

Attachment E - Correspondence

Property Specific Requests (NM16, RM15, SD2, & SV17) General Plan Amendment: GPA12-012 – Community Planning/Sponsor Group Recommendations Received

Note: The PSRs (NM16, RM15, SD2, & SV17) GPA (GPA12-012) was included in the materials for the General Plan Clean-Up GPA (GPA12-007) that were sent to planning groups. Each of the PSRs was considered by the applicable planning group in their recommendations (as reflected in the discussions, when minutes include those). The North Mountain Subregional Planning Area is not represented by a CPG/CSG.

Ramona

County of San Diego Ramona Community Planning Group FINAL MEETING MINUTES

May 2, 2013

7:00 PM @ Ramona Community Library, 1275 Main Street

A regular meeting of the Ramona Community Planning Group (RCPG) was held May 2, 2013, at 7 p.m., at the Ramona Community Library.

ITEM 1: ROLL CALL (Piva, Chair)

In Attendance:	Torry Brean	Jim Cooper	Matt Deskovick
	Scotty Ensign	Carl Hickman	Eb Hogervorst
	Kristi Mansolf	Donna Myers	Jim Piva
	Dennis Sprong	Paul Stykel (Att. 7:12)	Richard Tomlinson
	Kevin Wallace		

Excused Absence: Chad Anderson, Barbara Jensen

Jim Piva, RCPG Chair, acted as Chair of the meeting, Scotty Ensign, RCPG Vice Chair, acted as Vice-Chair of the meeting, and Kristi Mansolf, RCPG Secretary, acted as Secretary of the meeting.

B. Draft 2013 General Plan Cleanup that Includes 2 Referrals with a Change in Former Salvation Army Property Land Use Designation to Open Space (portion Purchased by County Parks) (RM 101); Change in Land Use Designation from RL 40 to RS 4 for Teyssier Property With Approved Tentative Map 5194 (RM 15). Comments Due 5-20-13

Ms. Mansolf said the Draft 2013 General Plan Cleanup (DGPC) includes the Teyssier property and the addition of the Salvation Army property which has been purchased recently by County Parks. The RCPG had requested the Teyssier property be a referral since it had already been an approved Tentative Map while the General Plan Update was occurring. The County considered this and said there were already parcels designated 4 acres in the area, so the change would fit in.

MOTION: TO SUPPORT GPA 12-007, DRAFT 2013 GENERAL PLAN CLEANUP.

Upon motion made by Kristi Mansolf and seconded by Torry Brean, the motion **passed 12-0-1-0-2**, with Matt Deskovick abstaining, and Chad Anderson and Barbara Jensen absent.

San Dieguito

SAN DIEGUITO PLANNING GROUP

P. O. Box 2789, Rancho Santa Fe, California 92067

MINUTES OF MEETING

MAY 23, 2013

1. CALLED TO ORDER 7:10 P.M. PLEDGE OF ALLEGIANCE
present: Willis, Clotfelter, Lemarie, Dill, Jones, Liska, Epstein, Hoppenrath, Osborn, Christenfeld
absent: Barnard, Arsivaud-Benjamin

B. Community & General Plan Update - *Continued from 5-9-2013* Review of proposed draft changes for submittal of comments and corrections to DPLU. Advance Planner: Kevin Johnston, 858.694.3084; SDPG Planner: Lois Jones 760-755-7189. The subject covers:

- the Introduction describes the GP Clean-Up purpose and process – p. 1-1, 1-2 (p. 8-9 in the pdf page counter)
- brief text descriptions of the proposed Land Use Map changes are on p. 2-1 and 2-3 (11 & 13 in the pdf page counter)
- page 3-2 and 3-3 (20 & 21 in the pdf page counter) have additional information on proposed Land Use Map changes (# of parcels, acreage, existing/proposed designations, estimates of change in potential dwelling units, descriptions of Land Use designations and zoning information links)
- the community map of San Dieguito with proposed Land Use Map changes outlined is on p. 3-33 (p. 51 in the pdf page counter)
- zoomed in maps of each proposed Land Use Map change for San Dieguito are on 3-34 through 3-37 (p. 52 – 55 in the pdf page counter)
- proposed corrections/clarifications for countywide General Plan policies/references are on 4-1 through 4-6 (p. 69 – 74 in the pdf page counter)
- proposed policy revisions for the Elfin Forest/Harmony Grove portion of the San Dieguito Community Plan are on 4-20 (p. 88 in the pdf page counter)

MOTION by Lois Jones to recommend approval of the proposed "alternative Policy Language" presented as well as the other changes presented at last meeting. Seconded: Christenfeld

