



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: County Executive
Office
Department No.: 012
For Agenda Of: June 22, 2010
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department ~~Michael F. Brown~~, County Executive Officer
Director(s)
Contact Info: Jason Stilwell, Assistant County Executive, 568-3413

SUBJECT: Planning Commission's General Plan Conformity Report – FY 2010-2015 Capital Improvement Program

County Counsel Concurrence

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

Recommended Actions:

It is recommended that the Board of Supervisors:

- a) Receive the Planning Commission's findings regarding the conformity to the General Plan of projects recommended for planning, initiation or construction during Fiscal Years 2010-2015.
- b) Accept Notice of Statutory Exemption for FY 2010-15 Five Year Capital Improvement Program.

Summary Text:

On March 23, 2010 the Board referred the list of major public works projects contained in the Five Year Capital Improvement Program (CIP) to the Planning Commission for the required G.C. 65401 and G.C. 65402 General Plan conformity report. On May 5, 2010, the Planning Commission conducted a public hearing to review the list of new projects for preliminary conformity with the General Plan. The Planning Commission, by a vote of 4-0-1, found that the projects recommended for planning, initiation, or construction during FY 2010-2015 are consistent with the Santa Barbara County General Plan, pursuant to G.C. 65401 and all but three projects are consistent pursuant to G.C. 65402. The three projects may require additional review under G.C. 65402 due to the need for further project detail once potential locations for these projects have been identified.

Prepared and administered by the County Executive Office, the Five Year Capital Improvement Program (CIP) is a key element toward greater long range financial and infrastructure planning and is instrumental for implementation of the Board adopted Strategic Plan. The CIP consists of both unfunded and funded infrastructure projects that County departments are proposing to implement within the ensuing five-year period. Projects included in the CIP are non-recurring, have a long service life, are generally over \$100,000 and will be underway (if funded) at some point during fiscal years 2010-2015. While the CIP covers a five year planning period, it is updated each year to reflect ongoing changes; new projects are added, existing projects are modified and completed projects are deleted.

Fiscal and Facilities Impacts:

There are no fiscal or facility impacts resulting from the actions requested.

Special Instructions:

None

Attachments:

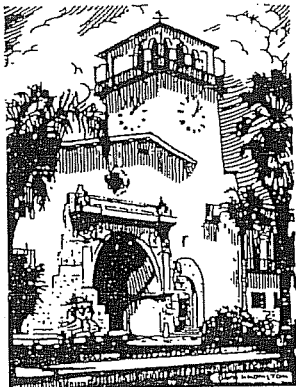
Planning Commission Hearing Action Letter dated May 5, 2010
Notice of Exemption
Santa Barbara County Planning Commission Staff Report for Five Year Capital Improvement Program 2010-2015, General Plan Conformity Review

Authored by:

Richard Morgantini, Financial and Policy Analyst, County Executive Office (568-3551)

cc:

Department Directors
Derek Johnson, Director, Office of Long Range Planning



COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF MAY 5, 2010

RE: Five-Year Capital Improvement Program 2010-2015 General Plan Conformity Review

Hearing at the request of the Office of Long Range Planning to review the list of capital projects contained in the 2010-2015 Five-Year Capital Improvement Program (CIP) and report to the Board of Supervisors as to their conformity with the General Plan pursuant to Government Code 65401 and 65402.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of May 5, 2010, Commissioner Valencia moved, seconded by Commissioner Cooney and carried by a vote of 4 to 0 (Blough absent):

1. Review the list of new capital projects added to the Five Year Capital Improvement Program (CIP) for the Fiscal Years 2010-2015 (Attachment A of the staff report, dated April 16, 2010);
2. Consider the conformity of these projects with the General Plan pursuant to Government Code (G.C.) Sections 65401 and 65402;
3. Report to the Board of Supervisors that:
 - A. For the purposes of Government Code Section 65401, the new capital projects contained in the Five Year Capital Improvement Program (listed in Attachment A of the staff report, dated April 16, 2010) conform to the General Plan.
 - B. For the purposes of Government Code Section 65402, the new capital improvement projects (listed in Attachment B of the staff report, dated April 16, 2010) conform to the General Plan; and
4. Request that the Office of Long Range Planning forward the list of projects that may need future review under Government Code Section 65402 (Attachment C of the staff report, dated April 16, 2010) to affected County Departments.

