

Mission Canyon Association
Minutes of the Board Meeting
March 4, 2003

A regular meeting of the Board of Directors of the Mission Canyon Association, a California corporation, was held at the McVeigh House at the Museum of Natural History on March 4, 2003, beginning at 7:30 p.m.

Present were Ray Smith, Tim Steele, Randy Reetz, Gillian Launie, Mark Carr, Tom Jacobs, Bob Maloy, Dorothy Veal and Nancy Bertelesen. Absent were Jenny Cushnie (in Scotland), Kathy Koury, David Lebell, Ralph Daniel, and Charles Del'Arbre. Paulina Conn and Bob Braitman (LAFCO) also attended. Ms/ Launie announced that she will be resigning as director and treasurer of the Association in the near future.

Ray Smith chaired the meeting. The minutes of the preceding meeting were approved. Gillian Launie's Treasurer's Report ("no activity"), was also approved.

Bob Braitman, chairman of LAFCO, presented an outline of the annexation issues and procedures, in his usual good-humored, incisive style. As explained by Braitman, formal annexation begins with a petition signed by 10% of the registered voters within the annexation area, or by 10% of the affected landowners. LAFCO reviews the petition, including maps and legals provided by the County Surveyor,



and sets dates for public hearings. LAFCO may set conditions to the annexation, but does not itself directly regulate land use. The annexation proceedings may be "protested", and if fewer than 25% of the registered voters/affected landowners file protests, the annexation may be

approved without a formal election on the issue. Should more than 25% protect, an election occurs, but if a majority (50% plus one) files protests, annexation ends without further proceedings. Key to the success of annexation is a revenue sharing

agreement between the City and County, which either the City or the County may resist and thereby doom the annexation effort (as occurred in the recent Goleta annexation effort).

What would be the effect of annexation? Mission Canyon would now be within the City Fire jurisdiction. But in all likelihood, County Fire Station No. 15 would be transferred to the City as part of the annexation process, and we would continue to be served by the same equipment and personnel. Mutual aid agreements between City and County blur the geopolitical boundary lines for first response, in any event. The local streets and roadways would become City streets, maintained by the City. Canyon residents would pay a 6% utility tax on utility services, as do all City residents. But the 23% surcharge on our water bills would be dropped. Zoning designations set by the County would continue, at least initially, under the City.

Braitman provided some excellent insight into the annexation process, saying: Cities are generally timid, and generally become involved in annexation only after being requested to do so by residents within the affected area. Left undisturbed, the City would probably not initiate annexation of Mission Canyon, particularly since a weighing of revenue generation vs. service cost resulting from annexation of Mission Canyon, would hardly justify the effort. LAFCO does, however, favor placing urban areas in cities, and may be supportive. The best way to start would be informal contacts with City (and County) personnel opening the topic for discussion, followed up by written requests from our Association and from Canyon residents, asking the City to initiate the process.

What are the advantages of annexation? Braitman suggested four:

1. Giving Canyon residents a sense of political participation in local affairs;
2. Giving us a better level of service, such as police and traffic enforcement;
3. Possible economic advantages, even after calculating in the 6% utility tax;
4. The practical fact that Canyon real estate valuations may be enhanced, as buyers prefer owning properties in incorporated areas, Montecito possibly being an exception.

As talk drifted toward the differing treatment of illegal units by the City and County, Braitman noted that AB 1866, signed into law last year, eliminates several barriers to permitting second units.¹ The effect may be to legitimize second units in Mission Canyon, either on an “as built” basis, or as new construction.

¹ AB 1866 (Wright) (Gov. Code Section 65852.2) provides that after July 1, 2003, the permit process for second units is ministerial, which means without a public hearing

The Board thanked Mr. Braitman for his time and expertise, and extended an invitation to him for our upcoming annual meeting on April 22d. Mr. Braitman graciously accepted.

The Board thereafter discussed and passed upon the following matters:

- Invitations should be extended to key County and City personnel for our Annual Meeting, including Naomi Schwartz, Salud Carbajal, Paul Casey, Dianne Meester, Penfield & Smith.
- The draft map of the projected project area within Maintenance Area No. 12, covering approximately 100 parcels divided into 3 separate sections, was considered. The Board observed that the maps shows the projected main sewer lines only, with vast areas left for laterals to be installed by the nearby landowners.
- The next Land Use Committee meeting is March 17 at 4 pm, at Kathy Koury's home.
- Mr. Reetz distributed drafts of the Association newsletter, asking for comments from the Executive Committee per the newsletter approval protocols.

The meeting adjourned at 9:00 pm. The next scheduled meeting is Tuesday, April 1st, 2003 at 7:30 pm.

or discretionary approval. Local governments will be required to implement a process for second units (like the process for obtaining a permit for a room addition, for example) in which the applicant is entitled to the permit if he or she complies with local standards -- obviating the need for time-consuming, contentious, costly public hearings.

AB 1866 also provides that local governments may not apply development standards that make it impossible to develop housing at the density permitted by density bon-us law. In numerous cases, local governments adopt a zoning plan in order to meet their fair share housing obligation but then adopt development standards that make it impossible to build at the density provided for in the zoning plan. Such development standards undercut state housing law and local planning goals, exacerbate the housing short-age and increase housing costs. AB 1866 explicitly provides that localities are not required to waive or reduce important environmental, historic or health and safety standards, but they will have to waive or reduce development standards (open space, parking, setback, lot size, height, etc.) to the extent needed to build the housing at the density established by the local government's own plan.

Randy Reetz, Secretary