

March 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, MARCH 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 9:03 a.m.

PRESENT: Supervisors Dianne Jacob, Chairwoman; Kristin Gaspar, Vice-Chairwoman; Greg Cox; Ron Roberts; Bill Horn; also, David Hall, Clerk of the Board.

Approval of Statement of Proceedings/Minutes for meeting of February 15, 2017.

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Roberts, the Board of Supervisors approved the Statement of Proceedings for the meeting of February 15, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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. SET HEARING FOR 03/22/2017:
 APPROVAL OF FEE ADJUSTMENTS IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE REVISIONS
 [FUNDING SOURCE: FEES PAID BY DEH CUSTOMERS]

2. NOTICED PUBLIC HEARING:
 SAN DIEGO COUNTY CODE AND ZONING ORDINANCE AMENDMENTS BANNING MEDICAL AND NON-MEDICAL MARIJUANA FACILITIES AND EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE FACILITIES
 (4 VOTES)

3. NOTICED PUBLIC HEARING:
AGRICULTURE PROMOTION AMENDMENTS GENERAL PLAN
AMENDMENT, ZONING ORDINANCE AMENDMENTS, FINAL
ENVIRONMENTAL IMPACT REPORT AND STATEMENT OF OVERRIDING
CONSIDERATIONS
[FUNDING SOURCE: THE PERMIT APPLICANTS]
4. NOTICED PUBLIC HEARING:
GENERAL PLAN AMENDMENT - HOUSING ELEMENT UPDATE AND
SAFETY ELEMENT UPDATE
5. NOTICED PUBLIC HEARING:
2016 GENERAL PLAN ANNUAL PROGRESS REPORT
6. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT AN
ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING,
RESIDENTIAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES
7. NOTICED PUBLIC HEARING:
KEYS CREEK PRESERVE – ACQUISITION OF 44 ACRES FOR OPEN SPACE
(LEFT COAST INVESTMENTS, INC.) (2/15/2017 – SET HEARING; 3/15/2017 –
HOLD HEARING)
[FUNDING SOURCES: MSCP ACQUISITIONS FUND AND GENERAL
PURPOSE REVENUE]
8. SECOND CONSIDERATION AND ADOPTION OF ORDINANCES:
ORDINANCES REPEALING AND REENACTING THE COUNTY FIRE CODE
AND RATIFYING THE 2017 CONSOLIDATED FIRE CODE
9. RATIFY AND APPROVE FISCAL YEAR 2016-17 REVENUE AGREEMENT
WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE
LOCAL OVERSIGHT PROGRAM
[FUNDING SOURCE: A REVENUE AGREEMENT WITH STATE OF
CALIFORNIA WATER RESOURCES CONTROL BOARD]
10. RATIFY AND APPROVE FISCAL YEAR 2016-17 REVENUE AGREEMENT
WITH THE STATE WATER RESOURCES CONTROL BOARD FOR BEACH
AND BAY WATER QUALITY MONITORING
[FUNDING SOURCES: A REVENUE AGREEMENT WITH THE STATE
WATER RESOURCES CONTROL BOARD AND 1991 REALIGNMENT
REVENUE]
11. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: TRAFFIC
ADVISORY COMMITTEE RECOMMENDATIONS (2/15/17 – ADOPT
RECOMMENDATIONS; 3/15/17 – SECOND READING OF ORDINANCES)

12. SET A HEARING DATE AND APPROVE RELATED ACTIVITIES FOR THE PETITION TO FORM A CITRUS PEST CONTROL DISTRICT IN SAN DIEGO COUNTY
13. PUBLIC COMMUNICATION

**1. SUBJECT: SET HEARING FOR 03/22/2017:
APPROVAL OF FEE ADJUSTMENTS IN THE
DEPARTMENT OF ENVIRONMENTAL HEALTH
EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED
ORDINANCE REVISIONS (DISTRICTS: ALL)**

OVERVIEW:

The mission of the Department of Environmental Health (DEH) is to protect the environment and enhance public health for all San Diego county residents by preventing disease, promoting environmental responsibility and, when necessary, enforcing environmental and public health laws.

Since the Board of Supervisors last approved a fee adjustment for DEH nearly seven years ago (July 14, 2010(7)), many DEH programs have experienced new state mandates for existing and new environmental health programs, reporting requirements, and additional regulatory requirements. Because DEH has successfully implemented a number of business process re-engineering efforts to maximize efficiency, and has leveraged technology to streamline operations and improve service to customers, the department has been able to contain costs. However, beginning in Fiscal Year 2017-18, it will be necessary to adjust fees to address increases in staffing and retirement costs, services and supplies, and new program mandates. The fee increases proposed today are necessary to comply with Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery to ensure full cost recovery, which is required for all services provided by DEH.

