

July 19, 2023

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE
REGULAR MEETING
WEDNESDAY, JULY 19, 2023, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. **REGULAR SESSION:** Meeting was called to order at 9:17 a.m.

PRESENT: Supervisors Nora Vargas, Chair; Terra Lawson-Remer, Vice-Chair; Joel Anderson; Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors.

ABSENT: (District 4 Seat Vacant)

- B. **Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.**

Pursuant to Government Code Section 54953, Supervisor Anderson participated remotely due to just cause for the following reason: childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse or domestic partner. Supervisor Anderson stated no one over the age of 18 was in the room with him.

- C. **Closed Session Report**

- D. **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.**

- E. **Approval of the Statement of Proceedings/Minutes for the meeting June 28, 2023.**

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of June 28, 2023.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- F. **Consent Calendar**

- G. **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. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION
(06/28/2023 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN
ORDINANCE; 07/19/2023 - SECOND READING OF AN ORDINANCE, UNLESS
ORDINANCE IS MODIFIED ON SECOND READING)
[FUNDING SOURCE: STATE HIGHWAY USER TAX ACCOUNT] |
| 2. | GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE
AN OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF
THE BLOSSOM VALLEY ROAD EXTENSION (SA 830.2) IN THE LAKESIDE
COMMUNITY PLAN AREA (VAC 2021-0228)
[FUNDING SOURCE: A DEPOSIT FROM APPLICANTS] |
| 3. | ESTABLISHMENT OF TRUST FUNDS AND MODIFICATION OF EXISTING
PUBLIC WORKS SOLID WASTE PLANNING & RECYCLING FUNDS AND
RELATED CEQA EXEMPTION
[FUNDING SOURCE: CALRECYCLE SB 1383 LOCAL ASSISTANCE GRANT
PROGRAM, BEVERAGE CONTAINER RECYCLING CITY/COUNTY
PAYMENT PROGRAM, AND USED OIL RECYCLING PAYMENT PROGRAM] |
| 4. | LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY
FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL
CRISIS |
| 5. | ESTABLISH APPROPRIATIONS TO AWARD A CONSTRUCTION CONTRACT
FOR THE VILLAGE VIEW PARK PROJECT AND RELIANCE ON
PREVIOUSLY ADOPTED MND
[FUNDING SOURCES: PARK LAND DEDICATION ORDINANCE (PLDO)
FALLBROOK IMPROVEMENT IMPACT FUND, PLDO FALLBROOK IN LIEU
FUND, CALTRANS SETTLEMENT FUNDING, AND TRANSFERS FROM
CAPITAL PROJECTS 1020262 SR76 RIGHT OF WAY TRAIL-MIDDLE
PORTION AND CAPITAL PROJECT 1023730 SLRRP BONSALL STAGING
AREA; DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE
REVENUE]
(4 VOTES) |
| 6. | BUILDING MORE HOUSING, FASTER BY EXPANDING THE COUNTY'S
SELF-CERTIFICATION PROGRAM IN INFILL AREAS |
| 7. | FOUR HONORARY BRIDGE NAMINGS
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
(4 VOTES) |

8. NOTICED PUBLIC HEARING:
2023 HOUSING ZONING ORDINANCE UPDATE; PDS 2022-22-004
9. PUBLIC COMMUNICATION

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**1. SUBJECT: ADMINISTRATIVE ITEM:
 SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
 TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA
 EXEMPTION (06/28/2023 - ADOPT RECOMMENDATIONS
 INCLUDING INTRODUCING AN ORDINANCE; 07/19/2023 - SECOND
 READING OF AN ORDINANCE, UNLESS ORDINANCE IS MODIFIED
 ON SECOND READING) (DISTRICTS: 2, 3, 4, & 5)**

OVERVIEW

On June 28, 2023 (06), the Board of Supervisors took action to further consider and adopt the Ordinance on July 19, 2023.

The Traffic Advisory Committee (TAC) supports the Department of Public Works (DPW) traffic engineering program. The TAC was established by the Board of Supervisors (Board) in the 1960s to provide traffic regulations and recommendations within the unincorporated areas of the region. To be effective, TAC proposes policies that will enhance safety, reduce congestion, and be legally enforceable. 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 of San Diego (County) maintained roads. Upon receipt of a request or recommendation for the implementation of a traffic safety measure in unincorporated areas, the TAC reviews and investigates the requested item, including engineering and traffic condition studies. TAC recommendations are provided to the Board for consideration.

The TAC recommends the Board act on nine items from the March 10, 2023, TAC meeting agenda:

Items from the 03/10/2023 TAC Meeting			
District	Item	Location	Action
2	2-A*	Lakeside Ave, from State Route 67 to Valle Vista Rd, in Lakeside Farms	Revise western endpoint, reduce the 40 miles per hour (MPH) speed limit to 35 MPH, and certify.
2	2-B*	Riverside Ave, from Valle Vista Rd to Riverford Rd, in Lakeside Farms	Revise eastern endpoint, reduce the 45 MPH speed limit to 40 MPH, and certify.
2	2-C	Wildcat Canyon Rd, from Willow Rd to Barona Indian Reservation (S. Boundary), in Lakeside/Barona	Recertify the 50 MPH speed limit.
2	2-D	Wildcat Canyon Rd, from Barona Indian Reservation (S. Boundary) to San Vicente Rd, in Barona/San Diego Country Estates	Recertify the 50 MPH speed limit.
3	3-A	Rancho Diegueno Rd, from Rancho Santa Fe Farms Rd to San Dieguito Rd, in Fairbanks Ranch	Recertify the 40 MPH speed limit.
4	4-A	Kenwood Dr, from Campo Rd to Kenwood Ct, in Spring Valley	Certify the 45 MPH speed limit.

4	4-B	Kenwood Dr, from Kenwood Ct to Bancroft Dr, in Spring Valley	Certify the 35 MPH speed limit.
5	5-A*	Fifth St, from Rainbow Valley Bl to Old Highway 395, in Rainbow	Establish a 30 MPH speed limit and certify.
5	5-B	La Sombra Dr, from Discovery St to San Marcos city limit, in Lake San Marcos	Establish a time-specific no stopping zone.
*Indicates second reading of the ordinance is required.			

