

**April 18, 2018**

**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, APRIL 18, 2018, 9:00 AM**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

**Order of Business**

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

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

ABSENT: Supervisor Ron Roberts

B. Presentation or Announcement of Proclamations and Awards:

Vice-Chairwoman Dianne Jacob presented the Conference Award for the Helix Flume Trail to Brian Albright for the 2018 California Trails & Greenways.

C. Closed Session Report

D. 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 March 28, 2018.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of March 28, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

F. Formation of 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.

- | <b>Agenda #</b> | <b>Subject</b>  |
|-----------------|---|
| 1.              | NOTICED PUBLIC HEARING:<br>COST RECOVERY PROPOSAL TO AMEND ORDINANCES RELATED TO LAND DEVELOPMENT FEES AND DEPOSITS EFFECTIVE FISCAL YEAR 2018-19<br>[FUNDING SOURCE: FEES PAID BY LAND DEVELOPMENT PROJECT AND BUILDING PERMIT APPLICANTS]   |
| 2.              | NOTICED PUBLIC HEARING:<br>SET A HEARING FOR 4/25/2018:<br>APPROVAL OF FEE ADJUSTMENTS IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH EFFECTIVE FISCAL YEAR 2018-19 AND ASSOCIATED ORDINANCE REVISIONS<br>[FUNDING SOURCE: FEES PAID BY DEH CUSTOMERS, OR RESPONSIBLE PARTIES FOR COMPLAINT AND EMERGENCY RESPONSE RELATED COSTS]  |
| 3.              | APPROVAL OF COST RECOVERY PROPOSAL IN THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES EFFECTIVE FISCAL YEAR 2018-19 AND ASSOCIATED ORDINANCE REVISIONS<br>[FUNDING SOURCE: FEES PAID BY AWM CUSTOMERS]  |
| 4.              | ADMINISTRATIVE ITEM:<br>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING TITLE 8, DIVISION 1, OF THE SAN DIEGO COUNTY CODE TO DELEGATE AUTHORITY TO APPROVE FINAL MAPS AND ASSOCIATED IMPROVEMENT AGREEMENTS; AND ADDITIONAL MINOR EDITS   |
| 5.              | HOUSING AFFORDABILITY: ADDRESSING THE REGION'S HOUSING CRISIS   |
| 6.              | ANNUAL REPORT OF THE COUNTY-MAINTAINED ROAD SYSTEM  |
| 7.              | ADMINISTRATIVE ITEM:<br>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: TRAFFIC ADVISORY COMMITTEE (03/28/18 - ADOPT RECOMMENDATIONS; 04/18/18 - SECOND READING OF AN ORDINANCE)  |
| 8.              | EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS BONDED AGREEMENTS TO COMPLETE SUBDIVISION IMPROVEMENTS   |
| 9.              | SET A HEARING FOR 5/16/2018:<br>SANTA YSABEL PRESERVE - ACQUISITION OF APPROXIMATELY 722 ACRES OF OPEN SPACE PRESERVE LAND (VICTOR R. CAUZZA AND JULIE D. CAUZZA) AND AUTHORITY TO AMEND AGRICULTURAL LAND CONSERVATION CONTRACT NUMBER 6490 4900 (4/18/2018 - SET HEARING; 5/16/2018 HOLD HEARING)<br>[FUNDING SOURCES: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE] |

10. SET A HEARING FOR 5/09/2018:  
YALDA OPEN SPACE VACATION, PDS2015-VAC-15-002; VALLE DE ORO  
COMMUNITY PLAN AREA (04/18/2018 - SET HEARING; 05/09/2018 - HOLD  
HEARING)
11. PUBLIC COMMUNICATION

**1. SUBJECT: NOTICED PUBLIC HEARING:  
COST RECOVERY PROPOSAL TO AMEND ORDINANCES  
RELATED TO LAND DEVELOPMENT FEES AND DEPOSITS  
EFFECTIVE FISCAL YEAR 2018-19 (DISTRICTS: ALL)**

**OVERVIEW**

This is a request for the Board of Supervisors (Board) to adopt the land development cost recovery proposal which includes hourly billing rates, fees, and deposits for the processing of discretionary land development and building permit applications by Planning & Development Services (PDS), the Department of Public Works (DPW), and the Department of Parks and Recreation (DPR) (collectively “the Departments”).

With cost recovery funding, the Departments provide services that range in diversity and complexity and serve a wide variety of customers. Services include environmental and community character review through discretionary permitting, health and safety inspections of homes, and public infrastructure such as roads, parks and trails. The review of privately initiated land development and building permit applications ensures the safe design and construction of structures and infrastructure to protect the public. Through these services, the County balances community, economic, and environmental interests to enhance the quality of life in the unincorporated area of San Diego county.

