



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** December 23, 2014  
**AGENDA DATE:** January 8, 2015  
**PROJECT ADDRESS:** 2559 Puesta del Sol (MST2014-00116)  
 Santa Barbara Museum of Natural History  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470, extension 4550  
 Renee Brooke, AICP, Senior Planner *RPB for RB*  
 Daniel Gullett, Project Planner *DG*

### I. PROJECT DESCRIPTION

The proposed Master Plan for the Santa Barbara Museum of Natural History (Museum) anticipates the following improvements over the next 10-15 years: improved pedestrian accessibility and Americans with Disabilities Act (ADA) improvements; renovations to the Marine/Paleontology/Geology Exhibit Hall and restrooms resulting in a net decrease of 194 square feet; replacement of the butterfly exhibit; rehabilitation of Gould Hall; conversion of the 475 square-foot MacVeagh Cottage from residential use to educational non-residential use; relocation of trash and recycling; new fencing; new screening wall along the northeasterly portion of the parking lot; as-built improvements and enhancements to existing outdoor activity areas; native habitat restoration; landscape improvements, including removal of approximately 2,800 square feet of existing asphalt; mechanical equipment upgrades; and interior repairs to existing buildings. The Master Plan results in a net increase in accessible Museum parking spaces (from 6 to 7), a net loss of Museum parking spaces overall (from 156 to 155), and an addition of four bicycle spaces (from 18 to 22).

The proposal includes annexation of three Museum-owned parcels to the City: APNs 023-250-039; -066; and -068, totaling approximately five acres (hereinafter referred to as the Western Parcels). Existing development on the Western Parcels includes a single family residence. The Museum proposes to maintain the existing uses of the Western Parcels which consist of the use of the single family residence, passive recreation, and Museum educational activities. New improvements in the largely undeveloped Western Parcels include an enhanced bioswale with an associated boardwalk and overlook, and restoration of the woodland area including replacement of non-native plants with native plants.

In addition to annexation of the three Museum-owned parcels, staff requests that the Planning Commission recommend annexation of two additional privately-owned parcels, adjacent to the Museum property, located at 609 Mission Canyon Road (APNs 023-271-005 and -006) and the Mission Canyon Road right-of-way between the current City boundary up to and including the intersection of Mission Canyon Road and Puesta del Sol. Staff recommends a General Plan Designation of Low Density Residential (Maximum Density: Three Dwelling Units per Acre) and a Zoning Designation of E-1 (One-Family Residence Zone) for all parcels considered for annexation.

## II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

**Actions requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council and the Local Agency Formation Commission (LAFCO):**

- A. Reorganization of the properties known as APNs 023-250-039; -066; and -068, and APNs 023-271-005 and -006, and a portion of the Mission Canyon Road right-of way including Annexation to the City of Santa Barbara and Detachment from the Santa Barbara County Fire Protection District, County Service Area 12, and the Mission Canyon Lighting District.
- B. A General Plan Amendment to designate the properties to be annexed as Low Density Residential (Maximum Density: Three Dwelling Units per Acre) upon annexation.
- C. A Zoning Map Amendment to zone the properties to be annexed as E-1 (One-Family Residence Zone) upon annexation.

**Actions by the Planning Commission:**

- D. A Conditional Use Permit Amendment to allow for the proposed changes to the Museum (SBMC §28.94.030).
- E. A Parking Modification to provide less than the required number of onsite parking spaces (SBMC §28.92.110).

**APPLICATION DEEMED COMPLETE:** October 21, 2014

**DATE ACTION REQUIRED:** January 20, 2015

## III. BACKGROUND

The Santa Barbara Museum of Natural History was originally founded in 1916 as the Museum of Comparative Oology. In 1922, the Museum was given the original 1.6 acre site and the original buildings in the present Museum complex. That year, the Museum's name was changed to the Santa Barbara Museum of Natural History. The Museum complex was added to over time and the Museum was annexed to the City with the Mission in 1968 in the Old Mission-Museum Annexation. The City has granted various approvals for the Museum's development and use including Conditional Use Permits and Substantial Conformance Determinations.

The Museum's current programs include educational exhibits and educational programs available to the public; research advancing understanding of the natural environment and human interactions with the natural environment; and collections of archived artifacts and specimens used in natural history research. Existing development on the entire 15.43 acre property (including the three annexation parcels) totals approximately 83,000 square feet of gross institutional floor area and 4,500 square feet of residential floor area. The Museum currently provides 156 parking spaces for the non-residential uses.

In response to various substantial conformance determination requests made in recent years, City staff and the Planning Commission requested that the Museum provide a Master Plan outlining projected changes to the Museum facilities over a longer time horizon.

The Planning Commission held three concept reviews on Master Plan proposals on July 21, 2010, July 20, 2011, and June 5, 2014. On June 5, 2014, the Planning Commission initiated annexation of the Western Parcels in addition to the two privately-owned parcels at 609 Mission Canyon Road, and provided conceptual comments on a significantly scaled-down Master Plan proposal. That annexation initiation included pre-zoning and pre-General Plan designation, as described below.

The applicant provided a report outlining the Museum's current Master Plan proposal (Exhibit C). The applicant report includes a more detailed description of the project; summaries of the technical studies prepared for the application; descriptions of resource protection measures incorporated into the project; and requested changes to existing conditions.