The average DEH proposed fee increase included in this cost recovery proposal is equivalent to a 2.6% increase each year since the last fee adjustment.

This is a request to adopt ordinance amendments to Title 6 of the County Code of Regulatory Ordinances relating to permit fees and procedures for businesses and health regulated activities in DEH effective Fiscal Year 2017-18, and approve updates to terminology and references.

FISCAL IMPACT:

The proposed increase to the standard hourly rate and fees are not included in the Fiscal Year 2017-18 Approved Operational Plan in the Department of Environmental Health. If approved, the proposed rate and fee adjustments will result in additional estimated costs and revenue of \$3,314,000 in Fiscal Year 2017-18, with \$785,000 for the Food & Housing Division, \$2,150,000 for the Hazardous Materials Division, \$29,000 for the Community Health Division, and \$350,000 in the Land and Water Quality Division.

If approved, funds for this request will be included in the Fiscal Year 2017-18 CAO Recommended Operational Plan in the Department of Environmental Health. The funding source is fees paid by DEH customers. There will be no net change in general fund and no additional staff years.

BUSINESS IMPACT STATEMENT:

If approved, these recommendations will have a positive impact on the business community by enabling the Department of Environmental Health (DEH) to maintain high-quality services, and by updating the alignment of fees to the actual costs of services provided to fee payers in each fee category. Fees are calculated based on actual documented time required by County of San Diego (County) staff to perform each service. The County strives to improve and streamline its services, and as a result, the average DEH proposed fee increase included in this cost recovery proposal is equivalent to a 2.6% increase each year since the last fee adjustment. Increases are necessary to ensure full cost recovery for services performed by staff.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On March 15, 2017:

1. Set a hearing for March 22, 2017 for consideration and adoption of an Ordinance amending Title 6 of the San Diego County Code of Regulatory Ordinances.

2. Find based on the cost studies undertaken by the County that the adjustments in fees and charges contained in the proposed ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEE ADJUSTMENTS FOR THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18 are necessary to meet operating expenses, and find in accordance with Sections 21080(b)(8) of the California Environmental Quality Act (CEQA) and 15273(a) of the CEQA Guidelines that these modifications to fees and charges are therefore not subject to CEQA.

3. Approve the introduction of the Ordinance, (first reading), read title and waive further reading of an Ordinance entitled:
ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEE ADJUSTMENTS FOR THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18

If, on March 15, 2017, the Board takes the actions recommended in items 1 through 3 above then, on March 22, 2017:

Consider and adopt the Ordinance amending Title 6 of the County Code of Regulatory Ordinances (second reading).

ACTION:

With the exception of cottage food fees and small public water stations fees, ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board took action as recommended, setting a hearing and introducing an Ordinance for further Board consideration and adoption on March 22, 2017; and directed the Chief Administrative Officer to further evaluate the cottage food fees and small public water stations fees.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

2. **SUBJECT: NOTICED PUBLIC HEARING:
SAN DIEGO COUNTY CODE AND ZONING ORDINANCE
AMENDMENTS BANNING MEDICAL AND NON-MEDICAL
MARIJUANA FACILITIES AND EXTENDING A
MORATORIUM ON THE ESTABLISHMENT OF MEDICAL
MARIJUANA COLLECTIVE FACILITIES
(DISTRICTS: ALL)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to consider proposed amendments to the San Diego County Code of Regulatory Ordinances (County Code) and the Zoning Ordinance related to Medical Marijuana Facilities. On January 25, 2017 (1), the Board directed staff to return with Ordinance Amendments to prohibit and ban medical and non-medical marijuana facilities within the unincorporated County of San Diego (County). Staff has prepared amendments to amend existing language in the County Code and amend and repeal the Zoning Ordinance; to add language prohibiting medical and non-medical marijuana facilities; and to update the amortization requirements applicable to non-conforming medical marijuana collective facilities.

These changes would result in a local ban within the unincorporated area on medical and non-medical marijuana facilities, including both non-profit and for-profit facilities. Recently adopted State laws permit local jurisdictions to ban both medical and non-medical marijuana facilities. These amendments do not preclude the private use of medical and non-medical marijuana as allowed by State law.

