

October 31, 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, OCTOBER 31, 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 9:02 a.m.

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

ABSENT: Supervisor Ron Roberts

B. 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.

C. Approval of the Statement of Proceedings/Minutes for the meeting of October 10, 2018.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of October 10, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

D. Formation of Consent Calendar

E. Discussion Items

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

Board of Supervisors' Agenda Items

Agenda #	Subject
1.	NOTICED PUBLIC HEARING: COUNTY OF SAN DIEGO ACTIVE TRANSPORTATION PLAN AND GENERAL PLAN AMENDMENT; POD14-006; GPA 18-001

2. NOTICED PUBLIC HEARING:
PEACOCK HILL ZONE RECLASSIFICATION, TENTATIVE MAP, AND SITE
PLAN, LOCATED IN THE LAKESIDE COMMUNITY PLAN AREA
3. CLOSED SESSION
4. PUBLIC COMMUNICATION

1. **SUBJECT: NOTICED PUBLIC HEARING:
COUNTY OF SAN DIEGO ACTIVE TRANSPORTATION PLAN AND
GENERAL PLAN AMENDMENT; POD14-006; GPA 18-001
(DISTRICTS: ALL)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to approve an Active Transportation Plan (ATP) and General Plan Mobility Element amendment. The ATP includes recommendations and guidelines to improve pedestrian and bicycle infrastructure in the unincorporated county. Active transportation recommendations are currently contained in separate documents such as the General Plan and localized pedestrian area plans. The ATP combines and updates these documents and their recommendations. In particular, the ATP updates the General Plan Mobility Element, whose bicycle facility designations have not been updated since 2003. This is the second proposed change to the Mobility Element for calendar year 2018.

This is also a request to adopt a new Board Policy on complete streets. The proposed Complete Streets Policy (Policy) ensures that both active transportation and vehicular facilities are considered when roads are built, resurfaced, or reconstructed. The policy also includes language that allows exceptions where project-specific conditions prevent implementation.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On September 21, 2018, the Planning Commission considered the Draft Final Active Transportation Plan and related information, and the Program Environmental Impact Report (PEIR) Addendum. The Planning Commission made the following recommendations to the Board of Supervisors:

1. Adopt findings that the Planning Commission has reviewed and considered the information contained in the Final PEIR, dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, and the Draft Final Addendum thereto, dated August 7, 2018, on file with PDS under POD-14-006/GPA18-001, prior to making its recommendation on the General Plan Amendment.
2. Adopt the Resolution entitled: A Resolution of the San Diego County Board of Supervisors Adopting the Draft Final 2018 Active Transportation Plan (Attachment A).
3. Adopt the Resolution entitled: A Resolution of the San Diego County Board of Supervisors Adopting the Active Transportation General Plan Amendment; GPA 18-001 (Attachment B).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) recommends the Board of Supervisors (Board) adopt the Draft Final Active Transportation Plan with the Staff Alternative for the Julian Community Planning Area and additionally recommends the Board adopt a new Board Policy as follows:

1. Adopt the Resolution entitled: A Resolution of the San Diego County Board of Supervisors Adopting the Draft Final 2018 Active Transportation Plan (Staff Recommended Alternative) (Attachment A-1).

2. Adopt the Resolution entitled: A Resolution of the San Diego County Board of Supervisors Adopting the Active Transportation General Plan Amendment; GPA 18-001 (Staff Recommended Alternative) (Attachment B-1).
3. Adopt Board Policy J-38, the Complete Streets Policy (Attachment D).

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. Active Transportation Plan (ATP) pedestrian and bicycle facilities will be implemented through road construction or resurfacing projects by the Department of Public Works (DPW), as those road projects are prioritized and funded, or by private development as part of entitling future projects. Implementation of the ATP does not require funds to be diverted from other programs.

