

February 10, 2021

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, FEBRUARY 10, 2021, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION: Meeting was called to order at 9:00 a.m.

PRESENT: Supervisors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson; Terra Lawson-Remer; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

- B. Closed Session Report
- C. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of January 27, 2021.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of January 27, 2021.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

- E. Formation of Consent Calendar
- F. Discussion Items

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. | CONTINUED ITEM FROM 01/13/2021 (01):
EL MONTE RIVER VALLEY - APPROVE ACQUISITION OF APPROXIMATELY 98 ACRES OF LAND IN LAKESIDE FROM HELIX WATER DISTRICT FOR ACTIVE RECREATION AND TRAIL CONNECTIVITY
[FUNDING SOURCES ARE AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND DISTRICT TWO NEIGHBORHOOD REINVESTMENT PROGRAM FUNDS] |
| 2. | CONTINUED ITEM FROM 01/27/2021 (01):
RECEIVE THE OPTIONS TO STREAMLINE RENEWABLE ENERGY PROJECTS IN THE UNINCORPORATED AREA REPORT; PROVIDE DIRECTION ON THE OPTIONS CONTAINED IN THE REPORT |
| 3. | TRAFFIC ADVISORY COMMITTEE (02/10/2021 - ADOPT RECOMMENDATIONS; 03/03/2021 - SECOND READING OF ORDINANCES) |
| 4. | GENERAL PLAN WORKSHOP: HOUSING, SAFETY, AND ENVIRONMENTAL JUSTICE ELEMENTS AND ASSOCIATED HOUSING ELEMENT PROGRAMS 20-002; 19-GPA-001; AND 17-GPA-004 |
| 5. | ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACT FOR CONSTRUCTION FOR LIVE OAK PARK ROAD BRIDGE REPLACEMENT PROJECT
[FUNDING SOURCES ARE REVENUE FROM FEDERAL HIGHWAY ADMINISTRATION AND HIGHWAY USER TAX ACCOUNT]
(4 VOTES) |
| 6. | SET A HEARING FOR 03/17/2021:
CAMPO - SET HEARING TO APPROVE ACQUISITION OF APPROXIMATELY 2,151 ACRES OF OPEN SPACE PRESERVE LAND FROM STAR RANCH ENTERPRISES LLC (2/10/2021 - SET HEARING; 3/17/2021 HOLD HEARING)
[FUNDING SOURCE: RESTRICTIVE USE EASEMENT FROM THE NAVY AND AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE] |
| 7. | NOTICED PUBLIC HEARING:
SUMMIT ESTATES TENTATIVE MAP, ADMINISTRATIVE PERMIT, AGRICULTURAL PRESERVE DISESTABLISHMENT, REZONE AND ENVIRONMENTAL DOCUMENT, LOCATED IN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA |
| 8. | CALIFORNIA STATE PARKS OFF-HIGHWAY MOTOR VEHICLE RECREATION GRANT PROGRAM APPLICATION
[FUNDING SOURCE: EXISTING GENERAL-PURPOSE REVENUE IN THE DEPARTMENT OF PARKS AND RECREATION] |
| 9. | PUBLIC COMMUNICATION |

1. **SUBJECT: CONTINUED ITEM FROM 01/13/2021 (01):
EL MONTE RIVER VALLEY - APPROVE ACQUISITION OF
APPROXIMATELY 98 ACRES OF LAND IN LAKESIDE FROM
HELIX WATER DISTRICT FOR ACTIVE RECREATION AND TRAIL
CONNECTIVITY (DISTRICT: 2)**

OVERVIEW

On January 13, 2021 (01), the Board of Supervisors continued the item to February 10, 2021.

On September 16, 2020 (12), the Board of Supervisors (Board) directed staff to develop an acquisition plan to assess the purchase of approximately 98 acres (Property) from the Helix Water District (Helix) and return to the Board no later than December 9, 2020, with recommendations if negotiations with Helix to acquire the Property were successful. On December 9, 2020 (9), staff returned to the Board with an update and presented options for improving the property if staff is successful in negotiating an acquisition. The Board established appropriations to purchase and clean up the Property and directed the Clerk of the Board to set a hearing to consider the acquisition on February 10, 2021. On December 16, 2020, the Helix Board of Directors accepted the County's offer to purchase the property for \$2,922,900. The Property is identified as portions of Assessor's Parcel Numbers 392-050-47 and 392-060-43 and is situated south of Willow Road on both sides of Ashwood Street in the unincorporated community of Lakeside and is adjacent to Cactus County Park in El Monte River Valley and is approximately one-third of a mile from Louis A. Stelzer Park and three-quarters of a mile from the future \$18 million Lakeside Equestrian Park.

Today's request is to authorize the purchase of approximately 98 acres from Helix for a total project cost of \$3,228,400 and authorize the Director, Department of General Services (DGS), to take all actions necessary to administer the three existing leases that will be assigned to the County as part of the proposed purchase of the Property. The total project cost includes the land purchase price of \$2,922,900, staff costs and escrow fees of \$46,500 to complete the purchase, and \$259,000 to clear debris and vegetation, and make baseline improvements to a little league sports complex as described in more detail below.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed acquisition of portions of APNs 392-050-47 and 392-060-43 is exempt from the California Environmental Quality Act (CEQA) pursuant to sections 15301, 15304 and 15316 of the State CEQA Guidelines.
2. Authorize the Director, Department of General Services to execute the Purchase and Sale Agreement for the purchase of approximately 98 acres identified as portions of APNs 392-050-47 and 392-060-43 from Helix Water District for the purchase price of \$2,922,900.
3. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase and to take all actions necessary to administer the three existing leases that will be assigned to the County as part of the proposed purchase of the Property.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan in the Department of Parks and Recreation (\$29,000), DGS Fleet ISF (\$80,000) and in Capital Project 1024372, El Monte River Valley (\$3,119,400) and were appropriated by the Board on December 9, 2020. If approved, this request will result in total project cost of \$3,228,400 itemized as \$2,922,900 for the acquisition, \$42,000 for staff time and appraisal reports to complete the transaction; \$4,500 for closing and title costs; and \$259,000 for land protection costs, ballfield facility renovations, site cleanup, and maintenance equipment. The funding sources are available prior year General Fund fund balance (\$2,728,400) and District Two Neighborhood Reinvestment Program funds (\$500,000). The Neighborhood Reinvestment Program funds were appropriated by the Board on December 9, 2020 as follows: \$391,000 for Capital Project 1024372, \$80,000 (DGS) for vehicle and maintenance supplies, and \$29,000 (DPR) for the purchase of equipment and supplies.

