

January 29, 2014

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

***BOARD OF SUPERVISORS  
REGULAR MEETING  
PLANNING AND LAND USE MATTERS***

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
**WEDNESDAY, JANUARY 29, 2014, 2:00 P.M.**  
COUNTY OPERATIONS CENTER, CAMPUS CENTER CHAMBERS  
5520 OVERLAND AVENUE, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Regular Meeting was called to order at 2:00 p.m.

Present: Supervisors Dianne Jacob, Chairwoman; Bill Horn, Vice Chairman; Greg Cox; Dave Roberts; Ron Roberts; also David C. Hall, Assistant Clerk of the Board.

Approval of Statement of Proceedings/Minutes for the meeting of January 8, 2014.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor D. Roberts, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of January 8, 2014.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

Public Communication: [No Speakers]

**NOTICE:** THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

**Board of Supervisors' Agenda Items**

**Agenda #    Subject**

1.            NOTICED PUBLIC HEARING:  
ADOPT RESOLUTIONS AND ORDINANCE FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AND AUTHORIZING SPECIAL TAX (1/29/2014 - ADOPT RESOLUTIONS AND FIRST READING; 2/26/2014 - ADOPT RESOLUTION AND SECOND READING)  
  
(RELATES TO FLOOD AGENDA NO. 1)
  
2.            DEPARTMENT OF PARKS AND RECREATION PROPOSES NAMING OF PARK AMENITIES BOARD POLICY

3. PROPERTY TAX EXCHANGE FOR JURISDICTIONAL CHANGES – RANCHO SANTA FE COMMUNITY SERVICES DISTRICT SECURITY SERVICES LATENT POWER ACTIVATION
4. SALE OF SURPLUS REAL PROPERTY - 20710 ELFIN FOREST ROAD, SAN MARCOS, ASSESSOR'S PARCEL NUMBER 223-082-21 (1/29/2014 - SURPLUS DECLARATION/RESOLUTION OF INTENT TO SELL; 2/26/2014 - BID OPENING) (COUNTY PARCEL NO. 2013-0060-A)  
(4 VOTES)
5. TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS
6. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: IMPACT FEE DEFERRAL PROGRAM EXTENSION (12/4/2013 – FIRST READING; 1/29/2014 – SECOND READING)  
  
(RELATES TO FLOOD AGENDA NO. 2 AND SANITATION AGENDA NO. 2)
7. SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: COMMUNITY SIGNS AND BANNERS IN THE PUBLIC RIGHT-OF-WAY PROGRAM RECOMMENDATIONS; ZONING ORDINANCE AND COUNTY CODE AMENDMENTS (1/8/2014 – FIRST READING; 1/29/2014 - SECOND READING AND ADOPT RECOMMENDATIONS)

**1. SUBJECT: NOTICED PUBLIC HEARING:  
ADOPT RESOLUTIONS AND ORDINANCE FOR  
FORMATION OF COMMUNITY FACILITIES DISTRICT  
NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE)  
AND AUTHORIZING SPECIAL TAX (1/29/2014 - ADOPT  
RESOLUTIONS AND FIRST READING; 2/26/2014 - ADOPT  
RESOLUTION AND SECOND READING) (DISTRICT: 5)**

**OVERVIEW:**

D.R. Horton Los Angeles Holding Company, Inc. (Developer) is in the process of developing Horse Creek Ridge, a 396-acre community located in the northeast quadrant of the SR-76 and I-15 interchange within the unincorporated area of Fallbrook (57<sup>th</sup> Edition Thomas Guide Page 1048, J1 & 1028, H, J 5-7). On May 11, 2011(1), the Board of Supervisors approved a Tentative Map for Campus Park (VTM 5338 RPL-7), now known as Horse Creek Ridge. This is a master planned community consisting of 521 single family residential homes and 230 condominium units. In addition, the project is proposed to include a regional sports park complex, equestrian staging area, regional public trails, open space areas and two large detention basins.

On December 4, 2013 (5), the Board of Supervisors adopted a Resolution of Intention to Form Community Facilities District No. 2013-01, to fund needed community services. The purpose of the special tax is to pay directly for ongoing operation and maintenance of the regional sports park complex, staging area and park trails, onsite and offsite open space, and detention basins within the Community Facilities District. The special tax will also fund fire protection services provided by the North County Fire Protection District to the Horse Creek Ridge community. The special tax will include an annual index to offset increases in operations or maintenance and services costs and will fund on-going administration costs of the Community Facilities District.