Approval of Item 2-A on Lakeside Avenue in Lakeside Farms (District 2), Item 2-B on Riverside Drive in Lakeside Farms (District 2), Item 2-C on Wildcat Canyon Road in Lakeside/Barona (District 2), Item 2-D on Wildcat Canyon Road in Barona/San Diego Country Estates (District 2), Item 3-A on Rancho Diegueno Road in Fairbanks Ranch (District 3), Item 4-A on Kenwood Drive in Spring Valley (District 4), Item 4-B on Kenwood Drive in Spring Valley (District 4), and Item 5-A on Fifth Street in Rainbow (District 5) would support speed enforcement which enhances 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 Item 5-B on La Sombra Drive in Lake San Marcos (District 5) will provide safety and roadway operation enhancement measures for pedestrians, bicyclists, and all other roadway users by eliminating the potential traffic hazards of stopped vehicles. Properly posted no-stopping zones eliminate potential traffic hazards, improve traffic safety and roadway operation, and increase community quality of life.

The following items do not revise the San Diego County Code of Regulatory Ordinances (County Code) and therefore do not require a second reading of an ordinance. Board direction on June 28, 2023, would allow implementation by DPW of:

- Item 2-C on Wildcat Canyon Road in Lakeside/Barona (District 2),
- Item 2-D on Wildcat Canyon Road in Barona/San Diego Country Estates (District 2),
- Item 3-A on Rancho Diegueno Road in Fairbanks Ranch (District 3),
- Item 4-A on Kenwood Drive in Spring Valley (District 4),
- Item 4-B on Kenwood Drive in Spring Valley (District 4), and
- Item 5-B on La Sombra Drive in Lake San Marcos (District 5).

The Board's action on Item 2-A on Lakeside Avenue in Lakeside Farms (District 2), Item 2-B on Riverside Drive in Lakeside Farms (District 2), and Item 5-A on Fifth Street in Rainbow (District 5) would introduce an ordinance to amend and establish speed limit zones. This action would revise County Code and requires two steps. On June 28, 2023, the Board would consider the TAC items. If the Board takes action as recommended on June 28, then on July 19, 2023, a second reading and adoption of ordinances amending the County Code would be necessary to implement the Board's direction. If the proposed ordinance is altered on June 28, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

**RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE**

District 2:

Item 2-A. Lakeside Avenue from State Route 67 to Valle Vista Road in Lakeside Farms - Revise the western endpoint from Valle Vista Road to Channel Road, reduce the 40 MPH speed limit to 35 MPH, and certify for radar enforcement.

Item 2-B. Riverside Drive from Valle Vista Road to Riverford Road in Lakeside Farms - Revise the eastern endpoint from Valle Vista Road to Channel Road, reduce the 45 MPH speed limit to 40 MPH, and certify for radar enforcement.

Item 2-C. Wildcat Canyon Road from Willow Road to Barona Indian Reservation (south boundary) in Lakeside/Barona - Recertify the 50 MPH speed limit for radar enforcement.

Item 2-D. Wildcat Canyon Road from Barona Indian Reservation (south boundary) to San Vicente Road in Barona/San Diego Country Estates - Recertify the 50 MPH speed limit for radar enforcement.

District 3:

Item 3-A. Rancho Diegueno Road from Rancho Santa Fe Farms Road to San Dieguito Road in Fairbanks Ranch - Recertify the 40 MPH speed limit for radar enforcement.

District 4:

Item 4-A. Kenwood Drive from Campo Road to Kenwood Court in Spring Valley - Certify the 45 MPH speed limit for radar enforcement.

Item 4-B. Kenwood Drive from Kenwood Court to Bancroft Drive in Spring Valley - Certify the 35 MPH speed limit for radar enforcement.

District 5:

Item 5-A. Fifth Street from Rainbow Valley Boulevard to Old Highway 395 in Rainbow - Establish a 30 MPH speed limit and certify for radar enforcement.

Item 5-B. La Sombra Drive, west side, from Discovery Street to San Marcos city limit in Lake San Marcos - Establish a time specific no stopping zone, "No Stopping 8 AM to 10 AM, School Days."

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTIONS 72.169.46. AND 72.169.59. AND ADDING SECTION 72.169.8.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 2-A, 2-B, & 5-A).

EQUITY IMPACT STATEMENT

The review of traffic signs, intersection controls, and roadway markings supports vehicle safety on County of San Diego-maintained roads. The transportation system must be safe for all road users, for all modes of transportation, in all communities, and for people of all incomes, races, ethnicities, ages, and abilities. Understanding travel patterns, where correctable crashes are occurring, and the disproportionate impacts on certain communities will allow the Department of Public Works to identify actions to address the underlying causes, improve safety, and ensure there is justice in the enforcement of traffic regulations.

DPW's Local Roadway Safety Plan reviews correctable collisions along road segments within the unincorporated areas of the region and utilizes the Healthy Places Index (3.0) and CalEnviroScreen 4.0 to ensure underserved populations are prioritized. The Traffic Advisory Committee (TAC) relies on the Local Roadway Safety Plan and performs reviews of regulatory traffic control devices such as signs and markings. While adherence to sign and marking standards developed by the California Department of Transportation is crucial to obtaining the compliance of the majority of drivers, the TAC also relies on various community engagement methods such as the Tell Us Now! Mobile app, toll-free hotlines, and a customer service request program to intake reports on a wide variety of traffic concerns and ensure the concerns are addressed.

SUSTAINABILITY IMPACT STATEMENT

The Traffic Advisory Committee has made addressing sustainability a top priority by partnering with local communities and industry leaders in a monthly public forum to find timely, reasonable, and cost-effective in-road traffic solutions that reduce costly traffic delays, mitigate vehicle idling to reduce emissions, and improve fire response times and regional readiness.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 CAO Recommended Operational Plan in the Department of Public Works Road Fund. If approved, this request will result in costs and revenue of \$8,340 in Fiscal Year 2023-24 for staff time, materials, and supplies. The funding source is State Highway User Tax Account. 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 Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10857 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.169.46. AND 72.169.59. AND ADDING SECTION 72.169.8.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

2. **SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE AN OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF THE BLOSSOM VALLEY ROAD EXTENSION (SA 830.2) IN THE LAKESIDE COMMUNITY PLAN AREA (VAC 2021-0228) (DISTRICT: 2)**

OVERVIEW

The Asset Management Division of the Department of General Services is processing a request to summarily vacate an unaccepted Offer of Dedication for Public Highway (OD) dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which an offer of land for a future public road or public service easement is abandoned through one action. These may be requested by the public if the easement interests are found to be excess to County needs and are not required for the purposes for which they were obtained.