Annual total operating costs for managing the site, including additional staff, are estimated at \$230,000 beginning in Fiscal Year 2021-22 and will require the addition of 2.0 full-time equivalent (FTE) positions estimated at \$168,000, which will be included in the FY 2021-22 Operational Plan for the Department of Parks and Recreation. The funding source would be anticipated lease revenue (\$14,500) and Department of Parks and Recreation General Purpose Revenue (\$215,500).

BUSINESS IMPACT STATEMENT

N/A

ACTION:

A motion was made by Supervisor Anderson, seconded by Supervisor Desmond, to adopt the following:

1. Not proceed with the purchase of approximately 98 acres identified as portions of APNs 392-050-47 and 392-060-43 from Helix Water District.
2. Direct the Director, Department of General Services, in consultation with the Director, Department of Parks and Recreation, to identify a replacement property or properties with pristine habitat, identified within the MSCP planning area, for potential purchase with previously appropriated funding within the geographic boundaries of District 2, and return to the Board, as necessary for further action.
3. Send a letter from the Board Chair to the Helix Water District Board of Directors urging them to dedicate the Property for public use as open space and recreational uses, with a trail to be incorporated into the County system of trails in coordination with the County Department of Parks and Recreation.

(Motion was withdrawn.)

A substitute motion was made by Supervisor Lawson-Remer, seconded by Supervisor Vargas, to take the following actions as recommended:

1. Found that the proposed acquisition of portions of APNs 392-050-47 and 392-060-43 is exempt from the California Environmental Quality Act (CEQA) pursuant to sections 15301, 15304 and 15316 of the State CEQA Guidelines.
2. Authorized the Director, Department of General Services to execute the Purchase and Sale Agreement for the purchase of approximately 98 acres identified as portions of APNs 392-050-47 and 392-060-43 from Helix Water District for the purchase price of \$2,922,900.
3. Authorized the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase and to take all actions necessary to administer the three existing leases that will be assigned to the County as part of the proposed purchase of the Property.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

2. **SUBJECT: CONTINUED ITEM FROM 01/27/2021 (01):
RECEIVE THE OPTIONS TO STREAMLINE RENEWABLE ENERGY
PROJECTS IN THE UNINCORPORATED AREA REPORT; PROVIDE
DIRECTION ON THE OPTIONS CONTAINED IN THE REPORT
(DISTRICTS: ALL)**

OVERVIEW

On January 27, 2021 (01), the Board of Supervisors continued the item to February 10, 2021.

On October 15, 2019 (10), and October 29, 2019 (27), the Board of Supervisors (Board) adopted an ordinance to implement a Community Choice Energy (CCE) program within the unincorporated areas of San Diego county. An increase in CCE programs throughout the state will likely increase the demand for renewable energy. In the unincorporated county, the CCE's planned implementation will increase the demand for renewable energy to 90% by 2030, reduce greenhouse gas emissions, and meet State renewable energy mandates.

To ensure that the County of San Diego (County) does its part to increase renewable energy supply in the region, on April 21, 2020 (5), the Board approved the recommendations of Chairman Cox and Vice-Chairman Desmond and directed staff to return with options to streamline the environmental review process for renewable energy projects within the unincorporated area, including preparing a Programmatic Environmental Impact Report, identifying ideal locations for renewable energy projects, and developing a design review checklist to exempt specific projects. Planning & Development Services (PDS) has developed a range of options for the Board's consideration, informed by research, statewide best practices, analysis, and stakeholder engagement.

The report (Attachment A) identifies opportunities to increase regional renewable energy supply, including Programmatic Environmental Streamlining; Renewable Energy Overlay Districts; Regulation and Code Reform; and Design and Development Guidelines changes. This is a request for the Board to accept the Options to Streamline Renewable Energy Projects report and provide direction on the options.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed Options to Streamline Renewable Energy Projects report complies with the California Environmental Quality Act (CEQA) and County of San Diego CEQA Guidelines because the report is exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines.
2. Receive the Options to Streamline Renewable Energy Projects report (Attachment A) and provide direction on options.

FISCAL IMPACT

There is no fiscal impact associated with receiving and accepting the Options to Streamline Renewable Energy Projects report. However, if the Board directs PDS to implement one or more of the options, there will be associated implementation costs which vary depending on the option or options chosen. There are six to choose from: three Streamline and Overlay Zones (SOZ) options and three Regulatory and Process (RP) options. The SOZ options are mutually exclusive, and only one should be directed. If any of the SOZ options are directed, one additional full-time equivalent staff (FTE) will be required, which equates to approximately \$190,000 in staff salary and benefits. The RP options are not mutually exclusive, and any may be directed as standalone options or in conjunction with an SOZ. If the RP options are directed in addition to an SOZ option, no additional FTEs are required. If no SOZ option is directed by the Board, then some of the RP options will require an FTE. Please refer to Table 1 and Table 2 below for external costs (mainly consultant costs) and staff costs for each option. If the Board directs staff to implement one or more of the six options, any associated costs should be referred to budget and staff will develop a detailed scope of work and finalize the cost estimates. This process will take about three months and will be completed before the Operational Plan is finalized. The costs would then become part of the proposed Operational Plan for purposes of funding.

