

February 15, 2017

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 15, 2017, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION: Meeting was called to order at 9:11 a.m.

PRESENT: Supervisors Dianne Jacob, Chairwoman; Kristin Gaspar, Vice-Chairwoman; Greg Cox; Bill Horn; also, Andrew Potter, Assistant Clerk of the Board.

ABSENT: Supervisor Ron Roberts

Approval of Statement of Proceedings/Minutes for meeting of January 25, 2017.

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings for the meeting of January 25, 2017.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

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

Board of Supervisors' Agenda Items

Agenda # Subject

1. NOTICED PUBLIC HEARING:
 COMPREHENSIVE RENEWABLE ENERGY PLAN (CREP) PHASE ONE
 REPORT
2. NOTICED PUBLIC HEARING:
 TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS (2/15/17 – ADOPT
 RECOMMENDATIONS; 3/15/17 – SECOND READING OF ORDINANCES)
3. COUNTY OF SAN DIEGO TRACT NO. 5012-1 (FINAL MAP NO. 13645):
 SECOND AMENDMENT TO THE JOINT AGREEMENT TO SUBSTITUTE
 HOLDER AND EXTEND TIME TO COMPLETE IMPROVEMENTS FOR
 CATHERINE ROAD FINAL MAP LOCATED IN THE BONSALL COMMUNITY
 PLAN AREA

4. COUNTY OF SAN DIEGO TRACT NO. 5222-1: APPROVAL OF FINAL MAP, REJECTION AND ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF JOINT SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR EL CIDRO RANCH TENTATIVE MAP LOCATED IN THE VALLEY CENTER COMMUNITY PLAN AREA
5. CHANDLER RANCH REORGANIZATION – INITIATION OF PUBLIC HEARING TO DIVEST FROM CSA 135 WITHIN CHANDLER RANCH AND ADOPTION OF A DIVESTITURE RESOLUTION
6. SET HEARING FOR 03/15/2017:
KEYS CREEK PRESERVE – ACQUISITION OF 44 ACRES FOR OPEN SPACE (LEFT COAST INVESTMENTS, INC.) (02/15/2017 – SET HEARING; 03/15/2017 – HOLD HEARING)
[FUNDING SOURCES: MSCP ACQUISITIONS FUND AND GENERAL PURPOSE REVENUE]
7. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR CULVERT REPAIR AND REPLACEMENT FISCAL YEAR 2016-17
[FUNDING SOURCES: ROAD FUND FUND BALANCE AND HIGHWAY USER TAX ACCOUNT]
8. AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE DOS PICOS CABINS PROJECT
[FUNDING SOURCES: PRIOR YEAR AVAILABLE LAND USE AND ENVIRONMENT GROUP GENERAL FUND FUND BALANCE AND GENERAL PURPOSE REVENUE]
9. APPROVAL OF A SECURED AGREEMENT TO IMPROVE MINOR SUBDIVISION FOR PUBLIC IMPROVEMENTS FOR EMERALD GROVE TENTATIVE PARCEL MAP NO. 20978 LOCATED IN THE LAKESIDE COMMUNITY PLAN AREA
10. COUNTY OF SAN DIEGO TRACT NO. 5535-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS AND APPROVAL OF AN AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR VILLAGE WALK TOWNHOMES TENTATIVE MAP LOCATED IN THE RAMONA COMMUNITY PLAN AREA
11. AUTHORIZE A CONTRACT CHANGE ORDER FOR BEAR VALLEY PARKWAY NORTH WIDENING CONSTRUCTION CONTRACT
[FUNDING SOURCES: TRANSNET FUNDS AND FUNDING PROVIDED BY SAN DIEGO GAS AND ELECTRIC (SDG&E)]
(4 VOTES)
12. A PROPERTY TAX EXCHANGE FOR A PROPOSED JURISDICTIONAL CHANGE IN THE CITY OF ENCINITAS

13. ADOPT AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES
14. ORDINANCES REPEALING AND REENACTING THE COUNTY FIRE CODE AND RATIFYING THE 2017 CONSOLIDATED FIRE CODE
15. PUBLIC COMMUNICATION

1. **SUBJECT: NOTICED PUBLIC HEARING:
COMPREHENSIVE RENEWABLE ENERGY PLAN (CREP)
PHASE ONE REPORT (DISTRICTS: ALL)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to consider and accept the Comprehensive Renewable Energy Plan (CREP) Phase One Report. On April 10, 2013 (3), the Board directed the Chief Administrative Officer (CAO) to develop options for a comprehensive renewable energy plan, prepare a work plan including time and cost estimates and return to the Board within 120 days. On September 11, 2013 (4), staff returned with a work plan and the Board continued the item to September 25, 2013 (1). On September 25, 2013 (1), the Board directed the CAO to initiate Phase One of the comprehensive renewable energy work plan and return to the Board within 14 months of executing all required consultant service contracts; established appropriations of \$300,000; directed the Director of Planning & Development Services (PDS) to form a Renewable Energy Advisory Committee; and directed staff to prepare a “pipelining” provision for renewable energy permit applications (Attachment A).

Based on the Board’s direction, staff is providing the completed CREP Phase One Report (Report) (Attachment B) and seeking direction on which recommendations, if any, should be considered for a CREP Phase Two; the Board can choose one option, some, or none at all.

