plan. (Ordinance 86.501 et seq.) The Ordinance emphasizes the importance of preserving land that can be combined into contiguous areas of habitat and encourages projects to encroach into steep slopes to avoid impacts to habitat. (*See Section 86.505(a) (3).*) Although a BMO is not applicable to the site until the North County MSCP has been adopted, the underlying philosophy of preserving land contiguous to existing habitat is consistent with the fundamental principle of this Ordinance.

PDS has also determined that the four findings described in Section 86.604(e) (3) can be made that would allow the project to be granted a waiver from the easement requirements of RPO. This conclusion is based on the information provided by the RPO Study that demonstrates the following: (1) the slope areas in which a waiver is being requested is physically separated from other areas of steep slope and is visually insignificant and undistinguishable; (2) the project is concurrently requesting a rezone to S88- Specific Plan in which the lots will be .5 acres or smaller; (3) the encroachment waiver is consistent with the goals and objectives of the applicable community plan; and (4) a "D" designator would be applied to the site what would require future site plan review.

Please note the following:

- A site analysis and investigation were performed by staff that upheld the written analysis and findings of the RPO Study.
- The conclusions described above are based on the concurrent processing of the project's application for a Rezone, General Plan Amendment to align the community plan with the proposed project site and plans consistent with the other project entitlements.
- The waiver provided by the RPO ordinance will be further addressed in the relevant sections of the project's EIR.
- This determination is not intended to imply an overall recommendation on the project, which will be made by staff after a public review of the EIR and all the responses to comments have been accepted.
- The Planning Commission will consider and make a recommendation to the Board of Supervisors, and the Board of Supervisors shall make the final decision regarding the waiver described in Section 86.604(e)(3) concurrent with their decision to approve, conditionally approve or deny the project.

# **RESOURCE PROTECTION STUDY STEEP SLOPE WAIVER**

## **Harmony Grove Village South Project**

PDS2015-GPA-15-002, PDS2015-SP-15-002, PDS2015-TM-5600  
PDS2015-REZ-15-003; PDS2015-MUP-15-008; PDS2015-ER-15-08-006

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**July 17, 2015**

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## **EXECUTIVE SUMMARY**

A Steep Slope Resource Protection Study was prepared by HELIX Environmental Planning to evaluate Harmony Grove Village South's (Project) request for a steep slope waiver pursuant to Section 86.604[e] [2] [cc] [3]) of the County's Resource Protection Ordinance (RPO). This Study is based upon the technical RPO steep slope analysis conducted by Project Design Consultants (PDC), with review, confirmation and interpretation by licensed landscape architects from PDC and SWA Group.

### **ES.1 Project Location**

The Project is located in the community of Harmony Grove, approximately 2.5 miles west of Interstate 15 (I-15) and approximately 2.6 miles south of State Route 78 (SR-78). The community of Elfin Forest is located approximately 5 miles to the west. The site is contiguous to Harmony Grove Village, which is currently being developed, and is a part of the same flat valley and valley viewshed as Harmony Grove Village. The Project is also adjacent to a number of existing homes located to the east and west that are sited on RPO steep slope sides as well as on ridgelines and hilltops. The southern and southeastern boundaries of the site abut the Del Dios Highlands Preserve (DDHP).

### **ES.2 Project Description**

The Project proposes to develop a sustainable planned community that integrates a mix of residential, commercial, institutional and open space uses on 111 acres. The Project would include 453 single- and multi-family residential units within 229 structures and approximately 5,000 square feet of recreational/community development. Approximately 68 percent of the site will be retained in open space areas that include: over 30 acres of permanent biological open space (BOS), a system of parks both private and public, a community garden and multi-use trails.

The Project has been planned based on an opportunities and constraints analysis that was prepared to identify the most appropriate location to direct development based on a number of factors; including the location of natural resources, the physical features of the site, and the contiguous uses of Harmony Grove Village. The Project proposes to cluster development in order to preserve a significant percentage of natural resources on the site and to preserve the integrity of the existing landforms.

The Project clusters development away from the southern portion of the site that contains high quality biological resources in order to set aside open space land as a part of a planned and integrated preserve area. In particular, the Project preserves over 30 acres of BOS in the southern portion of the Project, which includes high quality biological resources and a substantial percentage of the on-site steep slopes. This southern area also connects directly to areas in permanent open space preserve associated with the DDHP. Clustering also supports compact neighborhood design and facilitates village uses and non-motorized vehicular travel modes (walking, bike riding) rather than standard design that would seek to develop non-steep slope areas, regardless of location (including farther to the south and closer to DDHP).

