



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

PALOMA AGUIRRE
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: November 4, 2025 and November 18, 2025

15

TO: Board of Supervisors

SUBJECT:

SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES AND PROVISIONS OF THE COUNTY REGULATORY CODE ASSIGNED TO THE LAND USE AND ENVIRONMENT GROUP AND ASSOCIATED CEQA EXEMPTION (11/4/25 –First Reading; 11/18/2025 – Second Reading, unless the ordinances are modified on second reading) (DISTRICTS: ALL)

OVERVIEW

In accordance with Board of Supervisors (Board) Policy A-76, Sunset Review Process, the Land Use and Environment Group (LUEG) regularly reviews Board Policies and provisions of the County of San Diego (County) 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. Amendments that are proposed in this action do not impact operations or the original intent of the codes or policies.

The year's review included one Administrative Code, three Regulatory Codes and nine Board policies. Of these items, four did not have changes:

- a) Article XL: San Diego County Palomar Airport Advisory Committee
- b) Title 1: General Regulations Division 8: Administrative Civil Penalty
- c) I-49: Distribution of Notification of Land Use Hearings
- d) J-2: Relocation of Utility Facilities, Improvement of County Streets and Roads.

The remaining nine request approval of administrative updates, grammatical edits and ensuring alignment with current Board direction. The changes do not impact the original intent of the policy or have operational impacts:

- a) Title 1: General Regulations, Division 6 Appeals and Nuisance Abatement
- b) Title 6: Health and Sanitation
- c) Title 9: Construction Codes and Fire Code
- d) F-40: Procuring Architectural, Engineering, and Related Professional Services
- e) F-48: Review of Fire District Ordinances which Contain Requirements that Exceed those of the State Fire Marshall
- f) F-52: Naming of County Park and Recreation Amenities

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- g) I-19: Subdivision of Land
- h) I-21: Minor Modifications and Time Extensions on Subdivision Agreements
- i) I-74: Enforcement of Permitted and Non-Permitted Grading on Private Property
- j) I-84: Project Facility Availability and Commitment for Public Sewer, Water, School and Fire Services

Today's proposed actions include Board approval of amendments and sunset date extensions to December 31, 2032. If on November 4, 2025, the Board approves the Board Policy updates and first reading of the ordinances related to the reviewed codes, then on November 18, 2025, the Board will be asked to consider and adopt the ordinances to implement the amendments and sunset date extension.

RECOMMENDATION(S):
CHIEF ADMINISTRATIVE OFFICER

1. In accordance with the definitions in Section 15378 (b)(5) of the California Environmental Quality Act (CEQA) Guidelines, find that actions to amend the County of San Diego (County) Administrative Code and Board of Supervisors Policies do not constitute a project since they are administrative actions and will not result in direct or indirect changes in the environment. Further, pursuant to CEQA Guidelines section 15061(b)(3), find that 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 to and establish the sunset review date of December 31, 2032, for the following Board of Supervisors (Board) Policies:
 - a) *F-40: Procuring Architectural, Engineering, and Related Professional Services*
 - b) *F-48: Review of Fire District Ordinances which Contain Requirements that Exceed those of the State Fire Marshall*
 - c) *F-52: Naming of County Park and Recreation Amenities*
 - d) *I-19: Subdivision of Land*
 - e) *I-21: Minor Modifications and Time Extensions on Subdivision Agreements*
 - f) *I-74: Enforcement of Permitted and Non-Permitted Grading on Private Property*
 - g) *I-84: Project Facility Availability and Commitment for Public Sewer, Water, School and Fire Services*
3. Establish the new sunset review date of December 31, 2032, for the following Board Policies that have been reviewed by staff and have no recommended changes:
 - a) *I-49: Distribution of Notification of Land Use Hearings*
 - b) *J-2 Relocation of Utility Facilities, Improvement of County Streets and Roads*
4. Determine no change is necessary and approve the sunset review date of December 31, 2032, for the following title of the County Regulatory Code:
 - a) *Title 1: General Regulations (Division 8: Administrative Civil Penalty*

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5. Determine no change is necessary and approve the sunset review date of December 31, 2032, for the following title of the County Administrative Code:
 - b) *Article XL: San Diego County Palomar Airport Advisory Committee*
6. Approve the introduction of the following Ordinances entitled:

ORDINANCE AMENDING THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE RETITLING OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH, DEFINING THE DUTIES AND AUTHORITIES OF THE POSITIONS OF DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY AND DIRECTOR OF ENVIRONMENTAL HEALTH, AND RELATED ACTIONS