The proposed Zoning Ordinance changes, if adopted, may cause three existing medical marijuana collective facilities and two other vested facilities to become non-conforming uses since they would no longer be allowed in the County. If this were the case, the non-conforming medical marijuana collective facilities would need to cease operations within five years of the effective date of the ban ordinance with one possible six month extension.

On April 27, 2016 (2), the Board extended the interim urgency moratorium ordinance prohibiting the establishment of new medical marijuana collective facilities until March 16, 2017 (Ordinance No. 10426). This action also includes, for the Board's consideration, an extension of the interim urgency moratorium ordinance (Attachment C) which, if adopted, would extend the interim urgency

moratorium ordinance for an additional year to March 15, 2018. If the Board adopts the ordinance changes, the moratorium will remain in effect only until the Zoning Ordinance banning medical and non-medical facilities becomes effective.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

PLANNING COMMISSION

On February 10, 2017, the Planning Commission made the following recommendations to the Board:

1. Find that the proposed Zoning Ordinance amendments comply with the California Environmental Quality Act (CEQA) and County CEQA Guidelines because the amendments can be found exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines (Attachment H).
2. Adopt the attached Form of Ordinance (Attachment D1):
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO AMEND THE MEDICAL MARIJUANA COLLECTIVE FACILITY REGULATIONS.
3. Find that the proposed Zoning Ordinance amendments comply with the California Environmental Quality Act (CEQA) and County CEQA Guidelines because the amendments can be found exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines (Attachment H).
4. Adopt the attached Form of Ordinance (Attachment D1):
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO AMEND THE MEDICAL MARIJUANA COLLECTIVE FACILITY REGULATIONS.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) does not concur with the Planning Commission recommendations and requests that the Board:

On March 15, 2017:

1. Find that the proposed Zoning Ordinance amendments comply with CEQA and County CEQA Guidelines because the amendments can be found exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines (Attachment F).
2. Find that the proposed Moratorium Ordinance Extension is not a project as defined by CEQA, pursuant to Section 15060(c)(3) and 15378 of the State CEQA Guidelines (Attachment G).
3. Approve the introduction of the proposed San Diego County Code amendments Ordinance (first reading), read title and waive further reading of the following ordinance (Attachment A1):

AN ORDINANCE AMENDING SECTIONS 21.2501 AND 21.2503(a) OF THE SAN DIEGO COUNTY REGULATORY ORDINANCES RELATING TO THE ISSUANCE OF MEDICAL MARIJUANA COLLECTIVE FACILITIES OPERATING CERTIFICATES.

4. Adopt the attached Form of Ordinance (Attachment B1):
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE REPEALING MEDICAL MARIJUANA COLLECTIVE FACILITY REGULATIONS AND BANNING MEDICAL AND NON-MEDICAL MARIJUANA FACILITIES.
5. If the Board chooses, adopt the attached Form of Ordinance (Attachment C):
AN ORDINANCE EXTENDING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL MARIJUANA COLLECTIVE FACILITIES AND DECLARING THE URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY **(4 VOTES)**.

If, on March 15, 2017, the Board takes action on recommendation Item 3 above, then, on March 22, 2017:

1. Find that the proposed San Diego County Code Ordinance amendments comply with the CEQA and County CEQA Guidelines because the amendments can be found exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines (Attachment E).
2. Adopt the Ordinance (Attachment A1) entitled:
AN ORDINANCE AMENDING SECTIONS 21.2501 AND 21.2503(a) OF THE SAN DIEGO COUNTY REGULATORY ORDINANCES RELATING TO THE ISSUANCE OF MEDICAL MARIJUANA COLLECTIVE FACILITIES OPERATING CERTIFICATES (second reading).

2.1 ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board closed the Hearing and took the following action:

1. Found that the proposed Zoning Ordinance amendments comply with CEQA and County CEQA Guidelines because the amendments can be found exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines (Attachment F).
2. Approved the introduction of the proposed San Diego County Code amendments Ordinance for further Board consideration and adoption on March 22, 2017.

3. Adopted Ordinance No. 10461 (N.S.) entitled:
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY
ZONING ORDINANCE REPEALING MEDICAL MARIJUANA
COLLECTIVE FACILITY REGULATIONS AND BANNING
MEDICAL AND NON-MEDICAL MARIJUANA FACILITIES.

