

ORDINANCE NO. 10596 (New Series)

AN ORDINANCE AMENDING ARTICLE 21A, SECTIONS 375 AND 375.10 OF THE SAN DIEGO ADMINISTRATIVE CODE RELATED TO EX-PARTE COMMUNICATION (POD 17-004; REZ 18-008)

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the San Diego County Administrative Code should be updated by amending Article 21A, Section 375 related to Ex-Parte Communication. The Board finds that these amendments are reasonable and necessary for the public health, safety, convenience, and welfare.

Section 2. Section 375 is amended to read as follows:

SEC. 375. DEFINITIONS.

These definitions shall govern the construction and application of this Article:

(a) **Decision-making Body.** As used herein "decision-making body" shall mean the Board of Supervisors, Planning Commission and the Director of Planning and Development Services, and shall exclude County Counsel.

(b) **Clerk.** As used herein "clerk" shall mean the officially designated clerk or secretary of the decision-making body.

(c) **Hearing.** As used herein "hearing" shall mean a noticed public hearing required by State law or County ordinance relating to planning and zoning and land use.

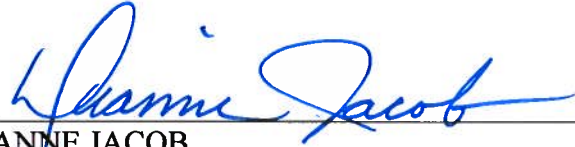
SEC. 375.10. DISCLOSURE.

A member who has received evidence outside of a hearing or has viewed the subject property after an application necessitating a hearing has been filed with the County, or is familiar with the subject property, shall fully disclose at the hearing such evidence and his or her observations and familiarity with the property so that the applicant, opponent, interested persons, and other members of the decision-making body may be aware of the facts or evidence upon which he or she is relying and have an opportunity to controvert it. All written evidence received outside of the hearing shall be filed with the Clerk which filing shall satisfy the disclosure requirement of this section related to written evidence not relied upon by a member. If a member receives unsolicited letters or other documents less than 3 working days prior to a hearing, and the member is not relying upon those documents, then disclosure at the hearing is not required; however, those documents shall be provided to the Clerk and reported as communications received from the public in the ordinary course of business.

Approved as to form and legality by County Counsel

By: Randall Sjoblom, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 13th day of March, 2019.



DIANNE JACOB
Chairwoman, Board of Supervisors
County of San Diego, State of California

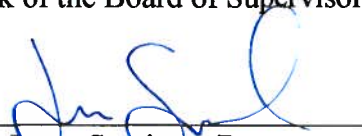
The above Ordinance was adopted by the following vote:

AYES: Jacob, Gaspar, Fletcher, Desmond
ABSENT: Cox

ATTEST my hand and the seal of the Board of Supervisors this 13th day of March, 2019.

ANDREW POTTER
Clerk of the Board of Supervisors

By


Joana Santiago, Deputy

Ordinance No.: 10596 (N.S.)
03/13/19 (01)