The Project would result in some encroachment into three small areas that meet the definition of steep slopes under RPO and a waiver is being requested, pursuant to Section 86.604[e][2][cc][3]. These areas are identified as Area A, B and C in this focused steep slopes technical study and represent less than five percent of the total Project acreage.

### **ES.3 Waiver Request**

RPO is intended to protect the integrity of sensitive lands including wetlands, wetland buffers, floodplains/floodways, sensitive habitats, cultural resources, and steep slopes while allowing for the reasonable use of private property. The purpose and intent of this ordinance to focus on the preservation and protection of the County's unique topography in relation to the preservation of steep slopes.

A waiver from the restrictions of the RPO steep slopes and easement requirements may be granted if the following four findings can be made (RPO Section 86.604[e] [2] [cc] [3]):

- aa. The slope is an insignificant visual feature and isolated from other landforms, **OR** surrounding properties have been developed on steep slopes such that this project would be considered "infill"; and
- bb. The property is zoned for 0.5 acre lots or smaller at the time the application was made, or a concurrent Rezone has been filed; and
- cc. The greater encroachment is consistent with the goals and objectives of the applicable community plan; and
- dd. Site Plan review is required to ensure consistency of design with these regulations.

The ability for a slope to be seen does not necessarily mean that it is a significant visual feature. As noted above, the purpose of the ordinance is to preserve unique topography. In this context, land forms that are considered significant visual features include those slopes that meet the definition of RPO steep slope lands and are both visible and visually notable and interesting (i.e., unique) topographic features. Significant landforms draw the viewer's attention and provide primary elements in the viewers' memory of the viewshed. They are the elements noted as "vivid," or memorable, in the County Guidelines. These types of topographic features are therefore generally comprised of large rock outcrops, peaks and promontories. On the other hand, insignificant visual features may meet the RPO steep slope definition relative to gradient and minimum rise, but are either not highly visible; not part of an identifiable peak or ridgeline; and/or "fade" into their surroundings. In other words, they do not present as unique or memorable.

After conducting a RPO steep slope analysis for the Project site, it was determined Areas A, B, and C qualify for a waiver pursuant to Section 86.604[e] [2] [cc] [3]) based upon the following findings:



## Criterion aa

### *Slope Visibility*

Area A (approximately 0.5 acre) is located on a uniform slope feature in the center of the site. Although the argument is not being made that the slopes are modified (there is no known historic photography depicting slopes prior to the agricultural use of the parcels in the 1920s), it appears to be a modified slope in that it is a uniformly sloping and rounded feature whereas most of the surrounding topographic features are more abrupt and peaked in nature. As a result of its visual uniformity, it is difficult to identify any specific area on this slope that is, or is not, steep slope. It does not stand out as anything different from the rest of the visible disturbed grassland. There is nothing interesting or unique about this half acre that differentiates it from the non-steep slope areas on the bench. Non-steep slope area extends “above” the area to the top of (and along) the bench feature, as well as to either side and below. This steep slope area is visually insignificant in that it is isolated from an identifiable peak, promontory, or ridgeline, and is not perceived as an integral element of the surrounding peaks that are a part of the Harmony Grove setting.

Area B (approximately 0.2 acre) is comprised of three very small vertical “bars” that are located on the south side of the central bench on the western side of the Project. Each of these isolated stretches just attains the 50-foot reach required under RPO. They are extremely narrow elements, surrounded on all sides by non-steep slope portions of the slope face, and are indistinguishable from those surrounding non-steep slope areas. These areas are also both visually insignificant and isolated.

Area C (approximately four acres for which waiver is requested) is located south of the bench referenced above, with a portion of this slope located on the south side, and a portion located on the westerly facing slope of an increasingly (on- and off-site) steep hill above it. This area is generally not visible to viewers from the north, since so much of the slope is “hidden” from the north. In fact, the closer that one comes to the slope from the north, the less one can see it as it ultimately becomes entirely shielded by the intervening bench. Similar to the discussion above, the on-site top portion of this feature is a much softened knoll, without the sharp and more vertical features of the surrounding peaks. The slope in question does not stand out as visually interesting; in fact, the viewer’s eye is drawn over the site to the north, where the hill just north of Harmony Grove Road provides notable (RPO) slope features. The lack of visual impact of this isolated feature, combined with the relatively small number of viewers exposed to this view due to its shielding by the intervening bench from the north, combine to render this slope visually insignificant.

