

May 25, 2022

STATEMENT OF PROCEEDINGS

The Minutes of the

***BOARD OF SUPERVISORS
REGULAR MEETING
PLANNING AND LAND USE MATTERS***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, MAY 25, 2022, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

PRESENT: Supervisors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Terra Lawson-Remer; Jim Desmond; also, David Hall, Assistant Clerk of the Board of Supervisors and, via teleconference, Andrew Potter, Clerk of the Board of Supervisors.

ABSENT: Supervisor Joel Anderson

(Members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present, pursuant to Resolution No. 22-052, adopted May 10, 2022.)

- B. Closed Session Report
- C. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of May 11, 2022.

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of May 11, 2022.

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

ABSENT: Anderson

- E. Consent Calendar
- F. 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. | ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SENATE BILL 1 FOR FISCAL YEAR 2022-23 |
| 2. | STATE ROUTE 11 ALTA ROAD BRIDGE FREEWAY MAINTENANCE AGREEMENT
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT (HUTA)] |
| 3. | ADOPT A RESOLUTION AUTHORIZING ACCEPTANCE OF FISCAL YEAR 2021 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND: HABITAT CONSERVATION PLAN PLANNING ASSISTANCE GRANT AWARDS
[FUNDING SOURCES: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE GRANT FUNDING, IN-KIND MATCHING FUNDS PROVIDED THROUGH EXISTING PDS STAFF HOURS FUNDED BY EXISTING GENERAL PURPOSE REVENUE; AND EXISTING GENERAL FUND FUND BALANCE PREVIOUSLY IDENTIFIED FOR THE QUINO CHECKERSPOT BUTTERFLY AMENDMENT TO THE MULTIPLE SPECIES CONSERVATION PROGRAM SOUTH COUNTY SUBAREA PLAN] |
| 4. | 2021 MULTIPLE SPECIES CONSERVATION PROGRAM SOUTH COUNTY SUBAREA PLAN ANNUAL REPORT |
| 5. | AUTHORIZATION TO ISSUE REQUEST FOR STATEMENT OF QUALIFICATIONS AND TO NEGOTIATE AND AWARD AS-NEEDED CONSULTANT SERVICES FOR PLANNING, DESIGN, ENGINEERING, AND CONSTRUCTION MANAGEMENT SERVICES, CEQA/NEPA SUPPORT, MSCP PLANNING AND IMPLEMENTATION, NATURAL RESOURCE MONITORING AND BIOLOGICAL RESTORATION PROJECTS |
| 6. | SET A HEARING FOR JUNE 15, 2022:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2022-23 LEVIES IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 - JESS MARTIN PARK
[FUNDING SOURCE: ASSESSMENT LEVIES ON PROPERTY OWNERS WITHIN THE IDENTIFIED DISTRICTS] |
| 7. | NOTICED PUBLIC HEARING:
PINECREST AVENUE GENERAL PLAN CLEAN-UP |
| 8. | PUBLIC COMMUNICATION |

**1. SUBJECT: ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS
PROPOSED TO BE FUNDED BY SENATE BILL 1 FOR FISCAL YEAR
2022-23 (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) Department of Public Works (DPW) maintains nearly 2,000 centerline miles of roads in unincorporated San Diego county. Centerline miles represent the total length of the roads regardless of the number of lanes or overall roadway width. The County's average Pavement Condition Index (PCI), an industry standard rating system used to rate road conditions, dropped from 70 in 2012 to 60 in 2016. The change in the PCI occurred because of reduced road maintenance work caused by rising construction costs, declining state revenues, and due to revenues from the gas tax funding system diminishing with the growth of increasingly fuel-efficient and zero-emission vehicles. The decrease in fuel sales from more fuel-efficient and electric vehicles has led to a decrease in the gas tax that funds road maintenance. The condition of the unincorporated county public roads has improved significantly due to five years of resurfacing projects. The current PCI is 66 and the County's goal is to reach a PCI of 70 by 2025.

On April 28, 2017, Senate Bill 1 (SB-1) was approved to address the statewide funding gap for road maintenance, and on May 2, 2017 (11), the Board of Supervisors (Board) approved the use of SB-1 funding to improve the condition of road surfaces throughout the County's network of roads. In Fiscal Year (FY) 2021-22, DPW estimates it will receive \$43 million of SB-1 revenue and is projecting to receive \$51 million in FY 2022-23. To be eligible to receive SB-1 revenue for FY 2022-23, the California Transportation Commission (CTC) requires the submittal of a resolution and project list by July 1, 2022. DPW has developed a list of road resurfacing locations totaling 144.6 centerline miles.

Projects are selected and prioritized using data related to the physical condition of the road, such as surface cracks and pavement distresses, pavement condition information from the 2021 network road survey where downward-facing cameras and laser technology were used to inspect the road surface, factors related to road usage, including traffic volume and road classification, and replacement costs. The prioritization process also considers input from community stakeholders and DPW field staff and balances the work proportionally to the total centerline miles in each supervisorial district. Following submission of the anticipated project list to the CTC, DPW will perform a review of the roads to confirm initial design assumptions, coordinate with stakeholders, and return to the Board for authorization to advertise and award the final construction list. The proposed projects will improve the overall condition of County-maintained roads and will protect roads from deterioration and costly future repairs.

This is a request to adopt a Resolution approving a list of projects proposed to be funded by SB-1 for FY 2022-23. Upon Board approval, the resolution and road list will be submitted to the CTC for their delivery to the State Controller. Attachment A, Exhibit A1 contains the list of proposed maintenance projects that will use SB-1 funding.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing public roads involving no or negligible expansion of existing use.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SB-1 FOR FISCAL YEAR 2022-23.

