

**March 01, 2023**

**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 - LAND USE  
REGULAR MEETING  
**WEDNESDAY, MARCH 1, 2023, 9:00 AM**  
COUNTY ADMINISTRATION CENTER, ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION: Meeting was called to order at 9:03 a.m.

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

- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.

Pursuant to Government Code Section 54953, Supervisor Lawson-Remer requested to participate remotely due to an emergency circumstance, stating she was experiencing flu and cold symptoms and did not wish to risk spreading illness to others in attendance. Supervisor Lawson-Remer stated no one over the age of 18 was in the room with her. ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors approved the request for Supervisor Lawson-Remer to participate remotely due to an emergency circumstance.

AYES: Vargas, Anderson, Fletcher, Desmond

RECUSED: Lawson-Remer

- C. Closed Session Report

- D. 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.

- E. Approval of the Statement of Proceedings/Minutes for the meeting of February 8, 2023.

**ACTION:**

ON MOTION of Supervisor Anderson, seconded by Supervisor Fletcher, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of February 08, 2023.

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

- F. Consent Calendar

- G. 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**

- | <b>Agenda #</b> | <b>Subject</b>  |
|-----------------|---|
| 1.              | GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE PORTIONS OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR PORTIONS OF SA 550 (FUTURE CITRACADO PKWY.) AND SC 1375, IN THE SAN DIEGUITO COMMUNITY PLAN AREA (VAC 2022-0058)<br>[FUNDING SOURCE: A DEPOSIT FROM THE APPLICANTS] |
| 2.              | GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF SOUTH MOUNTAIN MEADOW ROAD (SC 990.2) IN THE VALLEY CENTER COMMUNITY PLAN AREA (VAC 2018-0242)<br>[FUNDING SOURCE: A DEPOSIT FROM THE APPLICANTS]       |
| 3.              | GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE HIGHWAY EMBANKMENT SLOPE EASEMENTS, IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2021-0129)<br>[FUNDING SOURCE: A DEPOSIT FROM THE APPLICANT]  |
| 4.              | GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE RIGHTS TO EXTEND AND MAINTAIN DRAINAGE FACILITIES, EXCAVATION, AND EMBANKMENT SLOPES, VALLEY CENTER COMMUNITY PLAN AREA (VACATION NO. 2022-0002)<br>[FUNDING SOURCE: A DEPOSIT FROM THE APPLICANT]  |
| 5.              | RESOLUTION OPPOSING THE APPLICATION TO THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION FOR ANNEXATION OF OTAY RANCH VILLAGE 13 TO THE CITY OF CHULA VISTA; FIND THE ACTION IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  |
| 6.              | TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION (03/01/2023 - ADOPT RECOMMENDATIONS; 03/15/2023 - SECOND READING OF AN ORDINANCE)<br>[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT]   |

7. NOTICED PUBLIC HEARING:  
UPDATE ON VEHICLE MILES TRAVELED, MITIGATION PROGRAM  
OPTIONS FOR PHASE 2, AN OVERVIEW OF THE SUSTAINABLE LAND USE  
FRAMEWORK APPROACH, AN INTRODUCTION TO PRINCIPLES FOR  
SUSTAINABLE DEVELOPMENT, AND AN OVERVIEW OF THE  
PARCEL-BY-PARCEL ANALYSIS (DEVELOPMENT FEASIBILITY  
ANALYSIS) IN VMT EFFICIENT AND INFILL AREAS IN THE  
UNINCORPORATED AREA AND ASSOCIATED EXEMPTION TO THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
[FUNDING SOURCE: ONE-TIME GENERAL PURPOSE REVENUE]
8. PUBLIC COMMUNICATION

1. **SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE PORTIONS OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR PORTIONS OF SA 550 (FUTURE CITRACADO PKWY.) AND SC 1375, IN THE SAN DIEGUITO COMMUNITY PLAN AREA (VAC 2022-0058) (DISTRICT: 3)**

## **OVERVIEW**

The Asset Management Division of the Department of General Services is processing a request to summarily vacate portions of an Irrevocable Offer of Dedication for a Public Highway (IOD) dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which a public road or public service easement is abandoned through one action where public noticing is not required. These may be requested by the public if the easement interests are found to be excess to County needs and are not required for the purposes for which they were obtained.

The applicants have requested to vacate portions of the IOD recorded in the Office of the County Recorder of San Diego County, California, on June 8, 1978, as File/Page No. 78-237194, of Official Records. The properties subject to the IOD are located within the San Dieguito Community Plan Area. The portions of the IOD to be summarily vacated are for portions of the unaltered locations for Select Arterial (SA) 550, also known as Citracado Parkway road, and Select Collector (SC) 1375, an unnamed future road. The County Department of Public Works has determined these areas offered for future dedication are no longer needed for present or future public use because SA 550 and SC 1375 are not identified as Mobility Element roadways in the 2011 General Plan.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate portions of the IOD described herein, together with the incidental rights to extend drainage facilities, excavation, and embankment slopes beyond the IOD, that are excess right-of-way not required for street or highway purposes.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of portions of an offer of dedication for public right-of-way easements that are not needed for public road purposes, and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE PORTIONS OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR PORTIONS OF SA 550 (FUTURE CITRACADO PKWY.) AND SC 1375, IN THE SAN DIEGUITO COMMUNITY PLAN AREA (VAC 2022-0058) (Attachment C, on file with the Clerk of the Board)
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2022-0058 pursuant to State of California Streets and Highways Code Section 8336.

### **EQUITY IMPACT STATEMENT**

This resolution will provide public benefit through improved use of the lands made available by the vacation. The proposed summary vacation is in the public interest because there is a public convenience associated with the removal of encumbrances from private lands that are no longer needed for public road purposes. The existing surrounding road system will continue to provide access for all properties located near the proposed IOD vacation and the summary vacation would not preclude future development.

### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to summarily vacate portions of the IOD contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to property owners by providing them with improved use of their properties by unencumbering portions of their properties for potential future development.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of General Services. If approved, this request will result in estimated expenses of \$4,500 to process the proposed vacation. The funding source is a deposit from the applicants. 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 Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 23-018, entitled: RESOLUTION TO SUMMARILY VACATE PORTIONS OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR PORTIONS OF SA 550 (FUTURE CITRACADO PKWY.) AND SC 1375, IN THE SAN DIEGUITO COMMUNITY PLAN AREA (VAC 2022-0058).