BUSINESS IMPACT STATEMENT

The Options to Streamline Renewable Energy Projects report includes actions that support the local economy by working with the public, agencies, other jurisdictions, developers, and other related professionals to improve permit processing and regulations for increasing the supply of renewable energy in the unincorporated area.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took the following actions:

1. Found that the proposed Options to Streamline Renewable Energy Projects report complies with the California Environmental Quality Act (CEQA) and County of San Diego CEQA Guidelines because the report is exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines.
2. Received the Options to Streamline Renewable Energy Projects report (Attachment A) and provided direction on options as follows:
 - Adopted Regulation and Process (RP) Options Overview RP-1: Permit process improvements
 - Adopted Regulation and Process (RP) Options Overview RP-2: Design review checklist and exemption process

- Directed the Chief Administrative Officer to develop approaches that will incentivize and streamline development of distributed renewable energy generation
- Return to the Board in 180 days with further analysis of RP-3: Renewable energy zoning and code update, after additional stakeholder engagement, along with other renewable energy opportunities, and explore community benefit agreements, local hire provisions, and other mechanisms that might benefit communities to improve conditions where facilities are located.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

3. SUBJECT: TRAFFIC ADVISORY COMMITTEE (02/10/2021 - ADOPT RECOMMENDATIONS; 03/03/2021 - SECOND READING OF ORDINANCES) (DISTRICTS: 1, 2, 3, & 5)

OVERVIEW

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) in the 1960s as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide communities in the unincorporated region with a road system that strives to enhance safety and reduce congestion. To accomplish this, traffic policies are established to provide persons using the road system with consistent and uniform regulations. In order to be effective, these policies are designed to be legally enforceable so that the majority of motorists will comply. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County of San Diego (County) maintained roads. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering and traffic condition studies.

The TAC recommends the Board act on seven items from the October 23, 2020, TAC meeting agenda:

District	Item	Location	Action
1	1-A	Pepper Tree Road/Vista Drive, Chula Vista	Combine speed zones and certify a 25 miles per hour (MPH) speed limit
2	2-A	Greenfield Drive, El Cajon	Certify the 35 MPH speed limit
2	2-B	Greenfield Drive, El Cajon	Certify the 45 MPH speed limit
3	3-A	Camino San Bernardo, 4S Ranch	Certify the 45 MPH speed limit
3	3-B	Anaheim Street, San Pasqual	Establish and certify a 25 MPH speed limit
5	5-A	McDonald Road, Fallbrook	Certify the 40 MPH speed limit
5	5-B	Laurashawn Lane/Arco Drive, Escondido	Establish a 14,000-lb. (7-ton) commercial vehicle weight restriction

Approval of Items 1-A, 2-A, 2-B, 3-A, 3-B, and 5-A would support speed enforcement, which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 5-B would establish a restriction on large commercial vehicles with a gross weight of 14,000 pounds or more in a residential area to address operational and community concerns. Large commercial vehicles often use a local residential road as an alternate route to bypass traffic congestion. Additionally, these vehicles fail to maintain their position within lanes where roadway geometry (grade, alignment, width, etc.) is substandard for commercial truck traffic. Properly posted large commercial vehicles weight restrictions in residential areas decrease centerline crossover and run-off-the-road incidents and improve neighborhood quality of life.

The Board's action on Items 2-A through 3-A and 5-A does not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore does not require a second hearing. Board direction on February 10, 2021 would allow implementation by DPW. The Board's action on Items 1-A and 3-B would introduce an ordinance to establish speed limit zones and action on Item 5-B would introduce an ordinance to establish a vehicle weight restriction. These actions would revise County Code and require two steps. On February 10, 2021, the Board would consider the TAC items. If the Board takes action as recommended on February 10, 2021, then on March 3, 2021, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 1:

Item 1-A. Pepper Tree Lane/Vista Drive from the Chula Vista city limit to Bonita Glen Drive in Chula Vista - Combine Pepper Tree Lane and Vista Drive speed zones and certify a 25 miles per hour (MPH) speed limit for radar enforcement.

District 2:

Item 2-A. Greenfield Drive from the El Cajon city limit (near Double D Drive) to La Cresta Road in El Cajon - Certify the existing 35 MPH speed limit for radar enforcement.

Item 2-B. Greenfield Drive from La Cresta Road to the El Cajon city limit (near Madison Avenue) in El Cajon - Certify the existing 45 MPH speed limit for radar enforcement.

District 3:

Item 3-A. Camino San Bernardo from Camino del Norte to the San Diego city limit (near Deer Ridge Rd) in 4S Ranch - Certify the existing 45 MPH speed limit for radar enforcement.

Item 3-B. Anaheim Street from Mary Lane to the end of County maintenance (near Colley Lane) in San Pasqual - Establish and certify a 25 MPH speed limit for radar enforcement.

District 5:

Item 5-A. McDonald Road from Fallbrook Street to Pepper Tree Lane in Fallbrook - Certify the existing 40 MPH speed limit for radar enforcement.

Item 5-B. Laurashawn Lane/Arco Drive from North Avenue to North Broadway in Escondido - Establish a 14,000-lb. commercial vehicle weight restriction.

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 CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control on County maintained roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Approve the introduction, read title, and waive further reading of the following Ordinances:
ORDINANCE AMENDING SECTION 72.164.51., DELETING SECTION 72.164.52, AND ADDING SECTION 72.161.95.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 1-A & 3-B).

ORDINANCE ADDING SECTION 72.243.20. OF THE SAN DIEGO COUNTY CODE RELATING TO MISCELLANEOUS TRAFFIC REGULATIONS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-B).

If, on February 10, 2021, the Board takes action as recommended, then, on March 3, 2021: Consider and adopt the following Ordinances:

ORDINANCE AMENDING SECTION 72.164.51., DELETING SECTION 72.164.52, AND ADDING SECTION 72.161.95.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 1-A & 3-B).

ORDINANCE ADDING SECTION 72.243.20. OF THE SAN DIEGO COUNTY CODE RELATING TO MISCELLANEOUS TRAFFIC REGULATIONS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-B).

