

July 25, 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, JULY 25, 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 9:05 a.m.

PRESENT: Supervisors Kristin Gaspar, Chairwoman; Greg Cox; Ron Roberts; Bill Horn;
also, Andrew Potter, Assistant Clerk of the Board of Supervisors

ABSENT: Supervisor Dianne Jacob, Vice-Chairwoman

B. Closed Session Report

C. 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 July 11, 2018.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of July 11, 2018.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

E. Formation of 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. | NOTICED PUBLIC HEARING:
GENERAL PLAN AMENDMENT (GPA) 18-003 THAT INCLUDES THE FOLLOWING THREE SUB ITEMS: ITEM A-HARMONY GROVE VILLAGE SOUTH (DISTRICT 5); ITEM B-VALIANO (DISTRICT 5); AND ITEM C-OTAY 250 (DISTRICT 1); AND RELATED IMPLEMENTING ACTIONS: FOR ITEM A-HARMONY GROVE VILLAGE SOUTH SPECIFIC PLAN, REZONE, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT; FOR ITEM B-VALIANO SPECIFIC PLAN, REZONE, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT; AND FOR ITEM C-OTAY 250 SPECIFIC PLAN, REZONE, TENTATIVE MAP AND ENVIRONMENTAL DOCUMENT |
| 2. | CONTINUED ITEM FROM 07/11/2018 AGENDA NO. 7:
MCCLELLAN-PALOMAR AIRPORT - AMENDMENTS TO AVIATION LEASES WITH WESTERN FLIGHT, INC.
[FUNDING SOURCE: INCREASED RENTAL PAYMENTS FROM THE LESSEE UNDER THE TERMS OF THE AMENDED LEASES]
(4 VOTES) |
| 3. | NOTICED PUBLIC HEARING:
FISCAL YEAR 2018-19 TAX ROLL OF APPROVED FEES AND CHARGES FOR SAN DIEGO COUNTY SANITATION DISTRICT AND CAMPO WATER MAINTENANCE DISTRICT
[FUNDING SOURCES: ANNUAL SEWER AND WATER SERVICE CHARGES FROM CUSTOMERS]

(RELATES TO SANITATION DISTRICT AGENDA NO. 1) |
| 4. | SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AN ORDINANCE REPEALING AND REPLACING THE PARK LANDS DEDICATION ORDINANCE OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO PARK LANDS DEDICATION, UPDATE OF RELEVANT BOARD POLICIES, CREATION OF A NEW BOARD POLICY AND CREATION OF NEW LOCAL PARK PLANNING AREA ACCOUNTS |
| 5. | ADOPT A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS DECLARING THE REBUILDING OF LEGAL STRUCTURES IN THE UNINCORPORATED AREA THAT WERE DAMAGED OR DESTROYED IN THE JULY 2018 WILDFIRES TO BE ELIGIBLE FOR PLAN CHECK REVIEW AND PERMIT FEE WAIVERS AND TO SUPPORT VICTIMS IN RECOVERING THEIR MARRIAGE CERTIFICATES, BIRTH CERTIFICATES, DEATH CERTIFICATES, DEEDS AND OTHER PROPERTY RELATED DOCUMENTS |

6. SET A HEARING FOR 09/12/2018:
MOUNTAIN MEADOW ROAD AREA - SET HEARING TO APPROVE
ACQUISITION OF APPROXIMATELY 670 ACRES OF OPEN SPACE
PRESERVE LAND (THE ESCONDIDO CREEK CONSERVANCY)
7. SUPPORTING THE NOMINATION OF THE RAMONA MAIN
STREET COLONNADE TO THE NATIONAL REGISTER OF
HISTORIC PLACES
8. PUBLIC COMMUNICATION

1. **SUBJECT: NOTICED PUBLIC HEARING: GENERAL PLAN AMENDMENT (GPA) 18-003 THAT INCLUDES THE FOLLOWING THREE SUB ITEMS: ITEM A-HARMONY GROVE VILLAGE SOUTH (DISTRICT 5); ITEM B-VALIANO (DISTRICT 5); AND ITEM C-OTAY 250 (DISTRICT 1); AND RELATED IMPLEMENTING ACTIONS: FOR ITEM A-HARMONY GROVE VILLAGE SOUTH SPECIFIC PLAN, REZONE, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT; FOR ITEM B-VALIANO SPECIFIC PLAN, REZONE, TENTATIVE MAP, MAJOR USE PERMIT, SITE PLAN AND ENVIRONMENTAL DOCUMENT; AND FOR ITEM C-OTAY 250 SPECIFIC PLAN, REZONE, TENTATIVE MAP AND ENVIRONMENTAL DOCUMENT**