During Phase One, 17 recommendations were identified for the County of San Diego (County) to consider as part of a long-range strategic renewable energy plan. Staff, with input from the Director-appointed Technical Advisory Committee (TAC), determined that 11 of the 17 consultant recommendations could be the most effective for the Board to consider in a CREP Phase Two. On October 14, 2016, the Planning Commission considered the Report and concurred with 11 consultant recommendations with two modifications as described in this Board Letter (refer to Attachment C for the Planning Commission Staff Report).

Eight of the 11 consultant recommendations supported by the Planning Commission would require no additional appropriations. The remaining three recommendations would require consultant services, which would require Board approval of detailed scopes of work, including costs, schedules, and appropriations of funds. The Planning Commission did not support the final six recommendations, and, if directed by the Board to complete them, would require staff to prepare work programs and cost estimates for the Board’s consideration.

To address the “pipelining” provision directed by the Board, staff determined there are two existing regulations in the County’s Zoning Ordinance and California Government Code that provide “pipelining” protection for discretionary renewable energy permit applications.

FISCAL IMPACT:

There is no fiscal impact associated with accepting the CREP Phase One Report; there will be no change in net General Fund cost and no additional staff years to complete CREP Phase One.

There is no fiscal impact associated with directing Phase Two of the CREP. There are no additional costs associated with initiating the recommendations that would be undertaken by County staff; there are no additional costs associated with staff preparing detailed work plans, cost estimates and schedules for any items that require consultant services. There will be no change in net General Fund cost and no additional staff years.

If the Board approves further studies as part of CREP Phase Two, the estimated cost is \$900,000 in one-time funding that would be requested from Fiscal Year 2018-19 General Fund fund balance for preparing the Community Choice Aggregation feasibility study (estimated cost of \$200,000), the microgrid feasibility study (estimated cost of \$200,000) and the design and development guidelines/overlay district (estimated cost of \$500,000). If the Board approves other studies requiring consultant services, then any associated costs would be estimated through preparation of work plans.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

PLANNING COMMISSION

The Planning Commission considered the consultant Report and recommended that the Board consider 11 of the 17 recommendations with modifications to items 1 and 4 shown in italics below for CREP Phase Two.

1. Prepare a Community Choice Aggregation Feasibility Study: *As the County reviews Community Choice Aggregation, the feasibility study should be evaluated by a third party, include a review of Direct Access and include a review of the role of the utilities.*
2. Track Community Solar and Wind Initiatives in the County.
3. Prepare a Microgrid Feasibility Study.
4. Prepare Renewable Energy Design and Development Guidelines and Zoning Regulations Applicable to the Unincorporated County: *An approach to the energy overlay zone should include an analysis of the environmental impacts, quality of life impacts and cost/benefit impacts.*
5. Increase the County's Renewable Energy Generation, Transmission, Use and Storage.
6. Develop Strategies to Address Barriers to Alternative Fuel Deployment.

7. Promote Vetted Renewable Energy Finance Mechanisms, such as Property Assessed Clean Energy Programs, Bonds, Peer-to-Peer Lending or Crowdfunding, among others.
8. Develop and Implement a Renewable Energy Education and Outreach Strategy.
9. Develop and Implement a Strategy to Support Renewable Energy Legislation that Benefits San Diego County.
10. Establish a Sustainability Task Force within the County's Existing Organizational Framework.
11. Participate in the Creation of a New Regional Energy Network.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) recommends the following actions:

1. Find in accordance with Section 15262 of the California Environmental Quality Act (CEQA) Guidelines that today's actions are statutorily exempt from CEQA because they involve feasibility or planning studies for possible future actions that the Board has not approved, adopted or funded and have no legally binding effect on later activities; and find in accordance with Section 15061(b)(3) that today's actions are exempt from CEQA pursuant to the general rule 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. Accept the CREP Phase One Report.
3. Provide direction on which, if any, recommendations should be considered for a Phase Two of the CREP.
4. Find that the County's Zoning Ordinance and California Government Code provide "pipelining" protection for discretionary renewable energy project applications.

1.1 ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board accepted the CREP Phase One Report and directed the Chief Administrative Officer to consider the following for Phase Two of the CREP (Phase One Report Recommendations 1-7):

1. Establish a Sustainability Task Force within the County's Existing Organizational Framework.
2. Track Community Solar and Wind Initiatives in the County.
3. Increase the County's Renewable Energy Generation, Transmission, Use and Storage.
4. Develop Strategies to Address Barriers to Alternative Fuel Deployment.
5. Promote Vetted Renewable Energy Finance Mechanisms, such as Property Assessed Clean Energy Programs, Bonds, Peer-to-Peer Lending or Crowdfunding, among others.

6. Develop and Implement a Renewable Energy Education and Outreach Strategy.
7. Develop and Implement a Strategy to Support Renewable Energy Legislation that Benefits San Diego County.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

1.2 ACTION:

Supervisor Jacob made a motion to approve the Planning Commission recommendation to prepare a Community Choice Aggregation (CCA) Feasibility Study with an evaluation by a third party, and include a review of Direct Access and the role of the utilities.

(This motion failed due to lack of second.)

1.3 ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board directed the Chief Administrative Officer to return to the Board in 12 months with a status update on other CCA feasibility studies in other jurisdictions in the state.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

1.4 ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Gaspar, the Board took action as recommended by the Department of Planning and Development Services adopting the following:

1. Found in accordance with Section 15262 of the California Environmental Quality Act (CEQA) Guidelines that today's actions are statutorily exempt from CEQA because they involve feasibility or planning studies for possible future actions that the Board has not approved, adopted or funded and have no legally binding effect on later activities; and find in accordance with Section 15061(b)(3) that today's actions are exempt from CEQA pursuant to the general rule 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. Found that the County's Zoning Ordinance and California Government Code provide "pipelining" protection for discretionary renewable energy project applications.