### *Infill Project*

Finding aa provides an option to either find that the slope is an insignificant visual feature or that surrounding properties have been developed on steep slopes such that this project would be considered “infill.” In the case of the Project, although many of the homes in the immediate vicinity are located near the valley floor, many are also sited on RPO steep slope sides as well as on ridgelines and hilltops, including the home currently being built near the Project’s eastern boundary. A review of RPO steep slope locations against existing homes visible on Google Earth south of Harmony Grove Road shows that approximately 35 percent of the currently existing

homes are sited within steep slope areas. These homes are located to the northeast, southwest and west of the Project (there is no building due south of the Project due to the DDHP boundary, which is immediately adjacent to the Project.) In addition, although it is not yet fully present, Harmony Grove Village is being developed. Therefore the Project can be seen an infill project for this area, which would also – and separately – provide an important consideration of this waiver.

#### Criterion bb

The project satisfies criterion bb, in that the property is currently designated SR-0.5 and zoned A-70 which allows 0.5 acre lots. The project is also filing a General Plan Amendment to be redesignated to Village 10.9 and SR-0.5 and to be rezoned to S88 (Specific Plan) which would also allow for 0.5 acre lots or smaller on the Project site.

#### Criterion cc

Relative to criterion cc, the encroachment onto the steep slopes within Areas A, B and C is consistent with the goals and objectives of the Harmony Grove portion of the Elfin Forest and Harmony Grove Community Plan (Community Plan). The Project has been designed to maximize the preservation of high quality biological open space and preserves the integrity of Harmony Grove Valley natural mountainous landform. The desire to preserve a large percentage of the site in open space and develop the property pursuant to the smart growth principles outlined in the County's General Plan led to the decision to cluster development on the Project site. Clustering development on the site allows for the conservation of a large block of contiguous BOS on the southern portion of the Project site. Preservation of this habitat area would also contribute to the continued health of the abutting DDHP. Although this development pattern would require some encroachment into insignificant RPO steep slopes, it is more efficient than pushing development farther into the southern portion of the site in an effort to strictly remain on slopes of less than 25 percent/non-RPO steep slopes. The Project's preservation of open space and natural habitat contributes to the retention of the rural setting and lifestyle of the adjacent Harmony Grove community.

The RPO steep slopes, for which this waiver is being requested, are not interesting topographic features, not part of an identifiable peak, promontory, or ridgeline and are not perceived as an integral element of the surrounding peaks that are a part of the Harmony Grove setting. The Project would retain "unspoiled views to intact hills" consistent with the goals of the Community Plan. The Project would avoid impacts into the "dramatic" hill formations called out in the Community Plan as critical to the setting of the community. The steepest and most notable slopes of the Project would be retained in open space. The Project would keep all development downslope from the iconic ridgeline formations that rim the valley. No ridgelines (formed by connecting the highest peaks along a ridge) are located on site, and therefore no ridgelines would be impacted. The views to steep slopes southeast of the central portion of the Project and to the intact hills in the southern portion would be retained. These undisturbed areas would continue to merge seamlessly into the protected slopes of the DDHP. Finally, the Project does not impact the views toward the Lady of the Valley, called out in the Community Plan as an important community landmark.

Additional information regarding the project's consistency with the Community Plan can also be found in the General Plan Consistency Analysis submitted for the Project.

Criterion dd

Relative to criterion dd, the Specific Plan has applied a "D" designator to the property which requires site plan review to ensure consistency of design with the Specific Plan.

**ES.4 Conclusion**

The Project has been designed to preserve the integrity of surrounding significant landforms and maximize the preservation of high quality biological open space. The waiver being requested for the three areas described above is consistent with criteria specified in the RPO, in that such steep slope areas are considered insignificant because the slopes are not visually notable and interesting topographic features, not part of an identifiable peak, promontory, or ridgeline and are not perceived as an integral element of the surrounding peaks that are a part of the Harmony Grove setting as documented in this focused steep slope technical analysis.

