

September 30, 2020

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, SEPTEMBER 30, 2020, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

PRESENT: Supervisors Greg Cox, Chairman; Jim Desmond, Vice-Chairman; Dianne Jacob; Kristin Gaspar; Nathan Fletcher; also, Andrew Potter, Clerk of the Board of Supervisors.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all 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.)

- 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 September 16, 2020.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of September 16, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- 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:
APPEAL OF THE ENVIRONMENTAL DETERMINATION FOR THE
KA SHELL GAS STATION AND CONVENIENCE STORE |
| 2. | GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY
VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR
PUBLIC HIGHWAY OVER PORTIONS OF BIRDSSELL ROAD AND
IRON SPRINGS ROAD IN THE JULIAN AREA (VACATION NO. 2019-0190)
[FUNDING SOURCE: DEPOSIT FROM THE APPLICANT] |
| 3. | TRAFFIC ADVISORY COMMITTEE (09/30/2020 - ADOPT
RECOMMENDATIONS; 10/14/2020 - SECOND READING OF ORDINANCES) |
| 4. | RESOLUTION RESCINDING AND VACATING ADOPTION OF THE
FINAL CLIMATE ACTION PLAN |
| 5. | PUBLIC COMMUNICATION |

**1. SUBJECT: NOTICED PUBLIC HEARING:
APPEAL OF THE ENVIRONMENTAL DETERMINATION FOR THE
KA SHELL GAS STATION AND CONVENIENCE STORE
(DISTRICT: 5)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to consider an appeal of the environmental determination for the KA Shell Gas Station and Convenience Store (Project) in accordance with Sections 86.401 through 86.406 of the San Diego County Administrative Code. The decision of approval for the Project has been stayed until the environmental determination is considered by the Board. The Project consists of a 3,500 square-foot gas station convenience store and a 5,983 square-foot canopy that covers the gas pumps. The site is located on two lots west of Interstate 15 (I-15). The gas station and convenience store are proposed to be built at the southwest corner of Deer Springs Road and North Centre City Parkway in the Hidden Meadows Community and I-15 Design Review Corridor of the North County Metropolitan Subregional Plan Area. On May 21, 2020 the Zoning Administrator found the Project in conformance with Section 15183 of the California Environmental Quality Act (CEQA) Guidelines, which applies to projects that are consistent with a community plan, zoning, and general plan policies for which an Environmental Impact Report (EIR) was certified. Projects that are consistent with the adopted General Plan land uses for which the General Plan EIR was certified, do not require additional environmental review unless there are impacts peculiar to the project or there are significant impacts not discussed in that EIR. This streamlines environmental review for General Plan-consistent projects. The Project was found to be consistent with Section 15183 of the CEQA Guidelines because the proposed use is consistent with the Zoning Use Regulations and no significant impacts not already identified in the General Plan EIR result from implementation of the Project.

The Zoning Administrator's environmental determination is being appealed by Mesa Rock Road LLC. The appeal is based on four general concerns:

1. The proposed gas station/convenience store does not qualify for a categorical exemption because the lack of sanitary sewer for a commercial development is peculiar to this site.
2. Traffic impacts will not be mitigated by payment of the Transportation Impact Fee (TIF) because it is unlikely that the traffic improvements identified in the Mobility Element will be built. The Traffic Impact Analysis fails to fully consider the increase in traffic on North Centre City Parkway, Deer Springs Road, and Mountain Meadow Road caused by patrons entering and exiting the gas station and convenience store.
3. The stormwater improvements are inadequate, and the project fails to minimize impervious surfaces resulting in impacts that were not considered in the General Plan EIR
4. The Greenhouse Gas (GHG) Analysis is inaccurate and relies on the Climate Action Plan (CAP) that has been set aside by the San Diego Superior Court. The Project does not comply with the CAP checklist and GHG mitigation required by the CAP and the General Plan because the GHG emissions are grossly underestimated.

PDS recommends that the appeal be denied as it has not identified any deficiencies in the environmental review of the Project. CEQA Section 15183 applies to projects that are consistent with a community plan, zoning, and general plan policies for which an EIR was certified. Staff has determined that the appeal has not identified any new significant or “peculiar” impacts not identified in the General Plan EIR that would require additional review, and the Project complies with all requirements of Section 15183. As defined in CEQA, a “peculiar” circumstance or impact is a unique result related to the use of the project on a property that was not anticipated by the General Plan EIR.

