



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:** 11/17/2020  
**Placement:** Departmental  
**Estimated Time:** 1 hour on 12/08/2020  
**Continued Item:** N/A  
**If Yes, date from:** N/A  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Lisa Plowman, Director, Planning and Development  
Director (805) 568-2086  
Contact Info: Daniel T. Klemann, Deputy Director, Long Range Planning  
(805) 568-2072

**SUBJECT: Proposed Amendments to the County Land Use and Development Code (LUDC) and Montecito LUDC for Telecommunications Facilities Appurtenant to Natural Gas Distribution Facilities**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors (Board):

On November 17, 2020, set a hearing for December 8, 2020, to consider the County and Montecito planning commissions' recommendations to amend the County LUDC and Montecito LUDC for telecommunications facilities appurtenant to natural gas distribution facilities.

On December 8, 2020, the Board's action should include the following:

- a) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings; and
- b) Determine that the proposed amendments are exempt from CEQA in compliance with CEQA Guidelines Sections 15061(b)(3), 15301(b)(f), and 15303(d); and
- c) Adopt the ordinances amending the County LUDC (18ORD-00000-0015) and Montecito LUDC (18ORD-00000-00016), to address permitting requirements for telecommunications facilities appurtenant to natural gas distribution facilities.

**Auditor-Controller Concurrence**

As to form: N/A

Please refer the matter to staff if the Board takes other than the recommended actions for the development of appropriate materials and/or a report on the budgetary and other impacts that the Board's actions would have on the Long Range Planning Division Work Program.

**Summary Text:**

Per the California Public Utility Commission (CPUC)<sup>1</sup>, the Southern California Gas Company (SoCalGas) would like to install approximately 63 wireless signal transmitting and/or receiving devices in the Inland Area (i.e., non-Coastal Zone) of Santa Barbara County. SoCalGas would locate approximately 8 devices in the Montecito Community Plan area and 55 devices in the balance of the unincorporated county. The telecommunications devices would transmit natural gas use information from customer meters and information on potential leaks in underground natural gas pipelines.

Currently, the County requires any natural gas company to obtain a Conditional Use Permit for new natural gas telecommunications devices. SoCalGas requested that the County revise these regulations to create a ministerial permit path for these small devices. The Board subsequently directed the Planning and Development Department (P&D) on April 5, 2016, to initiate amendments to the County and Montecito LUDCs to exempt these facilities from the provisions of the County's existing telecommunications ordinance. SoCalGas subsequently drafted the proposed ordinances and associated development standards in close consultation with P&D staff and an outside consultant (Wood Environment and Infrastructure Solutions, Inc.).

The proposed ordinances require a natural gas company to obtain a Zoning Clearance for new natural gas telecommunications facilities. Each application would be subject to development standards to ensure appropriate siting and design and to avoid environmental impacts and inconsistencies with County plans, policies, and regulations. The proposed development standards include requirements for setbacks, size limits, location, lighting, construction, signage, fencing, access, parking, materials, and landscaping. If a proposed natural gas telecommunications facility does not meet the requirements for a Zoning Clearance, the applicant would be required to obtain a Land Use Permit.

With application of the proposed development standards, new natural gas telecommunications facilities would be exempt from CEQA. The new facilities would also be consistent with the County Comprehensive Plan, Community Plans, County LUDC, and Montecito LUDC.

Staff will provide additional information and supporting documents on the proposed ordinances before the Board hearing on December 8, 2020. The supporting documents will include the County Planning Commission and Montecito Planning Commission staff reports, the proposed amendments, and the Notice of Exemption.

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<sup>1</sup> “[I]n 2010, the CPUC approved the cost effective implementation of SoCalGas’ AMI [Advanced Meter Infrastructure] system to help meet the CPUC’s State energy policy objectives of increasing energy conservation and demand-side management, reducing greenhouse gas emissions, and providing customers with information and tools that allow them to manage their energy consumption.” The Rulemaking was closed by Decision On Application of Southern California Gas Company For Approval of Advanced Metering Infrastructure, D.10-04-027, 281 P.U.R.4<sup>th</sup> 239, 253, 2010 WL1609228 Cal.P.U.C April 8, 2010 (“CPUC AMI Decision”).

**Fiscal and Facilities Impacts:**

Budgeted: Yes

As described below, funding for staff and consultant costs is budgeted in the Long Range Planning Budget Program on page D-294 of the County of Santa Barbara Fiscal Year (FY) 2020-2021 adopted budget. There are no facilities impacts.

County Staff: The Long Range Planning Budget Program of the adopted *Fiscal Year 2020-2021 budget* (page D-294) provides funding for staff expenses for the current fiscal year. Staff costs are offset by General Fund subsidy in P&D's adopted budget.

Contract Services: All consultant costs to prepare an amendment to the County LUDC and Montecito LUDC for telecommunications facilities appurtenant to natural gas distribution facilities were fully reimbursed by the project applicant, SoCalGas.

**Special Instructions:**

The P&D will satisfy all noticing requirements.

The Clerk of the Board shall forward a copy of the minute order and an executed copy of the resolution to the P&D, attention Selena Evilsizor Whitney.

The Clerk of the Board will publish the names of the members of the Board of Supervisors voting for and against the Ordinance Amendments in the Santa Barbara News-Press before the expiration of 15 days after its passage.

**Authored by:**

Matthew Buggert, Consulting Planner, Wood Environment and Infrastructure Solutions, Inc.