EQUITY IMPACT STATEMENT

Road resurfacing to improve the condition of roads, facilitates transit and allows cars and buses to travel to underserved communities to bring workers to job centers. These improvements connect residents to their jobs, schools, clinics, entertainment centers, and families and are vital in the unincorporated area. Over 65% of the roads on the maintenance list are located within underserved communities as defined in the combined CalEnviroScreen and Healthy Places Index GIS layer. DPW identified over 90 miles of roads in underserved communities to be resurfaced. Their maintenance will provide significant benefits to the residents, including Americans with Disabilities Act compliant pedestrian ramps and drainage improvements. County of San Diego construction contracts are also competitively and publicly advertised and bid and help stimulate the local economy.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. Funds for these projects are included in the Fiscal Year 2022-23 CAO Recommended Operational Plan in the Department of Public Works (DPW), Detailed Work Program. DPW is projecting to receive \$51 million in State SB-1 gas tax revenue in Fiscal Year 2022-23, which will be used to fund design and construction, including contingencies. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

If approved, expenditures for road maintenance and repair work would create private sector jobs and economic opportunities in the San Diego region.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-059 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SB-1 FOR FISCAL YEAR 2022-23.

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

2. SUBJECT: STATE ROUTE 11 ALTA ROAD BRIDGE FREEWAY MAINTENANCE AGREEMENT (DISTRICT: 1)

OVERVIEW

In February 2022, the California Department of Transportation (Caltrans) completed the construction of the State Route (SR) 11 Alta Road Bridge project in East Otay Mesa. On May 8, 2013 (4), a Freeway Agreement was approved by the County of San Diego Board of Supervisors to be executed between Caltrans and the County of San Diego (County), which stipulated certain modifications and adjustments to County roadways were necessary for the completion of the SR 11 Alta Road Bridge project. The agreement defined the responsibilities of each agency for the maintenance and operations for the areas lying within the SR-11 Alta Road bridge limits.

The SR 11 Alta Road Bridge project is complete and a comprehensive Freeway Maintenance Agreement (FMA) defining the County's and Caltrans' maintenance responsibilities are necessary. Generally, the County will have maintenance responsibility for County roadway facilities that are within the State's right-of-way. These facilities are new County roads being accepted into the County-maintained system that are located over or under the freeway. Caltrans will continue to maintain all of its freeway facilities in the right-of-way, including freeway surfaces, on and off-ramps, and bridge structures.

This collaborative effort between the County, Caltrans, and the private developers all play a role in making these new public road improvements for Alta Road and the Alta Road bridge. The private developers on both sides of the Alta Road bridge are making public road improvements to connect to both sides of the bridge to serve new subdivisions approved by the County. Caltrans made significant improvements to establish the SR-11 freeway to provide local access through freeway off-ramps and overpasses like the Alta Road bridge. The County will assume maintenance of the Alta Road improvements and ensure ongoing access and safety for the public.

This is a request to approve the SR 11 Alta Road Bridge FMA to define maintenance responsibilities for State and County facilities located within the State right-of-way.

RECOMMENDATION(S)

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 State CEQA Guidelines because the activity involves the approval of a freeway maintenance agreement (FMA) for the purpose of maintaining existing public roads, trails, and similar facilities involving negligible or no expansion of existing or former use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, four copies of the SR 11 Alta Road Bridge FMA with Caltrans.

EQUITY IMPACT STATEMENT

Alta Road will be an important route to connect to new and future developments in the East Otay Mesa area. These developments will provide jobs and support other economic opportunities to serve East Otay Mesa, which is an underserved community. Through the County’s partnership with Caltrans, the bridge was constructed by Caltrans to provide a connection for the future County-maintained, Alta Road, over State Route 11. Now that the bridge has been completed, the County’s responsibility in the agreement is to take over maintenance of the bridge. These actions will provide connectivity to the community members in these new developments.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2022-23 CAO Recommended Operational Plan in the Department of Public Works Road Fund. If approved, the estimated fiscal impact associated with the approval of the State Route 11 Alta Road Bridge Freeway Maintenance Agreement is approximately \$5,000 per year for ongoing maintenance starting in FY 2022-23. The funding source is State Highway User Tax Account (HUTA). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

- 3. **SUBJECT: ADOPT A RESOLUTION AUTHORIZING ACCEPTANCE OF FISCAL YEAR 2021 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND: HABITAT CONSERVATION PLAN PLANNING ASSISTANCE GRANT AWARDS (DISTRICTS: ALL)**

OVERVIEW

Each year State and federal sources, including the California Department of Fish and Wildlife (CDFW) and United States Fish and Wildlife Service (USFWS), allocate monies to support the development and implementation of conservation and resource management programs. In July 2021, the County was selected to receive a \$650,000 USFWS Fiscal Year 2021 Cooperative Endangered Species Conservation Fund: Habitat Conservation Plan Planning Assistance grant (Grant). The funding awarded under this three-year Grant will finance consultant support for stakeholder outreach, plan drafting, and environmental document preparation for a Regional Butterflies Habitat Conservation Plan (HCP).

The Regional Butterflies HCP will facilitate the recovery of up to five sensitive butterfly species in the unincorporated area by defining avoidance, minimization, and biological mitigation measures to be implemented on a consistent basis. The County's adopted Multiple Species Conservation Program (MSCP) South County Subarea Plan does not cover impacts to these species from public or private projects because population data was limited prior to plan adoption or they are not found within the Plan Area. If the Regional Butterflies HCP is approved by the USFWS, the County will receive a long-term incidental take permit from the USFWS. An incidental take permit is a permit issued under the federal Endangered Species Act that authorizes lawful projects to permanently impact endangered or threatened species covered by the plan or the species' habitat. The incidental take permit received by the County through the Regional Butterflies HCP can be extended to future development projects that comply with the biological mitigation requirements, and monitoring and management actions identified in the plan so that those projects do not have to secure their own separate incidental take permits from the Wildlife Agencies.