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, to further consider and adopt the Ordinances on March 3, 2021.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

4. SUBJECT: GENERAL PLAN WORKSHOP: HOUSING, SAFETY, AND ENVIRONMENTAL JUSTICE ELEMENTS AND ASSOCIATED HOUSING ELEMENT PROGRAMS 20-002; 19-GPA-001; AND 17-GPA-004 (DISTRICTS: ALL)

OVERVIEW

From time to time, the County of San Diego's (County) General Plan has to be amended to make changes to comply with State regulations. When this occurs, it is referred to as a General Plan Amendment. The Housing Element is one of the State-required components of the County General Plan that must be updated periodically. The Housing Element provides designated land, policies, and programs to increase opportunities for developing housing that meets the needs of populations at all income segments and life stages. State law requires that a jurisdiction's Housing Element be updated every eight years. The County's next Housing Element update is due April 15, 2021, with a grace period of an additional 120-days if submitted after the due date. The Housing Element update will address the unincorporated area's housing needs and accommodate growth for the period beginning June 2020 and ending April 2029 (also referred to as the sixth housing element cycle). As part of the update, the County must demonstrate the capacity to contribute to the sixth Regional Housing Needs Assessment (RHNA) (2020-29) allocated by the San Diego Association of Governments (SANDAG). In essence, the County must demonstrate it has sufficient land capacity to provide for 6,700 units of housing to be constructed before 2029.

Concurrent with revising the Housing Element, State law requires that the County also review and revise the County's Safety Element, which is also a required component of the County's General Plan. The Safety Element establishes policies related to future development that will minimize the risk of personal injury, loss of life, property damage, and environmental damage associated with natural and human-caused hazards. State law requires that the Housing Element and Safety Element be updated concurrently to ensure that safety hazards are taken into consideration during the development of any updated housing policy.

In addition, Senate Bill 1000 requires that after January 1, 2018, all jurisdictions incorporate environmental justice goals and policies into their General Plan through the establishment of an Environmental Justice Element when two elements (in this case, Housing and Safety) are updated at the same time. The Environmental Justice Element will contain goals and policies to reduce pollution in overburdened communities and ensure all people have the right to live, work, and play in a safe and healthy environment.

In response to State law, which requires that the County revise the Housing and Safety Elements and develop a new Environmental Justice Element (collectively referred to as Elements), staff will be preparing updates to the General Plan this spring. The purpose of today's workshop is to introduce the Elements and provide an opportunity for the Board of Supervisors (Board) to hear from the public, ask questions, and provide direction to staff on potential goals, objectives, policies, and implementation programs for the Elements. Staff will then incorporate applicable comments received during this workshop into the Elements and then submit the Housing and Safety Elements to the State for review. Staff will utilize the 120-day grace period to provide for greater opportunities for public outreach for the Elements and return to the Board for the adoption of the Draft Final Elements before the date the Housing Element is due to the State for certification.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Planning & Development Services recommends that the Board of Supervisors:

1. Find in accordance with Section 15061(b)(3) that today's actions are exempt from CEQA pursuant to the common sense exemption since it can be seen with certainty that there is no possibility that today's actions may have a significant effect on the environment.
2. Receive the presentation and materials for a General Plan Update Workshop: Housing, Safety, and Environmental Justice Elements, and associated Housing Element programs, and provide direction on potential goals and objectives, policies, and implementation programs and priorities for the Housing, Safety, and Environmental Justice Elements.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION 4.1:

A motion was made by Supervisor Desmond, seconded by Supervisor Anderson, to adopt the Option 1, "RHNA Housing Site Inventory for inclusion in the updated Housing Element" in the Housing Element and Housing Related Programs:

Direct staff to maintain its current approach and identify sites demonstrating RHNA capacity based on the following criteria (for adoption in June 2021):

- Located in villages
- Spread sites throughout county communities
- Sites with few environmental constraints
- Sites with access to infrastructure and services
- Sites with existing densities that can accommodate development/no rezone needed
- Avoid sites located in high fire zones
- Additional criteria: analyze water availability

(A substitute motion was introduced.)

A substitute motion was made by Supervisor Fletcher, seconded by Supervisor Lawson-Remer, to adopt Option 2, "RHNA Housing Site Inventory for inclusion in the updated Housing Element" in the Housing Element and Housing Related Programs:

Direct staff to modify the approach to identifying sites based on the following or other Board-directed criteria (for adoption in June 2021):

- Avoid sites located in high fire zones
- Avoid sites located in very-high fire zones
- Additional criteria:
 - analyze water availability
 - consideration of vehicle miles traveled
 - access to transit or potential transit lines
 - return to the Board with two options to achieve intentions: how best to fulfill approach without rezoning or with rezoning.

And, prepare and return for the Board's consideration rezoning program to be implemented within three years following the adoption of the Housing Element (after June 2021).

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

ACTION 4.2:

ON MOTION of Supervisor Vargas, seconded by Supervisor Lawson-Remer, the Board of Supervisors adopted the Affordable Housing Program and Inclusionary Housing Program (not part of Housing Elements Update) Option 2, to direct staff to develop an Inclusionary Ordinance (pre-determined set aside) based on options for an Inclusionary Ordinance applicable to all housing projects of all sizes above a minimum threshold including options for incentives and reforms to help facilitate construction of affordable housing.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

ACTION 4.3:

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Fletcher, the Board of Supervisors adopted the Middle-Income Density Bonus Program (not part of the Housing Elements Update) Option 2, to direct staff to monitor the progress of the existing low-income density bonus program and not develop an expanded Density Bonus Program for middle-income families.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

ACTION 4.4:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors adopted the Overview Preliminary Adaptation Goals based on the Vulnerability Assessment for inclusion in the Safety Element Update Option 1, to direct staff to maintain its current approach and draft adaptation goals for the Board's consideration based on the following (for adoption in June 2021):