ORDINANCE AMENDING SECTIONS OF TITLE 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO HEARING BOARDS AND HEARING OFFICERS

If on November 4, 2025, the Board takes action as recommended, then, on November 18, 2025:

1. Consider Adopting the following Ordinances (unless Ordinances are modified on second reading):

ORDINANCE AMENDING THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE RETITLING OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH, DEFINING THE DUTIES AND AUTHORITIES OF THE POSITIONS OF DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY AND DIRECTOR OF ENVIRONMENTAL HEALTH, AND RELATED ACTIONS

ORDINANCE AMENDING SECTIONS OF TITLE 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO HEARING BOARDS AND HEARING OFFICERS

2. Approve the new sunset review date of December 31, 2032, for the amended San Diego County Regulatory Code.

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EQUITY IMPACT STATEMENT

County departments are guided by several Regulatory Codes, Administrative Codes, and Board Policies in order to serve the region and customers consistently and equitably. The review of County codes and policies ensures that departments keep documents up to date, provide clarifying language and continue to guide departmental practices. Additionally, this practice allows the language within these codes and policies to align with current efforts and be revised for inclusivity.

Today's recommendations will contribute to providing equitable, inclusive, and consistent service to the community and customers. The revisions proposed in this Board Letter enable the County of San Diego to provide residents the opportunity to review the updates that are made for consistency, clarity, and accuracy.

SUSTAINABILITY IMPACT STATEMENT

This action to review and amend the San Diego County Regulatory Code and Board policies aligns with the goal to promote opportunities for community engagement. Updates proposed in today's action are meant to ensure that codes and policies are up to date, reflect current processes and to continue County services and responsibilities in the region. Some examples of these are policies for continued parks operations and care of park locations, environmental standards for facilities, and undergrounding utilities for community safety.

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

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

In accordance with Board Policy A-76, Sunset Review Process, every seven years County departments review Board Policies and provisions of the San Diego County Regulatory Code to ensure outdated or obsolete policies and Code provisions are deleted, and remaining requirements reflect current Board standards and practices. None of the recommended changes have any substantive or regulatory impact to the community, stakeholders, or regulated bodies. All the changes presented below are administrative updates and do not impact the original intent of the policy or have operational impacts.

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San Diego County Regulatory Code

The San Diego County Regulatory Codes listed below have been reviewed by County staff. Staff recommend approval to extend the sunset review date to December 31, 2032.

Title 1: General Regulations, Division 6 Appeals and Nuisance Abatement, and Division 8 Administrative Civil Penalty (PDS) – amendments recommended

Title 1 serves as the foundational legal framework for a wide range of administrative, enforcement, and public safety procedures. It guides the County to carry out its regulatory duties in a fair and transparent manner.

Title 1, Division 6 serves as the County's directions for code enforcement. It balances the need for the County to maintain public health, safety, and community standards by addressing nuisances with the fundamental right of a property owner to be heard and to have a formal process to challenge the County's decisions. It is the legal foundation for the County's Code Compliance Division and other departments to enforce regulations and resolve violations. Changes recommended by staff are focused on the way customers can receive notices. Due to the current language, all correspondence on appeals comes from the Clerk of Board in written format, which has proven difficult for both staff and customers due to the use of standard mail. Staff recommends adding “and/or electronic mail” to this section to allow flexibility in delivering important notices.

Title 1, Division 8 is focused on steps the County can consider taking as an alternative enforcement method for any violation of this code, the San Diego County Zoning Ordinance, any other County ordinance and any State law that County officials enforce. This can include administrative fines, due process and encouraging accountability. Staff do not recommend any amendments.

Title 6: Health and Sanitation (DEHQ) – amendments recommended

The purpose of Title 6 code is to provide guidance regarding health and sanitation. This includes various aspects such as food safety, public swimming pools, and water management. This code is meant to align with the County's Operational Plan to protect the health and safety of residents and preserve and enhance the natural and built environment by unifying the County's efforts in land use, environmental protection and preservation, agriculture, recreation, and infrastructure development and maintenance. This year's review includes administrative amendments to maintain clarity and consistency with existing regulations. This includes updating the department name from the “Department of Environmental Health (DEH)” to the “Department of Environmental Health and Quality (DEHQ)”.

Title 9: Construction Codes and Fire Code (DEHQ) – amendments recommended

The purpose of Title 9 is to regulate construction, development, and environmental protection in the unincorporated area. This code balances the need for growth with the preservation of the region's unique natural environment by establishing zoning and land use regulations (i.e. residential, industrial, agricultural), protects sensitive lands and natural resources (i.e. floodplains and habitats), as well as provisions to ensure that all new construction and renovations are safe and meet establish standards (i.e. fire codes, plumbing, electrical, building). Staff recommends

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administrative amendments to update the department name reference from the “Department of Environmental Health (DEH)” to the “Department of Environmental Health and Quality (DEHQ).”