Sincerely,

A handwritten signature in cursive script that reads "Dianne M. Black". The signature is written in black ink and is positioned above a horizontal line.

Dianne M. Black
Secretary Planning Commission

cc: Case File
Planning Commission File
Dianne M. Black, Director Development Review
Ed Yates, Deputy County Counsel
Derek Johnson, Director, Long Range Planning
Nathan Eady, Planner

DMB/dmv

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Nathan Eady, Planning & Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN: N/A **Case No.:** N/A **Location:** Countywide

Project Title: 2010-2015 Five Year Capital Improvement Plan

Project Description: Prepared and administered by the County Executive Office, the Five-Year Capital Improvement Program (CIP) is a key component in long range financial and infrastructure planning and is instrumental for implementation of the Board-adopted Strategic Plan. The CIP consists of both unfunded and funded infrastructure projects that County departments are proposing to implement within the ensuing five-year period. Projects included in the CIP are non-recurring, have a long service life, are generally over \$100,000 and will be underway (if funded) at some point during fiscal years 2010-2015. While the CIP covers a five-year planning period, it is updated each year to reflect ongoing changes; new projects are added, existing projects are modified, and completed projects are deleted.

Name of Public Agency Approving Project: County of Santa Barbara
Name of Person or Agency Carrying Out Project: Richard Morgantini

Exempt Status: (Check one)

- Ministerial
 Statutory Exemption
 Categorical Exemption
 Emergency Project
 Declared Emergency

CEQA Guideline Section: 15378(b)(4) - The creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project, are not a project as defined by CEQA.

Exemption Findings: The County's CIP is not a project as defined by CEQA. The CIP serves an administrative function, the purpose of which is to provide the applicable decision makers with the ability to prioritize the timeline and funding for various capital improvement projects. The CIP does not result any commitment to any specific project. Therefore, approval of the CIP does not result in direct physical impacts to the environment. When individual projects listed within the CIP proceed to implementation they will be subject to environmental review for the possible impacts which are unique to that particular project. As a result, the proposed CIP is not a project as defined by CEQA and is therefore not subject to environmental review.

Lead Agency Contact Person: Nathan Eady Phone #: (805) 568-2019

Department/Division Representative: Nathan Eady Date: 5/25/2010

Acceptance Date: _____

Distribution: Hearing Support Staff
Date Filed by County Clerk: _____.

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for
Five-Year Capital Improvement Program 2010-2015
General Plan Conformity Review

Hearing Date: May 5, 2010
Staff Report Date: April 16, 2010
Case No.: N/A
Environmental Document: N/A

Director : Derek Johnson
Deputy Director: Vicki Parker
Staff Contact: Nathan Eady
Staff Phone #: 805.568.2019

1.0 REQUEST

Hearing at the request of the Office of Long Range Planning to review the list of capital projects contained in the 2010-2015 Five-Year Capital Improvement Program (CIP) and report to the Board of Supervisors as to their conformity with the General Plan pursuant to Government Code 65401 and 65402.

2.0 RECOMMENDATION AND PROCEDURES

The Office of Long Range Planning recommends that the Planning Commission:

1. **Review the list of new capital projects added to the Five Year Capital Improvement Program (CIP) for Fiscal Years 2010-2015 (Attachment A);**
2. Consider the conformity of these projects with the General Plan pursuant to Government Code (G.C.) Sections 65401 and 65402;
3. Report to the Board of Supervisors that:
 - A. For the purposes of G.C. Section 65401, the new capital projects contained in the Five Year Capital Improvement Program (listed in Attachment A) conform to the General Plan.
 - B. For the purposes of G.C. Section 65402, the new capital projects (listed in Attachment B) conform to the General Plan.
4. Request that the Office of Long Range Planning forward the list of projects that may need future review under G.C. Section 65402 (Attachment C) to affected County Departments.

Please refer the matter to staff if the Planning Commission takes actions other than those recommended.