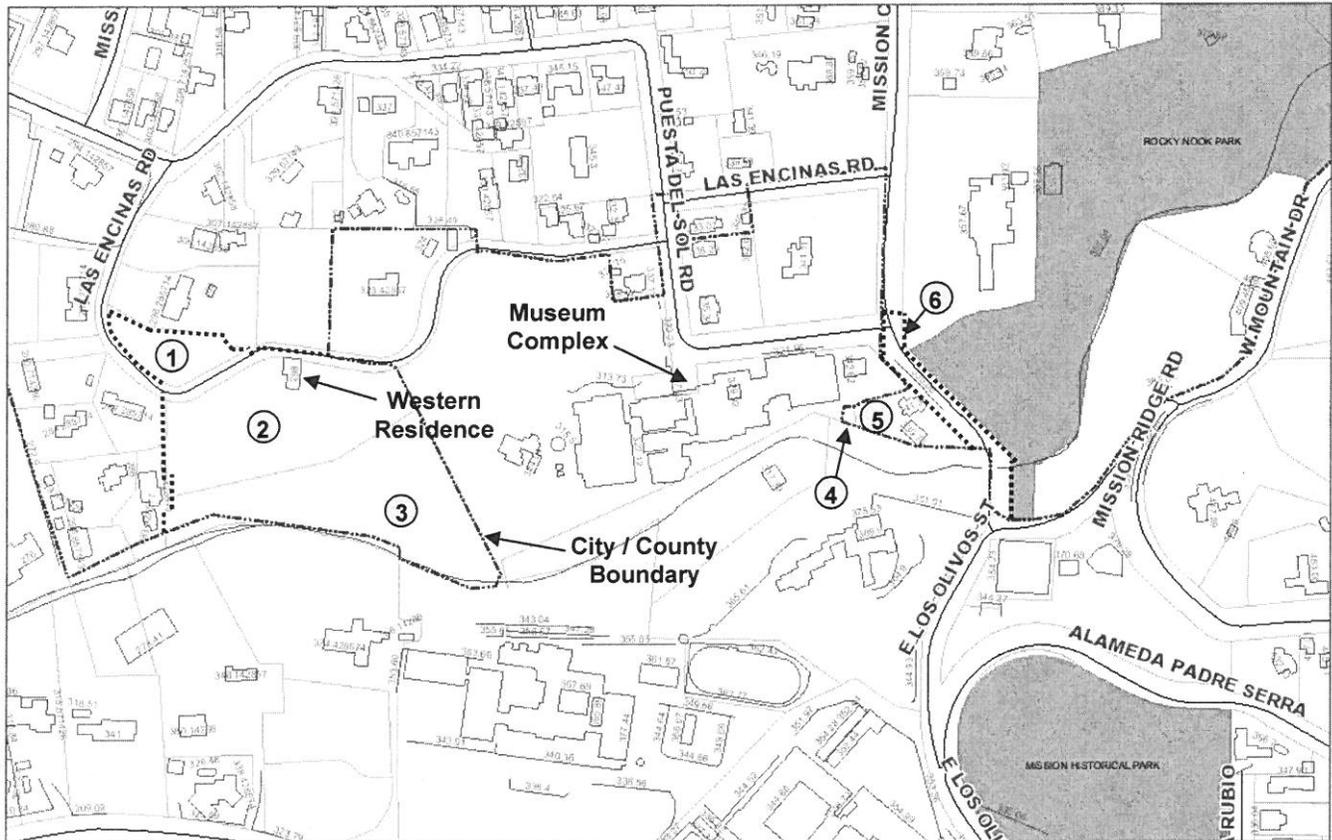
#### **IV. ANNEXATION**

The Local Agency Formation Commission (LAFCO) establishes the City's Sphere of Influence, which is defined as the probable future City boundary and service area. The General Plan Land Use Element encourages annexation of unincorporated areas within the Sphere of Influence. The City's Sphere of Influence currently extends along the City's eastern boundary adjacent to Montecito, moves north and west along the Las Padres National Forest boundary, follows State Highway 154 to the south, and includes the community of Hope Ranch.

The subject proposed annexation of the Western Parcels meets the criteria of City Council Resolution No. 96-118, which established procedures for reviewing applications for annexations. Resolution No. 96-118 restricts annexations to parcels located within the City's Sphere of Influence, adjacent to existing City boundaries. The Resolution also restricts annexation of unincorporated territory to property owner requests, State mandates, or direction from LAFCO.

The applicant provided an exhibit of the proposed annexation boundary including the Western Parcels (Exhibit D). Annexation of these parcels and the controls provided with the Museum's Conditional Use Permit allow the Planning Commission to formalize the Museum's and the public's use of the Western Parcels, provide for habitat protection and restoration, and provide a desirable area for tree replacement from the Master Plan project and stormwater management and treatment.

City staff's review of the Museum's annexation request included consideration of adjusting additional City boundary lines in the Museum vicinity to improve efficiency of public services, reduce overlapping service area, and simplify governance. In addition to the Museum's Western Parcels, staff also recommends that the annexation include two parcels at 609 Mission Canyon Road (referenced as 4 and 5 in Figure 1 below). Those two parcels are a peninsula of unincorporated area, with three sides serving as the City/County boundary. Annexation of the two 609 Mission Canyon Road parcels provides for a more rational City boundary and allows for annexation of a portion of additional Mission Canyon Road right-of-way. Public improvements are currently being considered in the community-initiated, City-County collaborative effort to provide enhanced pedestrian and bicyclist facilities between the Mission area and Foothill Road.



**Figure 1: Properties considered for Annexation to the City-**  
Museum-owned Western Parcels: 1. APN 023-250-039 2. APN 023-250-066 3. APN 023-250-068  
609 Mission Canyon Road Parcels: 4. APN 023-271-005 5. APN 023-271-006  
Mission Canyon Road Right-of Way: 6.

As part of the Master Plan, the Museum proposes new sidewalk along the south side of Puesta del Sol that would connect to the planned circulation improvements on Mission Canyon Road. Annexation of a portion of Mission Canyon Road would shift ongoing maintenance responsibility to the City and provide a simplified design and approval process for enhanced access connecting the Mission and Museum, both major visitor-serving institutions in the City.

Two of the five assessor's parcels proposed for annexation are developed with residences: the Museum's Western Residence and the house at 609 Mission Canyon Road. The other three assessor's parcels are vacant, and primarily creek and woodland habitat area.

