

Comments Letter

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From: Robert and Patty [mailto:rpanders@cox.net]
Sent: Saturday, October 07, 2017 3:29 PM
To: Smith, Marisa <Marisa.Smith@sdcounty.ca.gov>
Subject: RTC on DSEIR PDS2014-SPA-14-001: SCH No 214011018
Importance: High

Marisa, hello. Attached is my formal submittal of response to comments on the proposed project on Four Gee Road; SCH No. 214011018.

Please respond on Monday to confirm receipt of this response to comments.

Also, I did not receive the public note (NOA) for the project and I live at 16187 Silver Crest Drive. Can you please confirm that I am within 300' and regardless, please put me on the distribution list to receive all notices as I have been involved in the process from the beginning.

Can you also please forward the notice of the community planning meeting coming (I believe you said it was next week?) up so I can assure I have the correct time, date, location of the meeting.

I appreciate your information on the upcoming community meeting and response to this email.

Patty Anders

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Response to Comments Letter

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I-1-1 The County of San Diego appreciates the comments on the Draft Supplemental Environmental Impact Report (DSEIR) by Patty Anders. The comment asks for confirmation of receipt of the letter. The County confirmed receipt of the comments to Ms. Anders.

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October 2, 2017

Marisa Smith
Project Manger
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Re: 3300-10-037, PDS 2014-SPA-14-001; SCH NO 2014011018

Below are my comments on the Draft Supplemental Environmental Impact Report (DSEIR) for the Chinese Bible Church of San Diego, the Project as identified in the DSEIR.

The project is requesting a Specific Plan Amendment (SPA) to allow a religious assembly use and a Major Use Permit (MUP) to regulate the church and proposed uses and potential impacts to the community.

The County General Plan regional category for the site is Semi Rural (SR). The site is located in the San Dieguito Community Plan Area (SDCPA), and has a land use designation of SPA (Specific Plan Area [Santa Fe Valley Specific Plan]).

As stated in the DSEIR, the Project site is part of sub-area 6. Designated as "low medium density," the sub-area allowed up to a total of 67 dwelling units on the 71 acres. Sixty three (63) residential lots were developed as part of the Salviati project. A subsequent subdivision, Tentative Map (TM) 5123, was proposed to subdivide the remaining four lots on 9.09 acres, but that TM was not finalized and the site remains a single lot (APN 678-060-27-00). The Project site comprises this remainder lot and an off-site lot adjacent to Four Gee Road to be used for access purposes.

The Specific Plan NEVER intended planned or envisioned a large mega project to be built in this planning area. The site was strategically and purposefully zoned "Low Medium" as indicated above. The County has an obligation and a right to implement the SFVSP (SP) and not compromise the strategic, logical and planned land use distribution and permitted uses as identified in the Specific Plan (SP). To allow this mega project, the County would be saying they have no intent to use the SP to regulate development. The SP is CLEAR that this parcel is intended for rural, large, estate lots and this is supported by the General Plan classification of the site as Semi Rural.

I implore the County to do the right, professional action and NOT approve the request for a Major Use Permit and SP amendment. The use is simply way too dense and intense for a site that is zoned, planned and has a General Plan land use category of "Semi-Rural".

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Response to Comments Letter

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I-1-2 The comment restates specific characteristics of the project. The County agrees the information is correct. No changes to the DSEIR are needed as a result of the comment.

I-1-3 This comment states that the Specific Plan did not intend for a mega project to be built on the project site, and that the County has an obligation to implement the Santa Fe Valley Specific Plan. The County acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the DSEIR.

Specific Plans (SP) are subject to the overall regulations of the County's General Plan (GP). The GP allows for adopted specific plans in its Land Use Element, page 3-17. A Specific Plan Amendment (SPA) in and of itself does not render a project inconsistent. The County allows SPAs for the purpose of affording flexibility to future development within the specific plan area. This feature is essential to allow the GP to meet the changing demands of land use throughout its expected 20- to 30-year lifetime. In this case, SPA 14-001 is proposed to allow for a religious assembly use in Subarea V. The County's Zoning Ordinance (ZO) allows for the proposed use with the approval of a Major Use Permit (MUP). Prior to approval of a MUP, the applicant must make findings to show that the project is consistent with Section 7358 of the Zoning Ordinance. Allowing SPAs and MUPs is a feature of the GP and ZO that applies throughout the County, not just in the Santa Fe Valley area. Therefore, the project is being processed under established rules and regulations of the County. Further, the SFVSP has been used and will continue to be used to regulate development in the area. The DSEIR discusses the SPAs for the SFVSP that have been approved prior to this proposed project in Section 1.2.1, Project's Documentation History, page 1-1. These changes have ranged from small to large alterations, including changes to a congregate care facility to conversion of golf course to residential and open space areas. The County will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project.

