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PLANNING & PERMITTING
SERVICES, INC.

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COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

Santa Barbara LAFCO
c/o Mr. Paul Hood
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101

Subject: LAFCO #15-05

**Santa Barbara Museum of Natural History Reorganization
Assessor Parcels 23-250-039, 23-250-066, and 23-250-068**

Dear Commissioners:

Our office represents the Santa Barbara Museum of Natural History (the Museum) and we are writing to provide information related to your consideration of the subject Reorganization, annexation to the City of Santa Barbara, and detachment from the Mission Canyon Lighting District, County Service Area 12, County Service Area 32, and the County Fire Protection District.

The Museum is located on a 15.43-acre property that is bifurcated by the City/County jurisdictional boundary. The Museum's building complex is located in the eastern portion of the property, has been subject to City of Santa Barbara jurisdiction since 1968, and operates under a City-approved Conditional Use Permit (CUP), the first of which was approved in 1989.

The application before you involves Assessor Parcels 23-250-039, 23-250-066, and 23-250-068, constituting two legal parcels with a total land area of approximately 5.58 acres (sometimes referred to as the "Western Parcels"). These parcels are located westerly of the Museum building complex in the unincorporated area of Santa Barbara County, but have been within the City of Santa Barbara's *Sphere of Influence* for many years. No County CUP has been issued for these parcels. According to State law, a *Sphere of Influence* is defined as a "plan for the probable physical boundaries and service area of a local agency, as determined by the commission." The subject parcels are already served by the City's municipal water and sanitary sewer facilities. Annexation to the City of this remaining portion of the Museum property has been planned and anticipated by the City and County of Santa Barbara for decades.

Background

In 2007, the Museum commenced preparation of a campus Master Plan that included an updating of its CUP. These efforts included public outreach and discussions with the City. Annexation of the Western Parcels to the City of Santa Barbara was part of the Museum's plans from the outset. While the physical components proposed under the Campus Master Plan went through several iterations, annexation was always a priority under the Master Plan and was consistently proposed throughout the process.

It is cumbersome and inefficient to have a jurisdictional boundary bifurcate a property that is owned by a non-profit organization which operates under a Conditional Use Permit. Annexation of this remaining piece of Museum-owned property from the County to the City is required in order to bring all the Museum property under one jurisdictional authority and all its operations under a single CUP. The Western Parcels have been used for many years by the public and Museum visitors for passive recreational and educational activities (e.g. trail use, bird watching, nature walks and Museum educational activities). Bringing all these uses under a single CUP will formalize these activities and provide for their efficient management.

In addition to the uses described above, there is an existing single family residence that will remain on one of the parcels proposed for annexation. The subject parcels currently have a County zone designation of 20-R-1 (residential use, 20,000 square-foot minimum lot size). Most of the City-zoned properties that surround the Western Parcels, including the balance of the Museum site, have an E-1 zone designation (residential with a 15,000 SF minimum lot size). Typically, when properties are annexed into a jurisdiction, the annexing city will designate a zone district that is closest to the existing County zone district and is the same as adjacent City-zoned parcels. City staff considered the existing City designations to be functionally equivalent to those of the County, and recommended E-1 zoning and a General Plan designation of Low Density Residential for the property to be annexed.

The Campus Master Plan, updated Conditional Use Permit, and related Zoning Map and General Plan Amendment were approved by Santa Barbara City Council in 2015. At the same time, the City approved submittal of a petition to LAFCO to annex the Western Parcels into the City. The CUP approved by the City provides that the CUP will apply to the Western Parcels upon LAFCO's approval of annexation. The CUP limits use of the Western Parcels to an existing single-family residence, public access, and Museum educational activities. Tax exchange negotiations between the City and County were mutually agreed upon and approved by the Santa Barbara County Board of Supervisors and Santa Barbara City Council on April 5, 2016 and April 19, 2016, respectively. Approval of the proposed Reorganization is the final discretionary action that will bring the Western Parcels into the Museum's Campus Master Plan and updated Conditional Use Permit.

CEQA

In processing the Master Plan, City staff determined that the Master Plan and its component parts (CUP, Zoning Map Amendment, General Plan Amendment, and annexation) were exempt from CEQA review and filed Notices of Exemption reflecting this determination.

Your staff has correctly determined that the annexation is exempt from review under the California Environmental Quality Act. We have provided below a summary of the reasons supporting this determination:

- The annexation is exempt under CEQA Guidelines Section 15319, which addresses existing facilities and lots for CEQA-exempt facilities. APNs 023-250-66 and 023-250-69 constitute one legal parcel, together are 4.95 acres in size, and currently developed with one single family residence. APN 023-250-39, which is .63 acres in size, is vacant; under either City or County regulations, only a single family residence (exempt from CEQA review) could ever be developed on a parcel of this size. Both parcels are already provided utility services by the City.
- The annexation is also exempt under CEQA Guideline section 15061 (b)(3). The annexation will not create any significant environmental impacts. The CEQA baseline for the annexation is the current conditions that are occurring on the site. The Museum has owned the subject parcels for decades, during which time they have continuously been used for one single family residential use, educational purposes, and public access. These activities currently take place, and are the only activities that are permitted for these parcels under the City-approved CUP that will take effect upon annexation. No significant facilities are proposed to be added to the parcels. CUP conditions of approval insure that any environmental impacts will either be maintained at current levels or reduced. Approval of the annexation will not result in any new significant impacts.
- There are no cumulative effects associated with similar projects in the same place. There are no further Annexations of this particular type that have occurred or will occur in the same place over time.
- Finally, there are no unusual circumstances associated with this annexation. Santa Barbara and the Mission Canyon area have been home to many structures and uses for over a century; the Museum has operated on its site since 1922. The three APNs (two legal parcels) that are the subject of the annexation will continue to be used after annexation in the same manner as they have been used for many years. Conditions of approval under the approved City CUP require that public access be maintained and that environmental resources on the parcels be protected and enhanced. There is no reasonable possibility that the annexation will have a significant effect on the environment.

