



City of Santa Barbara
Planning Division

PLANNING COMMISSION

MEETING OF SEPTEMBER 19, 2013

PUBLIC CORRESPONDENCE:

SAFETY ELEMENT

DISTRIBUTED TO: DATE: 9/19
PLANNING COMMISSION (7)
SR. PLANNER, ASST. CITY ATTY.
CASE PLANNER APPLICANT(S)
AGENT PC SEC, ENTERED AS INT NA
PARTY ON DATE:
BY: [Signature]

Goo, Kathleen

From: Joe Rution [joerution@cox.net]
Sent: Wednesday, September 18, 2013 10:12 AM
To: Community Development PC Secretary
Cc: Tony Fischer; Catherine McCammon; Cheri Rae; Devore Family; Dianne Channing; Florence Hu; Jean Holmes; Joe Guzzardi; Joe Rution; John & Susan Napier; Judy Orias; Lisa Burns; Mac Bakewell; Paul Hernadi; Roseanne Boardman; Steve Dunn; Steve Keller
Subject: General Plan Safety Element (9/19/13 agenda)

TO: Santa Barbara Planning Commission

FROM: Allied Neighborhoods Association

RE: Proposed Safety Element Update

DATE: September 18, 2013

Dear Commissioners:

Allied Neighborhoods Association expresses concern that the proposed Safety Element does not adequately address apparently very valid concerns raised by the California Coastal Commission (letter dated June 26, 2013). It is obvious to us that it is in the interest of the City that our Plan's policies accord with those of the Coastal Commission to the greatest degree possible.

An example of the concerns cited by the Commission is a provision in the "Goals, Policies and Implementation" section of the proposed Plan, "Coastal Bluff Development", policy S24, "Structural Set-Back from the Bluff Edge for Slope Stability" (page 60, last sentence), which reads.

"Modifications to the prescribed setback calculation methodology and setbacks may be approved by the City to reflect site-specific geological conditions".

This provision potentially negates the safety standards (specified as "important") by allowing for approval of modifications without specific criteria, and without prescribing a method for requesting or granting waivers and deviations from the standards of safety and protection of coastal resources prescribed elsewhere in the Element.

In addition to the CCC letter, the staff report to the Planning Commission includes a letter from Dall & Associates dated June 6, 2013 which may help in understanding the concerns about lack of clarity in the document.

To reiterate a request submitted previously with respect to implementation of the newly revised General Plan: Given the scope of the Plan and the inter-related nature of its subject matter and various provisions, it is very difficult for one to ascertain applicability of all relevant provisions to a specific case or situation. It is hoped that Staff will undertake some effort to somehow index or cross-reference the various provisions of the Plan to facilitate both its "user-friendliness" and the chances for fullest compliance.

Goo, Kathleen

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BY: [Signature]

From: Martinez, Mia A
Sent: Wednesday, September 18, 2013 3:37 PM
To: Goo, Kathleen
Subject: PC MEETING PUBLIC COMMENT FW: Proposed Safety Element

Importance: High

-----Original Message-----

From: McCammon [mailto:mccammon@cox.net]
Sent: Wednesday, September 18, 2013 3:04 PM
To: Community Development PC Secretary
Subject: Proposed Safety Element

TO: Santa Barbara Planning Commission
RE: Proposed Safety Element Update

The La Mesa Neighborhood Association (LMNA) concurs with the concerns sent to you by the Allied Neighborhoods Association because we have so many properties in our area that are affected by bluff top development. We need stronger policies and not weaker ones to protect our precious Mesa resources. There are a number of projects in the pipeline so we need these protections sooner rather than later.

We also concur with their request that there be something done about cross-referencing the various provisions of the General Plan to make it more user friendly. We get many requests from our members about how to find policies that apply to different projects.

Sincerely,

Cathie McCammon, Co-President of LMNA

By Electronic Mail

**PLANNING COMMISSION MEETING
SEPTEMBER 19, 2013
ITEM IV, SAFETY ELEMENT UPDATE**

September 18, 2013

Hon. Mike Jordan, Chairman
and Members
Planning Commission
City of Santa Barbara
630 Garden Street
Santa Barbara, California 93109
Attn.: Ms. Elizabeth Limon and Ms. Julie Rodriguez

SUBJECT: DRAFT GENERAL PLAN SAFETY ELEMENT UPDATE AND STAFF REPORT

Dear Chairman Jordan and Members of the Planning Commission:

This firm represents the Emprise Trust, the owner with substantial investment-backed expectations for economic use of the parcel that is located within the State-delineated coastal zone at 1925 El Camino de la Luz (APN 045-100-024).¹ For the following reasons, our client requests that the Planning Commission:

1. In draft Safety Element Update (SEU, September, 2013) Appendix B, replace the unadopted Coastal Commission staff memorandum report with the Coastal Commission's adopted regulation (Title 14, Cal. Code of Regs. sec. 13577(h)) that contains the criteria for determination of the location of a coastal bluff.
2. Clarify on the record that SEU Staff Report Figure F, a graphic that purports to show the California coastal program term-of-art "coastal bluff" to include the "coastal bluff top" in addition to the "cliff" ("bluff"), is inconsistent with both the draft SEU and the certified LCP, and therefore not an appropriate or adopted part of the SEU, LCP, or SEU Staff Report.
3. Direct staff, in the interest of avoiding an unlawful intentional planning-regulatory gulf between the City's General Plan and the State-certified City LCP, to prepare a Coastal Act-consistent update of the LCP hazards provisions for public and Planning Commission review, before proceeding with finalization and adoption of the SEU.

