



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 &
Development
Department No.: 053
For Agenda Of: January 8, 2008
Placement: Set Hearing
Estimated Time: 2-Hours on 01/22/08
Continued Item: No

Vote Required: Majority

TO: Board of Supervisors

FROM: Department John Baker, Director
Director(s) Planning & Development

Contact Info: John McInnes, Director, 568-3552
Office of Long Range Planning

Derek Johnson, Deputy Director, 568-2072
Office of Long Range Planning

Subject: Consideration of Existing Procedure for the Acceptance of General Plan Amendments and/or Rezones in the Draft Santa Ynez Valley Community Plan ("SYVCP") boundary located in the 3rd District.

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

Set hearing for January 22, 2008 to consider the following:

- a) Adopt the findings for approving revision and clarification regarding county procedures for rezones and general plan amendments in the proposed Santa Ynez Valley Community Plan Area boundary (Attachment A);
- b) Accept the Notice of Exemption (Attachment C); and
- c) Adopt a resolution approving a revision and clarification of County procedures for rezones and general plan amendments in the proposed Santa Ynez Valley Community Plan Area boundary (Attachment E).

Summary Text:

Staff's recommendation is based on the Draft SYVCP development process which has extended more than seven years, and involved the Board of Supervisor's initiation of an Environmental Impact Report (EIR). A Draft EIR is scheduled to be released in June 2008 and the Draft SYVCP is scheduled for presentation to the Board of Supervisors for adoption in November 2008.

The current procedure suspends the processing of general plan amendments and associated rezones in the SYVCP area until the Draft SYVCP is adopted, unless a proposed project is determined by the Planning Commission to be a public benefit. Rezones can be considered if consistent with the Comprehensive Plan. Projects that are consistent with the Draft SYVCP that require a general plan amendment and rezone and do not qualify under the public benefit provision have been unable to proceed and have therefore been delayed by the current procedure.

Staff considered several procedural alternatives and is recommending an option (Attachment A, C, & E) that would allow projects to be considered that are consistent with the Draft SYVCP and/or offer a significant public benefit as determined by the Planning Commission. A project applicant could obtain permits by submitting an application for a rezone and/or general plan amendment and conduct project specific environmental review at their sole expense and risk while the Draft SYVCP EIR is being completed and the Draft SYVCP is being considered for adoption.

A second option (Attachments B, D, & F) that was reviewed by the Planning Commission, but not recommended would allow projects that are consistent with the community plan to be initiated and receive partial processing. However final approval of such projects would not be considered until the Draft SYVCP is adopted. Partial processing would include receiving and reviewing an application, conducting a site visit, and forwarding the rezone and/or general plan amendment request for Planning Commission consideration for initiation. If the Planning Commission determines to initiate the application, staff would partially process the application through the appropriate review bodies, such as the Central Board of Architectural Review, Subdivision Review Committee, and Special Problems Area Committee. Partial processing would require individual projects to prepare environmental documents. Once the Draft SYVCP is adopted, Staff would analyze the application for consistency with the adopted plan and forward it to the Planning Commission for final review.

Under the second option, if the Draft SYVCP process is delayed, permit approvals for applications consistent with the Draft SYVCP would not be considered until the Draft SYVCP is adopted and the Draft SYVCP EIR has been certified. Project applicants would carry out initiation and partial processing of their project at their sole risk; as is the case in all other areas of the County. Each applicant would be notified that approvals of proposed projects would not occur until the adoption of the Draft SYVCP which could delay final project permit issuance.

Projects considered under both options could not be rezoned to the proposed C-2/MU zone which offers infill incentives as it will not be incorporated into the County's Land Use and Development Code until SYVCP adoption. Adopting individual rezones and/or general plan amendments in advance of Draft SYVCP adoption would commit the County to the specific land use policy changes.

Background:

On May 24, 2005 (Attachment G), the Board of Supervisors directed that the processing of general plan amendments and associated rezones be suspended in the respective planning area until the Draft SYVCP is adopted, unless a proposed project is determined by the Planning Commission to be a public benefit. Minor rezones could be considered that were consistent with the Comprehensive Plan. As a result, proposed projects that did not qualify under the public benefit provision under the current procedure have been denied the ability to be considered for a general plan amendment and/or rezone. Recently, property owners in the Santa Ynez Valley requested that the County reconsider and modify its procedure to allow for the processing of general plan amendments and/or rezones that are consistent with the Draft

SYVCP. The Board’s current procedure of not accepting general plan amendments and/or rezones prevents such projects from being considered.

The Planning Commission evaluated the proposed revisions at hearings held on September 12, November 7, and November 28, 2007. The Planning Commission considered both options described above and voted 3-2 (Attachment H) to recommend that the Board of Supervisors retain the existing procedure.

Currently, it is estimated that the Draft SYVCP will be considered for adoption by the Board in November 2008. Revision of existing procedure would provide a process for the County to consider a general plan amendment and/or rezone of parcels that are consistent with the Draft SYVCP in a more timely manner. A project consistent with the Draft SYVCP and/or determined to be a public benefit would require its own environmental document to analyze the impacts related to land use changes from existing land use policy. If projects are approved prior to the adoption of the SYVCP, the associated zoning and land use designations would be implemented on a case by case basis.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund	NA	NA	NA
State	NA	NA	NA
Federal	NA	NA	NA
Fees	NA	NA	NA
Other:	NA	NA	NA
Total	NA	NA	NA

Narrative: The Procedure Change/Clarification will not require additional funding.

Staffing Impacts:

Legal Positions: 0 **FTEs: 0**

Special Instructions:

Attachments:

- Attachment A; Findings Option # 1
- Attachment B; Findings Option # 2
- Attachment C; Notice of Exemption Option #1
- Attachment D; Notice of Exemption Option #2
- Attachment E; Option #1 Resolution
- Attachment F; Option #2 Resolution
- Attachment G, May 24, 2005 Board of Supervisors Agenda Letter
- Attachment H, November 28, 2007 Planning Commission Action Letter

BOS Hearing:
Procedures for Acceptance of Comprehensive Plan Amendments and Rezoning in the Draft Santa Ynez Valley Community Plan Area
Board Letter

Authored by:

Derek Johnson, Deputy Director, Office of Long Range Planning

F:\GROUP\COMP\Planning Areas\Santa Ynez\Community Plan\Hearings-Meetings\Rezoning and GP Amend Procedure\Board Letters\Board Letter Final
(2).doc