OVERVIEW

This is a request for the Board of Supervisors (Board) to consider amending the San Diego County General Plan Land Use Element, the Otay Subregional Plan, and the San Dieguito Community Plan, and any associated implementing actions, such as specific plans, zone reclassifications, major use permits, vesting tentative maps, site plans, specific plan amendments, and tentative maps, as required by each specific application. This request represents the second such amendment of the Land Use Element to be considered by the Board in 2018. State law allows each mandatory element of a general plan to be amended up to four times during a calendar year. Subject to that limitation, an amendment may be made at any time and each amendment may include more than one change to the General Plan. Today's requested action is to amend the Land Use Element, and it includes three changes to the General Plan for the three following projects described below.

Sub Item A-Harmony Grove Village South - The Harmony Grove Village South (HGVS) applicant is requesting to amend both the General Plan Land Use Element and the San Dieguito Community Plan, and approval of: a Specific Plan that establishes proposed land uses and implementation standards; a Zone Reclassification to change the underlying zoning from Limited Agriculture (A70) and Rural Residential (RR) to Specific Plan (S88); a Major Use Permit for an on-site waste water treatment facility; a Vesting Tentative Map to establish the buildable lots; and a site plan to implement the development criteria for the project.

The HGVS project is a mixed-use community on a 111-acre site that consists of 453 residential units, 5,000 square feet of commercial/civic uses, four acres of private and public parks, and approximately 35 acres of biological open space. The site is located within a mile of the cities of Escondido and San Marcos, where infrastructure and services are available. The project is located two miles west of Interstate 15, 2.25 miles south of State Route 78, and directly south of the Harmony Grove Village community, within the San Dieguito Community Plan Area (Thomas Guide Page 1129).

Sub Item B-Valiano - The Valiano applicant is requesting to amend the General Plan Land Use Element and the San Dieguito Community Plan, and approval of: a Specific Plan that establishes proposed land uses and implementation standards; a Zone Reclassification to establish development regulations; a Major Use Permit for the on-site wastewater treatment facility; a Vesting Tentative Map to establish the buildable lots; and Site Plan to implement the development criteria for the project.

The Valiano project is a residential community on a 239-acre site that consists of 326 residential units, a total of 7.9 acres of recreational areas, 31 acres of biological open space, and 35 acres of agricultural easements. Additionally, 56 acres of common area open space and 27 acres of landscaped easements will provide for a total open space of 149 acres. The project also provides one 2.7-acre public park, two private parks, a public equestrian staging area, a private trail turnaround area, 2.6 miles of trails, and an on-site wastewater treatment facility. The project is located immediately to the east and south of the City of San Marcos and one-quarter mile west of the City of Escondido. The project is located two miles west of Interstate 15, 1.5-miles south of State Route 78 and directly north of the Harmony Grove Village community. The site lies within the unincorporated neighborhood known as Eden Valley, within the San Dieguito Community Plan Area (Thomas Guide Page 1129).

Sub Item C-Otay 250 - The Otay 250 applicant is requesting to amend the Otay Subregional Plan to allow residential uses on the project site, and approval of: a Specific Plan Amendment to provide details of the proposed land uses with a maximum development potential of 3,158 residential units, 78,000 square feet of commercial uses, and 765,000 square feet of business technology employment uses; a Zone Reclassification to update the development criteria set forth in the underlying zoning to allow residential uses on the site; and a Tentative Map to subdivide the land into 29 lots and establish three planning areas. Unit count, site layout, product type, and other design requirements will be established with future Site Plans submitted by the developer at a later date. The approval of a Site Plan will be required prior to building permits being issued.

The Otay 250 project is a mixed-use technology park on a 253-acre site. The project is conditioned to promote mixed-use walkable development by including bicycle and pedestrian facilities and a transportation demand management (TDM) program. The project is located east of State Route 125, north of Otay Mesa Road, west of Vann Centre Boulevard, and south of Zinser Road in the Otay Subregional Plan Area and East Otay Mesa Specific Plan Area (Thomas Guide Page 1351).

RECOMMENDATION(S)

Staff recommends that the Board of Supervisors tentatively act on the recommended actions as detailed below on Sub Items A, B, and C. After discussion, staff recommends that the Board of Supervisors take a final action (vote) to confirm the tentative actions and approve General Plan Amendment 18-003, incorporating Sub Items A, B, and C as detailed below and in this report.

PLANNING COMMISSION

The Planning Commission held a separate public hearing on each sub item, and recommends that the Board of Supervisors approve each General Plan Amendment, and take the actions described below.