Through this permitting mechanism, the Regional Butterflies HCP helps streamline the permitting process by reducing project timelines and costs associated with project-by-project negotiations and permitting with the USFWS. Additionally, preservation of open space land to recover or mitigate species impacts will support the implementation of existing County programs, including the MSCP and the 2018 Climate Action Plan.

This is a request for the Board of Supervisors to adopt a Resolution authorizing the Director of Planning & Development Services (PDS), or a designee, to enter into a grant agreement with CDFW to accept the Grant awards. A waiver of Board Policy B-29, *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery*, is also requested because the proposed Grant funding may not cover all administrative costs. Costs in the amount of \$738,000 are not anticipated to be covered by the Grant and will be covered by existing General Fund fund balance for the project (\$413,000) and in in-kind matching funds provided over the three-year Grant term through existing PDS staff hours paid for by existing General Purpose Revenue (\$325,000).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.
2. Adopt a Resolution entitled: **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING DIRECTOR, PLANNING & DEVELOPMENT SERVICES, TO ACCEPT FISCAL YEAR 2021 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND: HABITAT CONSERVATION PLAN PLANNING ASSISTANCE GRANT AWARDS FOR THE SAN DIEGO REGIONAL BUTTERFLIES HABITAT CONSERVATION PLAN.**

3. Authorize the Director, Planning & Development Services, or their designee, to execute all required grant documents pertaining to the 2021 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND: HABITAT CONSERVATION PLAN PLANNING ASSISTANCE GRANT AWARDS, including any annual extensions, amendments and/or revisions that do not materially impact or alter the services or funding levels.
4. Waive Board Policy B-29, *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery*, which requires full cost recovery for services provided under grants.

EQUITY IMPACT STATEMENT

Acceptance of the United States Fish and Wildlife Service Fiscal Year 2021 Cooperative Endangered Species Conservation Fund: Habitat Conservation Plan Planning Assistance grant award will support the creation of sustainable communities, the continued preservation and enhancement of the natural environment, and provide the continuation of accessible recreational and educational opportunities related to the natural resources of San Diego County residents and visitors. It is anticipated that the requested action and future implementation of the Regional Butterflies Habitat Conservation Plan will have a positive impact on all residents and visitors by improving water and air quality and preserving the natural environment for future generations.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2021-22 Operational Plan in Planning & Development Services (PDS). If approved, this request will result in estimated costs and revenue of \$1,388,000 over the three-year grant term in Fiscal Years 2021-22 through Fiscal Year 2024-25. The funding sources are \$650,000 in California Department of Fish and Wildlife grant funding; \$325,000 in in-kind matching funds provided through existing PDS staff hours funded by existing General Purpose Revenue; and \$413,000 in existing General Fund fund balance previously identified for the Quino Checkerspot Butterfly Amendment to the Multiple Species Conservation Program South County Subarea Plan, a species which will be included under the proposed Regional Butterflies Habitat Conservation Plan.

A waiver of Board Policy B-29, *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery*, is requested as program costs in the amount of \$738,000 are not anticipated to be covered by the grant and will be covered by existing PDS staff hours funded by existing General Purpose Revenue (\$325,000) and existing General Fund fund balance for the project (\$413,000), as described above.

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 22-060 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO AUTHORIZING DIRECTOR, PLANNING & DEVELOPMENT SERVICES, TO ACCEPT FISCAL YEAR 2021 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND: HABITAT CONSERVATION PLAN PLANNING ASSISTANCE GRANT AWARDS FOR THE SAN DIEGO REGIONAL BUTTERFLIES HABITAT CONSERVATION PLAN.

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

ABSENT: Anderson

4. SUBJECT: 2021 MULTIPLE SPECIES CONSERVATION PROGRAM SOUTH COUNTY SUBAREA PLAN ANNUAL REPORT (DISTRICTS: ALL)

OVERVIEW

San Diego county has one of the most diverse habitats in the United States, with over 200 rare, threatened, or endangered species inhabiting the region. To protect the region's biodiversity, in 1997, the County of San Diego (County) partnered with 11 other jurisdictions, community stakeholders, the United States Fish and Wildlife Service, and California Department of Fish and Wildlife (Wildlife Agencies) to develop the Multiple Species Conservation Program (MSCP). The MSCP is a long term, regional habitat conservation program focused on balancing the protection of plant and animal species with recreation, development, and agricultural activities within San Diego region. On October 22, 1997 (1), the County Board of Supervisors (Board) adopted the 50-year MSCP South County Subarea Plan, which includes the unincorporated areas in the southwestern portion of the region. The South County Subarea Plan requires the County, Wildlife Agencies, and partnering agencies to conserve 98,379 acres (MSCP Preserve).

The South County Subarea MSCP Preserve goal of 98,379 acres was determined by the area needed to successfully conserve populations of MSCP covered species, associated high-quality habitats, and wildlife linkages between large, conserved areas. Habitat that is mostly intact or has not been degraded by impacts such as from development activities or a high frequency of fires is generally considered to be high-quality. To create opportunities for residents and visitors to connect with nature, Passive recreation is allowed within County preserve lands in areas where MSCP covered species and habitat would not be impacted.

In addition to the adopted South County Subarea Plan, there are two additional MSCP planning areas in the unincorporated area: the draft North County Plan and future East County Plan. On October 28, 2020 (6), the Board directed staff to develop a plan for the draft North County Plan Area, like the plan currently in place for the South County Subarea Plan. The draft North County Plan will cover the northwestern portion of the unincorporated area and is anticipated to be brought to the Board for consideration in Fiscal Year 2025-26. The eastern portion of the unincorporated area is covered by the future East County Plan, which will be

prepared after North County Plan adoption. The County's partnership with the Wildlife Agencies, through the MSCP, ensures the unincorporated area's rich biodiversity is conserved while allowing development to occur through the County's permitting process. Through the MSCP, development applicants can rely on the County's permits under the Federal Endangered Species Act, State Endangered Species Act, and State Natural Communities Conservation Planning Act to impact threatened and endangered species and their habitats, eliminating the need for individual project-by-project permitting under these regulations.