I-1-4 This comment requests that the County not approve the request for a MUP and SPA. The County acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the DSEIR. This comment letter will be included as part of the Final SEIR that decision makers will be able to review prior to a final decision on the project.

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The visual report (Appendix C of the DSEIR) pulls from properties within a 1 mile radius to assess the site and visual character, viewshed and other visual indicators. However, this assessment is very biased and not comparing apples-to-apples. The visual report is comparing properties that are located within a business/industrial park and drawing conclusions of no impacts or impacts reduced to level on non-significance with some minimal mitigation based primarily on landscape and wall screening. The report is not accurate in the land it is comparing.

The correct and ACTUAL comparison is land immediately adjacent to the subject site. The site is SURROUNDED BY PROTECTED BIOLOGICAL OPEN SPACE, including wetlands immediately adjacent and to the north of the site. There is planned and intentionally preserved biological open space to the north, the south, the west (surrounding the fire station) and adjacent to Camino Del Sur. To say the site is isolated and out of character (as stated in the visual report) is saying the SP is wrong—which is not the case at all. The land surrounding the project was developed in CONFORMANCE with the SP and the County should do the professionally correct thing and REQUIRE this applicant to build pursuant to and in conformance with the SP—like the other projects and developers were REQUIRED to do!

The proposed use is excessive, extremely dense and intense as demonstrated by the number of buildings (5), square footage (+90,000), and the requirement for a height deviation, as well as the proposed hours of operation from 8am until 10pm seven days a week. The site is located right next to a quiet, detached single family residential developments on TWO sides (La Vina to the south and Rosemary Lane to the east); how in good consciousness or quality land use planning can the County allow this intense use adjacent to sensitive receptors—single family and protected open space on three sides? It truly makes NO sense from a professional land use, planning and environmental perspective.

The size and operation of the proposed project would have significant impacts to the existing area. I fully understand that the technical studies associated with the DSEIR have “technically” demonstrated that impacts would be less than significant on paper but in REAL life, this type of project will change and alter the existing quality of life and neighborhood character of the homes that were built in CONFORMANCE with the regulations—unlike this proposed project.

The increase in noise due to the proposed bell (which the EIR has NO specific information on as far as times/days/duration of bell), exterior audio system, and outside events of over 500 people, lighting and parking adjacent to residential will have a SIGNIFICANT real life impact. The County has NO obligation to approve this discretionary permit. In fact, the required findings for the MUP can not honestly or unbiasedly be made as the project would significantly change the character of the area, would impact the neighborhood by allowing a use that is NOT was never envisioned and is NOT permitted or consistent with the SP. The project requires a

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I-1-5

This comment states the visual report is biased and includes properties within a mile of the project. Visual resources receive extensive analysis in the DSEIR, specifically in Section 2.1, Aesthetics. The visual analysis evaluates the range of visual amenities in the immediate area but also considers the surrounding areas. Eight of the ten photo simulations are from properties bordering the project, including those on Tallus Glen, Wild Horse Glen, and Saintsbury Glen on the south; Four Gee Road on the west; Campania Boulevard and the Salvati development to the north; and the 4S residences to the east. More distant uses are considered in two photo simulations from Camino Del Sur and Rancho Bernardo Road to provide a balanced depiction of the area. This provides a more accurate context for the visual impact discussion than one that focuses, for example, only on the houses to the east or the apartments and houses to the south because these surrounding uses are integral to a general picture of the uses as they have evolved in the area. The visual analysis concluded that the existing uses are visually characteristic of a densely and broadly developed mixed use suburban area. Open space occurs in the area but this is preserved by the project. No changes to the DSEIR are required as a result of the comment, and the County will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project. Please also see General Response 4 “Visual Resources” of the Response to Comments for an overview of the visual issues.

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This comment states that the visual analysis should compare land immediately adjacent to the project site. Please see response I-1-5, above, for a discussion of the visual analysis and surrounding properties. The comment also states that the project site is surrounded by biological open space. There are no sensitive receptors in the open space for which visual effects are important. Visual effects to the residential properties that look across the open space toward the project (Salvati Homes) were analyzed in the DSEIR (See for example the discussion of Key View 6 (page 2-17) and Figure 2.1-8. Mitigation is proposed for the retaining wall visible from this perspective. **M-VIS-1 states:**

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To screen the retaining wall along the northern site boundary, the Project shall:

Paint or clad the wall with a non-reflective earth-toned material that is matched in color to the surrounding and planned vegetation along the wall.

