CITY OF SANTA BARBARA
CITY COUNCIL
REDEVELOPMENT AGENCY

Helene Schneider
Mayor/Chair
Bendy White
Mayor Pro Tempore/Vice Chair
Grant House
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Frank Hotchkiss
Randy Rowse
Michael Self

James L. Armstrong
City Administrator/
Executive Director

Stephen P. Wiley
City Attorney/Agency Counsel

City Hall
735 Anacapa Street
http://www.SantaBarbaraCA.gov

NOVEMBER 15, 2011
AGENDA

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council and Redevelopment Agency meetings begin at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and http://www.SantaBarbaraCA.gov. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (http://www.SantaBarbaraCA.gov). Materials related to an item on this agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular Council/Redevelopment Agency meeting, and at the beginning of each special Council/Redevelopment Agency meeting, any member of the public may address them concerning any item not on the Council/Redevelopment Agency agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the Council/Redevelopment Agency. Should Council/Redevelopment Agency business continue into the evening session of a regular Council/Redevelopment Agency meeting at 6:00 p.m., the Council/Redevelopment Agency will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The Council/Redevelopment Agency, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or Council/Redevelopment Agency regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or Council/Redevelopment Agency.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the Council/ Redevelopment Agency. A Consent Calendar item is open for discussion by the Council/Redevelopment Agency upon request of a Council/Agency Member, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council/Redevelopment Agency considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular Council meeting is broadcast live in English and Spanish on City TV Channel 18, and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

12:30 p.m.	-	Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
2:00 p.m.	-	City Council Meeting Begins
2:00 p.m.	-	Redevelopment Agency Meeting
5:00 p.m.	-	Recess
6:00 p.m.	-	City Council Meeting Reconvenes
6:00 p.m.	-	Interviews for City Advisory Groups

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

Subject: Fiscal Year 2012 First Quarter Interim Financial Statements

Recommendation: That the Finance Committee recommend that Council:

A. Accept the Fiscal Year 2012 Interim Financial Statements for the Three Months Ended September 30, 2011; and

B. Approve a transfer from the Airport Grants Fund to the Airport Operating Fund in the amount of $150,337 to reduce the City's 5% match for two FAA grants that were awarded at lower amounts than projected.

(See Council/Redevelopment Agency Agenda Item No. 13)

REGULAR CITY COUNCIL MEETING – 2:00 P.M.
REGULAR REDEVELOPMENT AGENCY MEETING – 2:00 P.M.

AFTERNOON SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

1. Subject: Introduction Of Ordinance For A Grant Of Easement At 633 Bath Street (330.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Grant of an Easement for a Private Sewer Service Lateral Across the City-Owned Property at 633 Bath Street for the Benefit of the Real Property at 631 Bath Street.

2. Subject: Introduction Of Ordinance For A Lease Agreement With Stearns Wharf Bait & Tackle (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Reggie Drew, Doing Business As Stearns Wharf Bait & Tackle, for the Lease Space at 232 Stearns Wharf, Effective December 15, 2011.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

3. Subject: Introduction Of Ordinance For Amendment To Lease No. 200846 With Mercury Air Center - Santa Barbara, Inc. (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Amendment to Lease Agreement No. 200846 Between the City and Mercury Air Center - Santa Barbara, Inc., a California Corporation, dba Atlantic Aviation, Amending the "Leasehold Premises", "Term", "Rent", and "Utilities" Provisions of Lease No. 200846 to Take Effect Upon the Effective Date of the Ordinance.

4. Subject: Adoption Of Ordinances Adding Public Employee Retirement System Cost Sharing Alternatives To Memorandum Of Understanding (430.08)

Recommendation: That Council:

A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2010-2013 Police Officers Association Memorandum Of Understanding to Include an Alternative Public Employee Retirement System Cost Sharing Scenario;

B. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2011-2013 Patrol Officers' and Treatment Plants' Bargaining Units (Treatment and Patrol Units) Memorandum Of Understanding to Include an Alternative Public Employee Retirement System Cost Sharing Scenario; and

C. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2009-2012 Supervisory Employees' Bargaining Unit Memorandum Of Understanding to Include an Alternative Public Employee Retirement System Cost Sharing Scenario.