This is a request adopt Resolutions to: 1) approve the Clerk of the Board to execute two Joint Community Facilities Agreements, the first between the County and the North County Fire Protection District and the other between the County and the San Diego County Flood Control District; 2) establish Community Facilities District No. 2013-01, Horse Creek Ridge Maintenance; 3) call a special election; 4) declare results of the special election and direct the recording of a notice of special tax lien; and adopt an Ordinance authorizing the levy of a special tax.

**FISCAL IMPACT:**

All County and consultant costs incurred for establishing this Community Facilities District, cost of maintenance of facilities and services, and ongoing administration of the Community Facilities District will be paid through special voter approved taxes. The Developer has delivered an initial deposit for all County and consultant costs to be incurred in the evaluation and formation of this Community Facilities District. Once the development is completed and infrastructure is in place, the special taxes will cover operation and maintenance for fire services provided by the North County Fire Protection District, local park

facilities, trails and open space maintained by Department of Parks and Recreation, and water quality devices maintained by the San Diego County Flood Control District. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Upon close of the hearing on January 29, 2014, action as the Board of Supervisors for the County:

1. Find that the Environmental Impact Report (EIR) for the Horse Creek Ridge Project, dated May 11, 2011, SCH No. 2005011092, on file with the Department of Planning and Development Services has been completed in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, the Board has reviewed and considered the information contained therein prior to approving the project, that the EIR reflects the independent judgment and analysis of the Board; and

Find that the currently proposed actions are within the scope of the EIR; that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously certified EIR, or a substantial increase in the severity or previously identified significant effects, and that no new information of substantial importance has become available since said EIR was prepared.

2. Adopt the Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE EXECUTION AND DELIVERY OF SEPARATE JOINT COMMUNITY FACILITIES AGREEMENTS WITH NORTH COUNTY FIRE PROTECTION DISTRICT AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT IN CONNECTION WITH COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AND OTHER MATTERS RELATED THERETO.
3. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ESTABLISHING COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE), AND PROVIDING FOR THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE THE PROVISION OF CERTAIN PUBLIC SERVICES.

4. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING SPECIAL MAILED-BALLOT ELECTION WITHIN COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE).
5. Approve introduction (first reading), read title and waive further reading of the Ordinance entitled: AN ORDINANCE OF THE COUNTY OF SAN DIEGO LEVYING A SPECIAL TAX FOR FISCAL YEAR 2014-2015 AND FOLLOWING FISCAL YEARS WITHIN THE COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE).

If on January 29, 2014, the Board takes the recommended action [Items 1-5] and the Clerk of the Board certifies the election results support imposition of a special tax (Attachment I), then on February 26, 2014, acting as the Board of Supervisors for the County:

1. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING RESULTS OF SPECIAL MAILED-BALLOT ELECTION WITHIN COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE).
2. Consider and adopt an Ordinance entitled: AN ORDINANCE OF THE COUNTY OF SAN DIEGO LEVYING A SPECIAL TAX FOR FISCAL YEAR 2014-2015 AND FOLLOWING FISCAL YEARS WITHIN THE COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE).

(Relates to Flood Agenda No. 1)

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting the following:

Resolution No. 14-010, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO APPROVING THE EXECUTION AND DELIVERY OF SEPARATE JOINT COMMUNITY FACILITIES AGREEMENTS WITH NORTH COUNTY FIRE PROTECTION DISTRICT AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT IN CONNECTION WITH COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AND OTHER MATTERS RELATED THERETO;

Resolution No. 14-011, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ESTABLISHING COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE), AND PROVIDING FOR THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE THE PROVISION OF CERTAIN PUBLIC SERVICES;

Resolution No. 14-012, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING SPECIAL MAILED-BALLOT ELECTION WITHIN COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE);

and introducing the Ordinance for Board further consideration and adoption on February 26, 2014.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**2. SUBJECT: DEPARTMENT OF PARKS AND RECREATION PROPOSES NAMING OF PARK AMENITIES BOARD POLICY (DISTRICTS: ALL)**

**OVERVIEW:**

On October 25, 2011 (11), the Board of Supervisors accepted “The County of San Diego Department of Parks and Recreation Cost Recovery, Resource Allocation, and Revenue Enhancement Plan”. The Department of Parks and Recreation (DPR) returned to the Board on December 5, 2012 (5), to present a status report on the first year implementation and an action plan for the future. One of the action plan strategies was to develop a naming rights policy and a list of potential park and facility amenities to consider for naming rights. Today’s item supports DPR’s long term goal of continuing to offer high quality parks and recreation services to our residents and visitors by diversifying its funding resources.