Analysis

City staff has recently posted a new draft Safety Element Update (SEU, September, 2013), with unmarked revisions. The SEU continues to omit both (1) our client's previously requested definition of the keystone term "coastal bluff," and (2) a map that delineates this essential

¹ Our client has previously written to and testified before the Planning Commission and City staff regarding the evolving General Plan update, and incorporates that correspondence herein in full.

DALL & ASSOCIATES

(4) expose protected coastal resources (e.g., nearshore substrate, water quality, and kelp; sensitive coastal bluff vegetation) and shoreline public access on the beach below the coastal bluff to blockage and potentially significant public health and safety effects resulting from the prohibitions in this incomplete, inconsistent and helter-skelter SEU and its associated Staff Report.

Thank you for this opportunity to comment on this important matter. Please provide me with a copy of the Planning Commission's official minutes of this proceeding.

Sincerely yours,

DALL & ASSOCIATES

By:

Norbert H. Dall

Norbert H. Dall
Partner
223:201308.180913.2

cc: Client (by email)

StephanieD. Dall, Partner, Dall & Associates (by email)

Mr. Paul Casey, Deputy Administrator, City of Santa Barbara (by email)

Mr. Clay Aurell, ABDS, Client's Architect (by email)

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PARTY ON DATE:
BY: ES

Goo, Kathleen

From: Norbert Dall [ndall49@sbcglobal.net]
Sent: Wednesday, September 18, 2013 8:47 PM
To: Community Development PC Secretary
Cc: Limon, Elizabeth; S. Dall; Clay Aurell
Subject: Planning Commission Meeting of September 19: Item IV: revised Safety Element Update
Attachments: 201308,180913.2.LtrtoPC,CSB,SEU,SR.pdf

Dear Colleague,

My client The Emprise Trust has requested that we send the attached letter, regarding the current (September, 2013) iteration of the draft Safety Element and associated staff report to you for distribution to the Planning Commission in advance of tomorrow's Commission meeting.

Thank you for your assistance.

Please call email or call me at 916.716.4126 if you have any question/s regarding this matter.

Please advise me by email when the letter has been forwarded to the Planning Commissioners.

Thank you.

Regards,

NHD

Norbert H. Dall
Consultant to The Emprise Trust, 1925 El Camino de la Luz, Santa Barbara, California

Partner
Dall & Associates
Advisers and Consultants in Sustainable Coastal Management,
Land Use, and Transportation
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9-17-13

P.O. Box 1201
Santa Barbara,
Calif. 93102

Dear Planning Commission,

The report is grand. It says there is no problem. The seismic aspect is overlooked. The people need to be safe & sound. The 1971 Statute of California is insufficient. The present standards are dangerous. It was standard before, now half as much. The Statute does exist and the engineers help diminish them. Tell us well when the people are not harmed. When the standards were insufficient before, poor equality was there. All the buildings since the 70's are poor. They will fall down in a 2 or 1 1/2 Statute earthquake. Safety was ignored. The building codes were bad. People were allowed to build

No. 2013 Safety Element
update General Plan
Amendment etc

Please read at the
hearing on 9-19-13,
got it? Be well

RECEIVED
SEP 18 2013

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PLANNING DIVISION

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substandard. Got it? Never pass this
dangerous update, got it? Always
well. When the town gathers and
writes so to speak meet with the
Planning Commission and don't stop

this Safety Element, it is because no
one told them, right? Always insist
on good regulations. Always have
a Statute required, that is for better
earthquakes happen rarely. They are
small. Never tempt fate. Read the
Seismograph. It used to be at the
Natural History Museum + somewhere
Be well Be well. The earthquakes are in
existence. The land around Santa Barbara shakes
Ventura also. All is on the Pacific where
the tectonic plates abut. Never tempt fate.

All have been lucky. The dinosaurs perished the
coast. All is to chemical + synthetic. All is hard.
The trees left immovably. They have been around
a long time. They look for they live a long time
never underestimate the seismic needs. All is big
Same S.B. Vote down this so called update
All can enjoy when the bad guys want to collect
money. They put in modern houses. Keep all horses,
never demolish the houses. Keep the old ones. They
are safe and sound. Got it? Be safe forevermore.
never start back fire, no roads built on horses in fire-
prone areas. Keep S.B. Safe forevermore. Keep all horses
It enhances fire prevention & helps protect lives if the city don't

never pass this Element
It is not realistic. So do
guard the Holy Secretaries
the trees of bushes. Don't put
Redwood trees. Standards +
all older houses + commercial
Buildings. All have earthquake
strengthened fine staying on paths.
The sand on it. Got it? Be well
+ safe. never demolish + clear
cut. no condos. no subdivisions
no more Boardwalks. Forevermore.
Be safe not sorry. [Signature]