5. Subject: Five-Year License Agreement With Santa Barbara Water Taxi, LLC (330.08)

Recommendation: That Council approve a five-year license agreement with Santa Barbara Water Taxi, LLC, for a water taxi service, shoreboat service and limited charter operation from Santa Barbara Harbor.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

6. Subject: State Of California Office Of Traffic Safety Grant (520.04)

Recommendation: That Council:

A. Accept $150,000 from the State of California Office of Traffic Safety and authorize the Chief of Police to execute the Grant Agreement; and

B. Appropriate the grant allocation of $150,000 to the Miscellaneous Grants Fund for Fiscal Year 2012 for the Sobriety Checkpoint Program.

7. Subject: Memorandum Of Understanding For Early Digital Transition Of PEG Access Channels On The Cox Cable System (510.04)

Recommendation: That Council authorize the City Administrator to execute a Memorandum of Understanding with CoxCom, LLC (dba Cox Communications), the County of Santa Barbara, and the cities of Carpinteria and Goleta for the early transition of the Santa Barbara South Coast PEG channels from an analog format to a digital format on the regional cable system.

8. Subject: Waive Formal Bid Requirements And Authorize A Purchase Order For Trionic Corporation Dock Boxes (340.08)

Recommendation: That Council find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code Section 4.52.070 (L), and authorize the General Services Manager to issue a purchase order to Trionic Corporation, as the most favorable source for providing the City with 155 standardized dock boxes for the Waterfront Department's Marina Three in an amount not to exceed $56,000.

9. Subject: Appeal Of Penalty For Late Tax Filing By Santa Barbara Luxury Rentals (270.06)

Recommendation: That the City Council appoint the City Administrator as the appropriate City agency, officer, commission or committee to hear the appeal of the imposition of a penalty for a late transient occupancy tax payment upon Santa Barbara Luxury Rentals pursuant to the authority of Santa Barbara Municipal Code Section 1.30.050(B).

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

10. Subject: Capital Improvement Projects First Quarter Report For Fiscal Year 2012 (230.01)

Recommendation: That Council receive a report on the City's Capital Improvement Projects for the First Quarter of Fiscal Year 2012.

REDEVELOPMENT AGENCY

11. Subject: Redevelopment Agency Fiscal Year 2012 Interim Financial Statements For The Three Months Ended September 30, 2011

Recommendation: That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2012 Interim Financial Statements for the Three Months Ended September 30, 2011.

NOTICES

12. The City Clerk has on Thursday, November 10, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

13. Subject: Fiscal Year 2012 First Quarter Interim Financial Statements (250.02)

Recommendation: That Council:

A. Accept the Fiscal Year 2012 Interim Financial Statements for the Three Months Ended September 30, 2011; and

B. Approve a transfer from the Airport Grants Fund to the Airport Operating Fund in the amount of $150,337 to reduce the City's 5% match for two FAA grants that were awarded at lower amounts than projected.

PUBLIC HEARINGS

14. Subject: Appeal Of Planning Commission Decision For 415 Alan Road (640.07)

Recommendation: That Council:

A. Hear the appeal of Steven Amerikaner, agent for Mr. & Mrs. Andrew Seybold, of the Planning Commission's denial of the staff recommendation that Council approve a General Plan amendment, Rezone, and Local Coastal Program amendment, and a proposed Lot Area Modification, the Tentative Subdivision Map, and the Coastal Development Permit at 415 Alan Road; and

B. Take one of the following actions:

1. Deny the appeal, thereby upholding the Planning Commission's denial of the project, and direct staff to return with findings and decisions; or

2. Uphold the appeal, and:

a. Approve the following applications, making findings in Attachment 8, subject to the conditions of approval in Attachment 9:

i. A Lot Area Modification to allow the proposed Parcel A to be less than the minimum lot size of 1.5 acres required for lots with slopes of 10%-20% in the A-1 Zone (SBMC §28.92.026.A);

ii. A Tentative Subdivision Map to allow the division of one (1) lot into two (2) parcels (SBMC 27.07);

iii. A Coastal Development Permit for the development within the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060).

b. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving A Local Coastal Program Amendment for an application of Patsy Stadleman, agent for Andrew Seybold, 415 Alan Road - Parcel B (MST2009-00083);

c. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a General Plan Map Amendment for an Application of Patsy Stadleman, Agent for Andrew Seybold, 415 Alan Road - Parcel B (MST2009-00083); and

d. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Rezoning of Property in the Campanil Area Neighborhood.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

15. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Santa Barbara Channelkeeper v. City of Santa Barbara*, USDC Case No. CV-1103624 JHN (AGRx).

Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

16. Subject: Real Property Negotiations (330.03)

Recommendation: That Council hold a closed session, pursuant to Section 54956.8 of the Government Code, to consider real property negotiations between the staff of the City Administrator's Office for the City of Santa Barbara, and the staff of the Superintendent's Office for the Santa Barbara School District. The subject properties are known as:

- Fire Station No. 5, 2505 Modoc Road, La Cumbre Junior High School APN 049-170-007;
- Franklin Elementary School, 1111 East Mason Street, APN 017-101-003, APN 017-101-004, APN 017-061-003 and APN 017-094-002; and
- Santa Barbara High School, 700 East Anapamu Street, APN 029-180-009, APN 029-240-003, and APN 029-240-008

Scheduling: Duration, 45 minutes; anytime
Report: None anticipated

17. Subject: Waterfront Director – Public Employee Appointment (570.03)

Recommendation: That Council hold a closed session, pursuant to Section 54957 of the Government Code, to consider a public employee appointment.

Title: Waterfront Director
Scheduling: Duration, 20 minutes; anytime
Report: Anticipated

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

MAYOR AND COUNCIL REPORTS

18. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:
A. Hold interviews of applicants to various City Advisory Groups; and
B. Continue interviews of applicants to November 22, 2011.
(Continued from November 1, 2011, Item No. 8)

ADJOURNMENT

File No. 120.03

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: November 15, 2011
TIME: 12:30 P.M.
PLACE: David Gebhard Public Meeting Room
630 Garden Street

Dale Francisco, Chair
Michael Self
Bendy White

James L. Armstrong
City Administrator

Robert Samario
Finance Director

ITEM TO BE CONSIDERED:

Subject: Fiscal Year 2012 First Quarter Interim Financial Statements

Recommendation: That the Finance Committee recommend that Council:

A. Accept the Fiscal Year 2012 Interim Financial Statements for the Three Months Ended September 30, 2011; and

B. Approve a transfer from the Airport Grants Fund to the Airport Operating Fund in the amount of $150,337 to reduce the City's 5% match for two FAA grants that were awarded at lower amounts than projected.

(See Council/Redevelopment Agency Agenda Item No. 13)

Agenda Item No._____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Introduction Of Ordinance For A Grant Of Easement At 633 Bath Street

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Grant of an Easement for a Private Sewer Service Lateral Across the City-Owned Property at 633 Bath Street for the Benefit of the Real Property at 631 Bath Street.

DISCUSSION:

The easement is necessary to accommodate the private sewer lateral connecting the residence at 631 Bath Street, Assessor's Parcel Number 037-113-011, to the City sewer main located on Bath Street.

The Ortega Street Bridge Replacement Project included the demolition of the residences at 633 and 635 Bath Street. During this work, it was discovered that an existing sewer lateral from 631 Bath Street was connected to the sewer main on Ortega Street, crossing the properties at 633 and 635 Bath Street (see Attachment).

The existing sewer lateral, from 631 Bath Street, was required to be removed due to a conflict with the temporary ramp constructed for access into the creek during construction for the bridge replacement. In replacing the sewer lateral connection for 631 Bath Street, it was simpler and more cost effective to relocate the connecting lateral from the adjacent 633 Bath Street property out to the closer sewer main on Bath Street.