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## **1.0 INTRODUCTION**

The County's Resource Protection Ordinance (RPO) provides special regulations applicable to certain types of discretionary applications, including tentative maps. It is intended to protect the integrity of sensitive lands including wetlands, wetland buffers, floodplains/floodways, sensitive habitats, cultural resources, and steep slopes (lands having a natural gradient of 25 percent or greater and a minimum rise of 50 vertical feet, unless said land has been substantially disturbed by previous legal grading) while allowing for the reasonable use of private property. Specifically related to topography, the RPO states that the purpose and intent is to focus on the preservation and protection of the County's unique topography.

This analysis is focused on those slopes found to be visually insignificant, and for which a waiver under County Code Title 8, Division 6, Chapter 6 is proposed.

### **1.1 Project Location**

The Harmony Grove Village South (HGV South) Project site is located in the unincorporated portion of San Diego County in the community of Harmony Grove, approximately 2.5 miles west of Interstate 15 (I-15) and approximately 2.6 miles south of State Route (SR) 78. Escondido Creek flows east-west just north of the Project, and the City of Escondido is located to the east. The community of Elfin Forest is located approximately 5 miles to the west. County open-space parcels (the Del Dios Highlands Preserve; DDHP) abut the southern and southeastern boundaries of the Project. Primary access to the Project vicinity is provided by Harmony Grove Road (the nearest east-west connector) and Country Club Drive (a north-south connector that abuts the Project's western boundary). An aerial of the Project site is shown in Figure 1, *Project Site Aerial Photograph*.

### **1.2 Project Description**

The Project proposes to develop 453 single- and multi-family residential units within 229 structures and approximately 5,000 square feet of recreational/community use/commercial space (the Center House) on 111 acres. In addition to the civic and recreational uses, the Center House is currently planned to include a coffee shop or small café as well a small overnight facility (up to four-bed B&B facility) to accommodate the Project as well as the neighborhood. Approximately 68 percent of the site would be retained in open space areas that include approximately 37 acres of permanent open space, a system of parks both private and public, a community garden and public multi-use trails as well as connections to existing and planned trail facilities. A substandard crossing of Escondido Creek that is subject to flooding would be improved to allow for safe ingress and egress to and from the subject and surrounding properties. A water treatment/water reclamation facility (WTWRF) is also proposed.

## **2.0 HARMONY GROVE VILLAGE SOUTH DEVELOPMENT/ PLANNING CONCEPT**

The site is contiguous to Harmony Grove Village, currently being developed, and adjacent to a number of existing homes located to the east and west. Slightly beyond the immediate Project

boundaries, the City of Escondido provides a large number of commercial and industrial uses/opportunities as well as public services such as schools, together with denser housing. The site is also approximately three miles from the Nordahl Road Sprinter (light rail) Station.

The HGV South Project has been planned based on an opportunities and constraints analysis that was prepared to identify the most appropriate location to direct development based on a number of factors; including the location of natural resources, the physical features of the site, and the adjacent uses of Harmony Grove Village. It included a comprehensive environmental review, topographic review, and visual evaluation that take all of these elements into consideration.

The County (and Applicant's) focus on smart growth principles as detailed in the adopted General Plan led first to identification of the Project site as appropriate for development – being close to these services and employment opportunities – and then led to the decision to consolidate development in order to preserve a larger percentage of sensitive resources *in perpetuity*.

