



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and Development
Department No.: 053
For Agenda Of: Set Hearing 1/20/15 for 2/3/15
Placement: Administrative (on 1/20/15)
Departmental (on 2/3/15)
Estimated Time: 45 minutes for 2/3/15
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Glenn S. Russell, Ph.D., Director, Planning and Development, (805) 568-2086
Director(s)
Contact Info: Matt Schneider, Deputy Director, Long Range Planning, (805) 568-2072

SUBJECT: Land Use Element Amendment – Disadvantaged Communities

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

Recommended Actions:

On January 20, 2015, set a hearing for February 3, 2015 to consider recommendations of the County Planning Commission to adopt a Comprehensive Plan Amendment incorporating disadvantaged unincorporated communities policies into the Santa Barbara County Comprehensive Plan Land Use Element (Case No. 14GPA-00000-00015).

A. On February 3, 2015, your Board should consider the following actions:

1. Make the findings of approval of the proposed Comprehensive Plan amendment, including CEQA findings (Attachment A); and
2. Find that this amendment is exempt pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) and Notice of Exemption (Attachment B); and

3. Adopt a Resolution approving Case No. 14GPA-00000-00015 incorporating Disadvantaged Unincorporated Communities Policies into the Santa Barbara County Comprehensive Plan Land Use Element (Attachment C).

Summary Text:

Senate Bill 244 (SB 244) requires counties to review and update the Land Use Element with information regarding unincorporated disadvantaged communities inside its boundaries. According to SB 244, which is now codified in Government Code §65302.10(a)(2), a disadvantaged community is “a fringe, island, or legacy community in which the median household income is 80 percent or less than the statewide median household income”. These communities must also meet certain requirements related to population size and length of time the community has been established. The County must include an analysis of water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies for each identified disadvantaged community, as well as an analysis of potential funding mechanisms that could make the extension of services and facilities to identified communities financially feasible.

Background:

Background and Research

SB 244 seeks to address the barriers that contribute to regional inequity and infrastructure deficits within identified disadvantaged communities. SB 244 establishes compliance requirements for unincorporated counties as discussed above in the Summary Text. SB 244 also includes specific compliance requirements for cities and Local Agency Formation Commissions (LAFCOs) as described below.

Cities must identify unincorporated disadvantaged communities within their spheres of influence (SOI) and address infrastructure needs for these areas. If approving an annexation greater than 10 acres that is contiguous to an unincorporated disadvantaged community, cities must annex these communities as well. LAFCO must consider and present the future need for infrastructure services when cities are updating their SOI, and also must include consideration of these disadvantaged communities in statements of written determination. The requirements of counties are limited to identifying any disadvantaged communities within their jurisdiction outside of any city SOI and to address any lacking infrastructure.

Identified Communities

Santa Barbara County parcel data and 2010 Census data were used to identify disadvantaged unincorporated communities. This information was supplemented with site visits and interviews with other County departments, as well as employees of Community Service Districts throughout the County. Aerial photography was also utilized as supplemental information.

Communities throughout the County were studied to confirm the acreage, age of the community, number of units, and median income.¹ Land use maps were used to ensure that the communities were not within the SOI of a nearby city.² For communities on the cusp of the required number of units (10), aerial maps were used to count the number of dwellings within a community. Using the definitions provided within SB 244, as well as the data gathered from research, staff determined that there are nine disadvantaged unincorporated communities within Santa Barbara County. After identifying these areas, researching the infrastructure needs for each location, and conducting site visits, staff determined that

¹ The California statewide median household income from 2008 to 2012 is \$61,400. 80% of the median household income is \$49,120, which was used as the income threshold.

² The community of Tanglewood is within the SOI of the City of Santa Maria. Therefore, it is not part of this amendment.

two communities (Isla Vista and Mission Hills, North of Burton Mesa Road) possessed all basic infrastructure and therefore are not subject to this amendment per SB 244 (see Table 1).

