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December 6, 2011

**BY EMAIL**

San Diego County Board of Supervisors

Re: Red Tape Reduction Task Force, Report to the Board of Supervisors

Dear Board of Supervisors,

I understand that tomorrow you will, under Agenda Item 3, receive a report entitled "Red Tape Reduction Task Force, Report to the Board of Supervisors." Along with receipt of the report, I understand you will select recommendations from the report and direct staff to evaluate those recommendations and report back to the board within 60 days.

The Mussey Grade Road Alliance is deeply concerned with several of the recommendations in this report and requests that you do not select these recommendations for staff evaluation.

We request, instead, that the Resource Protection Ordinance (RPO)<sup>1</sup> be retained and that Community Planning Groups should continue their full advisory role.<sup>2</sup> We believe that in order to protect San Diego County's extraordinary beauty

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<sup>1</sup> RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS (DISTRICT: ALL); Recommendation: Rely upon existing local, state and federal laws and eliminate the RPO; p. 5. All citations are to the RED TAPE REDUCTION TASK FORCE REPORT AND RECOMMENDATIONS

<sup>2</sup> See: Recommendation: Do not require approvals from other local land use jurisdictions during project processing or in project conditioning, p.3. Also see: Recommendation to Modify the existing Planning Group structure to either:

Remove Community Planning and Sponsor Groups (CPGs) from the County's 'umbrella' and rescind Board Policy I-1; and

- Require applicants for discretionary projects to prepare a Public Participation Plan (PPP) to inform residents of the community of the proposed project. The PPP shall be required for the following projects: TPM's, TM's, MUP's,

and biodiversity, project applicants must not be able to control content in the county's Environmental Impact Reports (EIRs). Additionally, good government affirmatively requires that citizen input be encouraged as part of the Board's own project review, in addition to review by county staff, which must be undertaken professionally and without false constraints imposed by inflexible rules.

We are also wary of the recommendation to combine DPLU with DPW.<sup>3</sup> This proposal seems to fly in the face of common sense in terms of the discrete functions of both of these departments and would create a nightmare super-structure conveniently combining both decisions on roads and decisions on land development in one unwieldy, and to the public, incomprehensible agency.

Similarly unacceptable is the recommendation to: "Omit from project processing requirements and discretionary approvals/permits conditions of approval that require permittees to obtain specified permits from outside agencies or provide documentation from those specified agencies that the permits are not required. Although it is not necessary, the County may include a written notice in each discretionary approval/permit such as the following notice provided by the City of San Diego in its approvals/permits: "Issuance of this Permit by the City of San Diego does not authorize the Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.)."

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Rezones, Specific Plans, General Plan Amendments or other similar permit types. The PPP shall include one publicly noticed community meeting to be held in the community.

- or -

Leave CPGs under the County's 'umbrella' with the following changes:

- Limit the scope of their review to the preparation and amendment of the General Plan and Community Plan and the PPP as described below.
- Staff each CPG meeting with a senior level planner and County Counsel.
- Institute term limits on CPG members to a maximum of two, two-year terms, in a ten year period.
- Limit the number of CPG members for each group to seven.
- Revise Board Policy I-1 to reflect the changes listed herein.
- Revise the Fee Ordinance to clarify that CPG's no longer receive free appeals to the Board of Supervisors.
- Require applicants for discretionary projects to prepare a Public Participation Plan (PPP) to inform residents of the community of the proposed project. The PPP shall be required for the following projects: TPM's, TM's, MUP's, Rezones, Specific Plans, General Plan Amendments or other similar permit types. The PPP shall include one publicly noticed community meeting to be held in the community. Pp. 4-5.

<sup>3</sup> See: Recommendation: Combine DPW Land Development with DPLU and create a new unified department. (10.1); Transfer the DPW Transportation Planning and Traffic Engineering functions, DEH Land Development functions and DPR Land Development functions into the new unified department.; pp. 3-4.

p. 4. This looks very much like an end run around the discretionary permit process and is not sufficient or desirable.

We also believe, contrary the recommendation that “Customer service must be a top priority in the land development permitting process,”<sup>4</sup> that representation of the population of San Diego County, taken as a whole, must be the top priority of the government of San Diego County. While those who maintain they are “customers” in the development of land may mistakenly understand the role of governmental agencies is to serve them, the Board should not make this elementary mistake.

While we realize that the Great Recession has deeply affected San Diego County, with approximately one-third of all houses “underwater” in their mortgages and with an excess of housing stock present virtually throughout the county, we do not think that the above referenced “red tape reductions” will solve the building and construction industry’s economic problems, but implementation of these could cause a great deal of trouble.. We think laudable goal of reducing red tape should not be used as excuse to eliminate democratic processes and citizen input, along with environmental protections, that are at the heart of conserving our county and preventing it from further sliding into the LA syndrome. There are no easy fixes to the financial crisis we are in but we urge you to not create additional problems that will damage the county’s good planning review practices already in place.

Sincerely,

/s/ Diane Conklin  
Spokesperson

Attachment (1)

cc: Mussey Grade Road Alliance  
Ramona Community Planning Group

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<sup>4</sup> See: Recommendation: Customer service must be a top priority in the land development permitting process. (1), p.3.