

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 6/18/2013	(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 to Title 22 of the Land Use Ordinance (Planned Development). All Districts.			
(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 no later than June 9, 2013, that indicated the general nature of the proposed Land Use Ordinance amendments (Planned Development) that will begin public hearings on June 18, 2013 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: 6/18/2013

SUBJECT: A request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments to Title 22 of the Land Use Ordinance (Planned Development). All Districts.

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 no later than June 9, 2013, that indicated the general nature of the proposed Land Use Ordinance amendments (Planned Development) that will begin public hearings on June 18, 2013 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 June 18, 2013, your Board will hold a public hearing for the following amendment:

Hearing to consider a request by the **COUNTY OF SAN LUIS OBISPO** to amend Title 22 of the County Code, and the Land Use Ordinance, to incorporate a Planned Development Ordinance Package. The requested modifications include: 1) an amendment of Title 22 to add new section 22.22.145 – Planned Development, 2) an addition to Title 22 of a new section 22.30.475 – Small-Lot Single-Family, 3) an amendment of Title 22 to section 22.22.140 – Cluster Divisions (related to Residential Single-Family), and 4) miscellaneous minor amendments to Title 22 to amend sections 22.80.030 – Definitions, section 22.06.030 (Table 2-2), section 22.10.140.D.2.d (Planned development or cluster division), section 22.22.080.D (Condominiums), section 22.22.090, section 22.22.100, section 22.22.120, and section 22.30.290 (Lodging). The project is proposed within the inland portion of the County (El-Pomar Estrella, Las Pilitas, Nacimiento, Salinas, San Luis Bay Inland, San Luis Obispo, Shandon-Carrizo and South County Inland Planning Areas).

County File Number: LRP2009-00009

Assessor Parcel Number: Countywide (Inland)

Supervisorial District: All Districts

Date Accepted: 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 recognize that the display advertisement of one-quarter page that was published in a newspaper of general circulation in the county prior to June 9, 2013 that indicated the general nature of the proposed Land Use Ordinance amendments to be considered act as the summary. This request is being made after the advertising date of the item as the agenda deadline for the June 2, 2013 Board meeting was missed. The advertisement that was placed in the paper did meet all of the requirements for a summary in anticipation of the Board's affirmative action on this request. 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 method of advertising amendments has typically been approved by the Board in place of publishing the full text of the amendment.

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, your favorable consideration on this matter is appreciated.

OTHER AGENCY INVOLVEMENT/IMPACT

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

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.