AYES: Cox, Jacob, Gaspar

NOES: Horn

ABSENT: Roberts

2.

**SUBJECT: NOTICED PUBLIC HEARING:
TRAFFIC ADVISORY COMMITTEE
RECOMMENDATIONS (2/15/17 – ADOPT
RECOMMENDATIONS; 3/15/17 – SECOND READING OF
ORDINANCES) (DISTRICTS: 2 & 5)**

OVERVIEW:

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls on County-maintained roads. The Committee recommends your action on six items from the December 9, 2016 meeting agenda. Four items would recertify the existing speed limits for continued radar speed enforcement on various road segments. One item would establish speed limits with radar speed enforcement on four segments of South Grade Road in Alpine. One item would establish two one-way street designations, angled parking, a disabled parking space, and stop controls in the Rancho Santa Fe Village.

The Board of Supervisors' (Board) actions on Item 2-B and Item 5-A would revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. If the Board takes action on February 15, 2017, then on March 15, 2017, a second reading of the Ordinances adding Section 72.159.13. for Item 2-B, and amending Sections 72.169.92.1. and 72.169.92.2. and adding Sections 72.169.92.1.1. and 72.169.92.2.1 for Item 5-A to the County Code would be necessary to implement the Board's direction.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

TRAFFIC ADVISORY COMMITTEE

District 2

- 2-A. Jamacha Boulevard from Sweetwater Road to La Presa Avenue (58th Edition Thomas Guide Page 1291 B-3) Spring Valley – Recertify the existing 40 MPH speed limit for continued radar speed enforcement.
- 2-B. South Grade Road from Alpine Boulevard to Arnold Way (58th Edition Thomas Guide Page 1233 G-6) Alpine – Establish speed limits with radar speed enforcement as follows: 45 MPH from Arnold Way to Rocrest Road, 40 MPH from Rocrest Road to Tavern Road, 45 MPH from Tavern Road to Via Viejas, and 40 MPH from Via Viejas to Alpine Boulevard.
- 2-C. Ramona Oaks Road from San Vicente Road to the End of County Maintenance (58th Edition Thomas Guide Page 1173 G-3) Ramona – Recertify the existing 45 MPH speed limit for continued radar speed enforcement.

- 2-D. San Vicente Road from Hansen Lane to 5,280 feet east of Wildcat Canyon Road (58th Edition Thomas Guide Page 1172 H-4) Ramona – Recertify the existing 50 MPH speed limit for continued radar speed enforcement.
- 2-E. Vista Ramona Road/Sargent Road from Gymkhana Road to 1,000 feet north of Rutherford Road (58th Edition Thomas Guide Page 1153 D-7) Ramona – Recertify the existing 35 MPH speed limit for continued radar speed enforcement.

District 5

- 5-A. El Tordo and La Gracia (58th Edition Thomas Guide Page 1168 D-3) Rancho Santa Fe – To enhance Village circulation and parking: Establish One-Way Streets westbound on El Tordo between Avenida de Acacias and Linea del Cielo and southbound on La Gracia between Paseo Delicias and La Flecha. Establish a stop control for southbound traffic on La Gracia at La Flecha and repeal the stop control for eastbound traffic on El Tordo at Avenida de Acacias. Establish angled parking (60 degree) on the north side of El Tordo from Avenida de Acacias westerly 250 feet. Establish a disabled parking space on the north side of El Tordo 40 feet west of Avenida de Acacias.

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 issues on County-maintained roads, resulting in negligible or no expansion of use beyond that existing at the time of the Board action.
- 2. Adopt the Traffic Advisory Committee’s recommendations.
- 3. Adopt the following Resolutions:
 - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 302 RELATING TO THE ESTABLISHMENT OF ONE-WAY STREETS IN THE COUNTY OF SAN DIEGO (Item 5-A).
 - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO (Item 5-A).
 - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 1197 RELATING TO THE ESTABLISHMENT OF DISABLED PARKING SPACES IN THE COUNTY OF SAN DIEGO (Item 5-A).

4. Approve the introduction, read title, and waive further reading of the following Ordinances:

ORDINANCE ADDING SECTION 72.159.13. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 2-B).

ORDINANCE AMENDING SECTIONS 72.169.92.1. and 72.169.92.2. AND ADDING SECTIONS 72.169.92.1.1. and 72.169.92.2.1. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 5-A).

If, on February 15, 2017, the Board takes action as recommended, then, on March 15, 2017:

Consider and adopt:

ORDINANCE ADDING SECTION 72.159.13. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 2-B). (second reading)

ORDINANCE AMENDING SECTIONS 72.169.92.1. and 72.169.92.2. AND ADDING SECTIONS 72.169.92.1.1. and 72.169.92.2.1. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 5-A). (second reading)

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting the following:

Resolution No. 17-013, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 302 RELATING TO THE ESTABLISHMENT OF ONE-WAY STREETS IN THE COUNTY OF SAN DIEGO (Item 5-A);

Resolution No. 17-014, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO (Item 5-A); and

Resolution No. 17-015, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 1197 RELATING TO THE ESTABLISHMENT OF DISABLED PARKING SPACES IN THE COUNTY OF SAN DIEGO (Item 5-A);