Consistency with LAFCO Policies and Standards

The proposed Reorganization is consistent with all the applicable LAFCO policies and standards as set forth in the Policy & Guideline Section of the LAFCO Commissioner Handbook. While the majority of policies and standards do not apply to the subject Reorganization except in the most general manner, several are particularly relevant; we have provided excerpts of these below (emphasis is added to applicable language -- see **bold text**):

LAFCO Powers and Duties

Policies Encouraging Orderly Formation and Development of Agencies

- *Policy I.1*
Any proposal for a change or [sic] organization or reorganization shall contain sufficient information to determine that adequate services, facilities, and improvements can be provided and financed by the agencies responsible for the provision of such services, facilities, and improvements.

Consistency Response: The subject property is currently served with City of Santa Barbara municipal water and sanitary sewer services which are adequate for current uses. The City and County have long anticipated this annexation and have recently negotiated and come to a mutual agreement about the tax exchange and finances resulting from the reorganization.

- *Policy I.3.*
*Reorganization of overlapping and competing agencies or the correction of illogical boundaries dividing agency service areas is recommended. **The Commission encourages reorganizations, consolidations, mergers, or dissolutions where the result will be better service, reduced cost, and/or more efficient and visible administration or services to the citizens.***

Consistency Response: It is more efficient to bring the balance of the Museum's land holdings into the City, given that the subject property is already served with City water and sewer. Further, the subject parcels are contiguous to, and associated with, the Museum's building complex which is located within the boundaries of the City and operates under a City Conditional Use Permit. Having a single CUP regulating the property will simplify administration, procedures and services.

Sphere of Influence Policies

- *Policy II*
A sphere of influence establishes the probable ultimate physical boundaries and service area of each governmental agency within the county. Once adopted, these spheres of influence are to be used by the Commission as one factor in making a decision on proposal over which it has jurisdiction and as a basis for recommendations on governmental reorganization. A proposal shall not be approved solely because the area falls within the sphere of influence of an agency.

Consistency Response: Many years ago when the subject property was placed into the City's Sphere of Influence, a Reorganization of boundary was considered to be appropriate and was supported by the governing bodies. The location of the subject parcels, their quasi-public use, common Museum ownership, and requirement to operate under a Conditional Use Permit provide compelling reasons to approve this Reorganization of boundary and bring all of the Museum's property into the City's jurisdiction.

Policies Encouraging Consistency with Spheres of Influence

- *Policy III. 1.*
All proposals approved by the Commission shall be consistent with adopted spheres of influence and Commission policies. Within the sphere of influence each agency should implement an orderly, phased annexation program.

Consistency Response: The Western Parcels are within the City of Santa Barbara's Sphere of Influence and the proposed Reorganization is consistent with Commission policies as described herein.

- *Policy III.2.*

Already developed unincorporated lands located within the established sphere of influence boundary of a city and which benefit from municipal services provided by such City should be annexed to that city. Vacant land in the same position should be annexed prior to development LAFCO recognizes that costs for serving some developed unincorporated areas, when studied independently, may even exceed revenues. In other cases, revenues will exceed service costs. To the fullest extent possible, cities should develop programs that propose annexation of several areas which if combined together, achieve a net balance in city costs and revenues.

Consistency Response: One of the subject parcels is developed with a single family residence and the other parcel is vacant. The developed parcel benefits from municipal services.

Standards for Annexations to Cities

This section of the LAFCO Guidelines sets forth factors to consider when annexations are proposed. Because City services are already available to the subject parcels, only one of these factors appears applicable in this case, and it is a factor considered favorable:

- *Standard VI.4.*

Proposal is consistent with adopted spheres of influence and adopted general plans.

Consistency Response: The subject Reorganization is consistent with the City of Santa Barbara's adopted Sphere of Influence and General Plan as evidenced by the City Council's adoption of a City Resolution on August 11, 2015 initiating proceedings for the subject reorganization of boundaries, annexation to the City and detachment from service districts.

Conclusion

The proposed Reorganization is fully consistent with the intent of all applicable LAFCO policies and standards. The annexation of these Museum parcels into the City completes an action which was anticipated when LAFCO placed the property into the City's Sphere of Influence and municipal services were extended to serve the subject parcels. Annexation will also achieve an important goal and priority of the property owner, a non-profit community institution operating under a CUP, which is to simplify and consolidate the regulatory authority to which it is subject and to have all Museum operations regulated by a single CUP. The City CUP that will be applicable to the Western Parcels upon annexation limits use of the annexed parcels to those low-intensity uses that are currently taking place there.

LAFCO's approval of this application is the last discretionary action to fully implement the Museum's project following a series of approvals from the City Historic Landmarks Commission, City Planning Commission, and City Council. Approval of the Master Plan has been strongly supported by the City of Santa Barbara and a broad range of community members and organizations. Consistent with these previous approvals and for all the reasons set forth above, we respectfully request your approval of the proposed Reorganization, annexation to the City of Santa Barbara and detachment from the Mission Canyon Lighting District, County Service Area 12, County Service Area 32, and the County Fire Protection District.

Sincerely,

SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.



Suzanne Elledge
Principal Planner