AYES: Jacob, Gaspar, Horn
NOES: Cox, Roberts

2.2 ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board took the following action:

1. Found that the proposed Moratorium Ordinance Extension is not a project as defined by CEQA, pursuant to Section 15060(c)(3) and 15378 of the State CEQA Guidelines (Attachment G).
2. Ordinance No. 10462 (N.S.) entitled:
AN ORDINANCE EXTENDING A MORATORIUM ON THE
ESTABLISHMENT OF MEDICAL MARIJUANA
COLLECTIVE FACILITIES AND DECLARING THE
URGENCY THEREOF, TO TAKE EFFECT IMMEDIATELY.

AYES: Cox, Jacob, Gaspar, Horn
NOES: Roberts

3. **SUBJECT: NOTICED PUBLIC HEARING:
AGRICULTURE PROMOTION AMENDMENTS GENERAL
PLAN AMENDMENT, ZONING ORDINANCE
AMENDMENTS, FINAL ENVIRONMENTAL IMPACT
REPORT AND STATEMENT OF OVERRIDING
CONSIDERATIONS (DISTRICTS: ALL)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to evaluate proposed amendments to the Zoning Ordinance (Ordinance) related to the Agriculture Promotion Program (Amendments). These Amendments would: 1) add and clarify agricultural use definitions; 2) supplement agricultural opportunities to include new agri-tourism accessory uses; 3) allow wineries in the S92 Use Regulations; and 4) revise the animal use regulations to simplify the Ordinance.

According to the County Department of Agriculture, Weights & Measures 2015 Crop Report, total agriculture in the County is valued at 1.7 billion dollars; however, local farming faces challenges that threaten its continued viability. These include: 1) conflicts at the urban/agricultural interface; 2) water cost/availability; 3) high cost of operation; and 4) economic pressures to sell and/or develop agricultural land.

On August 6, 2014 (1), the Board directed the Chief Administrative Officer (CAO) to develop the Amendments and to present them to the Board in 30 months to address the aforementioned challenges (Attachment A). The Amendments contain updated and new agricultural accessory uses that respond to current trends in the agriculture industry, such as agri-tourism and microbreweries/micro-distilleries. Allowing these types of uses as accessory agricultural uses would support small-scale agricultural operations. In developing the Amendments, a Mobility Element General Plan Amendment is needed to accept several segments to operate at a failing Level-of-Service.

Staff also developed a process that streamlines permitting for agricultural uses and allows new agricultural uses, such as micro-breweries, that could support small agricultural operations. It also addresses winery uses in the General Rural Use Regulations (S92). Finally, staff prepared Amendments to simplify permitting by offering a ministerial Zoning Verification Permit and an Administrative Permit.

Today's recommendation includes: 1) approving a General Plan amendment (GPA) resolution for the Mobility Element to accept four additional County Mobility Element roadway segments at a failing Level-of-Service; 2) adopting an Ordinance Amendment; 3) certifying the Final Environmental Impact Report (EIR); and 4) adopting a Statement of Overriding Considerations. The Amendments will facilitate the continued viability of agricultural production in the County by simplifying and streamlining the agricultural-related regulations.

FISCAL IMPACT:

Funding for the Amendments has not been included in the Fiscal Year 2016-17 Operational Plan in the PDS. If approved, the Amendments may result in unanticipated costs and revenue from two new permit processes through the existing Zoning Verification Permit and Administrative Permit, if the Amendments' permit applications are received. Based on the volume of similar application requests, PDS estimates that \$10,000 could be collected in Fiscal Year 2016-17 from the Amendments' permit applications and \$27,000 in Fiscal Year 2017-18. The Amendments represent full cost recovery and its funding source would be the permit applicants. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

The Amendments expand agricultural production opportunities by updating regulations, adding new uses and simplifying the permitting processes. The Amendments represent one of many regulatory strategies to further County goals that support and protect the unincorporated County agricultural industry.

RECOMMENDATION:

PLANNING COMMISSION

On February 10, 2017, the Planning Commission considered the Amendments and recommended that the Board:

1. Certify that the Final EIR, dated February 2017, on file with Planning & Development Services (SCH No. 2015061047) and prepared for the Amendments, has been completed in compliance with the California Environmental Quality Act (CEQA) and County CEQA Guidelines; that the

EIR was presented to the Board, which reviewed and considered the information contained therein before approving the project; and that the EIR reflects the Board's independent judgment and analysis (Attachment B).

