

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

Subject

San Diego County Street Lighting District

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Purpose

To establish a policy for the use of Landscape and Lighting Act proceedings (Streets and Highways Code, Section 22500, et seq.) for the installation, operation, and maintenance of street lighting facilities.

Background

In the unincorporated area of the County, public street lighting is provided through the San Diego County Street Lighting District (“Lighting District”), which was formed September 30, 1987, and became effective July 1, 1988. This is a countywide District formed under the Landscape and Lighting Act of 1972. The Lighting District encompasses the whole unincorporated area and is divided into two zones: Zone A is anywhere property owners are assessed by the Lighting District. Zone B is made up of areas where properties are not assessed. These properties either have not yet been developed, or were already developed before lights were required.

Most street lights are installed by project applicants who transfer into Zone A; as a result, on-going maintenance and operations are the responsibility of the Lighting District. However, there are already developed communities in Zone B of the County that were built before lights were required and where lights are now desired by the property owners. Property owners may rectify this situation by transferring to Zone A of the Lighting District to install, operate and maintain street lighting improvements.

Definitions

1. *Project Applicant* is a person, organization or business entity that proposes to carry out a project that requires a land use related approval from the County of San Diego.
2. *Developed Community* means a community where substantial development or building has already occurred and any future development will be extremely limited in *size* and scope.

Policy

It is the policy of the Board of Supervisors that requests for street lights from property owners in already developed communities in Zone B, will follow the process outlined below:

Petition Initiative

- A. Upon written request for street lights in Zone B areas, County staff will coordinate with the owners of property that will receive benefit from the lights to determine feasibility and boundary of area proposed for transfer. Proposed street light facilities must meet all requirements of the County Public Road Standards and be installed within the County road right-of-way.
- B. The owners of benefiting properties will be sent a petition and asked to indicate their support or opposition to the transfer. In accordance with State law, returned petitions must be approved by a weighted majority of property owners. Petitions are weighted based on the relative financial obligation to each property owner.
- C. **PROTESTS:** The County will proceed with the project unless petitions in opposition, or protests received at the hearing and not withdrawn exceed the favorable petitions, when both are weighted based on their assessment amounts.

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D. If the Board approves, the cost of installing and energizing the lights and processing of the transfer of these properties into Zone A of the Lighting District will be added to the next year's assessment. Every year thereafter, these properties will be assessed the same annual assessment rate as all other properties in Zone A.

E. In areas with aboveground power poles, lights can often be installed on existing poles. Where utilities are underground, new light poles must be installed, which can be more costly.

Property Owner Independent Street Light Installation

A. Property owners who do not wish to transfer into Zone A of the Lighting District can independently pursue the installation of street lights. In such cases, owners can utilize private contractors and coordinate with SDG&E to arrange for installation, energizing, and on-going operations and service. All costs associated with installation and on-going service will be borne entirely by the property owners; Lighting District funds will not be used.

B. A Construction Permit will be required for any street lights installed in County road right-of-way.

EXCEPTIONS: The Board of Supervisors recognizes that it is not possible to anticipate all situations that may arise and that from time to time the Board may make exception when the application of this policy would result in an unusual and unreasonable hardship.

Procedure

The Director of Public Works will administer all proceedings necessary for the implementation of this policy.

Responsible Departments

Department of Public Works

Sunset Date

This policy will be reviewed for continuance by 12-31-23.

References

Board Action

05-30-72 (52)

12-15-82 (49), operative 3-1-83

12-04-84 (19)

07-26-88 (43)

12-12-89 (49)

03-17-98 (27)

06-23-04 (12)

05-18-05 (3)

12-09-08 (33)

02-24-10 (2)

12-14-16 (16)

