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Katherine Douglas *Public Comment - SB County Trails Council*

From: Mark Wilkinson <mwilkinson@sbtrails.org>
Sent: Friday, December 1, 2023 8:19 AM
To: sbcob
Subject: Comment Letter | Draft County Housing Element
Attachments: Draft-County-Housing-Element-Comment-12-01-23.pdf

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Dear Clerk of the Board,

I have attached a comment letter regarding the Draft County Housing Element. Please distribute it to the County Board of Supervisors members for the hearing on Tuesday, December 5th.

Regards,



Mark Wilkinson
Executive Director

Santa Barbara County Trails Council
[805.708.6173](tel:805.708.6173) | [website](#) [facebook](#) [twitter](#) [instagram](#)



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November 30, 2023

delivered via email

Chair Das Williams
Santa Barbara County Board of Supervisors
105 E. Anapamu Street
Santa Barbara, CA 93101

RE: Draft County Housing Element

Dear Chair Williams and Honorable Members of the Board:

The Santa Barbara County Trails Council (Trails Council) is writing to respectfully request that the Board of Supervisors make targeted amendments to the County's Housing Element detailed below to ensure that new planned development provides for public trails, as well as other public recreation. Such public recreation improvements would benefit new residents and those in existing neighborhoods that would bear the brunt of environmental impacts created by these new developments. The Trails Council believes the County can have affordable housing and public recreation. However, unfortunately, the current Housing Element seriously undermines key County tools historically used to acquire new parks, recreation, and trails. The Housing Element recommends reducing open space required in new developments historically used to create public recreation and Park Development Impact Fees used to fund the construction of public recreation improvements. The Element would also incentivize private recreation as well as public, undermining public recreation benefits historically associated with major new housing projects. In undermining the County's historic tools for acquiring public recreation, the Housing Element would seriously damage the general public interest. Fortunately, the Board can still correct these policy missteps.

The Trails Council is a broad-based trails advocacy group consisting of hikers, runners, equestrians, cyclists, and other trail users. The Trails Council was formed in 1967 to advocate for the planning and construction of new trails and to help organize work parties to maintain existing trails. Over the last 55 years, the Trails Council has worked cooperatively with the County on planning, permitting, funding, building, and maintaining trails across the County. Trail organizations, such as the Trails Council, Montecito Trails Foundation, Los Padres Forest Association, and others, perform the majority of the new trail construction and maintenance activities for the County's public trail system in coordination with the County's Park Division. Our organizations raise hundreds of thousands of dollars and provide thousands of hours of volunteer time for this effort as a public service to the County and its residents, as staffing and funding constraints limit County contributions to trail work.

For example, the Trails Council recently partnered with County Parks to complete three significant new trails: the Baron Ranch Trail on the Gaviota Coast, the Franklin Trail in Carpinteria, and the Orcutt Hills Trails sections. The Franklin and Baron Ranch Trails cost over \$1.5 million to permit and construct these trails, with the majority of these funds coming from grants and private donations. However, hundreds of thousands of dollars in County Park Development Impact Fees were also key to completing these trails. The Trails Council also

managed the construction of sections of the Orcutt Hills Trail system for the County, using \$50,000 in funds provided by the developer – potentially Park Development Impact Fees – to perform the work.

In order to continue the County's historic successes in acquiring new public parks, recreation and trails as part of new development and correct these Housing Element policy missteps, the Trails Council recommends the following actions be addressed through amendments to Housing Element Program 22:

1. In considering housing developments and rezones, the County shall prioritize those that provide public recreation and trails.
2. The priority for use of Park Development Impact Fees, including any fee discounts, shall be focused on public recreation improvements.
3. The County shall prioritize any reductions in required open space as an incentive for the provision of onsite public recreation and concurrently accept lands proposed for dedication as public open space as part of proposed rezones or via other binding legal agreements.
4. As part of any rezones approved under the Housing Element, the County shall concurrently amend the Parks, Recreation and Trail (PRT) Maps.

These limited amendments are the **only** chance for the County to establish a policy framework on planning for parks, recreation, and trails to address the largest amount of planned residential growth in more than 25 years. Many of the rezone sites have not been planned for residential development, such as those with agricultural zoning (e.g., San Marcos Agricultural Area), or were rezoned for substantially increased density with the associated need for increased public recreation. Rezone sites such as those in western Santa Barbara, Vandenberg Village, or Missions Hills have not had recreational planning since the 1980 countywide Comprehensive Plan. These recommendations would provide a bare minimum framework for considering recreation with these rezones consistent with the County's long tradition of providing high-quality community planning.