2. Adopt the CEQA Findings for the Agriculture Promotion Amendments regarding significant effects of the project; Statement of Overriding Considerations; Recirculation; and the Mitigation and Monitoring Amendments, prepared pursuant to the CEQA Guidelines Sections 15091, 15093 and 15097 (Attachment C).
3. Adopt the attached Resolution approving the Agriculture Promotion Amendments entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS CONCERNING GENERAL PLAN AMENDMENT (GPA-16-004) (Attachment D);

Adopt the attached Form of Ordinance entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO THE AGRICULTURE PROMOTION AMENDMENTS (Attachments E and F).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the Planning Commission's recommendations.

ACTION:

Noting for the record a clerical error was found in the attachment of the Planning Commission Staff Report (pages 3-57). No changes are required of the Board items. ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board closed the Hearing and took action as recommended, adopting Resolution No. 17-026, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS CONCERNING GENERAL PLAN AMENDMENT (GPA-16-004); and Ordinance No. 10463 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO THE AGRICULTURE PROMOTION AMENDMENTS.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

4. **SUBJECT: NOTICED PUBLIC HEARING:
GENERAL PLAN AMENDMENT - HOUSING ELEMENT
UPDATE AND SAFETY ELEMENT UPDATE
(DISTRICTS: ALL)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to consider updates to the General Plan Housing Element and Safety Element and to adopt the resolution entitled: A Resolution of the San Diego County Board of Supervisors Adopting General Plan Amendment (GPA) 16-003 Housing Element Update and Safety Element Update (Attachment A).

California Government Code Section 65580-65589.8, requires updates of the General Plan Housing Element (Housing Element Update) to ensure that affordable housing opportunities within a jurisdiction have been identified. Pursuant to California Government Code Section 65588(e)(2)(B), if a local government had not adopted a fourth planning period housing element by January 1, 2009, they were required to revise the Housing Element every four years. This Housing Element Update is limited to updating the Housing Element Background Report and does not include any goal or policy changes because new demographic data demonstrated that changes were not necessary. The Housing Element Background Report includes updated statistics, demographic data and the Sites Inventory, which identifies land zoned to meet the requirements of the current Regional Housing Needs Assessment (RHNA). The State of California Department of Housing and Community Development (HCD) reviewed and approved the proposed Housing Element Update on October 26, 2016.

As part of the Housing Element Update, California Government Code Section 65302(g)(3) also requires review and update of the General Plan Safety Element (Safety Element Update). This Safety Element Update includes a minor policy revision related to Fuel Management Programs to include a new reference to Strategic Fire Plans. The Board of Forestry and Fire Protection, Resource Protection Committee reviewed the Safety Element Update during a public hearing on November 1, 2016, and did not request modifications other than the minor policy revision related to Fuel Management Programs.

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. If future activities related to implementation of the Housing Element Update and Safety Element Update require additional resources, such needs will be addressed in future operational plans.

BUSINESS IMPACT STATEMENT:

The General Plan Housing Element identifies available sites with appropriate densities to construct housing needed to comply with the RHNA. The General Plan Housing Element Implementation Plan identifies programs to facilitate affordable and special needs housing, financial assistance and the reduction of government constraints related to affordable housing.

The General Plan Safety Element seeks to protect communities from risk and hazards through the implementation of goals and policies. Implementation of a revised policy related to Fuel Management Programs will ensure that defensible space strategies are identified in Strategic Fire Plans.

RECOMMENDATION:

PLANNING COMMISSION

On February 10, 2017, the Planning Commission made the following recommendations to the Board:

1. Find that the General Plan EIR, dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, was completed in compliance with the California Environmental Quality Act

(CEQA) and the State and San Diego County (County) CEQA Guidelines, and that the Board has reviewed and considered the information contained therein and the Addendum thereto dated December 7, 2016, on file with PDS, prior to approving GPA 16-003.

2. Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIR dated August 3, 2011; 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 EIR was certified as explained in the Environmental Review Update Checklist dated December 7, 2016.
3. Adopt the Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 16-003 HOUSING ELEMENT UPDATE AND SAFETY ELEMENT UPDATE (Attachment A).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES
PDS concurs with the Planning Commission's recommendations.