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

2. **SUBJECT: GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF SOUTH MOUNTAIN MEADOW ROAD (SC 990.2) IN THE VALLEY CENTER COMMUNITY PLAN AREA (VAC 2018-0242) (DISTRICT: 5)**

### **OVERVIEW**

The Asset Management Division of the Department of General Services is processing a request to summarily vacate a portion of an Irrevocable Offer of Dedication for Public Highway (IOD) dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which an offer of land for a future public road or public service easement is abandoned through



one action where public noticing is not required. These may be requested by the public if the easement interests are found to be excess to County needs and are not required for the purposes for which they were obtained.

The applicants, Axe Real Estate Holdings LLC. and Good Vibes Luxury Rentals, have requested to vacate a portion of the IOD in order to better use their existing orchard. This IOD was recorded in the Office of the County Recorder of San Diego County, California, on March 24, 1980, as File/Page No. 80-099781, of Official Records. The IOD to be summarily vacated is for a portion of the 1.274 acres of unimproved South Mountain Meadow Road also known as Select Collector 990.2 (SC 990.2). The properties subject to the IOD are located within the unincorporated Valley Center Community Plan Area. The County Department of Public Works has determined this area offered for future dedication is no longer needed for present or future public use because there is no foreseeable public improvement project or private development that would be conditioned to construct within this easement, and this request does not involve a General Plan Mobility Element (ME) roadway.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate a portion of the IOD for a portion of SC 990.2, together with the incidental rights to extend drainage facilities, excavation, and embankment slopes beyond the IOD, that is excess right-of-way not required for street or highway purposes.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of a portion of an offer of dedication for a public right-of-way easement that is not needed for public road purposes, and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF SOUTH MOUNTAIN MEADOW ROAD (SC 990.2) IN THE VALLEY CENTER COMMUNITY PLAN AREA (VAC 2018-0242) (Attachment C, on file with the Clerk of the Board).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2018-0242 pursuant to State of California Streets and Highways Code Section 8336.

#### **EQUITY IMPACT STATEMENT**

This resolution will provide a public benefit through improved use of the lands made available by the vacation. The proposed summary vacation is in the public interest because there is a public convenience associated with the removal of encumbrances from private lands that are no longer needed for public road purposes. The existing surrounding road system will continue to provide access for all properties located near the proposed IOD vacation and the summary vacation would not preclude future development.

## **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to summarily vacate a portion of the IOD contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to property owners by providing them with improved use of their properties by unencumbering portions of their properties for potential future development.

## **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of General Services. If approved, this request will result in estimated expenses of \$3,500 to process the proposed vacation. The funding source is a deposit from the applicants. 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 Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 23-019, entitled: RESOLUTION TO SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF SOUTH MOUNTAIN MEADOW ROAD (SC 990.2) IN THE VALLEY CENTER COMMUNITY PLAN AREA (VAC 2018-0242).

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

3. **SUBJECT: GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE HIGHWAY EMBANKMENT SLOPE EASEMENTS, IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2021-0129) (DISTRICT: 1)**

## **OVERVIEW**

The Asset Management Division of the Department of General Services (DGS) is processing a request to summarily vacate public highway easement interests dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which a public highway or public service easement is abandoned through one action where public noticing is not required. An easement may be summarily vacated if it is found to be excess to County needs and is not required for the purposes for which it was obtained. The applicant has requested to vacate two highway embankment slope easements encumbering portions of their property that were dedicated to the County in 1988 as part of the Otay Mesa Road and Alta Road (Road Survey No 154) Improvements Project. The subject easement vacations are required to construct the proposed warehouse and distribution facility, called the Amazon Discovery Project. The proposed project includes a one-story 1.08 million square foot building, a 278-square foot guard house, and 1,854 parking spaces. Of the approximately 1.08 million square foot building, 36,241 square feet will be used as office space and the remaining 1,044,067 square feet will be used as warehouse space.



The easement interests that are the subject of this request are in the unincorporated East Otay Mesa Community Plan Area. The public highway easements are no longer needed because they have been determined to be excess by the County, and there are no other public facilities within the easements that would be affected by this vacation. Specifically, the Department of Public Works has determined the slope easement is no longer needed because the roadway will be widened, and the slope easement area will be removed as part of that effort. This action will remove encumbrances on private lands no longer needed for public highway purposes and will provide an overall public benefit and improve the use of the land made available by the termination of the easement. No negative impacts to the community would result from this vacation.

Today's request is for the Board to adopt a resolution to summarily vacate the highway embankment slope easements. The easement interests are described and depicted in Attachment C.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of public highway easements that are not needed for public purposes, and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE HIGHWAY EMBANKMENT SLOPE EASEMENTS, IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2021-0129).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2021-0129-A pursuant to State of California Streets and Highways Code Section 8336.

### **EQUITY IMPACT STATEMENT**

This action will remove encumbrances on private lands no longer needed for public highway purposes and will provide an overall public benefit and improve the use of the land made available by the termination of the easement. By removing the encumbrance, the applicant is able to proceed with their proposed project, which could create economic and job opportunities for residents of the region.

### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to summarily vacate public highway easements contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to develop their land. This action will impact the property owner directly by providing them with improved use of their property by unencumbering portions of their property for future development.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$4,000 to process the summary vacation. The funding source is a deposit from the applicant. 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 Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 23-020, entitled: RESOLUTION TO SUMMARILY VACATE HIGHWAY EMBANKMENT SLOPE EASEMENTS, IN THE EAST OTAY MESA COMMUNITY PLAN AREA (VACATION NO. 2021-0129).

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

4. **SUBJECT: GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE RIGHTS TO EXTEND AND MAINTAIN DRAINAGE FACILITIES, EXCAVATION, AND EMBANKMENT SLOPES, VALLEY CENTER COMMUNITY PLAN AREA (VACATION NO. 2022-0002) (DISTRICT: 5)**

**OVERVIEW**

The Asset Management Division of the Department of General Services is processing a request to summarily vacate public highway easement interests dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which a public highway or public service easement is abandoned through one action where public noticing is not required. An easement may be summarily vacated if it is found to be excess to County needs and is not required for the purposes for which it was obtained. The applicant, Park Circle Owners DP Association, has requested to summarily vacate rights to extend and maintain drainage facilities, excavation, and embankment slopes encumbering portions of their property that were granted as part of the Mirar de Valle Road dedications made on County of San Diego Tract No. 5087-1 and 5087-2.