And introducing the Ordinances for further Board consideration and adoption on March 15, 2017.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

3. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5012-1 (FINAL MAP NO. 13645): SECOND AMENDMENT TO THE JOINT AGREEMENT TO SUBSTITUTE HOLDER AND EXTEND TIME TO COMPLETE IMPROVEMENTS FOR CATHERINE ROAD FINAL MAP, LOCATED IN THE BONSCALL COMMUNITY PLAN AREA (DISTRICT: 5)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to review and approve the Second Amendment to the Joint Agreement to Improve Major Subdivision (Second Amendment) and execute the Confirmation of Release of Duties and Obligations Under Joint Lien Contract and Holding Agreement (Confirmation). The Second Amendment outlines the extension of time to complete improvements to February 15, 2019, and substitution of Holder from Bank of America to First American Trust, FSB for County of San Diego (County) Tract No. 5012-1. The Confirmation releases Bank of America of its obligations as Holder of the title to the property.

This project, known as Catherine Road Final Map, is a subdivision consisting of 13 single-family residential lots on 29.78 acres. It is located within the Bonsall Community Plan Area on Catherine Road approximately 950 feet east of Sleeping Indian Road and approximately 1,300 feet south of Puerta de Lomas (2009 Thomas Guide, Page 1067, E1).

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that it can be seen with certainty that there is no possibility that the approval of the Second Amendment and associated actions may have a significant effect on the environment, and that the project is therefore exempt from CEQA review.
2. Approve and authorize the Clerk of the Board (Clerk) to execute the Second Amendment to the Joint Agreement to Improve Major Subdivision for public and private improvements (Attachment B).
3. Approve and authorize the Clerk to execute the Confirmation of Release of Duties and Obligations Under Joint Lien Contract and Holding Agreement (Attachment C).
4. Extend the performance completion date of improvements for County Tract No. 5012-1 to February 15, 2019.

5. Direct the Clerk, upon execution of the above documents, to forward the Confirmation (Attachment C), the Quitclaim Deed (Attachment D), and the Grant Deed (Attachment E) to the County Recorder for recordation.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

4. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5222-1: APPROVAL OF FINAL MAP, REJECTION AND ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF JOINT SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR EL CIDRO RANCH TENTATIVE MAP LOCATED IN THE VALLEY CENTER COMMUNITY PLAN AREA (DISTRICT: 5)**

OVERVIEW:

This item is a request for the Board of Supervisors (Board) to review and approve the Final Map for County of San Diego (County) Tract No. 5222-1; accept the access restriction easement in and to Saddleback Road and Saddle Creek Drive; reject related easements along Saddleback Road for those improvements not being completed at this time while reserving the right to accept those easements in the future; approve, authorize, and execute the Joint Agreement to Improve Major Subdivision (Joint Agreement) which includes street improvements, drainage facilities, water facilities, and final monumentation; approve and authorize the Joint Lien Contract; and approve and execute the Lien Contract Certification.

This project, known as El Cidro Ranch Tentative Map (TM) 5222RPL⁵ (TM 5222RPL⁵), is a subdivision consisting of 10 single-family lots on 30.16 acres. Tract No. 5222-1 is located within the Valley Center Community Plan Area on the west side of Saddleback Road and the south side of Saddle Creek Drive (2009 Thomas Guide, Page 1070, H-2).

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the approval of the Final Map, the Joint Agreement, and associated actions is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(1) and (2) of the CEQA Guidelines because it does not involve the exercise of discretionary powers by a public entity and the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.
2. Approve the Final Map for County Tract No. 5222-1.
3. Accept, on behalf of the County, the access restriction easement over, upon, and across Lots 1, 2, 9, and 10 in and to Saddleback Road and Saddle Creek Drive, except for the street opening for El Cidro Ranch Road and driveway access openings to Lots 1 and 10, all as dedicated on the Final map.
4. Reject, on behalf of the public, Saddleback Road for use as a street, as offered for dedication on said map together with the right to extend and maintain drainage facilities excavation and embankment slopes beyond the limits of said right-of-way.
5. Approve and authorize the Clerk of the Board (Clerk) to execute the Joint Agreement, which includes street improvements, drainage facilities, water facilities, and final monumentation (Attachment B).
6. Approve and authorize the Clerk to execute and record the Joint Lien Contract (Attachment C) and Holding Agreement No. 1082-0333-00 (Attachment D).
7. Upon approval of the above documents by the Board, and execution by the Clerk, the Final Map and documents shall be forwarded to the County of San Diego Recorder for recordation of the Joint Lien Contract (Attachment C), Holding Agreement (Attachment D), and Grant Deed (Attachment E).
8. Authorize the Chairperson to execute the Lien Contract Certification on Sheet 1 of the Final Map, and authorize the Clerk to acknowledge this signature on Sheet 2 of the Final Map.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

5. **SUBJECT: CHANDLER RANCH REORGANIZATION – INITIATION OF PUBLIC HEARING TO DIVEST FROM CSA 135 WITHIN CHANDLER RANCH AND ADOPTION OF A DIVESTITURE RESOLUTION (DISTRICT: 5)**

OVERVIEW:

Chandler Ranch consists of four parcels in the unincorporated area near Fallbrook, totaling 77.58 acres. The property owner is requesting to be removed from County Service Area (CSA) 135 for fire and emergency medical services and requesting to be annexed into the North County Fire Protection District (NCFPD). A property tax exchange for Chandler Ranch was approved by the Board of Supervisors (Board) on June 22, 2016 (7). On August 1, 2016, the Local Agency Formation Commission (LAFCO) approved the removal of Chandler Ranch from CSA 135 and annexation into NCFPD subject to a condition requiring the Board to authorize the removal of latent powers, or the authority to provide services in the area, through a divestiture (removal) from CSA 135 for Chandler Ranch.

