

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 8/21/2012	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805) 781-5721	
(4) SUBJECT A Request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments (Green Building Ordinance) to Title 19, the Building and Construction Ordinance, (LRP 2011-00013). Supervisorial District: All.			
(5) RECOMMENDED ACTION That the Board of Supervisors: 1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the County on or before August 17, 2012, indicating the general nature of the proposed Ordinance amendments that will be considered on August 28, 2012, can act as the alternative publication. 2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner III

VIA: Kami Griffin, Assistant Director, Department of Planning and Building

DATE: 8/21/2012

SUBJECT: A Request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments (Green Building Ordinance) to Title 19, the Building and Construction Ordinance, (LRP 2011-00013). Supervisorial District: All.

RECOMMENDATION

That the Board of Supervisors:

1. Authorize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the County on or before August 17, 2012, indicating the general nature of the proposed Ordinance amendments that will be considered on August 28, 2012, can act as the alternative publication.
2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.

DISCUSSION

On August 28, 2012, your Board will hold a public hearing for the following amendment:

A request by the County of San Luis Obispo to amend the Building and Construction Ordinance (Title 19 of the San Luis Obispo County Code) to adopt changes to the State Cal-Green Code by adding a Chapter 8 that adopts the County's Green Building Ordinance and amend the Health and Sanitation – Solid Waste Management (Title 8 of the San Luis Obispo County Code), by repealing Section 8.12.450 et seq. Supervisorial District: All.

County File Number: **LRP2012-00013** Assessor Parcel Number: N/A
Supervisorial District: All Date Authorized: N/A

The California Government Code, Section 25124, establishes specific publication requirements for ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following action on the amendments.

Staff Comments

The California Government Code establishes specific publication requirements for ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in a newspaper of general circulation in the county, indicating the general nature of the proposed Land Use Ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments.

This request is coming to you after the advertisement has been placed in the newspaper because your meeting of August 14, 2012 was cancelled. Staff proceeded with a one quarter page advertisement because publication of a display advertisement would cost substantially less than the full text of the adopted amendments, and because the diversity of topics covered in the amendments does not enable a meaningful summary. We would appreciate your favorable consideration on this matter today.

OTHER AGENCY INVOLVEMENT/IMPACT

Applicable agencies and Community Advisory Committees were provided referrals of the amendment.

FINANCIAL CONSIDERATIONS

Reproducing the complete text of all of the amendments contained in this Ordinance Amendment would cost approximately 50 percent more than the cost of two quarter-page display ads.

RESULTS

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than publishing the full text of the adopted amendments.