The applicants have requested to vacate the unaccepted OD made on Parcel Map No. 17146, recorded on June 1, 1993. The OD has remained open and subject to future acceptance by the County. The OD to be summarily vacated is for a portion of the unimproved Blossom Valley Road Extension, also known as Select Arterial (SA) 830.2. The properties subject to the OD are located within the unincorporated Lakeside Community Plan Area. The County Department of Public Works has determined this area offered for future dedication is no longer needed for present or future public use because there is no foreseeable public improvement project or private development that would be conditioned to construct within this easement, and this request does not involve a General Plan Mobility Element (ME) roadway.

Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate the OD described herein, together with the incidental rights to extend drainage facilities, excavation, and embankment slopes beyond the OD, that is 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 result in the summary vacation of an offer of dedication for a public right-of-way easement that is not needed for public road purposes and will not have a reasonably foreseeable direct or indirect effect on the environment, and is therefore not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE AN OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF THE BLOSSOM VALLEY ROAD EXTENSION (SA 830.2) IN THE LAKESIDE COMMUNITY PLAN AREA (VAC 2021-0228) (Attachment C, on file with the Clerk of the Board).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2021-0288 pursuant to State of California Streets and Highways Code Section 8336.

EQUITY IMPACT STATEMENT

This resolution will provide a public benefit through improved use of the lands made available by the vacation. The proposed summary vacation is in the public interest because there is a public convenience associated with the removal of encumbrances from private lands that are no longer needed for public road purposes. The existing surrounding road system will continue to provide access for all properties located near the proposed OD vacation and the summary vacation would not preclude future development.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to summarily vacate the OD contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to property owners by providing them with improved use of their properties by unencumbering portions of their properties for potential future development.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$4,500 to process the proposed vacation. The funding source is a deposit from the applicant(s). 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 Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 23-104, entitled: RESOLUTION TO SUMMARILY VACATE AN OFFER OF DEDICATION FOR PUBLIC HIGHWAY FOR A PORTION OF THE BLOSSOM VALLEY ROAD EXTENSION (SA 830.2) IN THE LAKESIDE COMMUNITY PLAN AREA (VAC 2021-0228).

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 3. **SUBJECT: ESTABLISHMENT OF TRUST FUNDS AND MODIFICATION OF EXISTING PUBLIC WORKS SOLID WASTE PLANNING & RECYCLING FUNDS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

The Department of Public Works' Solid Waste Planning & Recycling Section (DPW Recycling) plays a crucial role in the County of San Diego's efforts to reduce, reuse, and recycle solid waste. DPW Recycling implements various waste diversion and recycling programs to promote environmental sustainability. These programs include education, outreach, technical assistance, and the implementation of initiatives targeting residents and businesses in the unincorporated areas of the county.

On July 24, 2019 (05), the County of San Diego (County) Board of Supervisors (Board) authorized DPW Recycling to apply for and accept grants from the California Department of Resources Recycling and Recovery (CalRecycle) that support projects and program activities to further efforts to reduce, reuse, and recycle solid waste. These grant monies are used to expand education, outreach, technical assistance, and to implement various waste diversion and recycling programs to residents and businesses within the unincorporated areas of the county. This is a request for the Board to establish separate accounting funds for DPW Recycling grant and program revenues to retain interest.

Grant programs include the SB 1383 Local Assistance Grant Program, which supports education, outreach, and technical assistance for organic waste collection, edible food recovery programs, and other initiatives in the unincorporated areas of the county. The Beverage Container Recycling City/County Payment Program and the Used Oil Recycling Payment Program are used to provide technical support for recycling programs and implement used oil and filter collection initiatives. All three CalRecycle grants require the funds to be placed in interest-bearing accounts, with any accrued interest used solely for eligible expenses related to the grants.

This is also a request for the Board to establish a new accounting fund that would retain its own interest for DPW recycling program revenues of which the primary funding source is the Solid Waste Management Agreement (SWMA) fee. The fee is collected from franchise waste haulers operating in the unincorporated county. The fee is collected on each ton of material collected by franchise haulers, with the exception of inert materials (e.g., concrete, rocks, soil, etc.). This action is being requested because the County's Solid Waste Ordinance requires that fees collected be expended only for solid waste, recyclable materials, organic waste, construction and demolition debris services and activities in the unincorporated area of the county and not used by the County for other services or activities.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(3) of the CEQA Guidelines because establishing a trust fund is a government fiscal activity that does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, and therefore, it is not a project as defined by Section 15378 of the State CEQA Guidelines.
2. Authorize the Department of Public Works Solid Waste Planning & Recycling, SB1383 CALRECYCLE LOCAL ASST (61425) trust fund, to retain interest earned and distribute to the trust fund, as required by the CalRecycle SB 1383 grant terms.
3. Direct the Auditor & Controller to establish a Trust Fund for Department of Public Works' Solid Waste Planning and Recycling for the Beverage Container Recycling City/County Payment Program monies received to support the program's operations with interest earnings allocated and distributed to the fund.

4. Direct the Auditor & Controller to establish a Trust Fund for Department of Public Works' Solid Waste Planning and Recycling for the Used Oil Recycling Payment Program monies received to support the program's operations with interest earnings allocated and distributed to the fund.
5. Authorize the Department of Public Works' Solid Waste Planning and Recycling's fund, WASTE PLANNING AND RECYCLING (12675), for program revenue to retain and distribute to the fund any interest earned. This action would support DPW Recycling's mission to comply with State waste and recycling laws and divert materials from the waste stream.

EQUITY IMPACT STATEMENT

The proposed actions to create two restricted interest-bearing trust funds and to authorize the Department to retain and distribute interest earned on program revenue and grant awards contributes positively to the County of San Diego's equity goals. Department of Public Works' Solid Waste Planning and Recycling will use the accrued interest for additional program and grant implementation and outreach across the unincorporated county, including historically underserved areas, to ensure equitable distribution of resources.

SUSTAINABILITY IMPACT STATEMENT

The proposed actions to create two restricted interest-bearing trust funds and to authorize the Department to retain and distribute interest earned on program revenue and grant awards have environmental and economic sustainability benefits. These actions contribute to the County of San Diego's sustainability goal to reduce pollution and waste and reduce consumption of resources. The Department of Public Works' Solid Waste Planning and Recycling will use the accrued interest to facilitate program implementation. These efforts will divert materials from the waste stream, thereby extending the useful life of local landfills. Additionally, when materials are sent to local recycling facilities instead of landfills, they support the local circular economy and the creation of green jobs.

