

May 16, 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, MAY 16, 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 9:07 a.m.

PRESENT: Supervisors Dianne Jacob, Vice-Chairwoman; Ron Roberts; Bill Horn; also, Andrew Potter, Assistant Clerk of the Board of Supervisors.

ABSENT: Supervisors Kristin Gaspar, Chairwoman; Greg Cox

B. Closed Session Report

C. Public Communication: No Speakers

D. Formation of Consent Calendar

E. Discussion Items

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

Board of Supervisors' Agenda Items

Agenda #	Subject
1.	NOTICED PUBLIC HEARING: SRINGERI VIDYA BHARATI FOUNDATION (SVBF) TEMPLE MAJOR USE PERMIT
2.	TRAFFIC ADVISORY COMMITTEE (05/16/18 - ADOPT RECOMMENDATIONS; 06/20/18 - SECOND READING OF AN ORDINANCE)

3. NOTICED PUBLIC HEARING:
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)
[FUNDING SOURCES: GENERAL FUND FUND BALANCE AND
DEPARTMENT OF PARKS AND RECREATION GENERAL
PURPOSE REVENUE]

4. NOTICED PUBLIC HEARING:
AT&T DE LUZ WIRELESS TELECOMMUNICATION FACILITY
MAJOR USE PERMIT APPEAL
ITEM WITHDRAWN FROM THE AGENDA BY APPLICANT

5. STRENGTHENING BUSINESS PARTNERSHIPS FOR COMMUNITY
BASED AGRICULTURAL EVENTS

**1. SUBJECT: NOTICED PUBLIC HEARING:
SRINGERI VIDYA BHARATI FOUNDATION (SVBF) TEMPLE
MAJOR USE PERMIT (DISTRICT: 3)**

OVERVIEW

This is a request for the Board of Supervisors to consider an appeal of the Planning Commission's approval of the proposed Sringeri Vidya Bharati Foundation Temple Major Use Permit. The project includes a temple on approximately 10 acres of a 19-acre parcel. The site is currently vacant. The proposed project is being appealed by community members due to concerns regarding increased traffic and negative impact on community character.

The site is located north of and adjacent to Old San Pasqual Road and south of State Route 78, between Summit Drive and San Pasqual Trail, within the North County Metropolitan Subregional Plan Area (57th Edition Thomas Guide Page 1130, F/6).

RECOMMENDATION(S)

PLANNING COMMISSION

On February 23, 2018, the Planning Commission considered the application and made the following decisions:

1. Adopt the Environmental Findings, which include a Mitigated Negative Declaration pursuant to California Environmental Quality Act guidelines (Attachment F).
2. Grant Major Use Permit PDS2015-MUP-15-011, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment D).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the decision of the Planning Commission and recommends the Board of Supervisors (Board):

1. Deny the appeal (Attachment B) for the reasons discussed in this Board Letter.
2. Adopt the Environmental Findings, which includes the required California Environmental Quality Act (CEQA) findings that are required to adopt the Mitigated Negative Declaration (Attachment F).
3. Grant Major Use Permit PDS2015-MUP-15-011, make the findings, and impose the requirements and conditions as set forth in the Form of Decision in Attachment D.
4. Require Dr. S. S. Iyer / Sringeri Vidya Bharati Foundation (SVBF) Temple to enter into a Defense and Indemnification Agreement in accordance with County Code Section 86.201 et seq. and authorize the Director of Planning & Development Services to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Dr. S. S. Iyer / SVBF Temple to provide security in the amount of \$350,000 in the form of an irrevocable letter of credit or bond, in a form acceptable to County Counsel within 10 days of litigation being filed (Attachment I).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors continued the item to June 20, 2018.

AYES: Jacob, Roberts, Horn

ABSENT: Cox, Gaspar

2. SUBJECT: TRAFFIC ADVISORY COMMITTEE (05/16/18 - ADOPT RECOMMENDATIONS; 06/20/18 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2 & 5)

OVERVIEW

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 five items from the March 9, 2018, meeting agenda.

Item 2-A would establish a 40 MPH speed limit on Campo Road from Casa De Oro Boulevard to Sweetwater Springs Boulevard, establish a 45 MPH speed limit on Sweetwater Springs Boulevard from Campo Road to Jamacha Boulevard, and certify both speed limits for radar enforcement.

Item 2-B would recertify the existing 45 MPH speed limit on Avocado Boulevard from the El Cajon City Limit (near Dewitt Court) to the north line of State Highway 94 for radar enforcement.

Item 2-C would recertify the existing 35 MPH speed limit on Rolling Hills Drive from Horizon Hills Drive to Fuerte Drive for radar enforcement.

Item 2-D would recertify the existing 50 MPH speed limit on Mapleview Street/Lake Jennings Park Road from 1,570 feet east of Ashwood Street to Julian Avenue for radar enforcement.

Item 5-A would recertify the existing 35 MPH speed limit on La Orilla from El Camino Real to Rambla de Las Flores for radar enforcement.