Board Policy B-29 directs departments to recover the full cost for services provided to agencies or individuals outside of the County of San Diego. The last cost recovery package for the three Departments was March 22, 2017 (2). Since the last cost recovery package the Departments have continued to provide services to the public at the approved rates through increased efficiencies and process improvements, as well as achieving cost savings in other categories. Based on Countywide negotiated salary increases that took effect in November 2017, after the last fee adjustment, the fees proposed today, for Fiscal Year 2018-19, will be necessary in order to address cost increases and ensure compliance with Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, except where a waiver is needed. This cost recovery proposal represents the Departments commitment to the Board of Supervisors (Board) to make recovering costs a regular part of our business, while providing stakeholders an opportunity to plan for fee increases.

For PDS, the average proposed flat fee increase requested in this cost recovery proposal is equivalent to a 4.6% increase, the average intake deposit change is a 3.9% increase, and the average hourly rate change is a 5.4% increase. For DPW, the average proposed flat fee increase is a 4.8% increase, the average intake deposit change is a 1.9% increase and the average hourly rate change is a 2.0% increase. DPR does not use fees or deposits and is only proposing to update its hourly rates; the proposed average hourly rate change is a 7.0% increase.

Today’s request also includes a waiver of Board Policy B-29 in PDS related to appeals, fees for rebuilding structures damaged or destroyed by natural disaster, and plan check and building fees for the Green Building Incentive Program and Homeowner and Business Owner Relief Act Permits.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15273 of the CEQA Guidelines. Approve the findings in Attachment B pursuant to CEQA Guidelines Section 15273 (c).
2. Waive Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, for fees relating to: appeals, rebuilding structures damaged or destroyed by natural disaster, and plan review and permit fees for the Green Building Incentive Program and Homeowner and Business Owner Relief Act permits in Planning & Development Services.
3. Adopt the attached Form of Ordinance entitled: AN ORDINANCE AMENDING PORTIONS OF THE ADMINISTRATIVE CODE RELATING TO FEES AND DEPOSITS FOR THE DEPARTMENTS OF PLANNING & DEVELOPMENT SERVICES, PUBLIC WORKS, AND PARKS AND RECREATION (Attachment A).

### **FISCAL IMPACT**

The proposed increases to fees and deposits are not included in the budget in Planning & Development Services (PDS), the Department of Public Works (DPW), or the Department of Parks and Recreation (DPR). If approved, the proposed fee and deposit adjustments will result in additional estimated costs and revenue of \$1,000,000 in PDS, \$349,000 in DPW, and \$1,600 in DPR, effective Fiscal Year 2018-19. The funding source is fees paid by land development project and building permit applicants.

A waiver of Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29) is requested for appeal fees, fees for rebuilding structures damaged or destroyed by natural disaster, and plan review and permit fees for the Green Building Incentive Program and Homeowner and Business Owner Relief Act permits. These are proposed to be less than full cost recovery and a waiver of Board Policy B-29 is requested since the proposed fees do not cover all operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$2.2 million for Fiscal Year 2018-19 and will be funded with General Purpose Revenue. There will be no additional staff years.

If approved, funds for this request will be included in the Fiscal Year 2018-19 CAO Recommended Operational Plan in PDS, DPW, and DPR.

### **BUSINESS IMPACT STATEMENT**

If approved, these recommendations will enable Planning & Development Services, the Department of Public Works, and the Department of Parks and Recreation to maintain high-quality services, while aligning fees to the actual cost of services provided. If approved, these recommendations will allow the Department of Planning & Development Services, Department of Public Works, and Department of Parks & Recreation to maintain high quality services. These services enhance the livability of our communities and ensure the health and safety of residents by facilitating high quality land development, sufficient recreational opportunities and protect natural resources. These important services allow the land development process to be fair and efficient while ensuring the built environment allows residents to live well and thrive.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10528 (N.S.) entitled: AN ORDINANCE AMENDING PORTIONS OF THE ADMINISTRATIVE CODE RELATING TO FEES AND DEPOSITS FOR THE DEPARTMENTS OF PLANNING & DEVELOPMENT SERVICES, PUBLIC WORKS, AND PARKS AND RECREATION.

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

2. **SUBJECT: NOTICED PUBLIC HEARING:  
SET A HEARING FOR 4/25/2018:  
APPROVAL OF FEE ADJUSTMENTS IN THE DEPARTMENT OF  
ENVIRONMENTAL HEALTH EFFECTIVE FISCAL YEAR 2018-19  
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.

