



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) 568-2086
Contact Info: Matt Schneider, Deputy Director, Long Range Planning, (805) 568-2072

SUBJECT: Seismic Safety & Safety Element Fire Hazards Update

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 Montecito Planning Commission and the County Planning Commission to adopt a Comprehensive Plan Amendment Case No. 14GPA-00000-00017 incorporating updated fire hazard information as an amendment to the Santa Barbara County Comprehensive Plan Seismic Safety and Safety Element.

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, the adoption of the resolutions, and other actions herein are 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-00000-00017 to update fire hazard information within the Santa Barbara County Comprehensive Plan Seismic Safety and Safety Element (Attachment C); and
4. Adopt a Resolution confirming the Board of Supervisors have considered recommendations made by the State Board of Forestry and Fire Protection in its correspondence dated November 7, 2014 (Attachment F) and implemented the recommendations where appropriate. Following Board action, the County will submit its written response to the State Board of Forestry and Fire Protection (Exhibit 1 of Attachment D).

Summary Text:

In order to address fire protection and prevention, Senate Bill 1241 (SB 1241) requires jurisdictions to update the Seismic Safety and Safety Element (Safety Element) with new information regarding fire hazards. California's increasing population and expansion of development into previously undeveloped areas is creating more "wildland-urban interface" (WUI) issues with a corresponding risk of economic loss caused by wildland fire. The changing climate, specifically the rising temperatures and increasing temporal variability of water availability, is substantially increasing wildfire risk in many areas.

Background:

Background

The Safety Element update will ensure that the County has a set of feasible implementation goals designed to continue to carry out the existing fire protection policies within the Safety Element. Since the Safety Element was last updated in 2009, much of the information required by SB 1241 existed within the document; as such, few changes were made to the text of the Safety Element (Attachment C, Exhibit 1).

Updates to the Seismic Safety and Safety Element

Proposed updates to the Safety Element are provided as Attachment C, Exhibit 1 and include the following:

1. **Updated Historical Data:** Historical information, such as the number of fires, the recorded fire size distribution, and the list of major fires within Santa Barbara County, were updated through 2013.
2. **Updated Citations:** For citations that were updated since the last Safety Element update in 2009, the new dates and links to these documents were included.

Updates to the County Code

SB 1241 also requires local jurisdictions to incorporate new findings for subdivision maps within fire hazard severity zones into the County Code. Three findings for subdivisions in high fire hazard and very high fire hazard severity zones are required to be adopted into Chapter 21 (Land Division) of the County Code. These findings include:

- a. Ensuring structural fire protection and suppression services will be available; and
- b. Ingress and egress for fire equipment access will be available; and

- c. The design and location of lots will be consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code.

In conjunction with the Subdivision Map Act (Government Code §66410-66413.5), the County has already adopted these findings within Chapter 21; any action the County takes to approve a tentative map (including a parcel map for which a tentative map was not required) must comply with the requirements of the Government Code. When staff presented to the Montecito Planning Commission and County Planning Commission, it was assumed that Chapter 21 of the County Code needed to be amended, and information on a potential ordinance amendment was included as a part of the staff reports. However, after more research, this ordinance amendment is not required.

Updates to the Multi-Jurisdictional Hazard Management Plan

Minor text amendments to the Safety Element in relation to the Multi-Jurisdictional Hazard Management Plan (MJHMP) are proposed in order to comply with Assembly Bill 2140 (AB 2140) (2006). The text amendments involve removing an outdated public date reference, and can be found in Attachment C.

State Board of Forestry and Fire Protection Comment Letter

Pursuant to the requirements of Government Code §65302, when the County pursues an update to its Safety Element, the proposed update must be reviewed by the State Board of Forestry and Fire Protection (BOF). In accordance with this requirement, the County submitted the proposed Safety Element update to the BOF for the statutory review period on September 11th, 2014. The BOF responded on November 7th, 2014 with a set of recommendations regarding the proposed Safety Element update (Attachment F).

Staff has coordinated with the County Fire Department to incorporate the BOF recommendations as appropriate into the Safety Element (Exhibit 1 of Attachment C). Additional BOF recommendations which require a more substantial work effort, including an analysis of policies to reduce wildfire risk, will be carried forward as an action item for inclusion in a future Planning and Development Annual Work Plan Program. Long Range Planning staff have been in contact with the BOF and confirmed the County's approach to address their recommendations is appropriate and in-line with the efforts of other jurisdictions within the state.

Planning Commission Review

On November 19, 2014, the Montecito Planning Commission reviewed the proposed project and voted 5 to 0 to recommend the County Planning Commission and Board of Supervisors adopt the proposed amendments to the Safety Element (Attachment E). On December 3, 2014, the County Planning Commission reviewed the proposed project and voted 5 to 0 to recommend the Board of Supervisors adopt the proposed amendments (Attachment G). The County Planning Commission's resolution recommends the Board of Supervisors recognize the importance of addressing fire safety and wildland-urban interface policy issues, and that the additional State Board of Forestry and Fire Protection recommendations not included in this current Safety Element update be given the highest priority in the Planning and Development Annual Work Program.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

The Seismic Safety and Safety Element Fire Hazards Update, 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. The Clerk of the Board shall fulfill noticing requirements. 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 – Seismic Safety and Safety Element Amendment
Exhibit 1: 14GPA-00000-00017
- D. Resolution of the Santa Barbara County Board of Supervisors – Board of Forestry and Fire Protection Response Letter
Exhibit 1: County of Santa Barbara’s Response Letter to the Board of Forestry and Fire Protection
- E. Signed Action Letter and Resolution of the Montecito Planning Commission (without attachments)
- F. Correspondence from State Board of Forestry and Fire Protection, dated November 7, 2014
- G. Signed Action Letter and Resolutions of the County Planning Commission (without attachments)

Authored by: Katie Hentrich, Planner, Long Range Planning Division