

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS - LAND USE
WEDNESDAY, OCTOBER 23, 2024**

MINUTE ORDER NO. 8

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 (10/23/24 - FIRST READING; 12/11/24 - 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) periodically 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.

Today's proposed actions include Board approval of amendments and sunset date extensions to December 31, 2031, for seven Board Policies, of which three have no recommended changes (G-006, I-044, and I-070):

- a) G-006, User Fees County Parks and Recreation Facilities
- b) I-044, Procedure for Designing New County-Owned Community/Local Parks
- c) I-053, Cost Responsibility for the Construction of Flood Control and Drainage Facilities Within Road Rights-of-Way
- d) I-070, Reporting Complaint and/or Violations History for Planning Actions Brought Before Hearing Boards
- e) I-073, Hillside Development Policy
- f) I-118, Refund and Relief Policy When Permits and Projects are Issued in Error
- g) I-121, Procedure for Determining Public Convenience or Necessity for Alcoholic Beverage License Applications

There are also recommended amendments and a sunset date extension to December 31, 2031, for Title 6: Health and Sanitation, and no amendments for Title 5: Regulation of Buildings, Mobilehome and Special Occupancy Parks and Trailer Coaches.

If on October 23, 2024, the Board approves the Board Policy updates and first reading of the ordinance related to the reviewed code, then on December 11, 2024, the Board will be asked to consider and adopt the ordinance 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, 2031, for the following Board of Supervisors (Board) Policies:
 - a) *I-053, Cost Responsibility for the Construction of Flood Control and Drainage Facilities Within Road Rights-of-Way*
 - b) *I-073, Hillside Development Policy*
 - c) *I-118, Refund and Relief Policy When Permits and Projects are Issued in Error*
 - d) *I-121, Procedure for Determining Public Convenience or Necessity for Alcoholic Beverage License Applications*
3. Establish the new sunset review date of December 31, 2031, for the following Board Policies that have been reviewed by staff and have no recommended changes:
 - a) *G-006, User Fees County Parks and Recreation Facilities*
 - b) *I-044, Procedure for Designing New County-Owned Community/Local Parks*
 - c) *I-070, Reporting Complaint and/or Violations History for Planning Actions Brought Before Hearing Boards*
4. Determine no change is necessary and approve the sunset review date of December 31, 2031, for the following title of the County Regulatory Code:
 - a) *Title 5, Regulation of Buildings, Mobilehome and Special Occupancy Parks and Trailer Coaches*
5. Approve the introduction of the following Ordinance entitled:
AN ORDINANCE AMENDING TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES PERTAINING TO DEPARTMENT OF ENVIRONMENTAL HEALTH PROGRAMS

If on October 23, 2024, the Board takes action as recommended, then, on December 11, 2024:

1. Consider Adopt the following Ordinance (unless Ordinance is modified on second reading):
AN ORDINANCE AMENDING TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES PERTAINING TO DEPARTMENT OF ENVIRONMENTAL HEALTH PROGRAMS
2. Approve the new sunset review date of December 31, 2031, for the amended San Diego County Regulatory Code.

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 periodic 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

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, and will further consider and adopt the Ordinance on December 11, 2024.

AYES: Vargas, Lawson-Remer, Montgomery Steppe, Desmond

ABSENT: Anderson

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