Board Policy B-29 directs departments to recover the full cost for services provided to agencies or individuals outside of the County of San Diego. The last cost recovery package for DEH was March 22, 2017 (5) and May 3, 2017 (2). Since the last cost recovery package the Departments have continued to provide services to the public at the approved rates through increased efficiencies and process improvements, as well as achieving cost savings in other categories. Based on Countywide negotiated salary increases that took effect in November 2017, after the last fee adjustment, the fees proposed today, for Fiscal Year 2018-19, will be necessary in order to address cost increases and ensure compliance with Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, except where a waiver is needed. This cost recovery proposal represents the Departments commitment to the Board of Supervisors (Board) to make recovering costs a regular part of our business, while providing stakeholders an opportunity to plan for fee increases.

The average DEH proposed fee increase in this cost recovery proposal is equivalent to 6% for annual health permits at retail food facilities, and associated plan check fees, and a 2% increase for land use permit fees, including water well and septic system construction permits. The proposed ordinance also authorizes the recovery of complaint and emergency response costs where specifically authorized.

This is a request to adopt ordinance amendments to Title 6 of the County Code of Regulatory Ordinances relating to permit fees, response cost recovery, and procedures for businesses and health regulated activities in DEH effective FY 2018-19.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

On April 18, 2018:

1. Set a hearing for April 25, 2018 for consideration and adoption of an Ordinance amending Title 6 of the San Diego County Code of Regulatory Ordinances.
2. Find that the adjustments in fees and charges contained in the proposed ORDINANCE AMENDING TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO ADJUST DEPARTMENT OF ENVIRONMENTAL HEALTH REGULATORY PROGRAM FEES, TO RECOVER COMPLAINT RESPONSE COSTS DIRECTLY FROM VIOLATORS, AND TO IMPROVE THE RECOVERY OF EMERGENCY RESPONSE COSTS FROM RESPONSIBLE PARTIES are necessary to meet operating expenses beginning in Fiscal Year 2018-19, 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 TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO ADJUST DEPARTMENT OF ENVIRONMENTAL HEALTH REGULATORY PROGRAM FEES, TO RECOVER COMPLAINT RESPONSE COSTS DIRECTLY FROM VIOLATORS, AND TO IMPROVE THE RECOVERY OF EMERGENCY RESPONSE COSTS FROM RESPONSIBLE PARTIES.

If, on April 18, 2018, the Board takes the actions recommended in items 1 through 3 above then, on April 25, 2018:

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

**FISCAL IMPACT**

The proposed increases to fees are not included in the budget in Department of Environmental Health (DEH). If approved, the proposed fee adjustments will result in additional estimated costs and revenue of \$695,026, with \$672,605 in the Food & Housing Division and \$22,421 in the Land & Water Quality Division, effective Fiscal Year (FY) 2018-19. The funding source is fees paid by DEH customers, or responsible parties for complaint and emergency response related costs. There will be no change in net General Fund cost and no additional staff years.

If approved, funds for this request will be included in the FY 2018-19 CAO Recommended Operational Plan in DEH.

**BUSINESS IMPACT STATEMENT**

If approved, these recommendations will allow the Department of Environmental Health to maintain high quality services that promote and enhance protection of the environment and public health, and continue to align fees to the actual costs of services provided to fee payers in each fee category. These important services prevent disease, promote environmental responsibility, and ensure a level playing field for businesses.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, setting a hearing and introducing the Ordinance for further Board consideration and adoption on April 25, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

**3. SUBJECT: APPROVAL OF COST RECOVERY PROPOSAL IN THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES EFFECTIVE FISCAL YEAR 2018-19 AND ASSOCIATED ORDINANCE REVISIONS (DISTRICTS: ALL)**

**OVERVIEW**

The mission of the Department of Agriculture, Weights and Measures (AWM) is to promote a diverse agricultural community, a fair marketplace and a balanced environment by providing quality services to customers through inspection, registration, and certification programs.

Board Policy B-29 directs departments to recover the full cost for services provided to agencies or individuals outside of the County of San Diego (County). The last cost recovery package for AWM was April 26, 2017 (1) and May 3, 2017 (1). Since the last cost recovery package the Departments have continued to provide services to the public at the approved rates through increased efficiencies and process improvements, as well as achieving cost savings in other categories. Based on Countywide negotiated salary increases that took effect in November 2017, after the last fee adjustment, the fees proposed today, for Fiscal Year 2018-19, will be necessary in order to address cost increases and ensure compliance with Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, except where a waiver is needed. This cost recovery proposal represents the Departments commitment to the Board of Supervisors (Board) to make recovering costs a regular part of our business, while providing stakeholders an opportunity to plan for fee increases.

After completing the annual cost review process, the proposed fee increases range from \$1 to \$10 for an overall adjustment of approximately 3.7%. Effective July 1, 2018 if approved, this proposal will increase 16 fees and delete three Agricultural Water Quality fees. 69 of the current fees will not change.

