



## Legislation Text

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**File #:** 07-430, **Version:** 2

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Adoption of Ordinance **4720** amending Chapter 17.22 of the County Code, Site Plan Review, to include a General Plan Consistency Analysis; (General Plan FEIR [SCH2001082030]) (Introduced 3/13/07, Item 35)

**RECOMMENDED ACTION:** The Planning Commission recommends the Board take the following action: 1. Certify that the amendment is consistent with the General Plan Final Environmental Impact Report (SCH2001082030); 2. Approve Ordinance Amendment OR07-0002, based on the findings listed on Attachment 1; and 3. Adopt the Ordinance replacing Interim Ordinance No. 4690.

Background: General Plan Policy 2.2.5.20 requires ministerial projects to be reviewed for consistency with the General Plan. In order to implement this policy, the Board previously adopted three interim ordinances establishing procedures for carrying out this review (Ordinance No. 4666, Ordinance No. 4669, and Ordinance No. 4690). The interim procedures included creation of the online General Plan Consistency Checklist to review ministerial permits for consistency with key General Plan policies. The interim ordinances also included procedures for addressing ministerial projects which are found inconsistent with provisions of the General Plan.

Interim Ordinance No. 4690 is set to expire March 29, 2007. To replace this ordinance, staff and Counsel drafted the attached amendment to the Zoning Ordinance for consideration by the Planning Commission and your Board. This amendment would make the General Plan consistency review process permanent and establish the Site Plan Review process as the means for evaluating ministerial projects for consistency with the General Plan. The Site Plan Review process is an existing ministerial review process defined in the County Zoning Ordinance. Adoption of this proposed amendment would not add any additional procedural, review, or fee requirements for ministerial projects since the Site Plan Review process has already been incorporated informally into the building permit review process. The proposed ordinance amendment just formalizes the existing process that the department has been following to carry out consistency reviews. The amendment would also more clearly define the process for resolving general plan inconsistencies in ministerial projects.

The Planning Commission considered the proposed ordinance amendment on February 22, 2007, and recommended for approval on a 4-0 vote (Commissioner Tolhurst was absent).

Art Marinaccio was the only member from the public giving input. He does not agree with the proposed procedure, citing this will make building permits discretionary. See attached minutes for further discussion (Attachment 2).

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