The Board can deny the appeal and uphold the Zoning Administrator’s environmental determination of the project which found the project in conformance with CEQA in accordance with Section 15183, grant the appeal and make a superseding environmental determination; or grant the appeal and remand the environmental determination to the Zoning Administrator for reconsideration including any additional direction from the Board. If the appeal is granted, additional environmental analysis will need to be performed and the Project’s environmental documents will have to be reconsidered by the Zoning Administrator for a determination.

PLANNING COMMISSION ACTIONS

On July 31, 2020, the Planning Commission considered an appeal of the KA Shell Gas Station and Convenience Store Project (Project) on four issues focusing on environmental concerns upon implementation of the Site Plan and Boundary Adjustment with a Certificate of Compliance: 1) the lack of access to sanitary sewer and use of an on-site wastewater treatment system; 2) traffic impacts; 3) inadequate stormwater improvements; and 4) greenhouse gas emissions. The appeal before the Planning Commission was to consider the Director’s Decision of approval of the Project based on environmental concerns, and the Planning Commission made the following decisions:

1. Deny the Appeal of the Project filed by attorney Julie Hamilton on behalf of Mesa Rock Road, LLC.
2. Uphold the Director’s Decision approving Site Plan (Record ID: PDS2017-STP-17-028) and Boundary Adjustment with a Certificate of Compliance (Record ID: PDS2017-BC-17-0069), including the adoption of the Environmental Findings. These included a determination that the Project conforms with the California Environmental Quality Act (CEQA), in accordance with Section 15183, because the proposed uses are consistent with the Zoning Use Regulations and General Plan Land Use Designation for the property and there will be no peculiar impacts upon implementation.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the decision of the Planning Commission to uphold the approval of the Director’s Decision of the Project. The environmental concerns raised in the points of appeal considered by the Planning Commission are similar to the points of appeal of the environmental determination to be considered by the Board of Supervisors (Board). The Board is only considering the 15183 environmental determination, which includes the environmental analysis, mitigation to reduce impacts, and a finding that the Project is exempt from further environmental review. The Site Plan and Boundary Adjustment with a Certificate of Compliance (Boundary Adjustment) will allow the construction and operation of the Project. The Site Plan and Boundary Adjustment are Director’s decisions, which were appealed to the Planning Commission and upheld.

These permits cannot be appealed to the Board and are stayed until the Board considers the 15183 environmental determination. The Board is considering the appeal of the 15183 environmental determination because the California Environmental Quality Act (CEQA) requires that environmental determinations be appealable to the elected decision-making body. The Project and permit approvals are not before the Board for consideration.

If the appeal is denied by the Board, the Director's approval of the Site Plan and Boundary Adjustment shall remain effective. If the appeal is granted, the Board can remand the 15183 environmental determination to the Zoning Administrator for reconsideration or a different environmental determination, which would likely require additional analysis and documentation. PDS recommends that the Board make the following determinations, including an additional recommendation related to providing indemnification:

1. Deny the appeal of the environmental determination for the reasons discussed in this Board Letter.
2. Uphold the environmental determination of the Zoning Administrator finding the project in conformance with Section 15183 of the California Environmental Quality Act (CEQA) because the proposed use is consistent with the Zoning Use Regulations and no peculiar or significant impacts not already identified in the General Plan Environmental Impact Report EIR would result from implementation of the Project. The Director's decision of approval of the Project shall remain effective.
3. Require KA Enterprises to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) 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 the Project, require KA Enterprises, to provide security in the amount of \$350,000 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.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended by the Department of Planning & Development Services adopting the following:

1. Denied the appeal of the environmental determination for the reasons discussed in this Board Letter.
2. Upheld the environmental determination of the Zoning Administrator finding the project in conformance with Section 15183 of the California Environmental Quality Act (CEQA) because the proposed use is consistent with the Zoning Use Regulations and no peculiar or significant impacts not already identified in the General Plan Environmental Impact Report EIR would result from implementation of the Project. The Director's decision of approval of the Project shall remain effective.

