

Brianda Negrete

Public Comment

#3



From: Mary Ellen Brooks <
Sent: Sunday, February 12, 2023 9:57 AM
To: sbcob
Subject: Fwd: here ya go please send in/
Attachments: CPA cover letter for HEU 23.pdf

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----- Forwarded message -----

From: Mary Ellen Brooks <
Date: Fri, Feb 10, 2023 at 4:59 PM
Subject: Fwd: here ya go please send in/
To: <

----- Forwarded message -----

Dear Staff: I sent the attached letters to the HE Update e-mail address before the Friday 5 p.m. deadline. I went online to check the agenda for the BOS meeting today (2/12) and only see a few letters on there so far. Please post these letters from CPA. Thank you. Marell Brooks, CPA President. (please shoot me a quick e-mail response so I know you received the attached.)
Date: Fri, Feb 10, 2023 at 4:44 PM
Subject: here ya go please send in/
To: Mary Ellen Brooks <



Citizens Planning Association

February 10, 2023

TO: Santa Barbara County Board of Supervisors
FROM: Citizens Planning Association

Re: Input regarding Housing Element Update Policies and Programs

Dear Supervisors:

Citizens Planning Association has been following the Housing Element process since the very beginning. You may read our original letter regarding the RHNA numbers allotment in the attachment.

CPA believes the Policies and Programs are connected to the rezones of agricultural lands. In fact, the rezones are the basis of Program #1. However, we will make the following observations about the Policies and Programs:

Beginning in mid-2021 CPA has submitted several letters to your Board, the County CEO and SBCAG urging the implementation of meaningful community engagement on the development of the Housing Element Update- including the development of policies and programs. We have attached those letters for your consideration and for inclusion in the official record. In addition, we submitted comments and questions at the scoping meeting in August 2022, and in November 2022, at the meeting at which staff discussed the proposed rezone sites. We have not received any response to those questions, and we do not know if others have.

The policies and programs are all connected to the massive rezone of ag largely concentrated in a one-mile radius along and around Hollister Avenue in the Eastern Goleta Valley planning area, in addition to proposed rezones at Glen Annie, and in the Toro Canyon Planning area.

The policies/programs must incorporate robust community engagement in the communities that will literally be transformed by elimination of all urban ag and the introduction of thousands of housing units and accompanying impacts.

Policies in the Housing Element Update need to integrate existing policies within

community plans- eg policies on ag conversion, mixed use in commercial zones, etc.

Policies need to take proactive measures to maintain existing housing stock e.g. crack down on vacation/short term rentals— prior to allowing more units that just become vacation rentals.

Program 5 #3 states: *Providing Board-approved discretionary reductions of development impact fees for projects with demonstrated public benefits, including the provision of on-site affordable and/or special needs housing.* In the absence of development impact fees, we encourage your Board to identify options to backfill those fees, and/or work with the State legislators to insure that the impacts for which the fees exist- roads, infrastructure, schools, libraries- receive the resources needed.

Sincerely,

Marell Brooks, President



2021-2023 Letters to County officials and others re the

County of Santa Barbara Housing Element

1. [July 9, 2021](#) Letter to SBCAG members re allocation formula/impac
2. [May 13, 2022](#) Letter to County CEO Miyasato re need for community engagement
3. [September 8, 2022](#) Letter re Scoping-with detailed requests/comments
4. [January 2023](#) CPA newsletter to members



July 9, 2021

To: Santa Barbara County Association of Governments (SBCAG)

RE: July 15, 2021 Regional Housing Needs Allocation [RHNA] Public Hearing and Adoption

Dear Chair Sierra and Honorable SBCAG Board of Directors:

Citizens Planning Association (CPA) understands and is sympathetic to the goals of RHNA/Housing Element to increase the supply of housing in proximity to jobs. However, we are alarmed at the numbers allocated to the South Coast, as well as the disproportionate allocation among South Coast jurisdictions.