Ayes = 9

nos = 0

abstain = 0

Spring Valley

Spring Valley Community Planning Group

P.O. Box 1637, Spring Valley, CA 91978

Regular Meeting held on 6/11/13

Meeting held at San Miguel Fire Station District Headquarters

2850 Via Orange Way, Spring Valley, CA 91977

Members:

- | | |
|---------------------------------|----------------------------|
| 1. Bob Eble | 9. Clifton Cunningham |
| 2. Lora Lowes | 10. Vacant |
| 3. Jeff Hansen | 11. Vacant |
| 4. Marilyn Wilkinson, Secretary | 12. Walter Lake |
| 5. Vacant | 13. Edward Woodruff |
| 6. John Eugenio | 14. James Comeau, Chairman |
| 7. Richard Preuss | 15. L. Ben Motten |
| 8. Michael Daly, Vice Chairman | |

Chairman Comeau called the meeting to order at 7:00 with 12 members present. The minutes of 5/13/2013 were approved as corrected. Vote -10-0-2. Daly and Cunningham abstained.

4. 2013 General Plan Clean Up. Kevin Johnston requests vote of concurrence with all changes presented at 28 May meeting. Mobility element changes, and two land use map changes. Presenter: Lowes. Proponent: Johnston. All requested changes need to be voted on. Lowes made a motion to approve. Vote 11-0-0, in agreement.

February 12, 2013

Attn: Robert Citrano
Planning Manager, Advance Planning Division
San Diego County
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, CA 92123-1666



Re: SB 18 Consultation for the 2013 General Plan Clean-Up, an Amendment to the General Plan

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. At this time the Soboba Band does not have any specific concerns regarding this project.

[SPECIAL NOTE (for projects other than cell towers): If this project is associated with a city or county specific plan or general plan action it is subject to the provisions of SB18-Traditional Tribal Cultural Places (law became effective January 1, 2005) and will require the city or county to participate in **formal, government-to-government** consultation with the Tribe. If the city or county are your client, you may wish to make them aware of this requirement. By law, they are required to contact the Tribe.

Sincerely,

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

Joseph Ontiveros
Director of Cultural Resources
Soboba Band of Luiseño Indians appreciates
P.O. Box 487
San Jacinto, Ca 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

**PALA TRIBAL HISTORIC
PRESERVATION OFFICE**

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax



April 17, 2013

Bob Citrano
Planning Manager, Advance Planning Division
Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

Re: Invitation to Participate in SB 18 Consultations for 2013 General Plan Clean-up, An Amendment to the General Plan

Dear Mr. Citrano:

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. It is, however, within the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Because this project references a GPA update and not an actual development project, we do not request consultation at this time. However, if the project is modified to include any sort of construction or other ground-disturbing activity, we wish to be notified so we can reassess the need for consultation.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians



FAX (619) 263-2995
PHONE (619) 234-7966
LICENSE 169-983

Atomic Investments, Inc.

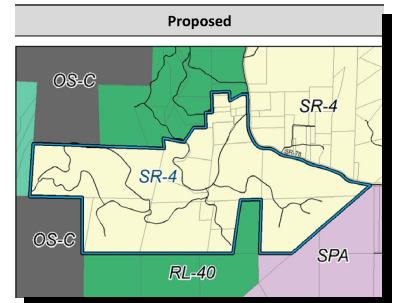
FOUNDED 1956

3200 HIGHLAND AVENUE
NATIONAL CITY, CALIFORNIA 91950
www.atomic-inc.com

&
**The Teyssier Family
Horizon View Farms**

Kevin Johnston
Land Use/Environmental Planner
County of San Diego -Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
kevin.johnston@sdcounty.ca.gov

via email and USPS 7009 2820 0001 7307 6925



**RE: County of San Diego General Plan Clean-Up General Plan Amendment
(GPA 12-007); County Assigned ID: RM15**

Dear Mr. Johnston:

My family, or one of our family controlled entities, owns the 295 acres generally known as Horizon View Farms, and sometimes referenced as Project Specific Request RM15. In March 2006, the Planning Commission certified a Negative Declaration of Environmental Impact and approved subdivision of the existing 10 lots into a total of 36 lots. The subdivision into 36 lots corresponds with the density allowed under the requested SR-4 land use designation. The approved density of 36 lots and the development that it represents were part of the project description for the Environmental Impact Report that the Board of Supervisors certified before adopting the County General Plan in August 2011.

We agree with Staff that the environmental analysis already certified by the County prior to approving subdivision of Horizon View Farms and prior to adopting the new General Plan is adequate to allow the land use designation of Horizon View Farms to be changed from RL-40 to SR-4 through the analysis that we expect to be included in an addendum to the previously certified environmental documents.

We appreciate the work that you have done in bringing GPA 12-007 forward to the Planning Commission and the Board of Supervisors for approval.