	Vulnerability Goal Category	Preliminary Topics Covered	Dept/Partner Agencies
1	Populations	<ul style="list-style-type: none">• Heat-related illnesses• Establish resilience hubs• Health equity	HHSA, PDS, OES, SDCFPD
2	Transportation	<ul style="list-style-type: none">• Resiliency during/after extreme events• Update maintenance protocols for climate change effects	PDS, DPW, SANDAG, MTS, CalTrans
3	Energy Infrastructure	<ul style="list-style-type: none">• Protect utility infrastructure• Structural strengthening• Energy efficiency upgrades	PDS, DPW, SDG&E
4	Water	<ul style="list-style-type: none">• Stormwater infrastructure capacity• Water supply systems• Sewage/solid waste management	SDCWA, AWM, DEH, DGS, PDS, DPW
5	Biodiversity and Habitat	<ul style="list-style-type: none">• Watershed restoration areas• Conserve land suitable for habitats/species of concern• Replant bare or disturbed areas after wildfires or landslide	DPR, DPW, DEH, PDS

6	Emergency Services	<ul style="list-style-type: none"> • Identify community safety locations for temporary shelter • Improve warning systems focused on those without internet or cell phone access and non-English speakers 	OES, DPW, SDCFPD, Local Hospitals
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AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

ACTION 4.5:

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors adopted the Criteria to identify Environmental Justice Communities for inclusion in the Environmental Justice Element Option 1, to direct staff to continue using CalEnviroScreen3.0 to identify Environmental Justice Communities and satisfy State requirements (for adoption in June 2021) and direct staff to continue using Live Well to identify Environmental Justice communities in addition to CalEnviroScreen3.0 (for adoption in June 2021). The Board also directed staff, after completion of Option 1, to move forward with Option 3: Direct staff, after community engagement, to expand the identification of Environmental Justice communities and return to the Board with options (for completion after June 2021) based on:

- California Department of Water Resources DACs
- California's Healthy Places Index
- State Low-income Communities
- Feedback such as proximity to waste facilities, lands zoned General Industrial, or lack of access to the internet
- Modification of existing data sources such as CalEnviroScreen 3.0, etc.,
- Incorporation of new data sources

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

ACTION 4.6:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors adopted the following:

1. Found in accordance with Section 15061(b)(3) that today's actions are exempt from CEQA pursuant to the commonsense exemption since it can be seen with certainty that there is no possibility that today's actions may have a significant effect on the environment.
2. Received the presentation and materials for a General Plan Update Workshop: Housing, Safety, and Environmental Justice Elements, and associated Housing Element programs, and provided direction on potential goals and objectives, policies, and implementation programs and priorities for the Housing, Safety, and Environmental Justice Elements.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

5. SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACT FOR CONSTRUCTION FOR LIVE OAK PARK ROAD BRIDGE REPLACEMENT PROJECT (DISTRICT: 5)

OVERVIEW

Live Oak Park Road is a two-lane road in the unincorporated community of Fallbrook that provides primary access to and from Interstate 15 for approximately 200 local residents. Live Oak Park Road has no shoulders or pedestrian facilities and crosses over a permanent stream from the San Luis Rey River at the Live Oak Park Road Bridge (Bridge). The Bridge is located just southwest of the intersection of Live Oak Park Road and Gum Tree Lane and was constructed in the 1950s by placing three corrugated metal arched culverts side by side in the stream bed and connecting them together on both ends with concrete end walls.

In 2010, the Bridge became eligible for grant funding for replacement under the Federal Highway Administration (FHWA) Highway Bridge Program (HBP), a bridge safety program administered through the California Department of Transportation (Caltrans). HBP eligibility was based on field inspections that identified deformations and deterioration of the existing metal culverts, and engineering reviews that determined that the existing metal culverts could not accommodate the 100-year storm event. The County of San Diego (County) Department of Public Works (DPW) submitted an HBP grant application in 2010 and funding for the preliminary engineering work was approved in 2011. All County bridges that become eligible for HBP grants are incorporated into the HBP program and improvements are implemented following the approval of funding by Caltrans.

DPW has been working with utility owners (such as SDG&E for electric lines, AT&T for communication lines, and Rainbow Water District for water pipes), Caltrans, and other agencies that have jurisdiction over the Project, to complete the preliminary engineering, environmental studies, right-of-way acquisition, and final design to replace and improve the existing bridge since 2011. Permits from the California Department of Fish and Wildlife, Army Corps of Engineer, and the Regional Water Quality Control Board took several years to obtain because of onsite biological resources and site constraints. To ensure the purpose and intent of the HBP is maintained, the oversight process requires review, approval, and authorization from Caltrans before subsequent work activities can begin. This review process is required to ensure costs are reimbursable under the HBP.

The proposed Live Oak Park Road Bridge Replacement Project (Project) includes replacement of the old bridge culvert structure with a new single span concrete slab bridge. The proposed new bridge will meet the current roadway and bridge standards and will also have the capacity to convey large storm events. The Project will provide the Fallbrook community with a safe and reliable roadway network by replacing the old metal culverts with a new bridge culvert, will improve driver safety by improving the alignment and site distance for this section of roadway, and will allow large storm events to cross under the new bridge without the risk of roadway flooding.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Project. Construction funds for this Project were granted on July 21, 2020. The design is complete, and the Project construction is scheduled to begin in summer 2021 and be complete in spring 2022. The construction cost is estimated at \$4,600,000, including contingency, and the funding sources are the FHWA (\$4,072,380) with Highway User Tax Account match (\$527,620).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Mitigated Negative Declaration (MND) on file in the Department of Public Works for the Live Oak Park Road Bridge Project, dated December 22, 2017, State Clearinghouse # 2017121061, was adopted on April 4, 2018 in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA guidelines, that the Board of Supervisors has reviewed and considered the information contained therein prior to approving the project; and
2. Find that there are no substantial 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 adopted MND, dated April 4, 2018 that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted; therefore, no additional environmental review or findings are necessary.
3. Establish appropriations of \$4,072,380 in the Department of Public Works Road Fund Fiscal Year 2020-21 Detailed Work Program for the Live Oak Road Bridge Replacement Project based on revenue from the Federal Highway Administration.
(4 VOTES)
4. Authorize the Director of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for the Live Oak Park Road Bridge Replacement Project.
5. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction projects.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2020-21 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, total estimated construction costs will be \$4,600,000, including contingency. The funding sources are revenue from Federal Highway Administration (\$4,072,380) and Highway User Tax Account (\$527,620). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