The South County Subarea Plan Implementing Agreement (IA) between the County and Wildlife Agencies, became effective on March 17, 1998. Per the IA, the County prepares an annual report that includes information about habitat gained through acquisitions or dedications of preserve lands, habitat lost due to development, and the management and monitoring efforts performed to ensure the assembled MSCP Preserve is functioning successfully. The 2021 MSCP South County Subarea Plan Annual Report (Annual Report) summarizes habitat gains and losses as well as County management and monitoring programs within the South County Subarea Plan boundaries for the period of January 1, 2021 through December 31, 2021.

The Department of Parks and Recreation (DPR) implements the MSCP in all three MSCP planning areas through land acquisition, management, and monitoring of preserve lands to ensure preservation of sensitive species and habitat. The acquisition criteria for County preserve land includes high-quality habitat and biodiversity, biological connectivity, access, and value. DPR works closely with a County-wide acquisition roundtable team to analyze potential acquisitions from a multi-faceted perspective to ensure alignment with the County's sustainability programs including the Climate Action Plan (CAP) update, water quality protection, and Regional Decarbonization Framework (RDF). In 2021, 123 acres of land were added to the MSCP Preserve through local non-profit partner acquisitions and private development mitigation. The County has successfully implemented the South County Subarea Plan for 24 years, assembling 79,976 acres of the MSCP Preserve, which represents 81% of the 98,739-acre conservation goal. County, federal, state, and local non-profit partner acquisitions, as well as private development mitigation all contribute to the assemblage of the MSCP Preserve.

Additionally, DPR works closely with a cross-functional acquisition roundtable team of County staff to analyze potential acquisitions from a multi-faceted perspective to ensure alignment with the County's sustainability programs including a cross-departmental roundtable team consisting of staff from the Climate Action Plan (CAP) update, Regional Decarbonization Framework (RDF), Department of Public Works, Department of Environmental Health and Quality, Planning and Development Services, Agriculture, Weights and Measures, and Department of General Services.

As stated in the Annual Report, since 1998 and through December 31, 2021, the County has acquired approximately 25,460 acres of preserve lands within the County's adopted MSCP South County Subarea, the draft North County, and future East County Plan Areas. During this time, approximately \$221 million has been spent on County acquisitions in all three MSCP Plan areas, of which approximately \$125 million is from County funding and \$96 million is

from partnering organizations and grants. Since 1998 through December 31, 2021, the County's contribution towards the MSCP Preserve is approximately 13,200 acres and includes baseline acquisitions made prior to 1998 and acquisitions after 1998 through December 31, 2021.

The South County Subarea Plan has 85 covered species within the MSCP Plan area that must be protected. The County is obligated to meet certain management and monitoring requirements for the protection of these MSCP covered species. MSCP Preserve monitoring assesses the success of the South County Subarea Plan and ensures that the habitats and species conserved on the preserve lands are successfully maintained and enhanced. The MSCP monitoring program on County Preserves includes various monitoring efforts, including implementation of the Targeted Monitoring Plan (TMP), baseline inventory surveys, research partnerships, and special-status species monitoring. DPR manages and monitors vegetation communities within County preserve lands that provide habitat for these special-status species and MSCP covered species. In addition, DPR manages and monitors MSCP covered species at the species level. MSCP covered species monitoring focuses on species for which population-level monitoring is considered critical for effective management. In addition to the monitoring on County Preserves, DPR is working with its local, state and federal partners to assess the overall MSCP preserve goals and objectives. This includes analyzing, from a regional perspective, habitat and species monitoring data across the 79,976 acres. This effort has recently been initiated and will be ongoing through the term of the permit.

Today's requested action is to receive the 2021 Annual Report. The Annual Report highlights the monitoring efforts conducted for sensitive plant and animal species within the South County Subarea Plan boundaries that ensures long-term viability of habitat and species. In addition, the Annual Report highlights land stewardship activities for preserve lands, such as installing fencing and signage, patrolling preserve lands, managing public access areas, removing invasive species, and planting trees and vegetation. Through implementation of the County's 2018 Climate Action Plan, conservation of preserve lands from 2015-2021 has reduced greenhouse gas (GHG) emissions by 8,784 metric tons of carbon dioxide equivalent. This reduction is comparable to eliminating the GHG emissions produced by about 1,900 gasoline powered vehicles driven over one year, totaling representing over 21.8 million miles driven.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed Board of Supervisors action is exempt from provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15378(b)(5).
2. Receive the 2021 Multiple Species Conservation Program South County Subarea Plan Annual Report (Year 24) (Attachment A).

EQUITY IMPACT STATEMENT

Implementation of the Multiple Species Conservation Program (MSCP) South County Subarea Plan will ensure continuation of accessible recreational and educational experiences for residents and visitors related to the natural and cultural resources of the region. It will have a positive impact on all residents and visitors by improving water and air quality and providing opportunities to engage in recreational experiences in the County of San Diego’s parks and preserve lands.