For consistency with the adjacent City zoning and land use designations, including the zoning and land use designation of the Museum properties currently in the City, staff recommends a zoning designation of E-1 (One Family Residence Zone) with a General Plan Designation of Low Density Residential with a maximum density of three dwelling units per acre. Single Family Residential Zoning requires a Conditional Use Permit for Museum operations, to manage potential use conflicts with the surrounding neighborhood.

<b>Parcels Considered for Annexation</b>					
	<b>Parcel</b>	<b>Area</b>	<b>Existing Development</b>	<b>Existing County General Plan</b>	<b>Existing County Zoning</b>
1	023-250-039 <i>SBMNH</i>	0.51 acres	Vacant	RES-1.8 Residential <i>1.8 units per acre</i>	20-R-1 Single Family residential 20,000 sq ft min. lot size
2	023-250-066 <i>SBMNH</i>	2.21 acres	Residence	RES-1.8 Residential <i>1.8 units per acre</i>	20-R-1 Single Family residential 20,000 sq ft min. lot size
3	023-250-068 <i>SBMNH</i>	2.35 acres	Vacant	RES-1.8 Residential <i>1.8 units per acre</i>	20-R-1 Single Family residential 20,000 sq ft min. lot size
4	023-271-005 <i>609 Mission Canyon Road</i>	0.02 acres	Vacant	RES-1.0 Residential <i>1.0 unit per acre</i>	1-E-1 Single Family residential 1 acre min. lot size
5	023-271-006 <i>609 Mission Canyon Road</i>	0.38 acres	Residence	RES-1.0 Residential <i>1.0 unit per acre</i>	1-E-1 Single Family residential 1 acre min. lot size

**V. ISSUE AREAS**

**A. WESTERN PARCELS – RESOURCE PROTECTION**

The Museum’s Western Parcels are largely undeveloped and include an existing, Museum-owned, single-family residence and trails that are used by the public. The Mission Canyon Community Plan, which guides future development and improvements within the unincorporated Mission Canyon area, was adopted by the County of Santa Barbara in April 2014. The Community Plan area includes the Museum’s Western Parcels, the 609 Mission Canyon Road parcels, and the unincorporated Mission Canyon Road right-of-way. It designates most of the area of the Western Parcels as California Sycamore Riparian Forest Environmentally Sensitive Habitat and requires a 50-foot buffer from the edge of the forest canopy, limiting development of that area.

The project includes habitat restoration in a portion of the Western Parcels, including removal of non-native trees, shrubs, and understory vegetation and planting of appropriate native trees, shrubs, and understory vegetation. The proposed restoration also includes grading and planting of freshwater marsh vegetation within an existing drainage swale on the Western Parcels to create a better functioning bioswale. A boardwalk path and overlook are proposed to access the new freshwater marsh habitat.

The existing Museum-owned single-family residence (Western Residence) was altered without the benefit of permits. The recommended conditions of approval require that the building and zoning violations be abated as part of the scope of the first building permit following annexation.

The Conditional Use Permit grants the Planning Commission authority to condition the location and use of open space and prohibit additional construction consistent with the purpose of the Zoning Ordinance and General Plan. As described in the attached Applicant Report and the attached Use and Attendance Exhibit (Exhibit E), the Museum proposes to carry forward certain Mission Canyon Community Plan resource protection development standards to any

future development of the Western Parcels. Staff has included the language of the Mission Canyon Community Plan development standards DevStd-BIO-MC-3.3, 3.4, and 8.2 in Condition C.4. The recommended conditions also include a requirement of the Museum to provide continued free public access to established and proposed trails on this portion of the Museum property (Condition C.3).

Although the subject Museum property includes six assessor's parcels, the Title Report prepared for the Museum properties shows that the property is comprised of a total three legal lots, two over the Western Parcels. The legal lots are: parcel APN 023-250-039 and a portion of the Las Encinas Road easement; parcels APN 023-250-056 (already incorporated), 023-250-066, 023-250-068 and a portion of the Las Encinas Road easement; and the remaining subject Museum-owned property. Since the portion of the Western Parcels that includes the existing publically accessed trails and proposed trail improvements is a single legal lot currently, staff is not recommending a lot merger as a condition of this project.

## **B. MISSION CREEK SETBACK**

The Municipal Code generally requires a minimum development setback of 25 feet from the calculated top of bank of Mission Creek (SBMC §28.87.250) for flood control purposes, and larger creek setbacks (up to 100 feet) have been required by the Planning Commission on a case-by-case basis considering safety, flood hazard, biology, and water quality.

The project includes a proposed 2,000 square foot creekside terrace deck south of the Marine/Paleontology/Geology Exhibit Hall that extends to the calculated Mission Creek top-of-bank. The topography in that area slopes down toward the creek and the proposed terrace is designed to improve site accessibility and provide additional flat usable area near the creek. Existing Museum development includes hardscape on the creekside of the calculated top of bank and one building (Gladwin Planetarium) is as close as seven feet from the calculated top of bank.

The City's General Plan encourages public creek access and enhancement of public awareness and enjoyment of City creeks. The proposed creekside terrace is consistent with that direction. The General Plan also calls for new creek setback standards that are greater than 25 feet for new structures and hard surfaces adjacent to creeks and bank stabilization through planting for new development sited less than 50 feet to top of bank.

For this location, considering the important habitat and biological resources associated with the riparian corridor, Creeks Division Staff has recommended that new development (outside the footprint of existing development) be setback 50 feet or more from the calculated top of bank and that replacement of any existing hardscape within the 50 foot setback area be permeable. Staff initially indicated to the applicant that removing existing asphalt near the creek could lead to staff support for a new creekside terrace structure closer than 50 feet from the top of bank, since it would provide for additional riparian restoration area and water infiltration, which would benefit habitat, water quality, and aesthetics. The Museum is proposing removal of approximately 2,800 square feet of existing asphalt in this area, nearby the proposed deck and on the south side of Mission Creek.