Sub Item A: On May 24, 2018 the Planning Commission considered the Harmony Grove Village South project and made the following recommendations to the Board of Supervisors:

1. Adopt the required California Environmental Quality Act (CEQA) Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and certify the Environmental Impact Report (EIR) for the reasons stated therein and discussed in this report (Attachment A-1).

2. Adopt the Resolution entitled: Resolution of the San Diego County Board of Supervisors Approving Specific Plan SP-15-002 for the reasons stated therein and discussed in this report (Attachment A-2--).
3. Adopt the attached Form of Ordinance (Attachment A-3).
AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLAN, REF: PDS2015-REZ-15-003.
4. Adopt the Resolution entitled: Resolution of the San Diego County Board of Supervisors Approving Conditions for Vesting Tentative Map PDS2018-TM-5626. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment A-4).
5. Approve Site Plan STP-18-011, which makes the findings and imposes the requirements and conditions set forth in the Site Plan Form of Decision (Attachment A-5).
6. Approve Major Use Permit PDS2015-MUP-15-008, which makes the findings and imposes the requirements and conditions as set forth in the Form of Decision (Attachment A-6).

Sub Item B: On May 11, 2018, the Planning Commission considered the Valiano project and made the following recommendations to the Board of Supervisors:

7. Adopt the required CEQA Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and certify the EIR, for the reasons stated therein and discussed in this report. (Attachment B-1).
8. Adopt the Resolution entitled: Resolution of the San Diego County Board of Supervisors Approving Specific Plan SP-13-001 for the reasons stated therein and discussed in this report (Attachment B-2).
9. Adopt the attached Form of Ordinance (Attachment B-3).
AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLANNING AREA, REF: PDS2013-REZ-13-001.
10. Adopt the Resolution entitled: Resolution of the San Diego County Board of Supervisors Approving Conditions for Vesting Tentative Map TM-5575. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment B-4).
11. Approve Site Plan STP-13-003, which makes the findings and imposes the requirements and conditions set forth in the Site Plan Form of Decision (Attachment B-5).

12. Approve Major Use Permit MUP-14-019, which makes the findings and imposes the requirements and conditions as set forth in the Form of Decision (Attachment B-6).

After hearing public testimony, the Planning Commission added the following recommendation.

13. Require a graded six-foot shoulder on both sides of Country Club Drive from the southernmost point of the project to Hill Valley Drive, and grade the areas to further improve access during an emergency evacuation (Attachment B-14).

Sub Item C: On April 13, 2018, the Planning Commission considered the Otay 250 project and made the following recommendations:

14. Adopt the required CEQA Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and the certification of a Supplemental Environmental Impact Report, for the reasons stated therein and discussed in this report. (Attachment C-1).
15. Adopt the Resolution entitled Resolution of the San Diego County Board of Supervisors Approving Specific Plan Amendment PDS2015-SPA-15-001 East Otay Mesa Business Park Specific Plan Amendment for the reasons stated therein and discussed in this report (Attachment C-2).
16. Adopt the attached Form of Ordinance (Attachment C-3).
AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE OTAY SUBREGIONAL PLAN AREA, REF: PDS2013-REZ-15-007.
17. Adopt the Resolution entitled Resolution of the San Diego County Board of Supervisors Approving Conditions for Tentative Map TM 5607. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment C-4).

After hearing public testimony, the Planning Commission added a condition to the project.

18. Relocate on-site Variegated Dudleya species to the biological open space area where possible, prior to purchasing off-site mitigation credits.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with all of the Planning Commission's recommendations except for the modification to the Valiano Project noted below and makes the following additional recommendations to the Board:

19. Adopt the Resolution entitled: Resolution of the San Diego County Board of Supervisors Adopting General Plan Amendment (GPA) 18-003, as it applies to Sub Item A (Harmony Grove Village South), Sub Item B (Valiano) and Sub Item C (Otay 250). The Resolution adopts amendments to the San Dieguito Community Plan, the Otay Subregional Plan, and Land Use Element of the General Plan for the reasons stated therein and discussed in this report (Attachment 1).

20. Sub Item A-Harmony Grove Village South - Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require RCS - Harmony Partners, LLC, to provide security in the amount of \$1,000,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment A-7).
21. Sub Item B-Valiano - Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require The Eden Hills Project Owner, LLC, to provide security in the amount of \$1,000,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment B-7).
22. Sub Item B-Valiano - Modify the Planning Commission recommendation to require graded six-foot shoulder segments on the west side of Country Club Drive, between Eden Valley Lane and Hill Valley Drive totaling 1,580 feet.
23. Sub Item C-Otay 250 - Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Sunroad Enterprises, LLC, to provide security in the amount of \$750,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment C-5).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

NOTE: The actions taken by the Board of Supervisors for this item were tentative until formally acted upon at the conclusion of the meeting.

