



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: May 16, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Lisa Plowman, Director (805) 934-6559
Director
Contact Info: Travis Seawards, Deputy Director

SUBJECT: Report on Case No. 23EMP-00003: Botanic Garden Bridge Repair Emergency Permit, 1212 Mission Canyon Road, Mission Canyon Community Plan area, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Receive and file this report on Emergency Permit Case No. 23EMP-00003, approved by the Director of Planning & Development on March 1, 2023, which authorized the replacement of components of an existing bridge over Mission Dam; and,
- b) Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines Section 15378(b)(5) as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

Summary Text:

Section 35.82.090 of the Land Use and Development Code (LUDC) authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of the LUDC and issue an Emergency Permit when an emergency action is warranted. In this instance, the January 2023 storm event washed away the bridge railing and walking surface of an existing bridge over

Mission Dam at the Santa Barbara Botanic Garden, creating dangerous emergency conditions for Botanic Garden guests and staff.

The Emergency Permit was issued on March 1, 2023. The permit allowed the replacement of components of an existing bridge over Mission Dam, including decking, handrails, and safety cables. The wood decking was integrally reinforced with steel. All work was conducted in conformance with the recommendations of Archaeologist Mike Imwalle as outlined in his letter, dated February 25, 2023, including use of lime cement. All work was completed per the specifications outlined in the structural calculations and drawings prepared by Van Sande Structural Consultants, Inc., dated January 23, 2023.

Pursuant to LUDC Section 35.82.090.E.1, a notice was mailed to the surrounding property owners. Additionally, three notice placards were placed on the subject property. Public comment by phone, email, and mail was accepted up until the date of the decision for the Emergency Permit project. P&D did not receive any public comment regarding the issuance of the Emergency Permit.

Pursuant to the LUDC Section 35.82.090.F, an Emergency Permit does not constitute an entitlement to erect permanent structures, and an application for the applicable planning permit must be submitted within 30 days following the granting of the Emergency Permit. A Substantial Conformity Determination and a Land Use Permit are required in order to permit the work described in the Emergency Permit. The applicant submitted an application for a Substantial Conformity Determination and Land Use Permit on March 9, 2023, which are being processed under Case Numbers 23SCD-00008 and 23LUP-00075.

Issuance of the Emergency Permit was consistent with the LUDC, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare. The Department granted the Emergency Permit based on a statutory exemption (CEQA Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by the damage to the bridge across Mission Dam. A copy of the CEQA Exemption is included herein as Attachment 2.

Pursuant to LUDC Section 35.82.090.I, the Director of P&D is required to report in writing to the Board of Supervisors the nature of the emergency and the work involved. This report satisfies that requirement.

Background:

The January 2023 storm event washed away the bridge railing and walking surface of the existing bridge across Mission Dam, creating a safety hazard for Botanic Garden guests and staff. The Emergency Permit application was accepted for processing on March 1, 2023. The applicant hired Van Sande Structural Consultants, Inc. to prepare structural drawings and calculations for the necessary repairs to the bridge. Archaeologist Mike Imwalle conducted a site visit and reviewed the plans to evaluate potential impacts to historic and cultural resources. In his letter dated February 25, 2023, Archaeologist Mike Imwalle provided recommendations for the project, including the use of lime cement, and concluded that there would be no adverse impacts to historic and cultural resources if the recommendations were followed. The Emergency Permit was issued on March 1, 2023. Repairs to the bridge occurred between March 1, 2023 and March 10, 2023. The repairs included replacement of the bridge decking, handrails, and safety cables. The wood decking was integrally reinforced with steel. No grading or tree removal was required. The application materials for the follow-up Substantial Conformity Determination and Land Use Permit were accepted for processing on March 9, 2023.

Fiscal and Facilities Impacts:

County staff costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-adopted fee ordinance. The estimated total cost to process this Emergency Permit is approximately 20 staff hours, which equates to \$5,060.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on page D-387 of the County of Santa Barbara Fiscal Year (FY) 2022-23 adopted budget. Future permitting costs associated with this project will be borne completely by the applicant.

Attachments:

1. Emergency Permit 23EMP-00003
2. CEQA Notice of Exemption - Section 15378(b)(5)
3. CEQA Notice of Exemption - Section 15269(c)

Authored by:

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