Incorporate vertical elements from the base of the wall to break the horizontals of the wall. These elements can be constructed elements or vegetation. Constructed elements shall be of a type and quality that complements the existing

I-1-6
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design. Vegetation elements shall be able to attain a height that would reach the top of the fence along the wall so as to integrate these two structures.

Visual effects to the open space area to the west are not significant because development is currently readily visible across the narrow (approximately 220 foot) open space, and because the open space is left intact except for a small area at the south end where the Project entrance will be located. For a discussion of biological issues as they related to open space, please see General Response 2, "Biology and the Resource Protection Ordinance" of the Response to Comments.

I-1-7

The comment states that the visual report identifies the project site as "isolated and out of character", which further argues that the Specific Plan is wrong. The comment also states that the County should require that the applicant develop the project site in conformance with the Specific Plan, like other developers were required to do. The County acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the DSEIR. General Response 1 "Planning and Land Use" of the Response to Comments provides an overview of land use issues. No further response is required.

I-1-8

This comment addresses the proposed density and intensity of the project. For purposes of clarification, the combined proposed square footage of the five buildings is 89,234 square feet (sf) (DSEIR page 1-4). An exception request is proposed to allow the sanctuary building to be 40 feet versus 35 feet, two towers to be 48 feet, and one tower to be 53 feet. Hours of operation are correctly stated as 8 AM to 10 PM, seven days a week.

The DSEIR considers the type of use proposed as discussed in section 3.1.4 (Land Use and Planning). The land use assessment of the project's potential to have impacts related to land use is based on the land use analysis (DSEIR Appendix O) prepared for the project by RECON Environmental. That analysis includes a discussion of surrounding land uses supported by geographic information system (GIS) mapping and County zoning data; a discussion of goals and policies contained within regional planning documents (San Diego Association of Governments); consistency with the County's General Plan, the San Dieguito Community Plan, the SFVSP; and a compatibility analysis focused on the project's physical compatibility with the surrounding area and land use compatibility. The analysis determines the project does not have significant impacts to land use in the area. The comment does not raise any specific issue regarding that analysis. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.

I-1-9 This comment states that the identified impacts will reduce the quality of life in the surrounding neighborhoods. The County acknowledges the comment and notes it expresses the opinions of the comment and does not raise an issue related to the adequacy of any specific section or analysis of the DSEIR. The County will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project.

I-1-10 The comment states that the increase in noise from the proposed bell, exterior audio system, and outside events will have a significant real life impact. Noise from the church bell is analyzed in Section 3.2.1 of the Acoustical Analysis Report (DSEIR Appendix J). The analysis concludes:

For a worst-case analysis, the noise from the proposed church bell can be rounded up to 65.0 dBA, which is more than a doubling of the sound power of the measured church bell. The nearest residential receiver is located approximately 300 feet from the proposed bell location. At this distance, if the bell were to ring for a period of 5 minutes out of an hour, the hourly average noise level is calculated to be 46.2 dBA. This is expected to comply with the 50 dBA daytime noise limit at residential properties.

No permanent exterior audio system is proposed although temporary systems may be used from time to time for specific outdoor events. Noise from a specific outdoor audio system was not evaluated because the type of equipment to be uses cannot be predicted at this time. The project will use the best technology available at the time, which could provide better sound control than is currently available. However, the DSEIR does acknowledge this as a project impact (DSEIR Section 2.5.5, page 2-114). It includes a mitigation measure to control the possibility of outdoor noise. The following mitigation measure was amended to clarify the conditions under which the measure would apply. It shall be implemented as a condition of project approval:

M-N-1 If any outdoor event is proposed that will involve the use of an audio system and that includes more than 500 people, or if the outdoor event will extend beyond 7 PM, the noise impacts of the specific event must include design features and mitigation measures to comply with the with the applicable regulations. Such measures would include, but are not limited to:

1. Locating events to maximize attenuation from intervening buildings and topography
2. Limiting the time of the event and cease all substantial noise generating activities by 10 PM.
3. Limiting the number of attendees not to exceed 500 people to minimize impacts to off-site receptors.

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- 4. Associated outdoor audio equipment shall be directed away from the occupied neighbors. Audio equipment would be directed in designated areas, facing towards the center of the site and/or using intervening structures to screen and shield associated noise sources.
- 5. The audio system will be tested prior to an event and the systems will be adjusted so noise does not exceed County noise limits.