The process for divestiture requires that the Board first consider the adoption of a Resolution of Intention to establish a date for a public hearing. If, on February 15, 2017, the Resolution of Intention is adopted, the Board will then consider approval of a Resolution of Application to divest (remove) fire and emergency medical services latent powers from CSA 135 within Chandler Ranch on March 22, 2017.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt a Resolution of Intention to set a Public Hearing to consider divestiture of structural fire and emergency medical services latent powers from CSA 135 for Chandler Ranch (Attachment B).

If, on February 15, 2017, the Board takes action as recommended, then on March 22, 2017:

1. Find that adoption of the Resolution of Application is not subject to the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15378(b)(5) because the proposed actions involve organizational activities of governments that will not result in direct or indirect physical changes in the environment.
2. Adopt the Resolution entitled: RESOLUTION OF APPLICATION DIVESTING CSA 135 OF LATENT POWERS WITHIN CHANDLER RANCH (Attachment C).

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 17-016, entitled: A RESOLUTION OF INTENTION BY THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TO INITIATE A PUBLIC HEARING TO CONSIDER THE DIVESTITURE OF STRUCTURAL FIRE AND EMERGENCY MEDICAL SERVICES LATENT POWERS FROM COUNTY SERVICE AREA 135 IN THE CHANDLER RANCH ANNEXATION AREA.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

6. **SUBJECT: SET HEARING FOR 03/15/2017:
KEYS CREEK PRESERVE – ACQUISITION OF 44 ACRES
FOR OPEN SPACE (LEFT COAST INVESTMENTS, INC.)
(02/15/2017 – SET HEARING; 03/15/2017 – HOLD HEARING)
(DISTRICT: 5)**

OVERVIEW:

The County has identified approximately 44 acres available for acquisition in Valley Center adjacent to Keys Creek Preserve. The property is located east of Lilac Road and west of Cole Grade Road (57th Edition Thomas Guide page 1090 D-1). The majority of the property is within a Pre-Approved Mitigation Area (PAMA) in the Multiple Species Conservation Program Draft North County Plan and will preserve a key wildlife corridor within PAMA. Subject to future funding and environmental review, the property may provide for a staging area and a route for a possible future extension of the planned Keys Creek Canyon community trail. The property, which is owned by Left Coast Investments, Inc., was appraised at \$750,000.

Today's request requires two steps. On February 15, 2017, it is requested that the Board set a hearing for March 15, 2017 to consider the purchase of Assessor's Parcel Number (APN) 185-201-33 and direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended for February 15, 2017, then on March 15, 2017, after making the necessary findings, the Board is requested to approve the purchase of APN 185-201-33 from Left Coast Investments, Inc. at the appraised value of \$750,000.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in current year costs of \$878,500 itemized as follows: \$750,000 for property acquisition; \$33,000 for staff, appraisal and ancillary costs to complete the transaction; \$2,500 for closing and title costs; and \$93,000 in one-time land protection costs, including initial stewardship that features installation of signage, gates and fencing, vegetation management and stormwater/erosion protection measures (\$48,000) and integrating this property into the Resource Management Plan and associated Public Access Plan being

prepared for the Keys Creek Preserve (\$45,000). The funding source is MSCP Acquisitions Fund.

Future total annual costs for land monitoring and management of the 44 acres are estimated at \$18,900. In addition, there will be an estimated future annual cost of \$1,068 for fixed charge assessments including water and fire standby, and vector control. The funding source for these costs will be General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On February 15, 2017:

1. Set a hearing for March 15, 2017, at which time the Board of Supervisors may consider authorizing the Director, Department of General Services, or designee, to exercise the option to purchase of Assessor's Parcel Number (APN) 185-201-33 from the Left Coast Investments, Inc. for the appraised value of \$750,000.
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 15, 2017, the Board takes the actions recommended in Items 1-2 above then, on March 15, 2017:

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15325, 15303, and 15304 because it involves the acquisition of land to preserve open space or lands for park purposes and existing conditions, installation of gates and fencing, and involves vegetation management and stormwater/erosion protection measures.
2. Authorize the Director, Department of General Services, or designee, to exercise the option to purchase APN 185-201-33 from Left Coast Investments, Inc., for the appraised value of \$750,000.
3. Authorize the Director, Department of General Services, or designee, to execute all escrow related documents necessary to complete the purchase of APN 185-201-33.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, setting a Hearing for March 15, 2017.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

7. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR CULVERT REPAIR AND REPLACEMENT FISCAL YEAR 2016-17 (DISTRICTS: 1, 2, 3 & 5)**

OVERVIEW:

The Department of Public Works has identified various locations for repair and replacement of drainage culverts in communities throughout unincorporated San Diego county. The culvert work restores the structural integrity of the included culverts, protects the associated public road from potential failure, and, as a result, provides a safer roadway for the traveling public.

