

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
WEDNESDAY, JANUARY 29, 2020**

MINUTE ORDER NO. 2

**SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: PROPERTY
CONDITION AGREEMENT ORDINANCE (POD 19-001) (1/15/2020 - FIRST
READING; 1/29/2020 - SECOND READING) (DISTRICTS: ALL)**

OVERVIEW

On January 15, 2020 (7), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on January 28, 2020.

On October 10, 2018 (2), the Board of Supervisors (Board) received the report on Options to Improve Housing Affordability in the Unincorporated Area (Report) and directed staff to implement specific actions identified in the Report, including actions to correct inconsistent or outdated regulations that inadvertently act as barriers to housing production. Today's requested action implements one of the 19 actions in the Report which was to prepare an ordinance to establish a Site Implementation Agreement. This new ordinance has been renamed and is now referred to as the Property Condition Agreement (PCA) to avoid confusion with the existing Subdivision Improvement Agreement that serves another purpose.

Today's action will create the PCA to provide standalone projects proposing subdivision of land a mechanism to document conditions of approval and mitigation measures following establishment of legal lots. Creation of the PCA establishes an agreement between landowner(s) and the County of San Diego (County) that allows for project conditions such as structure removal, submittal of landscape plans, fencing and signage, to be satisfied after a final subdivision map is recorded. A PCA, once recorded, would run with the land and requires the owner to satisfy project conditions.

Today's request requires two steps. On January 15, 2020 it is requested that the Board find that the PCA complies with the California Environmental Quality Act and introduce the PCA Ordinance into the County Subdivision Ordinance, Title 8, Division 1 of the San Diego County Code. If the Board takes the actions recommended for January 15, 2020, then on January 29, 2020 the PCA Ordinance will be brought to the Board for consideration and adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the PCA Ordinance (second reading):

AN ORDINANCE ENACTING CHAPTER 14 OF DIVISION 1 OF TITLE 8 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCE RELATING TO PROPERTY CONDITION AGREEMENTS.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. Developers are required to reimburse staff costs through developer deposit accounts established pursuant to County of San Diego ordinances, and as a condition of project approval. Staff costs will be funded by applicants seeking to enter into a Property Condition Agreement. There will be no change in net General Fund cost and no additional staff years

BUSINESS IMPACT STATEMENT

The Property Condition Agreement (PCA) Ordinance would provide benefits to County of San Diego customers seeking land entitlements by improving the permit processing and streamlining of regulations by removing barriers to housing production. The PCA Ordinance would provide more flexibility for applicants, by allowing conditions to be satisfied later in the land development process, including after final map recordation. This will allow maps to be recorded faster and reduce the need for applicants to apply for time extensions for maps.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10650 (N.S.), entitled: AN ORDINANCE ENACTING CHAPTER 14 OF DIVISION 1 OF TITLE 8 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO PROPERTY CONDITION AGREEMENTS.

AYES: Cox, Jacob, Fletcher, Desmond

ABSENT: Gaspar

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 Marvice Mazyck, Chief Deputy