At the June 5, 2014 Planning Commission concept review, the consensus of the Planning Commission was that the proposed creekside terrace location was harmonious with the General

Plan considering the unique site constraints, access issues, and the educational opportunities provided by the proposed terrace.

### **C. PARKING MODIFICATION**

The Zoning Ordinance recognizes that, in many cases, it is impractical to establish minimum parking requirements for uses permitted with Conditional Use Permits and that different performance and development standards must be applied to each individual facility. Regardless, the parking chapter of the Zoning Ordinance provides parking requirements for general uses. For the Museum, the total parking requirement based on commercial, office and auditorium use ordinance ratios is 287 spaces. The Museum currently provides 156 spaces and proposes a reduction in parking by 1 space for a total of 155 automobile parking spaces for the Museum use. Because of the reduction, a Parking Modification is required. The applicant provided a Traffic, Circulation, and Parking Report prepared by ATE dated July 15, 2014 that projects a future peak parking demand of 137 spaces, therefore the loss of one Museum parking space will not cause an increase in demand for parking space in the immediate area. Like the Parking Modification, the Conditional Use Permit requires a finding that adequate access and off-site parking is provided in a manner that the demands are adequately met without altering the character of the public streets at any time. The Museum implements a parking and transportation management plan for special events that generate higher daily attendance than usual, which is attached to the Applicant Report.

### **D. NOISE**

As part of the application, the Museum is requesting that the existing condition prohibiting exterior public address speakers be amended to allow exterior speakers for low volume announcements between 8 a.m. and 8:30 p.m. The Municipal Code allows for music and voice amplification if it does not exceed 60 dBA at the property line between 7 a.m. and 10 p.m. and 50 dBA at the property line between 10 p.m. and 7 a.m. The Municipal Code also prohibits unnecessary noises or sounds which are physically annoying to persons of ordinary sensitiveness or which are so harsh or so prolonged or unnatural or unusual in their use, time or place to result in physical discomfort to inhabitants of the City. The Planning Commission must find that the Museum's uses will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved, which makes consideration of the Municipal Code's prohibition on unnecessary noises and sounds relevant to the Conditional Use Permit request. The Museum proposes to orient exterior speakers away from adjacent properties and limit the sound produced by the speakers to not exceed ambient average noise levels by more than 2 dBA at the property boundary. In general, a 3 dBA change in noise level is perceptible, while a 1-2 dBA change in noise levels is not noticed. The staff recommended conditions require post-construction testing to verify that the exterior speaker system does not exceed 2 dBA above ambient noise levels at the property lines.

The project includes construction of a trash enclosure in the southwest portion of the parking lot. The existing dumpsters are located west of the existing butterfly pavilion and not enclosed. Marborg currently picks up refuse from the site five days a week. Due to the existing location, trash and recycling trucks must back up approximately 225 feet with a back-up alarm after receiving refuse. The relocation would reduce the amount of time the trucks are on site and

eliminate the need of trucks backing, however, the trash and recycling would be accessed closer to the nearest residential neighbors along Las Encinas Road.

The project includes a new approximately 120-foot long, six-foot high sound wall along the northeastern portion of the parking lot to attenuate noise to, and block headlights of Museum patrons from neighboring houses along Las Encinas Road. Because the wall is proposed within ten feet of Las Encinas Road, a staff-level exception to the 3.5-foot wall height limit must be granted for construction the wall pursuant to SBMC Subsection 28.87.170.E.1 prior to building permit issuance. The project also includes additional native trees and shrubs between the parking lot and the residences west of the proposed soundwall on Las Encinas Road to provide more vegetated buffer to reduce the effects of Museum operations on adjacent neighbors.

#### **E. USE RESTRICTIONS**

As discussed in the attached Applicant Report and Use and Attendance document, the Museum proposes to further limit the number, attendance and times of weddings and special events, restricting the events more than what is currently allowed. The recommended conditions of approval include the appropriate proposed limitations as conditions on the operation of the Museum (Condition C.2).

The Museum is requesting that the 1989 condition limiting the hours on the Collections and Research Center be removed to allow for a flexible work schedule consistent with the Museum's Transportation Demand Management program and consistent with work schedules available to other Museum employees.

#### **F. PUBLIC IMPROVEMENTS**

The project includes new sidewalk along the south side of Puesta del Sol. Condition E.1.d calls for a six-foot-wide sidewalk and a minimum four-foot-wide parkway, composed of either a landscaped strip or tree wells along the Puesta del Sol frontage. These improvements would be subject to review and approval by Historic Landmarks Commission. The Museum would have the option of either completing the public improvements prior to building permit issuance (following permits to address unpermitted work to the Western Residence and construction of the parking lot soundwall) or entering into an agreement to construct the improvements following building permits. These improvements would eventually connect with the planned sidewalk improvements to Mission Canyon Road. The conditions also include a dedication at the corner of Puesta del Sol and Mission Canyon Road on the street side of the sandstone wall to accommodate the planned right-of-way improvements at that corner.

### **VI. DESIGN REVIEW**

The Museum's Master Plan was reviewed by the Historic Landmarks Commission (HLC) on April 23, May 7, and December 3, 2014 (meeting minutes are attached as Exhibit F). On May 7th, the HLC forwarded the project to the Planning Commission, completing the compatibility criteria analysis. The HLC stated that the Master Plan was superb and supportable and appreciated the environmental, historic, and structural stewardship of the proposal. The HLC did not have concerns with the location of the creekside terrace adjacent to Mission Creek, but asked that the deck detailing, materials, and handrails for the creekside terrace be more sympathetic to the site. They also encouraged the applicant to explore removal of additional asphalt stating that a more natural material would be appropriate. Following the May 7<sup>th</sup> hearing, the Museum introduced a soundwall along the northerly property line, where the

parking lot is closest to neighbors along Las Encinas Road. HLC stated that the soundwall was an excellent solution for the Museum and neighbors. The HLC completed the Project Compatibility Analysis and forwarded the project to the Planning Commission.