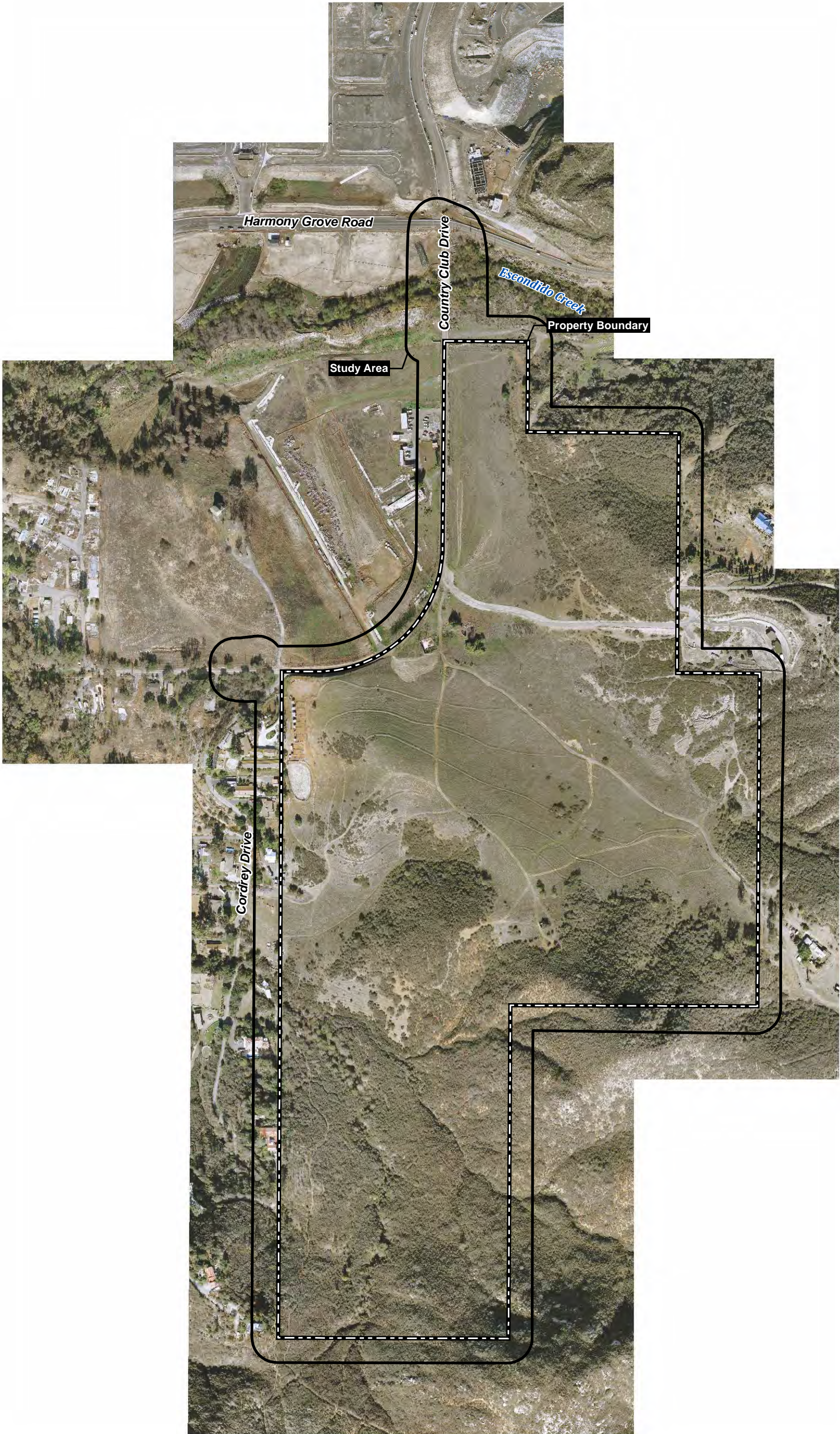
The compact development plan would reduce the overall Project footprint, which then results in maximizing area set aside for preservation. The Project would preserve over 30 acres of biological open space (BOS) in the southern portion of the Project, which includes high quality biological resources and a substantial percentage of the on-site steep slopes. This southern area also connects directly to areas in permanent open space preserve associated with the DDHP. Clustering also supports the compact neighborhood design that facilitates village uses and non-motorized vehicular travel modes (walking, bike riding) rather than standard design that would seek to develop all non-RPO slope area, regardless of location (including farther to the south and closer to DDHP).

### 3.0 STEEP SLOPES CONTEXT

Figure 2, *Slopes Providing the Project Setting*, illustrates the mountainous landform ridgeline rimming the valley setting that provides the general overall context for the valley as a whole as well as the Project site. Figure 3, *Steep Slope Areas South of Harmony Grove Road*, shows a more focused view of steep slope areas that contribute to the visual context within which the site is located. The on-site and highlighted RPO steep slopes within this area alone constitute 368 acres. The elevations of peaks that surmount the notable steep slopes visible from Harmony Grove Valley and that provide the dramatic setting of the valley, are noted on this figure. Located at the base of these primary slopes and in the valley portion, the Project site boundary is also shown, together with some sample on-site elevations. Project site portions proposed for waiver top out at 775 feet above mean sea level (amsl), or approximately 185 feet lower than the closest lowest peak (which, although notably higher than developable on-site areas, is not one of the defining southern and western peaks due to its lower elevation). The other peaks exceed this on-site elevation by up to over 960 feet.