3. Required KA Enterprises to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) 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 the Project, require KA Enterprises, to provide security in the amount of \$350,000 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.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: GENERAL SERVICES - ADOPT RESOLUTION TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY OVER PORTIONS OF BIRDSSELL ROAD AND IRON SPRINGS ROAD IN THE JULIAN AREA (VACATION NO. 2019-0190) (DISTRICT: 2)**

OVERVIEW

The Asset Management Division of the Department of General Services is processing a request to summarily vacate an Irrevocable Offer of Dedication for Public Highway over portions of Birdsell Road and Iron Springs Road located within the Julian Community Plan Area in the unincorporated community of Julian. The portions of Birdsell Road and Iron Springs Road that would be vacated by the proposed action are approximately 0.904 acres. They are considered excess right-of-way of a street or highway not required for street or highway purposes because these portions of the roads do not provide connectivity to other public roads, are not County maintained, and are not a General Plan Mobility Element (ME) roadway. A summary vacation of an offer to dedicate a road may be requested by the public if the road is found to be excess right-of-way not required for road purposes. In many cases a road vacation can be a public benefit through improved use of the land made available by the vacation.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate portions of Birdsell Road and Iron Springs Road that are excess right-of-way not required for street or highway purposes.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and 15060(c)(3) because the action would not have a reasonably foreseeable direct or indirect effect on the environment and is not a project subject to CEQA review as it will only result in the partial summary vacation of portions of public right-of-way that is not needed for public road purposes, and that, independently, the proposed vacation is categorically exempt under State CEQA Guidelines Section 15305 -
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY OVER PORTIONS OF BIRDSSELL AND IRON SPRINGS ROADS IN THE JULIAN AREA (VACATION NO. 2019-0190).

3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2019-0190 pursuant to State of California Streets and Highways Code Section 8336.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan in the Department of General Services. If approved, this request will result in estimated expenses of \$4,500 to process the proposed vacation. The funding source is a deposit from the applicant. 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 Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-162, entitled: RESOLUTION TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY OVER PORTIONS OF BIRSELL AND IRON SPRINGS ROADS IN THE JULIAN AREA (VACATION NO. 2019-0190).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

3. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (09/30/2020 - ADOPT RECOMMENDATIONS; 10/14/2020 - SECOND READING OF ORDINANCES) (DISTRICTS: 2 & 5)**

OVERVIEW

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide communities in the unincorporated region with a safe and efficient road system. To accomplish this, it is necessary that traffic policies be established and used to provide persons using the road system with consistent and uniform regulations that are effective and can be legally enforced. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County-maintained roads. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering and traffic condition studies.

The TAC recommends the Board act on seven items from the June 12, 2020, TAC meeting agenda:

District	Item	Location	Action
2	2-A*	Oak Drive, Lake Morena	Establish and certify a 50 MPH speed limit
	2-B	Oak Drive, Lake Morena	Certify the 35 MPH speed limit
	2-C	Camino Monte Sombra, El Cajon	Extend the existing temporary highway closure
	2-D	Mast Boulevard, Lakeside	Extend the existing temporary highway closure
	2-E	Whitestone Road, Spring Valley	Extend the existing temporary highway closure
5	5-A*	Valley Center Road, Valley Center/ Rincon	Relocate and reduce the 50 MPH speed limit to 45 MPH and certify
	5-B*	Sandia Creek Road, Fallbrook	Establish a 14,000 lb commercial vehicle weight restriction
*Item Requires Two Hearings			

Approval of Items 2-A, 2-B, and 5-A would support speed enforcement, which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement. Approval of Items 2-C through 2-E would extend temporary road closures previously established by the Board for an additional 18-month period to continue to eliminate serious and continual criminal activities at the request of the California Highway Patrol and the San Diego County Sheriff's Department. These items will allow barriers to remain installed to continue to assist in preventing the reoccurrence of criminal activities including underage drinking, illegal dumping, drug use, loud music, DUI, vandalism, stolen property, street racing, reckless driving, trespassing, illegal off-roading, drug sales, frequent law enforcement action, and neighbor retaliation. Sheriff and CHP indicate that the barriers have significantly reduced crime and result in negligible community calls since the barriers have been in place.

Approval of Item 5-B would establish a large commercial vehicle weight restriction in a residential area to address operational and community concerns. Large commercial vehicles regularly use a local residential road as an alternate route to bypass traffic congestion. Additionally, these vehicles fail to maintain their position within lanes where roadway geometrics (grade, alignment, width, etc.) are substandard for commercial truck traffic. Properly posted large commercial vehicles weight restrictions in residential areas decrease centerline crossover and run-off-the-road incidents and improve neighborhood quality of life.