Programmatic costs were developed for comparison purposes based on average costs per lane mile. It is important to note that these are not construction costs. The programmatic cost for buildout of all ATP recommended bicycle facilities in the unincorporated county totals an estimated \$246 million. This represents an increase of approximately \$150 million over the bicycle network included in the current General Plan Mobility Element.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors closed the Hearing and took action as recommended by the Department of Planning & Development Services, amending the Active Transportation Plan and the Existing General Plan to exclude the addition of bike lanes in the historic district of Julian, CA; and, adopting the following:

1. Adopted findings that the Planning Commission has reviewed and considered the information contained in the Final PEIR, dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, and the Draft Final Addendum thereto, dated August 7, 2018, on file with PDS under POD-14-006/GPA18-001, prior to making its recommendation on the General Plan Amendment;
2. Resolution No. 18-157, entitled: A Resolution of the San Diego County Board of Supervisors Adopting the Draft Final 2018 Active Transportation Plan (Staff Recommended Alternative);
3. Resolution No. 18-158, entitled: A Resolution of the San Diego County Board of Supervisors Adopting the Active Transportation General Plan Amendment; GPA-18-001 (Staff Recommended Alternative); and,
4. Adopted Board Policy J-38, the Complete Streets Policy.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

2. **SUBJECT: NOTICED PUBLIC HEARING:
PEACOCK HILL ZONE RECLASSIFICATION, TENTATIVE MAP,
AND SITE PLAN, LOCATED IN THE LAKESIDE COMMUNITY
PLAN AREA (DISTRICT: 2)**

OVERVIEW

The Peacock Hill project is a condominium development on a 4.83-acre site, consisting of 64 multi-family residential units, a common area with a pool, a spa, and a recreation room. The project site is located north of Highway 8 Business, between East Lakeview Road/El Dorado Parkway and Los Coches Road, within the Lakeside Community Plan Area, and is surrounded by residential and commercial uses.

This is a request for the Board of Supervisors (Board) to evaluate and consider a proposed Zone Reclassification (REZ), Tentative Map (TM), and Site Plan (STP) for the Peacock Hill project, and adoption of a Mitigated Negative Declaration. The project includes an REZ, which necessitates all three discretionary actions (REZ, TM, and STP) be approved by the Board.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On August 3, 2018, the Planning Commission considered the project and made the following recommendations to the Board of Supervisors.

1. Adopt the Environmental Findings, which includes the adoption of a Mitigated Negative Declaration (Attachment A).
2. Adopt the Ordinance entitled, AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN LAKESIDE, REF: PDS2015-REZ-15-002 (Attachment B).
3. Adopt the Resolution entitled, RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2015 -TM-5598 (Attachment C).
4. Grant Site Plan Form of Decision PDS2015-STP-15-003, which includes the requirements and conditions set forth in the Form of Decision (Attachment D).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services concurs with the Planning Commission's recommendations.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, or Consent, adopting the following:

Ordinance No. 10572 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN LAKESIDE, REF: PDS2015-REZ-15-002; and,

Resolution No. 18-159, entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2015-TM-5598.

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

3. SUBJECT: CLOSED SESSION (DISTRICTS: ALL)

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Israel Sandoval v. County of San Diego; San Diego County Superior Court No. 37-2017-00014017-CU-PO-NC
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Estate of Mark Adkins v. County of San Diego, et al.; United States District Court, Southern District, No. 18-CV-00371-H-JMA
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Joseph White v. County of San Diego; San Diego County Superior Court No. 37-2017-00018452-CU-OR-CTL
- D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Government Code section 54956.9: (Number of Potential Cases - 1)
- E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
County of San Diego v. San Diego County Employees Retirement Association; San Diego County Superior Court No. 37-2018-00018879-CU-MC-CTL
- F. PUBLIC EMPLOYEE APPOINTMENT
(Government Code section 54957)
Title: Clerk of the Board of Supervisors

ACTION:

County Counsel reported that for Closed Session on October 31, 2018, Supervisor Gaspar did not participate in the consideration of Item 3D. The Board took the following reportable actions:

Item 3A: Israel Sandoval v. County of San Diego, by a vote of four Board members voting "Aye", with Supervisor Roberts absent, authorized County Counsel to settle this excessive use of force case involving a Sheriff's dog for \$200,000.

Item 3C Joseph White v. County of San Diego, by a vote of four Board members voting "Aye", with Supervisor Roberts absent, authorized County Counsel to settle this case involving a failed drain pipe and sinkhole for \$50,000.

Item 3F: Public Employee Appointment: Clerk of the Board of Supervisors, by a vote of four Board members voting "Aye", with Supervisor Roberts absent, appointed Andrew Potter Clerk of the Board of Supervisors, effective March 2, 2019.

4. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Martha Welch spoke to the Board regarding mental health.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:35 a.m.

DAVID HALL
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 November 14, 2018.



KRISTIN GASPAR
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

10/31/18