## **VII. GENERAL PLAN CONSISTENCY**

In order to approve the amended Conditional Use Permit, the Planning Commission must be able to find that the project is harmonious with the City's General Plan. A list of applicable City General Plan Goals, Policies, and Implementation Strategies is attached as Exhibit G. Mission Canyon Community Plan Goals, Policies and Implementation Strategies currently applicable to the unincorporated parcels are attached as Exhibit H. City Policies related to the Mission Creek Setback are discussed in Section V, above. The other most pertinent City policies and implementation actions are grouped and discussed below.

### ***Neighborhood Protection and Enhancement***

Land Use Element Goal - Neighborhoods: *Maintain and enhance neighborhoods with community centers where requested, and improved connectivity to daily necessities, including limited commercial activity, transit, and open spaces while protecting the established character of the neighborhood. Maintain or reduce the existing ambient noise levels in single family neighborhoods.*

Land Use Element Policy LG 4: *Maintain and protect the character and quality of life of single family zoned neighborhoods as a low density residential community.*

Environmental Resources Element Implementation Action ER31.5: *Non-Residential Noise Affecting Residential Neighborhoods. To further General Plan policies for maintaining quiet, high quality neighborhoods, require more detailed noise assessments for proposed special, conditional, and institutional uses with episodic activities and events that may cause noise effects to residential neighborhoods.*

The proposed exterior speaker system is designed to minimize impacts to neighboring residential properties with orientation of speakers away from homes and the recommended conditions of approval require that the speakers be tested to show that they do not exceed 2 dBA above existing ambient noise at the Museum's property lines. The proposed soundwall along the northern property line would further reduce existing noise levels for the adjacent neighbors. The soundwall and additional vegetation (approximately 14 new trees and large shrubs) proposed in the landscape buffer between the parking lot and Las Encinas Road will reduce nighttime headlight glare from Museum parking lot users on neighborhood residents and reduce views of parked cars from Las Encinas Road. The additional limitations the Museum has agreed to place on special events are also expected to reduce the Museum's impacts on adjacent neighbors.

### ***Biological Resources***

Conservation Element Biological Resources Policy 1.0: *Development adjacent to creeks shall not degrade the creeks or their riparian environments.*

Conservation Element Biological Resources Policy 4.0: *Trees enhance the general appearance of the City's landscape and should be preserved and protected.*

Conservation Element Biological Resources Policy 5.0: *Significant open space areas should be protected to preserve the City's visual resources from degradation.*

Environmental Resources Element Implementation Action ER11.2: *Oak Woodlands. Site new development outside of oak woodlands to the maximum extent feasible. Within and adjacent to oak woodlands:*

- a. Avoid removal of specimen oak trees;*
- b. Preserve and protect oak saplings and native understory vegetation within areas planned to remain in open space;*
- c. Provide landscaping compatible with the continuation and enhancement of the habitat area, consisting primarily of native species and excluding use of invasive non-native species;*
- d. Include conditions of approval for habitat restoration of degraded oak woodlands where such development creates direct or indirect impacts to the affected habitat;*
- e. Minimize or avoid installation of high water use landscaping (e.g., lawn) under the dripline of oak trees.*

Environmental Resources Element Policy ER12: *Wildlife, Coastal and Native Plant Habitat Protection and Enhancement. Protect, maintain, and to the extent reasonably possible, expand the City's remaining diverse native plant and wildlife habitats, including ocean, wetland, coastal, creek, foothill, and urban-adapted habitats.*

Environmental Resources Element Implementation Action ER12.4: *Native Species Habitat Planning. Protect and restore habitat areas for native flora and fauna, and wildlife corridors within the City, including for chaparral, oak woodland, and riparian areas. In particular, provide land use/design guidelines to:*

- a. Require buildings and other elements of the built environment, and landscaping to be designed to enhance the wildlife corridor network as habitat.*
- b. Ensure that the City and new development preserve existing trees within identified wildlife corridors, and promote planting new trees, and installing and maintaining appropriate native landscaping in new developments within or adjacent to important upland wildlife corridors and all streams. Ensure that efforts are made to minimize disturbance to understory vegetation, soils, and any aquatic habitats that are present below the trees in order to provide movement of species that utilize the habitat.*
- c. Ensure that new development and redevelopment projects will not result in a net reduction or loss in size and value of native riparian habitats.*
- d. Increase riparian habitat within the City and / or its sphere of influence by 20 acres or more, and 1 linear mile or more, over the 20 year life of Plan Santa Barbara. Priorities for restoration include perennial reaches of the major streams, reaches of creek on publicly owned land, and degraded areas of the City's three major creeks.*

Environmental Resources Element Implementation Action ER12.5: *Riparian Woodland Protection. Site new development outside of riparian woodlands to the extent feasible. Within and adjacent to riparian woodlands:*

- a. Avoid removal of mature native trees;*

- b. Preserve and protect native tree saplings and understory vegetation;*
- c. Provide landscaping within creek setback compatible with the continuation and enhancement of the habitat area, consisting primarily of appropriate native species and excluding use of invasive non-native species;*
- d. Include conditions of approval for habitat restoration of degraded oak woodlands where such development creates direct or indirect impacts to the affected habitat;*
- e. Include water quality protection and enhancement measures consistent with the adopted City Storm Water Management Plan.*

Environmental Resources Element Policy ER13. Trail Management: *Existing and future trails along creeks or in other natural settings shall be managed for both passive recreational use and as native species habitat and corridors.*

The project includes restoration of the woodland area in the Western Parcels and biological enhancements to the existing drainage swale in that area, consistent with these policies. The project anticipates the removal of two trees; an 8-inch diameter sycamore where access to a City sewer manhole must be accommodated, and a 13-inch diameter oak tree, which is growing horizontally along the ground and located in the City right-of-way of Puesta del Sol and may interfere with sidewalk improvements. Two additional oak trees (24-inch and 25-inch) are anticipated to have sufficient disturbance within their critical root zone that replacement trees are required. The proposed landscape plan includes a minimum of 30 new oaks and 10 sycamores to replace these trees.