This is a request for the Board to adopt the cost recovery proposal relating to Pest Exclusion, Direct Marketing, Price Verification, Weights and Measures Device, Verification of Agriculture, Apiary, and Agricultural Water Quality fees and hourly rates in the Department of Agriculture, Weights and Measures.

Today's request also includes a waiver of Board Policy B-29 in AWM related to fees for Pest Exclusion, Direct Marketing and Verification of Agriculture.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15273(a) of the California Environmental Quality Act (CEQA) Guidelines that the proposed changes to existing fees are exempt from CEQA. Approve the findings in Attachment D pursuant to CEQA Guidelines Section 15273(c).
2. Waive Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery for fees relating to the Pest Exclusion, Direct Marketing and Verification of Agriculture programs.
3. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance: AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FEES CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES.

If on April 18, 2018, the Board takes action as requested in Recommendations 1 through 3 above, then on April 25, 2018:

Consider and adopt the Ordinance amending Section 364.3 of the San Diego County Administrative Code, relating to fees charged by the Department of Agriculture, Weights and Measures (second reading): AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO FEES CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES.

### **FISCAL IMPACT**

The proposed increase to fees are not included in the budget in Agriculture, Weights and Measures. If approved, the fee adjustments will result in additional estimated costs and revenue of \$41,489 and the deletion of 3 fees would result in a reduction of costs and revenue of \$40,760 in Agriculture, Weights and Measures effective Fiscal Year 2018-19. This will result in a net increase to costs and revenue of \$729 in Fiscal Year 2018-19. The funding source is fees paid by AWM customers.

A waiver of Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29) is requested since the proposed fees do not cover all operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$655,002 for Fiscal Year 2018-19 and will be funded with General Purpose Revenue. There will be no additional staff years.

If approved, the proposed hourly rate and fee adjustments will be included in the Fiscal Year 2018-19 CAO Recommended Operational Plan in Agriculture, Weights and Measures.

### **BUSINESS IMPACT STATEMENT**

If approved, these recommendations will enable the Department of Agriculture, Weights and Measures to maintain high quality services that promote the local agricultural community, consumer confidence, and a fair marketplace. These important services allow agricultural producers to ship products to other countries, promote agricultural sustainability, and ensure a level playing field for businesses.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on April 25, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

- 4. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING TITLE 8, DIVISION 1, OF THE SAN DIEGO COUNTY CODE TO DELEGATE AUTHORITY TO APPROVE FINAL MAPS AND ASSOCIATED IMPROVEMENT AGREEMENTS; AND ADDITIONAL MINOR EDITS (DISTRICTS: ALL)**

**OVERVIEW**

On March 28, 2018 (1), the Board of Supervisors introduced the Ordinance for further consideration and adoption on April 18, 2018.

On December 6, 2017 (5), the Board of Supervisors (Board) directed the Chief Administrative Officer to investigate the feasibility of streamlining the final map approval process by delegating the approval authority to Planning & Development Services (PDS), or other departmental authority, for final maps as allowed by State law.

Today's action recommends revisions of the County Subdivision Ordinance, Title 8, Division 1 of the San Diego County Code to authorize the Director of PDS, or any successor director or designee, to approve final maps and associated improvement agreements. Delegation of the Board's authority will result in greater efficiency by expediting map processing times (reduction of 30-45 days per final map) and reducing costs to applicants (estimated savings of \$3,000 to \$5,000 per final map). The proposed amendments also refine language to clarify the responsibilities and authority of specific County officials, add specific requirements to notify the County's Community Planning Group and Sponsor Group Chairs regarding final map actions, and include minor clean-up edits.

Lastly, the process under which minor revisions can be approved, and by whom, is described, as directed by the Board.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Consider and adopt the Ordinance amending Title 8, Division 1 of the San Diego County Code of Regulatory Ordinances (second reading).

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in Planning & Development Services. If approved, this request will result in no additional costs, with offsetting revenue and expense reductions estimated at \$42,000 to \$70,000 in Fiscal Year 2017-18. Staff anticipates processing roughly 14 final maps per year, at an estimated cost savings of \$3,000 to \$5,000 per final map processed. Estimated impacts to future revenue and expenses will be incorporated in the Fiscal Year 2018-19 CAO Recommended Operational

Plan in Planning & Development Services. There will be no change in net General Fund cost and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

The proposed process improvements, if approved by the Board of Supervisors, will result in project applicants realizing a time savings of an estimated 30-45 days in final map processing time, and an estimated cost savings of \$3,000 to \$5,000, due to reduced staff processing time.