San Diego County Administrative Code

The San Diego County Administrative Codes listed below has been reviewed by County staff. Staff recommends approval to extend the sunset review date to December 31, 2032.

Article XL: San Diego County Palomar Airport Advisory Committee (DPW) – no amendments

This Code established the San Diego County Palomar Airport Advisory Committee. It outlines the Committee’s duties, advisory role, composition, the community where members should be residents of in order to represent, the terms of office, handling vacancies, and how meetings run. The Code was recently revised in February 2024, and no additional need for change has arisen since the time of the last revision.

Board of Supervisors Policies

The Board policies listed below (ordered by corresponding department) have been reviewed by staff. Staff recommends approval of a sunset review date of December 31, 2032, as well as the revisions noted in the descriptions below. The intent of the policies are unchanged by the proposed revisions.

Planning & Development Services (PDS)

F-48: Review of Fire District Ordinances which Contain Requirements that Exceed those of the State Fire Marshal

The purpose of this policy is to establish procedures for providing the Board of Supervisors (Board) with a record and review process for fire district ordinances that impose building standards more stringent than those set by the State Fire Marshal, ensuring compliance with state law before ratification, modification, or denial. The proposed administrative revisions to the policy are to reflect the change of name from the San Diego County Fire Authority to the San Diego County Fire Protection District and to update language referencing Panic Safety to Fire Codes Related to Fire Safety.

I-21: Minor Modifications and Time Extensions on Subdivision Agreements

The purpose of this policy is to establish a procedure for delegating authority to the Director of Planning & Development Services to approve minor modifications to subdivision improvement agreements, associated improvement plans, and related security, including changes of ownership. The proposed administrative revisions update the policy to reflect the change of name from the Director of Department of Planning & Development Services to the Director of Planning & Development Services (Director) and Department of Planning & Development Services (DPDS) to the Planning & Development Services (PDS).

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I-49: Distribution of Notification of Land Use Hearings

The purpose of this policy is to establish a policy and procedure for providing the Planning Commission, and/or the Board of Supervisors with a record of public notifications given to property owners, residents, and community groups for Specific Plans, Tentative Maps, Use Permits, Rezones, and other discretionary projects for which project approval is requested. This policy specifies a 300ft radius to notice discretionary projects. PDS currently provides notice beyond this requirement and at the time staff do not recommend any amendments. This item will be revised in 2026 to reflect current practices of notices that are done from 500ft to 1,500ft.

I-74: Enforcement of Permitted and Non-Permitted Grading on Private Property

The purpose of this policy is to establish clear procedures and responsibilities for enforcing the County Grading Ordinance and Conditional Grading conditions, ensuring that all grading activities on private property within the unincorporated areas of San Diego County are conducted safely, in compliance with permits and regulations, and that any non-permitted or improperly performed grading is promptly identified, addressed, and corrected by the responsible County departments. The proposed administrative revisions to the policy are to reflect the change of name from the “Department of Environmental Health (DEH)” to the “Department of Environmental Health and Quality (DEHQ);” updating language in alignment with the County’s adopted Local Agency Management Program (LAMP); and to clarify that the Departments of Public Works (DPW) and Environmental Health & Quality (DEHQ) are not responsible for maintaining records related to Policy I-74. This better aligns with current processes, as PDS is responsible with maintaining records as the department that enforces permitted and non-permitted grading activities on private property.

I-84: Project Facility Availability and Commitment for Public Sewer, Water, School and Fire Services

The purpose of this policy is to establish a policy and procedure for providing the Planning Commission and the Board of Supervisors with standardized and consistent documentation regarding the availability and commitment of essential public facilities including sewer, water, schools, and fire services. This in relation to land divisions, use permits, boundary adjustments, rezones, General Plan amendments, and other discretionary projects, ensuring that adequate public infrastructure and services will be available to serve proposed developments at the time of need in compliance with County requirements and General Plan provisions. The proposed administrative revisions are to reflect the change of name from the “Department of Environmental Health (DEH)” to the “Department of Environmental Health and Quality (DEHQ),” the change of name from the San Diego County Fire Authority to the San Diego County Fire Protection District, and to update language referencing Individual Subsurface Sewage Disposal to Onsite Wastewater Treatment (OWT).