As shown on Figures 2 and 3, in this landform, the surrounding contiguous and visually dominant steep slopes (including notable and often connected sections of areas reaching or exceeding 50 percent slopes) are located all along the higher elevations and connect to the lower portions of higher slopes located east, south and west of the Project. Elevations south of the site



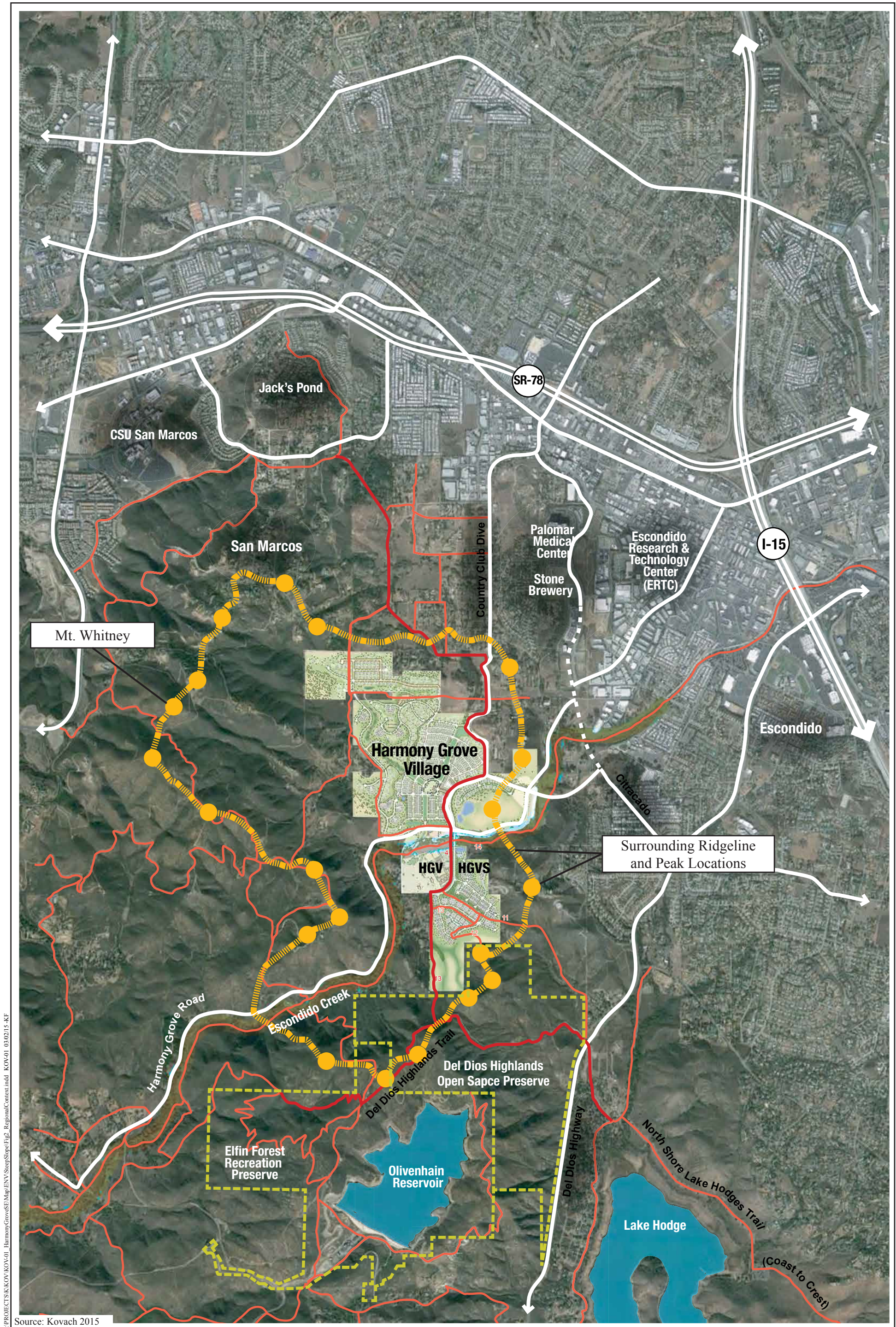


Project Site Aerial Photograph

HARMONY GROVE VILLAGE SOUTH

Figure 1





Slopes Providing the Project Setting

HARMONY GROVE VILLAGE SOUTH