The remaining seven disadvantaged unincorporated communities in Santa Barbara County are: Ventucopa, Cuyama, New Cuyama, Garey, Sisquoc, Casmalia, and Los Alamos. Attachment C includes detailed community descriptions.

Table 1. Disadvantaged Unincorporated Communities

Community	Public Water Available	Public Sewer Available	Stormwater Drainage	Fire Protection
Ventucopa	No	No	No	Distant (Stn. 41)
Cuyama	No	No	No	Nearby (Stn. 41)
New Cuyama	Yes	Yes	No	Nearby (Stn. 41)
Sisquoc	Yes	No	No	Nearby (Stn. 23)
Garey	No	No	No	Nearby (Stn. 23)
Casmalia	Yes	No	No	Distant (Stn. 21)
Los Alamos	Yes	Yes	No	Nearby (Stn. 24)
<i>Isla Vista³</i>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>	<i>Nearby (Stn. 17)</i>
<i>Mission Hills (N. Burton Mesa Road)</i>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>	<i>Nearby (Stn. 51)</i>

Three of the identified communities (Garey, Sisquoc, and Los Alamos), based on the reported median income, were above the 80% median income threshold defined in SB 244. However, this income data is not representative of the whole area. The Office of Planning and Research’s Technical Advisory for SB 244 recommends that “counties do additional analysis to identify specific communities within large geographic areas. Because economic data, outside of more densely populated areas, is aggregated over large geographies, it fails to pick up specific communities within the boundaries of...a census tract or ZIP code”. The Technical Advisory encourages counties to consult with other agencies and non-government organizations to include communities that meet the intent of the legislation. After conducting further research including interviews and site visits, the County included Garey, Sisquoc, and Los Alamos in the analysis of disadvantaged unincorporated communities for this reason.

Updates to the Land Use Element

Proposed updates to the Land Use Element are provided as Attachment C and include the following:

1. **New Policy:** A “Disadvantaged Unincorporated Communities Policies” section has been added within the “Goals and Policies” section of the Land Use Element. One new policy is proposed, which encourages the extension of services to identified disadvantaged communities.
2. **New Definition:** A definition of a disadvantaged unincorporated community has been added to the “Other Definitions” section of the Land Use Element.

³ Italicized font represents the communities that met the initial thresholds associated with disadvantaged unincorporated communities, as defined in SB 244, but that possess all basic infrastructure needs. These communities are not subject to the amendment.

3. **Appendix Addition:** Information was added to the Appendix of the Land Use Element, including background on the legislation, a discussion of each identified disadvantaged unincorporated community, analysis of existing infrastructure, a list of potential funding sources, and maps of each identified disadvantaged unincorporated community.

Planning Commission Review

On November 19, 2014, the Montecito Planning Commission reviewed the proposed project and voted 5-0 to recommend the County Planning Commission and Board of Supervisors adopt the proposed amendments (Attachment D). On December 3, 2014, the County Planning Commission reviewed the proposed project and voted 5-0 to recommend the Board of Supervisors adopt the proposed amendments (Attachment E).

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

The Disadvantaged Communities Land Use Element amendment, a state-mandated project, was prepared pursuant to the Board of Supervisors approved work program. Staff salaries and other costs are budgeted on page D-212 of the Long Range Planning budget program in the adopted Planning and Development Department budget for Fiscal Year 2014-15. There are no facilities impacts.

Special Instructions:

The Clerk of the Board shall publish a legal notice at least 10 days prior to the hearing on February 3, 2015. The notice shall appear in the Santa Barbara Independent and the Santa Maria Times. A minute order of the hearing, a copy of the signed resolution, and a copy of the notice and proof of publication shall be forwarded to the Planning and Development Department, Hearing Support, Attention: David Villalobos.

Attachments:

- A. Findings for Approval
- B. CEQA Notice of Exemption
- C. Resolution of the Santa Barbara County Board of Supervisors
Exhibit 1: Disadvantaged Unincorporated Communities Maps
- D. Montecito Planning Commission Action Letter and Signed Resolution (without attachments)
- E. County Planning Commission Action Letter and Signed Resolution (without attachments)

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