



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:** P&D  
**Department No.:** 053  
**For Agenda Of:** 4/5/16  
**Placement:** Departmental  
**Estimated Time:** 45 minutes  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Glenn Russell, Ph.D., Director, 568-2085  
Director  
Contact Info: Dianne Black, Assistant Director, 568-2086

**SUBJECT:** Provide Direction on Potential Amendments to the Telecommunications Ordinance  
Related to Natural Gas Communication Facilities – All Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

- a) Receive this report on the process to consider changes to the telecommunications section in the County's zoning ordinances to exempt communication facilities associated with public gas company operations; and
- b) Provide direction to staff regarding initiation of this work effort and either:
  - i. Decline to move forward with the requested ordinance amendment; or,
  - ii. Initiate the ordinance amendment process; and,
- c) Determine pursuant to California Environmental Quality Act (CEQA) Guideline 15378(b)(5) that this is not subject to CEQA review because it is an administrative activity that will not result in direct or indirect physical changes to the environment.

**Summary Text/Background**

By letter dated February 29, 2016, the Southern California Gas Company (SCGC) has requested that the County process an ordinance amendment to exempt the Company's Data Collection Units (DCU) component of their Advanced Meter project from the telecommunications provisions in County's Land Use and Development Code and the Montecito Land Use and Development Code (See Attachment 1).

SCGS has not requested amendments for facilities in the Coastal Zone. Instead, SCGC plans to submit Conditional Use Permits for the facilities in the Coastal Zone.

The Advanced Meter project involves upgrading existing natural gas meters with a communication device that automatically reads and transmits gas usage data. The upgrade includes installation of an Advanced Meter Communications Device at each existing residential gas meter that sends gas data to a pole mounted Data Collection Unit (DCU). SCGC expects to install pole mounted DCUs at approximately 105 sites throughout the County, with approximately 90 mounted on newly constructed poles. Pole height is normally required to be about 30 feet. The project would involve poles throughout the County, including in the Coastal, inland and Montecito areas. Each site provides service coverage for a radius of about 600 feet, depending on the area's topography and the density of users. Attachment 2, the SCGC PowerPoint Presentation dated 5/4/14, provides more information on the details of the program.

This request comes after several years of discussion between County and SCGC staff regarding the permit process for the Advanced Meter project. Under the County's zoning ordinances, these facilities are considered telecommunication facilities, defined as:

A facility that transmits or receives electromagnetic signals, for communication purposes including data transfer. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or reception of such signals; telecommunication towers or similar structures supporting said equipment; equipment buildings; parking areas; and other accessory development. It does not include facilities staffed with other than occasional maintenance and installation personnel or broadcast studios.

The zoning ordinances include a four-tiered system for permitting telecommunications facilities, with the permit level commensurate with the level of development. Without a specific project description to analyze, it is not possible to determine the Tier the SCGC project would require, but it is likely to include components which require a Tier 4 process, which is a Conditional Use Permit. The County's discretion on telecommunications facilities is limited to appropriate siting and design primarily to address visual concerns, as well as site impacts to resources such as biology and cultural resources. SCGC has indicated that they seek an entirely ministerial process for approval of their project in the inland area pursuant to their franchise agreement with the County.

In order to exempt communication facilities associated with the SCGC Advanced Meter project, P&D staff would process zoning ordinance amendments to the County Land Use and Development Code and the Montecito Land Use and Development Code. The amendment process would involve the following steps:

- Conduct Stakeholder/Community Outreach (including community organizations and the County's Boards of Architectural Review)
- Develop Ordinance Language
- Prepare Environmental Document (Exemption, Mitigated Negative Declaration or EIR)
- Prepare Montecito and Planning Commission staff reports
- Complete Montecito and County Planning Commission hearings
- Prepare Board Agenda Letter

- Complete Board of Supervisors Hearing

This item would require between 200 and 500 hours of staff time, and with a range of cost between \$18,000 and \$120,000, depending on the level of environmental review required and time associated with public hearings. Presently, P&D does not have sufficient detail regarding the location and extent of the project to determine whether or not the amendments would be exempt from environmental review.

Staff is requesting direction regarding the request of the Gas Company and has identified two main options regarding direction:

1. Decline to move forward with the requested ordinance amendment.
2. Initiate the ordinance amendment process:
  - a. Immediately by:
    - i. Diverting resources from an existing work program item; or
    - ii. Adding resources for a consultant to work on the ordinance amendment.
  - b. As part of the Long Range Planning Work program for 2016-17 by:
    - i. Considering adding the project to the Long Range Work Program project during budget workshops the week of 4/11/16; or,
    - ii. Direct staff now to include the request in the projects to be initiated in FY 16-17 in the Long Range Planning Work Program.

**Performance Measure:** N/A

**Fiscal and Facilities Impacts:**

Budgeted: No. This work effort is not included in the FY 15-16 P&D budget. Staff time is estimated to range from 200 to 500 hours. Environmental review costs would range from \$1,000 to \$75,000 depending on the type of environmental document required, for a total cost ranging from \$18,000 to \$120,000. Funding for this work effort could be included in the 2016-17 Planning and Development Work Program.

**Attachments:**

1. SoCalGas letter dated February 29, 2016.
2. PowerPoint Presentation from Southern California Gas Co. dated 5/4/14.
3. Southern California Gas Co. maps dated 3/14/16 (County-wide and Supervisorial District maps).

**Authored by:**

Dianne Black