The easement interests that are the subject of this request are in the unincorporated Valley Center Community Plan Area. The public highway easement rights are no longer needed because they have been determined to be excess by the County, and there are no other public facilities within the easements that would be affected by this vacation. Specifically, the Department of Public Works has determined the rights to extend and maintain drainage facilities, excavation, and embankment slopes beyond the limits of Mirar de Valle Road (SC 990.2) are no longer needed because the roadway has been constructed as conditioned by the Tract Maps and these rights are not required for current or prospective public use.

Today's request is for the Board of Supervisors to adopt a resolution to summarily vacate the highway embankment slope and drainage easement rights. The easement interests are described and depicted in Attachment C.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of public highway easement rights that are not needed for public purposes and will not have a reasonably foreseeable direct or indirect effect on the environment and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE RIGHTS TO EXTEND AND MAINTAIN DRAINAGE FACILITIES, EXCAVATION AND EMBANKMENT SLOPES, VALLEY CENTER COMMUNITY PLAN AREA (VACATION NO. 2022-0002) (Attachment C, on file with the Clerk of the Board)
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2022-0002-A pursuant to State of California Streets and Highways Code Section 8336.

### **EQUITY IMPACT STATEMENT**

This resolution will provide public benefit through improved use of the lands made available by the vacation. The proposed summary vacation is in the public interest because there is a public convenience associated with the removal of encumbrances from private lands that are no longer needed for public road purposes. The existing Mirar de Valle Road is improved, and these easement rights are no longer required, and the summary vacation would not preclude future development.

### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to summarily vacate rights to extend and maintain drainage facilities, excavation, and embankment slopes contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to the property owner by providing improved use of the properties by unencumbering portions of their properties.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of General Services. If approved, this request will result in estimated expenses of \$4,500 to process the proposed vacation. The funding source is a deposit from the applicant. 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 Fletcher, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 23-021, entitled: RESOLUTION TO SUMMARILY VACATE RIGHTS TO EXTEND AND MAINTAIN DRAINAGE FACILITIES, EXCAVATION AND EMBANKMENT SLOPES, VALLEY CENTER COMMUNITY PLAN AREA (VACATION NO. 2022-0002).

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

5. **SUBJECT: RESOLUTION OPPOSING THE APPLICATION TO THE SAN DIEGO LOCAL AGENCY FORMATION COMMISSION FOR ANNEXATION OF OTAY RANCH VILLAGE 13 TO THE CITY OF CHULA VISTA; FIND THE ACTION IS NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (DISTRICT: 1)**

**OVERVIEW**

The Otay Ranch Village 13 (Village 13) project is a 1,869-acre site located in the unincorporated area of southern San Diego County approved by the Board of Supervisors on November 18, 2020 (4). The Village 13 project site is 2.5 miles east of State Route 125 (toll road), 3 miles southwest of State Route 94, one quarter mile east of the City of Chula Vista and 6 miles to the southeast of the Community of Jamul. On September 27, 2022, the property ownership, Lakeview 1 LLC and Lakeview 2 LLC, c/o Baldwin and Sons and Moller Otay Lakes Investments, LLC, submitted an application to the Local Agency Formation Commission (LAFCO) for its consideration of annexation of the territory into the City of Chula Vista.

The Village 13 project includes up to 1,938 dwelling units, including 1,881 single family units and 57 multifamily units; up to 40,000 square feet of neighborhood serving commercial; 25.1 acres of public & private parks; a 6.1-acre homeowners park facility; 9 miles of community trails and pathways; and a total of 860 acres of open space (790.3 acre preserve and 69.3 acres of biological open space), plus an additional 76.4 acres of internal open space. The project also includes a new fire station and Sheriff substation as well as a 16.6-acre resort site with a 200-room hotel with outdoor plazas, and conference areas. Construction is anticipated to occur over approximately eight to ten years in response to market demands and in accordance with phased improvements to roads, public utilities, and infrastructure. No specific phasing sequence has been proposed for the project's build out, but necessary infrastructure will be constructed with each phase with approval of additional Site Plans required for each subphase.

On November 1, 2022, the Chula Vista City Council voted 5-0 to approve a resolution in support of the property owners' application to LAFCO for the annexation of the property to the City of Chula Vista. The Chula Vista Firefighters Union, CAL FIRE Union 2881 and Deputy Sheriff's Association submitted letters to the City of Chula Vista expressing opposition to the annexation as currently proposed (Attachment B).



Annexation by the City of Chula Vista will impact residents of the project area, surrounding unincorporated areas, and City of Chula Vista. The project, as approved by the County of San Diego, includes various public safety conditions, including increased levels of service to be provided by the San Diego County Fire Protection District and Sheriff's Department, and plans to build a fire station and Sheriff substation from which these public safety agencies could serve local residents. If annexation is approved, the stations will not be built and levels of service will be impacted. In addition to public safety concerns, there are infrastructure concerns with the annexation to the City of Chula Vista. The proposed annexation area is not contiguous with the existing boundaries of the City of Chula Vista; therefore, as currently proposed, annexation will create a City of Chula Vista island in the unincorporated area of the County of San Diego.

The proposed annexation would also result in the loss of property taxes annually for the County and the San Diego County Fire Protection District. The Village 13 project is estimated to generate a total of \$18.24 million in annual property tax revenue at project buildout, with \$2,218,713 allocated to the County General Fund and \$1,094,400 allocated to the San Diego County Fire Protection District.

This Board letter includes a resolution for the Board of Supervisors (Board) to oppose the application to the San Diego Local Agency Formation Commission for annexation of Village 13 from the County of San Diego to the City of Chula Vista. This resolution will ensure that the County of San Diego takes an official position opposing the annexation. If approved the resolution would be submitted to LAFCO.

