

**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

**Subject**     Role of County Counsel In Land Use Matters

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Number**

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**Background**

Attorneys from the Office of County Counsel participate in providing legal services and advice to County boards, commissions, officers and employees in a wide range of land use matters.

**Purpose**

It is the purpose of this Policy to define the role to be performed by attorneys of the County Counsel's Office in land use matters.

**Policy**

The County Counsel and his or her deputies are charged with performing fair and impartial analyses to assist decision making bodies in implementing the applicable laws, ordinances, and regulations. They are not partisans or advocates for a particular side of a land use issue, but rather are interested in providing objective accurate advice on the issue. They are charged with interpreting Federal, State and particularly County laws and presenting to the decision making bodies advice within their respective areas of professional responsibility and competence, which in their professional judgment will provide the best legal advice to the decision making body. They shall act at all times relating to the hearing process in an advisory rather than a prosecutorial or adversarial capacity, and in a neutral manner at all levels of the decision making process that provides the decision making body with professional and impartial advice and recommendations regardless of what other decisions may have been made at lower levels.

Sunset Date

12/31/17

Board Action

6/22/05 (21)

12/09/08 (33)

11/10/10 (7)

CAO Reference

1. Department of Environmental Health
2. County Counsel