

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
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Agenda Number:
Prepared on: 10/11/05
Department Name: Planning & Development
Department No.: 053
Agenda Date: 10/25/05
Placement: Administrative
Estimate Time: 20 minutes on Nov. 15, 2005
Continued Item: NO
Document File Name: G:\GROUP\Dev_Rev\MGMO\Ordinance Extensions\2005\Set Hearing.doc

TO: Board of Supervisors

FROM: Dianne Meester, Assistant Director
Planning & Development

STAFF CONTACT: Julie Harris, Planner III (568-3518)
June Pujo, Supervising Planner (568-2056)
Development Review South Division

SUBJECT: Set hearings to consider the Director of Planning & Development Annual Status Report on Resources in the Montecito Community Plan Area (First Supervisorial District) and to extend the Montecito Growth Management Ordinance; Case Number 05ORD-00000-00013.

Recommendation(s):

That the Board of Supervisors set hearings for November 15, 2005 (First Reading) and December 6, 2005 (Second Reading) to:

- A. Accept Planning & Development Director's report pursuant to Section 35B-12.2 of the Montecito Growth Management Ordinance (MGMO), determining that the public health and safety continues to be jeopardized by residential construction.
- B. Consider the introduction (First Reading) and adoption (Second Reading) of an ordinance amending Chapter 35B of the Santa Barbara County Code, Montecito Growth Management Ordinance (No. 3916, as amended by Ord. 4105, 4133, 4140, 4148, 4190 and 4381), to:
 1. Approve text amendments that extend the life of the ordinance beyond December 31, 2005; and
 2. Accept 90-EIR-15, together with its Addendum, dated November 10, 1999, as adequate environmental review for the project.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 2. *A Safe and Healthy Community in Which to Live, Work, and Visit*, Goal No. 5. *A High Quality of Life for All Residents* and are aligned with actions required by law or by routine business necessity (Ordinance 3916).

Executive Summary and Discussion:

The adopted purpose of the MGMO (Ordinance 3916, Chapter 35B of the County Code) is to pace growth while allowing opportunity to bring resources and services such as water, fire and transportation into balance with development. Through its adoption and continued implementation, the County has recognized that infrastructure and services are constrained in the Montecito Community, thus jeopardizing the public health and safety.

Section 35B-12.1 of the ordinance specifies that the MGMO will expire on December 31, 2005, unless extended by amendment. Staff's conclusion and recommended finding is that the ordinance be extended, as the public health and safety continue to be jeopardized by residential construction in the Montecito Planning Area. This conclusion is based on the fact that although progress in bringing resources and services into balance with development has been made, the ordinance criteria for expiration of the MGMO have not been satisfied. Specifically, all needed traffic and circulation improvements are not yet complete. The proposed ordinance revisions, along with staff's report, will be forwarded to the Board of Supervisors after an agenda date has been set.

The MGMO applies to all properties that are located within the Montecito Community Plan boundaries and zoned with the Growth Management Ordinance Overlay, as designated in the Comprehensive Plan and Articles II and IV Zoning Ordinance Maps.

Mandates and Service Levels:

Pursuant to Section 35B-12 of Ordinance No. 3916:

- 1) The Director of Planning & Development, in conjunction with the Public Works Department, shall file with the Board of Supervisors, prior to December 31st of each year, a report regarding the operation of the Montecito Growth Management Ordinance, and the Board shall schedule a public hearing to consider the information contained in the report, and
- 2) The MGMO shall expire December 31, 2005, unless the Board of Supervisors adopts an Ordinance Amendment to extend its effectiveness, based upon information contained in the required annual report.

The report and MGMO extension is not expected to affect service levels.

Fiscal and Facilities Impacts:

Funding to prepare this report is included in the Permitting and Compliance Program of the Development Review South Division, as shown on page D-294 of the adopted 05/06 fiscal year budget. Costs associated with implementing the Montecito Growth Management Ordinance on a parcel-specific basis are applicant reimbursable. There are no facilities impacts.

Special Instructions:

Planning and Development will satisfy all noticing requirements.

Clerk of the Board shall forward a copy of the Minute Order to Planning & Development, Hearing Support Section, Attention: Cintia Mendoza.

Concurrence:

N/A