

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 26, 2018, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. Roll Call
- B. Closed Session Report
- C. 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.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of September 12, 2018.
- E. Formation of Consent Calendar
- F. 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.

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcountry.ca.gov/cob/bosa/> or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101.

Board of Supervisors' Agenda Items

| Agenda # | Subject |
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| 1. | NOTICED PUBLIC HEARING: NEWLAND SIERRA GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE RECLASSIFICATION, RESOURCE PROTECTION ORDINANCE AMENDMENT, AND TENTATIVE MAP, LOCATED IN THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AREA AND THE BONSALL COMMUNITY PLAN AREA |
| 2. | TRAFFIC ADVISORY COMMITTEE (09/26/18 - ADOPT RECOMMENDATIONS; 10/10/18 - SECOND READING OF AN ORDINANCE) |

3. ADOPT RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM HABITAT CONSERVATION FUND FOR THE SIERRA VERDE EXPANSION LAND ACQUISITION

**1. SUBJECT: NOTICED PUBLIC HEARING:
NEWLAND SIERRA GENERAL PLAN AMENDMENT, SPECIFIC
PLAN, ZONE RECLASSIFICATION, RESOURCE PROTECTION
ORDINANCE AMENDMENT, AND TENTATIVE MAP, LOCATED IN
THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN
AREA AND THE BONSTALL COMMUNITY PLAN AREA (DISTRICT: 5)**

OVERVIEW

The Newland Sierra project is a mixed-use community located on a 1,985-acre site that consists of 2,135 residential units, 81,000 square feet of commercial uses, a six-acre school site, 35.87 acres of public and private parks, 19.2 miles of multi-use community trails, an equestrian staging area, and 1,209 acres of biological open space. The site is located directly west of Interstate 15, within one mile of the cities of San Marcos and Escondido to the south, and three miles to the west of the City of Vista, within the North County Metropolitan Subregional Plan Area and the Bonsall Community Plan Area.

This is a request for the Board of Supervisors (Board) to consider amending the San Diego County General Plan Land Use Element, the Mobility Element, the North County Metropolitan Subregional Plan, and the Bonsall Community Plan, as well as any associated implementing actions, such as the proposed Specific Plan, the Zone Reclassification, and the Tentative Map. In addition, this project includes an amendment to add an exemption to Section 86.605, the San Diego County Resource Protection Ordinance (RPO).

This request represents the third such amendment of the Land Use Element and the first such amendment of the Mobility Element to be considered by the Board in 2018. Gov. Code §65358(b) allows each mandatory element of a General Plan to be amended up to four times during a calendar year. Subject to that limitation, an amendment may be made at any time and each amendment may include more than one change to the General Plan.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On June 28, 2018 the Planning Commission considered the Newland Sierra project and made the following recommendations to the Board of Supervisors:

1. Adopt the California Environmental Quality Act (CEQA) Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations, and certify the Environmental Impact Report (EIR), REF: PDS2015-ER-15-08-006 for the reasons stated therein and discussed in this report (Attachment A).
2. Adopt the Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) PDS2015-GPA-15-001 for the reasons stated therein and discussed in this report (Attachment B).
3. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP-15-001 for the reasons stated therein and discussed in this report (Attachment C).

4. Adopt the attached Form of Ordinance (Attachment D):
An Ordinance Changing the Zoning Classification of Certain Property Within THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN AND THE BONSALL Community Plan AREA, REF: PDS2015-REZ-15-001.
5. Introduce the attached Form of Ordinance (Attachment E):
AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE TO ADD AN EXEMPTION FOR THE NEWLAND SIERRA SPECIFIC PLAN AND APPROVING A RESOURCE PROTECTION PLAN.
6. Adopt the Resolution entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2015-TM-5597. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment F).
7. Adopt the Statement of Reasons to Permit the Proposed Use and Eliminate Access to Mineral Resources of Regional Significance as required by Sections 2762 and 2763 of the California Surface Mining and Reclamation Act (Attachment G).
8. Direct PDS staff to update the Transportation Impact Fee Program to incorporate the Newland Sierra General Plan Amendment.