ACTION 1.1: (Harmony Grove Village South - Sub Item A)

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors tentatively took the following actions:

1. Adopted the required California Environmental Quality Act (CEQA) Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and certify the Environmental Impact Report (EIR) for the reasons stated therein and discussed in this report (Attachment A-1);
2. Adopted Resolution No. 18-108 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP-15-002, for the reasons stated therein and discussed in this report;

3. Adopted Ordinance No. 10551 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLAN, REF: PDS2015-REZ-15-003;
4. Adopted Resolution No. 18-109 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING CONDITIONS FOR VESTING TENTATIVE MAP PDS2018-TM-5626. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment A-4).
5. Approved Site Plan STP-18-011, which makes the findings and imposes the requirements and conditions set forth in the Site Plan Form of Decision;
6. Approved Major Use Permit PDS2015-MUP-15-008, which makes the findings and imposes the requirements and conditions as set forth in the Form of Decision (Attachment A-6); and,

Approved Planning & Development Services recommendation 20: Sub Item A-Harmony Grove Village South - Required the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego in accordance with County Code Section 86.201 et seq. and authorized the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require RCS - Harmony Partners, LLC, to provide security in the amount of \$1,000,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment A-7).

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

ACTION 1.2: (Valiano - Sub Item B)

ON MOTION of Supervisor Horn, seconded by Supervisor Gaspar, the Board of Supervisors tentatively took the following actions:

7. Adopted the required CEQA Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and certify the EIR, for the reasons stated therein and discussed in this report;
8. Adopted Resolution No. 18-110 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP-13-001, for the reasons stated therein and discussed in this report;
9. Adopted Ordinance No. 10552 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE ELFIN FOREST-HARMONY GROVE SUBAREA AND THE SAN DIEGUITO COMMUNITY PLANNING AREA, REF: PDS2013-REZ-13-001;

10. Adopted Resolution No. 18-111 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING CONDITIONS FOR VESTING TENTATIVE MAP TM-5575. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment B-4).
11. Approved Site Plan STP-13-003, which makes the findings and imposes the requirements and conditions set forth in the Site Plan Form of Decision;
12. Approved Major Use Permit MUP-14-019, which makes the findings and imposes the requirements and conditions as set forth in the Form of Decision;

Approved Planning & Development Services recommendation 21: Sub Item B-Valiano – Required the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego in accordance with County Code Section 86.201 et seq. and authorized the Director of PDS to execute the Agreement. If litigation is filed challenging the Board’s action on this project, require The Eden Hills Project Owner, LLC, to provide security in the amount of \$1,000,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment B-7); and,

Approved Planning & Development Services recommendation 22: Sub Item B-Valiano – Modified the Planning Commission recommendation to require graded six-foot shoulder segments on the west side of Country Club Drive, between Eden Valley Lane and Hill Valley Drive totaling 1,580 feet.

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

ACTION 1.3: (Otay 250 - Sub Item C)

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors tentatively took the following actions:

14. Adopted the required CEQA Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and the certification of a Supplemental Environmental Impact Report, for the reasons stated therein and discussed in this report;
15. Adopted Resolution No. 18-112 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN AMENDMENT PDS2015-SPA-15-001 EAST OTAY MESA BUSINESS PARK SPECIFIC PLAN AMENDMENT, for the reasons stated therein and discussed in this report;
16. Adopted Ordinance No. 10553 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE OTAY SUBREGIONAL PLAN AREA, REF: PDS2013-REZ-15-007;

17. Adopted Resolution No. 18-113 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING CONDITIONS FOR TENTATIVE MAP TM 5607. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment C-4).

18. Relocate on-site Variegated Dudleya species to the biological open space area where possible, prior to purchasing off-site mitigation credits; and,

Approved Planning & Development Services recommendation 23: Sub Item C-Otay 250 – Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego in accordance with County Code Section 86.201 et seq. and authorized the Director of PDS to execute the Agreement. If litigation is filed challenging the Board’s action on this project, require Sunroad Enterprises, LLC, to provide security in the amount of \$750,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment C-5).

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

ACTION 1.4:

OM MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors closed the Hearing, confirmed the tentative actions of Sub Items A, B, and C, approving General Plan Amendment 18-003; and, adopted Resolution No. 18-114 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) 18-003, AS IT APPLIES TO SUB ITEM A (HARMONY GROVE VILLAGE SOUTH), SUB ITEM B (VALIANO) AND SUB ITEM C (OTAY 250).