FISCAL IMPACT

Funds are included in the Fiscal Year 2023-24 Operational Plan in the DPW Solid Waste Planning and Recycling section. If approved, this request will result in costs and revenue of \$760,000 in Fiscal Year 2023-24 and costs and revenue of \$204,332 in Fiscal Year 2024-25. The funding source is CalRecycle SB 1383 Local Assistance Grant Program, Beverage Container Recycling City/County Payment Program, and Used Oil Recycling Payment Program.

The proposed actions will establish two interest-bearing Solid Waste Planning and Recycling Trust Funds. The first fund will be established for the Beverage Container Recycling City/County Payment Program with an estimated balance of \$200,000 and the second fund will be established for the Used Oil Recycling Payment Program with an estimated balance of \$85,000.

In addition, the proposed action would implement a change to the existing SB 1383 Local Assistance Grant Program fund and Solid Waste Planning and Recycling's program revenue fund to allow interest to be retained. The Solid Waste Planning and Recycling's program revenue fund has an estimated opening balance of \$5,897,259 based on revenue accrued from the Solid

Waste Management Agreement fee and other miscellaneous revenues. Though the proposed action to retain interest will result in an estimated reduction of \$75,000 to \$100,000 (depending on interest rates) in General Fund revenue annually, there will be no change in net General Fund cost and no additional staff years. The Solid Waste Planning and Recycling's program revenue fund will retain any interest earned which will be used for eligible grant and program expenses. The budgeted cost for all grant and program activities and expenses in Fiscal Year 2023-24 is \$6,616,247.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

4. **SUBJECT: LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS (DISTRICTS: ALL)**

OVERVIEW

On June 27, 2023 (16), the County of San Diego (County) Board of Supervisors (Board), issued a Proclamation of Local Emergency (Proclamation) as a result of the continued conditions for detrimental impacts to the environment, economy, and property within San Diego County, caused by persistent impacts from cross-border sewage pollution and sewage impacted ocean waters. The Proclamation was issued pursuant to the San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code section 8630. The Proclamation further asked the Governor to proclaim a State of Emergency in San Diego County. Government Code section 8630(c) requires local governing bodies to review the need for continuing the local emergency at least once every 60 days until the local emergency is terminated. This is a request to find that a review of the local emergency has been conducted and that the local emergency will remain in effect at this time.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proclamation of local emergency is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and (3), 15061(b)(3), and 15378(b)(4)&(5) because the action is an administrative action intended to facilitate state and federal funding, does not commit County to a specific project, and will not have a reasonably foreseeable direct or indirect effect on the environment.
2. Find that there is a need to continue the local emergency and that the local emergency shall continue subject to review requirements until terminated pursuant to Government Code section 8630(d).

EQUITY IMPACT STATEMENT

The communities closest to the San Diego International Border, which includes the communities of Imperial Beach, San Ysidro, Otay Mesa and Tijuana River Valley are identified by SB 535 (2012) and also on CalEnviroScreen 4.0 Environmental Justice communities as having high pollution burdens for impaired water bodies, elevated PM2.5, elevated linguistic isolation and poverty rates. By supporting the local emergency proclamation, the County of San Diego remains committed to working with local, state, federal and Mexican authorities to improve conditions for these communities. Local Environmental Justice communities have decades of suffering from various pollution sources, have been advocating and working to raise their concerns to the various agencies, and have also engaged to elevate the need for data collection to document environmental injustices.

SUSTAINABILITY IMPACT STATEMENT

This Board letter aligns with the County of San Diego’s sustainability goals to protect the environment and promote our natural resources, diverse habitats and cultivate a natural environment for residents, visitors, and future generations to enjoy.

FISCAL IMPACT

There is no fiscal impact associated with this request to continue the emergency. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

Increased beach water closures resulting from sewage impacts have a direct effect for the surrounding community due to decreased tourism, patronage of local businesses, and opportunities for youth recreation and camps. By continuing a local emergency, the County of San Diego will be able to engage businesses and non-profit service providers that have been impacted by the restricted access to local beaches and oceans with the goal of assisting in identifying ways to connect them to any state or federal relief programs.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

- 5. **SUBJECT: ESTABLISH APPROPRIATIONS TO AWARD A CONSTRUCTION CONTRACT FOR THE VILLAGE VIEW PARK PROJECT AND RELIANCE ON PREVIOUSLY ADOPTED MND (DISTRICT: 5)**

OVERVIEW

In March of 2020, the Department of Parks and Recreation (DPR) purchased 6.8 acres of future parkland to the east of the existing Fallbrook Community Center to address a lack of access to nature and active recreation opportunities in the community of Fallbrook. The Fallbrook Local Park Project (Project), now known as Village View Park, was catalyzed by over a decade of community requests to use Park Land Dedication Ordinance (PLDO) funding to acquire and

develop active recreation opportunities in Fallbrook and will feature amenities prioritized by residents throughout the public engagement process. This project has received funding from several grants totaling \$4,322,000, which includes the Community Development Block Grant \$2,122,000, the California Department of Parks and Recreation's (CDPR) Office of Grants and Local Services (OGALS) Statewide Park Program \$1,200,000, and the California Natural Resources Agency's (CNRA) Urban Greening Program \$1,000,000.

On October 20, 2021 (7), DPR brought the project to the Board of Supervisors (Board) to approve the advertisement and award of a construction contract for Village View Park, and the Department of Purchasing and Contracting took the project out to bid on May 26, 2023. Due to significant construction cost escalation related to labor and material shortages and inflation, the lowest responsive and responsible bid for the contract came higher than expected, at \$10,775,070. The total estimated cost of construction is now anticipated to be \$11,334,566 which includes a limited contingency, construction management, cultural and biological monitoring, and inspections. This exceeds the existing project budget of \$7,848,000. Several grant agreements for the project specify features that are required as conditions of the grant award, therefore the project risks losing available grant funding if the scope of work is reduced. This means that the entire scope of the project needs to be completed to retain grant funding. Specifically, the CNRA Urban Greening grant and the CDPR OGALS Statewide Park Program grants require several amenities, including a multiuse path, play area, dog park, skatepark, shaded picnic areas, a multiuse open field, a restroom building, and extensive native planting. The CNRA Urban Greening grant was awarded to the County because of the project's extensive green infrastructure, including stormwater and water quality components such as native gardens providing stormwater infiltration, detention basins and tree wells, and permeable paving. This park will serve as a model for best practices in green infrastructure for future County projects. The Community Development Block Grant additionally requires the incorporation of multilingual interpretive signage. Removal of any of these amenities could result in DPR losing the awarded grant funding (\$3,150,000) and ultimately being unable to proceed with the project. If the project does not move forward, grant funding that has been awarded for the project will be returned to its respective organizations. The full project scope must also be completed in order for the awarded grants to fund the project. Additionally, the grants are non-transferrable to other projects and can only pertain to this project.