This is a request to approve advertisement and subsequent construction contract award to the lowest responsive and responsible bidder for this project that proposes to repair or replace up to 40 culverts countywide. The estimated cost for the project is \$1,800,000, including contingencies. Project construction is scheduled to begin in the summer 2017 and be completed by winter 2018.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, construction costs for culvert repair and replacement will be \$1,800,000, including contingencies. The funding sources are Road Fund fund balance (\$1,690,500) and Highway User Tax Account (\$109,500). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because it involves the operation, repair, and maintenance of existing public road facilities involving no or negligible expansion of existing use.
2. Authorize the Director, Department 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 subject public works project.
3. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contract in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

8. SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE DOS PICOS CABINS PROJECT (DISTRICT: 2)

OVERVIEW:

Dos Picos Regional Park is a 78-acre facility located in the unincorporated community of Ramona (57th Edition Thomas Guide page 1171, G-5). The park offers camping, picnicking, hiking, fishing, biking, accommodations for weddings or other large group events, and places for visitors to enjoy nature. There are 76 campsites in the park, including two existing cabins.

The Dos Picos Cabins project will construct two new Americans with Disabilities Act (ADA) accessible cabins with ADA parking, and an ADA accessible picnic table and fire ring. This project will provide more camping opportunities for park users of all ability levels and will include site preparations and the extension of utility connection points for the two cabins and two additional cabins that can be installed in the future when funding becomes available.

The requested action will authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract to the lowest responsive and responsible bidder for the Dos Picos Cabins project. The estimated construction cost is \$315,000 including contingency. Remaining project funds, estimated at \$35,000, will be used for related project costs, including materials testing, design, inspection, construction management, and project administration. If approved, construction is expected to commence in spring 2017 and completion of the improvements is anticipated in fall 2017.

FISCAL IMPACT:

Funds for this project are included in the Fiscal Year 2016-17 Amended Budget for the Capital Outlay Fund. If approved, this request will result in costs of \$350,000 for Capital Project 1019566, Dos Picos Cabins project. Construction costs are estimated at \$315,000, including contingency. Remaining project funds of \$35,000 will be used for materials testing, design, inspection, construction management, and project administration. The funding source is prior year available Land Use and Environment Group General Fund fund balance (\$250,000) and General Purpose Revenue (\$100,000).

Upon project completion, annual operations and maintenance of improvements will be provided by existing Department of Parks and Recreation staff. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Dos Picos Cabins project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303 because the project consists of the construction of small new structures.
2. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the construction of the Dos Picos Cabins project.
3. Designate the Director, Department of Parks and Recreation, as the County Officer responsible for administering the construction contract for the Dos Picos Cabins project, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

9. **SUBJECT: APPROVAL OF A SECURED AGREEMENT TO IMPROVE MINOR SUBDIVISION FOR PUBLIC IMPROVEMENTS FOR EMERALD GROVE TENTATIVE PARCEL MAP NO. 20978 LOCATED IN THE LAKESIDE COMMUNITY PLAN AREA (DISTRICT: 2)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to consider the approval of a Secured Agreement to Improve Minor Subdivision (Secured Agreement) for public improvements on Emerald Grove Road to be constructed prior to approval of the Parcel Map for the Emerald Grove Tentative Parcel Map No. 20978 (TPM). The TPM is a minor subdivision consisting of two single-family residential parcels and a Remainder Parcel on a total of 1.78 acres located within the Lakeside Community Plan Area, south of SR 67 between Marilla Drive and Riverview Avenue (2009 Thomas Guide, Page 1231, J-5).

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

1. Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration (MND) dated October 11, 2007 on file with Planning & Development Services (PDS) as Environmental Review Number 05-14-040; 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 prepared. The Board has reviewed and considered the information contained in the previous MND and the Addendum thereto dated February 15, 2017, on file with PDS, prior to approving the Secured Agreement.
2. Approve and authorize the Clerk of the Board (Clerk) to execute the Secured Agreement to Improve Minor Subdivision, for public improvements for Emerald Grove Tentative Parcel Map No. 20978 located in the Lakeside Community Plan Area (Attachment A).

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

- 10. SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5535-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS AND APPROVAL OF AN AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR VILLAGE WALK TOWNHOMES TENTATIVE MAP LOCATED IN THE RAMONA COMMUNITY PLAN AREA (DISTRICT: 2)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to review and approve the Final Map for County of San Diego (County) Tract No. 5535-1; accept the related easements on Robertson Street; and approve, authorize, and execute the Agreement to Improve Major Subdivision (Agreement) which includes street improvements, drainage facilities, water facilities and final monumentation.

This project, known as Village Walk Townhomes Tentative Map 5535 (TM 5535), is a condominium project containing one lot with a maximum of 14 two-story townhome dwelling units on 1.47 acres. It is located at the intersection of La Brea Street and Robertson Street, approximately 700 feet north of Main Street in the Ramona Community Plan Area, within the unincorporated County (2009 Thomas Guide, Page 1152, E-7).

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the approval of the Final Map, the Agreement and associated actions is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(1) and (2) of the CEQA Guidelines because it does not involve the exercise of discretionary powers by a public entity and the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.
2. Approve the Final Map for County Tract No. 5535-1.
3. Accept, on behalf of the public, subject to improvements, easements over a portion of Robertson Street, together with the right to extend and maintain drainage facilities, excavation, and embankment slopes beyond the limit of the right-of-way for use as a street, as dedicated on the Final Map.
4. Accept, on behalf of the public, the access restriction easements from the portion of lot 1 in and to Robertson Street, except at access openings no. 1 and no. 2, all as relinquished and waived on said Final Map.
5. Approve and authorize the Clerk of the Board (Clerk) to execute the Agreement to Improve Major Subdivision which includes street improvements, drainage facilities, water facilities and final monumentation (Attachment B).