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

**2. SUBJECT: CONTINUED ITEM FROM 07/11/2018 AGENDA NO. 7:
MCCLELLAN-PALOMAR AIRPORT - AMENDMENTS TO
AVIATION LEASES WITH WESTERN FLIGHT, INC. (DISTRICT: 5)**

OVERVIEW

On July 11, 2018 (7), the Board of Supervisors continued the item to July 25, 2018.

McClellan-Palomar Airport is a general aviation airport owned and operated by the County of San Diego and located within the municipal limits of the City of Carlsbad (57th Edition Thomas Guide Page 1127, D3). The airport is a gateway to and from San Diego’s north county and provides facilities and services to commercial, corporate and general aviation communities. Approval of leases of airport property ensures adequate funding is provided for the use of the property and allows the Department of Public Works to use the revenue to make certain all the airports are properly maintained and safe for the users of the airports.

On December 10, 2003 (12), the Board approved three new 30-year aviation leases with Western Flight, Inc. at McClellan-Palomar Airport. These leases require rent to be renegotiated every five years to keep current with market rates. These leases were amended four times: December 6, 2006 (6) to extend the term, June 25, 2008 (5) to adjust the rent, March 24, 2010 (6) to apply a rent credit to mitigate for a runway closure, and June 19, 2013 (14) to adjust the rent.

This is a request to approve the proposed Fifth Amendments to Aviation Leases with Western Flight, Inc., County Contract Numbers 75728R, 75729R, and 75730R. These amendments would increase monthly rent to reflect current market rates. If the proposed action is adopted, the current fiscal year revenue would increase by \$5,143 due to the increase in rents under the terms of the amended leases.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendments are categorically exempt from CEQA review as they consist of the leasing of existing facilities involving negligible or no expansion of existing use.
2. Approve and authorize Clerk of the Board to execute, upon receipt, three copies of each of the Fifth Amendments to Aviation Lease with Western Flight, Inc., County Contract Nos. 75728R, 75729R, and 75730R. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan for the Airport Enterprise Fund. If approved, this request would result in total annual revenue of \$223,075 in Fiscal Year 2018-19, an increase of \$5,143 over the budgeted amount. The funding source for the Fiscal Year 2018-19 additional revenue is increased rental payments from the lessee under the terms of the amended leases. 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.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

3. **SUBJECT: NOTICED PUBLIC HEARING:
FISCAL YEAR 2018-19 TAX ROLL OF APPROVED FEES AND
CHARGES FOR SAN DIEGO COUNTY SANITATION DISTRICT AND
CAMPO WATER MAINTENANCE DISTRICT (DISTRICTS: 1, 2 & 5)**

OVERVIEW

The San Diego County Sanitation District provides sewer service to nearly 36,000 customers, and the Campo Water Maintenance District provides water service to approximately 240

customers, for the protection of public health and the environment. A public hearing is required annually for preparation of the Districts' tax rolls. Sewer service charges and water charges will be collected along with property taxes on the tax roll to avoid a separate and costly billing process. The sewer charges described in this staff report were previously approved by the Board of Directors of the San Diego County Sanitation District on April 12, 2017 (SA1) by Ordinance 10475. The water charges were previously approved by the Board of Supervisors on April 6, 2011 (1) by Ordinance No. 10139.

This is a request to conduct a public hearing on the San Diego County Sanitation District and Campo Water Maintenance District tax roll reports, and to adopt Resolutions approving collection of sewer and water service charges on the tax rolls, as authorized by the Ordinance for Use of District Sewerage Facilities and the County Water Service Ordinance.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Supervisors:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Adopt a Resolution titled:
RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2018-19 TO BE COLLECTED ON THE TAX ROLL (Attachment C).

Acting as the Board of Directors of the San Diego County Sanitation District

1. Adopt a Resolution titled:
RESOLUTION AUTHORIZING SEWER SERVICE CHARGES FOR FISCAL YEAR 2018-19 TO BE COLLECTED ON THE TAX ROLL (Attachment D).