3.0 JURISDICTION

New capital projects added to the Five-Year Capital Improvement Program (CIP) that are recommended for planning, initiation or construction are being considered by the Santa Barbara County Planning Commission based on Government Code (G.C.) Section 65401, which reads as follows:

*If a general plan or part thereof has been adopted, within such time as may be fixed by the legislative body, each county or city officer, department, board, or commission, and each governmental body, commission, or board, including the governing body of any special district or school district, whose jurisdiction lies wholly or partially within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the official agency, as designated by the respective county board of supervisors or city council, a list of the proposed public works recommended for planning, initiation or construction during the ensuing fiscal year. The official agency receiving the list of proposed public works shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. **Such coordinated program shall be submitted to the county or city planning agency for review and report to said official agency as to conformity with the adopted general plan or part thereof.***

Pursuant to G.C. Section 65401, the Board of Supervisors on January 12, 1999 designated itself as the official agency responsible for preparation of the coordinated Capital Improvement Program. G.C. Section 65401 requires that the Capital Improvement Program be submitted to the planning agency, designated as the Planning Commission by the Board of Supervisors, for review and a report to the Board of Supervisors as to conformity with the General Plan. This staff report provides the conformity analysis.

In addition, the Office of Long Range Planning has conducted conformity review where possible for projects subject to G.C. Section 65402, including property or right of way acquisition and construction of public buildings or structures. In prior years, the Planning Commission conducted a separate project level conformity review for projects subject to G.C. Section 65402, primarily those requiring real property acquisitions. Beginning in 2005, G.C. Section 65402 conformity review has been completed as part of this review process where sufficient project detail is available. G.C. Section 65402 reads as follows:

If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body. If the legislative body so provides, by ordinance or resolution,

the provisions of this subdivision shall not apply to: (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; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

4.0 PROJECT INFORMATION

Prepared and administered by the County Executive Office, the Five-Year Capital Improvement Program (CIP) is a key component in long range financial and infrastructure planning and is instrumental for implementation of the Board adopted Strategic Plan. The CIP consists of both unfunded and funded infrastructure projects that County departments are proposing to implement within the ensuing five-year period. Projects included in the CIP are non-recurring, have a long service life, are generally over \$100,000 and will be underway (if funded) at some point during fiscal years 2010-2015. While the CIP covers a five-year planning period, it is updated each year to reflect ongoing changes; new projects are added, existing projects are modified, and completed projects are deleted. Attachment D provides project detailed information for each of the new projects analyzed for conformity with the General Plan this year.

5.0 PROJECT ANALYSIS

5.1 Environmental Review

The determination of conformity with the General Plan pursuant to G.C. Sections 65401 and 65402 is not considered a “project” under the California Environmental Quality Act (CEQA); therefore, it is not subject to environmental review.

5.2 General Plan Conformity

G.C. Section 65401 Review

The Office of Long Range Planning reviewed the new capital projects contained in the Five-Year CIP for 2010-2015 and concludes that all conform to the General Plan for the purposes of G.C. Section 65401. Attachment A provides the project listing and associated conformity analysis. A conformity recommendation was categorized based on the following three situations:

- 1) Project is identified in or conforms to the goals of the General Plan (none included this year).
- 2) Project is necessary for departmental operations and conforms to the General Plan (e.g. Countywide Telephone System Modernization).
- 3) Project is necessary for facility maintenance and conforms to the General Plan (e.g. New Cuyama Recreation Hall- Remodel).

For the purposes of G.C. Section 65401, staff recommends that the complete list of new public works projects contained in the Five-Year CIP and recommended for planning, initiation, or construction

during the ensuing five-year period be found in conformity with the General Plan. These projects are listed in Attachment A.

G.C. Section 65402 Review

The Office of Long Range Planning also reviewed the new projects that are subject to G.C. Section 65402 because they require real property acquisition or construction of a public building or structure. G.C. Section 65401 requires an annual programmatic level review of all major public works projects recommended for planning, initiation or construction, whereas G.C. Section 65402 contemplates a project specific consideration of conformity of a proposed project's location, purpose and extent. Attachment B provides the project listing and associated conformity analysis for those projects subject to G.C. Section 65402 and found to conform to the General Plan.