FISCAL IMPACT

There is no fiscal impact associated with the Board of Supervisors’ acceptance of the 2021 Multiple Species Conservation Program South County Subarea Plan Annual Report. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Vargas, Lawson-Remer, Fletcher, Desmond

ABSENT: Anderson

- 5. **SUBJECT: AUTHORIZATION TO ISSUE REQUEST FOR STATEMENT OF QUALIFICATIONS AND TO NEGOTIATE AND AWARD AS-NEEDED CONSULTANT SERVICES FOR PLANNING, DESIGN, ENGINEERING, AND CONSTRUCTION MANAGEMENT SERVICES, CEQA/NEPA SUPPORT, MSCP PLANNING AND IMPLEMENTATION, NATURAL RESOURCE MONITORING AND BIOLOGICAL RESTORATION PROJECTS (DISTRICTS: ALL)**

OVERVIEW

The Departments of Parks and Recreation (DPR) and Planning & Development Services (PDS) utilize the services of vendor consultants for planning, design, engineering, and construction management services, California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) support, Multiple Species Conservation Program (MSCP) planning and implementation, natural resource monitoring, and biological restoration projects on an as-needed basis. These consultants allow DPR and PDS to provide a timely response to requests for such services for capital and major maintenance projects, planning projects, and environmental and sustainability projects. These consultants are used to develop designs for projects such as community gardens, active recreation and passive park spaces as well as provide planning and environmental services such as restoration projects, public access plans, monitoring of preserved lands as required by the MSCP and environmental analysis of park projects.

DPR currently has three annual contracts for planning, design, and engineering services, on an as-needed basis for capital and major maintenance projects and four annual contracts for CEQA/NEPA support, MSCP planning and implementation, natural resource monitoring, and biological restoration projects on an as-needed basis for environmental projects. The three contracts for planning, design, and engineering services (Development Contracts) expire on August 31, 2022. Three contracts for environmental services (Environmental Contracts) expire on March 1, 2023 and the fourth expires on August 31, 2023. Although PDS has multiple as-needed annual contracts, currently none provide the level of expertise or contract capacity needed to support long-term conservation projects as a part of the MSCP that would be developed in partnership with DPR. As such, PDS has utilized DPR's existing annual contracts for MSCP and environmental services when PDS needs a contract with the appropriate level of expertise or contract capacity or when collaborating with DPR on joint projects such as the MSCP.

The current three as-needed contracts for planning, design, and engineering do not include construction management services. This proposal of increasing the as-needed consultant contracts from three to six and the addition of construction management services would substantially streamline the process and save time by minimizing the need of project specific construction management contracts.

The four environmental services as-needed contracts will expand from previous years by an additional \$1,000,000 annually per contract to include PDS utilization of the contracts, ensuring contracting efficiency and promoting continued collaboration on shared and similar sustainability and conservation projects. The additional funding is a projection based on established workload, and grant funding over the last five years that facilitated significant crossover with PDS on projects focusing on sustainability and environmental services. As-needed consultant contract task orders are only issued based on available funding appropriated for approved DPR and PDS projects.

Today's proposed action is to authorize issuance of two Requests for Statement of Qualifications and to negotiate and award up to ten contracts. This includes up to six planning, design, engineering, and construction management services as-needed contracts at up to \$3,000,000 annually per contract for a one-year initial term with four one-year options for a total capacity not-to-exceed \$90,000,000 over the five-year period. It also includes up to four CEQA/NEPA support, MSCP planning and implementation, natural resource monitoring and biological restoration projects as-needed contracts at up to \$4,000,000 annually per contract for a one-year initial term with four one-year options for a total capacity not-to-exceed \$80,000,000 over the five-year period.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15378 of the State CEQA Guidelines.

2. In accordance with Board Policy F-40, Procuring Architectural, Engineering, and Related Professional Services, approve and authorize the Director, Department of Purchasing and Contracting, to issue a Request for Statement of Qualifications for as needed planning, design, engineering and construction management services, and upon successful negotiation and determination of a fair and reasonable price, award up to six contracts for an initial term of one year, with four one year options and an additional six months if needed, not to exceed an annual value of up to \$3,000,000 per contract and a total not-to-exceed value of \$90,000,000.
3. In accordance with Board Policy F-40, Procuring Architectural, Engineering, and Related Professional Services, approve and authorize the Director, Department of Purchasing and Contracting, to issue a Request for Statement of Qualifications for as-needed environmental services and upon successful negotiation and determination of a fair and reasonable price, award up to four contracts for an initial term of one year, with four one year options and an additional six months if needed, with a not to exceed annual value of up to \$4,000,000 per contract and a total not-to-exceed value of \$80,000,000.

EQUITY IMPACT STATEMENT

Acceptance of the as-needed consultant contract task orders will support the creation of sustainable communities, the continued preservation and enhancement of the natural environment, ensure the maintenance of existing recreational amenities, and provide new recreational amenities. This action will provide the continuation of accessible recreational and educational experiences related to the natural and cultural resources of San Diego county residents and visitors. It is anticipated that projects supported by this action will have a positive health impact by improving water and air quality, by providing residents and visitors an opportunity to engage in experiences with San Diego county's open spaces, and by providing recreational opportunities in communities throughout the county. DPR and PDS will continue to utilize available data from the 2020 Community Needs Assessment, Capital Investment Model, community and stakeholder feedback meetings and community interactions to plan and develop projects.

FISCAL IMPACT

There is no direct fiscal impact associated with these recommendations. As-needed consultant contract task orders are only issued based on available funding appropriated for approved Department of Parks and Recreation and Planning & Development Services projects. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

6. **SUBJECT: SET A HEARING FOR JUNE 15, 2022:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2022-23 LEVIES IN
THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND
LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO
SAN DIEGO AND NO. 2 - JESS MARTIN PARK (DISTRICTS: ALL)**

OVERVIEW

Special districts are created by residents of a community to deliver specialized services the local county or city do not provide. There are a variety of special districts, and each type is governed under different State laws. The County of San Diego (County) uses special districts as a funding mechanism to provide community parks and street lighting services across the unincorporated region. Services are mainly funded by property owners through assessments that are collected through annual property tax bills, reducing the cost to ratepayers by eliminating the administrative costs from annual billing and payment collection. District boundaries were established by voters at the time of formation or part of a development. Services are primarily funded by parcels within each district's boundaries. The method for calculating how much each parcel pays varies based on the type of district and ordinances adopted when the districts were formed. The most common method for calculating the rate per parcel is based on a variety of factors, including land use, parcel acreage, or use type (single-family or multi-family). The assessment rate cannot exceed the maximum amount in the adopted ordinance without an additional vote of the affected community. At the time of formation, some of the ordinances contained cost escalators, tied to a specific cost index, to allow special districts to increase the maximum rate each year to keep pace with inflation. The most commonly used cost index is the Consumer Price Index (CPI), which measures the cost of consumer goods.

Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29) directs departments to recover the full cost of services provided to agencies or individuals. Staff reviewed each district to determine if revenues were adequate for services or if rates should be increased or decreased based on the budget. Staff determined that the proposed rates for Fiscal Year (FY) 2022-23 are needed to fund services and to ensure compliance with Board Policy B-29. Rates are also necessary to maintain financial reserves to fund future services, facility repairs, improvements, or replacements. All proposed rates are in accordance with Articles XIII A-D of the California Constitution (Proposition 218) as amended to date and are within maximum rates set forth in each district's adopted ordinance; and therefore, do not require voter approval from affected property owners. Under Proposition 218, voters must approve special district formations and the maximum amount that can be collected from property owners.

San Diego County Street Lighting District

The San Diego County Street Lighting District is managed by the Department of Public Works (DPW). The Street Lighting District funds operation and maintenance of public streetlights across the unincorporated region of the county. The district funds electricity costs for 10,562 lights, with DPW providing maintenance for 6,876 lights (65%) with district funds. SDG&E provides maintenance for the remaining 3,686 lights (35%). DPW completed an LED retrofit of the County-maintained lights in 2020 which reduced energy use, resulting in lower energy costs and greenhouse gas emissions, and the cost savings passed on to ratepayers. SDG&E

only replaces fixtures with LED lights when current lights burn out. SDG&E has not shared a plan to fully transition to LEDs. The amount each parcel is charged is determined by the type of land use and number of dwelling units (represented by “benefit units” as described in the background). The proposed annual assessment rate will decrease from \$7.00 to \$2.00 (71%), per single-family residence.

Landscape Maintenance District Zone No. 1 - Rancho San Diego

Landscape Maintenance District Zone No. 1 - Rancho San Diego is managed by the Department of Parks and Recreation (DPR) to supplement funding for park operation, maintenance, and improvements within the unincorporated community of Rancho San Diego (District 4). The amount each parcel is charged is based on the type of land use and the number of dwelling units (represented by “benefit units”). The proposed maximum annual assessment rate will increase by 3% from \$36.38 to \$37.46 per single-family residence. The increase is due to rising inflation, based on a 5.21% escalation in the Consumer Price Index for 2021, with a voter-approved maximum cost escalator of 3%. The additional revenue will support ongoing services. Without the additional revenue, services will be reduced; which will result in deferred maintenance and more costly future repairs.

Landscape Maintenance District Zone No. 2 - Jess Martin Park

Landscape Maintenance District Zone No. 2 - Jess Martin Park is managed by DPR to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the unincorporated community of Julian (District 2). Jess Martin Park is a nine-acre park in Julian. The park includes three ballfields, a multipurpose field, a skate area, and an outdoor fitness area. The district is partially funded by assessments from 4,819 parcels within the district and General Purpose Revenue, which offsets the benefit to park visitors who do not live, work, or own property within the district. The voters did not approve an annual cost escalator at the time of the district’s formation; therefore, any increase to the assessment would require the approval of the property owners within the district boundary. The proposed maximum annual assessment rate will remain at the current amount of \$47.82 per single-family residence.

This is a request to adopt resolutions to confirm assessments and authorize levies for three special districts administered by the DPW and DPR. Upon adoption, the assessments will be placed on the tax roll for FY 2022-23. These actions are discretionary after consideration of public testimony.

RECOMMENDATION(S)

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 State CEQA Guidelines because the activity in question addresses funding mechanisms for maintenance of existing streetlight and landscape facilities and services.
2. Accept and approve the Engineers’ Reports for the San Diego County Street Lighting District and Landscape Maintenance District Zones No. 1 - Rancho San Diego and No. 2 - Jess Martin Park.

3. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT and set a hearing for June 15, 2022.
4. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE, AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1 (Rancho San Diego) and set a hearing for June 15, 2022.
5. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE, AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2 (Jess Martin Park) and set a hearing for June 15, 2022.

If, on May 25, 2022, the Board takes the actions recommended in Items 1-5, then on June 15, 2022, a public hearing will be conducted, and the following recommendations will be considered:

6. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.
7. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1 (Rancho San Diego).
8. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2 (Jess Martin Park).

EQUITY IMPACT STATEMENT

Today's action continues the County of San Diego's commitment to providing programs and services that enhance our communities. Assessments fund streetlight and parks services which improve the health and safety of our local communities.

FISCAL IMPACT

The proposed assessment levies are included in the Fiscal Year (FY) 2022-23 CAO Recommended Operational Plan in the Departments of Public Works, and Parks and Recreation. The proposed rate decrease for the San Diego County Street Lighting District will reduce revenue from property owner assessments by \$687,668 in FY 2022-23. The proposed rate increase for Landscape Maintenance District Zone No. 1 - Rancho San Diego will result in increased revenue from property owner assessments of \$5,109 in FY 2022-23. There is no proposed change in rates for Landscape Maintenance District Zone No. 2 - Jess Martin Park for FY 2022-23. There will be no change in net General Fund cost and no additional staff years.

The proposed assessment levies are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: *Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery*. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment levies on property owners within the identified districts.