#### **RECOMMENDATION(S)**

##### **CHAIRWOMAN NORA VARGAS**

1. Find that today's resolution is not a "project" as defined in the California Environmental Quality Act (CEQA) Guidelines section 15378 and therefore is not subject to CEQA pursuant to CEQA Guidelines section 15060(c)(3). A project, as defined by CEQA, is the whole of an action that has the potential to result in either a direct or physical change or reasonably foreseeable indirect physical change to the environment. A resolution opposing annexation is not a project because it does not cause physical changes to the environment.
2. Adopt proposed Resolution: RESOLUTION OF THE COUNTY OF SAN DIEGO OPPOSING THE APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR THE ANNEXATION OF APPROXIMATELY 1,869 ACRES, KNOWN AS OTAY RANCH VILLAGE 13, TO THE CITY OF CHULA VISTA.

#### **EQUITY IMPACT STATEMENT**

The Otay Ranch Village 13 (Village 13) project will result in the development of 1,938 dwelling units, including multi-family housing, commercial, parks and open space as well as a new fire station and Sheriff substation. The Village 13 project would provide housing opportunities within the unincorporated area for various levels of income. The fire station and Sheriff substation will also increase the level of service to the project area, Chula Vista residents, and residents of the surrounding unincorporated areas.



## **SUSTAINABILITY IMPACT STATEMENT**

The Otay Ranch Village 13 project area is located within the boundaries of the Multiple Species Conservation Program County Subarea Plan specifically in the South County Plan and the Otay Ranch Phase II Resource Management Plan (RMP2). The development includes 25.1 acres of public/private parks, 9 miles of community trails and pathways, and a total of 860 acres of permanent open space.

## **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 at this time. If these recommendations are not approved the annexation from the County of San Diego will have an impact in losses for the County's property taxes annually. The Village 13 project is estimated to generate a total of \$18.24 million in annual property tax revenue at 1% at project buildout (all homes and commercial built), with \$2,218,713 (12.164 %) allocated to the County General Fund and \$1,094,400 (6.00%) allocated to County Fire.

## **BUSINESS IMPACT STATEMENT**

The Village 13 development proposal includes up to 1,938 dwelling units, up to 40,000 square feet of neighborhood serving businesses, parks, and a school site. The project also includes a 16.6-acre resort site for a 200-room hotel with outdoor plazas, and conference areas.

## **ACTION:**

ON MOTION of Supervisor Vargas, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, adopting Resolution No. 23-022, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO OPPOSING THE APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR THE ANNEXATION OF APPROXIMATELY 1,869 ACRES, KNOWN AS OTAY RANCH VILLAGE 13, TO THE CITY OF CHULA VISTA.

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

6. **SUBJECT: TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION (03/01/2023 - ADOPT RECOMMENDATIONS; 03/15/2023 - SECOND READING OF AN ORDINANCE) (DISTRICTS: ALL)**

## **OVERVIEW**

The Traffic Advisory Committee (TAC) supports the Department of Public Works (DPW) traffic engineering program. The TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated areas of the county. To be effective, TAC proposes policies that will enhance safety, reduce congestion, and 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. TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on eight items from the September 9, 2022, TAC meeting agenda and eight items from the October 28, 2022, TAC meeting agenda:

<b>Items from the 09/09/2022 TAC Meeting</b>			
<b>District</b>	<b>Item</b>	<b>Location</b>	<b>Action</b>
1	1-A	Bonita Road, from Plaza Bonita Road to Willow Street, Bonita	Recertify the 50 miles per hour (MPH) speed limit.
1	1-B*	Bonita Road, from the Chula Vista City Limit to Sweetwater Road, Bonita	Reduce the 45 MPH speed limit to 40 MPH and certify.
1	1-C	Jamacha Road & Darby Street, Spring Valley	Place the intersection on the County's Traffic Signal List for design and construction.
2	2-A*	Channel Road, from Julian Avenue to Lakeside Avenue, Lakeside	Reduce the 40 MPH and 35 MPH speed limits to 30 MPH and certify.
<b>District</b>	<b>Item</b>	<b>Location</b>	<b>Action</b>
2	2-B*	Viejas Grade, from Viejas Boulevard/Riverside Drive to Anderson Ranch Road, Descanso	Establish a 35 MPH speed limit and certify.
4	4-A*	Grossmont Boulevard, within La Mesa City Limit, Unincorporated area of La Mesa	Reduce the 30 MPH speed limit to 25 MPH and certify.
5	5-A*	Old River Road, from Golf Club Drive to Camino Del Rey, Bonsall	Establish a 35 MPH speed limit and certify.
ALL	A	All County maintained roads, All unincorporated communities	Adopt County Operational Sight Distance Standards
*Indicates second reading of the ordinance is required.			

<b>Items from the 10/28/2022 TAC Meeting</b>			
<b>District</b>	<b>Item</b>	<b>Location</b>	<b>Action</b>
2	2-A	Bear Valley Parkway, from Escondido city limit to State Route 78, San Pasqual	Recertify the 50 MPH speed limit.
2	2-B	Bear Valley Parkway, from State Route 78 to Escondido city limit, San Pasqual	Recertify the 50 MPH speed limit.

3	3-A*	El Montevideo, Rancho Santa Fe	Reduce the 45 MPH speed limit to 40 MPH and certify.
4	4-A	Brabham Street, Calavo Gardens, an unincorporated community in El Cajon	Recertify the 35 MPH speed limit.
4	4-B	Brabham Street, Hillsdale, an unincorporated community in Rancho San Diego	Recertify the 40 MPH speed limit.
4	4-C	Mount Helix Drive & Vivera Drive, Grossmont, an unincorporated community in La Mesa	Establish an all-way stop intersection.
5	5-A	Bear Valley Parkway, within Escondido city limit, San Pasqual	Recertify the 50 MPH speed limit.
5	5-B	Mission Road, from 860 feet south of Pepper Tree Lane to Hill Avenue, Fallbrook	Certify the 35 MPH speed limit.
*Indicates second reading of the ordinance is required.			

