



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 and  
Development  
Department No.: 053  
For Agenda Of: September 2, 2008  
Placement: Administrative  
Estimated Time: 2 Hours on 9/16/08  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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TO: Board of Supervisors

FROM: Department John Baker, Planning & Development, 568-2000  
Director(s) John McInnes, Office of Long Range Planning, 568-3552  
Contact Info: Derek Johnson, Deputy Director, 568-2072

SUBJECT: **Draft Mission Canyon Community Plan Initiation**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors set a hearing for September 16, 2008 to consider initiating environmental review for the draft Mission Canyon Community Plan, Residential Design Guidelines, and Land Use and Development Code amendments.

Staff recommends that the Board of Supervisors:

1. Adopt a Resolution to initiate environmental review for the Draft Mission Canyon Community Plan, Residential Design Guidelines, and Land Use and Development Code Amendments, as specified in Attachment A.

**Summary Text:** This Mission Canyon Community Plan is a funded project in the 2008-2009 Annual Work Program. Staff is requesting that the Board of Supervisors consider and initiate environmental review for the draft Mission Canyon Community Plan (Community Plan), Residential Design Guidelines, and Land Use and Development Code amendments.

## **Background:**

### **1.0 Plan Area Background**

Mission Canyon is a 1,178 acre area of unincorporated land adjacent to the City of Santa Barbara. The current land use planning document for this area is the Mission Canyon Area Specific Plan adopted by County ordinance and City of Santa Barbara resolution in 1984. The City of Santa Barbara's adoption of the Specific Plan stems from the City's provision of contract sewer service to lower Mission Canyon.

A Joint Powers Agreement between the County and City of Santa Barbara specifies that the provision of sewer service was contingent upon the preparation and adoption of a joint City-County Specific Plan. Further, the Joint Powers Agreement states that any amendment to the Specific Plan must be approved by both the County and City. Since the Mission Canyon Community Plan would replace the 1984 Specific Plan, an amendment to the Joint Powers Agreement will be necessary when the Board of Supervisors considers adoption of the Mission Canyon Community Plan.

Since the adoption of the Specific Plan, new issues have emerged for this community including traffic, circulation and parking, illegal units, stormwater runoff and erosion, and fire hazards. Other concerns include visual and neighborhood impacts from increasingly larger new and remodeled homes. In July 2006, the Board of Supervisors directed an update to the 1984 Mission Canyon Specific Plan and the preparation of Residential Design Guidelines. Although the current project was initiated as an update to the 1984 Specific Plan, Staff and the Mission Canyon Planning Advisory Committee (MCPAC) agreed early in the process to convert the Specific Plan into a Community Plan to follow the County's established Community Plan policy framework with area goals, policies, development standards, and action items.

### **2.0 Public Process**

#### **A. Mission Canyon Planning Advisory Committee (MCPAC)**

Following the Board of Supervisors direction in July 2006, the County recruited and approved a nine (9) member Mission Canyon Planning Advisory Committee (MCPAC). Every property owner and resident in Mission Canyon was notified about the project initiation and invited to sign up on an email and/or postcard notification list. Once on the list, the interested parties were notified of every meeting, workshop, and hearing.

The draft Community Plan and Residential Design Guidelines were prepared over a period of 18 months with four public workshops, 23 MCPAC meetings and 31 MCPAC sub-committee meetings. The draft Design Guidelines were reviewed at two hearings with the South Board of Architectural Review, two hearings before the Historic Landmarks Advisory Commission, and one hearing with the City of Santa Barbara's Single Family Design Board.

On May 7, 2008, the MCPAC approved a resolution (Attachment B) recommending the County Planning Commission and Board of Supervisors initiate environmental review for the draft Community Plan, Residential Design Guidelines and Land Use and Development Code Amendments.

## **B. City of Santa Barbara Review Process and Project Participation**

As noted above, the City of Santa Barbara has approval authority over updates to the Mission Canyon Specific Plan. Since the inception of this project, City of Santa Barbara staff has participated in coordination meetings and City staff has been notified of all public workshop and Mission Canyon Planning Advisory Committee (MCPAC) meetings. On February 15, 2008 an Administrative Draft of the Community Plan was sent to City staff for review and comment. City staff comments were taken into consideration by staff and incorporated into both documents where appropriate.