The Museum also proposes to impose certain biological resource protection development standards from the Mission Canyon Community Plan on the Western Parcels, which staff has included in the proposed conditions. The project is therefore consistent with these policies and implementation standards.

#### ***Historic and Archaeological Resource Preservation***

Historic Resources Element Policy HR1: *Protect Historic and Archaeological Resources. Protect the heritage of the City by preserving, protecting and enhancing historic resources and archaeological resources. Apply available governmental resources, devices and approaches, such as the measures enumerated in the Land Use Element of this Plan, to facilitate their preservation and protection.*

Historic Resources Element Policy HR2: *Ensure respectful and compatible development. Seek to ensure that all development within the City respects rather than detracts from individual historic and archaeological resources as well as the neighborhood and the overall historical character of the city. Assure compatibility of development, respect for the historical context of historical resources, and consideration of sustainable design alternatives where compatible.*

In 1981, the City of Santa Barbara designated a portion of the Main Museum Complex, the Museum's Fleischmann Auditorium and the stone wall built for the former Hazard estate as a City of Santa Barbara Structure of Merit. Phase I and Phase II Historic Structures and Sites Reports were accepted by the Historic Landmarks Commission (HLC), which concluded that the project would not result in significant adverse historic impacts. Furthermore, the HLC

stated that the project is superbly designed and appropriately sensitive to historic resources. Therefore, the project is consistent with these policies.

### ***Open Space***

Open Parks and Recreation Element Policy OP1: *Variety and Abundance*. Provide ample open space through a variety of types, including nature reserves, parks, beaches, sports fields, trails, urban walkways, plazas, paseos, pocket parks, play areas, gardens, and view points, consistent with standards established for this city.

The proposed conditions require that public access be maintained to trails in the Western Parcels, consistent with this policy.

### ***Fire Hazards***

Safety Element Policy S34: *Evacuation Routes*. Development projects located in the Extreme Foothill and Foothill High Fire Hazard Zones shall be evaluated to determine if the project would have the potential to substantially affect emergency evacuation. A project would result in a substantial effect on evacuation if it would result in either of the following conditions:

a. *Physically interfere with evacuation capabilities*. A project could physically interfere with evacuation capabilities if it would reduce evacuation capacity by substantially decreasing the width of road or other access way, or result in the closure of a road or access way.

b. *Add substantial additional evacuees to routes with limited capacity*. A project could substantially reduce evacuation capacity if it would add a considerable amount of traffic to probable evacuation routes that do not meet current Fire Department roadway or access standards; or add a considerable amount of traffic to probable evacuation routes in relation to roadway capacity and evacuation traffic volumes reasonably expected to be generated by existing development in the project area.

Safety Element Policy S37: *Fire Hazard Reduction Design Requirements*. Project designs shall adequately address fire hazard, providing for appropriate site layout; building design and materials; fire detection and suppression equipment; landscaping and maintenance; road access and fire vehicle turnaround; road capacity for evacuation; and water supply.

Safety Element Policy S39: *Defensible Space*. Require that defensible space be provided around existing and proposed development projects located in high fire hazard areas in accordance with the Wildland Fire Plan, or as recommended by the Fire Department.

Safety Element Policy S40: *Vegetation Management*. Vegetation management programs to reduce fire fuel loads, as well as project related landscape and maintenance plans, shall protect and preserve environmentally sensitive habitat areas (ESHAs) and balance fire risk reduction benefits with possible aesthetic, habitat, and erosion impacts.

*Potential effects resulting from fuel management activities shall be avoided or reduced as feasible.*

The proposed changes to the Museum are not expected to physically interfere with evacuation capabilities or add substantial additional evacuees. The project includes a sidewalk along the south side of Puesta del Sol, which would narrow the driving width of the street, but not to a width that would substantially interfere with an evacuation. The Museum has coordinated with

the City Fire Department on the proposed landscaping design and is providing required defensible space to structures. The proposed project is therefore consistent with these policies.

### ***Annexations***

Land Use Element Policy R.3: *Annexations Annexation of land to the City shall only be allowed if resource capacities exist to serve the additional area and population, the use of resource capacities will not jeopardize priority development (i.e., affordable housing), and the annexation will minimize impacts on service costs.*

Land Use Element Implementation Action R3.1: Resource Capacity. *It is the City's preference to merge under one government the city of Santa Barbara and the area within its sphere of influence. However, all proposed annexations shall be assessed for potential impacts on the costs and capacities of resources, for example, on water, wastewater treatment, public safety, and affordable housing.*

Land Use Element Implementation Action R3.3: Compatibility. *Residential properties that are annexed to the city shall be designated and zoned to be compatible with adjoining residential areas of the city.*

The proposed annexation has been reviewed by Public Works, and the City Police and Fire Departments. The subject parcels are currently served by City water and sewer services, and fire protection is provided via an interagency (City/County) mutual aid agreement. Staff has concluded that resource capacities exist to serve these properties with minimal service costs. Annexation of the two parcels at 609 Mission Canyon Road provides for a more rational City boundary and allows for annexation of a portion of additional Mission Canyon Road right-of-way, facilitating a simplified design and approval process for enhanced access connecting the Mission and Museum.

