



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: January 24, 2023
Placement: Departmental
Estimated Time: 1 hour, 15 Minutes on
January 24, 2023
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Planning and Development
Lisa Plowman, Director, (805) 568-2086
Contact Info: Travis Seawards, Deputy Director, (805) 568-2518
SUBJECT: **Hearing to Consider the Historic Landmarks Advisory Commission's Designation of Rocky Nook Park as a County Historic Landmark, First Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence:

N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors consider taking one of the following sets of actions:

- a) Approve the designation by and confirm the action of the Historic Landmarks Advisory Commission and the conditions to be imposed and adopt a resolution with conditions, designating Rocky Nook Park located at 610 Mission Canyon Road, Santa Barbara, CA 93105 as a County Historic Landmark, and determine that the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15308;
- b) Modify the designation by the Historic Landmarks Advisory Commission by modifying and adopting the resolution with conditions to be imposed designating Rocky Nook Park located at 610 Mission Canyon Road, Santa Barbara, CA 93105 as a County Historic Landmark, and determine that the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15308; or
- c) Disapprove the designation of the Historic Landmarks Advisory Commission designating Rocky Nook Park located at 610 Mission Canyon Road, Santa Barbara, CA 93105 as a County Historic Landmark and the conditions to be imposed, and determine that the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15270.

Summary Text:

On November 14, 2022, the County's Historic Landmarks Advisory Commission (HLAC) adopted a resolution (Attachment 4) conferring landmark status on Rocky Nook Park. HLAC found that Rocky Nook Park meets the eligibility requirements for a County Historic Landmark as described in County Code Chapter 18A, Section 18A-3, and is worthy of protection. Rocky Nook Park is located at 610 Mission Canyon Road, Santa Barbara, California, in the First Supervisorial District and is identified as Assessor Parcel Numbers 023-240-001 and 023-280-007. Assessor Parcel Number 023-240-002, owned by the City of Santa Barbara and leased to the County for park uses, is not designated as part of the landmark.

HLAC Resolution No. 2022-1 will expire 90 days after it was adopted by HLAC unless the Board passes a resolution designating the property a County Historic Landmark. Section 18A-2 of the County Code states: "... Such designation as a landmark shall remain and be in effect for a period of ninety days only and thereafter shall be of no force and effect, unless prior to the expiration of such period of ninety days the Board of Supervisors shall have set a date for a public hearing . . . and either at such public hearing or after such public hearing, and within such ninety-day period shall have confirmed the action of the Historic Landmarks Advisory Commission." Section 18A-5 of the County Code grants the Board of Supervisors discretion to approve, modify or disapprove the designation by HLAC and the conditions to be imposed (conditions are included within Attachments 1 and 4).

The ninety-day period for HLAC Resolution No. 2022-1 ends on February 12, 2023. Therefore, the Board must take action to confirm the action of HLAC on or before February 12, 2023, or the designation will expire. The Board Resolution and CEQA Notice of Exemption confirming the action of the HLAC are included as Attachments 1 and 2, respectively. The HLAC resolution is included as Attachment 4, and the nomination for designation of Rocky Nook Park as a historic landmark is included as Attachment 5.

The HLAC Resolution and the draft Board Resolution is conditioned to allow normal maintenance and repair without HLAC review, but do not exempt all capital improvement or safety projects altogether from the conditions of the resolution (see Section 2.b. of the resolutions). The resolutions discuss preserving certain specific features, including the curvilinear roadway, "to the extent feasible". The resolutions state that the conditions shall not be imposed in such a way as to infringe upon the right of the owners of Rocky Nook Park to make any and all reasonable use of the property and maintain the park for recreational use that is not in conflict with County Code Chapter 18A. The resolutions also exempt certain features from the conditions, including the Play Area, Group Picnic Area, Restrooms and ADA compliant pathway that links them, unless expanded, the storage sheds and trash enclosure, unless moved or expanded, and other listed features. The resolutions state that the six specimen Eucalyptus trees found on the original park parcel and located on the accompanying site plan are character defining features of the Landmark and alterations to the landscaping should preserve such trees to the extent feasible and consistent with public safety.

The County of Santa Barbara Community Services Department, Parks Division (CSD-Parks) and the County of Santa Barbara Public Works Department Transportation Division (Public Works) have both reviewed the request to designate Rocky Nook Park as a Historic Landmark. Public Works would be supportive if the HLAC Resolution included language that considers elements adjacent to or along Mission Canyon Road corridor that are impacted by maintenance, capital improvement, or safety projects as being exempt from the conditions of the HLAC Resolution. CSD-Parks would be supportive if the HLAC Resolution included language that considers CSD-Parks maintenance, capital improvement, or safety projects as being exempt from the conditions of the HLAC Resolution. The HLAC Resolution does

not include language to exempt all of these elements, therefore, Public Works and CSD-Parks do not support the designation.

Background:

Rocky Nook Park was initially nominated for historic landmark status by Francesca Galt, a member of the public, in 2016. After several meetings considering the nomination continuing into 2019, HLAC did not take formal action on the nomination. In 2022, the HLAC Chair initiated a nomination of Rocky Nook Park for designation of a landmark, relying on the prior application and information submitted by Ms. Galt (Attachment 5). At the HLAC meeting of November 14, 2022, HLAC considered the documentation provided by Ms. Galt regarding the property's historical significance and adopted the resolution (8 to 0) approving the designation of Rocky Nook Park as a Historic Landmark and imposing certain conditions. In addition, HLAC determined that this action is exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines [Actions by Regulatory Agencies for the Protection of the Environment], which allows for "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment."