Prioritization of Projects with Public Recreation: The County needs to send a clear message to the development community that a key County priority is the provision of public recreation as they are currently receiving mixed messages or even discouragement of public recreation. As the Housing Element has some 30,000 potential units on planned Housing Element sites, far more housing than needed to meet the County's Regional Housing Needs Allocation (RHNA), prioritizing projects that provide public recreation would not unduly interfere with the provision of required housing. Fortunately, the County has been provided with an excellent example of such a Project at the Glen Annie Golf Course, where truly significant public recreation improvements are proposed, including 3.5 miles of public trails, along with 800-1,000 units of housing, including substantial affordable housing. We can and should have both.

The County has historically used community planning and subsequent residential developments to acquire substantial new public recreational benefits, which would be undermined by the Housing Element. The County has acquired over 25 miles of trails from community planning and subsequent new development over the past 30 years, over 750 acres of public open space as well

as several important parks, far more than any other tool available to the County. Parks, trails and open space acquired from new development benefit both the existing residents of these communities impacted by such development and those of new neighborhoods that support these facilities. Trails, open space and parks provided through County community planning, development permitting and associated negotiations include the Ellwood Mesa, now in the City of Goleta (8+ miles of trails, 150 acres of open space), UCSB's North Campus, formerly known as the West Devereux site (3+ miles of trails, 80+ acres of open space), the Santa Marcos Foothills Reserve (300 acres of open space, 4 miles of trails, a small neighborhood park in design), Orcutt Hills (300 acres of open space, 6 miles of trails and the Orcutt Creek and related, trails (2 miles of trails acquired, 2.5 miles pending). Parks acquired include 26-acre Orcutt Community Park and Cobblestone Creek Open Space both constructed on dedicated land and built using Park Development Impact Fees, and Ocean View County Park in Summerland and the pending San Marcos Foothills developed park. None of these public recreational amenities, which benefit these entire communities, could have been provided without prioritizing acquisition through the planning and development permit processes.

Park Development Impact Fees: County Housing Element Program 22 currently undermines this program by allowing reductions in Park Development Impact Fees for both provision of affordable housing and for private recreation. The County Park Division has such limited funds for recreational development that such fees are often almost the only source of funding the County can provide for public recreational improvements, aside from grants. The County charges Park Development Impact Fees (also Quinby Act Fees) for residential development throughout the County, with those in the Goleta Valley and Orcutt having been the most recently updated to at least partially reflect the true costs of development of public recreation. The County is currently updating this fee program with the update possibly available in the first half of 2024. Such Park Development Impact Fees have been instrumental in developing county trails to match funds raised by trail organizations as well as in developing parks such as Orcutt Community Park and Cobblestone Creek Open Space in Orcutt and Ocean View Park in Summerland. Because of extremely limited funding available for public recreation, which benefits the entire county community (i.e., existing residents too), the County cannot afford to discount this already extremely limited source of funding as an incentive for private recreation or affordable housing, no matter how worthy those goals are. Therefore, we recommend the following language change (in red) to Program 22 as amended by the Planning Commission:

Program 22: Public Recreational Amenities for Housing Projects

Housing development projects must pay their pro rata share of fees for recreational facilities to offset project-generated demand in public parks and recreational facilities. Fees may be offset by the provision of ~~private or~~ public recreational amenities on-site. However, the County recognizes the acquisition of new public parks is challenging and, in some cases planned Housing Element rezones sites may be the only available land for public recreation, future residential development ~~may be able~~ strongly encouraged to provide new public recreational amenities and thus could warrant an increase in the fee off-set for recreation facilities that are open to the public. Recreational facilities and in-lieu dedications should be designed to further the County's recreational goals, policies, and/or programs set forth in the Comprehensive Plan, Countywide Recreation Master Plan (when adopted), Active

Transportation Plan, Development Impact Mitigation Fee Program, and/or other County-adopted recreational-related policies and programs.

Program 22 – Actions & Implementation

Specific Actions and Timeline

- *Annually, update the development impact fees for parks.*
- *By December 2024, the County will consider a tiered reduced fee for affordable housing projects, with the priority (e.g., for greater fee reduction for dedication of land for and construction of onsite public recreation facilities, and as a second priority for a greater percentage of affordable units) and the creation of further incentives for the inclusion of onsite recreational facilities.*
- *By 2026, adopt the Countywide Recreation Master Plan that identifies needs and goals for recreational facilities across the county and identifies incentives to encourage the inclusion of public recreational opportunities within future housing developments.*

We feel that these limited target changes make clear the County's priorities are focused on public recreation, which, of course, benefits both new and existing residents who are impacted by such developments. We believe that it is essential for the County to send a clear message about the importance of public recreation to the development community. We also note that changes to the introductory text regarding land availability are nothing but a statement of fact in many communities. For example, in the Eastern Goleta Valley within the Second Supervisorial District, the San Marcos Agricultural Area and South Patterson Agricultural Area represent probably the only readily available land for public recreation development. Failure to include significant public recreation within these areas will leave surrounding park-deprived neighborhoods with all the impacts of new development and none of the benefits. Finally, we also note that no matter how important the Recreation Master Plan is, most key Housing Element decisions will be made well in advance of its final adoption. To affect Housing Element sites and programs, public recreational improvements and funding need to be addressed on Housing Element Programs and at the rezone stage.

