

COMMENTS

RESPONSES



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2023 Elfin Forest Road
 Elfin Forest, CA 92029

Beth Ehsan
 COUNTY OF SAN DIEGO Planning & Development Services
 5510 Overland Ave., Suite 310
 San Diego, CA 92123

Dear Beth,

Following conversations with you and Kevin Johnston a few weeks ago re: clarifying intent of sewer prohibition in Harmony Grove, please find below the rationale for stating that the approved Community Plan clearly prohibits anything other than septic outside the Harmony Grove Village. We have gone through the plan and I think you will agree we demonstrate pretty convincingly that the prohibition is not only specific, but also supports the entire context of the policies which are designed to keep density outside the Community Development Pattern the same as the surrounding rural properties.

The Elfin Forest Harmony Grove Community Plan specifies the intention to prohibit sewage treatment methods other than on-site residential septic systems outside of Village boundaries (excerpts from the plan supporting this statement are shown below in indented italic text). Historically, limiting residential waste treatment to on-site septic systems has limited urban sprawl and helped to keep an area rural. That is why Elfin Forest has clearly prohibited any sewer systems other than single family septic systems. However, unlike Elfin Forest, Harmony Grove could not simply prohibit sewer systems because the hundreds of acres of agricultural use parcels destined to be densely developed in a Village pattern would require an intensive sewage treatment system.

p. 20 "Harmony Grove Village – The approved Harmony Grove Village project will have a small commercial town center that should serve the local community and provide public gathering places as well as opportunities for the sale of locally grown organic produce. This project also will have a wastewater reclamation facility that will provide sewage service to Village homes and create recycled water for irrigation."

The community was reassured by the County that despite not being able to prohibit sewer systems area-wide, the "Village Limit Line" would disallow any development that would require intense sewage treatment.

p. 27 "The Harmony Grove Village Boundary, shown on Figure 3 on page 25, is a growth boundary that identifies land to which development should be directed. Areas outside this limit line are not intended to expand and should retain the original Harmony Grove rural residential and agricultural character."

The original character of Harmony Grove is clearly described in the Community Plan.

p. 20 "The area infrastructure is rural, and utilizes mainly septic systems for waste disposal."

and

p. 16 "Some of the key elements of the Harmony Grove character and values include one- and two-story single family homes on large lots; large animal facilities on residential properties; no clustered development; no "cookie-cutter" developments; no walled developments, and no gated communities"

G-1 The comment is introductory and your specific comments are addressed below.

G-2 Please see Topical Response: Septic. The comment states that the Elfin Forest Harmony Grove Community Plan (EFHGCP) intends to prohibit sewer outside the village boundaries to limit sprawl and keep the area rural. However, the quoted language from page 20 of the EFHGCP is within the Community Background section of the plan, and specifically under the heading of Existing Community Facilities and Infrastructure. The quoted language does not express any intent as to the planned use of facilities and infrastructure outside of Harmony Grove Village and does not specifically prohibit future development from building or connecting to sewer facilities.

EFHGCP Goal LU-1.5.1 allows for clustered lots less than 1 acre for Semi-Rural 1 and 2 categories through an approved Specific Plan to allow for significant preservation of resources. Please see Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis.

G-3 The comment states that the County reassured the community that the village limit line would disallow development with sewer. However, the quoted language from page 27 of the EFHGCP helps to explain the intention behind the land use designations in the Harmony Grove area, including Neighborhood 5. The proposed density is within the semi-rural category, and thus does not conflict with the established village boundary. Nevertheless, the Project would increase density, and that is why it requires the approval of a GPA by the Board of Supervisors. The Board will have to consider the direction of the EFHGCP along

G-3
cont. with other applicable factors before making a decision on the Project. The selection of a sewage treatment method would be secondary to the Board's decision on the merits of increased density in this area; however, note that site-specific constraints make it difficult to develop the site on septic at the existing General Plan density of 118 homes (based on the RPO steep slope and RPO wetland requirements).

A Septic Alternative was analyzed in Chapter 4.7 of the EIR which determined that only 66 dwelling units could be built on-site using either conventional or alternative septic systems. Per the County of San Diego septic design guidelines, the minimum lot size is based on the expected percolation rates. Based on the mapped soil types and soil conditions on site, percolation rates are expected to be in the range of 90 to 120 minutes per inch, which is the slowest range of percolation rates where septic systems are allowed, leading to the 5 acre minimum lot size studied in this alternative. Additionally, portions of the site exhibit shallow bedrock and steep grades, which preclude the installation of septic in some areas. Finally, only the southern portion of the Project (Neighborhood 5) is located within the EFHGCP; thus regardless of how the plan is interpreted, the majority of the Project could still be connected to sewer. This information is consistent with the EIR.

Please see both Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis, and Topical Response: Septic.