The following analysis of Rocky Nook Park is included in the HLAC resolution, included as Attachment 4 to this Board Agenda Letter.

The Commission finds that Rocky Nook Park is historically significant because:

It exemplifies and reflects special elements of the County's cultural, social, aesthetic, and natural history, and its location along Santa Barbara's primary riparian corridor, with year-round water, epitomizes the natural resources upon which Indigenous Chumash, Spanish missionaries, and early European settlers depended. The site's settlement by the Olivers in 1881 reflects a wave of well-educated affluent easterners who came to Santa Barbara County in the late 1800s, and like the Olivers were attracted by the healthful climate and scenic area and contributed to the community's horticultural reputation; and

It is identified with persons and events significant in local, state or national history, including owners George S. J. Oliver and Frances Dabney Oliver, and Supervisor Sam Stanwood and Carolyn Stanwood, artist Fernand Lungren, and other notable Santa Barbarans who helped purchase the property to gift it to Santa Barbara County; and

It contributes to the significance of a historic area, being a geographically definable area possessing a concentration of historic, prehistoric, archaeological, and scenic properties which contribute to each other and are unified aesthetically by physical development, including the Santa Barbara Mission, the Mission waterworks, the Museum of Natural History, Rockwood, Glendessary, Mission Creek Bridge, and the Oliver water trough, all embedded in an area characterized by sandstone masonry, natural boulders, oak woodland, riparian habitat, and a rural road system; and

It is a location with unique physical characteristics and is a view vista representing an established and familiar visual feature of the neighborhood, community, and the County of Santa Barbara, and the Park's dramatic historic debris flows of sandstone boulders studded with

native California trees has long served to demark the entry into Mission Canyon and a transition from the urban to the rural; and

It reflects significant geographical patterns, including those associated with different eras of settlement and growth, and changing transportation modes, and is a distinctive example of park and community planning; and

It exemplifies the lifestyle and legacy of well-educated affluent easterners who settled in Santa Barbara County in the late 1800s, those who established Mission Canyon as a secluded area of rural residences and artist's studios, the nationwide parks movement, and California's and Santa Barbara's appreciation of native plants and naturalistic landscapes.

CSD-Parks does not support the requested designation of Rocky Nook Park as a Historic Landmark. CSD-Parks first discussed designation with an HLAC subcommittee in 2017 and the item was presented to the County Park Commission by the HLAC Chair in June, 2017. The Park Commission voted 3-1 to oppose the designation. CSD-Parks staff again met with an HLAC subcommittee several times during the summer of 2022 to discuss the potential designation and communicated the department's continued objection in writing and verbally at the September 12, 2022, HLAC meeting. Rocky Nook Park is a heavily used public park with public hiking trails, restrooms, popular group picnic areas, several small BBQ areas and a children's playground. These features all require routine maintenance, while the trees and playground area in the park require regular safety assessments and maintenance to reduce playground risks, manage tree health, and reduce wild fire fuels. Necessary maintenance activities are already constrained by the Mission Creek riparian setback, bird nesting season, raptor nesting season, property deed restrictions, and proximity to residential neighbors. CSD-Parks believes that the proposed designation would only further constrain CSD-Parks ability to provide needed maintenance in a park where there's very little room. It should be noted that there are no plans to make significant changes to the existing facilities at Rocky Nook Park.

The County of Santa Barbara Public Works Department Transportation Division (Public Works) worked with the HLAC subcommittee over the summer to draft language that would be acceptable to Public Works that would allow necessary work along Mission Canyon to proceed. The Department submitted a letter supporting the designation if the draft language was included. Specifically, Public Works supported adding the following exemption from conditions to the HLAC resolution as Section 2.d.5): "Elements adjacent to or along Mission Canyon Road corridor that are impacted by maintenance, capital improvement, or safety projects." The resolution HLAC adopted does not include this language, therefore, Public Works objects to the formal designation of Rocky Nook Park as a historic landmark as well.

Fiscal and Facilities Impacts:

Budgeted: Yes.

Fiscal Analysis:

Staff time to process the historic landmark designation and supporting documents is estimated to be 20 hours and is budgeted in the Planning and Development Permitting Budget Program on page 387 of the adopted 2022-2023 fiscal year budget.

Special Instructions:

The Planning and Development Department will complete all noticing requirements. A minute order of the hearing and a certified Board of Supervisor's Resolution shall be forwarded to the Planning and Development Department, Hearing Support, Attention: Jonathan Martin, for recording at the County Recorder's Office.

In addition, authorize the Clerk of the Board of Supervisors to mail a copy of the executed resolution to:

County of Santa Barbara, Community Services, Parks Division
123 E. Anapamu Street
Santa Barbara, CA 93101

County of Santa Barbara, Public Works Division
123 E. Anapamu Street
Santa Barbara, CA 93101

Jonathan Martin, Secretary
Historic Landmarks Advisory Commission
123 E. Anapamu Street
Santa Barbara, CA 93101

Anne Rierson, Senior Deputy County Counsel
Office of County Counsel
105 E. Anapamu Street, Suite 101
Santa Barbara, CA 93101

Attachments:

1. Draft Board of Supervisors Resolution
2. Notice of CEQA Exemption for Approval of Designation
3. Notice of CEQA Exemption for Disapproval of Designation
4. HLAC Resolution 2022-1
5. Nomination of Designation of Historic Landmark

Authored by:

Kevin De Los Santos, Planner, Development Review Division, P&D, (805) 884-8051

cc:

County of Santa Barbara, Community Services, Parks Division
County of Santa Barbara, Public Works
Keith Coffman-Grey, Chair, Historic Landmarks Advisory Commission