

SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

Agenda Number:

Prepared on: January 12, 2005
Department Name: Planning and Development
Department No.: 053
Agenda Date: February 8, 2005
Placement: Departmental
Estimate Time: 30 minutes
Continued Item: NO
If Yes, date from:
Document File Name: G:\GROUP\Permitting\Case Files\Oa\2000s\04 cases\04ORD-00000-00024(65401&2)\BSHearingLtr-Sec2-25.DOC

TO: Board of Supervisors

FROM: Valentin Alexeeff, Director
Planning and Development

STAFF CONTACT: Larry Appel, Supervising Planner
934-6261

SUBJECT: **Consider Ordinance Amendment Case No. 04ORD-00000-00024 Amending Sections 2-25 and 2-25.1 of Chapter 2, Article V of the Code of the County of Santa Barbara**

Recommendation:

That the Board of Supervisors:

1. Adopt an ordinance, Case No. 04ORD-00000-00024 (First Reading) amending Section 2-25 and 2-25.1 of Article V of Chapter 2; and
2. Set on February 22, 2005 the second and final reading of the ordinance amendment.

Background:

Each year, P&D is asked to report on 15-20 separate requests, pursuant to Government Code §65402, from various departments and special districts as to the conformity of their proposed action with the County's General Plan policies. Most requests are quite simple in nature, yet under the government code procedures, they still require a report from the local planning agency, designated by section 2-25.1 of the Santa Barbara County Code as the Planning Commission. The Planning Commissions must render their report as to conformity within 40 days of the submittal of the request or the request is deemed in conformity. The staff reports take time to

prepare and valuable time is taken up on the Commissions hearing schedules. It is often difficult, if not impossible, to complete the staff report and find an open Commission hearing date within 40 days. Sometimes agencies are reluctant to reapply in order to “extend” the 40-day reporting limitation.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community.

Executive Summary and Discussion:

The replacement text would help staff streamline the Government Code §65402 process whereby the planning agency must report within 40 days from submittal as to the conformity with the general plan of city, county, or local agency acquisitions, dispositions, including vacations and abandonments, of real property or construction or authorization of construction of public buildings or structures within the unincorporated areas of the County. The amendment would also address §65401 where P&D is required to report annually on the Capitol Improvement Plan (CIP) for initiation or construction of public projects during the upcoming fiscal year. In addition, the amendment would identify projects which are exempt from a report.

Under the proposed revisions of §2-25, the P&D Director or his/her designee would be designated the planning agency for the purpose of determining conformity and reporting to the request pursuant to Government Code §65401 and §65402. The Director would be given the discretion to designate the county or Montecito Planning Commission as the planning agency for certain projects as determined by the Director. This would substantially shorten the time normally required to prepare a staff report and schedule the item. The current practice of staff analysis, staff report preparation, and scheduling for hearing would be followed in the cases going to the Planning Commissions. Determinations by the director would be documented by a simple memo analyzing applicable policies.

The resulting process modification will require less staff time thus freeing staff to work on applicant-submitted ministerial and discretionary permits. At the same time it will speed up the processing of acquisitions, dispositions, or abandonments by various county departments and special districts and reduce costs.

Section 2-25 also exempts reports for the following county projects: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; (3) alignment projects, provided such acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature, as determined by the Director of the Public Works Department.

The proposed replacement of section 2-25.1 is necessary to avoid renaming the subsequent ten sections of the chapter.

Mandates and Service Levels:

Amending Sections §2-25 and 2-25.1 of Article V of Chapter 2 is a legislative act under the jurisdiction of the Board of Supervisors.

Fiscal and Facilities Impacts:

Funding for maintenance of the Zoning Ordinance is provided in the Development Review North Division of Planning and Development, located on page D-292 of the Fiscal Year 04/05 adopted budget.

Special Instructions.

The Clerk of the Board Shall:

Publish this ordinance after the second reading; and

Forward a copy of the Minute Order to P&D, Attn: Cintia Mendoza, Hearing Support

Concurrence:

County Counsel

Attachment: Draft Ordinance