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

11. **SUBJECT: AUTHORIZE A CONTRACT CHANGE ORDER FOR BEAR VALLEY PARKWAY NORTH WIDENING CONSTRUCTION CONTRACT (DISTRICT: 3)**

OVERVIEW:

On December 4, 2013 (6), the Board of Supervisors authorized the advertisement and award of a contract to widen a one-mile segment of Bear Valley Parkway between San Pasqual Valley Road (State Route 78) and Boyle Avenue in the unincorporated area of Escondido (57th Edition Thomas Guide Page 1130-D2 to D4). The contract also included a significant amount of utility relocations and undergrounding. A construction contract was subsequently awarded, and all work is substantially complete.

Today's request is to authorize the Director, Department of Purchasing and Contracting, to execute a change order in an amount not to exceed \$375,000 to resolve all project impact costs from utility and other work related changes.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. The funding sources for the proposed change order are TransNet funds (\$135,000) and funding provided by San Diego Gas and Electric (SDG&E) (\$240,000). 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.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Final Environmental Impact Report (FEIR) for the Bear Valley Parkway North Widening Project, dated April 2010, SCH No. 2009-021015, on file at the Department of Public Works, was prepared in compliance with California Environmental Quality Act (CEQA) and the CEQA Guidelines, and that the decision making body has reviewed and considered the information therein prior to approving the project; and

Find that the currently proposed action is within the scope of the FEIR; that there are no changes in the project or in the circumstances under which it is to be undertaken that would result in significant environmental impacts beyond those considered in the certified FEIR, nor a substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the FEIR was prepared.

2. In accordance with California Public Contract Code Section 20137, authorize the Director, Department of Purchasing and Contracting, to execute a change order to Contract #549195 in an amount not to exceed \$375,000. **(4 VOTES)**

ACTION:

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

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

12. **SUBJECT: A PROPERTY TAX EXCHANGE FOR A PROPOSED JURISDICTIONAL CHANGE IN THE CITY OF ENCINITAS (DISTRICT: 3)**

OVERVIEW:

The City of Encinitas (City) has proposed a modification to its municipal boundary involving the detachment of one incorporated parcel (Assessor Parcel Number 262-071-37, totaling approximately 0.13-acre) from the City. The parcel would be annexed into the unincorporated County of San Diego (County). The property owner is requesting detachment of the parcel from the City so it can be unified with their adjacent property located within the County that contains one single-family residence (APN 262-130-30, approximately 0.71-acre) (Thomas Guide Page 1167, J5).

Section 99 of the Revenue and Taxation Code requires that the Board of Supervisors (Board) approve an exchange of property tax between the affected jurisdiction and agencies prior to the Local Agency Formation Commission (LAFCO) acting on the annexation proposal. This request is for the Board to consider approval of a resolution that will take the percentage (approximately 9.9 percent) of property tax revenue allocated to the City and assign it to County Service Area 83 San Dieguito Parks; County Street Lighting; County Flood Control; and the Rancho Santa Fe Fire Protection District (FPD).

FISCAL IMPACT:

If approved, the Property Tax Exchange Resolution for the proposed detachment area will transfer future property tax revenue from the City to the County. During Fiscal Year 2015-16, the area of proposed detachment did not generate property tax revenue.

There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that adoption of the Property Tax Exchange Resolution for the proposed detachment area is not subject to the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15378(b)(4) because the proposed action involves government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.
2. Adopt the Resolution entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 17-017, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

13. **SUBJECT: ADOPT AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES (DISTRICTS: ALL)**

OVERVIEW:

Every three years, the State of California (State) updates California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The State code update process includes repealing the existing California Building Standards Code in its entirety and adopting and publishing an updated California Building Standards Code. The 2016 edition of the California Building Standards Code was published on July 1, 2016, and became effective January 1, 2017.

The purpose of the California Building Standards Code is to ensure public health, safety and general welfare through provisions addressing structural strength and stability, emergency exiting, fire prevention, electrical hazards, sanitation, air and water quality, energy efficiency, accessibility and sustainability. The code provisions are intended primarily to protect lives; structures designed and built to these standards, as compared to those built to lesser standards, have an increased likelihood of maintaining their structural integrity in a disaster, giving building occupants sufficient time to escape and providing safety to emergency responders.

State law allows local governments to make additions, modifications and deletions (Local Amendments) to the California Building Standards Code when they are reasonably necessary because of local climatic, geological and topographical conditions. With each new edition of the California Building Standards Code, State law requires that local jurisdictions readopt all existing Local Amendments.

