

# COUNTY OF SANTA BARBARA

## LEGISLATIVE ANALYSIS FORM

<b>BILL NUMBER:</b> SB 1241	<b>AUTHOR:</b> Kehoe
<b>INTRO/AMEND DATE:</b> 4/24/2012	<b>AUTHOR'S POLITICAL PARTY:</b> Democratic
<b>BILL STATUS:</b> Senate Committee on Appropriations	

**1) BILL SUBJECT:**

Safety Element: Fire hazard impacts

**2) FROM DEPARTMENT:**

Planning and Development

**3) IS THIS ITEM SPECIFICALLY REFERENCED IN THE LEGISLATIVE PLATFORM?**

No

**4) WHICH POLICY-RELATED MATTER IS OF CONCERN WITH THIS BILL?**

General plan amendments

**5) HOW WOULD THIS BILL IMPACT THE COUNTY? (Current practices, responsibility, authority, pros/cons, affected programs and/or services, etc.)**

New safety element requirements concerning fire hazards. This bill would require the safety element to be updated to address the risk of fire in state responsibility areas and very high fire hazard severity zones, taking into account considerations including the most recent version of the Office of Planning and Research's "Fire Hazard Planning" document. It would also require the county legislative body to make 3 specified findings before approving a tentative map for an area located in a state responsibility area or high fire hazard severity zone.

- |                                     |                                |   |                               |
|-------------------------------------|--------------------------------|---|-------------------------------|
| <b>6) IMPACT ON COUNTY PROGRAM:</b> | <input type="checkbox"/> Major | <input checked="" type="checkbox"/> Minor | <input type="checkbox"/> None |
| <b>SANTA BARBARA COUNTY IMPACT:</b> | <input type="checkbox"/> Major | <input checked="" type="checkbox"/> Minor | <input type="checkbox"/> None |
| <b>STATEWIDE IMPACT:</b>            | <input type="checkbox"/> Major | <input checked="" type="checkbox"/> Minor | <input type="checkbox"/> None |

*Explanation of Impacts:*

Many of the requirements of this bill are already included in the Seismic Safety & Safety Element (SS&SE), making portions of it redundant. It would also require the incorporation of information that will rapidly become outdated, and is not appropriate for a relatively static document such as the General Plan. The County recently adopted updates to the fire and flood hazard sections of the SS&SE which deliberately excluded the placement of physical maps within the document. Instead, the SS&SE refers the reader to other locations that are updated with more regularity.

Requiring repeated General Plan amendments to update maps and other sections with new information is a costly and unnecessary task, given the other documentation produced by the County and State that address the same issues.

**7) WOULD THIS BILL IMPACT:**

- |   |   |  |
|---|---|--|
| a. Efficient service delivery and operations? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| b. Fiscal stability?                          | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| c. Inter-agency cooperation?                  | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| d. Local control?                             | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |

- e. Protection of safety net services?
- f. Community sustainability/economic stability?

<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

*Additional Comments:*

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**8) FISCAL IMPACT ON THE COUNTY:**

<input type="checkbox"/> Revenue Increase	<input type="checkbox"/> Revenue Decrease	<input checked="" type="checkbox"/> Unfunded Mandate
<input checked="" type="checkbox"/> Cost Increase	<input type="checkbox"/> Cost Decrease	<input type="checkbox"/> Undetermined
<input type="checkbox"/> None		

*Additional Comments:*

**9) OTHER AGENCIES THAT SHOULD REVIEW THIS BILL:**

*Please list other agencies below:*

None

**10) CSAC POSITION ON BILL:**

<input type="checkbox"/> Support	<input type="checkbox"/> Oppose	<input type="checkbox"/> Support if Amended
<input checked="" type="checkbox"/> Oppose unless Amended	<input type="checkbox"/> Watch	<input type="checkbox"/> No position taken

**11) OTHER LOCAL OR STATEWIDE ORGANIZATIONS THAT HAVE TAKEN A POSITION ON THIS BILL:**

*(Indicate support or opposition for each)*

Support – American Planning Association; Endangered Habitats League; California Professional Firefighters; California Fire Chiefs Association; Fire Districts Association of California; California Native Plants Society; Sierra Club California

Opposition – Regional Council of Rural Counties

**12) PROPOSED AMENDMENTS: (Attach separate sheet)**

**13) RECOMMENDATION:**

<input type="checkbox"/> Active Support*	<input type="checkbox"/> Passive Support	<input type="checkbox"/> Support if Amended*
<input type="checkbox"/> Active Opposition*	<input checked="" type="checkbox"/> Passive Opposition	<input type="checkbox"/> Oppose unless Amended*
<input type="checkbox"/> Watch	<input type="checkbox"/> Concerns (Why? Explain in #6)	<input type="checkbox"/> No Position (Why?)
<input type="checkbox"/> No Change since Last Position		

\* Indicates that the department believes that the Board of Supervisors should take a formal position on this bill



**Additional Comments:**

Numerous versions of this bill, and other bills providing more land use planning protections for wildland fires, have been submitted over the past few years. SB 1207 was a nearly identical bill that passed the Legislature in 2010 and was vetoed by Governor Schwarzenegger. Governor Schwarzenegger also vetoed SB 505 (2009), AB 666(2009), and AB 2447 (2008), all of which would have placed further restrictions on development in specified fire hazard areas. Costs of implementation and lack of funding were usually cited in the Governor’s veto message.



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**14) LEGISLATIVE ANALYSIS FORM PREPARED BY: Paul Clementi, Planner**

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**15) APPROVED BY:** Terri Nisich, Assistant CEO

Signature

Date:

