

**COUNTY PLANNING COMMISSION DECISION
 APPEALED TO THE BOARD OF SUPERVISORS
 November 9, 2009**

<p>72-CP-116 RV01 99-DP-043</p> <p>APN: 023-340-013, - 014, -015, 023-052- 001, -002, -003, -004, -008, -011, -012, 023- 060-018, -022, -023, - 024, -025, -038, 023- 350-006, 021-030-001</p> <p>Area: Mission Canyon</p> <p>District: First</p>	<p>Botanic Garden Vital Mission Plan</p> <p>Applicants: Santa Barbara Botanic Garden</p> <p>Appealed by: Mission Canyon Association</p> <p>Date appealed: November 5, 2009 2:45 p.m.</p> <p>Planner: Alex Tuttle, ext. 6844</p> <p>Supervising Planner: Anne Almy, ext. 2053</p>		
	Planning Commission	Board of Supervisors	
Hearing Date:	October 26, 2009	Approved the project with revisions to the Findings, EIR, and Conditions of Approval	
Fee Paid:		\$ 643	
<p>APPELLANTS REASON FOR APPEAL:</p> <p>See Attached</p> <p>FACILITATION: To be determined by County Counsel.</p> <p>OUTCOME OF BOS HEARING: TBA</p>			

cc: Glenn Russell, Director
 Dianne M. Black, Director, Development Services
 Dave Ward, Deputy Director
 Anne Almy, Supervising Planner
 Alex Tuttle, Planner
 Linda Bishop, Accounting
 David Villalobos, Hearing Support

APPEAL TO THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

09APL-00000-00030

Submit to: Clerk of the Board
County Administration Building
105 E. Anapamu Sreet, Suite 407
Santa Barbara, CA 93101

SANTA BARBARA BOTANIC GARDEN: 99-DP
1212 MISSION CANYON RD 11/5/09
SANTA BARBARA 023-051-004

RE: Project Title SANTA BARBARA Botanic Garden Vetal Mission Plan

Case Number 99-DP-043, 72-CP-116 RVO1

Tract/ APN Number _____

Date of action taken by Planning Commission, Zoning Administrator, or Surveyor OCTOBER 26, 2009

I hereby appeal the Approval with conditions of the Planning Commission
(approval/ approval with conditions/ or denial) (Planning Commission/ Zoning Administrator/ or County Surveyor)

Please state specifically wherein the decision of the Planning Commission, Zoning Administrator, or Surveyor is not in accord with the purposes of the appropriate zoning ordinance (one of either Articles I, II, III, or IV), or wherein it is claimed that there was an error or an abuse of discretion by the Planning Commission, Zoning Administrator, or Surveyor. {References: Article I, 21-71.4; Article II 35-182.3, 2; Article III 25-327.2, 2; Article IV 35-475.3, 2}

Attach additional documentation or state below the reason(s) for this appeal.

Specific conditions being appealed are:

Name of Appellant (please print): MISSION CANYON ASSOCIATION RAY SMITH
JEAN YAMAMURA
BILL MCCOLLUGH
DIRECTORS

Address: PO Box 401
(Street, Apt #)
SANTA BARBARA CA 93102
(City/ State/ Zip Code) 805-448-9688
(Telephone)
webmaster @MISSIONCANYON.ORG

Appellant is (check one): Applicant Agent for Applicant Third Party Agent for Third Party

Fee \$ 643 {Fees are set annually by the Board of Supervisors. For current fees or breakdown, contact Planning & Development or Clerk of the Board. Check should be made payable "County of Santa Barbara".}

Signature: William A McCollough Date: 11/5/09

FOR OFFICE USE ONLY

Hearing set for: _____ Date Received: _____ By: _____ File No. _____



APPEAL TO THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
OF PLANNING COMMISSION DECISION
DATE OF HEARING OCTOBER 26, 2009
RE SANTA BARBARA BOTANIC GARDEN VITAL MISSION PLAN
99-DP-043, 72-CP-116 RV01

APPELLANT: MISSION CANYON ASSOCIATION
DATED: NOVEMBER 5, 2009

The Mission Canyon Association hereby appeals the October 26, 2009 approval by the Planning Commission of the Santa Barbara Botanic Garden Vital Plan and associated EIR and conditional use permits. While we realize SBBG would like as part of their upgrade of their facilities to expand and become a venue for private events as other botanic gardens have done, the fact is that the SBBG is located on upper Mission Canyon Road, which has one emergency exit out of the canyon, Foothill Road. It is closely surrounded by hundreds of neighbors on Las Canoas, Mission Canyon, and Tunnel roads in a boxed amphitheater like canyon. It is the responsibility of Mission Canyon Association, which represents more than a thousand households, to voice concern when the safety of the people living and visiting Mission Canyon is threatened, and to stand against changes that will adversely affect the historic and unique characteristics of this residential neighborhood.