The proposed designation and zoning are identical to adjoining City land use designations and zoning. The project is therefore consistent with this policy and implementation actions.

### ***Circulation***

Circulation Element Policy 5.1: *The City shall create an integrated pedestrian system within and between City neighborhoods, schools, recreational areas, commercial areas and places of interest.*

Circulation Element Implementation Action 5.1.2: *Identify and link major activity centers and destinations with walkways. This will consist of the following: ...improving pedestrian access in and around the Mission by providing safe and attractive walking connections between the Mission, Rose Garden, Rocky Nook Park, Natural History Museum and Alameda Padre Serra....*

Circulation Element Policy 13.8: *Ensure that sustainable transportation linkages, public services, infrastructure, and commercial needs support the City's mobility goals and are evaluated in proposed annexations.*

The project improves circulation through the Museum complex, includes new sidewalk along the Museum's frontage on Puesta del Sol, and facilitates additional circulation improvements between the Mission and the Museum that are under development with a recommended property dedication at the corner of Puesta del Sol and Mission Canyon Road. The

Recommended Conditions of Approval also would memorialize public access to trails on the Western Parcels. These project components are consistent with these circulation policies and implementation action.

### ***Housing***

Housing Element Policy H22: Work to Solve Regional Jobs/Housing Imbalance. *The City is committed to working with neighboring jurisdictions and the private sector to solve the regional jobs/housing imbalance in a regional manner.*

Housing Element Implementation Action H22.7 Employer Incentives. *Work with the Coastal Housing Partnership to develop incentives for employers throughout the South Coast to provide employee housing on-site or close-by off-site, and establish or expand programs that encourage employers to provide other housing benefits or financial assistance programs, such as down payments, closing costs and rental move-in fees for employees.*

The Museum currently provides housing for the Museum President off site in addition to three rental units are on the subject parcels: the Carriage House, a portion of MacVeagh House, and the Western Residence. To further this policy and implementation action, staff recommends Condition C.9.b for the Museum to prioritize rental of these units to Museum employees by offering the units to employees before they are offered to the General Public.

## **VIII. ENVIRONMENTAL REVIEW**

The project involves minor physical and operational changes to a long-established facility. Prior projects on the Museum property were found to qualify for exemptions from environmental review. Based on the preliminary environmental review for this project, staff has determined that the project would not result in significant environmental impacts, and qualifies for exemption from further environmental review under the California Environmental Quality Act (CEQA).

Technical Studies: The following studies were submitted with the project and informed the environmental analysis:

- A Phase I Archaeological Resources Report prepared by Applied Earthworks, was accepted by the Historic Landmarks Commission on June 18, 2014. The report concluded it was unlikely that intact prehistoric archeological resources would be encountered during grading activities. The recommended conditions of approval include the standard cultural resource discovery condition.
- A Biological Assessment of the site was prepared by Watershed Environmental, Inc. that evaluated potential short-term, long-term, direct and indirect impacts of the project to biological resources. With implementation of the resource protection measures included as part of the project, the report concludes that the potential impacts to biological resources are less than significant or beneficial.
- A Phase I Historic Structures and Sites Report was accepted by Historic Landmarks Commission August 11, 2011, a Phase 2 Historic Structures and Sites Report was accepted by the Historic Landmarks Commission April 23, 2014, and an addendum to

the Phase 2 Historic Structures and sites report was accepted by Historic Landmarks Commission on December 3, 2014. With implementation of the historic resource protection measures, the report concludes that the project would not result in potentially significant impacts to significant historic resources, including the significant cultural landscape.

- A Noise Assessment Technical Report (dated March 2014) and Addenda dated July and September 2014 were prepared by Dudek. These documents analyzed the noise impacts of the construction and operation of the project, including the use of the proposed exterior speaker system. The report analysis included both average noise calculations per City criteria and noise levels at the time they occur per General Plan policy ER31.5. The report concludes that the project would be consistent with City Noise Element land use criteria and Noise Ordinance provisions, and neither project construction nor operations would have a significant, adverse noise impact in accordance with City significance thresholds.
- A Traffic and Parking Demand Analysis dated July 15, 2014 was completed by Associated Transportation Engineers (ATE) for the project. The Museum does not propose any increase in activities or maximum permitted attendance from what is currently permitted and has occurred at the site. The minor physical changes to the museum and the minor changes to Museum operations would not exceed existing permitted attendance or operations levels and would not result in a net increase in trip generation beyond the level of existing permitted operations. The project would not have a significant effect on traffic.

Categorical Exemptions. The State CEQA Guidelines identify the following applicable classes of projects that are exempt from CEQA review.

- Museum Alternations, Western Residence, As-built Outdoor Activity Areas, Landscape Improvements, Asphalt Removal. Section 15301 exempts the operation, maintenance, permitting, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The listed examples include: interior and exterior alterations involving such things as interior partitions, plumbing, and electrical and additions to existing structures of up to 2,500 square feet, and conversion of a single family residence to office use. This exemption applies to the alterations to the Museum campus buildings and structures; abatement of violations for the Western Residence; permitting of the as-built and proposed changes to the outdoor activity areas; and landscape improvements, including asphalt removal. The Museum renovations result in a net reduction of floor area and a net reduction in impermeable surface area.
- Butterfly Exhibit Replacement. Section 15302 exempts replacement and reconstruction of existing structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. This exemption applies to the replacement of the Butterfly Exhibit.
- Creekside Terrace, Trash Enclosure, Soundwall, Fencing, Conversion of MacVeagh Cottage, Parking Lot Changes, Sidewalk. Section 15303 exempts construction and

location of new small structures and the conversion of existing small structures from one use to another. This exemption applies to the new creekside terrace, accessibility improvements, trash enclosure, soundwall, new fencing, conversion of MacVeagh Cottage from residential to non-residential use, changes to the parking lot, and right-of-way improvements, including the new sidewalk.