After hearing public testimony, the Planning Commission modified PDS's recommendation for Deer Springs Road and added an additional condition to the project.

9. Require Deer Springs Road to be constructed to 4-lanes, without a raised median and with a painted center turn lane.
10. Require the applicant to install landscape irrigation recycled water lines within the site for the common areas in case recycled water is provided in the future.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with all the Planning Commission's recommendations, except for recommendation 9 to paint the center turn lane along Deer Springs Road. Instead PDS makes the following alternative recommendation to recommendation 9, and makes an additional recommendation to the Board:

11. Require Deer Springs Road to be constructed to 4-lanes with a raised median.
12. Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Newland Sierra, LLC, to provide security in the amount of \$1,250,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment H).

If on September 26, 2018 the Board of Supervisors takes the action recommended above related to the introduction of the amendment to the Resource Protection Ordinance, then, on October 10, 2018:

Adopt the attached Form of Ordinance (Attachment E):

AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE TO ADD AN EXEMPTION FOR THE NEWLAND SIERRA SPECIFIC PLAN AND APPROVING A RESOURCE PROTECTION PLAN.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

2. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (09/26/18 - ADOPT RECOMMENDATIONS; 10/10/18 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 2 & 5)**

OVERVIEW

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County-maintained roads. The TAC recommends the Board of Supervisors (Board) act on eight items from the July 27, 2018, meeting agenda:

Item 2-A would establish a 40 MPH speed limit and certify the speed limit for radar enforcement on Broadway/Campo Road from the Lemon Grove City Limit to the SR-125 Ramp in Spring Valley.

Item 2-B would establish a 35 MPH speed limit and certify the speed limit for radar enforcement on Campo Road from the SR-125 Ramp to Bancroft Drive in Spring Valley/Casa de Oro.

Item 2-C would recertify the existing 35 MPH speed limit for radar enforcement on Campo Road from Bancroft Drive to South Granada Avenue in Casa De Oro.

Item 2-D would recertify the existing 50 MPH speed limit for radar enforcement on Dye Road/Ramona Street/Warnock Drive from 1,000 feet west of Ramona Street to San Vicente Road in Ramona.

Item 2-E would recertify the existing 50 MPH speed limit for radar enforcement on San Vicente Road from Hanson Lane to Eleventh Street in Ramona.

Item 2-F would establish an all-way stop at the intersection of Agua Dulce Boulevard and Madrid Way in Casa De Oro.

Item 5-A would recertify the existing 50 MPH speed limit for radar enforcement on San Dieguito Road from the San Diego City Limit to El Apajo in Fairbanks Ranch.

Item 5-B would recertify the existing 40 MPH speed limit for radar enforcement on Via de Santa Fe from Calzada del Bosque to Via de la Valle in Rancho Santa Fe.

Approval of Items 2-A through 2-E, 5-A, and 5-B will establish tools for speed enforcement that increase road safety and retain mobility. Properly posted speed limits provide feedback to safe and reasonable drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 2-F will provide a safety enhancement measure for pedestrians, bicyclists, and all other road users by assigning a full stop to all approaches at the intersection. Properly posted stop controls at intersections reduce the number and severity of collisions by assuring that reasonable drivers enter the intersection at a low speed and have more time to take heed of the traffic situation.

The Board action on Items 2-A and 2-B will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On September 26, 2018, the Board will consider the TAC items. If the Board takes action on September 26, 2018, then on October 10, 2018, a second reading of an Ordinance amending Sections 72.173.11.1. (Item 2-A) and 72.173.11. (Item 2-B) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S) **TRAFFIC ADVISORY COMMITTEE**

District 2

Item 2-A. Broadway/Campo Road from the Lemon Grove City Limit to the SR-125 Ramp in Spring Valley (58th Edition Thomas Guide Page 1270-J5) - Establish a 40 MPH speed limit and certify the speed limit for radar enforcement.

Item 2-B. Campo Road from the SR-125 to Bancroft Drive in Spring Valley/Casa De Oro (58th Edition Thomas Guide Page 1271-A4) - Establish a 35 MPH speed limit and certify the speed limit for radar enforcement.