### **ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10529 (N.S.), entitled: AN ORDINANCE AMENDING TITLE 8, DIVISION 1, OF THE SAN DIEGO COUNTY CODE TO DELEGATE AUTHORITY TO APPROVE FINAL MAPS AND ASSOCIATED IMPROVEMENT AGREEMENTS; AND ADDITIONAL MINOR EDITS.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

**5. SUBJECT: HOUSING AFFORDABILITY: ADDRESSING THE REGION'S HOUSING CRISIS (DISTRICTS: ALL)**

### **OVERVIEW**

San Diego County is experiencing a housing crisis. Solving this crisis, and preventing a return, will require a multi-faceted approach and a variety of solutions working together. Promoting housing affordability through production incentives and regulatory policy review is one way this Board can encourage the production of much-needed housing at all income levels, and shore up the regional housing supply by removing unnecessary impediments and/or bolstering the production process.

The analysis should include modifying or streamlining permitting processes, reducing production regulations, modifying zoning and use regulations, modifying parking requirements, exploring density bonuses, inclusionary housing, accessory dwelling units, pre-fabricated homes, and other options that would help boost discretionary and ministerial housing production.

Today's action will direct the Chief Administrative Officer to investigate options that would further promote the expedient building of homes in the unincorporated region and the closing of the housing gap through incentive programs and/or reductions in regulations in San Diego County, and to return within 180 days with recommendations.

### **RECOMMENDATION(S)**

#### **SUPERVISOR BILL HORN AND SUPERVISOR DIANNE JACOB**

1. Find that the proposed action is not a project under CEQA Guidelines section 15378(b)(5).
2. Direct the Chief Administrative Officer to investigate options that would further promote the expedient building of homes in the unincorporated region and the closing of the housing gap through incentive programs and/or reductions in regulations.
3. Direct the Chief Administrative Officer to return to the Board within 180 days with appropriate recommendations that would foster housing production for both the discretionary and ministerial permitting process.

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

**6. SUBJECT: ANNUAL REPORT OF THE COUNTY-MAINTAINED ROAD SYSTEM (DISTRICTS: ALL)**

**OVERVIEW**

The Department of Public Works is responsible for maintaining public infrastructure including roads, bridges, wastewater and stormwater systems that serve the public and help to ensure safe and thriving communities. DPW uses the Land Use and Environment Group Enterprise Asset Management System (LEAMS) to track the County’s infrastructure assets, including the total mileage of County-maintained roads. LEAMS relies on Geographic Information System (GIS) data for accurately tracking and reporting changes in County-maintained road mileage.

Section 2121 of the California Streets and Highways Code requires the County of San Diego (County) to annually submit to the California Department of Transportation (Caltrans) any additions to, or exclusions from, its mileage of maintained County roads. The most recent update was approved by the Board on April 12, 2017 (4), and certified by Caltrans shortly thereafter. The total mileage of County-maintained roads increased by 1.07 centerline miles since the last certification and is now 1,942.98 centerline miles. Total road mileage is used by the State to calculate annual distribution of Gas Tax funds to cities and counties statewide.

Today’s request is to adopt a resolution to transmit the County’s annual report of road mileage to Caltrans. Upon Board approval, the resolution will be submitted to Caltrans to certify the new reported road mileage to the State Controller.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the state CEQA Guidelines, since the proposed action has no direct or reasonably foreseeable indirect physical change in the environment.
2. Adopt a Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TRANSMITTING THE ANNUAL REPORT TO THE STATE DEPARTMENT OF TRANSPORTATION OF THE COUNTY’S MAINTAINED ROADS - 2018.

## **FISCAL IMPACT**

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

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 18-046, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TRANSMITTING THE ANNUAL REPORT TO THE STATE DEPARTMENT OF TRANSPORTATION OF THE COUNTY'S MAINTAINED ROADS 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

7. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
TRAFFIC ADVISORY COMMITTEE (03/28/18 - ADOPT  
RECOMMENDATIONS; 04/18/18 - SECOND READING OF AN  
ORDINANCE) (DISTRICTS: 2, 3 & 5)**

### **OVERVIEW**

On March 28, 2018 (5), the Board of Supervisors introduced the Ordinance for further consideration and adoption on April 18, 2018.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County-maintained roads. The TAC recommends the Board of Supervisors (Board) act on seven items from the January 26, 2018, meeting agenda.

Item 2-A would recertify the existing 40 MPH speed limit on Victoria Drive between the east and west intersections with Alpine Boulevard for radar enforcement.

Item 3-A would establish a 45 MPH speed limit on Lomas Santa Fe Drive/Linea Del Cielo from the Solana Beach City Limit (near Highland Drive) to 1,600 feet west of El Camino Real and certify the speed limit for radar enforcement.