Today's proposed actions will establish additional appropriations of \$3,486,566 in Capital Project 1022921 Fallbrook Local Park (Village View Park) to award a construction contract and support ongoing construction management and administration of Village View Park. This will increase the available project budget from \$7,848,000 to \$11,334,566. The source of the additional funding of \$3,486,566 is an Operating Transfer In from Capital Project 1020262 SR76 Right of Way Trail - Middle Portion (\$1,032,579), an Operating Transfer In from Capital Project 1023730 San Luis Rey River Park (SLRRP) Bonsall Staging Area (\$1,000,000), Caltrans Settlement Funding (\$800,000), PLDO (Park Land Dedication Ordinance) Fallbrook Improvement Impact Fund (\$625,664), and PLDO Fallbrook In Lieu Fund (\$28,323). All available funding sources were evaluated by DPR, and projects were selected due to existing constraints that limit their capacity to proceed in the near future, regardless of funding availability. These constraints include the search for land to acquire, ongoing environmental review, and reliance on completion of other projects.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the Mitigated Negative Declaration (MND) for Fallbrook Local Park Project (State Clearinghouse #2021070463), previously certified by this Board on October 20, 2021 (7) and on file with the Department of Parks and Recreation has been completed in compliance with California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, and that the Board of Supervisors has reviewed and considered the information contained therein prior to approving the project.
2. Find there are no changes in the proposed project, or in the circumstances under which the project is undertaken which involve significant new impacts which were not considered in the previously adopted MND, dated July 2021, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was prepared as explained in the Environmental Review Update Checklist Form dated July 5, 2023 (Attachment B).
3. Establish appropriations of \$625,664 in Park Land Dedication Ordinance (PLDO) Fallbrook Improvement Impact Fund, and \$28,323 PLDO Fallbrook In Lieu Fund based on available prior year Park Land Dedication Ordinance (PLDO) Fund balance; *and* establish appropriations of \$653,987 in the Capital Outlay Fund for Capital Project 1022921, Fallbrook Local Park to assist with construction costs based on an Operating Transfer In from PLDO Fallbrook Improvement Impact Fund (\$625,664) and PLDO Fallbrook In Lieu Fund (\$28,323); *and* establish appropriations of \$800,000 in Capital Outlay Fund for Capital Project 1022921, Fallbrook Local Park based on Caltrans Settlement Funding; *and* transfer appropriations of \$2,032,579 in the Capital Outlay Fund and related Operating Transfer In from the General Fund from Capital Project 1020262 SR76 Right of Way Trail - Middle Portion (\$1,032,579) and Capital Project 1023730 SLRRP Bonsall Staging Area (\$1,000,000) to Capital Project 1022921 Fallbrook Local Park. (4 VOTES)
4. Designate the Director, Department of Parks and Recreation, as the County Officer responsible for administering the construction contract for the Village View Park project in accordance with Board Policy F-41, Public Works Construction Contract.

EQUITY IMPACT STATEMENT

The Village View Park site is located within an underserved community where 81% of residents are classified as Low and Moderate income. At present, Fallbrook is deficient in both parkland and active recreation opportunities to meet the growing needs of its diverse community members and achieve the County of San Diego's (County's) General Plan goal of 10 acres of parkland per 1,000 residents. As per the County of San Diego Parks Master Plan published in 2020, Fallbrook is 90.7 acres short of meeting this goal; development of the site will add 6.8 acres to County-owned parkland and enable DPR to better serve residents of Fallbrook by expanding access to opportunities to experience nature and recreate outdoors.

According to 2020 U.S. Census data, nearly half of Fallbrook residents identify as Hispanic or Latinx, and one third speak Spanish at home. The design for the park was shaped by a bilingual (English/Spanish) public engagement process and will feature trilingual (English/Spanish/Luiseño) interpretive signage that celebrates the site's indigenous and agricultural history, elaborates on the traditional uses of native plants, and tells the story of Morro Hill - a culturally significant landmark visible to the south of the site that features prominently in oral and recorded histories of the land now referred to as Fallbrook. The communal space created by the new park will provide new opportunities to build connections for residents of all ages, backgrounds, and abilities.

SUSTAINABILITY IMPACT STATEMENT

The proposed Village View Park will result in sustainability enhancements to the County of San Diego (County) by contributing to all seven of the County Sustainability Goals: engage the community; provide just and equitable access; transition to a green, carbon-free economy; protect health and well-being; protect water; protect ecosystems, habitats, biodiversity, and soil health; and reduce pollution and waste.

Throughout the planning and design process of the park, the community and stakeholders have been engaged to contribute their ideas on the recreational amenities and programming they would like to see. This project will additionally add climate resiliency features including 110 new trees, native gardens, water efficient irrigation, and a collection of bioswales and detention basins.

FISCAL IMPACT

Funds for this request are partially not included in the Fiscal Year (FY) 2023-24 Operational Plan. If approved, this will result in additional costs and revenue of \$3,486,566 for Capital Project 1022921 Fallbrook Local Park. The funding sources are Park Land Dedication Ordinance (PLDO) Fallbrook Improvement Impact Fund (\$625,664), PLDO Fallbrook In Lieu Fund (\$28,323), Caltrans Settlement Funding (\$800,000), and transfers from Capital Project 1020262 SR76 Right of Way Trail - Middle Portion and Capital Project 1023730 SLRRP Bonsall Staging Area (\$2,032,579). There will be no change in net General Fund cost and no additional staff years.

Upon completion of this project, ongoing operations are estimated at \$250,000 annually, which will include utility costs and maintenance supplies and services. The park is projected to open in December 2024, and these costs will be included in future Operational Plans. The funding source will be Department of Parks and Recreation General Purpose Revenue.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

6. **SUBJECT: BUILDING MORE HOUSING, FASTER BY EXPANDING THE COUNTY'S SELF-CERTIFICATION PROGRAM IN INFILL AREAS (DISTRICTS: ALL)**

OVERVIEW

The San Diego region faces a severe housing crisis. Housing prices have far outpaced inflation and wage growth over the past decades, driving rents and home prices out of reach for many residents, forcing households to make serious financial trade-offs, and contributing to a historic homelessness surge. The current 6th Cycle Regional Housing Needs Assessment (RHNA) anticipates the need for nearly 22,000 new homes built each year, but the San Diego region is building less than half of that rate.

While region-wide production is falling short, the County of San Diego remains on pace to meet and even exceed its RHNA allocation target of 6,700 new homes from April 2021 to April 2029.