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

The Board action on Item 2-A will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On May 16, 2018, the Board will consider the TAC items. If the Board takes action on May 16, 2018, then on June 20, 2018, a second reading of an Ordinance amending Section 72.163.7. (Item 2-A) and adding Section 72.173.8. (Item 2-A) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2

Item 2-A. Campo Road/Sweetwater Springs Boulevard from Casa De Oro Boulevard to Jamacha Boulevard in Casa De Oro and Spring Valley (58th Edition Thomas Guide Page 1271-E5) - Establish a 40 MPH speed limit on Campo Road from Casa De Oro Boulevard to Sweetwater Springs Boulevard, establish a 45 MPH speed limit on Sweetwater Springs Boulevard from Campo Road to Jamacha Boulevard, and certify both speed limits for radar enforcement.

Item 2-B. Avocado Boulevard from the El Cajon City Limit (near Dewitt Court) to the north line of State Highway 94 in El Cajon (58th Edition Thomas Guide Page 1271-G2) - Recertify the existing 45 MPH speed limit for continued radar enforcement.

Item 2-C. Rolling Hills Drive from Horizon Hills Drive to Fuerte Drive in El Cajon (58th Edition Thomas Guide Page 1271-H1) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

Item 2-D. Maplevue Street/Lake Jennings Park Road from 1,570 feet east of Ashwood Street to Julian Avenue in Lakeside (58th Edition Thomas Guide Page 1232-B3) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

District 5

Item 5-A. La Orilla from El Camino Real to Rambla de Las Flores in Rancho Santa Fe (58th Edition Thomas Guide Page 1167-J4) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing County-maintained roads, resulting in negligible or no expansion of use beyond that existing at the time of the Board action.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Approve the introduction, read title, and waive further reading of the following Ordinance: **ORDINANCE AMENDING SECTION 72.163.7. AND ADDING SECTION 72.173.8. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.**

If, on May 16, 2018, the Board takes action as recommended, then, on June 20, 2018:

Consider and adopt:

ORDINANCE AMENDING SECTION 72.163.7. AND ADDING SECTION 72.173.8. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on June 20, 2018.

AYES: Jacob, Roberts, Horn

ABSENT: Cox, Gaspar

3. **SUBJECT: NOTICED PUBLIC HEARING:
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

On April 18, 2018 (9), the Board of Supervisors set a hearing for May 16, 2018.

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

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

AYES: Jacob, Roberts, Horn

ABSENT: Cox, Gaspar

4. **SUBJECT: NOTICED PUBLIC HEARING:
AT&T DE LUZ WIRELESS TELECOMMUNICATION FACILITY
MAJOR USE PERMIT APPEAL (DISTRICT: 5)**

ITEM WITHDRAWN FROM THE AGENDA BY APPLICANT

5. **SUBJECT: STRENGTHENING BUSINESS PARTNERSHIPS FOR COMMUNITY
BASED AGRICULTURAL EVENTS (DISTRICTS: ALL)**

OVERVIEW

Since the adoption of the County's Agriculture Promotion Program and Tiered Winery Ordinance, agriculture related business opportunities have expanded in our backcountry communities. Enhancing the County's capacity for local businesses has reinforced ag-tourism and formed an environment for unique partnerships to succeed.

To enhance the County's agriculture promotion program, there are imminent opportunities to bolster local businesses in their ability to partner with agriculture producers for community based events. As ag-tourism advances, businesses are embracing new ways to participate in their local economy. However, permit specifications for producers of food and goods, as required by the California Retail Food Code and Zoning Ordinance, may present challenges for business owners to expand their commercial opportunities.

Today's board letter directs the Chief Administrative Officer to explore options that would make it easier for local, small-scale businesses to provide food and goods at community based events on agriculture producing properties in the unincorporated area. Options would include a permit fee waiver program, a pilot program and/or revisions to the Agriculture Promotion Program and Zoning Ordinance.

RECOMMENDATION(S)

VICE-CHAIRWOMAN DIANNE JACOB

1. Direct the Chief Administrative Officer to explore options that would make it easier for local, small-scale businesses to provide food and goods, in alignment with the California Retail Food Code and Zoning Ordinance, at community based events on agriculture producing properties in the unincorporated area without burdensome regulations and costs related to the necessary permitting. Options would include a permit fee waiver program, a pilot program and/or revisions to the Agriculture Promotion Program and Zoning Ordinance.
2. Direct the Chief Administrative Officer to include support in the County's Legislative Program for state legislative efforts that reduce or ease regulations for local, small-scale businesses seeking to provide food and goods at community based events on agriculture producing properties and/or direct marketing of agricultural products.
3. Direct the Chief Administrative Officer to return to the Board within 120 days.

FISCAL IMPACT

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Jacob, Roberts, Horn

ABSENT: Cox, Gaspar

There being no further business, the Board adjourned at 9:17 a.m.

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, June 20, 2018.


KRISTIN GASPAR
Chairwoman

Attest:


DAVID HALL
Clerk of the Board

05/16/18