If the Board of Supervisors does not adopt the resolutions, the proposed assessments cannot be placed on the tax rolls for FY 2022-23. Without the funds generated by the assessments, services for street lighting and landscape maintenance would be greatly reduced unless other funding sources are identified.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, adopting the following:

Resolution No. 22-061 entitled: **RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT;**

Resolution No. 22-062 entitled: **RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE, AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1 (Rancho San Diego);**

Resolution No. 22-063 entitled: **RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE, AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2 (Jess Martin Park); and,**

Set a hearing for June 15, 2022.

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

**7. SUBJECT: NOTICED PUBLIC HEARING:
PINECREST AVENUE GENERAL PLAN CLEAN-UP (DISTRICT: 5)**

OVERVIEW

Today's requested action is for the Board of Supervisors (Board) to consider a County-initiated General Plan Amendment (GPA) and/or Zone Reclassification (REZ). This action is proposed to fix a mapping inconsistency that occurred during the 2011 General Plan Update. The mapping inconsistency affects five parcels on 7.56 acres in a residential area of the North County Metropolitan Subregional Plan Area, which is a County island of unincorporated area surrounded by the City of Escondido and Interstate 15. The inconsistency occurred when the land use map in the General Plan was changed to allow multi-family housing across the five parcels, but the zoning was not updated, which limits development to single-family housing. Resolving the inconsistency will clarify the specific type and number of housing units allowed on these five parcels.

In 2011, the County General Plan was updated to provide a framework for future growth and development in the unincorporated area. The County's Zoning was also updated to help implement the goals of the General Plan. The General Plan determines the type of use, such as housing or commercial development, the number of housing units, and development intensities that are allowed (number of stories and related lot coverage, compactness of development, etc.). The General Plan assigns each parcel with a designation shown on the General Plan land use map. These designations are also defined in the General Plan, including the type of land use and the number of dwellings or development intensity allowed.

The Zoning provides specific direction on how a parcel can be developed, such as the type of buildings allowed, limitations to building heights, and the location of buildings. The General Plan and Zoning are intended to be consistent. In some instances, however, inconsistencies occurred when parcels of land were given General Plan and Zoning designations that are not compatible with one another, as they allow for different types of development. Furthermore, the total number of dwellings built on the site may be less than what the General Plan and Zoning allow for due to development constraints, which are unique to each parcel, such as slopes.

As a result of the error, the five parcels on Pinecrest Avenue were assigned a General Plan designation that allows a greater number of homes than the Zoning. While the General Plan allows multi-family housing of up to 15 dwellings an acre across the five parcels, the Zoning does not allow multi-family housing and limits development to the construction of single-family homes and agriculture on larger lots. The inconsistency should be resolved to provide clarity on how this site could be developed.

State law mandates that general plans and zoning be consistent and that when an inconsistency occurs, that the zoning be updated within a reasonable time as per Government Code Section 65860. This particular inconsistency was first reviewed by the Planning Commission on October 11, 2019, as part of the 2019 General Plan Clean-Up. General Plan Clean-Ups are a process undertaken by the County to resolve batches of errors and inconsistencies that are identified during the implementation of the General Plan. These can include typographical errors, mapping errors, and other types of oversights and inconsistencies. In response to community concerns raised at the October 2019 meeting, the Planning Commission voted to consider this mapping inconsistency separately from the other clean-up items. The Planning Commission also requested that staff return with additional analysis on potential impacts that could be caused by future development or redevelopment across the five parcels. In response, this item is being brought to provide the opportunity for Planning & Development Services (PDS) staff to complete further analysis on the five parcels, while the remaining 2019 General Plan Clean-Up items were approved by the Board on January 29, 2020 (7).

Today's request is for the Board to adopt a General Plan Amendment and/or Rezone for the five parcels, which will resolve the inconsistency by designating the five parcels with a General Plan and Zoning that are compatible with one another. PDS has prepared five options for the Board to consider to resolve the inconsistency, which will allow for a range of housing densities from 1 dwelling per acre to 15 dwellings per acre.

The five options are as follows:

- Option 1: Maintain the Zoning of Rural Residential (RR) and change the General Plan designation to Semi-Rural 1 (SR-1), which allows for a density of one house per acre for a maximum of 7 single-family homes across the five parcels. This option would not allow multi-family housing and would limit future development to single-family homes.
- Option 2: Maintain the Zoning of Rural Residential (RR) and change the General Plan designation to Village Residential 2 (VR-2) which allows for a density of two dwellings per acre for a maximum of 15 single-family homes across the five parcels. This option would not allow multi-family housing and would limit future development to single-family homes.
- Option 3: Change the General Plan designation to Village Residential 4.3 (VR-4.3), which allows for 4.3 dwellings per acre for a maximum of 32 single-family homes across the five parcels and change the Zoning to Single Family Residential (RS). This option would not allow multi-family housing and would limit future development to single-family homes.
- Option 4: Change the General Plan designation to Village Residential 7.3 (VR-7.3), which allows for 7.3 dwellings per acre for a maximum of 55 dwellings across the five parcels and change the Zoning to Variable Family Residential (RV). This option would allow either single-family or multi-family housing. PDS is recommending this option.
- Option 5: Maintain the current General Plan designation of Village Residential 15 (VR-15), which allows for 15 dwellings per acres for a maximum of 113 dwellings across the five parcels and change the Zoning to Variable Family Residential (RV). This option would allow single-family or multi-family housing.

