



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER-PRICE
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: October 20, 2010

##

TO: Board of Supervisors

SUBJECT: COMPREHENSIVE UPDATE OF THE GENERAL PLAN; CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT; AN ORDINANCE CHANGING ZONING CLASSIFICATION OF CERTAIN PROPERTY; AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATED TO CONSERVATION SUBDIVISIONS; AND AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE, RESOURCE PROTECTION ORDINANCE, AND GROUNDWATER ORDINANCE RELATED TO THE GENERAL PLAN UPDATE (DISTRICT: ALL)

SUMMARY:

Overview

The General Plan Update consists of a comprehensive amendment to the County's land use policies for unincorporated lands necessitated by population growth, changes in law and regulations governing land use, and various challenges to the current plan that have occurred over the years. The Plan before you today is a product of a significant stakeholder process with over 500 public meetings. The update balances divergent interests and provides diverse benefits. It also provides an opportunity to incorporate new information and lessons learned since the 1970s when the existing General Plan was written.

The San Diego Association of Governments predicts that by 2050, the San Diego County region will grow by 1.2 million people. The County's General Plan Update plans for this future growth, accommodating over 200,000 people, increasing the population of the unincorporated area by over 41%.

Smart growth is a key concept in the General Plan Update so that new homes are developed in existing communities and in a compact footprint to avoid sprawl, keep homes out of hazardous wildfire areas, retain separation between communities, minimize infrastructure needs, reduce public safety costs, and lessen environmental impacts.

Today's action recommends that the Board of Supervisors adopt the comprehensive update of the County's General Plan, referred to as the General Plan Update, which includes the following components: Regional Elements, Land Use Map, Mobility Element road network, community and subregional plan updates, Implementation Plan, Conservation Subdivision Program, amendments to the Zoning, Subdivision,

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Groundwater and Resource Protection Ordinances, and certification of the Final Environmental Impact Report.

The Chief Administrative Officer's recommendations regarding the General Plan Update are consistent with the Planning Commission recommendations with the exception that the Planning Commission also recommends a Transfer of Development Rights Program, which is not recommended by staff.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Certify that the Final Environmental Impact Report (EIR) prepared for the General Plan Update has been completed in compliance with the California Environmental Quality Act (CEQA); that the Board of Supervisors has reviewed and considered the information contained in the final EIR; and that it reflects the Board of Supervisors' independent judgment and analysis (Attachment E).
2. Adopt the CEQA findings for this project, (CEQA Guidelines Section 15091) for the reasons stated therein and discussed in this report (Attachment F-1).
3. Adopt the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA Guidelines Section 15097 (Attachment F-5).
4. Adopt the Statement of Overriding Considerations (CEQA Guidelines Section 15093) (Attachment F-2).
5. Find that the comprehensive update of the General Plan is in compliance with the California Government Code.
6. Approve the Implementation Plan dated October 2010 (Attachment C) and direct the Chief Administrative Officer to implement the mitigation measures identified in it.
7. Adopt the Resolution (Attachment A) approving the County General Plan Update. This comprehensive update includes:
 - General Plan Update Text including the Land Use, Mobility, Conservation and Open Space, Housing, Safety and Noise Elements and General Plan Update Maps dated October 2010, including the Land Use Map and Mobility Element Network Maps (Attachment B-1);
 - Community and Subregional Plans dated October 2010 (Attachment B-2); and

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- Housing Element Background Report dated October 2010 (Attachment B-3)
8. Take the following actions for Assessor Parcel Numbers 484-184-24-00 and 484-184-25-00, subject to approval of the Detachment by the Local Agency Formation Commission Board:
 - Include these parcels within the Lakeside Community Planning Area;
 - Apply General Plan designation of Village Residential 15; and
 - Apply a Variable Family Use Regulation Zone (RV) with a 6,000 square foot minimum lot size and a “B” special area designator.
 9. Adopt the attached Forms of Ordinance (Attachment D):
 - AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE GENERAL PLAN UPDATE (Attachment D-1)
 - AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO CONSERVATION SUBDIVISIONS AND THE GENERAL PLAN UPDATE (Attachment D-2)
 10. Approve the introduction of an Ordinance amending the San Diego County Subdivision Ordinance, the Resource Protection Ordinance, and the Groundwater Ordinance, read title and waive further reading of the Ordinance.