In order to set forth criteria and parameters to guide naming right opportunities for amenities within DPR park and recreation facilities, today’s requested actions are to amend Board of Supervisors Policy F-46, Authority to Name County Buildings and Facilities and adopt Board of Supervisors Policy F-52, Naming of County Parks and Recreation Amenities. The approval of proposed Board Policy F-52, will authorize the Director, Department of Parks and Recreation, to approve park amenity naming right opportunities that are for a term of 5 years or less or that will result in \$15,000 or less in total revenue for the duration of the naming term.

**FISCAL IMPACT:**

There is no fiscal impact associated with today’s requested action to amend Board of Supervisors Policy F-46, Authority to Name County Buildings and Facilities and adopt Board of Supervisors Policy F-52, Naming of County Parks and Recreation Amenities. Funds received related to Naming Rights will be deposited into the Department of Parks and Recreation trust fund for future capital or major

maintenance projects. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not a project under the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines Section 15060(c)(3).
2. Amend Board of Supervisors Policy F-46, Authority to Name County Buildings and Facilities. (Attachment B)
3. Adopt Board of Supervisors Policy F-52, Naming of County Parks and Recreation Amenities. (Attachment C)

**ACTION:**

ON MOTION of Supervisor D. Roberts, seconded by Supervisor R. Roberts, the Board took action as recommended and directed the Chief Administrative Officer to include provisions allowing naming sponsors the discretion of specifying whether funds are used in a specific park or placed in a single department trust fund, and to report back to the Board in one year on program progress.

AYES: Cox, Jacob, D. Roberts, R. Roberts

NOES: Horn

3. **SUBJECT: PROPERTY TAX EXCHANGE FOR JURISDICTIONAL CHANGES – RANCHO SANTA FE COMMUNITY SERVICES DISTRICT SECURITY SERVICES LATENT POWER ACTIVATION (DISTRICT: 5)**

**OVERVIEW:**

Section 99 of the Revenue and Taxation Code requires that the Board of Supervisors approve a resolution of property tax exchange before the Local Agency Formation Commission (LAFCO) can consider any proposals for changes in organization.

Today's action will authorize the adoption of a resolution regarding the activation of the Rancho Santa Fe Community Services District (CSD) latent powers for security services. Due to changes in Governmental Code Section 56021, an activation of latent powers is considered a jurisdictional change and therefore a property tax exchange resolution is required even though property taxes will not be affected.

The Rancho Santa Fe CSD intends to create local assessment areas where participating landowners can pool resources to finance a contract with a private

security patrol. The proposed latent power activation would be limited to a smaller-than-District area (approximately 6,700 acres) that corresponds with the boundaries of the Rancho Santa Fe Covenant and the CSD Landscape Maintenance Improvement District No. 1 (Thomas Guide Pages 1148 & 1168).

**FISCAL IMPACT:**

There is no fiscal impact associated with the approval of today's recommendation. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Resolution entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-013, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

4. **SUBJECT: SALE OF SURPLUS REAL PROPERTY - 20710 ELFIN FOREST ROAD, SAN MARCOS; ASSESSOR'S PARCEL NUMBER 223-082-21 (1/29/2014 - SURPLUS DECLARATION/RESOLUTION OF INTENT TO SELL; 2/26/2014 - BID OPENING) (COUNTY PARCEL NO. 2013-0060-A) (DISTRICT: 5)**

**OVERVIEW:**

The County of San Diego owns 1.82 acres of land improved with a single family residential home located at 20710 Elfin Forest Road in San Marcos. The property is identified as County Parcel Number 2013-0060-A and was acquired in 1992 due to its close proximity to the San Marcos Landfill, which closed in 1997. The property was one of three parcels purchased to fulfill the mitigation requirements of the Environmental Impact Report (EIR) for the San Marcos Landfill expansion. The County purchased the properties for mitigation as a part of that project.

The residential home has been leased to private individuals for the past 22 years. The landfill was closed in 1997, and all remediation activities for the landfill have now taken place. Therefore the property is now considered to be surplus to the County's needs.