## **C. County and City Planning Commission Recommendations**

County Planning Commission: On June 4, 2008, the draft Community Plan, Residential Design Guidelines, and Land Use and Development Code (LUDC) amendments were reviewed by the County Planning Commission. The Planning Commission unanimously recommended that the Board of Supervisors initiate environmental review of the documents (Attachment C). Two minor changes were recommended at the hearing as follows:

1. Retain the limited LUDC exception under Section 35.42.230.D.1 that would allow a Residential Second Unit in the Mission Canyon Special Problem Area if the conditions under D.1 are met, summarized as:

- The project application involves two contiguous legal lots under one ownership and at least one lot is vacant;
- The owner has submitted an offer to dedicate a Covenant of Easement over the vacant lot as long as the RSU is maintained on the developed lot; and
- The vacant lot is deemed residentially developable.

Staff has incorporated the Planning Commission's recommended change in the proposed LUDC amendments.

2. The Planning Commission also noted an inconsistency between use of the terms "Exterior Lighting" and "Outdoor Lighting" and requested that the Community Plan and Residential Design Guidelines use the same terminology. Staff has revised the Residential Design Guidelines incorporating the term "Outdoor Lighting" where appropriate.

City of Santa Barbara Planning Commission: On July 10, 2008, the draft Community Plan, Residential Design Guidelines and Land Use and Development Code amendments were reviewed by the City of Santa Barbara Planning Commission. At this hearing, City staff outlined their major issues and comments on the draft plan and guidelines for the Commission's consideration. The City Planning Commission provided valuable and insightful comments regarding policy issues important to both the City and County. The City Planning Commission voted unanimously to recommend initiation of the Specific Plan amendments and have their comments forwarded to the County Board of Supervisors.

Because the City Planning Commission will not be approving the draft minutes from this hearing until September 4, 2008, their comments are not attached to this staff report, but will be forwarded to the Board of Supervisors in a letter before the September 16<sup>th</sup> hearing date.

Summary of Changes Recommended by Staff: Attachment D includes a list of minor text revisions recommended by Staff for inclusion in the draft Community Plan project description. The minor changes to the draft Community Plan, Design Guidelines, and LUDC are intended to add clarity to proposed development standards, and reflect input from County and City of Santa Barbara Planning Commissions, and City of Santa Barbara Community Development Department staff. Staff recommends that these changes be incorporated in the Board of Supervisors' motion to initiate environmental review for the project.

#### **D. Tribal Consultation**

Consistent with Government Code §65352.3, the County invited the Santa Ynez Band of Chumash Indians and the Coastal Band of the Chumash Nation to consult regarding the Mission Canyon Specific Plan update. The County also requested a standard record search for cultural resources in the plan area. The Santa Ynez Band of Chumash Indians and the Coastal Band of the Chumash Nation did not respond to the consultation invitation and a follow up letter was sent to both entities noting that the opportunity to consult expired but encouraging comments throughout the adoption processes as members of the public.

### **3.0 Project Description**

The project involves the following elements:

1. Mission Canyon Community Plan. The Mission Canyon Community Plan is intended to direct all aspects of preservation and development, including both policy and regulatory elements used in evaluating future development projects. The Community Plan will replace the 1984 Mission Canyon Area Specific Plan, and contains goals, policies, development standards and actions intended to regulate and guide future development and improvements (Attachment E).
2. Mission Canyon Residential Design Guidelines. The Mission Canyon Residential Design Guidelines are intended to provide reasonable, practical and objective guidance to assist homeowners, developers and designers when designing a new or remodeled home. The Design Guidelines provide the tools needed for staff and the County's South Board of Architectural Review to properly evaluate development proposals within Mission Canyon (Attachment F).
3. Land Use and Development Code Amendments. The proposed amendments to the Land Use and Development Code would implement the applicable policies, development standards and action items from the Mission Canyon Community Plan (Attachment G).

### 3.1 Mission Canyon Community Plan

This section summarizes the key policy issues that are addressed in greater detail in the Community Plan. The standards have been crafted to address recurrent problems and issues which, up to now, have been handled on a case-by-case basis with mixed outcomes.

#### A. Land Use

The 1984 Mission Canyon Specific Plan was effectively a growth management plan designed to guide future development within limited resource and infrastructure constraints. The proposed Community Plan builds upon this original policy framework and narrative by focusing on new goals, policies and development standards which reflect the community’s desire to preserve neighborhood character, enhance fire safe practices, plan for post disaster recovery, balance fuel management and sensitive biological resources, improve parking, pedestrian and bicyclist circulation, and guide the quality of newly built or remodeled structures within Mission Canyon. Land use and zoning changes were considered, but, no land use or zoning designation changes are proposed in the Community Plan.