County construction contracts are competitively bid and help stimulate the local economy.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

6. **SUBJECT: SET A HEARING FOR 03/17/2021:
CAMPO - SET HEARING TO APPROVE ACQUISITION OF
APPROXIMATELY 2,151 ACRES OF OPEN SPACE PRESERVE LAND
FROM STAR RANCH ENTERPRISES LLC (2/10/2021 - SET
HEARING; 3/17/2021 HOLD HEARING) (DISTRICT: 2)**

OVERVIEW

The Multiple Species Conservation Program (MSCP) is a regional conservation planning program initiated in 1998 to balance protection of habitat and species with recreation, development, and agricultural activities within the San Diego region. The MSCP protects habitat and species through acquisition, management and monitoring of dedicated open space lands. Since 1998, the County of San Diego (County) has acquired approximately 23,000 acres of open space land for the MSCP in the adopted South County Subarea, draft North County MSCP Plan Area, and future East County MSCP Plan Area.

DPR evaluates multiple factors when considering land for potential acquisition and inclusion into County Preserves, including biology, connectivity, accessibility, and value. The County identified an approximately 2,151-acre property in Campo (Property) that met these factors for acquisition. The Property is within the future East County MSCP Plan Area and is within an area important for preservation of sensitive species and habitat. Acquisition of the Property will preserve high quality chaparral, wetland and riparian habitats that support a variety of sensitive wildlife species including arroyo toad and least Bell's vireo, which are under the protection of the Federal and State Endangered Species Acts. Acquiring the Property may provide connections to nearby regional trails, such as the Pacific Crest Trail. The Department of Parks and Recreation (DPR) currently owns and/or manages 42,000 acres of open space lands within all three MSCP Plan Areas. From 1998 through calendar year 2019, a total of \$209 million was invested in land acquisitions in the three MSCP Plan Areas, of which \$114 million is from County funding and \$95 million is from partnering organizations and grants.

Approximately 15,400 acres is within the future East County MSCP Plan Area. Acquisition of this Property would bring the total open space lands within the future East County MSCP Plan Area to approximately 17,550 acres. From 1998 through calendar year 2019, a total of \$22.5 million was invested in land acquisitions in the future East County MSCP Plan Area, of which \$13.1 million is from County funding and \$9.4 million is from partnering organizations and grants.

The Property is located just north of DPR's Campo Stone Store Museum, northwest of State Route 94, and south of Buckman Springs Road. The Property connects to hundreds of acres of Federal Bureau of Land Management lands and is in the vicinity of the Naval Base Coronado's Mountain Warfare Training Camp Michael Monsoor. Camp Michael Monsoor is a naval facility that provides a training platform to support crucial Naval Special Warfare training and requires relative isolation buffered from developed areas due to the nature of Navy operations at the site. The U.S. Department of the Navy (Navy) and the County have

partnered to acquire the Property to provide an open space buffer for Naval operations by Camp Michael Monsoor. The Property is also of interest to the Navy's Readiness and Environmental Protection Integration (REPI) program. The Navy is proposing to place a REPI Restricted Use Easement (RUE) on the entire Property that would prohibit future development, thus protecting the Navy facilities in La Posta and helicopter operations surrounding them. In exchange for the RUE, the Navy will pay the County \$1,278,000 based on the appraised value.

Today's request requires two steps. On February 10, 2021 it is requested that the Board of Supervisors (Board) set a hearing for March 17, 2021 and provide public notice of the hearing. If the Board takes the actions recommended for February 10, 2021, then on March 17, 2021, after making the necessary findings, it is requested that the Board approve the acquisition of the Property for the \$7,700,000 purchase price (\$3,580 per acre) and approve execution of a purchase agreement with the Department of Navy REPI program. The purchase price reflects a negotiated reduction of \$900,000 from the 2019 appraised value of \$8,600,000. The Navy has offered to pay the County \$1,278,000 for a RUE over the Property as part of the REPI program. With staff, transaction and land improvement costs, the total project cost in Fiscal Year 2020-21 is \$8,758,000, based on budgeted appropriations of available prior year General Fund fund balances in the Capital MSCP Acquisition Fund and Navy funding for the RUE. The Board is also asked to authorize the Director of DPR to accept future potential grants or endowments from the Navy's REPI program to fund a portion of operational costs.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On February 10, 2021:

1. Set a hearing for March 17, 2021, at which time the Board of Supervisors may authorize the Director, Department of General Services, to exercise the option to purchase of Assessor Parcel Numbers (APNs) 655-010-01 & -02, 655-020-10, 656-030-22, 655-030-36, 655-070-01, 655-080-01, 655-090-26, and 655-100-11 from Star Ranch Enterprises LLC for the appraised value of \$7,700,000.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

If, on February 10, 2021, the Board takes the actions recommended in Items 1-2 above, then on March 17, 2021:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301, 15303, 15304, 15313 and 15325.
2. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor Parcel Numbers 655-010-01 & -02, 655-020-10, 656-030-22, 655-030-36, 655-070-01, 655-080-01, 655-090-26, and 655-100-11 for \$7,700,000.
3. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase of Assessor Parcel Numbers 655-010-01, 655-010-02, 655-020-10, 656-030-22, 655-030-36, 655-070-01, 655-080-01, 655-090-26, and 655-100-11.