Sincerely,

Philip L. Teyssier
President

cc: (via electronic mail only)
Board of Supervisors Chairperson Greg Cox; Board of Supervisors Vice Chair Dianne Jacob
Supervisor Dave Roberts; Supervisor Ron Roberts; Supervisor Bill Horn
Cynthia L. Eldred, Esq.

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



May 17, 2013

VIA ELECTRONIC AND U.S. MAIL

Kevin Johnston
Land Use/Environmental Planner
5510 Overland Avenue, Suite 310
San Diego, CA 92123
kevin.johnston@sdcounty.ca.gov

RE: General Plan “Clean-Up” (GPA 12-007)

Dear Mr. Johnston:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on the proposed General Plan “Clean-up” Amendment process. While EHL generally endorses the need for this process to fix errors and omissions resulting from the complex comprehensive Update that was concluded in August of 2011, this process should not be used to accommodate privately motivated substantive plan changes at public expense. Moreover, the proposed Property Specific Requests included in the Clean-Up individually and severally constitute changes that exacerbate adverse environmental impacts and create internal inconsistencies with the Guiding Principles that make up the framework of the Update. We therefore urge the County to remove the PSRs from the General Plan “Clean-Up.”

A Supplemental EIR May Be Required Under CEQA.

It is well settled that modifications to a project for which an EIR has been certified can require additional environmental review in a subsequent or supplemental EIR where “[s]ubstantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect.” (CEQA Guidelines § 15163, subd(a)(1).) The County has the affirmative burden to show that such effects will not occur if it chooses to rely on an “addendum” to a previously certified EIR (as opposed to a subsequent or supplemental EIR) after making project modifications. CEQA Guidelines § 16153, subd. (e) states: “A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”

The four PSRs included in the Clean-Up, when considered cumulatively, have the potential to worsen traffic, GHG and air quality impacts, increase habitat fragmentation,

further stress groundwater resources, and disrupt community character. For example, RM-15 in Ramona will impact nearly 300 acres and add 37 units in a remote, high fire-risk and groundwater-dependent area. NM-16 will place semi-rural densities adjacent to an area reserved for conservation and surrounded by rural zoning.

The County has made no showing that more severe, unexamined and therefore unmitigated impacts will not occur. Indeed, at least two of the requests were *never* previously analyzed in any of the alternatives in the GPU EIR to which any addendum would attach; that they were granted project-level MNDs under the *previous* planning regime is irrelevant. Never before in the long PSR process has the County considered environmental review under the former General Plan as a substitute for environmental review under the new General Plan. To take one salient example, the analysis of impacts to Land Use under the former General Plan would be entirely different than such analysis under the new Plan – a plan which *thoroughly* revamps land use principles, goals and policies and redistributes growth accordingly. Also, the MND's were adopted up to 6 years ago, with environmental studies predating that. There can be no assumption of no significant impacts for these projects without *supplemental* environmental review.

The PSRs Create Impermissible Inconsistencies with the Update's Guiding Principles.

More fundamentally, three of the four requests proposed for processing as part of the “clean-up” are not remotely consistent with the Update's Guiding Principles. We address this point as to each request in more detail below.

Ramona RM15

RM15 would change the permitted densities on a nearly 300-acre PSR from RL-40 to SR-4, even though most of the surrounding land is in rural densities. To cure the spot zone, an additional 103 acres is involved. The stated rationale for this PSR is an existing tentative map at these densities, even though there is no guarantee that the Map will ever be built out. Almost all the land is constrained by steep slopes and high fire risk. Agricultural lands are found in the eastern portion. The project is simply residential sprawl into a rural area.

Staff never really addresses these constraints, relying principally on the existence of a tentative map. But the existence of a map should be irrelevant to the planning process, since planning to conform to a tentative map would negate the expiration times that are an integral part of the Subdivision Map Act. Indeed, the very reason that tentative maps have a shelf life is to permit local jurisdictions to plan free from such constraints.

General Plan conflicts for RM15 include but are not limited to:

- Guiding Principle 2 (Community Development Model) (encroachment into RL40)
- LU-1.1, LU-1.2, LU-10.3, LU-5.3

- Guiding Principle 5 (hazards and constraints)
- LU-6.11
- Guiding Principle 8 (agriculture)
- LU-7.1
- Guiding Principle 9 (infrastructure) (outside CWA)
- H-1.3

The incorrect categorization of RM15 also hinges upon its status as an unrecorded but inconsistent subdivision. Contrary to arguments made in correspondence by the landowner, the proposed change was *never* analyzed as part of any EIR alternative, but was instead part of a cumulative impacts analysis of pending subdivisions. This summary analysis cannot substitute for analysis of this project's impacts as part of a project alternative, and additional CEQA review—consistent with a moderate or major change—would be required. The applicant has every opportunity to finalize the tentative map; otherwise, the public interest is served by reverting to the new General Plan.

