

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 11/26/2013	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805) 781-5721	
(4) SUBJECT Request to authorize the use of alternative publication procedures for amendments to the County's General Plan – Safety Element to incorporate by reference the adopted San Luis Obispo County Local Hazard Mitigation Plan and Titles 19 (The Building and Construction Ordinance), 22 (The Land Use Ordinance) and 23 (The Coastal Zone Land Use Ordinance) of the County Code to implement the Post Construction Stormwater Requirements. 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 November 22, 2013, indicating the general nature of the proposed Ordinance amendments that will be considered on December 3, 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 Lisa M. Howe			
(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, Acting Director

DATE: 11/26/2013

SUBJECT: Request to authorize the use of alternative publication procedures for amendments to the County's General Plan – Safety Element to incorporate by reference the adopted San Luis Obispo County Local Hazard Mitigation Plan and Titles 19 (The Building and Construction Ordinance), 22 (The Land Use Ordinance) and 23 (The Coastal Zone Land Use Ordinance) of the County Code to implement the Post Construction Stormwater Requirements. 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 November 22, 2013, indicating the general nature of the proposed Ordinance amendments that will be considered on December 3, 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 December 3, 2013, your Board will hold a public hearing for the following amendments:

1. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend the Safety Element of the County General Plan to incorporate by reference the adopted San Luis Obispo County Local Hazard Mitigation Plan. State legislation requires the County to adopt a local hazard mitigation plan in accordance with the federal Disaster Mitigation Act of 2000 as part of the General Plan Safety Element in order to qualify for the maximum amount of disaster aid through the California Disaster Assistance Act. This proposal does not involve any substantive changes to the goals, policies, programs, or maps of the Safety Element.
County File No: **LRP2012-00005**
Assessor Parcel Number: Countywide
Supervisory District: All
2. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO for an amendment to Titles 19 (Building and Construction Ordinance), 22 (Land Use Ordinance), and 23 (Coastal Zone Land Use Ordinance) of the County Code in order to (1) implement the Post Construction Requirements adopted by the Central Coast Regional Water Quality Control Board; and (2) adopt revisions to the grading ordinance within the Coastal Zone. This ordinance will implement requirements that are imposed by mandate of the Regional Water Quality Control Board in order to comply with the Phase-II National Pollutant Discharge Elimination System (NPDES) permit for municipal stormwater discharges. This project affects unincorporated portions of the County.
County File Number: **LRP2012-0009**
Assessor Parcel Number: Countywide

Supervisory District: All

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 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.

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.