Today's request requires two steps. On January 29, 2014, the Board will consider 1) declaring the property surplus to County needs, 2) directing the Clerk of the

Board to advertise the County's intent to sell the property, and 3) adopting a Resolution declaring its intention to sell the property. If the Board of Supervisors takes the actions recommended on January 29, 2014, then on February 26, 2014, after making necessary environmental findings, the Board is requested to conduct a bid opening and approve the sale of the property to the highest bidder. The minimum bid for County Parcel 2013-0060-A is \$711,000.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2013-14 Operational Plan for the Department of Public Works Solid Waste Environmental Trust Fund. If approved, sale of the property will result in total revenue of at least \$711,000 (the minimum bid) for the sale of County Parcel 2013-0060-A. The revenue will be deposited to the Department of Public Works Solid Waste Environmental Trust Fund. Transaction costs for the Department of General Services – Real Estate Services Division are estimated to be \$25,000. The transaction costs will be reimbursed by the above respective fund. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

If this sale is completed, the sale of the Elfin Forest Road property may generate minor business activity from the renovation of the existing residence and long-term use as a single family residence.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

On January 29, 2014,

1. Find that the proposed actions are exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15312 of the CEQA Guidelines as the first step in the sale of surplus government property.
2. Declare County Parcel 2013-0060-A surplus to County needs.
3. Direct the Clerk of the Board to advertise the Notice of Intention to Sell County Parcel 2013-0060-A in accordance with Government Code Section 6063.
4. Approve and adopt the attached Resolution entitled: RESOLUTION OF INTENTION TO SELL REAL PROPERTY AND NOTICE INVITING BIDS.  
**(4 VOTES)**

If the Board takes the actions recommended in Items 1-4 above on January 29, 2014, then on February 26, 2014:

1. Find, in accordance with Section 15312 of the CEQA Guidelines, that the sale of County Parcel 2013-0060-A is categorically exempt from the provisions of CEQA Guidelines as it is a sale of surplus government property.
2. Conduct the bid opening and approve the sale of County Parcel 2013-0060-A to the highest bidder.

3. Authorize the Director, Department of General Services, to perform all necessary actions to complete the sale of County Parcel 2013-0060-A, including the execution of the Purchase and Sale Agreement, escrow instructions and a Grant Deed.
4. Authorize the Auditor and Controller to deposit all proceeds resulting from the sale of County Parcel 2013-0060-A, into the Department of Public Works Solid Waste Environmental Trust Fund.

**ACTION:**

Setting the bid opening date to be February 26, 2014, ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-014, entitled: RESOLUTION OF INTENTION TO SELL REAL PROPERTY AND NOTICE INVITING BIDS.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

**5. SUBJECT: TRAFFIC ADVISORY COMMITTEE  
RECOMMENDATIONS (DISTRICTS: 1, 2 & 3)**

**OVERVIEW:**

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Five items were on the Committee's November 1, 2013 meeting agenda. The Committee recommends your action on all five items.

**FISCAL IMPACT:**

Funds for this proposal are included in the Department of Public Works Road Fund Fiscal Year 2013-14 Operational Plan. If approved, there will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**TRAFFIC ADVISORY COMMITTEE**

*District 1*

- 1-A. Corral Canyon Road from the Chula Vista City Limit northerly to Central Avenue (57<sup>th</sup> Edition Thomas Guide Page 1311, C-3) Bonita -- Direct the existing 35 MPH speed limit be recertified for continued radar speed enforcement.

*District 2*

- 2-A. Dehesa Road and Sycuan Road (57<sup>th</sup> Edition Thomas Guide Page 1253, C-5) Dehesa -- Place intersection on the County's Traffic Signal Priority List.

- 2-B. Wildcat Canyon Road from the southerly limits of the Barona Indian Reservation northerly to San Vicente Road (57<sup>th</sup> Edition Thomas Guide Page 1212, G-1) Lakeside/ Ramona -- Direct the extension of radar speed enforcement for an additional three years.
- 2-C. Olde Highway 80 from Lake Jennings Park Road easterly to Dunbar Lane (57<sup>th</sup> Edition Thomas Guide Page 1311, C-3) Flinn Springs -- Direct the existing 50 MPH speed limit be recertified for continued radar speed enforcement.

*District 3*

- 3-A. Bear Valley Parkway from State Route 78 southerly to southernmost Escondido City Limit (57<sup>th</sup> Edition Thomas Guide Page 1130, C-7) Escondido -- Direct the existing 50 MPH speed limit be recertified for continued radar speed enforcement.