Noise from future events was also analyzed in Section 3.2.1 (pages 14-15) of the Acoustical Analysis Report. The analysis concluded:

Noise from indoor church activities is expected to be controllable with typical sound transmission loss and distance attenuation, and no formal activities or amplification are currently planned to take place outdoors. If any outdoor events are proposed to include more than 500 people, or will extend after the hours of 7PM, the noise impacts of the specific event must be evaluated to determine design features and mitigation measures required to comply with the applicable noise regulations at that time.

The DSEIR fully evaluates noise impacts. Project design and mitigation of impacts address noise issues. The County will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project.

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This comment states that lighting and parking will have a significant real-life impact. Lighting and glare impacts are analyzed in the DSEIR (Section 2.1.3.5, Dark Skies and Glare, page 2-30). Potential impacts to visual resources (including lighting) and traffic (including parking) receive extensive analysis in the DSEIR. Parking areas were depicted in the visual simulations, where appropriate. Please see the Key Viewpoint discussion in Section 2.1.1.2.6 of the DSEIR for details. The comment does not raise any specific issue regarding the analyses and, therefore, no more specific response can be provided or is required. The County will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project.

I-1-12

The comment states the County has no obligation to approve the project. The County acknowledges the comment and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the DSEIR. No further response is required.

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SP amendment and the EIR tries to conclude that the SP amendment will make the project compatible—that is professionally unsound, completely goes against the land use, community character design and intent of the Specific Plan. To rationalize the use by approving a SP Amendment is not adequate or technically sound.

In accordance with Section 7358 of the Zoning Ordinance, before any use permit may be granted or modified, the County must make favorable findings concerning the following factors:

1. Harmony in scale, bulk, coverage, and density.
2. Availability of public facilities, services, and utilities.
3. The harmful effect, if any, upon desirable neighborhood character.
4. The generation of traffic and the capacity and physical character of surrounding streets.
5. The suitability of the site for the type and intensity of use or development which is proposed.
6. Project findings 1 through 5 and the project location will be consistent with the San Diego County General Plan.
7. The requirements of the California Environmental Quality Act (CEQA) have been complied with.

These findings in true objectivity and profession assessment can NOT be made. The fact that the project requires a height variation, a biological open space easement vacation, the use was not ever intended or allowed in the SP, clearly indicates the project can not meet these required findings. To conclude this mega project will NOT have harmful effects upon the existing desirable neighborhood character is obviously incorrect. A site that is zoned for four rural, estate lots can not logically or in good zoning/land use principals be suitable for the proposed type and intensity of development being proposed by the applicant. There is clearly a non-compatible land use issue with the proposed project. The proposed use is NOT allowed and is not remotely suitable for the zoning and General Plan classification. To approve this use and SP Amendment would be a classic example of spot zoning given the site is within an existing and approved, and built out Specific Plan. It is illogical and the DSEIR is completely inadequate in the baseline premise and conclusions. The analysis of visual should be redone and recirculated.

Land Use and Traffic should be analyzed in Chapter 2—the discretionary applications are LAND USE related—how can the County allow Land Use to be part of the “Environmental Effects Found not to be Significant” when the project requires a radical change in Land Use? The DSEIR should be revised to include Land Use in Chapter 2 and recirculated to allow the public to review and provide comments.

Moreover, the project has a building that is right at the edge of the 100’ biological easement and this building should be removed. And, EIR is flawed and inadequate and should be recirculated as it does not have the required details on noise, it does not accurately assess the visual impacts, and it places Land Use and Traffic in

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Response to Comments Letter

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I-1-13 This comment states that the MUP findings cannot be made, and that the SPA goes against land use, community character design, and intent of the Specific Plan. The DSEIR found that the project does not have a significant impact on land use. The project’s ability to make necessary findings required by the MUP is discussed in Section 3.1.4.3 of the DEIR and is supported by the Land Use & Planning Analysis completed for the proposed project (Appendix O). This comment does not identify any specific inadequacies with the analysis, and no further response is required. The County acknowledges that the comment expresses the opinion of the commenter. Please see EIR Section 3.1.4.3 “Physical Compatibility with Surrounding Areas/Community Character”, starting on page 3-76 for an overview of the MUP issue. This comment also addresses the proposed SPA and the associated DSEIR analysis. The comment states the purpose of the proposed SPA is to make the project compatible with the current Specific Plan. Please see response I-1-5 for a discussion of the SPA process. The County will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project.