AN ORDINANCE AMENDING TITLE 8, DIVISION 1, CHAPTERS 1, 4, 6, 7 AND 8 OF THE SAN DIEGO COUNTY CODE RELATING TO THE SUBDIVISION OF LAND; TITLE 8, DIVISION 6, CHAPTER 6 OF THE SAN DIEGO COUNTY CODE RELATING TO RESOURCE PROTECTION AND TITLE 6, DIVISION 7, CHAPTER 7 OF THE SAN DIEGO COUNTY CODE RELATING TO GROUNDWATER (Attachment D-3).
 11. Submit the Ordinance for further Board consideration and adoption on November 10, 2010 (Attachment D-3).
 12. Direct staff to annually prepare a report that tracks the progress in implementing the General Plan and to establish a goal of bringing forward to the Board of Supervisors a General Plan “clean up” every two years (see Fact Sheet 13 in Attachment H-5)
 13. Consider the concept Transfer of Development Rights program (Attachment G) recommended by the Planning Commission and reject it because it is not required by law and undermines the legal authority of the County of San Diego to freely

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reclassify property when the public good requires.

Fiscal Impact

If the recommendations are approved by the Board, implementation of the General Plan Update will be supported by existing staff resources and programs. Funding for the existing programs is included in the Fiscal Year 2010-2011 Adopted Operational Plan. If future activities related to implementation of the General Plan Update require additional resources, such needs will be addressed in future year budgets.

Business Impact Statement

The General Plan Update considers economic development and provides opportunities for future jobs and business development commensurate with its forecasted growth. The General Plan Update provides development opportunities to businesses by planning for commercial development near existing businesses, transportation hubs and walkable residential areas and ensuring that sufficient, safe and appropriately located circulation routes are available for residential, commercial, and industrial development as well as related public services. Economic conditions for businesses will be enhanced through the synergies that result from new development in and around business districts and revitalization of community centers.

Advisory Board Statement

On February 28, 2009, the General Plan Update Steering Committee supported the Draft General Plan, with the exception of recent revisions (note: the Draft General Plan has not been substantially revised since this motion was made). A copy of the minutes from this Steering Committee meeting are available at:

http://www.sdcounty.ca.gov/dplu/gpupdate/docs/scminutes_022809.pdf

The General Plan Update Interest Group did not take an official position on the Draft General Plan; however, minutes from their meetings are available at:

<http://www.sdcounty.ca.gov/dplu/gpupdate/igmins.html>

BACKGROUND:

The County of San Diego's General Plan Update presents both long- and short-term, big-picture planning strategies for the unincorporated area of San Diego County. General plans serve as a vision and guide for community development and identify where residential, commercial, industrial and recreational/open space development are best suited to occur, considering economic, environmental and logistical factors.

The General Plan Update offers a pragmatic approach to planning, balancing the need for development and accommodating future population growth with the need for preserving the environment, natural resources and existing community character. Through use of modern planning theory, it directs growth to existing communities and concentrates it to avoid urban

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sprawl, preserve separation between communities and minimize land consumption. The General Plan Update would improve the current General Plan by balancing growth with the need to control traffic congestion, protect the environment and ease the strain on essential services such as water supplies and fire protection. This will be accomplished, in part, by shifting 20% of future growth to western unincorporated communities with established infrastructure such as roads. The General Plan Update would reduce the growth that the current General Plan would allow by 15%.