San Dieguito SD2

SD2 would convert about 54 acres from SR-4 to SR-2; most of the re-planned land is outside the PSR to cure a spot zone. Again, the stated rationale for this PSR is an existing tentative map with a higher density, even though there is no guarantee that the Map will ever be built out. The existence of a map should be irrelevant to the planning process, since planning to conform to a tentative map would negate the expiration times that are an integral part of the Subdivision Map Act. Indeed, the very reason that tentative maps have a shelf life is to permit local jurisdictions to plan free from such constraints. Zoning to conform to a tentative map would negate these statutory time limits. Independent of the map, it is clear the SR-2 designation is inconsistent with the significant habitat values on the site, as well as its location in a high fire risk area.

General Plan conflicts for SD2 include but are not limited to:

- Guiding Principle 2 (Community Development Model)
- Guiding Principle 4 (stewardship)
- LU-6.1
- Guiding Principle 5 (hazards and constraints)
- LU-6.11
- Guiding Principle 8 (agriculture)
- LU-7.1

The incorrect categorization of SD2 also hinges upon its status as an unrecorded but inconsistent subdivision. Contrary to information in a previous staff report (June 20, 2012), the proposed change to SR-2 was *never* analyzed as part of any EIR alternative. Instead, it was merely part of a cumulative impacts analysis of pending subdivisions. This summary analysis cannot substitute for analysis of this project's impacts as part of a project alternative, and additional CEQA review—consistent with a moderate or major

change—would be required. The applicant has every opportunity to finalize the tentative map; otherwise, the public interest is served by reverting to the new General Plan.

North Mountain NM16

NM16 represents a classic situation of robbing Peter to pay Paul. The owner sold a portion of a rural landholding for conservation (and possibly reaping associated tax benefits) and now seeks to recover all the units the owner would have had if the land had not been sold by increasing densities on the remainder area—a portion with very high habitat values and very high fire risk—by up-planning it from rural densities to a semi-rural SR-10 category.

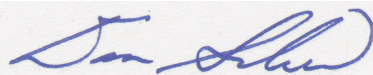
General Plan conflicts for NM16 include but are not limited to:

- Guiding Principle 2 (CDM)
- LU-1.1, LU-1.3, LU-1.4, LU-9.2
- Guiding Principle 4 (stewardship)
- LU-6.2
- Guiding Principle 5 (hazards and constraints)
- LU-6.11, S-1.1, S-7.1
- Guiding Principle 9 (infrastructure) (outside CWA)
- H-1.3

Staff itself had concluded in January that “[d]ue to the remoteness of the property, the application of Semi-Rural designations does not support the project objectives to reduce public costs and promote growth near existing jobs, services and infrastructure” and that such a change was a “major” one that is inconsistent with the Update’s Guiding Principles.” Staff now appears to conclude exactly the opposite, noting that the sale of lands into conservation “mitigates” these impacts. But the issue is not about mitigation of impacts, it is about planning consistent with the rules the Board adopted in the Update, including evenhanded application of the Community Development Model. This arbitrary change in position contravenes the Community Development Model and numerous goals and policies. In addition, this PSR sets a terrible precedent, generating expectations of additional revenue beyond the fair compensation, and tax benefits often received, in a conservation sale.

In conclusion, in order to ensure a legally sound addendum for the legitimate items proceeding under the Clean-Up, we urge you to remove the above PSRs from the Clean-Up.

Yours truly,



Dan Silver
Executive Director

Johnston, Kevin

From: Eric Anderson [erictanderson02@yahoo.com]
Sent: Wednesday, May 22, 2013 5:05 PM
To: Johnston, Kevin
Cc: Horn, Bill
Subject: GPA 12- 007 (SD-2)

Dear Kevin Johnston and Jeff Murphy:

Ref: General Plan Clean Up SD-2

I am writing to support bringing the last element of the General Plan to a close, the clean up on my families 18.5 acres and the surrounding neighborhood. I support the SD-2 land use zoning. The Planning and Development Services has done a very good and complete analysis on this location and there is good reason to finalize this GPA (clean up) on this area. If any location exemplifies the spirit of Ron Robert's motion to finalize the General Plan and deal with the few locations which needed correct analysis to correctly designate the zoning this is it. After the many, often frustrating, years of participation on the General Plan process I am glad to finalize the appropriate zoning on this property.

Thank you for all your hard work.

Respectfully
Eric T. Anderson
Farmer in the SD-2 zone

PS- Please accept this email as I thought I had until Friday this week (in the letter from you dated April 3 it said Friday) and it was not until I reached the end that I realized this was due Monday May 20. I sat down to write in a timely manner and am submitting now by email.