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Department of Parks and Recreation (DPR)

F-52: Naming of County Park and Recreation Amenities

This policy provides guidance on the process, eligibility criteria, and authority for approval of naming rights opportunities for amenities within DPR facilities. Examples include accepting donations for park improvements in exchange for naming rights to smaller features like playgrounds, sports fields, or trails, while maintaining ethical oversight and a clear process. DPR has an internal policy (C-45) that supports F-52 by providing implementation procedures for naming rights purchases. Staff recommend amendments to make minor grammatical edits, and the following addition is recommended in the Guidelines and Criteria section to state “enhance quality of life” to the list of eligibility criteria that align with DPR’s mission when considering collaborations.

Department of Public Works (DPW)

I-19: Subdivision of Land

This policy establishes a clear process for handling the financial security required for subdivision improvements to guarantee that they will complete the required public improvements, such as roads, utilities, and sidewalks. Amendments clarify that the PDS Director, in addition to the DPW Director, hold grant authority to replace security (bonds, letters of credit, etc.) held for private development projects.

J-2 Relocation of Utility Facilities, Improvement of County Streets and Roads

The purpose of this policy is to define and clarify financial responsibility for relocation of utility facilities in conjunction with public road and street improvement projects. This policy ensures that the financial burden of moving utility infrastructure is appropriately assigned, protecting County funds while maintaining clear guidelines for both public works projects and private developments. Staff do not recommend any amendments.

Department of Environmental Health and Quality

F-40: Procuring Architectural, Engineering, and Related Professional Services

The purpose of this policy is to establish the policy for Qualifications-Based Selection (QBS) and contracting for architectural, landscape architectural, engineering, environmental, land surveying, construction project management, and related professional services. This policy ensures that the most qualified bidder is selected, small business participation is encouraged, and established contracting policies are all followed. Staff recommends an update to reflect the change of name from the “Department of Environmental Health (DEH)” to the “Department of Environmental Health and Quality (DEHQ).”

ENVIRONMENTAL STATEMENT

In accordance with the definitions in Section 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines, the actions to amend the County of San Diego (County) Administrative and Regulatory Code and Board of Supervisors Policies do not constitute a project since they are administrative actions and will not result in direct or indirect changes in the environment.

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Pursuant to Section 15061 (b)(3) of the State CEQA Guidelines, the proposed actions are exempt from CEQA because they are a review of existing policies and ordinances to ensure obsolete policies and Code provisions are deleted and remaining requirements reflect current Board of Supervisors' standards and practices. The proposed actions are administrative in nature, strengthening enforcement mechanisms, and clarifying existing provisions. None of the proposed changes establish a new program or substantially change any existing programs or policies. Therefore, it can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment and the activity is not subject to CEQA.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

The requested action to amend certain Board of Supervisors (Board) Policies, County Administrative Code, and the San Diego County Code of Regulatory Ordinances supports the Sustainable Environments/Thriving and Operational Excellence Initiatives of the County of San Diego's 2025-2030 Strategic Plan by ensuring services are positioned to meet the needs and expectations of communities in San Diego County and by ensuring obsolete policies and Code provisions are deleted and the remaining requirements reflect current Board standards and practices.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Dahvia Lynch', with a long horizontal flourish extending to the right.

DAHVIA LYNCH
Deputy Chief Administrative Officer

ATTACHMENT(S)

Note: Due to the size of the attachments, the documents are available online through the Clerk of the Board's website at www.sandiegocounty.gov/content/sdc/cob/bosa.html

Attachment A – Executive Summary

Attachment B – ORDINANCE AMENDING THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE RETITLING OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH, DEFINING THE DUTIES AND AUTHORITIES OF THE POSITIONS OF DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY AND DIRECTOR OF ENVIRONMENTAL HEALTH, AND RELATED ACTIONS – Clean

Attachment C – ORDINANCE AMENDING THE SAN DIEGO COUNTY REGULATORY CODE RELATING TO THE RETITLING OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH, DEFINING THE DUTIES AND AUTHORITIES OF THE POSITIONS OF

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DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY AND DIRECTOR OF ENVIRONMENTAL HEALTH, AND RELATED ACTIONS – Strikeout/Underline

Attachment D – ORDINANCE AMENDING SECTIONS OF TITLE 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO HEARING BOARDS AND HEARING OFFICERS – Clean

Attachment E – ORDINANCE AMENDING SECTIONS OF TITLE 1 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO HEARING BOARDS AND HEARING OFFICERS – Strikeout/Underline

Attachment F – Amended Board of Supervisors Policies – Clean

Attachment G – Amended Board of Supervisors Policies – Strikeout/Underline