In recent years, the State Legislature has passed a number of laws impacting general plans, such as laws curbing development in rural areas, ensuring adequate fire protection and public safety in the wildland urban interface and reducing vehicle miles traveled and greenhouse gas emissions. The County is faced with the challenge of complying with State law and regulation while also meeting the region's existing and future needs for housing, commercial and residential development; preserving the environment; and ensuring that adequate services such as schools, medical facilities and public safety are provided. These conflicting demands present a challenge, especially in the eastern portions of the unincorporated area, which lacks extensive existing infrastructure. The General Plan Update is the County's opportunity to offer a balanced solution to complying with legal requirements and providing what is needed and desired in the community.

The General Plan Update also provides an opportunity for the County to modernize its planning method—using the latest information technologies and innovation in land use planning such as Geographic Information Systems (GIS), which includes access to aerial photography and property specific data and spatial modeling of key issues such as fire service response and groundwater drawdown.

The General Plan Update is the product of public involvement, accomplished with over 500 public meetings, direction from two appointed stakeholder groups representing over 40 groups and organizations, and additional input from countless organizations and individuals. It offers a plan for the unincorporated area that places development where an appropriate balance is achieved and where development can add the most value. This is achieved by planning for growth near existing infrastructure and services, ensuring development fits with the existing character of a community, and focusing development in existing villages while preserving open space between communities. The history of the planning process for the project is well documented in advisory group minutes, Planning Commission reports and Board of Supervisors reports. These documents are all available on the project web site: <http://www.sdcounty.ca.gov/dplu/gpupdate/>. A summary of those documents is provided in Attachment H-6.

KEY CONCEPTS

Significance of the General Plan

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State law requires each city and county to prepare and adopt a comprehensive and long-range general plan for its physical development. The General Plan provides a consistent framework for land use and development decisions consistent with an established community vision. As the equivalent of a local “constitution” for land use and development, the General Plan’s diagrams, goals, and policies form the basis for the County’s zoning, subdivision, and infrastructure decisions. Without a General Plan local development and future growth could be halted by legal challenges or by the State.

Need to amend the General Plan

This General Plan Update is the first comprehensive update of the General Plan since 1978. Planning principles and theories have changed greatly over the past decades. In years past, approaches to planning and development were more of a one-size-fits-all method. Like many industries, technological advancements have changed planning business practices. More detailed and defined information about land is available through tools such as GIS, including topography, slope, and soil conditions, enabling more informed and scientific land use planning. As discussed above, laws and regulations have also changed drastically over recent years where the State Legislature has passed numerous bills containing a myriad of new requirements in general plan documents. As a result, the County of San Diego’s General Plan and local implementing ordinances need to be updated to be consistent with what is required by state laws and regulations.

The General Plan Update not only provides an opportunity to significantly retool the overarching plan to be consistent with the various state laws and new planning requirements, it also looks into the future to plan for accommodating future development and growth. The San Diego Association of Governments (SANDAG) predicts that by 2050, the region is going to grow by 1.2 million people (a 40% increase), mostly resulting from an expansion of the existing local population. Based on SANDAG’s forecasting models, the growth demand in the unincorporated area is anticipated to be over 200,000 people by 2050, resulting in an over 41% increase in population for the unincorporated area. The County of San Diego’s General Plan Update provides a plan to accommodate the forecasted need for housing in the unincorporated area and, according to SANDAG, it exceeds the projection by 25%.

Incorporating Smart Growth Principles

“Smart growth” is a modern planning theory that concentrates growth in planned areas to avoid urban sprawl and fosters transit-oriented, walkable communities that incorporate housing with mixed-use development. The goal of this planning method is to achieve a unique sense of place while creating a sustainable community that balances the benefits of development while preserving and enhancing natural and cultural resources and promoting public health. For example, the General Plan Update will reduce the amount of new road construction by 780 lane miles and, with the Update, 120 less lane miles will operate at a deficient level of service (LOS E

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or F). Additionally, the General Plan Update will result in a reduction of at least 3 million daily vehicle miles traveled compared to the existing plan. This reduction equates to a reduction of 550,000 metric tons of CO₂ emissions per year.

