

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Project Facility Availability and Commitment for Public Sewer,
Water, School and Fire Services

**Policy
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I-84

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Purpose

To establish consistent procedures for using Project Facility Availability (PFA) forms and, in certain cases, Project Facility Commitment (PFC) forms, in the processing of land divisions and certain other projects requiring discretionary approval by the County.

Background

The County General Plan requires that the County ensure that adequate facilities will be provided concurrent with growth and development. Since 1980, the County has been using standardized letters for the following reasons:

1. To obtain information from special districts and other facility providers concerning facility availability.
2. To ensure that this information is provided to the appropriate decision-making body; and
3. To provide data to the facility provider so that it can determine what capital improvements are required to serve the project.

In order to use standard forms effectively, it is necessary to specify what these form letters should contain and to clarify how they will be used.

Policy

It is the policy of the Board of Supervisors that:

- A. Uniform Project Facility Availability forms for sewer, water, schools, and fire districts will be used in the processing of projects requiring discretionary approval. These application types include major and minor subdivisions; General Plan Amendments and Rezones that would result in an increase in density or intensity of use; Use Permits; Boundary Adjustments, Time Extensions; and Certificates of Compliance in lieu of a Tentative Map, a Tentative Parcel Map, or to correct a subdivision violation.
- B. Where such public facilities are necessary, affirmative water and sewer Project Facility Commitment forms will be required prior to approval of Final Maps, Parcel Maps, and Certificates of Compliance in lieu of a Tentative Map or Tentative Parcel Map.
- C. No building permit, nor permit for the grading of a site in preparation for construction, will be issued until evidence of permanent water and sewer facility commitment (where such facilities are required by the project) is submitted to the County.

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The Project Facility Availability forms request standard information on the ability of special districts and other facility providers to potentially provide facilities to serve a project. They also allow facility providers to recommend specific requirements that may be made conditions of project approval.

The forms will be submitted by the applicant at project intake. The facility provider will indicate the status of facility availability and/or capacity, and the type of commitments or arrangements that have been or will be made to provide the facilities. The processing of projects requires specific data on availability and commitment. Any additional information provided by the facility provider would be useful to the decision-making authority; however, the standard statement selected by the facility provider from those included in the form is the primary basis for decision-making. The Project Facility Availability form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless the facility provider has indicated that it is valid for a shorter specified time period.

The Director of Planning & Development Services will have the right to waive the requirement of a Project Facility Availability form at project intake if it is determined that an unreasonable delay has occurred since the district did not complete a Project Facility Availability form in a timely fashion or when it can be seen with certainty that public facilities and/or services is not needed due to the type of proposal.

D. For Sewer and Water Facility Only

1. Project Facility Availability (PFA Form)

- a. PFA Form will be required at project intake. In order to be considered affirmative, a completed PFA Form shall contain a statement from the facility provider that it is reasonably expected that the facility provider will be able to give a commitment for facilities to serve the project at the time of need. When a sewer or water district cannot provide reasonable assurances that facilities to serve the project will be available at time of need or if a PFA Form was not submitted at project intake due to an unreasonable delay by the district, projects will be accepted for processing; however, Planning & Development Services staff will recommend denial of the project if a PFA Form indicating availability or reasonable expectation of availability of sewer or water facilities to serve the project at time of need is not received prior to discretionary approval.

PFA Forms can be waived if the project proposes the use of onsite wastewater treatment systems and/or private groundwater wells, and in those cases where it is demonstrated that said public sewer and water facilities and/or services are not needed. In the case of projects that will not be connected to a public sewer system or

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water facilities, approval from the Department of Environmental Health and Quality will be required.

2. Project Facilities Commitment (PFC Form)

Commitment to provide sewer or water capacity to serve a project may be given either prior to application for a development project to the County or later in the process. If a PFC Form is submitted at the time of original project submittal, only confirmation of the commitment will be required prior to final action by the approving authority (e.g., approval of the Final Map). Otherwise, a completed PFC Form will be required prior to final action by the approving authority.

In either case, the sewer or water provider must commit for a period of at least two years to reserve facility capacity for the parcels located within the project, except as may be limited in cases where the provider also serves a city that does not require a similar commitment. This commitment or confirmation of commitment must have been obtained within the three months prior to final action by the approving authority and may be based on existing facilities or on approved facilities under construction. If such commitment is based on facilities currently under construction, it may begin on a date established by the provider that is subsequent to final action by the approving authority, provided that all permits and approvals necessary for the construction of the facilities have been obtained by the provider.

Approval of proposed onsite wastewater treatment systems will be required from the Department of Environmental Health and Quality for projects that will not be connected to a public sewer system.

If a subdivision project has been conditionally approved but a commitment cannot be made by the water or sewer agency before a Final Map, Parcel Map, or a Certificate of Compliance in lieu of a Tentative Map or Tentative Parcel Map can be recorded, or where a sewer allocation matrix has been imposed and a complete sewer capacity allocation cannot be granted, then a moratorium within the meaning of Government Code Section 66452.6 or Section 66463.5 may be deemed to have been imposed on the particular subdivision project. In those cases, time for recordation will be extended as provided in those Sections.

E. For Fire Protection and Emergency Services Facilities Only

For approval for all discretionary applications, sufficient fire protection and emergency service facilities must be available concurrent with need and response times must be adequate, as detailed in the Safety Element of the General Plan. This information will be requested from the fire protection agency.

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If the required emergency travel time cannot be met for a proposed project, then the discretionary application will be denied unless sufficient mitigation measures are included in the conditions of approval of the application. Sufficient mitigation measures will be recommended by the affected fire protection agency subject to the concurrence by the Director of Planning & Development Services.

If a proposed project is not located within any fire protection district, and annexation is proposed, the affected district shall fill out the Project Facility Availability form. If the project is not located within a district (i.e., is unserved or within a county service area) and no district annexation is proposed, then the County Fire Warden, or their appointed designee, will fill out the PFA Form.

Sunset Date

This policy will be reviewed for continuance by 12-31-32.

Board Action

12/16/80 (200)
12/15/82 (47), operative 03/01/83
12/03/86 (16)
02/11/87 (28)
07/26/88 (43)
12/12/89 (44)
05/22/90 (80)
03/13/91 (2)
06/10/92 (5)
04/14/99 (11)
06/23/04 (12)
12/09/08 (33)
05/09/12 (4)
09/25/12 (11)
11/14/18 (9)
11/04/25 (18)

CAO Reference

1. Planning & Development Services
2. Department of Public Works
3. Department of Environmental Health and Quality
4. San Diego County Fire Protection District