For examples, the increase in jobs in the City of Goleta did not increase proportionately the proposed RHNA allocation there, but it disproportionately impacts the unincorporated Eastern Goleta Valley and other unincorporated South Coast areas where jobs have NOT increased. In addition, policies dedicated to preservation of agricultural land in the unincorporated area are a longstanding goal of LAFCO, as well as most General and community plans, and these policies would appear to be threatened by the allocations.

Also: what appears to be an increasing demand for housing for UCSB students and staff must be a priority of the University itself, through local jurisdictions' insistence on adherence to UC's Long Range Development Plan.

<https://www.independent.com/2021/06/30/as-ucsb-grows-it-falls-way-behind-on-building-housing/>

CPA has commented on or been involved in the development of community plans and related policies within the County of Santa Barbara for decades. We are concerned that longstanding plans and policies, whether on the Gaviota Coast, Toro Canyon, Montecito or Eastern Goleta Valley (EGV), could be radically undone in a manner that does not truly result in housing that will be affordable and accessible to the people who need it.

In April of this year, CPA invited County P&D Deputy Director Dan Klemann and City of SB Principal Planner Dan Gullett to speak to our members and others interested regarding the proposed RHNA numbers. Despite the many committee

meetings cited in your staff report, most members of the public were largely unaware of the numbers being recommended. It does not appear that any meetings, even virtual meetings, were held within the communities being targeted with the disproportionately high numbers. Many members, including those of us who are more engaged than the average person on planning issues, were surprised to learn of the disproportionately high and almost unfathomable numbers proposed for the South Coast.

Mr. Gullett represented that the high number of units allocated to the City of Santa Barbara would likely be achieved via new building standards, ADUs, and incentives for affordable housing.

Comments by Mr. Klemann raised concerns in response to questions about where the 4142 units allocated to the unincorporated South Coast might be placed. Mr. Klemann indicated that County staff, in preparing the housing element, was likely to recommend using urban agriculture in the EGV to achieve much of the number.

He added that conversations were already underway with property owners in the Patterson Ag Block (an area of prime soils) who wished to convert their Ag operations to housing. He added that Urban Ag in the unincorporated Carpinteria area would likely remain Ag because the landowners there are making sufficient profits from cannabis sales and are investing in “new greenhouses”. Mr. Klemann also mentioned plans to increase the number of units on some of the housing opportunity sites identified in the EGV plan adopted in 2015 [MTD and Tatum].

CPA is very concerned that major planning decisions or desires seem to have influenced the allocation of RHNA numbers based on private meetings with developers/land-owners focused on their profit margin, without benefit of public scrutiny and transparency. The RHNA and Housing Element processes must not be used as a pretext, or shield for developers wishing to circumvent existing policies, or for staff to avoid the need to engage the community on Community Plan issues.

The draft allocation calls for almost 2,500 units of moderate/above moderate housing in the unincorporated south coast alone. It is difficult to fathom where those high cost units—likely in the Coastal zone, whether the Gaviota Coast, EGV, or Montecito— might be placed other than with a complete disregard for the Community Plan and Ag conversion policies. Despite these concerns, SB County Planning leadership submitted its own letter to the SBCAG Board in December, enthusiastically supporting the allocations, with no mention of potential implications for long range planning

<http://meetings.sbcag.org/Meetings/SBCAG/2020/12%20Dec/Public%20comment%20letter%20FINAL%20SBCAG%20RHNA%20LETTER%2012.15.20.pdf> .

We ask that you take these concerns and implications into consideration going forward. If there are to be no more SBCAG hearings on this issue, then we assume the venue for discussions would be at the individual jurisdiction level. We urge the elected representatives in those jurisdictions most heavily impacted to take these concerns seriously and to direct staff to begin to engage the communities likely to be most impacted by these numbers.