For the purposes of G.C. Section 65402, staff recommends that the capital projects listed in Attachment B be found in conformity with the General Plan.

Attachment C identifies new projects which may require future project level conformity review under G.C. Section 65402 because there is not sufficient project detail to make a determination at this time. The Large Animal Holding Facility project has been listed under this category because a specific location for the facility has yet to be identified and the design of the project is still in preliminary planning stages. Projects listed in this section could be considered as part of next year's CIP review if additional project detail becomes available.

The Planning Commission's conformity report will be forwarded to the Board of Supervisors.

Attachments

- Attachment A:** List of New Projects and Government Code Section 65401 General Plan Conformity Analyses
- Attachment B:** Projects Which Have Been Reviewed for Conformity with Government Code Section 65402
- Attachment C:** Projects Which May Be Reviewed in the Future under Government Code Section 65402
- Attachment D:** 2010-15 Capital Improvement Plan

ATTACHMENT A

Capital Improvement Program (CIP) New Capital Projects Recommended for Planning, Initiation or Construction during Fiscal Years 2010-2015

GOVERNMENT CODE SECTION 65401 GENERAL PLAN CONFORMITY ANALYSIS

CIP Page Number	Super-visorial District	Planning Area	Lead Dept.	Project Title	Conformity Analysis Rationale
B43	2	Goleta	Sheriff	Main Jail Sewer and Kitchen Replacement	Repair of existing infrastructure; conforms to the General Plan; necessary for facilities maintenance
B49	Unknown	Unknown	Public Health	Large Animal Holding Facility	Possible substantial expansion of existing facility or construction of an entirely new facility; conforms to the General Plan; necessary for departmental operations
B50	4	Lompoc	Public Health	New Lompoc Animal Shelter	Possible substantial renovation of existing facility or construction of an entirely new facility; conforms to the General Plan; necessary for departmental operations
B92	1	Santa Barbara	Public Works	Roadway Improvement- Cold Spring SR2S	Necessary for pedestrian safety; conforms to the General Plan
B128	3	Gaviota	Public Works	Landfill- Tajiguas Mitigation/Baron Ranch Restoration	Biological resource mitigation; conforms to the General Plan; necessary for wildlife recovery
B159	2	Goleta	Public Works	Channel- San Pedro Creek Fish Passage	Minor modification of existing infrastructure; conforms to the General Plan; necessary for wildlife recovery
B163	Unknown	Unknown	General Services	Solar Energy Supply	Possible construction of an entirely new facility; conforms to the General Plan; necessary for departmental operations and resource conservation
B167	5	New Cuyama	General Services	New Cuyama Recreation Hall- Remodel	Maintenance of existing structure; conforms to the General Plan; necessary for facilities maintenance
B175	2	Santa Barbara	General Services	SB Veterans Memorial Building- Elevator	Renovation of and/or minor addition to existing building; conforms to the General Plan; necessary for ADA accessibility
B181	2	Goleta	General Services	"Dump" Road Reconstruction and Extension	Maintenance of existing infrastructure; conforms to the General Plan; necessary for facilities maintenance
B186	3	Solvang	General Services	Solvang Library & Office Complex Improvements- Phase I	Expansion and renovation of existing structures; conforms to the General Plan; necessary for departmental operations
B191	All	Countywide	Information Technology	2009-2011 Enterprise Technical Infrastructure Refresh	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B192	All	Countywide	Information Technology	2013 Countywide Telephone System Modernization	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations

CIP Page Number	Super-visorial District	Planning Area	Lead Dept.	Project Title	Conformity Analysis Rationale
B193	All	Countywide	Information Technology	Data for Decision-Making	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B194	3, 5	Multiple	Information Technology	2010 Microwave Tower Replacement	Replacement of existing infrastructure; Conforms to the General Plan; necessary for facilities maintenance
B195	All	Countywide	Information Technology	2009 Data Communications Network Modernization	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B196	All	Countywide	Information Technology	2010 Virtual Desktop Infrastructure	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B197	All	Countywide	Information Technology	Enterprise Geographic Information Systems (GIS)	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B198	1	Santa Barbara	Information Technology	2010 HVAC Replacement-Santa Barbara Main Data Center	Replacement of existing infrastructure; Conforms to the General Plan; necessary for facilities maintenance
B202	3	Isla Vista	IVRDA	El Embarcadero Enhancements	Replacement of existing infrastructure; Conforms to the General Plan; necessary for facilities maintenance and pedestrian safety

