

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 8/9/2016	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805) 781-5721	
(4) SUBJECT Request to authorize the use of Alternative Publication Procedures for the Summer General Plan Amendment Cycle. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Authorize that the display advertisement of one-quarter page that will be published in two newspapers of general circulation in the north and south areas of the County, on or before September 2, 2016, indicating the general nature of the proposed amendments that will be considered on September 13, 2016 can act as the alternative publication pursuant to Government Code §25124(b)(2). 2. Authorize that a one-quarter page display advertisement be placed in two newspapers 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: 8/9/2016

SUBJECT: Request to authorize the use of Alternative Publication Procedures for the Summer General Plan Amendment Cycle. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Authorize that the display advertisement of one-quarter page that will be published in two newspapers of general circulation in the north and south areas of the County, on or before September 2, 2016, indicating the general nature of the proposed amendments that will be considered on September 13, 2016 can act as the alternative publication pursuant to Government Code §25124(b)(2).
2. Authorize that a one-quarter page display advertisement be placed in two newspapers of general circulation within 15 days after adoption of the proposed amendments by your Board.

DISCUSSION

On September 13, 2016, your Board will hold a public hearing for the following amendments:

1. A request by **JIM JEFFERS** for an amendment to the Shandon-Carrizo sub area of the North County Planning Area of the Land Use and Circulation Element to change the land use category of approximately eight acres from Agriculture to Commercial Service. Also to be considered is inclusion of planning area standards contained in Title 22 (Land Use Ordinance, North County Area Plan, Shandon-Carrizo subarea) in order to accommodate an existing steel fabrication yard at the site. The site is located on the north side of Highway 46 East, approximately 1.5 miles west of Bitterwater Road, east of the community of Shandon.

County File Number: **LRP2014-00022** APN(s): 017-131-039 and 017-131-050
Supervisory District: 1 Date Authorized: June 2, 2015
Environmental Determination: General Rule Exemption

2. A request by the COUNTY OF SAN LUIS OBISPO to amend the Land Use and Circulation Element land use categories from Rural Lands to Agriculture and Open Space and amend the Conservation and Open Space Element land use designations from Large Lot Rural to Agriculture (Land Under Conservation Contract) for properties recently put into agricultural preserves in the locations noted below:

- Amendments to the El Pomar sub-area of the North County Area Plan:
LRP2015-00011:1 – Clarke – located at 9017 Goldie Lane approximately 2,500 feet north of Calf Canyon Highway, approximately 4.0 miles due south of the Community of Creston. Assessor's Parcel Number: 043-291-031
- Amendments to the Los Padres sub-area of the South County Area Plan:
LRP2015-00011:2 – Attig – located on the northern side of Highway 166 approximately 20 miles northeast of the intersection of Highway 166 and Highway 101 adjacent to the Cuyama River. Assessor's Parcel Number: 085-461-030
- Amendments to the South County sub-area of the South County Area Plan:
LRP2015-00011:3 – Keller – located at 1175 Upper Los Berros Road approximately 4.0 miles north of Nipomo. Assessor's Parcel Numbers: 048-141-002 & 048-121-009
- Amendments to the Nacimiento sub-area of the North County Area Plan:
LRP2015-00011:4 – Attiyeh Foundation – located at the southernmost bend in the Nacimiento River approximately 3.5 miles west of the Oak Shores Village Area. Assessor's Parcel Number: 080-211-020
- Amendments to the Salinas River sub-area of the North County Area Plan & Estero Area Plan:
LRP2015-00011:5 – Procter – located at 2980 Atascadero Road, on the southern side of Atascadero Road at its intersection with Bear Ridge Road, approximately 4.5 miles east of the City of Morro Bay. Assessor's Parcel Numbers: 073-011-059 & 060

The purpose of the request is to bring properties that do not currently have Agriculture or Open Space as a land use category within the Land Use Element, and properties that do not currently have Agriculture (Land Under Conservation Contract) as a land use designation within the Conservation and Open Space Element into conformance with the Rules of Procedure to Implement the Land Conservation Act of 1965 (Williamson Act) by changing the categories and designations to Agriculture or Open Space.

County File Number: **LRP2015-00011**
 Assessor's Parcel Numbers: Various
 Supervisorial Districts: 1, 2, 4, 5
 Date Authorized: Required by Rules of Procedure
 Environmental Determination: General Rule Exemption

3. A request by THE COUNTY OF SAN LUIS OBISPO for an amendment to Title 18 – The Public Facilities Fee Ordinance. The amendment would remove an exemption listed within Section 18.03.020 (10) of the Muni Code regarding collection of certain public facility fees for specific community services districts and fire protection districts.

County File Number: **LRP2016-00001** Assessor Parcel Number: N/A
 Supervisorial District: All Date Authorized: N/A

Display Advertisements

The California Government Code, Section 25124, establishes specific publication requirements for General Plan and 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 General Plan and 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 the hearing date, brief project description and passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

A quarter page display ad will be the best option to notice as a fair and adequate summary of the proposed amendments would be infeasible to prepare. To summarize the ordinance amendment language would leave out important context and provide an incomplete picture of the amendments. A summary may also be seen as confusing and could discourage people from reading the full text and intent of the program. A display ad is better suited to direct people exactly where to find the proposed ordinance amendments and read the language that will be heard by the Board of Supervisors.

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 two newspapers of general circulation in the county at least five days prior to the hearing date, indicating the general nature of the proposed ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in two newspapers of general circulation within 15 days after adoption of the proposed amendments. The request for publication in two newspapers is consistent with recent Board direction for noticing on water-related amendments.

Because publication of a display advertisement provides clear public notice and 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

The County Clerk-Recorder's office will be responsible for publishing the notice prior to the hearing and the summary ad following adoption of the ordinance.

FINANCIAL CONSIDERATIONS

The current cost of publishing two quarter page display ads in two different newspapers is approximately between \$2,200 and \$2,500. Reproducing the complete text of all of the amendments contained in these ordinance amendments would cost more than the cost of two quarter-page display ads, depending on the size of the amendment text.

One display ad is published prior to the hearing and the second display ad is published following the decision which summarizes the decision made by the Board. This display ad provides disclosure to the public that amendments were approved, where they may be obtained, and how the Board voted, but does not require that the entire amendment text be published, thereby saving the cost of publishing the amendments in their entirety.

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 promoting a prosperous and well governed community.