



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**

County Manager's Office

**DATE:** December 26, 2008

**BOARD MEETING DATE:** January 27, 2009

**SPECIAL NOTICE/HEARING:** None

**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors

**FROM:** David S. Boesch, County Manager

**SUBJECT:** Ordinance Assigning to the San Mateo County Planning Commission the Responsibility to Annually Review the County's Capital Improvement Program for Consistency with the County's General Plan

**RECOMMENDATION:**

Adopt an Ordinance assigning to the San Mateo County Planning Commission the responsibility to annually review the County's Capital Improvement Program for consistency with the County's General Plan.

**VISION ALIGNMENT:**

**Commitment:** Responsible, effective and collaborative government

**Goal 20:** Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

**BACKGROUND:**

California Government Code section 65103 requires that each county's "planning agency" undertake an annual review of the county's Capital Improvement Plan to ensure that it is consistent with the county's general plan. In general, the Board of Supervisors serves as the "planning agency" unless the Board of Supervisors has adopted an ordinance assigning functions, including the review of Capital Improvement Plans for general plan consistency, to a "planning department, one or more planning commissions, administrative bodies or hearing officers." The entity to which a function is delegated becomes the "planning agency" with respect to the assigned function. The board of supervisors remains the "planning agency" responsible for all planning functions not delegated by ordinance.

**DISCUSSION:**

A review of the Ordinance Code confirms that the Board of Supervisors has not adopted an ordinance assigning responsibility for review of the San Mateo County capital improvement program for General Plan consistency. Therefore, the Board of Supervisors remains the “planning agency” responsible for review of the capital improvement program. In light of the County Planning Commission’s expertise with respect to the General Plan, and in order to facilitate future review of the County capital improvement program and to ensure a comprehensive and transparent process, staff recommends that responsibility for such review be assigned to the County’s Planning Commission. The attached ordinance, as drafted by County Counsel, would amend section 2.61.030 of the County’s Ordinance Code, regarding assignment of functions to the Planning Commission, to require that the Commission annually review the County’s capital improvement program to determine its conformity with the County’s General Plan.

**FISCAL IMPACT:**

There is no fiscal impact from the adoption of this ordinance. There will be incidental costs associated with the development of the capital projects package for review by the Planning Commission, but no new appropriations are required.