Marell Brooks
President
Citizens Planning Association
916 Anacapa Street
Santa Barbara, CA 93101

One attachment



County Housing Element Update

September 8, 2022

TO: Jessica Steele/Staff

RE: County Housing Element Update

Scoping Comments

Dear Staff: CPA has written several letters to County Planning and BOS over the past year urging public information and outreach by County Planning, as the plan to site over 5000 units in the unincorporated County, over 4000 in South County alone, was underway with what we perceive as little to no public engagement. Individuals familiar with the HEU process in the past shared with us that the County would not be preparing the HEU in the usual way but would instead pursue a “programmatic EIR” [PEIR] for the entire County. The Notice of Preparation [NOP] of the PEIR was posted in the News-Press in late July. None of us who were on the mailing list for the HEU were notified. When we went to the website, none of the documents were there.

After CPA pointed out that the Notice of Preparation document had NOT been posted, P&D agreed to re-post the document and delay the scoping meeting, which several of our members attended.

These are our comments:

PROCESS & FORM OF ENVIRONMENTAL REVIEW:

1. CPA would like to reiterate our concern with the overall process and form of the HEU update. The public, including CPA, has not been provided with the actual PROJECT that will be studied. We read a statement: **5,664** units of housing will be built (according to SBCAG based on State RHNA) This massive amount of development would have tremendous impact upon the unincorporated area, with disproportionate impact on the South Coast which is expected to absorb 73%.or 4,142 units of housing. Yet we are not told the specifics about how staff intends to site those units.
2. The absence of site-specific information, which, we have been told, staff possesses and a consultant has been working on, renders this process an exercise akin to finding one's way in the dark. CPA members have heard about a "site map", yet staff indicated during the scoping meeting that it would not be released until AFTER the deadline for scoping comments. That does not make sense.
3. Pg 1 of the Scoping document includes a statement that

"This environmental scoping document provides a preliminary review of the potential environmental impacts associated with the proposed HEU"

However, that makes no sense and is not accurate because the scoping document does NOT contain a program description of the proposed HEU. It contains generalized statements about potential impacts to the various categories typically studied in an EIR. The scoping document makes repeated references to the "EIR"; however staff seem to already to have made up their minds and embarked on a PEIR.

For the above reasons, we believe a Programmatic EIR (PEIR) is NOT the appropriate environmental document upon which an adequate study can be based. The public is entitled to see the siting map and to comment specifically on what should be studied at the various sites. It appears clear that the County long ago made a decision to pick the properties to be rezoned to meet the staggering number, supporting the disproportionate allocations during the SBCAG/RHNA process, and then solicited input from developers and property owners, all outside of the view of

the public. This seems contrary to the CEQA Guideline Section 15151 cited on Pg 6 of the scoping document, “...[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences”. . However, that is not possible if a determination has been made in advance to prepare only a programmatic EIR, and not do site specific review.

4. All of the topics identified in the Scoping Document are of tremendous concern to CPA. We are particularly concerned about the following:

- **Agriculture**– potential for conversion of agricultural lands; certain community plans, including the EGV plan, contain specific processes and thresholds to be met before conversion of ag lands is undertaken, including a determination of community benefit [as with any rezone]. Please study the different impacts Ag conversion would have upon the different community plan areas. We also suggest LAFCO participation as their primary job is to support the preservation of Ag land in our County.
- **Air quality/GHG Emission:** Please study the impacts of increasingly placing dense housing next to freeways. If claims are made that GHG will be lessened by adding over 4000 to the South Coast, please cite specifics about how that projection is made. Do not lose sight of environmental justice issues as this process continues.
- **Biological Resources:** Please be specific about the location of potential impacts to ESH in all forms, and all community plan areas [and NON-community plan areas]
- **Energy:** Please identify the sources of fulfilling the increased energy demands that would result from adding these units to the various geographic areas.
- **Hydrology:** Similar to above, please cite the sources of groundwater supply that would be utilized.
- **Land Use:** Please review policy consistency in each specific region of the county to be impacted, and explain how to reconcile the project with other

elements (e.g. open space, agriculture, etc)