Item 3-B would establish a 45 MPH speed limit on Rancho Bernardo Road from the San Diego City Limit (350 feet west of Via Del Campo) to Camino Del Norte and certify the speed limit for radar enforcement.

Item 3-C would recertify the existing 35 MPH speed limit on Alva Road from Rancho Bernardo Road to 400 feet south of Monterey Ridge Drive for radar enforcement.

Item 5-A would establish a 40 MPH speed limit on Woods Valley Road from Valley Center Road to North Lake Wohlford Road and certify the speed limit for radar enforcement.

Item 5-B would establish a 45 MPH speed limit on Gird Road from State Route 76 to a point 1,000 feet south of Oak Cliff Drive and certify the speed limit for radar enforcement.

Item 5-C would recertify the existing 45 MPH speed limit on Gird Road from a point 1,000 feet south of Oak Cliff Drive to Reche Road.

Approval of items 2-A, 3-A, 3-B, 3-C, 5-A, 5-B, and 5-C will establish tools for speed enforcement that increases road safety and retain mobility. Properly posted speed limits provide feedback to safe and reasonable drivers to improve traffic safety and reduce the number and severity of collisions and allow for fair enforcement.

The Board action on Items 3-A, 3-B, 5-A, and 5-B will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On March 28, 2018, the Board will consider the TAC items. If the Board takes action on March 28, 2018, then on April 18, 2018, a second reading of Ordinances amending Sections 72.162. (Item 3-A), 72.162.39.3. (Item 3-B), 72.161.35.2. (Item 5-A), and 72.169.74.5 (Item 5-B) and deleting Section 72.161.35.3. (Item 5-A) of the County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)**  
**TRAFFIC ADVISORY COMMITTEE**

District 2

Item 2-A. Victoria Drive between the east and west intersections with Alpine Boulevard (58th Edition Thomas Guide Page 1234-B6) - Recertify the existing 40 MPH speed limit for continued radar enforcement.

District 3

Item 3-A. Lomas Santa Fe Drive/Linea Del Cielo from the Solana Beach City Limit (near Highland Drive) to 1,600 feet west of El Camino Real (58th Edition Thomas Guide Page 1167- J6) - Establish a 45 MPH speed limit and certify the speed limit for radar enforcement.

Item 3-B. Rancho Bernardo Road from the San Diego City Limit (350 feet west of Via Del Campo) to Camino Del Norte (58th Edition Thomas Guide Page 1169-H2) - Establish a 45 MPH speed limit and certify the speed limit for radar enforcement.

Item 3-C. Alva Road from Rancho Bernardo Road to 400 feet south of Monterey Ridge Drive (58th Edition Thomas Guide Page 1169-G2) - Recertify the existing 40 MPH speed limit for continued radar enforcement.

District 5

Item 5-A. Woods Valley Road from Valley Center Road to North Lake Wohlford Road (58th Edition Thomas Guide Page 1090-G5) - Establish a 40 MPH speed limit and certify the speed limit for radar enforcement.

Item 5-B. Gird Road from State Route 76 to a point 1,000 feet south of Oak Cliff Drive (58th Edition Thomas Guide Page 1048-D4) - Establish a 45 MPH speed limit and certify the speed limit for radar enforcement.

Item 5-C. Gird Road from 1,000 feet south of Oak Cliff Drive to Reche Road (58th Edition Thomas Guide Page 1048-D1) - Certify the existing 45 MPH speed limit for radar speed enforcement.

**CHIEF ADMINISTRATIVE OFFICER**

Consider and adopt:

ORDINANCE AMENDING SECTIONS 72.162., 72.162.39.3., 72.161.35.2., AND 72.169.74.5. AND DELETING SECTION 72.161.35.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 3-A, 3-B, 5-A, and 5-B).

**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

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10530 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.162., 72.162.39.3., 72.161.35.2., AND 72.169.74.5. AND DELETING SECTION 72.161.35.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 3 A, 3 B, 5 A, and 5 B).

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

**8. SUBJECT: EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS BONDED AGREEMENTS TO COMPLETE SUBDIVISION IMPROVEMENTS (DISTRICT: 5)**

**OVERVIEW**

San Diego County Code of Regulatory Ordinances (County Code) Section 81.405 establishes the requirements for time extensions for completion of required improvements on major subdivisions. This is a request for the Board of Supervisors to approve a two-year extension of performance completion dates for the following subdivisions:

District 5:

1. TM 4805-1, Robin Court, located in the North County Metropolitan Subregional Plan Area. This project has seven approved residential lots and the overall acreage is 7.33 acres.
2. TM 5110-1, Belmont Estates, located in the Valley Center Community Plan Area. This project has 14 approved residential lots and the overall acreage is 34.83 acres.

