

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 10/21/2014	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805)781-5721	
(4) SUBJECT Request to authorize the use of Alternative Publication Procedures for amendments to Title 8 and Title 19 of the County Code (Retrofit and Water Conservation Provisions – Los Osos) and the Winter 2014 General Plan Amendment Cycle. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board of Supervisors: <ol style="list-style-type: none"> 1. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the County on or before November 10, 2014, indicating the general nature of the proposed Title 8 and 19 amendments that will be considered on November 25, 2014, can act as the alternative publication. 2. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the County on or before November 14, 2014, indicating the general nature of the proposed General Plan and Ordinance Amendments that will be considered on December 2 and 16, 2014, can act as the alternative publication. 3. Authorize that 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"/> 4/5 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: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 10/21/2014

SUBJECT: Request to Authorize the use of Alternative Publication Procedures for amendments to Title 8 and Title 19 of the County Code (Retrofit and Water Conservation Provisions – Los Osos) and the Winter 2014 General Plan Amendment Cycle. All Districts.

RECOMMENDATION

It is recommended that the Board of Supervisors:

1. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the County on or before November 10, 2014, indicating the general nature of the proposed Title 8 and 19 amendments that will be considered on November 25, 2014, can act as the alternative publication.
2. Authorize that a display advertisement of one-quarter page be published in a newspaper of general circulation in the County on or before November 14, 2014, indicating the general nature of the proposed General Plan and Ordinance Amendments that will be considered on December 2 and 16, 2014, can act as the alternative publication.
3. Authorize that 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

Title 8 and Title 19 Amendments

On November 25, 2014 your Board will hold public hearings for the following amendments:

1. Hearing to consider a request by the **COUNTY OF SAN LUIS OBISPO** to amend Section 8.91 (Retrofit of Plumbing Fixtures Upon Sale in the Los Osos Groundwater Basin) of the Health and Sanitation Code (Title 8 of County Code) to revise the existing program that requires homes and businesses in the Los Osos Groundwater Basin to retrofit plumbing fixtures at time of sale.
2. Hearing to consider a request by the **COUNTY OF SAN LUIS OBISPO** to amend Section 19.07042 (Water Conservation Provisions) of the Building and Ordinance (Title 19 of County Code) to revise the existing program that requires new homes and businesses in the Los Osos Groundwater Basin to retrofit fixtures in existing homes and businesses to offset new water use.

County File Number: LRP2013-00007

Supervisory District: 2

Date Authorized: January 14, 2014

Winter General Plan Amendment Cycle

On December 2 and 16, 2014 your Board will hold public hearings for the following amendments:

1. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend the County's Land Use Element / Local Coastal Plan (North Coast Area Plan) by changing the land use category of an approximately 7,650 square-foot (0.18 acre) portion of an approximately 0.5 acre parcel from Public Facilities to Commercial Retail. The remaining portion of the parcel is already within the Commercial Retail category. After the amendment, the entire parcel would be designated Commercial Retail. The site is located at 880 Main Street, approximately 800 feet northwest of Cambria Road, within the community of Cambria. The site is located in the North Coast planning area.

County File Number: **LRP2013-00015(b)**
Supervisorial District: 2

Assessor Parcel Numbers: 022-251-018
Date Accepted: April 11, 2014

2. Hearing regarding a request by the COUNTY OF SAN LUIS OBISPO that the Board of Supervisors consider amending Title 29 – Affordable Housing Fund, by adopting an annual adjustment of the residential in-lieu fee and commercial housing impact fee schedules. Also, a request by the COUNTY OF SAN LUIS OBISPO that the Board consider the Affordable Housing Fund Annual Report and Annual Action Plan, which have been submitted by the Director of Planning and Building in conformance with Title 29 – Affordable Housing Fund. These reports and ordinance amendments affect all planning areas of the county that are outside of the jurisdictions of the incorporated cities.

County File No: **LRP2006-00003**
Supervisorial District: All

Assessor Parcel Number: County-wide
Date Accepted: N/A

3. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to approve "clean-up" amendments to the Real Property Division Ordinance, Title 21 of the County Code, and the Land Use Ordinance, Title 22 of the County Code, as follows: 1) an amendment to Title 21, Section 21.09.040 to update the names of the planning areas and their subareas that correspond to each fee zone for parks and recreational facilities, 2) an amendment to Title 21, Section 21.02.048 (a) (15) to require that applications for land divisions include justification for any request to receive partial credit against required Quimby fees for land divisions that provide usable common open space for park and recreational purposes pursuant to Section 21.09.020, 3) an amendment to Title 22, Section 22.06.030, Table 2-2, to include Section 22.30.480, Residential Uses in the Agriculture Land Use Category, in the Specific Use Standards for Single Family Dwellings, and 4) an amendment to Title 22, Section 22.10.140 and various other Sections to replace references to the "Uniform Building Code" with the "California Building Standards Code."

County File Number: **LRP2014-00002**
Supervisorial District: All

Assessor Parcel Number: County-wide
Date Accepted: N/A

4. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend Chapter 3, Resource Management System, in the Inland and Coastal Framework for Planning documents, Part I of the Land Use and Circulation Elements of the San Luis Obispo County General Plan. The Coastal Zone Framework for Planning document is also part of the Local Coastal Program. The amendment includes: 1) recalculating lead times for responding to Levels of Severity for certain resources, 2) adding highway interchanges as a monitored resource, 3) revising or establishing criteria and recommended actions for Levels of Severity for water supply and systems, wastewater treatment, schools, roads, air quality, and parks, 4) reorganizing text and tables, and 5) updating and clarifying processes, references and other language. This amendment also includes minor clean-up revisions to Chapters 1 and 8 of the Inland and Coastal Framework for Planning to remove outdated references to the Master Water and Sewer Plan and to change reporting of information by agencies to the County from "annually" to "biennially."

County File Number: **LRP2008-00013**

Assessor Parcel Numbers: Countywide

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.

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 at least 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. This is consistent with the County goal of a prosperous and well governed community.