G-4 The comment refers to the original character of Harmony Grove as described in the EFHGCP. While only a small portion of the Valiano Project lies within the EFHGCP, the design of the Project is consistent with the rural character of the surrounding neighborhoods, as described in the EFHGCP. Lots within the Specific Plan area can accommodate one- and two-story homes, consistent with the Harmony Grove neighborhood character. Walls within Neighborhood 5 are limited to the northeast portion of Neighborhood 5 where required for noise mitigation. As per Section 2.1.5 of the Valiano Specific Plan, walls shall be an extension of colors and materials of adjacent architecture and shall recede into the landscape rather than become a dominant visual feature. The Project shall utilize combinations of walls, earthen berms, and landscaping to soften the appearance of walls. Therefore, the walls are in compliance with policy N-1.3 of the County's General Plan. Although there are several negative references to clustering in the EFHGCP, it is important to note that the specific policy setting minimum lot size in Harmony Grove, LU-1.5.1, allows for clustered lots less than 1 acre through an approved Specific Plan to allow for significant preservation of resources. The Project would incorporate a variety of architectural styles in different neighborhoods to avoid a "cookie cutter" appearance, and none of the ingress points to the Project would be gated. This information is consistent with the DEIR. Please see Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis.

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G-5 Because residents were still worried that future developments outside the Village Limit Line might seek County approval to “share” the Village sewer system, they added a policy to make this “sharing” impossible. Clearly there was no intention to allow sewer systems beyond the Village.

p. 49 “Policy SPA-2.2.6 The sewage treatment method selected must be sized for this project without the possibility for expansion.”

Protecting the area from further urban or suburban development is clearly identified in the Community Plan as an important issue for Harmony Grove.

p. 19 “The Harmony Grove community, working with County staff, designed a Village Development Pattern Model as represented in the General Plan Land Use Map. There still exists many large undeveloped parcels of land within Harmony Grove outside the footprint of the approved Village. Development of these parcels with an urban, clustered or suburban design would threaten the continued existence of the rural residential and equestrian character of Harmony Grove.”

G-6 *p. 21 “The population of Harmony Grove is expected to increase dramatically as the Harmony Grove Village development pattern is built out. If the pattern shown on the General Plan Land Use Map is strictly followed, the final number of urban homes should approximately equal the number of rural homes in the neighboring communities and Harmony Grove should be able to keep its rural voice. However, there is continual pressure to put higher density residential or even industrial development in Harmony Grove beyond what is allowed by the General Plan Land Use Map. Several agricultural operations are finding that limits to their operations are leading them to consider re-zoning and re-development in the near future. In addition, non-resident land speculators have purchased local undeveloped land in the hopes that General Plan Amendments allowing higher density will be adopted by the Board of Supervisors. Residents will continue to work to preserve this historic 100-year-old community by implementing the Village Development Pattern that was negotiated. ISSUES THAT NEED TO BE CONFRONTED: The Village development pattern as shown in the General Plan Land Use Map must be strictly adhered to as the formal development model for the area. Urban homes must not outnumber the rural homes to maintain the rural voice and preserve the rural heritage of this historic community. Annexation of Harmony Grove properties into adjacent cities allows landowners to escape the rural community development standards and must be discouraged.”*

G-7 Therefore, to further preserve the rural character of Harmony Grove, and to clarify the intent to prohibit sewer systems outside the Village, the following issue, goal, and policy was approved for the Community Plan (note that section **2.10 Infrastructure and Utilities** has no community identity callouts restricting policies to an individual community and therefore all content refers equally to both communities, as is the case throughout the Elfin Forest Harmony Grove Community Plan.)

p. 39 “ Issue CM-10.2 Septic systems are the sole and preferred sewage management for Elfin Forest, because they ensure that Elfin Forest - Harmony Grove will remain a rural community. Goal CM-10.2 A sewage disposal system that retains the rural character of Elfin Forest - Harmony Grove Policy CM-10.2.1 Require all proposed new development to use septic systems with one septic system per dwelling unit.”

G-8 The Elfin Forest Harmony Grove Community Plan clearly states the intent to preserve the rural nature of Harmony Grove while accommodating a dense Village that requires a sewage treatment system. The Community Plan makes it clear that the sewage treatment plant is for Village use only, and that all future development beyond the Village will maintain the original waste systems in use through all of the remainder of Harmony Grove, which are residential, on-site septic systems.

G-5 The comment indicates that the EFHGCP added a policy so that the Harmony Grove Village Sewer Plant would only be sized for that Project. The Harmony Grove Village Sewer Plant was designed for only Harmony Grove, as specified in Policy 2.2.6, and while it is under the control of the Harmony Grove Village developer it cannot be expanded without revising the Harmony Grove Village Specific Plan.