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Cox, the Board closed the Hearing and took action as recommended, adopting Resolution No. 17-027, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 16-003 HOUSING ELEMENT UPDATE AND SAFETY ELEMENT UPDATE.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

5. **SUBJECT: NOTICED PUBLIC HEARING:
2016 GENERAL PLAN ANNUAL PROGRESS REPORT
(DISTRICTS: ALL)**

OVERVIEW:

This is a request for the Board of Supervisors (Board) to accept the 2016 General Plan Annual Progress Report, including the Annual Housing Element Progress Report. In accordance with State law, all counties must submit an Annual Progress Report to the State Office of Planning & Research (OPR) and State Housing and Community Development Department (HCD) on the status of the General Plan implementation by April 1 of each year. Submission of the Annual Progress Report fulfills statutory requirements to report certain information pertaining to the Housing Element of the General Plan, including the Annual Housing Element Progress Report, which contains the County of San Diego's (County) progress in meeting its share of regional housing needs and local efforts to remove governmental constraints to housing development. State law further mandates that the Housing Element portion of the Annual Progress Report be considered at a public meeting before the Board of Supervisors.

The purpose of the Annual Progress Report is to inform the Board and residents of the County about the status of implementing the County General Plan, housing issues, and major planning projects for the unincorporated County from January 1 to December 31, 2016. The Annual Progress Report also identifies ongoing and completed relevant planning activities, programs, and permits. The Annual Progress Report is provided as Attachment A.

FISCAL IMPACT:

There is no fiscal impact associated with receiving the Annual Progress Report. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Accept the 2016 General Plan Annual Progress Report, including the 2016 Annual Housing Element Progress Report.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board closed the Hearing and took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

6. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES (DISTRICTS: ALL)**

OVERVIEW:

On February 15, 2017 (13) the Board of Supervisors introduced the Ordinance for further consideration and adoption on March 15, 2017.

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. 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 Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10464 (N.S.), entitled: AN ORDINANCE REPEALING AND REENACTING THE COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING AND MECHANICAL CODES.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**7. SUBJECT: NOTICED PUBLIC HEARING:
KEYS CREEK PRESERVE – ACQUISITION OF 44 ACRES
FOR OPEN SPACE (LEFT COAST INVESTMENTS, INC.)
(2/15/2017 – SET HEARING; 3/15/2017 – HOLD HEARING)
(DISTRICT: 5)**

OVERVIEW:

On February 15, 2017 (6) the Board of Supervisors set a Hearing for March 15, 2017.

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

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 Roberts, seconded by Supervisor Horn, the Board closed the hearing and took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

8. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ORDINANCES REPEALING AND REENACTING THE COUNTY FIRE CODE AND RATIFYING THE 2017 CONSOLIDATED FIRE CODE (DISTRICTS: ALL)**

OVERVIEW:

On February 15, 2017 (14) the Board of Supervisors introduced the Ordinances for further consideration and adoption on March 15, 2017.

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. 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 Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10465 (N.S.), entitled: AN ORDINANCE REPEALING AND REENACTING THE COUNTY FIRE CODE; and Ordinance No. 10466 (N.S.), entitled: AN ORDINANCE RATIFYING THE 2017 CONSOLIDATED FIRE CODE FOR THE 14 FIRE PROTECTION DISTRICTS IN SAN DIEGO COUNTY.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

9. **SUBJECT: RATIFY AND APPROVE FISCAL YEAR 2016-17 REVENUE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE LOCAL OVERSIGHT PROGRAM (DISTRICTS: ALL)**

OVERVIEW:

The Department of Environmental Health (DEH) has been certified by the State of California Water Resources Control Board (SWRCB) as the Local Oversight Agency for the state's program to oversee the investigation and cleanup of leaks from underground fuel storage tanks (USTs) throughout the San Diego region. The goal of this program is to protect groundwater resources and public health from the health hazards associated with petroleum products. When USTs leak they contaminate the underlying soil and potentially impact groundwater. It is imperative that discharges of petroleum products are properly assessed and remediated to prevent environmental and human health impacts.

DEH is responsible for both regulatory and administrative tasks associated with cases overseen by DEH. The Local Oversight Program has been funded through a succession of annual revenue agreements with the State of California since 1991, with the most recent agreement approved by the Board of Supervisors on March 2, 2016 (9), authorizing DEH to execute a revenue agreement with the SWRCB for the period of July 1, 2015 through June 30, 2016.