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 the following items would support speed enforcement which enhances roadway safety and retains mobility:

- September 2022 Item 1-A on Bonita Road in Bonita (District 1)
- September Item 1-B on Bonita Road in Bonita (District 1)
- September Item 2-A on Channel Road in Lakeside (District 2)
- September Item 2-B on Viejas Grade in Descanso (District 2)
- September Item 4-A on Grossmont Boulevard in Grossmont, an unincorporated community in La Mesa (District 4)
- September Item 5-A on Old River Road in Bonsall (District 5)
- October Item 2-A on Bear Valley Parkway in San Pasqual (District 2)
- October 2022 Item 2-B on Bear Valley Parkway in San Pasqual (District 2)
- October Item 3-A on El Montevideo in Rancho Santa Fe (District 3)
- October Item 4-A on Brabham Street in Calavo Gardens, an unincorporated community in El Cajon (District 4)
- October Item 4-B on Brabham Street in Hillsdale, an unincorporated community in El Cajon (District 4)
- October Item 5-A on Bear Valley Parkway in San Pasqual (District 5)
- October Item 5-B on Mission Road in Fallbrook (District 5)

Properly posted stop controls at intersections reduce the number and severity of collisions by assuring reasonable drivers enter intersections at a low speed and have more time to take heed of the traffic situation. Approval of October 2022 Item 4-C at Mount Helix Drive and Vivera Drive in Grossmont an unincorporated community in La Mesa (District 4) will provide safety enhancement measures for pedestrians, bicyclists, and all other roadway users by assigning a full stop to all approaches at an intersection.

Properly designed traffic control signals at intersections reduce the number and severity of collisions by providing for the orderly movement of traffic and interrupting heavy traffic at intervals to permit other road users to cross. Approval of September 2022 Item 1-C at Jamacha Road and Darby Street in Spring Valley (District 1), will allow for the intersection to be added to the County's list of future installation of traffic signals. Adding a traffic signal at this intersection will provide safety enhancement measures for pedestrians, bicyclists, and all other roadways.

Approval of September 2022 Item A, regarding the County of San Diego Operational Sight Distance Standards, would provide standards for evaluation of sight distance at existing public intersections and roads in the jurisdiction of the County of San Diego. These standards establish minimum criteria for DPW Traffic Engineering staff to determine if existing County roads and intersections have sufficient sight distance.

The following items do not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore do not require a second reading of an ordinance. Board direction on March 1, 2023, would allow implementation by DPW:

- September 2022 Item 1-A on Bonita Road in Bonita (District 1),
- September Item 1-C at Jamacha Road and Darby Street in Spring Valley (District 1),
- September Item A regarding the County Sight Operational Distance Standards (All Districts),
- October Item 2-A on Bear Valley Parkway in San Pasqual (District 2),
- October 2022 Item 2-B on Bear Valley Parkway in San Pasqual (District 2),
- October Item 4-A on Brabham Street in Calavo Gardens, an unincorporated community in El Cajon (District 4),
- October Item 4-B on Brabham Street in Hillsdale, an unincorporated community in El Cajon (District 4),
- October Item 4-C at Mount Helix Drive and Vivera Drive in Grossmont (District 4),
- October Item 5-A on Bear Valley Parkway in San Pasqual (District 5), and
- October Item 5-B on Mission Road in Fallbrook (District 5)

These items do not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore do not require a second reading of an ordinance. Board direction on March 1, 2023, would allow implementation by DPW.

The Board's action on the following items would introduce an ordinance to amend a speed limit zone:

- September Item 1-B on Bonita Road in Bonita (District 1),
- September Item 2-A on Channel Road in Lakeside (District 2),
- September Item 2-B on Viejas Grade in Descanso (District 2),
- September Item 4-A on Grossmont Boulevard in Grossmont, an unincorporated community in La Mesa (District 4),
- September Item 5-A on Old River Road in Bonsall (District 5) and
- October Item 3-A on El Montevideo in Rancho Santa Fe (District 3).

This action would revise County Code and require two steps. On March 1, 2023, the Board would consider the TAC items. If the Board takes action as recommended on March 1, then on March 15, 2023, 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:**

September 2022 Item 1-A. Bonita Road from Plaza Bonita Road to Willow Street in Bonita - Recertify the 50 MPH speed limit for radar enforcement.

September 2022 Item 1-B. Bonita Road from the Chula Vista City Limit (near Bonita Christian Center Drive) to Sweetwater Road in Bonita - Reduce the 45 MPH speed limit to 40 MPH and certify for radar enforcement.

September 2022 Item 1-C. Jamacha Road and Darby Street in Spring Valley - Place the intersection on the County's Traffic Signal List for future design and construction.

**District 2:**

September 2022 Item 2-A. Channel Road from Julian Avenue to Lakeside Avenue in Lakeside - Reduce the 40 MPH and 35 MPH speed limits to 30 MPH and certify for radar enforcement.

September 2022 Item 2-B. Viejas Grade from Viejas Boulevard/Riverside Drive to Anderson Ranch Road in Descanso - Establish a 35 MPH speed limit and certify for radar enforcement.

October 2022 Item 2-A. Bear Valley Parkway from Escondido city limit (at Choya Canyon Road) to State Route 78 in San Pasqual - Recertify the 50 MPH speed limit for radar enforcement.

October 2022 Item 2-B. Bear Valley Parkway from State Route 78 to Escondido city limit (at Boyle Avenue) in San Pasqual - Recertify the 50 MPH speed limit for radar enforcement.

**District 3:**

October 2022 Item 3-A. El Montevideo from Paseo Delicias to Via de Fortuna in Rancho Santa Fe - Reduce the 45 MPH speed limit to 40 MPH and certify for radar enforcement.

**District 4:**

September 2022 Item 4-A. County maintained portions of Grossmont Boulevard from the La Mesa City Limit (near Bancroft Drive) to the La Mesa City Limit (near Grossmont Summit Drive) in Grossmont, an unincorporated community in La Mesa - Reduce the 30 MPH speed limit to 25 MPH and certify for radar enforcement.

October 2022 Item 4-A. Brabham Street from Fury Lane to State Route 54 in Calavo Gardens, an unincorporated community in El Cajon - Recertify the 35 MPH speed limit for radar enforcement.

October 2022 Item 4-B. Brabham Street from State Route 54 to Merlyn Place in Hillsdale, an unincorporated community in El Cajon - Recertify the 40 MPH speed limit for radar enforcement.

October 2022 Item 4-C. Mount Helix Drive & Viverra Drive in Grossmont, an unincorporated community in La Mesa - Establish an all-way stop intersection.



**District 5:**

September 2022 Item 5-A. Old River Road from Golf Club Drive to Camino Del Rey in Bonsall - Establish a 35 MPH speed limit and certify for radar enforcement.