I-1-14 This comment cites Section 7358 of the Zoning Ordinance. The comment is acknowledged. The findings required for a MUP are correctly stated.

I-1-15 This comment addresses MUP findings that will be prepared for the project. The comment is acknowledged. No specific issue with the DSEIR is raised in the comment, so a specific response cannot be made. The project’s ability to make necessary findings required by the MUP is discussed in Section 3.1.4.3 of the DEIR. Please refer to response 5 above and General Response 1 “Planning and Land Use” in the Response to Comments for additional discussions about Land Use as it relates to the SPA process.

I-1-16 This comment states the project would have a negative effect on the existing desirable neighborhood character. The site would accommodate up to four residential lots under its current designation, as noted. The project is allowed with the approval of a discretionary MUP. MUPs are not pre-designated by the General Plan because it is too difficult to predict where the need for a specific use may occur. So selected zones throughout the County allow MUPs with appropriate supporting findings and environmental analysis. This site zoning falls into that category. Therefore the MUP requirement does not imply the project is incompatible with the neighborhood. The land use analysis (DSEIR Appendix O, Chapter 2, Compatibility Analysis) concludes that the overall effect of the project will be similar to existing uses in the area. It states:

Overall, the project design and operations would not change the character of the neighborhood. The project would be within an area with mixed-density residential uses, nearby commercial centers and other civic facilities, including a fire and police station. Operation of the proposed church, at buildout, would not

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alter the community character or result in land use compatibility issues within the neighborhood. The project would be located in a neighborhood that consists not only of existing large-lot residential units but also of existing multi-family residential units, denser single-family units, large commercial developments and civic uses. In addition, the planned future character of the community will be composed of vibrant urbanized mixed uses; employment opportunities; and civic, residential, and commercial uses. The MUP would allow long-term facility operations as described above by prescribing conditions on the project which would assure that the proposed use and operations is maintained as intended.

The DSEIR states that the project provides a lower intensity civic use that is adjacent to higher density residential and commercial village uses, thereby serving as an appropriate transitional land use (DSEIR, Section 3.1.4.2, page 3-72). Intensity of use is determined by a range of factors such as scope of the project, traffic, operating hours, noise, and lighting, which are analyzed in the above-cited chapter. A comparison of the proposed project and the nearby commercial center as an example is provided in response I-1-14 above.

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This comment describes the project as spot zoning. However, the proposed use is permitted under current zoning with the approval of a MUP. The DSEIR has determined that the project is consistent with surrounding uses in the area, which is largely developed and suburban in nature. Additionally, the SFVSP is not currently built out. The County will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project.

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The comment states that the DSEIR is inadequate in the baseline premise and conclusions. The comment does not raise any specific examples; therefore, no more specific response can be provided or is required.

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This comment states that the visual analysis should be redone and recirculated. The comment does not raise a specific point about the visual study, nor does the study identify any new information regarding impacts to visual resources that would require additional analysis and recirculation. The visual study was prepared in conformance with the County's Guidelines for Determining Significance and Report Format and Content Requirements – Visual Resources (2007). Specific comments and responses on the visual impacts are provided in I-1-9, -10, and -12 above.

- I-1-20** The comment states that land use and traffic should be analyzed in Chapter 2 of the DSEIR. The Land Use and Planning Analysis (RECON, 2016) was prepared in conformance with the County of San Diego’s Guidelines for Determination of Significance for Land Use. The Land Use & Planning Analysis report was included as Appendix O of the DSEIR. The report includes an analysis of surrounding land uses using GIS mapping and County zoning data, a discussion of goals and policies contained within regional planning documents (San Diego Association of Governments, the County’s General Plan, the San Dieguito Community Plan, and the SFVSP), and a compatibility analysis focused on the project’s physical compatibility with the surrounding area and land use compatibility. The report provides a fundamental land use and planning analysis, backed by substantial evidence, and is adequate as a document to support conclusions reached in the project’s DSEIR. The DSEIR concludes, based on the report and project-specific design components, that the project would not alter the community character of the area and would be compatible with the community character of the surrounding neighborhood in terms of use, design, bulk and scale. Therefore, the project would not result in significant effects related to land use. The comment does not raise any specific issue regarding the analysis for Land Use or Traffic. The County will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision on the project.
- I-1-21** This comment states there is a building at the edge of the 100 foot biological easement. General Response 2, Biology and Resource Protection Ordinance in the Response to Comments provides an overview of the issue of proximity to open space.
- I-1-22** This comment provides general comments about the adequacy of the DSEIR. The comment does not raise specific points about the subject areas cited, so a detailed response is not possible. Noise is discussed in Response I-1-10 above. Visual impacts have been addressed in the DSEIR, as well as in Responses I-1-5, -6, and -7 above. Land use and traffic were placed in Chapter 3, Environmental Effects Found Not to be Significant, after analysis of environmental effects and the determination that impacts would be less than significant.