ATTACHMENT B

GOVERNMENT CODE SECTION 65402 GENERAL PLAN CONFORMITY ANALYSIS

CIP Page Number	Super-visorial District	Planning Area	Lead Dept.	Project Title	Conformity Analysis Rationale
B43	2	Goleta	Sheriff	Main Jail Sewer and Kitchen Replacement	Repair of existing infrastructure; conforms to the General Plan; necessary for facilities maintenance
B92	1	Santa Barbara	Public Works	Roadway Improvement-Cold Spring SR2S	Necessary for pedestrian safety; conforms to the General Plan
B128	3	Gaviota	Public Works	Landfill- Tajiguas Mitigation/Baron Ranch Restoration	Biological resource mitigation; conforms to the General Plan; necessary for wildlife recovery
B159	2	Goleta	Public Works	Channel- San Pedro Creek Fish Passage	Minor modification of existing infrastructure; conforms to the General Plan; necessary for wildlife recovery
B167	5	New Cuyama	General Services	New Cuyama Recreation Hall- Remodel	Maintenance of existing structure; conforms to the General Plan; necessary for facilities maintenance
B175	2	Santa Barbara	General Services	SB Veterans Memorial Building- Elevator	Renovation of and/or minor addition to existing building; conforms to the General Plan; necessary for ADA accessibility
B181	2	Goleta	General Services	"Dump" Road Reconstruction and Extension	Maintenance of existing infrastructure; conforms to the General Plan; necessary for facilities maintenance
B186	3	Solvang	General Services	Solvang Library & Office Complex Improvements-Phase I	Expansion and renovation of existing structures; conforms to the General Plan; necessary for departmental operations
B191	All	Countywide	Information Technology	2009-2011 Enterprise Technical Infrastructure Refresh	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B192	All	Countywide	Information Technology	2013 Countywide Telephone System Modernization	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B193	All	Countywide	Information Technology	Data for Decision-Making	Development of software program; conforms to the General Plan; necessary for departmental operations
B194	3, 5	Multiple	Information Technology	2010 Microwave Tower Replacement	Replacement of existing infrastructure; Conforms to the General Plan; necessary for facilities maintenance
B195	All	Countywide	Information Technology	2009 Data Communications Network Modernization	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B196	All	Countywide	Information Technology	2010 Virtual Desktop Infrastructure	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B197	All	Countywide	Information Technology	Enterprise Geographic Information Systems (GIS)	Maintenance of existing equipment; conforms to the General Plan; necessary for departmental operations
B198	1	Santa Barbara	Information Technology	2010 HVAC Replacement-Santa Barbara Main Data	Replacement of existing infrastructure; Conforms to the General Plan; necessary

CIP Page Number	Super-visorial District	Planning Area	Lead Dept.	Project Title	Conformity Analysis Rationale
				Center	for facilities maintenance
B202	3	Isla Vista	IVRDA	El Embarcadero Enhancements	Replacement and maintenance of existing infrastructure; Conforms to the General Plan; necessary for facilities maintenance and pedestrian safety

ATTACHMENT C

Projects Which May Be Reviewed in the Future under Government Code Section 65402

CIP Page Number	Super-visorial District	Planning Area	Lead Dept.	Project Title	Conformity Analysis Rationale
B49	Unknown	Unknown	Public Health	Large Animal Holding Facility	Possible substantial expansion of existing facility or construction of an entirely new facility; requires further planning and analysis prior to 65402 General Plan consistency determination
B50	4	Lompoc	Public Health	New Lompoc Animal Shelter	Possible substantial expansion of existing facility or construction of an entirely new facility; requires further planning and analysis prior to 65402 General Plan consistency determination
B163	Unknown	Unknown	General Services	Solar Energy Supply	Possible construction of an entirely new facility; requires further planning and analysis prior to 65402 General Plan consistency determination