The Board's action on Items 2-B through 2-E does not require a second hearing, and Board direction on September 30, 2020 would allow implementation by DPW. The Board's action on Items 2-A, 5-A, and 5-B would collectively introduce an ordinance to establish a speed limit zone, relocate and decrease a speed limit zone, and establish a vehicle weight restriction, and requires two steps. On September 30, 2020, the Board would consider the TAC items. If the Board acts on September 30, 2020, then on October 14, 2020, a second reading and adoption of ordinances amending County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE**

District 2:

Item 2-A. Oak Drive from Buckman Springs Road to 1,200' east of White Goose Road in Lake Morena - Establish and certify a 50 MPH speed limit for radar enforcement.

Item 2-B. Oak Drive from 1,200' east of White Goose Road to Lake Morena Drive in Lake Morena - Certify the existing 35 MPH speed limit for radar enforcement.

Item 2-C. Camino Monte Sombra from 275' east of Calle de la Sierra the end of County maintenance in El Cajon - Extend the existing temporary highway closure for an additional 18-month period.

Item 2-D. Mast Boulevard from Pinery Grove/Marathon Parkway to the cul-de-sac in Lakeside - Extend the existing temporary highway closure for an additional 18-month period.

Item 2-E. Whitestone Road from 130' north of Lake Ridge Court to the cul-de-sac in Spring Valley - Extend the existing temporary highway closure for an additional 18-month period.

District 5:

Item 5-A. Valley Center Road from 1,230' south of Mile Post 34 to State Route 76 in Valley Center/Rincon - Reduce the existing 50 MPH speed limit to 45 MPH, relocate the southern limit of the speed zone to North Lake Wohlford Road, and certify the speed limit for radar enforcement.

Item 5-B. Sandia Creek Road from De Luz Road to the end of County maintenance in Fallbrook - Establish a 14,000 lb commercial vehicle weight restriction.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control issues on County maintained roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the following resolution: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 2663 RELATING TO THE TEMPORARILY CLOSING TO THROUGH TRAFFIC A COUNTY HIGHWAY AS A RESULT OF SERIOUS AND CONTINUAL CRIMINAL ACTIVITY IN THE COUNTY OF SAN DIEGO (Items 2-C, 2-D, & 2-E).
4. Approve the introduction, read title, and waive further reading of the following Ordinances:

ORDINANCE AMENDING SECTION 72.161.35.5. AND ADDING SECTION 72.166.2. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A & 5-A).

ORDINANCE AMENDING SECTION 72.243.21. OF THE SAN DIEGO COUNTY CODE ESTABLISHING A WEIGHT LIMIT ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-B).

If, on September 30, 2020, the Board takes action as recommended, then, on October 14, 2020:

Consider and adopt the following Ordinances:

ORDINANCE AMENDING SECTION 72.161.35.5. AND ADDING SECTION 72.166.2. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A & 5-A).

ORDINANCE AMENDING SECTION 72.243.21. OF THE SAN DIEGO COUNTY CODE ESTABLISHING A WEIGHT LIMIT ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-B).

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2020-21 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-163, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 2663 RELATING TO THE TEMPORARILY CLOSING TO THROUGH TRAFFIC A COUNTY HIGHWAY AS A RESULT OF SERIOUS AND CONTINUAL CRIMINAL ACTIVITY IN THE COUNTY OF SAN DIEGO; and, introduced the Ordinances for further Board consideration and adoption on October 14, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- 4. SUBJECT: RESOLUTION RESCINDING AND VACATING ADOPTION OF THE FINAL CLIMATE ACTION PLAN (DISTRICTS: ALL)**

OVERVIEW

On February 14, 2018 (1), the County of San Diego (County) Board of Supervisors (Board) adopted the 2018 Climate Action Plan and the associated California Environmental Quality Act (CEQA) Findings, including the 2018 Final Supplemental Environmental Impact Report (Final SEIR) to the 2011 General Plan Update Program Environmental Impact Report. After the County adopted the 2018 Climate Action Plan and Final SEIR, the Sierra Club, Center for Biological Diversity, Cleveland National Forest Foundation, Climate Action Campaign, Endangered Habitats League, Environmental Center of San Diego, and Preserve Wild Santee (collectively, "Sierra Club") filed a petition challenging it as violating CEQA (Case Nos. 2012-101054 and 2018-14081). In a separate action, Golden Door Properties, LLC, also challenged it as violating CEQA (No. 2018-13324). On December 24, 2018, the Superior

Court ruled that the 2018 Climate Action Plan is inconsistent with the County's General Plan and that its approval did not comply with CEQA. The Superior Court ordered the County to set aside and vacate the February 14, 2018, approvals and the certification of the Final SEIR. This decision was later affirmed in part by the California Court of Appeal, Fourth Appellate District (Appellate Court).