FISCAL IMPACT

Funds for the proposed action are included in the Fiscal Year 2018-19 Operational Plan in the Department of Public Works Sanitation and Water District budgets. The funding sources are annual sewer and water service charges from customers. There is no change in the water rate for customers of the Campo Water Maintenance District. Effective July 1, 2018, the sewer rate will reflect the increase approved by the Board of Directors of the San Diego County Sanitation District on April 12, 2017 (SA1). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO SANITATION DISTRICT AGENDA NO. 1)

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors closed the hearing and took action as recommended, on Consent, adopting Resolution No. 18-115 entitled: RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2018-19 TO BE COLLECTED ON THE TAX ROLL.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

4. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE REPEALING AND REPLACING THE PARK LANDS DEDICATION ORDINANCE OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO PARK LANDS DEDICATION, UPDATE OF RELEVANT BOARD POLICIES, CREATION OF A NEW BOARD POLICY AND CREATION OF NEW LOCAL PARK PLANNING AREA ACCOUNTS (DISTRICTS: ALL)**

OVERVIEW

On July 11, 2018 (1), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on July 25, 2018.

The County of San Diego's mission includes providing a world-class park system that helps build strong and sustainable communities. Parks and recreation facilities are key components of the County's *Live Well San Diego* vision; they give residents space to exercise, recreate and gather which supports physical and mental well-being. One of the ways the County provides parks for its growing population is through the Parks Lands Dedication Ordinance (PLDO), which requires new residential subdivisions to dedicate park land for its new residents and/or pay fees to the County so that parks can be developed.

Since the PLDO was initially approved in 1972, there have been changes to state law, County goals and policies, park design best practices and community needs that impact the development of the County's park system. On June 27, 2018 (2), staff proposed repeal of the existing PLDO and replacement with a new ordinance and process, provided the Board with recommendations for the new PLDO, and received direction to draft a new PLDO with updated fees and associated policies. Staff has drafted the new PLDO and program documents pursuant to Board direction.

Today's request requires two steps: if the Board approves the first reading of the new PLDO ordinance on July 11, 2018, then the ordinance will be brought back for adoption on July 25, 2018. This request also includes updates to two Board policies, creation of a new Board Policy, and establishment of the necessary number and types of funds to account for collected PLDO fee revenue.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Consider and adopt the Ordinance repealing and replacing San Diego County Code of Regulatory Ordinances Title 8, Division 10, Chapter 1 Relating to Park Lands Dedication and Payment of Fees (second reading).

2. Approve modifications to the following Board Policies:
 - a. Board Policy F-26: Utilization of PLDO Fees and Interest
 - b. Board Policy I-44: Procedure for Designing New County-Owned Community/Local Parks
3. Adopt new Board Policy G-19: Design Guidelines and Standards for County Parks and Recreational Facilities.
4. Direct the Auditor and Controller to establish the necessary number and types of funds for Park In-Lieu fees collected to fund the acquisition of park land, developing new, or rehabilitating existing park or recreation facilities with interest earnings allocated and distributed to each fund established.
5. Direct the Auditor and Controller to establish the necessary number and types of funds for Park Land Improvement Impact fees collected to fund the development of new, or expansion of existing park or recreation facilities, with interest earnings allocated and distributed to each fund established.
6. Direct the Auditor and Controller to establish the necessary number and types of funds for Park Land Acquisition Impact fees collected to fund the acquisition of park land with interest earnings allocated and distributed to each fund established.
7. Authorize the Department of Parks and Recreation and Auditor and Controller to take all actions necessary to close out the current Parkland Dedication funds.
8. Consider and adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ADOPTION OF PARK IN-LIEU FEES.
9. Consider and adopt a Resolution entitled:
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ADOPTION OF PARK LAND ACQUISITION AND PARK LAND IMPROVEMENT IMPACT FEES.
10. Direct that operative date for the above Ordinance, Resolutions, and Board Policies be January 1, 2019.

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. PLDO fees provide a funding source to acquire, develop and/or rehabilitate park land and facilities. Future projects proposed for the use of PLDO funds will be recommended to the Board only after all one-time capital, and ongoing operations and maintenance costs and funding have been identified.

BUSINESS IMPACT STATEMENT

This PLDO program update provides more flexibility to developers dedicating new parks, while balancing the needs of the community and park users. The new PLDO includes fee changes for developers paying fees.