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Chapter 3 (Effects Found Not to be Significant) when the applications are completely land use based.

In conclusion, I implore the County to implement the SFVSP and not allow this significant, intense and dense change to land use and visual character of the existing community. Not only is it unfair and unjust to the existing communities, it is spot zoning within a master planned community—WHY would the County set this precedence of completely disregarding approved SPs?

I encourage staff to uphold the SFVSP, the General Plan and the San Dieguito Community Plan and do not allow the density, intensity and zoning to change. This change would also have a huge impact on the biological open space; don't allow this intensity and introduction of human presence, noise, trash, lighting adjacent to protected wetland and open space areas. The edge effects will impact the open space and wetlands—the project is proposing to wall it off which will also prohibit habitat movement.

The County and state have a housing shortage and the project would be removing housing opportunities on land zoned for housing, and replace it with an intense, non-residential use in an approved SP that was planned, zoned and envisioned for housing.

I hope the County will choose to do what is best for the entire community and not allow this Specific Plan Amendment to accommodate a dramatically intense, unpermitted land use.

Regards--

Patty Anders

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Response to Comments Letter

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I-1-23 The comment states that the County should implement the SFVSP and should not approve the proposed project. The comment identifies the project as spot zoning, and questions why the County would set a precedence of disregarding approved Specific Plans. The plan has been included in the analysis of all environmental variables subject to CEQA analysis, for example in the land use analysis (DSEIR Section 3.1.4.3, pages 3-72+). Please see Response I-1-17 for a discussion of spot zoning. The County acknowledges that the comment expresses general opposition for the project and addresses general subject areas. The comment will be included in the Final SEIR that will be reviewed by decision makers prior to a final decision on the project.

I-1-24 This comment encourages staff to not allow the density, intensity, and zoning of the site to change. The comment makes a general statement so a detailed response is not possible. For a discussion of density and intensity, please see General Response 1 "Planning and Land Use" in the Response to Comments. No zoning change is proposed by the project.

I-1-25 The comment states that the project would have a huge impact on biological open space. Biological resources were analyzed in the DSEIR and impacts were identified for loss of nonnative grassland and potential impacts to nesting raptors. Mitigation is proposed to reduce effects to below a level of significance (DSEIR Section 2.2.6, page 2-27). These measures include:

M-BI-1 Direct impact to 0.3 acre of offsite non-native grassland shall be mitigated at a 1:1 ratio in conformance with the MSCP and BMO through preservation of similar or higher value habitat. Mitigation shall occur at the Crestridge Mitigation Bank in Lakeside, California or any other land determined acceptable by the Director of the Department of Planning & Development Services. Note that the mitigation ratio for non-native grassland is typically 0.5:1. A doubled ratio is required here since this area is located within a dedicated open space easement. Pursuant to the County Report Format and Content Requirements – Biological Resources, if existing dedicated biological open space easements are being vacated, the loss of preserved habitat should be mitigated at twice the required ratios because the original mitigation must be replaced and the current loss of habitat must be mitigated.

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M-BI-2 If any construction work, including onsite tree removal, is proposed during the raptor breeding season (between January 1 and July 15), a qualified biologist shall conduct a nesting raptor survey no more than three days prior to scheduled operations to ensure that no nesting birds in the Project area would be impacted. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer shall be a minimum of 500 feet, be delineated by temporary fencing, and remain in effect as long as construction is occurring or until the nest is no longer active. No Project construction shall be allowed to occur within the fenced zone until the young have fledged and will not be impacted by the Project. A copy of the survey shall be submitted to the Director of Planning & Development Services.

The comment will be included in the Final SEIR that will be reviewed by decision makers prior to a final decision on the project.

I-1-26 This comment addresses housing needs in the County. The County appreciates the comment but it does not raise a specific concern with the DSEIR. The comment will be included in the Final SEIR that will be reviewed by decision makers prior to a final decision on the project. No changes to the DSEIR are required as a result of the comment.

I-1-27 The County acknowledges the comment as a conclusion to the comment letter. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project. No further response is required or necessary.