The Appellate Court ruled that the 26 Climate Action Plan greenhouse gas reduction measures are CEQA compliant and that the 2018 Climate Action Plan is not inconsistent with the County's General Plan. However, the Appellate Court affirmed the Superior Court's ruling ordering the County to set aside its approval of the 2018 Climate Action Plan and related actions because of deficiencies in the Final SEIR. The County will revise the Climate Action Plan and correct the inadequacies identified within the Final SEIR in consultation with environmental, community, and industry groups. Pending adoption of a new Climate Action Plan, the County will continue to implement the 26 greenhouse gas reduction measures and sustainability initiatives and programs identified in the 2018 Climate Action Plan to reduce greenhouse gas emissions to meet the State's 2030 reduction target.

Today's request is for the Board to adopt a resolution to rescind the 2018 Climate Action Plan and Final SEIR, related environmental findings, and associated actions as described below.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt proposed resolution titled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RESCINDING AND VACATING ADOPTION OF THE FINAL CLIMATE ACTION PLAN (CAP), RELATED RESOLUTIONS NOS. 18-020, 18-021 AND 18-022, CAP GUIDELINES FOR SIGNIFICANCE, CAP CONSISTENCY REVIEW CHECKLIST, CAP REPORT REQUIREMENTS AND RELATED CEQA FINDINGS AND CERTIFICATION OF THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR), which will effect all of the following:
 - a. Rescind and vacate the adopted CEQA Findings for Modified Option 3 (Supplemental Information Modifying Option 3, Attachment D), which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and the recirculation statement prepared pursuant to CEQA Guidelines Sections 15088.5, 15090, 15091, 15093, and 15097, and de-certify the Final SEIR.
 - b. Rescind and vacate the adopted Guidelines for Determining Significance for Climate Change, dated January 2018.
 - c. Rescind and vacate the adopted Resolution No. 18-020, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS ADOPTING THE GREENHOUSE GAS THRESHOLD OF SIGNIFICANCE, DATED JANUARY 2018.
 - d. Rescind and vacate the adopted Final Climate Action Plan for Modified Option 3: Residential and Non-residential Development.

- e. Rescind and vacate the adopted Climate Action Plan Consistency Review Checklist, dated January 2018.
- f. Rescind and vacate the adopted Report Format and Content Requirements for Climate Change, dated January 2018.
- g. Rescind and vacate the adopted Resolution No. 18-021, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS UPDATING THE 2011 GENERAL PLAN UPDATE PROGRAM ENVIRONMENTAL IMPACT REPORT MITIGATION MEASURES CC 1.2, CC 1.7, AND CC 1.8.
- h. Rescind and vacate the adopted Resolution No. 18-022, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS ADOPTING THE GENERAL PLAN AMENDMENT PDS2016 GPA 16 007, AMENDING THE 2011 GENERAL PLAN UPDATE GOAL COS 20 AND POLICY COS 20.1.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, adopting Resolution No. 20-164, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RESCINDING AND VACATING ADOPTION OF THE FINAL CLIMATE ACTION PLAN (CAP), RELATED RESOLUTIONS NOS. 18-020, 18-021 AND 18-022, CAP GUIDELINES FOR SIGNIFICANCE, CAP CONSISTENCY REVIEW CHECKLIST, CAP REPORT REQUIREMENTS AND RELATED CEQA FINDINGS AND CERTIFICATION OF THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

5. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Due to the COVID-19 emergency, public comments on non-agenda items were received electronically and read into the record. The following individuals submitted comments:

Marc Garcia provided comments to the Board regarding the local health emergency.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 11:03 a.m.

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

Consent: Santiago
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, October 14, 2020.



GREG COX
Chairman

Attest:



ANDREW POTTER
Clerk of the Board

09/30/2020