- Conditional Use Permit Amendment and Parking Modification. Section 15305 exempts minor alterations in land use limitation, which do not result in any changes to land use and density. This exemption applies to the Conditional Use Permit Amendment requested Parking Modification.
- Habitat Restoration. Section 15307 exempts City actions to assure maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. This exemption applies to the Western Parcels habitat restoration.
- Annexation. Section 13519 exempts annexations of individual small parcels of the minimum size to allow for facilities exempted by Section 15303 (New Construction or Conversion of Small Structures), including single-family residences, accessory structures, utilities, and street improvements. The properties proposed for annexation (the lots known as APNs 023-250-039; -066; and -068, and APNs 023-271-005 and -006, and a portion of the Mission Canyon Road right-of way) allow for those facilities exempted by 15303, and, therefore, qualify for an exemption with the annexation by Section 15319.

Based on City staff analysis, no further environmental document is required for this project.

## **IX. RECOMMENDATION TO CITY COUNCIL**

Staff recommends that the Planning Commission recommend the annexation and related General Plan Amendment and Zoning Map Amendment to the City Council for the following reasons:

### **A. ANNEXATION**

The annexation is appropriate since the Museum's Western Parcels, the parcels at 609 Mission Canyon Road and the Mission Canyon Road right-of-way are within the City's Sphere of Influence and are contiguous with properties currently within the City's jurisdiction. While the Museum institutional complex is within the City, the City-County boundary bisects the land area owned and used by the Museum. The annexation of the Western Parcels would result in all Museum operations being within the City and included in the Museum's Master Plan, subject to an updated and consolidated Conditional Use Permit for the Museum. Annexation of the two 609 Mission Canyon Road parcels provides for a more rational City boundary. Annexation of the portion of Mission Canyon Road would transfer the right-of-way connection between the Mission and Museum, both major visitor-serving institutions, to the City.

### **B. GENERAL PLAN AMENDMENT**

The proposed General Plan designation of Low Density Residential (Maximum Density: Three Dwelling Units per Acre) is consistent with the land use designation of surrounding parcels

within the City, compatible with surrounding development and land uses in this neighborhood, and is similar to the existing County General Plan designation of the subject parcels.

### **C. ZONING MAP AMENDMENT**

The proposed zoning designation of E-1 (One-Family Residence Zone), requiring a minimum lot size of 15,000 square feet, for all annexed parcels is compatible with the current surrounding buildout and the adjacent zoning, and is generally representative of current development in the Mission Canyon area. The Western Parcels have a Santa Barbara County zoning designation of 20-R-1 (*Single Family residential - 20,000 sq. ft. min. lot size*) and the 609 Mission Canyon Road parcels are currently zoned 1-E-1 (*Single Family residential -1 acre minimum lot size*). The 609 Mission Canyon Road parcels are non-conforming to the current County zoning and the proposed City zoning with 15,000 square foot minimum lot size would not allow for subdivision of those parcels. The proposed E-1 zoning designation would also be consistent with the proposed General Plan designation of Low Density Residential. The annexed properties would not be included in the Hillside Design District.

## **X. RECOMMENDED APPROVAL FINDINGS**

Staff recommends that the Planning Commission approve the Conditional Use Permit Amendment and Parking Modification, making the following findings:

### **A. CONDITIONAL USE PERMIT**

**1. Any such use is deemed essential or desirable to the public convenience or welfare and is in harmony with the various elements or objectives of the Comprehensive General Plan.**

The Museum's use of the property is desirable to public welfare, as it contributes to the community's appreciation and understanding of the City's history and its natural environment. The use is in harmony with the various elements or objectives of the General Plan as discussed in Sections V and VII of the Staff Report dated December 23, 2014.

**2. Such uses will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved.**

With the proposed limitations on use, the limits on the external speaker system, the sound wall and additional landscaping along Las Encinas Road, the Museum's continued use of the property will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved.

**3. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided.**

The project proposes only minimal changes to the Museum-owned site area and setbacks to structures and is formalizing the Museum's use of the Western Parcels, providing a substantial area of open space. Therefore, the total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character

of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided.

**4. Adequate access and off-street parking including parking for guests is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time.**

With implementation of the Museum's parking plan during high attendance events, adequate access and off-street parking are provided in a manner and amount so that the parking demands are adequately met without altering the character of the public streets in the area at any time.

**5. The appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area. The Planning Commission shall have the authority to approve the design of open space. Design shall mean size, shape, location and usability for proposed private, public, or quasi-public purposes and development. Approval of such open spaces may be expressly conditioned upon an offer of conveyance by the owner to the City of Santa Barbara of the development rights, the right to prohibit the construction of additional buildings, or other property rights, necessary to achieve the purpose set forth in this title.**

The primary changes to the site result from improved access and habitat restoration. The appearance of the site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area. The Museum proposes to restore habitat in the Western Parcels and will be required to continue to provide public access to the existing trail network.

**6. Compliance with any additional specific requirements for a conditional use permit.**

There are no additional requirements for a quasi-public facility.

**B. PARKING MODIFICATION**

The proposed parking supply will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space in the immediate area. The submitted parking demand study demonstrates that adequate parking is provided to address the peak needs of the Museum even with the reduction of parking by one space. The Museum will continue to implement its traffic and parking supply management plan for certain special events.

Exhibits:

- A. Recommended Conditions of Approval
- B. Site Plans, Floor Plans, Elevations
- C. Applicant Report, dated December 1, 2014
- D. Annexation Exhibit of Western Parcels
- E. Santa Barbara Museum of Natural History Use and Attendance
- F. Historic Landmarks Commission Minutes of April 23 and May 7, 2014
- G. Relevant General Plan Goals, Policies & Implementation Strategies
- H. Relevant Mission Canyon Community Plan Goals, Policies & Implementation Strategies