4. Approve the Easement Purchase Agreement between the U.S. Department of the Navy and the County for the Navy's purchase of a restrictive use easement over APNs 655-010-01, 655-010-02, 655-020-10, 656-030-22, 655-030-36, 655-070-01, 655-080-01, 655-090-26, and 655-100-11 from the County for \$1,278,000.
5. Approve and authorize the Director, Department of Parks and Recreation, or designee, to apply for and accept potential Navy grants for the management of the Property and to execute endowment and non-endowment fund agreements with the San Diego Foundation for the Star Ranch Preserve to receive the future grants.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2020-21 Operational Plan of the Multiple Species Conservation Program Acquisition Fund. This request will result in total project costs for the Property of \$8,758,000 itemized as follows: \$7,700,000 for property acquisition, plus \$63,500 for staff time and appraisal reports to complete the transaction; \$4,500 for closing and title costs; \$990,000 in one-time land improvement costs, including \$490,000 for the preparation of a Resource Management Plan and \$500,000 initial stewardship that features signage, access control vegetation management, erosion control, structure demolition and debris removal, purchase of vehicles, radios and small tools and other supplies and services needed to conduct initial stewardship and on-going management. The funding source is Restrictive Use Easement from the Navy (\$1,278,000) and available prior year General Fund fund balance (\$7,480,000).

Total annual costs for assessments, monitoring, and operations and management of the Property are estimated at \$278,500 itemized as follows: Approximately \$500 for fixed charge assessments; \$40,000 for adaptive management and biological monitoring; \$69,000 for annual total operating costs for managing the site; and \$169,000 for the addition of 2.0 full-time equivalent (FTE) positions. Ongoing costs are estimated to be \$278,500 and the funding source will be Department of Parks and Recreation General Purpose Revenue. The Navy may provide an endowment which could offset costs by providing up to \$70,000 annually for ongoing operations and maintenance. The Board approved a waiver of Board Policy B-29 for LUEG grants on June 24, 2020 (12), therefore a waiver is not requested as part of this action. If a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by existing General Purpose Revenue in the Department of Parks and Recreation as determined by the nature of the project(s) or program(s). Ongoing costs and staffing will be included in the FY 2022-23 Operational Plan. There will be no change in net General Fund cost and no additional staff years in the current fiscal year.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, setting a hearing for March 17, 2021.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

7. **SUBJECT: NOTICED PUBLIC HEARING:
SUMMIT ESTATES TENTATIVE MAP, ADMINISTRATIVE PERMIT,
AGRICULTURAL PRESERVE DISESTABLISHMENT, REZONE AND
ENVIRONMENTAL DOCUMENT, LOCATED IN THE NORTH
COUNTY METROPOLITAN SUBREGIONAL PLAN AREA
(DISTRICT: 3)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to consider a Tentative Map, Administrative Permit, Agricultural Preserve Disestablishment, Rezone and environmental document for the proposed Summit Estates project (Project). If approved, the Tentative Map will allow the 22.3-acre site to be subdivided into 20 residential lots which will allow the construction of 20 new single-family homes after approval of subsequent building permits. The Project is before the Board because it includes an Agricultural Preserve Disestablishment and Rezone, which are Board actions. The Project preserves onsite biological resources through dedicated open space and by consolidating the Project's development footprint away from biological resources. The proposed project is consistent with General Plan policies and land use classifications. The Project, located at 2510 Summit Drive, is within the North County Metropolitan Subregional Plan area and is approximately one half-mile south of State Route 78, and 350 feet northeast of the City of Escondido boundary. The Project site is bordered to the south and west by existing single-family homes on lots sized less than one and two acres. The 22.3-acre property has an existing single-family residence that will be removed to allow for the 20 new homes if the Board approves the Project.

In addition to the 20 single-family residential lots, the Project includes approximately 3.07 acres of biological open space, a 100-foot fuel modification zone in which flammable vegetation will be cleared for fire safety, four internal private roads, individual onsite wastewater treatment systems (septic) for each lot, and four onsite stormwater quality bioretention areas that utilize a "green street" design with landscaping to capture rainwater and limit pollutants entering the stormwater system. The Project will include sustainable design features such as preserving onsite biological open space, providing a pedestrian pathway along the entire length of the property adjacent to Summit Drive that will offer existing and future residents of the community recreational opportunities, installing water efficient landscaping, planting a minimum of 40 trees onsite, installing all energy efficient appliances, solar on each rooftop, and pre-wiring for future electric vehicle charging stations in each garage. The Project does not propose the construction of homes at this time, only the subdivision of 20 residential lots to accommodate 20 new single-family homes in the future. The 20 new single-family homes will require building permits prior to construction based on the building code. However, each future home will be custom built and will have individual driveway access to the internal private roads.

The Project is consistent with the number of homes allowed under the General Plan; however, the Project is located within an agricultural preserve, specifically the Blodgett Agricultural Preserve No. 70, which has a minimum agricultural lot size requirement of 15 acres. The Project includes a request for an Agricultural Preserve Disestablishment. The Project site was previously subject to a Williamson Act Contract, which are agreements entered into by private landowners with the County to receive reduced property taxes in exchange for maintaining their land in an agricultural use. A previous owner of the Project site opted out of the Williamson Act Contract by filing a Notice of Nonrenewal that was recorded with the County in 1988. Due to the previous filing and recording of a Notice of Nonrenewal, the Project site is

no longer subject to a Williamson Act Contract. An Agricultural Preserve Disestablishment is required to remove the Project site from eligibility for future Williamson Act Contracts which require a 15-acre minimum agricultural lot size. If the Agricultural Preserve Disestablishment and Tentative Map are approved as proposed by the Project, a total of 20 new homes can be developed onsite consistent with the General Plan. A Rezone to remove the 'A' Special Area Designator denoting that the land is in an agricultural preserve is also requested, since the designator would no longer apply if the agricultural preserve is disestablished.