Subdivision Improvement Agreements and their bonding requirements protect the County by ensuring required improvements are constructed for approved and mapped subdivisions. The extensions are in the best interest of the County, and involve the evaluation of previously approved amounts of security. The Department of Public Works has reviewed these subdivisions and determined a two-year extension to complete improvements is warranted. Staff has also determined that there is adequate improvement security for each of the maps to guarantee completion of remaining work for each agreement recommended for extension.

Today's request is for the Board to approve a two-year extension of performance completion dates for the above listed subdivisions in accordance with County Code.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines that extension of agreements to complete subdivision improvements is not a project as defined in Section 15378 of the state CEQA Guidelines.
2. Extend, to April 18, 2020, the performance completion dates in subdivision agreements for developments referenced by Tentative Map Nos. 4805-1 and 5110-1.

**FISCAL IMPACT**

There is no fiscal impact associated with today's proposed actions. 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

9. **SUBJECT: SET A HEARING FOR 5/16/2018:  
SANTA YSABEL PRESERVE - ACQUISITION OF APPROXIMATELY  
722 ACRES OF OPEN SPACE PRESERVE LAND (VICTOR R.  
CAUZZA AND JULIE D. CAUZZA) AND AUTHORITY TO AMEND  
AGRICULTURAL LAND CONSERVATION CONTRACT NUMBER  
6490 4900 (4/18/2018 - SET HEARING; 5/16/2018 HOLD HEARING)  
(DISTRICT: 2)**

**OVERVIEW**

Since 1998, the County of San Diego (County) has acquired more than 19,500 acres of open space land for the County's Multiple Species Conservation Program (MSCP) to ensure the long-term survival of sensitive plant and animal species and balance the public need for development and open space. The County has identified approximately 722 acres of vacant land available in Santa Ysabel to purchase for the MSCP and has entered into an agreement providing the County the option to purchase the land. Acquisition of the property, immediately east of State Route (SR) 79 and north of the Santa Ysabel Mission, would add more high value habitat and space for wildlife to roam on the existing 5,584-acre Santa Ysabel Preserve. In 2015, a County acquisition of 175 acres southwest of this property linked two separated portions of the Santa Ysabel Preserve. This acquisition provides an opportunity to potentially complete a non-motorized, multi-use trail linking those portions, subject to future funding and environmental review. In addition to the proposed 722-acre acquisition from owner Victor R. Cauzza and Julie D. Cauzza, an additional 30 acres of land adjacent to the northwest part of the Preserve, owned by the Santa Ysabel Ranch, LLC has been identified as a potential acquisition for a later date.

Today's request requires two steps. On April 18, 2018, the Board is requested to set a hearing for May 16, 2018 to consider the purchase and to direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended for April 18, 2018, then on May 16, 2018, after making the necessary findings, the Board is requested to authorize the purchase of Assessor's Parcel Numbers 247-031-03, 247-061-02, 247-062-02 (portion), 247-100-07, -12 and -13 (portion) from Victor R. Cauzza and Julie D. Cauzza at the appraised value of \$5,778,080 for a total project cost in Fiscal Year 2017-18 of \$6,338,980 based on budgeted appropriations of available prior year General Fund fund balance in the Capital MSCP Acquisition Fund. The Board is also requested to authorize amending an existing Agricultural Land Conservation Contract that restricts the division of the properties owned by Victor R. Cauzza and Julie D. Cauzza and Santa Ysabel Ranch, LLC.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

On April 18, 2018

1. Set a hearing for May 16, 2018 at which time the Board of Supervisors may authorize the Director, Department of General Services, to exercise the option to purchase the Assessor's Parcel Numbers 247-031-03, 247-061-02, 247-062-02 (portion), 247-100-07, -12 and -13 (portion) from Victor R. Cauzza and Julie D. Cauzza for the appraised value of \$5,778,080.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

If, on April 18, 2018, the Board takes the actions recommended in Items 1-2 above, then on May 16, 2018:

1. Find that the proposed project is exempt for the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15325 and 15304.
2. Authorize the Director, Department of General Services, or designee, to execute two amendments to Section 4 of Exhibit B of the County of San Diego Agricultural Land Conservation Contract 6490 4900 to allow for the conveyance of land with no limitation on acreage, provided the conveyed parcel is contiguous to and included with the Santa Ysabel Preserve and the parcel of land retained by the owner is not less than 100 acres.
3. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor's Parcel Numbers 247-031-03, 247-061-02, 247-062-02 (portion), 247-100-07, -12 and -13 (portion) from Victor R. Cauzza and Julie D. Cauzza for the appraised value of \$5,778,080.
4. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Capital Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved, this request will result in current year costs of \$6,338,980 itemized as follows: \$5,778,080 for property acquisition; \$20,900 for staff time and appraisal reports to complete the transaction; \$6,000 for closing and title costs; and \$534,000 in one-time land protection costs, including initial stewardship that features signage, boundary survey, access control measures and vegetation

management (\$24,000), the production of a Resource Management Plan including public access and vegetation management (\$510,000). The funding source is available prior year General Fund fund balance.