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the state CEQA Guidelines.
2. Adopt the Traffic Advisory Committee's recommendations.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

6. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCE: IMPACT FEE DEFERRAL PROGRAM  
EXTENSION (12/4/2013 – FIRST READING; 1/29/2014 –  
SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW:**

On December 4, 2013 (4), the Board of Supervisors introduced the Ordinance for further consideration and adoption on January 29, 2014.

In 2008, the State of California approved Assembly Bill 2604 which allows local governments to defer impact fees for land development projects as opposed to collecting the fees when the building permit is issued. The intent of the state legislation was to promote economic stimulus in the region by deferring the payment and collection of impact fees.

On December 10, 2008 (14), the Board of Supervisors directed the Chief Administrative Officer to draft ordinance amendments to defer impact fees for residential tracts and commercial building permits until final inspection or certificate of occupancy. The Board directed that the impact fee deferrals include

Transportation Impact Fees, Park Lands Dedication Ordinance Fees, Drainage Fees and Sewer Fees, and a program sunset date. On March 4, 2009 (2), the Board adopted ordinance amendments to authorize, for a two-year period, deferral of certain impact fees in accordance with Assembly Bill 2604. On July 13, 2011 (9), the Board authorized a two-year extension of the Impact Fee Deferral Program.

Today's request is that the Board authorize an additional two-year extension of the Impact Fee Deferral Program.

**FISCAL IMPACT:**

If approved, the Ordinances will result in the continued deferral of applicant payment and County collection of the Transportation Impact Fees, Park Lands Dedication Ordinance Fees, Drainage Fees, and Sanitation District Fees. This deferral will result in a loss of revenue that would otherwise be generated by interest on the fees if they were collected earlier in the process. The previously adopted administration fee of \$170, that ensures full cost recovery for additional staff time to administer the program, will remain unchanged. This administration fee will be charged for each commercial permit issued and for each grouped phase of homes for tract developments. Administration of the program will be accomplished with existing staff. Based on data from April 2009-October 2013, customers were able to defer approximately \$4.5 million in impact fees, with an average deferral period of 165 days.

**BUSINESS IMPACT STATEMENT:**

Under Assembly Bill 2604, the proposed Impact Fee Deferral Program is designed to provide an economic stimulus for the region through the deferral of payment and collection of impact fees. The Building Industry Association (BIA) supports the extension of the impact fee deferral concept as a means to continue to stimulate development, job growth and the local economy.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinance entitled:

AN ORDINANCE AMENDING THE COUNTY CODE AND  
THE UNIFORM SEWER ORDINANCE RELATED TO THE  
DEFERRAL OF DEVELOPMENT IMPACT FEES.

(Relates to Flood Agenda No. 2 and Sanitation Agenda No. 2)

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10321 (N.S.), entitled: AN ORDINANCE AMENDING THE COUNTY CODE AND THE UNIFORM SEWER ORDINANCE RELATED TO THE DEFERRAL OF DEVELOPMENT IMPACT FEES.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

7. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: COMMUNITY SIGNS AND BANNERS IN THE PUBLIC RIGHT-OF-WAY PROGRAM RECOMMENDATIONS; ZONING ORDINANCE AND COUNTY CODE AMENDMENTS (1/8/2014 - FIRST READING; 1/29/2014 - SECOND READING AND ADOPT RECOMMENDATIONS) (DISTRICTS: ALL)**

**OVERVIEW:**

On January 8, 2014 (1), the Board of Supervisors introduced the Ordinances for further consideration and adoption on January 29, 2014.

The purpose of this item is to provide the Board of Supervisors with the information necessary to approve a program to allow Community Signs and Banners in the Public Right-of-Way along with Ordinance and Code Amendments, Program Guidelines, and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA).

Several communities expressed a desire to the Board of Supervisors to create and place signage in the County right-of-way. These signs identify and distinguish communities to visitors and neighbors, and establish a greater sense of place and community character. Signs could also provide information to visitors about points of interest, commercial districts, and community events, without sacrificing road safety.

In response, on October 31, 2012 (9), the Board of Supervisors directed the Department of Public Works to initiate outreach with Community Planning and Sponsor Groups, civic groups and external stakeholders in developing technical guidelines and amending relevant ordinances to allow the permitting and installation of certain signs and banners in the public right-of-way and return in one year for program consideration.