According to the County's 2022 Annual Progress Report, the County has achieved 50% of its RHNA target in the first 2 years, with 3,337 new homes permitted. The County recently earned a prohousing designation from the State for its commitment to building more housing, faster, through land use policies that favor development, accelerating production timeframes, reducing costs, and providing financial incentives. While the early RHNA numbers are encouraging, we recognize the need to do much more.

On May 24, 2023, the Board adopted an aggressive slate of 22 additional actions designed to remove barriers to housing. Today's action builds on these efforts and directs County staff to work with our building industry partners to develop options for improving and expanding the County's existing Plan Self-Certification Program to accelerate building more housing, faster in infill and VMT efficient areas in alignment with the County's Transportation Study Guidelines.

Today's action focuses on one of the key bottlenecks in the housing development process - securing timely building permits. Housing development projects often encounter months of plan review, comments, and revisions. These delays can cost hundreds of thousands of dollars and increase the risk that inflation can drive up the cost of building materials and labor.

The County's Plan Self-Certification Program was adopted in 2019 and was intended to allow for faster development timeframes by eliminating plan review. Instead, the Program allows registered professionals to take responsibility for certifying a project's compliance with building codes, standards, and ordinances. Under this program, County building permits can be issued in just one to five business days. However, the current Plan Self-Certification Program may be underutilized because only a few types of smaller projects qualify. Crucially, new housing construction (single-family or multi-family) is not included under the current program.

The City of Chicago and the City of Phoenix have pioneered successful self-certification programs dating back to 2008 and 2010 respectively. These programs cover a much broader range of eligible projects including new housing construction, and include strong processes for on-going training and support, and audits to ensure long-term program success. Phoenix has processed over 4,500 building permits under its program covering everything from single-family housing, subdivisions, multi-family projects under 75 feet, and commercial developments.

Today's action directs County staff to: (1) explore the City of Chicago and City of Phoenix Self-Certification programs as potential models, (2) convene a Self-Certification Working Group of industry partners and key stakeholders including the Building Industry Association of San Diego (BIA), NAIOP San Diego, and the San Diego Housing Federation (SDHF), and (3) develop options for improving and expanding the County's Plan Self-Certification Program within TSG-aligned infill and VMT efficient areas for Board consideration.

RECOMMENDATION(S)

VICE-CHAIR TERRA LAWSON-REMER

1. Direct the Chief Administrative Officer to develop options for expanding the Plan Self-Certification Program within infill and VMT efficient areas in alignment with the County's Transportation Study Guidelines, by taking the following steps:
 - a. Explore the City of Chicago and City of Phoenix programs as models for potential program expansion and improvement.
 - b. Convene a Self-Certification Working Group of building industry partners, including but not limited to, the Building Industry Association of San Diego (BIA), NAIOP San Diego, and the San Diego Housing Federation (SDHF), to develop options for expanding the Plan Self-Certification Program. The Working Group should provide feedback and industry insights on a range of topics that include: scenarios where self-certification is mostly likely to be pursued, the scope of eligible project components including civil, grading, and landscape plans, training and good-standing standards, and compliance processes including random audits.
 - c. Develop options and report back to the Board by March 30, 2024 with recommendations for Board action including potential budgetary costs and potential funding sources.

EQUITY IMPACT STATEMENT

Access to housing is important to all. Housing affordability and attainability is a challenge many people have, with a greater burden placed on low-income and underserved communities. This action will help build more housing, faster, and in the right places near jobs, transit, and community amenities in infill and VMT efficient areas aligned with the County's Transportation Study Guidelines.

SUSTAINABILITY IMPACT STATEMENT

Today's proposed actions are aligned with Sustainability Goal #2, assisting in providing just and equitable access to housing. These actions also promote the development of new housing in infill and VMT Efficient Areas, which will result in lower carbon emissions, in alignment with Sustainability Goal #3, facilitating the transition to a green, carbon-free economy.

FISCAL IMPACT

There is no fiscal impact associated with today's actions. There may be fiscal impacts associated with future related recommendations for which staff would return to the Board for consideration and approval. Upon return by staff, funding for future costs will need to be identified by the department and will proceed once identified. At this time, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Streamlining homebuilding will benefit the general public as well as the businesses that are part of the home development process, helping to create jobs and economic growth. Increased housing supply also benefits local businesses by having a more ample supply of housing for employees, which helps incentivize prospective candidates to select businesses in San Diego for employment and helps those already residing locally.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took the following actions, on Consent:

Directed the Chief Administrative Officer to develop options for expanding the Plan Self-Certification Program in alignment with the County's Transportation Study Guidelines, by taking the following steps:

- a. Explore the City of Chicago and City of Phoenix programs as models for potential program expansion and improvement.
- b. Convene a Self-Certification Working Group of building industry partners, including but not limited to, the Building Industry Association of San Diego (BIA), NAIOP San Diego, and the San Diego Housing Federation (SDHF), to develop options for expanding the Plan Self-Certification Program. The Working Group should provide feedback and industry insights on a range of topics that include: scenarios where self-certification is mostly likely to be pursued, the scope of eligible project components including civil, grading, and landscape plans, training and good-standing standards, and compliance processes including random audits.
- c. Develop options and report back to the Board by March 30, 2024 with recommendations for Board action including potential budgetary costs and potential funding sources.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

7. SUBJECT: FOUR HONORARY BRIDGE NAMINGS (DISTRICT: 2)

OVERVIEW

Board of Supervisors Policy F-53 outlines the criteria and procedures involved in the honorary naming of bridges that are a part of the County maintained road system. This policy provides an opportunity for constituents to honor an individual or entity who exhibited extraordinary public service or exemplary contribution to the public good. To be eligible, an individual must also have a connection to the unincorporated community where the bridge is located.

Requests for honorary bridge namings must be submitted by one or more constituents of the unincorporated community where the bridge is located and must be supported by a petition signed by at least 100 residents of the community in which the bridge is located. Following a recommendation of an honorary bridge naming by a community planning or sponsor group, the Board of Supervisors is permitted to adopt a resolution providing an honorary bridge designation and authorizing the installation of signage at each end of the bridge.

Four honorary bridge naming requests have been submitted for consideration by community groups, including by Board of Supervisors appointed community sponsor group members and elected community planning group members. The following information identifies the individuals for whom honorary bridge naming requests have been submitted by these groups, the bridges to be named and locations of those bridges, and the organizations who requested the honorary bridge namings.