- **Public Services:** Please discuss the source of funding for the increased public services demand that would result from the project, including schools, libraries, parks, fire and police protection. In particular, when subsidized/affordable housing is built, and does not produce property taxes or school/special district fees, how will those gaps in funding be filled.
- **Transportation:** increased traffic, bicycle/pedestrian/vehicle conflicts, and congested roads are already a feature in much of the south coast. What strategies would be implemented to mitigate the inevitable impacts of adding more housing/people to these areas? PG 10 of the scoping document contains a statement that “new housing on the south coast offers the potential to partially address long distance commuting from Ventura and north county with some possible benefits to VMT reduction”. (As a Lompoc area resident, I continue to see hundreds of cars carrying commuters down Hwy 1 as there are still few good paying jobs in the Lompoc Valley). Please provide the source of such data and how that would be quantified. CPA questions staff’s assertion that the people who now carpool from Ventura or North County would be the ones able to move into these housing units. This conclusion or rationalization goes against the experience of the city of Santa Barbara’s AUD program which added multiple units only to find the cost of both rental and purchase housing escalated. What steps will be taken to limit the astronomical purchase or rental prices so these current commuters will be able to afford these new housing units?
- **Utilities and Water Supply:** There are several aquifers in the North County especially that are in over draft now. The Governor’s office recently made the statement that we will lose 10% of our current water sources before 2035 due to climate change. In regards to utilities, as I type this letter, the State is under warning of rolling blackouts during this prolonged heat wave. All these climate change factors must be considered.
- **Wildfire:** The scoping document states “*The proposed HEU could introduce housing in vulnerable areas such as the WUI and increase housing densities in some places that could create new vulnerable*

populations. The proposed HEU would increase residential uses that may require defensible space and other fire resiliency techniques

Given the history of devastating wildfires in the County, please explain a decision to add structures and people to these areas that already experience evacuation challenges. Where and what criteria would staff use to make such a decision?

- **Hazards and hazardous materials:** SB County residents have been very vocal in their concern about drilling and oil transportation, especially in the No. County. Most new housing should be in-fill or in commercial zoning where transportation of fuel and other dangerous materials will not jeopardize the safety of our residents. (Example being considered right now of trucking from Sentinel through unincorporated neighborhoods north of the city of Lompoc)
- **Cumulative impacts:** An EIR for the entire County should highlight cumulative negative impacts. Jumping to a PEIR will not allow a closer public analysis of community impacts, removing public input when projects are brought forward by developers. This puts the public at a disadvantage in the planning process which undermines decades of policies based on strong public participation.
- **Aesthetics and Visual Resources:** Each of the local community plans contain listings and policies regarding visual resources highly valued by the individual community's residents. These policies must be considered in environmental review.

Alternatives: Alternatives must be studied and must include discussion/consideration of possibly balancing the allocation of 73% of the units assigned to the unincorporated area to the South Coast, with more equitable redistribution of at least a portion of that within the entire unincorporated county. The County should also look at what strategies other jurisdictions throughout the State are developing in face of these state mandates which seem to disregard the fact that market forces will prevent the creation of adequate affordable housing in coastal communities up and down the State.

Other Issues:

Short term rentals and “homestays” and second or third homes take up a significant amount of housing stock already. Please describe programs and tools by which the County can better enforce the existing STR ordinance, and consider amending the ordinance to further restrict these vacation homes, especially before new housing units are allocated.

During the last public session, it was mentioned that during the past 8 years under the existing HE, many approved housing project sites were never built. We urge staff to look at what was built in that time period and what was not built. (An example from the City of Lompoc: they still have approx. 800 approved units that have not been built to include the Burton Ranch development of over 400 units.) Most developers don't want to build what could be affordable housing as it is not in their best financial interest. How will the County change this scenario?

Thank you for the opportunity to comment on the scope of the EIR. CPA appreciates the work of staff in this process but we urge staff to follow a process that strongly considers public input. Lastly, we read the notice in the Santa Maria Times on September 7th asking for public comment on the scope of an EIR, not a PEIR. Nowhere in this notice is a PEIR mentioned. This almost seems disingenuous. We suggest no PEIR be considered until after the project map is published, shared with the public, and discussed in public hearings.