ACTION:

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

1. Adopted Ordinance No 10554 (N.S.) entitled: AN ORDINANCE REPEALING AND REPLACING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TITLE 8, DIVISION 10, CHAPTER 1, RELATING TO PARK LAND DEDICATION AND PAYMENT OF FEES;
2. Adopted Resolution No. 18-116 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ADOPTION OF PARK IN LIEU FEES; and,
3. Adopted Resolution No. 18-117 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ADOPTION OF PARK LAND ACQUISITION AND PARK LAND IMPROVEMENT IMPACT FEES.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

5. **SUBJECT: ADOPT A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS DECLARING THE REBUILDING OF LEGAL STRUCTURES IN THE UNINCORPORATED AREA THAT WERE DAMAGED OR DESTROYED IN THE JULY 2018 WILDFIRES TO BE ELIGIBLE FOR PLAN CHECK REVIEW AND PERMIT FEE WAIVERS AND TO SUPPORT VICTIMS IN RECOVERING THEIR MARRIAGE CERTIFICATES, BIRTH CERTIFICATES, DEATH CERTIFICATES, DEEDS AND OTHER PROPERTY RELATED DOCUMENTS (DISTRICTS: ALL)**

OVERVIEW

On March 6, 2002 (18), the Board of Supervisors amended the San Diego County administrative Code to allow the waiver of plan check review and permit fees for the rebuilding of structures in the unincorporated area or areas in other jurisdictions needing County approvals that were damaged or destroyed by a wildfire or other natural disaster. When this occurs, the Board of Supervisors may adopt a resolution identifying the geographic areas affected by the disaster that are eligible for plan check review and permit fee waivers.

On May 20, 2014 (20), the Board of Supervisors authorized the Assessor/Recorder/County Clerk's Office to issue replacement marriage, birth, and death certificates free of charge for victims of wildfires and future declared emergencies whose documents were destroyed.

On July 6, 2018, wildfires broke out in Alpine near Interstate 8 and West Willows Road (West Fire) and near Dulzura at the intersection of Hwy 94 and Community Building Road (Building Fire). Due to extreme weather conditions, characterized by extreme high temperatures, wind gusts and low humidity, these wildfires quickly began to burn out of control.

As of July 11, 2018, more than 500 acres have been charred by both the West and Building wildfires and at least 54 homes and 33 accessory structures have been damaged or destroyed by the July 2018 wildfires.

In an effort to assist property owners who lost legal structures in these wildfires, and who now must work through the grief and pain to rebuild their lives, this Board Letter will formally declare the areas damaged by the July 2018 wildfires and declare property owners that are affected by this disaster to be eligible for plan check review and permit fee waivers.

RECOMMENDATION(S)

VICE-CHAIRWOMAN DIANNE JACOB

1. Waive Board Policy B-29, Fees, Grants and Revenue Contracts, Department Responsibility for Full Cost Recovery to eliminate the plan check review and building permit fees related to the rebuilding of legal structures of like size and location in the unincorporated area that were damaged or destroyed by the July 2018 wildfires.
2. Waive the Assessor/Recorder/County Clerk's portion of fees collected pursuant to Health and Safety Code Section 103625 for fees collected for birth certificates, death certificates and marriage certificates, and grant the Assessor/Recorder/County Clerk's Office the authority to issue replacements of these documents free of charge for local residents who have lost their documents during the July 2018 wildfires.
3. Waive the Assessor/Recorder/County Clerk's fee for any copy of any property related document recorded or filed in the office of the recorder and grant the Assessor/Recorder/County Clerk's Office the authority to issue replacements of these documents free of charge for local residents who have lost their documents during the July 2018 wildfires.
4. Waive Board Policy B-29, Fees, Grants and Revenue Contracts, Department Responsibility for Full Cost Recovery and grant the Assessor/Recorder/County Clerk's Office the authority to issue birth certificates, death certificates and marriage certificates as well as replacement deeds and other property related documents free of charge for local residents who have lost their documents in the unincorporated area, or areas in other jurisdictions in which county approvals are required, within the perimeter of the areas affected by the July 2018 wildfires.
5. Adopt a resolution entitled:
A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
DECLARING THE REBUILDING OF LEGAL STRUCTURES IN THE
UNINCORPORATED AREA THAT WERE DAMAGED OR DESTROYED IN THE
JULY 2018 WILDFIRES TO BE ELIGIBLE FOR PLAN CHECK REVIEW AND
PERMIT FEE WAIVERS AND TO SUPPORT VICTIMS IN RECOVERING THEIR
MARRIAGE CERTIFICATES, BIRTH CERTIFICATES, DEATH CERTIFICATES,
DEEDS AND OTHER PROPERTY RELATED DOCUMENTS.
6. Authorize the Director of Planning & Development Services and the San Diego County Fire Authority to work with CAL FIRE and other regional fire entities to finalize a map showing the boundaries of the July 2018 Wildfires and the geographical area eligible for the waivers.