Total annual costs for land monitoring and adaptive management of the 722 acres are estimated at \$62,500. In addition, there will be an estimated annual cost of \$1,800 for fixed charge assessments including vector control and water standby charges. If approved, total annual costs, estimated at \$64,300, will be incurred beginning in Fiscal Year 2018-19 and will be included in future Operational Plans. The funding source will be Department of Parks and Recreation General Purpose Revenue. 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, setting a hearing for May 16, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

10. **SUBJECT: SET A HEARING FOR 5/09/2018:  
YALDA OPEN SPACE VACATION, PDS2015-VAC-15-002; VALLE DE  
ORO COMMUNITY PLAN AREA (04/18/2018 - SET HEARING;  
05/09/2018 - HOLD HEARING) (DISTRICT: 2)**

#### **OVERVIEW**

This is a request for the Board of Supervisors (Board) to consider the vacation of an open space easement (Vacation) and adopt the Environmental Findings for the project. The Vacation has been reviewed for conformance and complies with Board Policy I-103: Open Space Easement Vacations and the California Streets and Highways Code. The open space easement was originally recorded on December 24, 2003 in order to comply with the Valle de Oro Community Plan which requires properties with an average slope of over 25% to place 70% of the property in "natural open space" to preserve community character. The open space easement was not required for environmental mitigation.

The project site consists of 0.81-acres and is located at 1432 Fuerte Heights Lane within the Valle de Oro Community Plan Area. The Vacation will allow a 15,770-square foot open space easement to be replaced with a new 24,583-square foot open space easement via a subsequent dedication to be recorded concurrently. This Vacation and subsequent dedication will resolve a grading violation, increase the preserved open space by 8,813 square feet, and will demonstrate compliance with the Valle de Oro Community Plan.

Board Policy I-103 requires the Board take two actions: first on April 18, 2018, it is requested that the Board set a date for a public hearing on May 9, 2018, and provide public notice of that hearing. If the Board takes the actions recommended on April 18, 2018, then on May 9, 2018, it is requested that the Board consider and adopt a resolution to vacate the referenced open space easement, record A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT

PDS2015-VAC-15-002, and record the OPEN SPACE EASEMENT (Steep Slopes) concurrently.

**RECOMMENDATION(S)  
CHIEF ADMINISTRATIVE OFFICER**

On April 18, 2018:

1. Set a public hearing date on May 9, 2018, to consider vacating a 15,770-square foot easement and replacing it with a new 24,583-square foot easement. (Attachments A and B).
2. Direct the Clerk of the Board of Supervisors (Clerk) to provide notice of the hearing via publication and posting as required by law.

If on April 18, 2018 the Board of Supervisors takes the actions recommended in items 1 and 2 above, then, on May 9, 2018:

1. Adopt the environmental findings included in Attachment C, which includes findings in accordance with Sections 15061(b)(3) and 15304 of the California Environmental Quality Act (CEQA) Guidelines that the proposed vacation has been reviewed for compliance with CEQA. The project is exempt from CEQA because it consists of minor private alterations in the condition of land and vegetation which do not involve removal of healthy, mature, scenic trees. The open space in question has no biological or topographical sensitivity and is not subject to the Resource Protection Ordinance. The sole purpose of the open space dedication is to satisfy Valle de Oro's Community Design Guidelines. This project is also exempt because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2015 -VAC-15-002. (Attachment D).
3. Direct the Clerk to record the Resolution pursuant to the Streets and Highways Code Section 8325 and record the OPEN SPACE EASEMENT (Steep Slopes) (Attachment E) concurrently.

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

N/A

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, setting a hearing for May 9, 2018.

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

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

**OVERVIEW**

Martha Welch spoke to the Board regarding property taxes.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

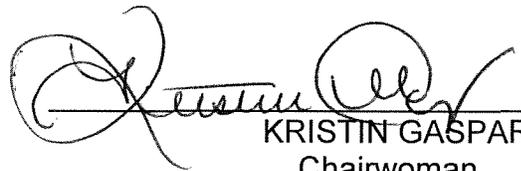
There being no further business, the Board adjourned at 10:02 a.m., in memory of Meldrain Gale Ruffin, Ron Foster, and John David Ross.

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

Consent: Rodriguez  
Discussion: Miller

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, May 9, 2018.



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KRISTIN GASPAR  
Chairwoman

Attest:



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DAVID HALL  
Clerk of the Board

04/18/18