



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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 4/23/2019	(3) CONTACT/PHONE Schani Siong, Planner / (805) 781-4374 Theresa Braden, Secretary / (805) 781-1392	
(4) SUBJECT Submittal of resolutions 1) authorizing the California Coastal Commission to process a consolidated Coastal Development Permit for the City of Morro Bay's proposed water reclamation facility and 2) delegating authority to the Director of the Planning & Building Department to approve or deny future Coastal Development Permit consolidation requests; exempt from CEQA. Districts 2, 3 and 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> <li>1. Adopt the resolution authorizing the California Coastal Commission (Commission) to process a consolidated Coastal Development Permit (CDP) as requested by the City of Morro Bay (City) for their proposed water reclamation facility; and</li> <li>2. Adopt the resolution delegating authority to the Director of Planning &amp; Building to approve or deny future CDP consolidation requests.</li> </ol>			
(6) FUNDING SOURCE(S) Planning Department 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 checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input 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  Zachary A. Lute			
(18) SUPERVISOR DISTRICT(S) District 2  District 3  District 4			



## COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Planning and Building / Schani Siong, Planner

VIA: Trevor Keith, Director

DATE: 4/23/2019

SUBJECT: Submittal of resolutions 1) authorizing the California Coastal Commission to process a consolidated Coastal Development Permit for the City of Morro Bay's proposed water reclamation facility and 2) delegating authority to the Director of the Planning & Building Department to approve or deny future Coastal Development Permit consolidation requests; exempt from CEQA. Districts 2, 3 and 4.

### **RECOMMENDATION**

It is recommended that the Board:

1. Adopt the resolution authorizing the California Coastal Commission (Commission) to process a consolidated Coastal Development Permit (CDP) as requested by the City of Morro Bay (City) for their proposed water reclamation facility; and
2. Adopt the resolution delegating authority to the Director of Planning & Building to approve or deny future CDP consolidation requests.

### **DISCUSSION**

#### **Morro Bay Water Reclamation Facility and Permit Process**

The City of Morro Bay is proposing a new water reclamation facility. The facility would be owned and operated by the City; however, the project site is located immediately adjacent to the City in an unincorporated area. The project is also located in the Coastal zone and would have an outfall that is located offshore. As such, the project has portions under City, County and California Coastal Commission jurisdiction, all of which will require permits by the respective jurisdictions.

Section 30601.3 of the Public Resources Code allows for a consolidated permitting process for projects for which the CDP authority is shared by a local government and the Coastal Commission. Section 30601.3 of the Public Resources Code requires the applicant, the local government and the Commission consent to the consolidation. The City submitted a request to the Commission for consolidated permitting on February 26, 2019 (Attachment 3), and the Commission has tentatively scheduled to act on the consolidated permit in May 2019.

Should the Board of Supervisors approve the consolidation request, the Board would have no further involvement or action related to the water reclamation facility.

**Benefits of a Consolidated Permit**

Staff from all jurisdictions have coordinated and concur that permit consolidation will save time and expense for all jurisdictions involved. Ultimately, the project will require approval from the Coastal Commission. Consolidating the permit will streamline the process by having Coastal Commission process the permit directly and will alleviate the need to go through the permit process at the City and County levels first. Ultimately, it is the intent of the City to annex the property from County jurisdiction, which makes the permit consolidation process even more appropriate in this circumstance because it will be under City jurisdiction in the future.

**Delegation of Authority to the Planning Director**

The County receives consolidated permit requests intermittently. To help streamline future requests, per Government Code section 23005, the Board may delegate this authority to the Director of Planning & Building. The following proposed process will ensure the Board is aware of future requests prior to Director action and will have the option to require the Director to present it to the Board for Board action.

The proposed delegated authority process would be as follows:

1. All CDP consolidation requests shall be submitted in writing to the Director of Planning & Building;
2. The Director of Planning & Building will send a memo to the Board noting upcoming potential approval or denial of any consolidation requests;
3. The Board has 14 days to review and direct the Director of Planning & Building to agendize the request for Board discussion and final determination, as applicable; and
4. If no direction is received from the Board, the Director of Planning & Building will take action on the consolidated permit request.
5. If direction is received from any member of the Board, the Director of Planning & Building will place the item on the agenda.

**OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel reviewed the attached resolutions and approved as to form and legal effect.

**BUSINESS IMPACT STATEMENT**

The requested consolidated CDP would have no noticeable impact on businesses.

**FINANCIAL CONSIDERATIONS**

Since the consolidated permit(s) will be processed through the Commission, County fees will not be collected. In general, consolidated processing streamlines the permit process and reduces overall project processing costs.

**RESULTS**

Approval of the request to authorize the Commission to process a consolidated CDP will streamline the permit process for the water reclamation facility. The Board of Supervisors would not need to take any further action on this project. Granting authority to the Director of Planning & Building to approve or deny future CDP consolidation requests pursuant to Section 30601.3 of the Public Resources Code and Government Code 23005 will streamline the CDP process. This is consistent with the County's goals to promote healthy and well-governed communities.

## **ATTACHMENTS**

- 1 Attachment 1 – Resolution Authorizing the California Coastal Commission to Process a Consolidated Coastal Development Permit Request by the City of Morro Bay for Proposed Water Reclamation Facility
- 2 Attachment 2 – Resolution Delegating Authority to the Director of the Planning and Building Department to Approve or Deny Coastal Development Permit Consolidation Requests
- 3 Attachment 3 – City of Morro Bay Request Letter to California Coastal Commission for Consolidated Permitting
- 4 Attachment 4 – Correspondence Received