RECOMMENDATION(S)
PLANNING COMMISSION

On November 13, 2020, the Planning Commission considered the Summit Estates project and made the following recommendations to the Board of Supervisors:

1. Adopt the Environmental Findings, which conclude that the Summit Estates project is exempt from further environmental review according to Section 15183 of the California Environmental Quality Act guidelines (Attachment A, on file with the Clerk of the Board).
2. Adopt the Resolution of Approval for Agricultural Preserve Disestablishment Permit PDS2020-AP-20-001 (Attachment B, on file with the Clerk of the Board).
3. Adopt the Ordinance for REZ PDS2020-REZ-20-002 titled AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA, REF: PDS2020-REZ-20-002 (Attachment C, on file with the Clerk of the Board).
4. Adopt the Form of Decision of Approval for Administrative Permit PDS2019-AD-19-016 (Attachment D, on file with the Clerk of the Board).
5. Adopt the Resolution entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. 5635, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E, on file with the Clerk of the Board).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the recommendations made by the Planning Commission, and makes one additional recommendation to the Board: Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require 2510 Summit, LLC; MREV Summit, LLC; and Unison Communities, LLC, collectively to provide security in the amount of \$500,000, either as an irrevocable letter of credit or bond (whichever is acceptable to County Counsel), within 10 days of litigation being filed (Attachment F, on file with the Clerk of the Board).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Lawson-Remer, seconded by Supervisor Fletcher, the Board of Supervisors closed the hearing and took action as recommended, adopting the following:

1. Adopted the Environmental Findings, which conclude that the Summit Estates project is exempt from further environmental review according to Section 15183 of the California Environmental Quality Act guidelines.
2. Adopted Resolution No. 21-015 entitled: RESOLUTION OF APPROVAL FOR AGRICULTURAL PRESERVE DISESTABLISHMENT PERMIT PDS2020-AP-20-001.
3. Adopted Ordinance No. 10715 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA, REF: PDS2020-REZ-20-002.
4. Adopted the Form of Decision of Approval for Administrative Permit PDS2019-AD-19-016.
5. Adopted Resolution No. 21-016 entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. 5635.
6. Required the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require 2510 Summit, LLC; MREV Summit, LLC; and Unison Communities, LLC, collectively to provide security in the amount of \$500,000, either as an irrevocable letter of credit or bond (whichever is acceptable to County Counsel), within 10 days of litigation being filed.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

8. **SUBJECT: CALIFORNIA STATE PARKS OFF-HIGHWAY MOTOR VEHICLE RECREATION GRANT PROGRAM APPLICATION (DISTRICTS: ALL)**

OVERVIEW

The California Department of Parks and Recreation, also known as California State Parks, manages the 1.4 million-acre state parks system. Since 1971, California State Parks has overseen an off-highway motor vehicle program, managing the strong demand for off-highway recreation while fostering respect for private property rights and protecting California's natural and cultural resources. Although the siting of an off-highway motor vehicle park in the County of San Diego has been considered, the County has not submitted an application to California State Parks Off-Highway Motor Vehicle Recreation Division (OHMVR) seeking grants to investigate the feasibility of establishing an off-highway motor vehicle park in the County. The OHMVR has opened its 2021 grant cycle, setting a

preliminary application deadline of March 1, 2021. This board letter would authorize the County's application to OHMVR requesting a 2021 planning grant.

RECOMMENDATION(S)

SUPERVISOR JOEL ANDERSON

1. Find that these proposed actions are not a project in the California Environmental Quality Act (CEQA) pursuant to State Guidelines sections 15060(c)(3) and 15378(b)(4).
2. Direct the Chief Administrative Officer to prepare and submit an application by March 1, 2021, to the California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division's 2021 Grants and Cooperative Agreements Program, seeking an award to fund the planning activities to identify and establish an off-highway motor vehicle park in the County of San Diego.
3. Adopt a resolution titled: APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS.
4. Direct the Chief Administrative Officer, upon the award of an Off-Highway Motor Vehicle Recreation Division grant, to take all necessary actions to secure the awarded grant funding.
5. Following the award of an Off-Highway Motor Vehicle planning grant to the County, direct the Chief Administrative Officer to conduct the activities necessary to begin the process to site an off-highway motor vehicle park in the County of San Diego, including conducting any necessary review under CEQA once a site is identified, and return to the Board as necessary.

FISCAL IMPACT

There is no fiscal impact associated with today's request to apply for and accept grant funds from California State Parks Off-Highway Motor Vehicle Recreation Division Grant Program. If approved, today's actions would authorize the submittal of one, or more, project application(s) for grant funds up to \$1,000,000 for an off-highway motor vehicle park. Acceptance of a grant award requires the County to provide a match of twenty-five percent. If approved, and the grant(s) are awarded, matching funds will be provided through in-kind services in the form of County of San Diego staff time up to twenty-five percent of the value of the grant. The funding source is existing General Purpose Revenue in the Department of Parks and Recreation. The Board approved a waiver of Board Policy B-29 for LUEG grants on June 24, 2020 (12), therefore a waiver is not requested as part of this action. If grant funds are awarded, the Department of Parks and Recreation will return to the Board to establish the necessary appropriations in the applicable fiscal year. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

The receipt of a grant award resulting from an application to California State Parks would provide the County an opportunity to enter into a contract with a private-sector consultant to undertake the work necessary to locate an off-highway motor vehicle park. If a park is established, additional new business opportunities involving the sale of recreational vehicles and equipment and related tourism activities would result in new revenue opportunities for the region's business community.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, adopting Resolution No. 21-017, entitled: APPROVING THE APPLICANT TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

9. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Terri-Ann Skelly provided comments to the Board regarding smoke-free and vape-free policies in multi-family housing.

Barbara Gordon provided comments to the Board regarding the risks of smoking marijuana and thanked the Board of Supervisors for issuing a proclamation for Heart Health Month.

Michelle Krug provided comments to the Board regarding expedited action to resume the Board meeting call in line and asked the Board to look at requiring all board, commissions, and committee meetings to be recorded.

Kathleen Lippitt provided comments to the Board regarding the marijuana industry.

Rebecca Correa provided comments to the Board regarding the challenges with COVID-19 vaccination website and getting appointments.

Janet Mulder provided comments to the Board regarding cannabis sales in unincorporated areas.

KB Strange provided comments to the Board regarding marijuana businesses in unincorporated areas.

ACTION:

Heard, Referred to the Chief Administrative Officer.

Approved by the Board of Supervisors, on Wednesday, March 3, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

02/10/2021