Presently, Board Policy J-5, Signage in County Road Rights of Way, does not allow community-oriented signs in the public right-of-way. This program proposes a repeal of Board Policy J-5 and introduces amendments to the Zoning Ordinance and to the County Code that establish new and amended definitions, procedures, and standards for the review and permitting of Community Identification Signs, Community Information Signs (for community event information), Neighborhood and Business Watch Signs, Directional Wayfinding Signs, Temporary Community Event Street-Spanning Banners and Temporary Vertical Pole-Mounted Banners in the public right-of-way.

This action requires two steps. On January 8, 2014, the Board will consider the recommended actions and introduce the Ordinances. If on January 8, 2014, the Board takes the recommended actions, then, on January 29, 2014, the Board will consider and adopt the Ordinances (second reading).

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2013-14 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in a \$8,000 deposit for each site plan review and a \$125 fee for each community sign or banner application review as part of the existing site plan permit and encroachment permit review process since there currently isn't a Signs and Banner Site Plan review deposit in place. However, the Site Plan Deposit will be reduced, under authority from the Department of Planning & Development Services by \$5,000 for simple applications. Staff will track their time to determine the most appropriate deposit for a specific deposit related to Signs and Banners Site Plan reviews for consideration in future fee packages. This will offset staff cost pursuant to Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

Several communities expressed a desire to the Board of Supervisors to create and place signage in the County right-of-way. These signs identify and distinguish communities to visitors and neighbors, and establish a greater sense of place and community character. Without sacrificing road safety, signs could also provide information to visitors about points of interest, commercial districts, and community events. Economic development was at the core of these requests to direct tourists to local shops and businesses.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Negative Declaration for the Signs and Banners in Right-of-Way – Zoning Ordinance and County Code Amendments, on file with the Department of Public Works dated October 25, 2013, State Clearinghouse No. 2013071003, was prepared in compliance with the California Environmental Quality Act (CEQA), considered the information therein, together with comments received during public review, and adopt it, finding that it reflects the independent judgment and analysis of the Board of Supervisors (Attachment E).
2. Adopt the following ordinances:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO DEFINITIONS, OFF-PREMISE SIGNS, SPECIAL PURPOSE OFF-PREMISE SIGNS, SIGN PERMIT ISSUANCE OR DENIAL AND OTHER MISCELLANEOUS TOPICS (Attachment A).

AN ORDINANCE AMENDING SECTIONS OF THE SAN DIEGO COUNTY CODE RELATING TO SIGNS, MARQUEES OR AWNINGS OVERHANGING ROAD RIGHTS OF WAY, BANNERS ANNOUNCING NONPROFIT EVENTS, REVOCATION OR SUSPENSION OF PERMITS AND OTHER MISCELLANEOUS TOPICS (Attachment B).

3. Following adoption of the ordinances, Repeal Board Policy J-5 titled:

SIGNAGE IN COUNTY ROAD RIGHTS OF WAY (Attachment C).

4. Following adoption of the ordinances, approve the program guidelines document titled:

SAN DIEGO COUNTY COMMUNITY SIGNS AND BANNERS  
IN THE PUBLIC RIGHT-OF-WAY PROGRAM GUIDELINES  
(Attachment D).

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Ordinance 10322 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO DEFINITIONS, OFF-PREMISE SIGNS, SPECIAL PURPOSE OFF-PREMISE SIGNS, SIGN PERMIT ISSUANCE OR DENIAL AND OTHER MISCELLANEOUS TOPICS; and adopting Ordinance No. 10323 (N.S.), entitled: AN ORDINANCE AMENDING SECTIONS OF THE SAN DIEGO COUNTY CODE RELATING TO SIGNS, MARQUEES OR AWNINGS OVERHANGING ROAD RIGHTS OF WAY, BANNERS ANNOUNCING NONPROFIT EVENTS, REVOCATION OR SUSPENSION OF PERMITS AND OTHER MISCELLANEOUS TOPICS.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

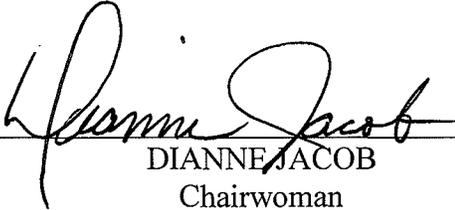
There being no further business, the Board adjourned at 2:38 p.m.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
County of San Diego, State of California

Consent: Miller  
Discussion: Panfil

NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Wednesday, February 26, 2014.

  
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DIANNE JACOB  
Chairwoman

Attest:

  
\_\_\_\_\_  
THOMAS J. PASTUSZKA  
Clerk of the Board

01/29/14