Reductions in Required Open Space: Housing Element Program 1 recommends consideration of reductions in required open space as an incentive for affordable housing. As discussed above, such required open space has been key to establishing multiple County open space areas, 25 miles of trails and at least 4 public parks. Therefore, any reductions in required open space must carefully balance its potential for use as public recreation and as an incentive for affordable housing, particularly in park-deprived neighborhoods such as the San Marcos Agricultural Area in the Second Supervisorial District. We note that the Glen Annie Golf Course concept site plan sets aside very substantial areas of that site for public parks, recreation and trails, even while providing substantial amounts of affordable housing. Recognizing the importance of both affordable housing and public parks, recreation and trails, we recommend the addition of the following language to Program 22 (or Program 1 if determined more appropriate):

- *By July 2026, revise the development standards, particularly within the DR Zone District, to prioritize potential reductions in open space first as a priority as an incentive for the provision of public recreation on appropriate sites (e.g., in neighborhoods deficient in accessible public*

parks, open space or trails) and as a second priority to provide further incentives for the provision of affordable housing. In the interim, the County and developers shall coordinate to strongly encourage any proposed reductions in open space for the provision of onsite public recreational facilities as part of all proposed rezones or development projects on sites larger than 2 acres through the County's Development Plan permit process.

We hope that given the importance of open space within planned residential developments for the provision of public recreation, this modification recognizes the need to balance these two important priorities.

On the issue of securing enforceable dedication of land for public recreation, the rezones would appear to be the County's last major discretionary act for particular sites, with the Board's discretion being very limited after that. For example, while we support the concepts set forth in the Glen Annie Golf Course proposal for a mix of public recreation and open space with housing, at what point will the County acquire the land and how will this be enforced if not at the rezone stage? The same would apply for other sites where public recreation is appropriate and desired. This may be an issue as the County has typically had major discretionary permits for past development to facilitate land dedication. Still, we understand that will no longer be the case for most Housing Element projects. For the Orcutt Community Plan land dedications, the Office of County Counsel drafted binding legal agreements for land dedication for property owners/ developers to enter into with the County. It would be helpful to be assured by staff or Counsel that a mechanism or secure process is in place for such dedications prior to the Board's actions on rezones.

Update of the Parks, Recreation and Trails Maps: The County's Parks, Recreation and Trails Maps (PRT Maps) are a primary County tool for planning for new public recreation. Yet, the Housing Element is silent on this crucial planning tool while planning significant housing growth, including on many sites that have not had review since the 1980 Comprehensive Plan (e.g., western Santa Barbara, Vandenberg Village) or which have never been planned for urban uses and recreation due to agricultural zoning. During most past community plans, the update of the PRT Maps was often a major focus and an item of great interest to the community because of potential beneficial effects to neighborhoods bordering such development.

Fortunately, the County still has time to address this oversight and also has detailed information to support and provide guidance to County decision-makers and advisory committees on PRT Map updates. In late summer of 2023, County Park's Recreation Master Plan consulting firm submitted the ***Santa Barbara County Recreation Master Plan, A Vision for Potential Public Parks and Trails*** (also known as the Flagship Project Report). This initial 31-page report is a sneak peek at the Master Plan. It previews 24 conceptual parks and trail projects in each Supervisorial District throughout the County, including new neighborhood, community, and regional parks, trails, and other amenities. Details on improvements include general location, conceptual site plans, potential facilities, potential access, access, potential service population, potential acquisition techniques, and incentives. Potential improvements range from major new community parks potentially developed in concert with the cities, regional trails, campgrounds and smaller urban parks. The report also provides background details on how the County typically acquires, funds and develops parks and other relevant information. Many of these recommended improvements overlap with planned Housing Element sites, and as such, the report would provide a very detailed evidentiary basis for amending and updating the County

PRT Maps concurrent with planned rezones. In fact, more detail is available within this report than that supporting past PRT Map updates.

The Board could request that County Parks release this report and bring the matter to the County's two recreation advisory bodies, the *County Parks Commission* and *County Riding and Hiking Trails Advisory Committee*, to consider recommendations to the Planning Commission and Board of Supervisors. In this way, the Board could ensure at least basic public recreational planning accompanied the largest planned housing growth in the County in the last 25 years.

We thank the Board for considering our comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Mark Wilkinson", with a stylized flourish at the end.

Mark Wilkinson
Executive Director
mwilkinson@sbtrails.org