October 2022 Item 5-A. Bear Valley Parkway from Escondido city limit (near Las Palmas Avenue) to Escondido city limit (south of Sunset Drive) in San Pasqual - Recertify the 50 MPH speed limit for radar enforcement.

October 2022 Item 5-B. Mission Road from a point 860' south of Pepper Tree Lane to Hill Avenue in Fallbrook - Correct ordinance and certify the 35 MPH speed limit for radar enforcement.

**All Districts:**

September 2022 Item A. County of San Diego Operational Sight Distance Standards - Adopt Operational Sight Distance Standards

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 and 15060(b)(3) of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control on County of San Diego maintained roadways, resulting in negligible or no expansion of existing or former use and it can be seen with certainty that there is no possibility that the adoption of the sight distance standards may have a significant effect on the environment.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the County of San Diego Sight Distance Standards.
4. Adopt the following resolutions:  
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO (October 2022 Item 4-C).

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO (September 2022 Item 1-C).

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO (October 2022 Item 4-C).

5. Approve the introduction of the following Ordinances:  
ORDINANCE AMENDING SECTIONS 72.162.1, 72.163.51., 72.164.53., 72.169.47.,  
AND 72.169.72, DELETING SECTIONS 72.161.38, 72.169.56., AND 72.169.57., AND  
ADDING SECTIONS 72.169.9.2. AND 72.169.74.15. OF THE SAN DIEGO COUNTY  
CODE RELATING TO A SPEED LIMIT ON A COUNTY MAINTAINED ROAD IN  
SAN DIEGO COUNTY (September 2022 Items 1-B, 2-A, 2-B, 4-A, & 5-A and October  
2022 Items 2-B, 3-A, & 5-B).

If, on March 1, 2023, the Board takes action as recommended, then, on March 15, 2023:

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.162.1, 72.163.51., 72.164.53., 72.169.47.,  
AND 72.169.72, DELETING SECTIONS 72.161.38, 72.169.56., AND 72.169.57., AND  
ADDING SECTIONS 72.169.9.2. AND 72.169.74.15. OF THE SAN DIEGO COUNTY  
CODE RELATING TO A SPEED LIMIT ON A COUNTY MAINTAINED ROAD IN  
SAN DIEGO COUNTY (September 2022 Items 1-B, 2-A, 2-B, 4-A, & 5-A and October  
2022 Items 2-B, 3-A, & 5-B).

### **EQUITY IMPACT STATEMENT**

The review of traffic signs, intersection controls, and roadway markings supports vehicle safety on County of San Diego maintained roads. The transportation system must be safe for all road users, for all modes of transportation, in all communities, and for people of all incomes, races, ethnicities, ages, and abilities. Understanding travel patterns, where correctable crashes are occurring and the disproportionate impacts on certain communities will allow the Department of Public Works (DPW) to identify actions to address the underlying factors and causes and improve safety.

DPW's Local Road Safety Program reviews correctable collisions along road segments within the unincorporated areas of the county and utilizes the Healthy Places Index and CalEnviroScreen to ensure underserved populations are prioritized. The Traffic Advisory Committee relies on the Local Road Safety Plan and performs reviews of regulatory traffic control devices such as signs and markings. While adherence to sign and marking standards developed by the California Department of Transportation is crucial to obtaining the compliance of the majority of drivers, the Traffic Advisory Committee also relies on various community engagement methods such as the Tell Us Now! Mobile app, toll-free hotlines, and a customer service request program to intake reports on a wide variety of traffic concerns and ensure the concerns are addressed.

### **SUSTAINABILITY IMPACT STATEMENT**

The Traffic Advisory Committee has made addressing sustainability a top priority by partnering with local communities and industry leaders in a monthly public forum to find timely, reasonable, and cost-effective in-road traffic solutions that reduce costly traffic delays, mitigate vehicle idling to reduce emissions, improve fire response times and regional readiness, and ensure justice in enforcement of traffic regulations.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2022-23 Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in current year costs and revenue of \$26,305 for staff time, materials, and supplies. The funding source is State Highway User Tax Account. 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 Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, adopting the following:

Resolution No. 23-023, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO;

Resolution No. 23-024, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO;

Resolution No. 23-025, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO;

And, to further consider and adopt the Ordinance on March 15, 2023.

AYES: Vargas, Anderson, Fletcher, Desmond

NOT PRESENT: Lawson-Reimer

7. **SUBJECT: NOTICED PUBLIC HEARING:  
UPDATE ON VEHICLE MILES TRAVELED, MITIGATION  
PROGRAM OPTIONS FOR PHASE 2, AN OVERVIEW OF THE  
SUSTAINABLE LAND USE FRAMEWORK APPROACH, AN  
INTRODUCTION TO PRINCIPLES FOR SUSTAINABLE  
DEVELOPMENT, AND AN OVERVIEW OF THE  
PARCEL-BY-PARCEL ANALYSIS (DEVELOPMENT FEASIBILITY  
ANALYSIS) IN VMT EFFICIENT AND INFILL AREAS IN THE  
UNINCORPORATED AREA AND ASSOCIATED EXEMPTION TO  
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(DISTRICTS: ALL)**

**OVERVIEW**

Over the past decade, the State has passed numerous laws related to development, climate action, housing, and sustainability. These laws focused on planning and environmental analysis

requirements as tools to affect development patterns and environmental outcomes. In recent years, the Board has taken actions to ensure that local policies, regulations, and plans comply with these State laws and that they reduce vehicle miles traveled, increase the production of housing for all, and are responsive to community needs.

In 2013, the State of California passed Senate Bill 743 (SB 743), which changed how jurisdictions, including the County of San Diego (County), analyze transportation impacts from privately and publicly initiated projects under the California Environmental Quality Act (CEQA). SB 743 identified Vehicle Miles Traveled (VMT) as the standard to evaluate a project's transportation related environmental impacts. VMT replaces motorist delay and associated level of service (LOS) as the metric for traffic impact analysis under CEQA. VMT measures both the volume of daily vehicle trips generated and the average distance people drive to and from destinations by specific types of land uses. The intent behind SB 743 was to balance the needs of congestion management (traffic) with statewide goals to reduce greenhouse gas (GHG) emissions, encourage infill development, and improve public health through more active transportation such as walking and biking.