The EIR considers that if the Harmony Grove Village Sewer Plant flows are much lower than the Plant was designed, the County could be in a position to accept additional flows to the Plant to ensure efficient treatment and operations of the Plant. In this future scenario, the County would have accepted operations of the Plant, experienced sufficient evidence that additional capacity was available and therefore would be responsible for determining any future connections. Under this scenario, the County could allow an amendment to the Major Use Permit for the Plant to expand the use of the Plant that could allow the utilization of the Harmony Grove Village Sewer Plant. However, at this time it is the position of the County Sanitation District that the plant as designed does not have sufficient capacity to serve Valiano and use of the plant by Valiano would require significant changes in approved design criteria (such as process redundancy and reduced safety factors) that would need Sanitation District approval.

G-6 The comment indicates that protecting the Harmony Grove Community from further urban or suburban development is identified in the EFHHCP. The County of San Diego’s Land Use Element of the County of San Diego General Plan defines densities for land uses within the County. An urban residence within the County is categorized within the Village densities. Village land uses are defined as higher intensity land uses which include pedestrian-oriented commercial areas, mixed-use development, higher-density residential developments, and community-serving private and public facilities. Village densities incorporate a range of residential densities from 30 units per gross acre at the high end to 2 units per gross acre at the low spectrum of density. Semi-rural residential land uses without those higher density and associated commercial uses are defined as lower-density transition land uses from the Village areas, blended development with the natural landscape, with higher densities located closer to the Village core. Semi-Rural densities range from 1 unit per half acre to 1 unit per 10 acres. The Valiano Specific Plan area is proposing a General Plan Amendment to Semi-Rural 0.5, a rural land use designation. Additionally, the Valiano project proposes none of the typical land uses or facilities included within the Village land use designation which would define the project as urban. Therefore the Valiano project adds no structures which can be defined as urban residences to the Harmony Grove Community Plan area.

The Valiano Specific Plan area is identified as having a Semi-Rural regional category in the General Plan. According to the General Plan:
The Semi-Rural category identifies areas of the County that are

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cont. *appropriate for lower-density residential neighborhoods, recreation areas, agricultural operations, and related commercial uses that support rural communities. Semi-Rural areas often function as a transition between the Village and Rural Lands categories, providing opportunities for development, but without the intensity and level of public services expected in Villages and with design approaches that blend the development with the natural landscape. Semi-Rural residential densities are derived in consideration of the physical conditions, community character, and availability of public services, roads, and other infrastructure. Higher densities within the allowable range should be located near Village areas and surrounding urban areas, while lower densities should be located near Rural Land areas.*

The parcels that make up the Valiano Specific Plan area are currently designated as a mix of Semi-Rural 1 (SR-1) and Semi-Rural 2 (SR-2). Depending on the slope on an individual parcel, SR-1 densities can range from 1 dwelling unit (du)/gross acre to 1 du/4 gross acres. Similarly, depending on the slope on the individual parcels, SR-2 densities can range from 1 du/2 gross acres to 1 du/8 gross acres. With implementation of the Valiano Specific Plan and General Plan Amendment (GPA), all portions of the Plan area would change to the Semi-Rural 0.5 (SR-0.5) designation. Densities under the proposed designation range from 2 du/gross acre to 1 du/2 gross acres, depending on the slope. The densities proposed under the Valiano Specific Plan are consistent with the proposed SR-0.5 designation. SR-0.5 is the highest density in the Semi-Rural category, which is consistent with General Plan direction to locate higher densities near the urban areas of San Marcos and Escondido, as well as the Village area of Harmony Grove Village Specific Plan. The proposed density is 1.38 dwelling units per acre (du/ac), which is less than the 1.6 du/ac of Harmony Grove Village with their 742 units on 468 acres. This information is consistent with the EIR.

G-7 Please see both Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis and Topical Response: Septic, as well as Response G-3 regarding the infeasibility of developing the site to the General Plan density using individual septic systems. Both the issue and goal statements aim to preserve rural character, which can be achieved through project design even in a sewer project. By clustering homes in compact neighborhoods, the Project incorporates elements of rural character including areas of natural vegetation, an agricultural open space area, soft-surface multi-use trails and pathways, and equestrian amenities including a trailhead park in Neighborhood 3 and a public equestrian staging area with trailer parking and a warm-up ring in Neighborhood 5. Thus the Project maintains the rural character of the community while allowing development that would be infeasible on septic systems. This information is consistent with the DEIR.

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G-8 The comment indicates that the EFHGCP makes it clear that the sewage treatment plant is for Harmony Grove Village use only and that development outside the village use on-site septic systems. See both Topical Response: General Plan Amendment and Subarea Boundary Adjustment CEQA Analysis and Topical Response: Septic, as well as Responses G-2, G-3, and G-5. Subchapter 4.5 of the EIR includes multiple options for wastewater treatment, including an Off-site and Combined On-/Off-site Sewer Options Alternative. One of the off-site options included connection to the Harmony Grove Treatment Plant. Subchapter 4.7 includes a Septic Alternative.