



COUNTY OF SANTA BARBARA  
PLANNING AND DEVELOPMENT

MEMORANDUM

TO: County Planning Commission

FROM: Alex Tuttle, 884-6844

DATE: August 5, 2009

RE: Santa Barbara Botanic Garden – minor changes to staff report

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Subsequent to docketing of the Planning Commission staff report for the Santa Barbara Botanic Garden Vital Mission Plan, several minor errors were identified within the Findings (Attachment A), EIR Summary Table (Attachment B), and Conditions of Approval (Attachment C). The corrections and/or explanations are provided below.

***Attachment A – Findings***

*Finding 2.1.6:*

***2.1.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.***

As conditioned, the proposed project is consistent with all applicable provisions of the Land Use Development Code and Comprehensive Plan, including the Mission Canyon Area Specific Plan. As discussed in Section 6.2 of the staff report dated July 24~~2~~, 2009 for the August 5, 2009 PC hearing, hereby incorporated by reference, the project, as conditioned, is consistent with applicable policies of the Comprehensive Plan and Mission Canyon Area Specific Plan. The project has been conditioned to require minor project modifications in order to ensure consistency with County policies. Therefore, this finding can be made.

*Finding 2.2.6:*

***2.2.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.***

As conditioned, the proposed project is consistent with all applicable provisions of the Land Use Development Code and Comprehensive Plan, including the Mission Canyon Area Specific Plan. As discussed in Section 6.2 of the staff report dated July 24~~2~~, 2009

for the August 5, 2009 PC hearing thereby incorporated by reference, the project, as conditioned, is consistent with applicable policies of the Comprehensive Plan and Mission Canyon Area Specific Plan. The project has been conditioned to require minor project modifications in order to ensure consistency with County policies. Therefore, this finding can be made.

In addition to these corrections, the finding related to the feasibility of the Project Redesign Alternative (Finding 1.5.4) lacks clarity. This alternative is in fact feasible but was nonetheless not selected, as mitigation measures applied to the proposed project would reduce significant impacts to less than significant levels. Since the project, as mitigated, would not result in significant unavoidable impacts (Class I), alternatives do not need to be found infeasible in order to not select them. This finding will be revised prior to final action on the project.

### ***Attachment B – EIR Impact Summary Table***

#### ***Mitigation CULT 2-2:***

**CULT 2-2** In the event potentially significant archaeological remains are encountered, work shall be stopped immediately or redirected until the P&D approved archaeologist and Native American representative, as applicable, evaluates the significance of the find pursuant to Phase 2 Investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.

If human remains are uncovered, the County Coroner must be notified and, if the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted by the Coroner and will identify the Most Likely Descendant (MLD). The disposition of the remains will be coordinated between the MLD, And the landowner. In the event that mediation between the MLD and landowner is necessary, the NAHC will serve as the mediator.

All cultural materials recovered from this property must be curated at a qualified institution in accordance with the Santa Barbara County Cultural Resource Guidelines. The project applicant will be responsible for the curation costs.

**Attachment C – Conditions of Approval**

*Project Description – Use Tables:*

**Classes, Hours, and Attendance**

<b>Classes/Year</b>	<b>Hours</b>	<b>Attendance (per class)</b>
<b>Daytime Classes</b>		
80-90 Courses 200-225 Sessions	7:30 a.m.-5:30 p.m.	12-22
<b>Nighttime Classes</b>		
25-35 Courses 60-90 Sessions	6 p.m. -10 p.m.	12-22
<b>Master Gardner and Docent Training</b>		
20 Sessions	7:30 a.m.-5:30 p.m.	40-50
<b>Annual Lecture Series</b>		
7 Sessions	6 p.m.-10 p.m.	50-70

**Special Events, Hours, and Attendance**

<b>Event Type</b>	<b>Frequency/ Duration</b>	<b>Hours</b>	<b>Attendance</b>
<b>Plant Sales, Book Signings</b>	4/year	11 am- 7 pm	100-250/event
<b>Art/Craft Exhibits</b>	4/year Case-by- Case	9 am- 5 pm	Case-by-Case
<b>Community Festivals (Exhibits/Vendors/Music)</b>	2/year 2 days	9 am- 5 pm	250-750 per day
<b>Fundraising/Special Events (Food/Music)</b>	10/year 1 day	Noon- 10 pm*	20-300/event
<b>Community Group Meetings</b>	10-20/year 1 day	9 am- 10 pm*	30-150/event
<b>Private Parties (Music/Food)</b>	2-4/year 1 day	9 am- 10 pm*	75-200/event
<b>Symposia &amp; Workshops</b>	1-2/year 1-3 days	8 am- 8 pm	50-150 per day
<b>Recognition Events</b>	3/year 1 day	9 am-10 pm*	50-200/event
* Note that these events would end by 9pm (i.e. no music after 9 pm) with additional time provided for event breakdown, cleanup, and guest departure.			

*Condition 24 - Relocation of Caretaker's Cottage:*

Condition 24 requires relocation of the Caretaker's Cottage within the Historic Garden boundaries. Alternative IV in the EIR evaluated relocation of the cottage to adjacent to the Director's Residence. No other locations within the Historic Garden have been evaluated. Approval of an alternative location may require further analysis. A discrepancy in the boundaries of the Historic Garden and associated parcel numbers was identified. The boundaries are

intended to include each parcel that was purchased and used by the Garden during the period of significance (1926-1950). The boundaries and associated parcel numbers will be updated with this understanding as part of final action on the project.

*Condition 71:*

71. Prior to ~~recordation, issuance of [Land Use/Coastal Development Permit]~~ issuance of Zoning Clearance, an Environmental Quality Assurance Program (EQAP) shall be prepared according to procedures established by Santa Barbara County P&D, paid for by the applicant and submitted for review and approval by P&D. The EQAP shall include the following: 1) All conditions and mitigation measures imposed on this project and the impacts they are mitigating separated by subject area. 2) A plan for coordination and implementation of all measures and the plans and programs required therein. 3) A description of all measures the applicant will take to assure compliance, including field monitoring, data collection, management and coordination of all field personnel and feedback to field personnel and affected County agencies including P&D. Contractor feedback responsibilities include weekly, monthly and quarterly reports (as specified in EQAP) to be prepared throughout grading and construction. These shall include status of development, status of conditions, incidents of non-compliance and their results and any other pertinent or requested data. 4) A contractor to carry out the EQAP shall be selected by P&D in consultation with the applicant. The contractor(s) will be under contract and responsible to the County, with all costs to be funded by the applicant. The EQAP contractor shall appoint at least one On-site Environmental Coordinator (OEC) responsible for overall monitoring, but shall employ as many qualified specialists as necessary, as determined by P&D, to oversee specific mitigation areas (e.g. archaeologists, biologists). In addition, the OEC has the authority and ability to ensure compliance with all project conditions and to stop work in an emergency. The EQAP shall also provide for any appropriate procedures not specified in the conditions of approval to be carried out if they are necessary to avoid environmental impacts.