Smart growth is not a theory that is reserved only for urban areas or metropolitan centers. Smart growth in the unincorporated area means examining existing villages and their community character, forecasting future demand for business and housing, ensuring adequate resources such as water, sewer, public safety and fire protection, schools, and roads to accommodate demand, recognizing agricultural land as a resource, planning for environmental preservation of habitat and recreational opportunities, and placing development where an appropriate balance is achieved. By applying smart growth theory and using a balanced approach to planning, the County of San Diego's General Plan Update provides for development in the unincorporated area where it will add the most value, fit with existing community character, and enhance the quality of life for the residents and the region.

Recognizing Realistic Densities

The unincorporated area of the San Diego region is characterized by rural villages and communities. Extensive infrastructure and services that exist in more urban areas, such as water and sewer systems, streets/roads, schools and medical facilities, are sparse in the unincorporated area outside of the County Water Authority boundary. A lack of existing infrastructure in these areas presents a challenge for pursuing development in remote areas. Development projects can become very costly if prior to developing it is necessary to fund adequate infrastructure and services in order to meet the short-term and long-term demands of the growth.

The more rural the community and the less infrastructure and existing services, the more expensive a project can become. Even if all necessary infrastructure investments are made up front when the project is developed, ongoing costs for future services and maintenance to infrastructure can still remain a challenge. Future and ongoing property tax revenues generated by the development are often not enough to cover the cost of providing necessary maintenance to infrastructure and public services. Therefore, developing in the unincorporated area can be a more costly option for developers, businesses, and taxpayers. Sales tax revenues, property taxes from commercial and industrial lands, and other revenue sources such as users' fees when appropriate, are typically necessary to supplement residential property tax revenues to make any community fiscally whole.

The General Plan Update recognizes the most realistic densities that account for the physical capacities of the land, the limitations of existing and planned infrastructure and the unique characteristics of individual communities. It does this while planning for growth in the appropriate places in the unincorporated area (including Smart Growth Opportunity Areas identified in the SANDAG Regional Comprehensive Plan) that are nearest to existing

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infrastructure and services and where funding for ongoing maintenance and services can be most appropriately achieved.

Benefits of General Plan Update

The General Plan Update's balanced approach presents benefit opportunities to diverse interests—from the business community to the taxpayer and from public safety to the environment.

- *Public safety benefits*— The General Plan Update will locate more homes closer to existing fire stations and in lower fire threat areas while also significantly reducing the amount of future wildland interface. Much of the unincorporated area of the county is considered to be in the wildland urban interface and, as a result, ensuring public safety in high fire hazard areas is of the utmost importance. The General Plan Update considers many fire science factors such as topography, fire history, slope and wind conditions, as well as proximity to fire stations, fire response times and road access when determining the most appropriate areas to place development in the unincorporated area. The General Plan Update also considers adequacy of services such as fire personnel, sheriff deputies and emergency medical services when determining where to best plan for growth and development in the unincorporated area.
- *Taxpayer benefits*—Good land use planning saves taxpayers money. By placing development in areas closest to existing communities and developed infrastructure, taxpayer dollars can be spent more efficiently. Other taxpayer expenses can also be limited such as those relating to fighting wildfires and rebuilding communities impacted by fires, or future taxpayer burdens that result from aging infrastructure when road and water/wastewater treatment plants require replacement. Good land use planning can also directly affect the taxpayer's pocket book. Recent Vision California studies (funded by the California High Speed Rail Authority and California Strategic Growth Council) have found that implementing smart growth principles in land use planning can save a single household over \$6,400 in fuel and utility costs a year. Other benefits modeled included reduced public infrastructure costs by 50% and reduced land consumption by 67%. Specifically, the General Plan Update will reduce the amount of new road construction by 780 lane miles.
- *Regional housing benefits*—The General Plan Update adequately plans for population growth and meeting the housing needs in the region by (1) creating higher density housing opportunities in areas supported by infrastructure adjacent to commercial and employment areas to facilitate development of compact walkable communities; (2) revising regulations, decoupling lot size and density, to allow more flexibility in development to recognize and reinforce existing patterns of semi-rural development that respond and respect the unique physical characteristics of the land; and (3) establishing or reinforcing rural villages so that they can better support outlying rural areas where the physical and fiscal constraints of providing additional infrastructure restrict further development. According to SANDAG, the