Table 1: Summary of Five Options

	Planned Density	Total Number of Dwellings Allowed	Type of Housing Allowed
Option 1	1 dwelling per acre	7	Single family
Option 2	2 dwellings per acre	15	Single family
Option 3	4.3 dwellings per acre	32	Single family
Option 4	7.3 dwellings per acre	55	Single family or multi-family
Option 5	15 dwellings per acre	113	Single family or multi-family

Of the five parcels, four are already developed with single-family homes and one parcel is vacant. All five parcels are owned by different property owners. Today's action has the potential to affect the future development of the vacant parcel, as well as the potential for future redevelopment of the other four parcels. Due to the existing residences on the four developed parcels, it is not anticipated that all five parcels would be developed to the maximum number of dwellings allowed. Development is likely to be proposed on the vacant parcel. No application for development on any of the five parcels has been submitted to PDS at this time.

Based upon General Plan policies and further analysis of the five parcels, PDS recommends adoption of Option 4. Staff's analysis found that this option directs residential development to an area served by community services, while addressing concerns about community character and the feasibility of future development on the site. Staff has prepared an action sheet for this item that includes five options the Board could direct to resolve the inconsistency between the General Plan designation and Zoning for these five parcels on Pinecrest Avenue, including the staff recommended Option 4 (see Attachment F).

**RECOMMENDATION(S)
PLANNING COMMISSION**

On September 17, 2021, the Planning Commission considered the Pinecrest Avenue General Plan Clean-Up. The staff recommendation was not approved, and the Planning Commission did not reach a consensus on what General Plan Designation and Zoning Classification should be assigned to the site. Therefore, there is no Planning Commission recommendation for this item. The Planning Commission Report prepared for this project can be found in Attachment A, and the results of the Planning Commission vote are noted below.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

1. Find that the previously certified Environmental Impact Report for the 2011 General Plan Update (EIR) dated August 3, 2011 on file with the Department of Planning and Services as Environmental Review Number 02-ZA-001 was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein and the Addendum thereto dated May 25, 2022 on file with PDS as Environmental Review Number PDS2021-ER-21-00-005 before approving the project; and

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 May 25, 2022. (Attachment B, on file with the Clerk of the Board).

2. Resolve the mapping inconsistency by adopting Option 4 for the five parcels, amending the General Plan Land Use Designation from Village Residential 15 (VR-15) to Village Residential 7.3 (VR-7.3) and reclassifying the zone of the property from the Use Regulation of Rural Residential (RR) to Variable Family Residential (RV), through the adoption of the following Resolution and Ordinance (Attachments C and D):
 - a. A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ADOPTING THE PINECREST AVENUE GENERAL PLAN AMENDMENT; [GPA 21-004]; and
 - b. AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF FIVE PARCELS IN THE NORTH COUNTY METRO SUBREGIONAL PLANNING AREA RELATED TO THE PINECREST AVENUE GENERAL PLAN CLEAN-UP [REZ-21-001]

EQUITY IMPACT STATEMENT

The Pinecrest Avenue General Plan Clean-Up will result in the resolution of a mapping inconsistency affecting 7.56 acres of residential land in the North County Metropolitan Subregional Plan Area. This mapping inconsistency has prevented these parcels from being developed to the level intended in the County's General Plan, which directed the development of multi-family housing. Resolving the mapping inconsistency will contribute to the availability of land in the region which can be developed to provide homes for households of various levels of income.

FISCAL IMPACT

There is no fiscal impact associated with the Pinecrest Avenue General Plan Clean-Up as presented today. Any potential future projects and associated costs resulting from the clean-up will be privately-initiated and funded by the owner/developer, given that the five impacted parcels are private property. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Fletcher, the Board of Supervisors took the following actions:

1. Found that the previously certified Environmental Impact Report for the 2011 General Plan Update (EIR) dated August 3, 2011 on file with the Department of Planning and Services as Environmental Review Number 02-ZA-001 was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein and the Addendum thereto dated May 25, 2022 on file with PDS as Environmental Review Number PDS2021-ER-21-00-005 before approving the project; and

Found 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 May 25, 2022. (Attachment B, on file with the Clerk of the Board).

2. Resolved the mapping inconsistency by adopting Option 3 for the five parcels, amending the General Plan Land Use Designation from Village Residential 15 (VR-15) to Village Residential 4.3 (VR-4.3) which allows for 4.3 dwellings per acre for a maximum of 32 single-family homes across the five parcels, and change the Zoning to Single Family Residential (RS), noting that this option would not allow multi-family housing and would limit future development to single-family homes, through the adoption of the following Resolution and Ordinance (Attachments C and D):

Resolution No. 22-064 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ADOPTING THE PINECREST AVENUE GENERAL PLAN AMENDMENT; [GPA 21-004]; and

Ordinance No. 10795 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF FIVE PARCELS IN THE NORTH COUNTY METRO SUBREGIONAL PLANNING AREA RELATED TO THE PINECREST AVENUE GENERAL PLAN CLEAN-UP [REZ-21-001].

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

8. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Michael Brando spoke to the Board regarding previous comments by Supervisor Nathan Fletcher.

Audra spoke to the Board regarding past actions by the Board of Supervisors.

Noemi Abrego spoke to the Board regarding previous comments by Supervisor Nathan Fletcher.

KB Strange spoke to the Board regarding concerns about negative impacts of marijuana businesses on neighborhoods.

Kelly McCormick spoke to the Board regarding support of the County's funding for the Mobile Crisis Response Team.

Diane Grace spoke to the Board regarding support of the Tobacco Retail Licensing Fee Structure.

Michael Hill spoke to the Board regarding adopting an ordinance to ban high concentrate THC products.

Kelli Gray Meisner spoke to the Board regarding concerns about delays in toxicology lab results at the Medical Examiner's Office.

Truth spoke to the Board regarding the Chief Sustainability Officer position.

Ann Riddle spoke to the Board regarding concerns about marijuana marketing on youth.

Consuelo spoke to the Board regarding government actions.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:47 p.m.

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

Consent: Vizcarra

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 15, 2022.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board

05/25/2022