Respectfully submitted,

Marell Brooks, President, Citizens Planning Association

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CPA Promotes Transparency and Community Involvement

May 13, 2022

Dear Chair Hartmann and CEO Miyasato:

The Board of Directors of Citizens Planning Association wish to express urgency and concerns about the absence of transparency and community engagement in the 2023 Housing Element Update project. We have raised our concerns on several occasions with Director Plowman. We have stressed that genuine community engagement and outreach in this RHNA cycle is particularly crucial, especially given the disproportionate housing unit numbers allocated by SBCAG to the South Coast. SBCAG allocated a staggering 73% of the County's RHNA numbers to the South Coast unincorporated area. The implications and social and environmental impacts of such disproportionate allocation were never studied.

It has been our hope, since first learning of this allocation almost a year ago, that a robust outreach and engagement process would lead to an informed understanding of such an imbalance. Sadly, that has not taken place, and instead, we fear that the vast majority of South County residents will learn of the County's plans with little or no opportunity to truly engage in the process.

In the past several weeks, we have watched as nearby jurisdictions, the City of Santa Barbara, City of Goleta, and other County cities, have conducted and advertised numerous workshops and held public hearings about their RHNA processes.

Yet, the County, as recently as today, May 12, 2022, has failed to hold any public meetings, virtual or otherwise, on the RHNA process and cycle and the implications for the unincorporated communities it will impact. The County's RHNA update website contains NO pertinent documents, such as the existing Housing Element or links to community plans, or documents that staff might have developed.

Instead, the County created and circulated a "survey" that purports to be a method of receiving "input". Besides being very poorly designed, the survey is biased and designed to limit the type of input or perspective that many residents might want to express about the RHNA process and implications. One question inquires about "health hazards"; another asks "if you plan to move" and offers a limited number of reasons focused solely on problems with current housing market.

There are NO questions that elicit informed responses about possible impacts of adding 4,000+ units to the South Coast, e.g., water supply, traffic, etc. There is no context provided to explain

the origins of RHNA, how the numbers were decided, how many properties that were rezoned in the last Housing Element update have not yet been built, etc.

Most recently, on May 11, a video was released by P&D. It is a five minute “explanation” of the RHNA process. Many of the statements in the video are either biased or inaccurate. It basically faults the County for not previously providing housing “for everybody”. It does not mention factors, such as community plans, ESHA, coastal policies, and other issues that contribute to the numbers, and cost of South Coast housing, such as desirability of the coast. Most shockingly, the video asks viewers to email Planning staff to suggest sites for rezone, with the young planner stating “we need help to identify potential sites” [for rezone].

The survey and video do not constitute outreach or engagement and are not designed to elicit informed, robust consideration of how thousands of new units might be sited in a way that conforms to existing community plans and coastal policies. Instead, they are each skewed to support a narrative that County planners first expressed in a letter to SBCAG members in December 2020 urging support for the disproportionate allocations. CPA expressed concerns about that letter and your pending decision at SBCAG in our July 2021 letter to SBCAG Board members.

CPA urges you to hold a public hearing as soon as possible to direct staff to engage the public in a robust engagement process regarding the Housing Element Update. The public must be notified as soon as possible about County Planning staff’s intention for distribution of the housing units it supported for the South Coast.

Sincerely,

Marell Brooks, President
Citizens Planning Association

<https://www.countyofsb.org/160/Planning-Development>



CPA REPORTS — January 9, 2023

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California's local governments meet this requirement by adopting housing plans as part of their "general plan" (also required by the state). These are "blueprints" for how the jurisdiction will grow and develop - for more information, click [here](#); these must be updated regularly, made more onerous, we recognize, with changing State laws. CPA has been tracking both the County and Santa Barbara City processes.