On June 24, 2020 (6), the Board of Supervisors (Board) adopted a Transportation Study Guide (TSG), a technical guide for analyzing transportation impacts using VMT. The TSG describes the process and procedures for project applicants to use when preparing transportation analyses for projects in the unincorporated area beginning July 1, 2020. In September 2020, Cleveland National Forest Foundation, Coastal Environmental Rights Foundation, and the Sierra Club filed suit against the County, alleging adoption of the TSG violated CEQA and SB 743 by establishing a threshold based on the unincorporated VMT average instead of the region, adopting the small project exemption for projects that generate less than 110 average daily trips, and not requiring environmental review of the guidelines.

On May 19, 2021 (1), the Board received information on how VMT implementation was progressing nearly a year after the adoption of the County's TSG and options for potential updates to how the County analyzes transportation impacts of proposed projects under CEQA. The Board directed staff to explore 13 items related to VMT for projects in the unincorporated areas.

On June 29, 2021, the Governor's Office of Planning and Research (OPR) clarified that the unincorporated area of counties should use a VMT threshold based on the regional average VMT (rather than an unincorporated area average), which includes the entire San Diego region. This changes the threshold for what areas are considered VMT efficient and reduces those areas within the unincorporated area. VMT efficient areas are locations that meet the threshold, or generate low enough vehicle miles, to allow projects to move forward without VMT analysis, streamlining projects in these VMT efficient areas. Projects located outside VMT efficient areas must perform VMT analysis and are required to mitigate for, or offset any VMT-related impacts. An offset is a reduction in VMT resulting from the construction of a VMT reducing project like a sidewalk or bike lane that decreases a project's overall VMT. Considering the clarification from OPR that unincorporated areas should use a VMT threshold based on a regional average, on September 15, 2021 (1), the Board adopted a resolution to rescind the current TSG, which relied on an unincorporated area average for VMT. Based on the Board's action, the petitioners agreed to dismiss their lawsuit.



On February 9, 2022 (7), the Board directed staff to update the TSG (Phase 1) to develop options for a Sustainable Land Use Framework for the unincorporated area, including the identification of sustainable development principles that could inform land use decisions and options for a parcel-by-parcel analysis, develop a regional VMT mitigation program working with other local jurisdictions, and prepare a Programmatic Environmental Impact Report (EIR) that looks at screening out projects from VMT analysis that are located within Transit Opportunity Areas (Phase 2). Subsequently, the parcel-by-parcel analysis was renamed Development Feasibility Analysis to reflect a more comprehensive approach needed to identifying development potential. As part of Phase 2, the Board also directed staff to develop a Transportation Demand Management (TDM) plan for the unincorporated area that includes measures to reduce vehicle trips from new development such as telecommuting, walking, carshare, shuttles, and other options that reduce single occupant vehicle trips, and examine combining a community land trust with a VMT mitigation bank to create a path for Environmental Justice (EJ) and VMT opportunities within those communities. These actions all relate to future development patterns in the unincorporated area by evaluating where and how development should occur to meet housing needs and/or providing tools to facilitate sustainable, equitable placemaking throughout the unincorporated area.

On September 28, 2022 (6), the Board adopted a revised TSG that aligns with State guidance and establishes a threshold based on the regional average VMT (rather than an unincorporated area average), which includes the entire San Diego region. The TSG also identifies Infill Areas where no VMT analysis or VMT mitigation would be required for future development projects. In accordance with State guidance, the TSG also screens out small projects, locally serving uses and public facilities, and 100 percent affordable housing projects from having to do additional VMT analysis or mitigation. The Board also directed staff to explore options to help create new VMT efficient areas and to expand study plans for new and expanded wineries if they did not increase VMT. A lawsuit has been filed by the Cleveland National Forest Foundation and Coastal Environmental Rights Foundation, alleging adoption of the TSG violated CEQA and SB 743 by establishing Infill Areas where no VMT analysis or mitigation is required, adopting the small project exemption for projects that generate less than 110 average daily trips, and not requiring environmental review of the guidelines. The lawsuit is still pending, and no decision has been made.

Today's request is for the Board to receive information on the development of the VMT mitigation program and consideration of options that staff could evaluate and include in the program. The request is for the Board to provide direction to staff to continue to research the three VMT mitigation options and return to the Board in six months with further information, including options to require VMT mitigation to be completed within the unincorporated area and/or region, continue coordination with outside agencies and jurisdictions and report back on potential partnerships, estimated costs to project applicants, preliminary data, and stakeholder input results for Buena Creek and receive Board direction before the VMT mitigation program is fully developed. Staff will return to the Board in the fall to provide an update on the additional research conducted, additional analysis on each option, and recommendations on the items that should be included in the VMT mitigation program. After receiving direction today and additional direction in 180 days, staff will prepare the VMT mitigation program and Environmental Impact Report (EIR), conduct stakeholder outreach, public review, and return to the Board for consideration by February 2025.



Today's Board Letter also provides an update on the Sustainable Land Use Framework, which is intended to guide how we efficiently use and effectively protect our natural resources, balance economic growth, and ensure just and equitable provision of public services, without compromising the ability of future generations to also flourish and thrive. This Board letter also includes an initial set of principles for sustainable development (Sustainability Principles) to inform future land use decisions and the proposed approach to the parcel-by-parcel analysis, renamed to the Development Feasibility Analysis. Staff anticipates returning to the Board in the fall with updates on the progress of the Development Feasibility Analysis and options for a Sustainable Land Use Framework, including an overview of alignment with State law that provides additional opportunities for density and development, and that promotes regional housing strategies.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15061(b)(3) and 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt because it has no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.
2. Receive the update on VMT Phase 2, and further research of all three of the VMT mitigation options presented in the update (fee program, exchange program, and mitigation bank) and return to the Board in six months with further information, including options to require VMT mitigation to be completed within the unincorporated area and/or region, continue coordination with outside agencies and jurisdictions and report back on potential partnerships, estimated costs to project applicants, preliminary data, and stakeholder input results and receive Board direction before the VMT mitigation program is fully developed.
3. Receive the update on the Sustainable Land Use Framework approach, principles for sustainable development, and Development Feasibility Analysis in VMT Efficient and Infill areas. Provide input on the initial set of Sustainability Principles and direct staff to continue stakeholder engagement and proceed with the Development Feasibility Analysis in the initial four communities of Buena Creek, Casa De Oro, North El Cajon/Lakeside, and Spring Valley presented in today's Board letter. Direct staff to return to the Board in the fall of 2023 with an Infrastructure Gap Analysis Map and Report, an executed MOU (s) with other agencies and regional partners for partnering and collaborating efforts within Buena Creek and potentially the other 3 communities, and specific timelines and anticipated cost estimates to complete the Development Feasibility Analysis in the four communities.