This is a request for the Board of Supervisors (Board) to adopt the proposed ordinance, which contains Local Amendments to the California Building Standards Code that County of San Diego (County) staff determined are reasonably necessary because of San Diego County's climatic, geological and topographical conditions.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

There is no business impact associated with these recommendations. The majority of changes are minor in nature and would not have significant cost or time impacts to the building industry. Staff have discussed the proposed changes with the County Building User Group and received no concerns with the proposed changes. The Building User Group is comprised of project designers, architects, and engineers that conduct regular business with the County. The group meets on a regular basis to discuss business processes and industry trends to facilitate communication and improve the overall land development process.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with State CEQA Guidelines section 15061(b)(3), find that it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment for the reasons stated in the Notice of Exemption (Attachment B).
2. Approve the express findings demonstrating the County amendments to the California Building Standards Code are reasonably necessary because of local climatic, geological or topographical conditions, pursuant to Health and Safety Code Section 17958.7 (Attachment A).
3. Approve the introduction of the Ordinance (first reading), read the title and waive further reading of the Ordinance (Attachment C), titled:
AN ORDINANCE REPEALING AND REENACTING THE
COUNTY BUILDING, RESIDENTIAL, ELECTRICAL,
PLUMBING AND MECHANICAL CODES

If, on February 15, 2017, the Board takes action as recommended then, on March 15, 2017:

1. Consider and adopt the Ordinance Repealing and Reenacting the County Building, Residential, Electrical, Plumbing and Mechanical Codes (second reading).
2. Upon adoption of the ordinance, direct the Clerk of the Board to provide a certified copy of the adopted ordinance repealing and reenacting the County Building, Residential, Electrical, Plumbing and Mechanical Codes together with the associated findings to the California Building Standards Commission pursuant to Health and Safety Code Section 17958.7.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on March 15, 2017.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

14. **SUBJECT: ORDINANCES REPEALING AND REENACTING THE COUNTY FIRE CODE AND RATIFYING THE 2017 CONSOLIDATED FIRE CODE (DISTRICTS: ALL)**

OVERVIEW:

The County Fire Code

Every three years, the State of California repeals, revises and republishes the California Building Standards Code ("CBSC") in its entirety, and in doing so, adopts and publishes amendments to the included California Fire Code (California Code of Regulations, Title 24, Part 9). California Health and Safety Code sections 17922, 17958, 17958.5 and 17958.7 provide that the County may adopt the California Fire Code by reference as the County's own fire code and make such changes or modifications that the Board of Supervisors expressly finds are reasonably necessary because of local climatic, geological or topographical conditions.

The proposed ordinance adopts the California Fire Code by reference as the County Fire Code and makes additions, modifications and deletions that County staff has determined are necessary because of San Diego County's climatic, geological and topographical conditions. The proposed findings include, but are not limited to, vegetation that is highly combustible in its natural state, prevalence of hot and dry conditions at certain times of the year including exposure to Santa Ana winds, history of drought conditions, hilly and mountainous terrain that limit access and egress and increase the speed at which wildfires spread, history of severe wildfires that have caused devastating losses, potentially severe rainstorms with resultant flooding and proximity to earthquake fault zones.

The 2017 Consolidated Fire Code

On October 10, 2001 (1), the Board of Supervisors adopted the first County Consolidated Fire Code in an effort to standardize varying fire regulations established by local fire districts. Prior to 2001, local fire districts developed their own local fire regulations, which created inconsistencies for customers processing development permits. To simplify these codes and improve consistency, County staff has worked with the 14 fire districts that serve the unincorporated area on various updates to the consolidated code and is now recommending adoption of an ordinance ratifying the 2017 Consolidated Fire Code.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the ordinances to repeal and reenact the County Fire Code and to ratify the 2017 Consolidated Fire Code.

BUSINESS IMPACT STATEMENT:

The adoption of the County Fire Code and ratification of the 2017 Consolidated Fire Code will improve customer service to the business community by reducing the number of local amendments to the State Fire Code and ensuring more consistent fire code enforcement throughout the unincorporated area.

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.
2. Find that the County amendments to the California Building Standards Code are reasonably necessary because of local climatic, geological or topographical conditions, pursuant to Health and Safety Code section 17958.7. (Attachment A)
3. Approve the introduction of the proposed San Diego County Code amendment (first reading), read title and waive further reading of the following ordinance (Attachment B):
AN ORDINANCE REPEALING AND REENACTING THE
COUNTY FIRE CODE
4. Approve the introduction of the proposed San Diego County Code amendment (first reading), read title and waive further reading of the following ordinance (Attachment C):
AN ORDINANCE RATIFYING THE 2017 CONSOLIDATED
FIRE CODE FOR THE 14 FIRE PROTECTION DISTRICTS IN
SAN DIEGO COUNTY

If, on February 15, 2017, the Board takes action recommended in Items 3 and 4, then on March 15, 2017:

1. Submit the Ordinance for further consideration and adoption (second reading):
AN ORDINANCE REPEALING AND REENACTING THE
COUNTY FIRE CODE
2. Direct the Clerk of the Board of Supervisors to provide a certified copy of the adopted ordinance amending the County Fire Code together with the associated findings to the California Building Standards Commission pursuant to Health and Safety Code section 17598.7.
3. Submit the Ordinance for further consideration and adoption (second reading):
AN ORDINANCE RATIFYING THE 2017 CONSOLIDATED
FIRE CODE FOR THE 14 FIRE PROTECTION DISTRICTS IN
SAN DIEGO COUNTY
4. Direct the Clerk of the Board to provide a certified copy of the 2017 Consolidated Fire Code and each of the ratified fire district ordinances which contain the associated findings made by each fire district, to the California Department of Housing and Community Development pursuant to California Health and Safety Code Section 13869.7 (c).

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, introducing the Ordinances for further Board consideration and adoption on March 15, 2017.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

15. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:

Martha Welch spoke to the Board regarding housing and section 8.

ACTION:

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 11:48 a.m. in memory of Jim Martin and Florence McCarthy.

DAVID HALL
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Miller

Discussion: Zurita

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

Approved by the Board of Supervisors, on Wednesday, March 15, 2017.



DIANNE JACOB
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

02/15/17