Item 2-C. Campo Road from Bancroft Drive to South Granada Avenue in Casa De Oro (58th Edition Thomas Guide Page 1271-B4) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

Item 2-D. Dye Road/Ramona Street/Warnock Drive from a point 1,000 feet west of Ramona Street to San Vicente Road in Ramona (58th Edition Thomas Guide Page 1172-F3) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

Item 2-E. San Vicente Road from Hanson Lane to Eleventh Street in Ramona (58th Edition Thomas Guide Page 1172-G1) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

Item 2-F. Agua Dulce Boulevard at Madrid Way in Casa De Oro (58th Edition Thomas Guide Page 1271-E5) - Establish an all-way stop intersection.

District 5

Item 5-A. San Dieguito Road from San Diego City Limit to El Apajo in Fairbanks Ranch (58th Edition Thomas Guide Page 1188-E1) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

Item 5-B. Via de Santa Fe from Calzada del Bosque to Via de la Valle in Rancho Santa Fe (58th Edition Thomas Guide Page 1168-E5) - Recertify the existing 40 MPH speed limit for continued radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing County-maintained roads, resulting in negligible or no expansion of use beyond that existing at the time of the Board action.

2. Adopt the Traffic Advisory Committee's recommendations.

3. Adopt the following Resolutions:

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 2-F).

RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 2-F).

4. Approve the introduction, read title, and waive further reading of the following Ordinance: **ORDINANCE AMENDING SECTIONS 72.173.11. AND 72.173.11.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.**

If, on September 26, 2018, the Board takes action as recommended, then, on October 10, 2018: Consider and adopt:

ORDINANCE AMENDING SECTIONS 72.173.11. AND 72.173.11.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: ADOPT RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM HABITAT CONSERVATION FUND FOR THE SIERRA VERDE EXPANSION LAND ACQUISITION (DISTRICT: 5)**

OVERVIEW

The State of California provides funds to local governments through the Habitat Conservation Fund (HCF) grant program. The grant program allows for the purchase of land to protect wildlife corridors, develop trails, and create nature education programs to bring residents into park and wildlife areas. The Department of Parks and Recreation (DPR) proposes to apply for up to \$225,000 of HCF grant funds for the acquisition of approximately 76 acres of land southeast of Hellhole Canyon Preserve at the eastern end of Paradise Mountain Road. The grant program is

competitive and requires dollar-for-dollar matching funds from grant applicants. If awarded, matching funds up to \$225,000 will be provided by available funds in the Multiple Species Conservation Program Acquisitions Fund in Fiscal Year 2019-20 as included in the coming year's Operational Plan. The grant application requires a resolution from the applicant's governing body identifying the project to be pursued with grant funds.

Today's proposed action will authorize DPR to apply for and accept funds from the HCF grant program. It authorizes the Director, Department of Parks and Recreation, to conduct all negotiations, execute, and submit all documents necessary to apply for and accept these grants. If grant funds are awarded, DPR will return to the Board of Supervisors to request appropriations as needed.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed grant application to finance the Sierra Verde Expansion land acquisition is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15325, as the action approves the application for grant funds to acquire land to preserve open space.
2. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FUNDS FROM THE HABITAT CONSERVATION FUND (HCF) PROGRAM FOR THE SIERRA VERDE EXPANSION LAND ACQUISITION.
3. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County of San Diego, to conduct all negotiations and submit all documents necessary to apply for and accept grant funds, if awarded, including but not limited to, applications, grant contracts, payment requests and, if funds are awarded, to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant programs or funding levels.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. If approved, the Department of Parks and Recreation (DPR) will submit a grant application to the Habitat Conservation Fund (HCF) for a total of \$225,000 for the Sierra Verde Expansion land acquisition.

The HCF grant program requires a dollar-for-dollar funding match. If awarded, matching funds for the Sierra Verde Expansion land acquisition (\$225,000) will be provided in Fiscal Year 2019-20 by available funds in the Multiple Species Conservation Program (MSCP) Acquisitions Fund and will be included in the coming year's Operational Plan. If approved and grant funds are awarded, DPR will return to the Board to request appropriation of funds as necessary. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A