#### Buildout Summary

Staff conducted a buildout analysis for the planning area based on existing land use designations. Two scenarios were drafted for this analysis: total potential additional units, and total potential additional units excluding additional development potential on parcels sloped 30% or greater. The second buildout scenario which excludes additional units on slopes greater than 30% is a more realistic estimate of potential buildout in Mission Canyon given the costs associated with such development and potential conflicts with Comprehensive Plan policies. The summary information is presented in Table 1 below.

Table 1 – Mission Canyon Buildout Summary

No. of Parcels	Vacant Parcels	Existing Units	Potential Additional Units Excluding 30% or greater slopes	Total Units at Buildout
1,141	129	1,012	157	1,169

#### Residential Second Units

Prior to 2003, residential second dwelling units (i.e. “Granny Units” in the 1984 Specific Plan) were not permitted in Mission Canyon as long as the area was still designated a Special Problem Area. In 2003, the Land Use and Development Code (LUDC) was amended to permit residential second units in designated Special Problem Areas if the Director of Planning & Development makes a series of rigorous findings as provided in the LUDC (Section 35.42.230.D). Theoretically, 170 residential second units could be built in Mission Canyon based on existing zoning and parcel size, but not accounting for limiting factors such as slope and wastewater. More people and residential density in Mission Canyon would likely result in significant evacuation challenges when a wildfire should occur. Therefore, the Community Plan Land Use Section includes Policy LU-MC-2 which prohibits new residential second units in Mission Canyon. Action LU-MC-1.1 amends the Land Use and Development Code to implement Policy LU-MC-2. This prohibition is consistent with the City of Santa Barbara’s zoning code, which prohibits secondary dwelling units in High Fire Hazard Areas (as defined in the City’s Fire Master Plan).

## **B. Fire Protection/Hazards**

One of the significant challenges of the Plan is how to mitigate fire hazards associated with fuel loading and limited emergency access within an established community that developed prior to current building safety standards.

*Action FIRE-MC-1.1* directs the County of Santa Barbara to consider a feasibility study to develop a Wildland Fire Benefit Assessment District to fund additional fire prevention services. The additional services may include improvement of evacuation routes, defensible space inspection and assistance, on-street parking turn-outs and additional fire hydrants where needed, and comprehensive vegetation management programs. In addition, *DevStd FIRE-MC-2.3* requires projects reviewed by the Special Problem Area Committee to provide half width road frontage improvements to meet current Fire Department Standards on all private roads.

## **C. Post-Disaster Recovery and Reconstruction**

A literature survey of areas stricken by natural disasters (wildfire, earthquake, floods, etc.) has shown that few communities take advantage of the opportunity to address the land use and development patterns that may have contributed or exacerbated the extent of physical damage. Recovery and rebuilding after a widespread disaster often creates a tension between the desire for a quick return to the status quo (often with unsafe development patterns and construction techniques) against the opportunity to use post-disaster reconstruction to create a community that is more resistant to a future recurrence and severity of damage. Mission Canyon is a designated Very High and High Fire Hazard Severity Zone in which State and County land use, development, and building code regulations govern the wildland-urban interface area.

The MCPAC and community members have strongly recommended that the County adopt policies and take action to plan for post-disaster recovery and reconstruction to balance the desire for rapid recovery and maintain and enhance the community's aesthetic qualities and create a safer community better able to resist future disasters. In response, this section of the Community Plan proposes to establish a plan to facilitate post-disaster reconstruction with the goal of providing a vision for decision makers and a framework within which decisions will be made after a disaster strikes (*Action PDR-MC-1.1*). The Plan also includes a policy to recover public rights-of-way (ROW), particularly along key ingress and egress routes, in order to improve emergency access as well as improve pedestrian and bicyclist circulation (*Policy PDR-MC-2*).

## **D. Circulation and Parking**

Many of the roadways and driveways serving Mission Canyon were built prior to current roadway and access standards. Over time, incremental encroachment of landscaping, walls, fences, and utilities within the actual ROW has further constrained travel lane widths. Especially problematic are the narrow, winding, and often steep roadways in the upper canyon north of Foothill Road. Access to these areas is further constrained by on-street parking.