FISCAL IMPACT

If approved, the waiver of plan check review and permit fees associated with rebuilding damaged or destroyed homes and any property related documents will reduce revenues and increase the net general fund allocation by an unknown amount at this time. There will be no increase in 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, adopting Resolution No. 18-118 entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS DECLARING THE REBUILDING OF LEGAL STRUCTURES IN THE UNINCORPORATED AREA THAT WERE DAMAGED OR DESTROYED IN THE JULY 2018 WILDFIRES TO BE ELIGIBLE FOR PLAN CHECK REVIEW AND PERMIT FEE WAIVERS AND TO SUPPORT VICTIMS IN RECOVERING THEIR MARRIAGE CERTIFICATES, BIRTH CERTIFICATES, DEATH CERTIFICATES, DEEDS AND OTHER PROPERTY RELATED DOCUMENTS.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

6. **SUBJECT: SET A HEARING FOR 09/12/2018:
MOUNTAIN MEADOW ROAD AREA - SET HEARING TO APPROVE
ACQUISITION OF APPROXIMATELY 670 ACRES OF OPEN SPACE
PRESERVE LAND (THE ESCONDIDO CREEK CONSERVANCY)
(DISTRICT: 5)**

OVERVIEW

Since 1998, the County of San Diego (County) has acquired more than 20,000 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 670 acres of vacant land on a 693-acre property (with improvements and encroachments on the other 23 acres) located in the unincorporated county north of Escondido to purchase for the draft North County Plan of the MSCP. County acquisition of the 670 acres (Mountain Meadow Preserve), south of Mountain Meadow Road and east of Interstate 15, would preserve more than 450 acres of quality habitat.

In order to acquire the Mountain Meadow Preserve (the Preserve), the County and The Escondido Creek Conservancy (TECC) are proposing to partner with Department of Navy Readiness and Environmental Protection Integration (REPI) buffer program to acquire the entire 693-acre property and then transfer the Preserve to the County. The REPI program would benefit Camp Pendleton through a Navy restrictive use easement (RUE) that would allow the Navy to contribute funds toward the acquisition and maintenance of the 693-acre property. The RUE would help the Navy offset any damage done to sensitive habitats on base during Camp Pendleton training maneuvers by using mitigation credits.

Today's request is to set a hearing for September 12, 2018 to consider approving the County purchase of 670 acres, identified as parcel numbers 186-100-06 (portion), 186-100-15 (portion), 186-100-86 (portion), 186-100-87, 186-110-26, 186-101-20, 186-101-22, 187-041-57, 187-041-58, 187-041-59, 187-042-04, 186-641-18, 186-641-19, and 187-341-06, from The Escondido Creek Conservancy for \$2,899,324.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Set a hearing for September 12, 2018 at which time the Board of Supervisors may consider approving the purchase of the property identified as parcel numbers 186-100-06 (portion), 186-100-15 (portion), 186-100-86 (portion), 186-100-87, 186-110-26, 186-101-20, 186-101-22, 187-041-57, 187-041-58, 187-041-59, 187-042-04, 186-641-18, 186-641-19, and 187-341-06 from The Escondido Creek Conservancy for approximately \$2,899,324
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, setting a Hearing for September 12, 2018.

AYES: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

7. SUBJECT: SUPPORTING THE NOMINATION OF THE RAMONA MAIN STREET COLONNADE TO THE NATIONAL REGISTER OF HISTORIC PLACES (DISTRICT: 2)

OVERVIEW

The Ramona Tree Trust has secured the support locally of the Ramona Design Review Board, the Ramona Village Design Board, the Ramona Community Planning Group and the Ramona Chamber of Commerce for the nomination of the Ramona Main Street Colonnade to the National Register of Historic Places. Obtaining recognition would vitally protect the historical Colonnade that consists of trees that were planted by the pioneers in the early 20th century.

Today's action will support the community of Ramona in their efforts to protect this historical sub-zone of their town by being added to the National Register's official list of historic properties worthy of recognition and preserving California's heritage.

RECOMMENDATION(S)

VICE-CHAIRWOMAN DIANNE JACOB

Direct the Chief Administrative Officer to draft a letter for the Chairwoman's signature in conveying the County of San Diego's support for the nomination of the Ramona Main Street Colonnade to the National Register of Historic Places.

FISCAL IMPACT

There is no fiscal impact related to this proposal.

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: Cox, Gaspar, Roberts, Horn

ABSENT: Jacob

8. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Mark Jackson spoke to the Board regarding regional transportation.

Michael Hunsaker spoke to the Board regarding affordable housing.

Christopher Garrett spoke to the Board regarding a housing element policy.

Susan Baldwin and Jacqueline Arsivaud spoke to the Board regarding the SOS initiative.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 6:30 p.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 August 8, 2018.



KRISTIN GASPAR
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

07/25/18