### **EQUITY IMPACT STATEMENT**

Developing a program to mitigate the impacts of Vehicle Miles Traveled (VMT) will help to reduce environmental and health impacts within the unincorporated areas associated with transportation, including noise, air pollution and safety, and help accomplish the goals of Senate Bill 743 to balance the needs of congestion management with goals related to infill development, promotion of public health, and reduction of greenhouse gas emissions that cause climate

change. Supporting a variety of housing options in VMT exempt areas helps to reduce inequities caused by development that is not close to jobs and services and the uneven distribution of services, amenities, schools, parks, and affordable housing.

#### **SUSTAINABILITY IMPACT STATEMENT**

The development of a mitigation program (TSG) for Vehicle Miles Traveled (VMT) will reduce greenhouse gas (GHG) emissions by encouraging infill development as well as improving public health through more active forms of transportation such as walking and biking. Reducing VMT and GHG within the unincorporated area helps meet the State and County's climate, health, and mobility goals through the implementation of Senate Bill 743. Extensive community engagement will be conducted to develop a VMT mitigation program, including public meetings and workshops with staff, the Planning Commission, and the Board of Supervisors, as well as a 45-day public review of the Environmental Impact Report (EIR). Principles for sustainable development will inform land use approaches, policies, plans, and programs. The Sustainability Principles will support the County's Strategic Initiatives (Attachment J) and other regional policy efforts to ensure that communities grow and evolve in a healthy, resilient, and equitable way by prioritizing decarbonization, sustainable development and housing for all, conservation, and social equity and environmental justice.

#### **FISCAL IMPACT**

There is no fiscal impact associated with receiving the report presented today. Funds in the amount of \$2,000,000 are included in Fiscal Year (FY) 2022-23 Operational Plan in Planning & Development Services (PDS) for the development of a VMT mitigation program and to partially fund the Environmental Impact Report. The funding source is one-time General Purpose Revenue. Funds in the amount of \$2,965,000 are included in the FY 2022-23 Operational Plan in PDS associated with the development of the Sustainable Land Use Framework, Sustainability Principles, and the Development Feasibility Analysis. The funding source is one-time General Purpose Revenue. There will be no change in net General Fund costs and no additional staff years. Staff will return to the Board for approval and authorization of any future related actions with a fiscal impact.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

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

1. Found in accordance with Section 15061(b)(3) and 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt because it has no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.

2. Received the update on VMT Phase 2, and further research of all three of the VMT mitigation options presented in the update (fee program, exchange program, and mitigation bank) and return to the Board in six months with further information, including options to require VMT mitigation to be completed within the unincorporated area and/or region, continue coordination with outside agencies and jurisdictions and report back on potential partnerships, estimated costs to project applicants, preliminary data, and stakeholder input results and receive Board direction before the VMT mitigation program is fully developed.
3. Received the update on the Sustainable Land Use Framework approach, principles for sustainable development, and Development Feasibility Analysis in VMT Efficient and Infill areas. Provided input on the initial set of Sustainability Principles and directed staff to continue stakeholder engagement and proceed with the Development Feasibility Analysis in the initial four communities of Buena Creek, Casa De Oro, North El Cajon/Lakeside, and Spring Valley presented in today's Board letter. Directed staff to return to the Board in the fall of 2023 with an Infrastructure Gap Analysis Map and Report, an executed MOU (s) with other agencies and regional partners for partnering and collaborating efforts within Buena Creek and potentially the other 3 communities, and specific timelines and anticipated cost estimates to complete the Development Feasibility Analysis in the four communities.
4. Directed the Chief Administrative Officer to look at alignment of the County VMT Mitigation Program with the International Carbon Offset and Reduction Alliance's Code of Best Practices - which states that all offset and mitigation programs and projects must be: real, measurable, permanent, additional, independently verified and unique and return to the Board with further information.

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

**8. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)**

**OVERVIEW**

Bryant Rumbaugh spoke to the Board regarding a request to meet with Supervisor Jim Desmond to discuss public engagement.

Mark spoke to the Board regarding SANDAG board members.

Audra spoke to the Board regarding civic engagement.

Consuelo spoke to the Board regarding government systems and freedom.

Paul Henkin spoke to the Board regarding the end of the COVID pandemic and electric power stations.

Oliver Twist spoke to the Board regarding the mileage and gas tax, and Supervisor attendance at Board meetings.

Barbara Gordon spoke to the Board regarding marijuana product warning labels.

Diane Grace spoke to the Board regarding smoke-free air.

Ann Riddle spoke to the Board regarding the long-term effects of marijuana use amongst youth.

Katheryn Rhodes spoke to the Board regarding her desire for Supervisor Fletcher to run as Mayor of San Diego.

Truth spoke to the Board regarding her comments to the Board of Supervisors.

Victoria Abrenica spoke to the Board regarding unsafe driving conditions on Jamacha Road in Spring Valley.

Fernanda Castro spoke to the Board regarding unsafe driving conditions on Jamacha Road in Spring Valley.

Becky Rapp spoke to the Board regarding public health, children foster care, and marijuana use amongst youth.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 11:43 a.m.

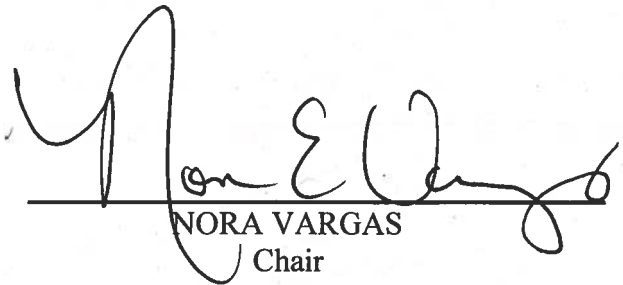
ANDREW POTTER  
Clerk of the Board of Supervisors  
County of San Diego, State of California

Consent: Perez

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, 2023.



NORA VARGAS  
Chair

Attest:



ANDREW POTTER  
Clerk of the Board

03/01/2023