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General Plan Update presents a plan to accommodate 204,506 additional people in the unincorporated area, increasing the population of the unincorporated area by more than 41% over 2008 population levels of 489,958. This will be accomplished by a 33.6% increase in housing stock, an addition of 56,008 homes to the 166,882 homes already in the unincorporated area.

- *Public agency planning benefits*—The General Plan Update provides a realistic vision for future growth of the unincorporated area consistent with SANDAG’s Regional Comprehensive Plan and Smart Growth Concepts. Consistency and clarity in the County’s General Plan is important to other public agencies such as cities, water districts and fire districts, as they plan for changes in their services and infrastructure to accommodate the region’s growth.
- *Business community benefits*—The General Plan Update considers economic development and provides opportunities for future jobs and business development commensurate with its forecasted growth. The General Plan Update provides development opportunities to businesses by planning for commercial development near existing businesses, transportation hubs and walkable residential areas. Economic conditions for businesses will be enhanced through the synergies that result from new development in and around business districts and revitalization of community centers.
- *Environmental benefits*—The General Plan Update includes a comprehensive plan concentrating development in villages and preserving open space between communities. This helps to create a sense of “place” for residents, making each community special and distinct, as opposed to communities that run together resulting in unending sprawl with no unique characteristics. This approach also provides environmental and recreational opportunities. Contiguous sections of open space provide corridors in which wildlife can traverse and natural habitat where indigenous flora and fauna can continue to flourish. The General Plan Update will reduce direct impacts to biological habitats by up to 393,000 acres. Preserved open space has been found to increase property values, which is also of benefit to homeowners. The General Plan Update is beneficial to numerous other environmental resources. For example, by reducing density in groundwater-dependant areas, the General Plan Update will avoid significant impacts to 13 groundwater basins projected to be impacted under the current plan.
- *Benefits to developers*—Through a significant stakeholder process, physical and regulatory constraints and fiscal realities are accounted for and result in achievable planned densities in the General Plan Update. This creates more certainty for developers and provides for a more streamlined and efficient development process. The General Plan Update includes increased flexibility in development regulations to reduce lot sizes and allow for more compact developments that can adapt to site-specific constraints. The General Plan Update also provides a solid planning framework from which the County can work with communities and

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developers to implement other tools to encourage development such as form-based codes, infrastructure planning, and economic development plans.

Community and Stakeholder Inputs

The General Plan Update is a collaborative product resulting from over 500 public meetings and input from a wide spectrum of groups ranging from residents/constituents, community planning and sponsor groups, planning and advocacy groups, professional organizations, environmentalists, agricultural interests, taxpayer advocates, chambers of commerce, the business community, including the building industry and realtor associations, tribal and local governments, water and sewer districts and transit and other transportation agencies. While consensus could not be achieved regarding every aspect of the Plan given the very diverse and sometimes conflicting viewpoints, all comments and perspectives were taken under careful consideration. The result is a General Plan Update that provides a balanced approach to development and planning.

General Plan Update Implementation and Next Steps

If the General Plan Update is approved, County staff will begin working on additional updates to the zoning ordinance, community plans and County policies to fully implement the Board of Supervisors adopted General Plan. Public and stakeholder input will be sought during this implementation phase as regulatory details are developed and the General Plan Update Implementation Plan is followed. In addition, County staff plans to annually prepare a report on the progress in implementing the General Plan and have a goal of bringing forward a General Plan “clean up” every two years. Both of these activities will also provide opportunity for public and stakeholder input as the General Plan evolves, state laws change and new tools and technologies emerge.