The County of San Diego received a final contract from the SWRCB on November 4, 2016. Because this contract was not received by DEH until after the July 1, 2016 start date, this request is to ratify the acceptance of a State of California Water Resources Control Board Revenue Agreement and adopt a Resolution authorizing DEH to receive funds in the amount of \$1,776,617 to continue the Local Oversight Program. In addition, this request will authorize the Director, DEH or their designee to execute a revenue agreement with the SWRCB, in the amount of \$1,776,617 for the period of July 1, 2016 through June 30, 2017.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan in the Department of Environmental Health. If approved, this request will result in current year costs and revenue of \$1,776,617. The funding source is a revenue agreement with State of California Water Resources Control Board. This is a full cost recovery agreement. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

This program benefits business by ensuring that site cleanups related to leaks from underground fuel storage tanks meet state and local standards, enabling tank owners or operators to be reimbursed for costs through the State of California Water Resources Control Board's Underground Storage Tank Cleanup Fund. Additionally, lenders frequently request Department of Environmental Health site cleanup closure letters prior to providing loans to property owners/project proponents.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) Guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore exempt from CEQA.
2. Waive Board Policy B-29, ratify acceptance and authorize the Director, Department of Environmental Health, or their designee to execute a revenue agreement with the State of California Water Resources Control Board, in the amount of \$1,776,617 for the period of July 1, 2016 through June 30, 2017, to fund the Local Oversight Program.
3. Adopt a Resolution entitled: RESOLUTION AUTHORIZING EXECUTION OF A REVENUE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE LOCAL OVERSIGHT PROGRAM FOR FISCAL YEAR 2016-17.
4. Authorize the Director, Department of Environmental Health, or their designee to execute any extensions, amendments, and or revisions thereof that do not materially impact or alter either the program or funding level.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Resolution No. 17-028, entitled: RESOLUTION AUTHORIZING EXECUTION OF A REVENUE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE LOCAL OVERSIGHT PROGRAM FOR FISCAL YEAR 2016-17.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

10. SUBJECT: RATIFY AND APPROVE FISCAL YEAR 2016-17 REVENUE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR BEACH AND BAY WATER QUALITY MONITORING (DISTRICTS: 1, 3, 4 AND 5)

OVERVIEW:

Since 1999, the Department of Environmental Health (DEH) has contracted with the State of California to coordinate the sampling and testing of water and posting of signs warning of contaminated water at recreational beaches and bays affected by sewage spills. Signs are posted when monitoring indicates bacteria levels exceed State standards, or during other events that may pose a threat to public health. This program provides San Diego County's residents and visitors with up-to-date and easily accessible beach water quality information so they can make an informed decision as to where they can go into the water.

The County of San Diego received a final contract from the State Water Resources Control Board on February 8, 2017. This revenue agreement of \$345,000 consists of Federal (\$185,000) and State (\$160,000) funding and is backdated to July 1, 2016. Since the revenue agreement is funded by both Federal and State funds, the performance period for each of the funded amounts is different. The performance period for the State-funded portion will reimburse expenses incurred from July 1, 2016 to June 30, 2017 while the Federally-funded portion will reimburse expenses incurred from October 1, 2016 to September 30, 2017.

Because this contract was not received by DEH until after the July 1, 2016 start date, this request is to ratify the acceptance of a State Water Resources Control Board Revenue Agreement and adopt a Resolution authorizing DEH to receive funds in the amount of \$345,000 to continue the Beach and Bay Water Quality Monitoring program. In addition, this request will authorize the Director, DEH or their designee to execute a revenue agreement with the State Water Resources Control Board, in the amount of \$345,000 for the period of July 1, 2016 through September 30, 2017.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan for DEH. If approved, this request will result in anticipated current year program costs and revenue of \$462,000. The funding sources are a revenue agreement with the State Water Resources Control Board (\$345,000) and 1991 Realignment revenue (\$117,000). DEH receives a fixed amount of ongoing 1991 Realignment Revenue which is restricted to funding public health programs with insufficient funding such as the Beach and Bay Water Quality Monitoring Program. A waiver of Board Policy, B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, is requested in the anticipated amount of \$117,000 for program costs not covered by the revenue agreement, including County support costs, which are disallowed under the State agreement. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

It is imperative that water quality testing be conducted in a timely manner to ensure the protection of public health. Business, tourism and recreational activities in the county can be negatively impacted when water quality at beaches and bays exceed State standards.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) Guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore exempt from CEQA.
2. Waive Board Policy B-29 Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery for revenue contracts.
3. Ratify acceptance and authorize the Director, Department of Environmental Health or their designee, to accept and to execute a revenue agreement with the State Water Resources Control Board in the amount of \$345,000 for the period July 1, 2016 through September 30, 2017, for beach and bay water quality monitoring.
4. Adopt a Resolution entitled: RESOLUTION AUTHORIZING EXECUTION OF A REVENUE AGREEMENT WITH THE STATE OF CALIFORNIA FOR BEACH WATER QUALITY MONITORING FISCAL YEAR 2016-2017.
5. Authorize the Director, Department of Environmental Health or their designee, to execute any amendments, extensions or revisions thereof that do not materially impact or alter either the program or funding level.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Resolution No. 17-029, entitled: RESOLUTION AUTHORIZING EXECUTION OF A REVENUE AGREEMENT WITH THE STATE OF CALIFORNIA FOR BEACH WATER QUALITY MONITORING FISCAL YEAR 2016-2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

11. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCES: TRAFFIC ADVISORY COMMITTEE
RECOMMENDATIONS (2/15/17 – ADOPT
RECOMMENDATIONS; 3/15/17 – SECOND READING OF
ORDINANCES (DISTRICTS: 2 & 5)**

OVERVIEW:

On February 15, 2017 (2) the Board of Supervisors introduced the Ordinances for further consideration and adoption on March 15, 2017.

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

Consider and adopt 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). (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 Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, adopting Ordinance No. 10467 (N.S.), entitled: ORDINANCE ADDING SECTION 72.159.13. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 2B); and Ordinance No. 10468 (N.S.), entitled: 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).

AYES: Cox, Jacob, Gaspar, Roberts, Horn

12. **SUBJECT: SET A HEARING DATE AND APPROVE RELATED ACTIVITIES FOR THE PETITION TO FORM A CITRUS PEST CONTROL DISTRICT IN SAN DIEGO COUNTY (DISTRICTS: 2, 3 & 5)**

OVERVIEW:

The mission of the Department of Agriculture, Weights and Measures (AWM) is to promote a thriving agricultural community, healthy residents, and a balanced environment. At this time, the pest and disease of concern is the Asian Citrus Psyllid (ACP), the insect that transmits the world's most destructive disease of citrus, Huanglongbing (HLB), affecting the yield, quality and market value of citrus fruit. Found in Los Angeles County and near the border in Mexico, HLB threatens the livelihood of San Diego county's citrus growers who contribute a \$126 million crop to California's \$2.5 billion citrus industry as well as all residential citrus trees. The entire county is currently under quarantine for ACP.

To effectively suppress the ACP population in the county, which would reduce the risk of HLB transmission, property owners of commercial citrus groves in the designated areas of Pala, Pauma Valley, San Pasqual and Borrego Springs have requested the formation of a Citrus Pest Control District (District), in accordance with California Food and Agricultural Code (FAC) Section 8451 et seq.

This is a request for a CEQA exemption and to set April 12, 2017 as the date for a hearing on the petition for the growers to form and operate a District in San Diego county; to refer the petition to the Agricultural Commissioner of the Department of Agriculture, Weights and Measures for investigation and report; and to direct the Clerk of the Board of Supervisors to give notice of the hearing in accordance with existing law.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations. The proposed District would not be administered by the County, nor contracted with the County for service. If approved, the District's operations, budget, expenditures and funding source(s) would be determined by the District's Board and property owners. There will be no net change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

There is no business impact associated with these actions.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed actions are not a project under the California Environmental Quality Act (CEQA) pursuant to in accordance with Sections 15060(c)(3) and 15378(b)(5) of the CEQA Guidelines that the proposed actions are organizational or administrative activities that do not cause any change to the environment.
2. Set April 12, 2017, at the regularly scheduled meeting of the Board of Supervisors, as the time and place for a hearing of the petition to form a Citrus Pest Control District in San Diego county.
3. Direct the Clerk of the Board of Supervisors to give notice of the hearing in accordance with existing law.
4. Refer the petition to the Agricultural Commissioner of the Department of Agriculture, Weights and Measures for investigation and report.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board took action as recommended, on Consent, setting a Hearing for April 12, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

13. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:

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

Nathan Wellman, Christynne Wood, and Drucilla Willis spoke to the Board regarding Invest in San Diego Families.

Robert Germann spoke to the Board regarding Gillespie Field.

Debbie Kinsinger, Nina Babiarz, and Charles Langley spoke to the Board regarding San Onofre nuclear waste.

ACTION:

Heard, referred to the Chief Administrative Officer.

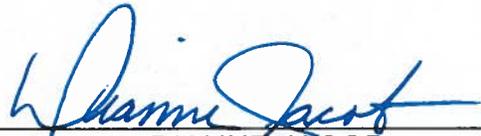
There being no further business, the Board adjourned at 12:59 p.m. in memory of Judge Elizabeth Ann Riggs and Judge Ross Tharp.

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, April 12, 2017.



DIANNE JACOB
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

03/15/17