The Community Plan will amend and update the area's Circulation Element by applying the definitions, roadway designations, and capacity standards that have been used in all other Community Plans; however, the level of service (LOS) standards for Mission Canyon have been modified to be consistent with the area's semi-rural character. In addition to the proposed Circulation Element amendments, the Community Plan a) establishes LOS B as the minimally acceptable level of service on County roadway segments and intersections in Mission Canyon (*Policy CIRC-MC-6*), b) amends the LUDC to increase the required parking spaces per dwelling unit in the R-1/E-1 zone districts from 2 to 3 spaces (*Action CIRC-MC-3.5*), and c) directs Planning & Development, Public Works, and County Fire Department to develop a residential parking strategy for areas where traffic flow is constrained due to on-street parking and narrow streets (*Action CIRC-MC-3.2*). This action item is a new project funded in the Office of Long Range Planning's 2008-09 Work Program. The project is anticipated to begin in April 2009.

#### **E. Wastewater**

Prior to providing public sewer service in Mission Canyon, the area had a long history of problems related to the use of septic systems for onsite wastewater treatment and disposal. These problems result from a combination of unfavorable soil and subsoil characteristics, steep slopes, relatively dense residential development in some areas, and a lack of routine septic system maintenance by individual homeowners. The Board of Supervisors designated Mission Canyon as a Special Problem Area in 1978 due in part to problems related to the use of septic systems.

The Community Plan seeks to address long-term wastewater treatment needs by a) requiring two disposal fields to be built for each new septic system with an additional third expansion area set aside where no development can occur (*DevStd WW-MC-1.2*), b) establishing a mandatory septic system inspection program (*Action WW-MC-1.8*), and c) developing a Wastewater Management Plan for Mission Canyon to define areas where septic systems may continue to be feasible and define areas where extending public sewer service and infrastructure may be appropriate and feasible (*Action WW-MC-1.10*).

#### **F. Biological Resources**

Mission Canyon contains created landscapes, such as those in residential neighborhoods and the Santa Barbara Botanic Garden, and areas of significant native habitat and sensitive resources. One of the key policy issues for Mission Canyon is how to continue to balance the protection of sensitive habitat with the need to carry out state mandated vegetation clearance requirements applicable to both new and existing development within High and Very High Fire Hazard Severity Zones.

Biological Resources policies and development standards for Environmentally Sensitive Habitat (ESH) were developed with a focus on how to avoid disturbing the sensitive habitat and buffer areas associated with new development (*DevStd BIO-MC-1.6 – 1.12*). Policy BIO-MC-2 and development standards BIO-MC-2.1 – 2.2 were developed to address current and future fuel management procedures in ESH and ESH buffer areas. Because state mandated defensible space and fuel management techniques are likely to change over time, the area-wide approach in this Community Plan is to adhere to fuel management practices specified in the California Fire Code, County of Santa Barbara Fire Code, and Mission Canyon Community Wildfire Protection Plan (pending), which will allow flexibility if the standards change and are crafted to achieve the balance between protecting the resource and maintaining

defensible space. As more residents comply with the minimum 100 feet of defensible space clearance requirements, the end result throughout the Canyon will be a more park-like appearance with thinning of dense vegetation, well spaced trees and shrubs, and trees limbed and dead materials removed.

## **G. Visual and Aesthetic Resources**

The Mission Canyon Planning Advisory Committee and members of the public have expressed their desire to preserve the charm and neighborhood character of Mission Canyon. This section of the Plan contains several new directives to preserve and enhance visual resources.

The *Mission Canyon Scenic Corridor* is designated on lots adjacent to Mission Canyon Road from Rocky Nook Park to Foothill Road (Community Plan - Figure 25, Page 125) to recognize and preserve the special character, history and scenic appeal of the gateway entrance to Mission Canyon. The Scenic Corridor is characterized, in part, by the siting of attractive homes set well back from Mission Canyon Road. These elements provide an appealing viewshed and should be preserved and protected under this designation.

Phase I of the Scenic Corridor program (*Policy VIS-MC-3*) includes adopting new LUDC standards to address setbacks, detached accessory structures, and fences, gateposts and walls. The South Board of Architectural Review and the Historic Landmarks Advisory Commission will have review authority, not approval authority, for projects within the Scenic Corridor to ensure that both scenic and historic perspectives of the corridor are addressed during project review. Phase II for the Scenic Corridor (*Action VIS-MC-2.2*) will include design and implementation of a streetscape plan including coordination with the City of Santa Barbara and Santa Barbara Museum of Natural History to improve pedestrian access, a signage and landscaping plan, and pursuit of a utility undergrounding program.