Isola Hook Bridge

The Mountain Empire Historical Society recommended the approval of a naming package for a 1950 San Diego County bridge (designated 57CO270), commonly referred to as the “Hook” Bridge.” This bridge is located at mile marker 6.5 on Buckman Springs Road, south of Old Highway 80, near the former Hook Ranch site.

The Campo - Lake Morena Planning Group supported this proposal by approving the request to provide an honorary bridge name of the “Isola Hook Memorial Bridge.” Over 100 community residents signed a petition in support of this effort.

Charles S. Judson Bridge

The Pine Valley Community Planning Group reviewed an honorary bridge naming package submitted by local historian, Cherry Diefenbach to provide an honorary designation to the 1929 Pine Valley Creek Bridge (57CO335) located on Historic Highway 80. The Planning Group voted to approve naming the bridge the “Charles S. Judson Memorial Bridge.” Over 160 Pine Valley residents signed a petition in support of this effort.

Bert Vaughn

The Jacumba Community Sponsor Group reviewed a request to provide an honorary designation of an historic 1931 county bridge (57CO 226) located about 200-feet east of mile marker 33.5 on Historic Highway 80 as the “Bert Vaughn Memorial Bridge.” Herbert “Bert” Vaughn, was considered to be the founding father of Jacumba. A petition signed by 103 Jacumba residents in support of the proposed naming of this bridge was submitted with this request. Following their review, the Sponsor Group voted unanimously to affirm this honorary bridge name.

Patricia Fauble

The Jacumba Community Sponsor Group reviewed a request to name an historic 1931 county bridge (57CO 227) located about 300-feet east of the mile marker 33.5 on Historic Highway 80 as the “Patricia Fauble Memorial Bridge.” Patricia “Pat” Fauble served as an inspiration to the community, displaying remarkable leadership skills during her fifteen years of service as Jacumba’s volunteer fire chief. A petition signed by 103 Jacumba residents in support of the proposed naming of this bridge was submitted with the request. Following their review, the

Sponsor Group voted unanimously to affirm this honorary bridge name.

Based on the community requests and support for these honorary bridge namings, I respectfully request that my colleagues approve the proposed designations for these four County maintained bridges located in the Second Supervisorial District.

RECOMMENDATION(S)
SUPERVISOR JOEL ANDERSON

1. Approve Resolution relating to the establishment of the honorary bridge names in San Diego County, District 2
2. Allocate \$4,000 from the Community Enhancement Program budget (Org 12900) to the Department of Public works for costs associated with the purchase of signs for four honorary bridge naming's.
3. Transfer appropriations of \$4,000 from the Community Enhancement Program budget (Org 12900), Services and Supplies, to Contribution to Department of Public Works, Road Fund, Operating Transfer Out for costs associated with the purchase of signs for four honorary bridge naming's.
4. Establish appropriations of \$4,000 in the Department of Public Works, Road Fund, for the costs associated with the purchase of signs for four honorary bridge naming's based on an Operating Transfer In from the General Fund. (4 VOTES)

EQUITY IMPACT STATEMENT

During this Board Letter process, District 2 worked with the Office of Equity and Racial Justice (OERJ) to thoroughly research each individual. After review, the OERJ did not find anything of concern. This Board Letter honors individuals that embodied equity principles by providing their respective communities with opportunity, fair treatment, and advancement for all. These individuals spent the majority of their life and careers working with underserved and disadvantaged groups.

SUSTAINABILITY IMPACT STATEMENT

This Board letter aligns with the County of San Diego's Sustainability Goals by engaging with the community and diverse stakeholders to partner and participate in decisions that impact their communities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Community Enhancement Program Budget (Org 12900). If approved, this request will result in estimated costs of \$4,000 for two signs, one on each end of the bridge for each of the four bridges, for a total of eight signs. The funding source is General Purpose Revenue. 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 Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 23-105, entitled: RESOLUTION RELATING TO THE ESTABLISHMENT OF HONARARY BRIDGE NAMES IN SAN DIEGO COUNTY.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

8. **SUBJECT: 2023 HOUSING ZONING ORDINANCE UPDATE; PDS 2022-22-004
(DISTRICTS: ALL)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to consider and approve the proposed 2023 Housing Zoning Ordinance Update (Update). This action proposes to update the County of San Diego's (County) Zoning Ordinance to implement 21 housing-related state laws adopted by the California legislature since 2018. These laws were enacted to increase overall housing production, affordable housing, and housing for people experiencing homelessness. The Update will support the development of housing that is affordable to lower-income, moderate-income, and middle-income families by facilitating the development of Accessory Dwelling Units (ADUs), small-scale multifamily development, small single-family homes, deed-restricted affordable housing, and homeless shelters. The County is required to comply with new state legislation upon the effective date of the legislation and similar updates have occurred in the past to align County code with new state laws, most recently in 2019. These updates are mandatory and usually occur every two to five years, but this update was postponed due to the COVID-19 pandemic and the allocation of staff resources towards other housing efforts such as the Housing Element Update. The County is already implementing the changes included in the Update through its practices, including informational handouts, forms, and application materials and following any prescribed processes. A summary of all the legislation being implemented as part of the Update can be found in Attachment D.

The purpose of this Update is to align the Zoning Ordinance with these new state requirements and to provide more clarity to the public and staff when implementing housing regulations. This Update is included as action items in the 6th Cycle Housing Element Implementation Plan. California Government Code section 65585(i) requires that the County implement all state policies, programs, and actions identified in the Housing Element within the 2021 to 2029 planning period in order to maintain Housing Element certification.

Staff is currently working on projects that will allow the County to go beyond state law and facilitate housing production by: making more housing projects "by-right", which means removing steps from the permitting processes and reducing the time, cost, and risk to develop housing in certain locations; streamlining senior housing developments by reducing permitting requirements; allowing smaller home types that are likely to be naturally more affordable through a small lot subdivision ordinance; further streamlining ADU construction, and developing an inclusionary housing policy that will produce additional affordable housing. These efforts will be brought forward separately to allow for stakeholder engagement, environmental

analysis where required, and build on the ordinance updates presented today. Additional changes that go beyond state laws would be considered as part of these efforts to move housing forward as quickly as possible. Staff can provide an update on these efforts within the calendar year as part of ongoing housing-related efforts such as the Transformative Housing Solutions Board Memo, the Housing Element Annual Progress Report, or the Housing Blueprint effort.