Environmental Statement

A Program Environmental Impact Report (EIR) has been prepared pursuant to the California Environmental Quality Act (CEQA) for the General Plan Update and this component. A Notice of Preparation (NOP) soliciting input on the scope of the EIR was first issued in 2002 and again in 2008. The Draft EIR was made available for public review in 2009. Staff has prepared responses to comments received during public review. The NOPs, EIR, comments and responses can be viewed on the project website and all are attachments to this report.

Linkage to the County of San Diego Strategic Plan

The General Plan Update is consistent with the County’s Strategic Initiatives for Kids, the Environment, and Safe and Livable Communities by implementing goals and policies for the physical development of the unincorporated county that attempt to improve housing affordability, locate growth near infrastructure, services and jobs, assign densities based on characteristics of the land (e.g. topography, habitats, and groundwater resources), and create a model for community development.

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Respectfully submitted,

CHANDRA L. WALLAR
Deputy Chief Administrative Officer

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ATTACHMENT(S)

Attachment A – A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS CONCERNING THE COMPREHENSIVE UPDATE OF THE COUNTY GENERAL PLAN

Attachment B – Proposed General Plan Update

- 1) General Plan Document
- 2) Community and Subregional Plans
- 3) Housing Element Background Report

Attachment C – Implementation Plan

Attachment D – Form of Ordinances:

- 1) AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE GENERAL PLAN UPDATE
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- 3) AN ORDINANCE AMENDING TITLE 8, DIVISION 1, CHAPTERS 1, 4, 6, 7 AND 8 OF THE SAN DIEGO COUNTY CODE RELATING TO THE SUBDIVISION OF LAND; TITLE 8, DIVISION 6, CHAPTER 6 OF THE SAN DIEGO COUNTY CODE RELATING TO RESOURCE PROTECTION AND TITLE 6, DIVISION 7, CHAPTER 7 OF THE SAN DIEGO COUNTY CODE RELATING TO GROUNDWATER

Attachment E – Environmental Analysis Documents

- 1) EIR Volume I – Draft Final Program EIR
- 2) EIR Volume II – Technical Appendices to the EIR
- 3) EIR Volume III – Summary of Changes to the Draft EIR, List of Commenters, Comment Letters and Responses to Comments on the Draft EIR
- 4) EIR Volume IV – Amendment to the EIR: Description and Analysis of the Recommended Project

Attachment F – Environmental Findings

- 1) CEQA Findings Regarding Significant Effects
- 2) Statement of Overriding Considerations
- 3) Decision and Explanation Regarding Recirculation of Draft EIR
- 4) Statement of Location and Custodian of Documents

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5) Mitigation Monitoring and Reporting Program

Attachment G – Equity Mechanism

Attachment H – Supplemental Information

- 1) Land Use Maps (Large Format)
- 2) Summary of Changes to Planning Commission Recommendation since August 2010
- 3) Conservation Subdivision Program Overview
- 4) Rural Subdivision Guidelines
- 5) Fact Sheets
- 6) Previous Actions of Board of Supervisors, Planning Commission, and General Plan Update Advisory Groups
- 7) Responses to other issues raised during the Planning Commission hearings (November 6, 2009 through August 20, 2010)
- 8) Statement of Intent – Decoupling
- 9) Growing a Community [PBS&J]
- 10) Economic References and Analyses

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AGENDA ITEM INFORMATION SHEET |

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

Previous actions by the Board of Supervisors are discussed in Attachment H-6

BOARD POLICIES APPLICABLE:

N/A

BOARD POLICY STATEMENTS:

N/A

MANDATORY COMPLIANCE:

N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

N/A

ORIGINATING DEPARTMENT: Department of Planning and Land Use

OTHER CONCURRENCE(S): Community Services Group
 Finance & General Government Group
 Health & Human Services Agency
 Public Safety Group

CONTACT PERSON(S):

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