### **3.2 Mission Canyon Residential Design Guidelines**

Mission Canyon is a unique residential community in a setting that is not patterned after a typical urban or suburban subdivision. The Residential Design Guidelines are intended to provide guidance to homeowners, developers, designers, and the South Board of Architectural Review to preserve the characteristics that residents have come to value, while also allowing for flexibility in design of new and remodeled homes that reflect an eclectic tradition. The full text of the proposed Residential Design Guidelines is provided in Attachment F.

#### Applicability

The 1984 Mission Canyon Specific Plan implemented the application of the (D) Design Control Overlay to all of the planning area except the parcels zoned recreation; thus, the South Board of Architectural Review (SBAR) reviews and approves all new structures, including additions, with exceptions to design review approval as identified in the County's LUDC. The Residential Design Guidelines will now provide a tool for the SBAR to properly evaluate design proposals that contribute to community design objectives.

### **3.3 Land Use and Development Code Amendments**



The LUDC amendments are required to implement policies, development standards, and action items in the proposed Community Plan. The full text of the proposed LUDC amendments is provided in Attachment G. Following is a summary of the key amendments.

**A. 35.28.210 Community Plan Overlay**

**Mission Canyon Scenic Corridor Development Standards**

Proposed new zoning requirements for the scenic corridor include:

- Increase front setback from 50 feet to 80 feet from road centerline;
- Preserve and restore original stone walls and gateposts;
- New fences and walls in front setback shall not exceed 3.5 feet and shall be constructed of natural materials (no new chain link fences);
- Historic Landmarks Advisory Commission shall review Land Use Permits.

**B. 35.20.040 Exemptions from Planning Permit Requirements**

The proposed amendment would require a Land Use Permit and Design Review for the replacement or restoration of a conforming structure damaged or destroyed by a disaster, even if it is in the same general footprint location and does not exceed the original size by more than 10% or 250 square feet, whichever is less.

**C. 35.101.020 Nonconforming Uses of Land and Structures**

Allows for modifications to non-conforming uses of “historic structures” that are not yet declared landmarks provided the Historic Landmark Advisory Commission reviews and approves.

**D. 35.101.030 Nonconforming Structures**

In addition to 35.101.020 above, this section allows damaged or destroyed non-conforming structures to be reconstructed in the same or lesser size and in the same general footprint location.

**E. 35.28.111 Environmentally Sensitive Habitat Area-Mission Canyon (ESH-MC) Overlay**

This section of the LUDC provides guidance for determining a) whether the overlay zone applies to a given piece of property, b) a process for delineating the precise ESH boundary during the review of an application for development, c) allowances for vegetation fuel management for existing and new development in ESH areas, d) a list of development activities in ESH areas that would trigger a Land Use Permit, and e) findings required for project approval.

**Performance Measure:**

New land use policies and zoning ordinance amendments proposed in the Community Plan reflect the community’s desire to preserve neighborhood character, enhance fire safe practices, plan for post disaster recovery, balance fuel management and sensitive biological resources, improve parking,

pedestrian and bicyclist circulation, and guide the quality of newly built or remodeled structures within Mission Canyon. The Plan emphasizes public safety and includes several action items to reduce existing fire hazard constraints within the planning area.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund	\$ 103,344		
State			
Federal			
Fees			
Other:			
<b>Total</b>	<b>\$ 103,344</b>	<b>\$ -</b>	<b>\$ -</b>

**Staffing Impacts:**

**Legal Positions:**  
 N/A

**FTEs:**  
 N/A

**Special Instructions:**

Clerk of the Board shall post legal notice in the Santa Barbara News Press at least 10 calendar days before the hearing

**Attachments:**

- A. Board of Supervisors Resolution initiating environmental review for the draft Mission Canyon Community Plan
- B. Resolution – Mission Canyon Planning Advisory Committee (MCPAC)
- C. County of Santa Barbara Planning Commission action letter and Resolution # 08-03
- D. Summary of Changes Recommended by Staff
- E. Draft Mission Canyon Community Plan
- F. Mission Canyon Residential Design Guidelines
- G. Land Use and Development Code amendments

**Authored by:**

Derek Johnson, Deputy Director, 568-2072

**cc:**

OLRP Chron file