In addition to aligning the Zoning Ordinance with new state laws, the Update will also align with the County's 6th Cycle Housing Element, which is a mandatory element of the General Plan. The Housing Element includes state-approved policies, programs, and an Implementation Plan to increase housing opportunities in the unincorporated county. State law requires that the Housing Element be reviewed and certified by California Department of Housing and Community Development (state HCD), and non-compliance can result in the County losing eligibility to receive state grants and being subject to litigation. The Update will implement four programs included in the Housing Element Implementation Plan that capture changes in state law, that are not yet reflected in the Zoning Ordinance. These include requirements for new development to replace affordable housing units demolished as a result of housing redevelopment on any site (Program 3.1.1.I), requirements applicable to ADUs (Program 3.1.4.A), requirements applicable to affordable housing developments (Program 3.2.1.A) and state laws regarding the development of homeless shelters (Program 3.3.1.B). These Housing Element Implementation Plan programs are described in the Project Analysis section of this report. A second phase of Housing Zoning Ordinance amendments is also included in the 6th Cycle Housing Element and will be initiated in Spring 2023. This phase will involve more comprehensive changes to the Zoning Ordinance to ensure that regulations such as building type, lot size, and height do not act as barriers to housing development and properties are able to build out to their full potential. This phase will also review the Zoning Ordinance to ensure regulations allow for the construction of various and innovative building types such as tiny homes and prefabricated housing units and provide provisions to require Regional Housing Needs Assessment (RHNA) sites achieve maximum allowable densities.

Today staff will provide an overview of the new state laws addressed in the Update, requirements that the County must comply with when reviewing and approving new housing developments, and the input received during public outreach events and the public review conducted for the Update. Based upon state mandate pursuant to California Government Code section 65585(i) and staff's analysis, Planning & Development Services (PDS) recommends approval of the proposed Update.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On February 17, 2023, the Planning Commission considered the 2023 Housing Zoning Ordinance Update and made the following recommendations to the Board of Supervisors (Board):

1. Find that the General Plan Environmental Impact Report (EIR), dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, was completed in compliance with the California Environmental Quality Act (CEQA) and the state and County CEQA Guidelines and that the Planning Commission has reviewed and considered the information contained therein and the Addendum (PDS-2023-ER-00-001) thereto dated January 13, 2023, on file with PDS, prior to making its recommendation on the Update.

Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified EIR dated August 3, 2011; that there is no substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the EIR was certified as explained in the Environmental Review Update Checklist (PDS-2023-ER-00-001) dated January 13, 2023.

2. Recommend that the Board of Supervisors adopt the attached form of Ordinance with the following amendments:
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE SECTION 1000, 2000, 4000, 5000, 6000, AND 8000 RELATED TO HOUSING LAW REGULATIONS (Attachment A - Clean & Attachment B - Strikeout).
Amending item 6 in section 25 of the Ordinance (Attachment A and B) to expand the area where density bonuses apply for 100% affordable housing apply from within one half of a mile from a major transit stop to within one mile from a major transit stop as defined by subdivision (b) of Section 21155 of the Public Resources Code.

STAFF RECOMMENDATION

Planning & Development Services concurs with the Planning Commission's recommendations to the Board of Supervisors.

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) recognizes the systemic impacts that inequitable policies create for residents of the San Diego region. The 2023 Housing Zoning Ordinance Update (Update) seeks to equitably address the unincorporated area's housing needs by implementing state laws that help facilitate the development of housing for the homeless, deed-restricted affordable housing, and housing for middle-income families. In addition, the project will implement four (4) Housing Element implementation programs. The Housing Element contains goals and policies to increase fair and affordable housing, develop more housing options in all communities, and house people experiencing homelessness. Through the implementation of the Update and implementation of Housing Element programs, the County will continue to actively engage with communities to identify and address their needs and assist in addressing the disproportionate impacts of housing affordability on different communities within the unincorporated County.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to approve the 2023 Housing Zoning Ordinance Update (Update) will address new requirements from state housing law. This Update seeks to increase affordable housing development and expand housing opportunities for communities across the unincorporated county by allowing ministerial approval for homeless housing in certain zones, reducing restrictions on ADUs, allowing small lot subdivisions in multifamily zones, and offering additional incentives for affordable and special need housing development. Through engaging with these communities during this process, this Update advances Sustainability Goals #1 and #2 to provide just and equitable access to County policy decision-making in support of sustainable communities. This Update also incentivizes development of new housing in Vehicle

Miles Traveled (VMT) Efficient Areas and near major transit stops, which will result in lower carbon emissions and supporting Sustainability Goal #3 of transitioning to a green, carbon-free economy.

FISCAL IMPACT

There is no fiscal impact associated with the adoption of 2023 Housing Zoning Ordinance Update as presented today. Funding for implementation costs will need to be identified as part of the annual budget process and will proceed once identified. Planning & Development Services will monitor its budget and revenue sources and return to the Board to incorporate in future budgets as funding becomes available. At this time, there is no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Vargas, seconded by Supervisor Lawson-Remer, the Board of Supervisors closed the Hearing and took action as recommended, adopting Ordinance No. 10858 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE SECTION 1000, 2000, 4000, 5000, 6000, AND 8000 RELATED TO HOUSING LAW REGULATIONS.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

9. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Truth spoke to the Board regarding Board of Supervisors minutes, feminine hygiene products in County restrooms, and SANDAG meetings.

Robert Germann spoke to the Board regarding appropriating funds for airports.

Barry Willis spoke to the Board regarding property taxes for Valley Center Fire Protection District.

Michael Brando spoke to the Board regarding concerns of the COVID-19 pandemic.

Katrina Preece spoke to the Board regarding concerns of marijuana businesses in the unincorporated area.

Consuelo spoke to the Board regarding Board of Supervisors actions.

Nancy Logan spoke to the Board regarding concerns of marijuana businesses in the unincorporated area.

Terri-Ann Skelly spoke to the Board regarding support of Senate Bill AB1207.

Becky Rapp spoke to the Board regarding cannabis related health issues.

Katheryn Rhodes spoke to the Board regarding homelessness and shelter availability.

Kathleen Lippitt spoke to the Board regarding the trafficking of marijuana products.

Paul Henkin spoke to the Board regarding misinformation.

Audra M. spoke to the Board regarding gun violence.

Ann Riddle spoke to the Board regarding health risks of youth vaping tobacco and marijuana.

Peggy Walker spoke to the Board regarding negative impacts of marijuana use.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 11:06 a.m.

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

Consent: Perez

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.

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Approved by the Board of Supervisors, on Wednesday, August 30, 2023.



NORA VARGAS
Chair

Attest:



ANDREW POTTER
Clerk of the Board

07/19/2023