CPA has sent the following op-ed letter to local media, sharing our concerns about the Santa Barbara County planning processes:

Citizens Planning Association has advocated for transparent community planning since its founding in 1960. CPA has followed the Housing Element Update process. Since early 2001, CPA has expressed concern to various county officials about the absence of transparency or community engagement, starting with the proposed disproportionate allocation of housing units being recommended by staff to SBCAG. While we greatly appreciate the efforts of local reporters to raise awareness about the flaws and consequences of the County's failure, Citizens Planning Association would like to point out a couple of facts that are missing.

While the state of California issues the overall number of units and approved the methodology, it is local government officials, including all five County supervisors and mayors from each City, who ultimately vote on the regional distribution. Remarkably, SBCAG and all members, except Mayor Clark from Carpinteria, voted to support the lopsided allocation of 73% of the units to the South Coast.

In our July 2021 letter to SBCAG, we pointed out: *"It is difficult to fathom where those high cost units, likely in the Coastal zone, whether on the Gaviota Coast, in Eastern Goleta Valley or in Montecito, might be placed other than with a complete*

disregard for the Community Plan and the Agriculture Conversion policies.” Alas, that has proven to be the case.

CPA has also expressed repeated concerns, by letter and in person at our monthly Zoom meetings where elected and appointed officials were invited to explain the HEU process. We urged them at these sessions to be more transparent and not formulate these plans seemingly behind closed doors.

CPA and the public are baffled that the County staff spent over a year with consultants and property owners deciding which parcels to recommend for extremely high density increases, with no input from the public along the way and then wait until mid-November to release the map of proposed rezones. How and when was the decision made and approved to rely on rezones alone? Why choose to prepare a Programmatic EIR for these potentially huge projects? Such decisions are usually vetted in public.

Staff holding private meetings with developers and property owners about decisions that impact the entire community is the antithesis of the purpose of CEQA and thoughtful land use planning. Such closed door decision making flies in the face of the tradition of transparency that characterized decades of the County Long Range planning projects. CPA raised this concern at a Board of Supervisors meeting in early December, and requested all records of private meetings and communications about the Housing Element between County officials and developers/property owners. We have received some troubling public records in response, that have only heightened our concerns.

Further, the BOS met TWICE in Closed Session in December regarding the Housing Element, only posting “significant exposure to civil litigation” as the explanation- even though the source of that threat was not identified. It is our understanding that the “Builder’s remedy” threat is actually the result of legislation - not litigation.

To propose complete evisceration of years of community planning and protection of agriculture on the South Coast has predictably resulted in an outcry from the impacted communities. Now the public is being told that not meeting the February deadline means the State will give developers ‘by right’ ability to develop anywhere without environmental review.

Surely, the Planning Director and the Board of Supervisors had to be aware of the timeline and the consequences of not meeting that timeline.

Community plans and Ag. protection policies in the unincorporated Eastern Goleta Valley and Carpinteria/Toro Canyon areas were achieved through careful and lengthy community plan processes, including Coastal Commission review. These two communities will be most impacted by the suggested rezones. Why is there no consideration for the number of ADUs, second units and commercial property rezones included? Why is there NO consideration of upzoning or mixed use zoning in the unincorporated areas of Montecito or Summerland?

These and other questions must be addressed publicly by the BOS as soon as possible. CPA has requested a public hearing at the BOS to get answers to our many questions and to understand why the deadline will not be met.

CPA has included links below to the three letters we sent to request transparency during the Housing Element update process.

Marell Brooks, President, Citizens Planning Association

1. On September 8, 2022 CPA submitted a comment letter to County Planning during the scoping phase of the HEU:

<https://www.citizensplanning.org/county-housing-element-update>

2. On May 13, 2022 Letter to BOS and CEO Miyasato re: lack of transparency and community engagement in the Housing Element Process:

<https://www.citizensplanning.org/cpa-promotes-transparency-and-community-involvement>

3. On July 9, 2021 CPA sent a letter to SBCAG, in advance of their final vote on allocation of housing units. We raised several concerns about the process and staff recommendations for disproportionate allocation of the state mandates:

<https://www.citizensplanning.org/cpa-asks-sbcag-to-justify-high-south-coast-housing-numbers-in-face-of-high-fire-zoning/>