

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, NOVEMBER 08, 2023**

MINUTE ORDER NO. 5

SUBJECT: SUNSET REVIEW FOR BOARD POLICY J-16 USE OF PERMANENT ROAD DIVISION ZONES FOR MAINTENANCE OF LOCAL ROADS, AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)

OVERVIEW

In accordance with Board of Supervisors (Board) Policy A-76, *Sunset Review Process*, the Land Use and Environment Group periodically reviews Board policies and provisions of the County of San Diego (County) Administrative Code and County Regulatory Code to ensure they reflect current Board standards and practices, that obsolete policies and Code provisions are removed, and that policy language is revised for clarity. Board Policy J-16, *Use of Permanent Road Division Zones for Maintenance of Local Roads* (Board Policy J-16) has a sunset review date of December 31, 2023. A Permanent Road Division (PRD) is a type of special district that provides private road maintenance services and is governed under Streets and Highways Code Section 1160, et seq. Board Policy J-16 establishes procedures for how residents may form or dissolve PRD Zones for the maintenance of private roads, limits and repayment terms of loans from the County's PRD loan program, and cost recovery for formation costs. PRD Zones are formed at the request of property owners or as a condition of development. The authorized services, maximum rate, and how annual charges are calculated for each parcel (rate methodology) are established in the district ordinances at the time the district is formed, and are approved by the Board of Supervisors. The PRD Program is administered by the Department of Public Works (DPW) and provides maintenance services to approximately 100 miles of private roads in multiple unincorporated communities. These roads are located in 67 separate PRD Zones that provide road maintenance and repair services for approximately 5,800 parcels. Regular road maintenance helps keep the overall repair costs down, protects the residents' investments in their properties, and enhances road and community safety by providing maintained access to homes for daily trips and disaster egress.

Today's proposed actions include Board approval of amendments and to establish a new sunset date of December 31, 2030, for Board Policy J-16. Recommended revisions to the policy include providing clarity on the roles and responsibilities of the road committee members as volunteers supporting their road maintenance, extending repayment term for funds loaned to PRD Zones, and increasing the maximum loan limit PRD Zones can borrow from the County's PRD loan program. The Board could approve all staff recommended amendments, some proposed amendments, or approve other options, including clarifying the role and responsibilities of the road committee members as formal County advisory committees, establishing a 5-year repayment term for funds loaned to PRD Zones for formation and rate increase costs, or not amending Board Policy J-16.

In addition, this item includes updates on Board direction to ensure PRD Zones are adequately funded for satisfactory road maintenance and repair in order to sustain a specific Pavement Condition Index (PCI) rating. The proposed changes to Board Policy J-16 in this action reflect input received during public outreach events and are designed to enhance customer service, transparency, and improved road conditions in the PRD Program. The proposed amendments do not impact current PRD rates.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Sections 15060(c)(3) and 15378 (b)(5) of the California Environmental Quality Act (CEQA) Guidelines, find that actions to amend Board of Supervisors Policy J-16 does not constitute a project since it is administrative in nature and will not result in direct or indirect changes in the environment. Further, pursuant to CEQA Guidelines section 15061(b) (3), find that if the activity were a project that the actions are exempt from CEQA review because it can be seen with certainty that there is no possibility that the proposed actions may have a significant effect on the environment for the reasons stated in the Environmental Statement.
2. Approve amendments as recommended by staff and establish the sunset review date of 12-31-2030 for Board Policy J-16: Use of Permanent Road Division Zones for Maintenance of Local Roads.

EQUITY IMPACT STATEMENT

The Permanent Road Division (PRD) Program provides private road maintenance services throughout the unincorporated area. Today’s action continues the County’s commitment to providing increased stakeholder engagement and programs that enhance communities. The Department of Public Works conducted extensive outreach to engage property owners within the PRD Program. Property owners expressed the desire for enhanced customer service, transparency, community participation in road committees, and commitment to minimizing cost impacts.

SUSTAINABILITY IMPACT STATEMENT

Today’s action to amend Board of Supervisors Policy J-16 supports the County’s Sustainability Goals to protect the environment, and health and well-being of residents. Working with communities in the unincorporated area contributes to the County of San Diego Sustainability Goals by engaging the community and fostering sustainable communities. Performing road work in a timely manner prevents more costly repairs in the future, supporting the County Sustainability Goals by considering the full life cycle of products and building resilience within communities. Well-maintained roads also reduce costly vehicle maintenance and operation resources, thereby supporting the Sustainability Goal of protecting the health and well-being of everyone in the region.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Road maintenance improves the condition of roads and allows cars to travel to underserved communities to bring workers to job centers. County of San Diego construction contracts are competitively and publicly advertised and bid and help stimulate the local economy. All workers employed on Public Works projects must be paid prevailing wages as determined by the California Department of Industrial Relations in accordance with the type of work and location of the project.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Anderson, the Board of Supervisors took action as recommended.

AYES: Vargas, Anderson, Lawson-Remer, Desmond

ABSENT: (District 4 Seat Vacant)

State of California)
County of San Diego)

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ANDREW POTTER
Clerk of the Board of Supervisors



Signed
by Andrew Potter