1. Appeal Issue #1: Regarding Finding 1.4.3. Fire Protection and Condition 63.
Intensity of Use

Mission Canyon Association strongly disagrees that the Fire Protection Plan, when viewed in conjunction with the allowed increase in visitors, successfully mitigates impacts with respect to defensibility from wildfire risks, emergency access and evacuation, and increased activity on-site.

Nowhere in the planning documents is provision made for increasing road capacity to handle any increase in visitors, specifically at the stone bridge at the base of Mission Canyon Road above the wye with Tunnel Road. That bridge is narrow and leads to a dicey three-way intersection. This represents a potentially deadly choke point during a mass evacuation of the hundreds of residents on upper Mission Canyon and Las Canoas roads.

The stresses on the road system go beyond Mission Canyon. During the Tea Fire, both Montecito residents west of Sycamore Canyon and Mission Canyon residents evacuated via Foothill Road and Mission Canyon Road. That fire was further north in the Mountain Drive area, but even so, heavy congestion at the



Mission Canyon and Foothill intersections created chaos and extreme driving behavior.

It is this scenario coupled with the way we saw the Jesusita Fire leap from the top of the canyon (Spyglass Ridge Road) to the lower canyon (Montrose Road) in less than 20 minutes that makes Mission Canyon Association ask for the Board of Supervisors to understand that limiting visitors to the Garden is a serious safety issue.

- 2- Appeal Issue #2: Impact of large private events

The terms of the Planning Commission approval will allow the Garden to host large private events with amplified sound and to serve alcoholic beverages, thus changing the whole atmosphere of the Canyon. MCA does not agree the Garden should become a venue for private parties such as weddings and company promotional events. The Mission Canyon Association requests the Planning Commission reconsider approval of details of this project in light of information provided by the MCA based on years of analysis of the Canyon's safety concerns. We request SBBG attendance be capped at no more than a 10 percent increase over current levels, and that the Garden be closed at sunset for outdoor activities.

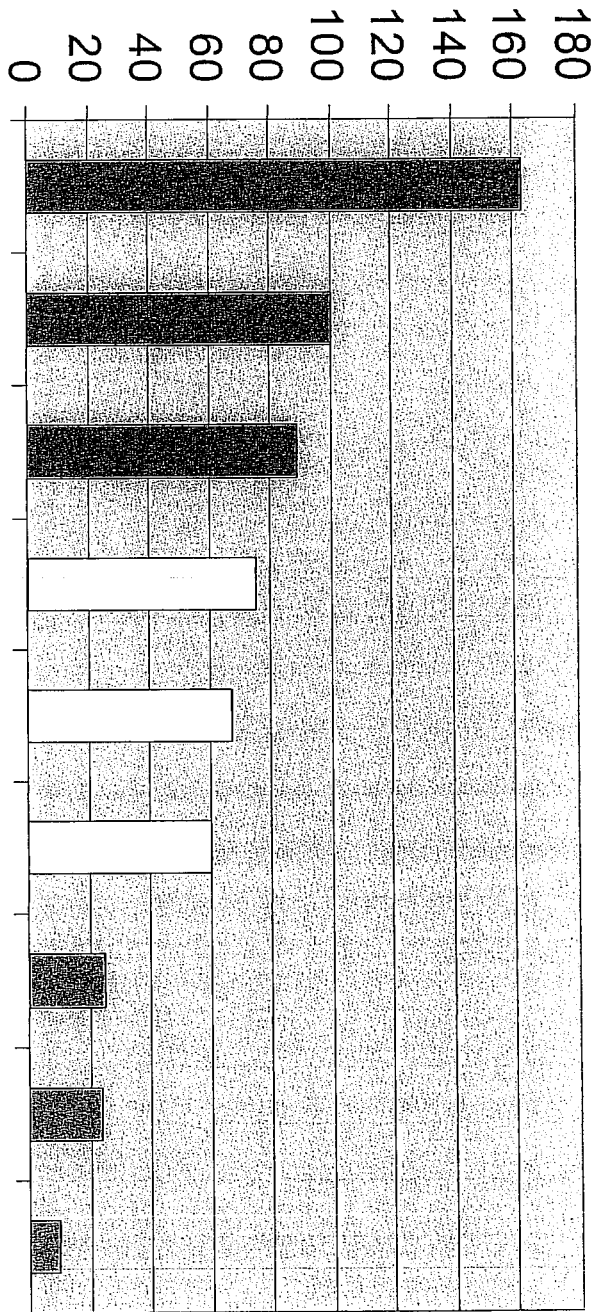
Thank you.

Sincerely yours,

William H. McChesney
MCA

Total Votes per Choice, all Residents

Describe Mission Canyon's Attributes



Attributes

N = 220