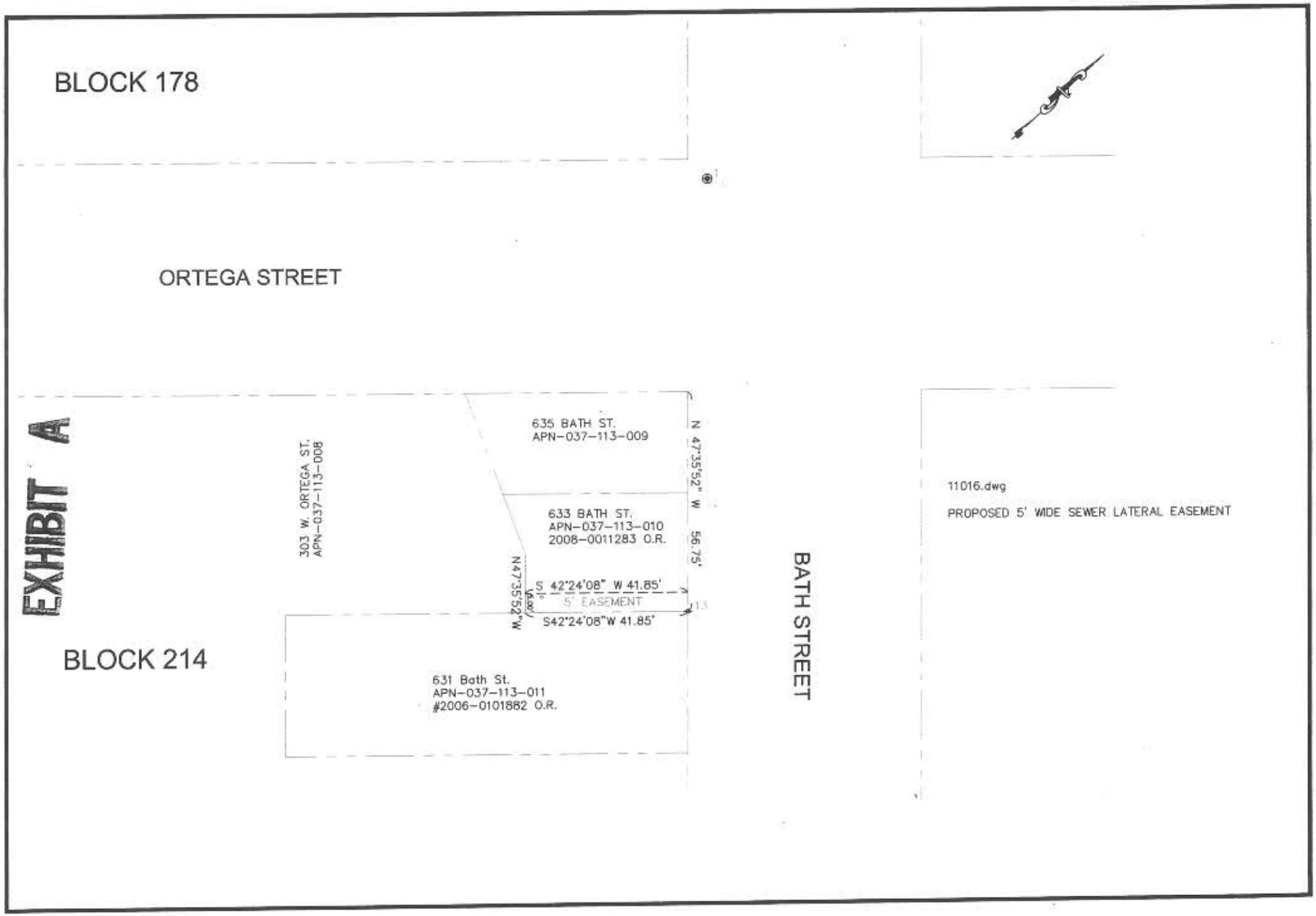
ATTACHMENT: Exhibit A to Easement Agreement

PREPARED BY: John Ewasiuk, Principal Civil Engieer/DT/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Attachment


BLOCK 178
ORTEGA STREET
EXHIBIT A
BLOCK 214
303 W. ORTEGA ST.
APN-037-113-008
635 BATH ST.
APN-037-113-009
633 BATH ST.
APN-037-113-010
2008-0011283 O.R.
N 47°35'52" W 56.75'
S 42°24'08" W 41.85'
5' EASEMENT
N47°35'52"W
S42°24'08"W 41.85'
631 Bath St.
APN-037-113-011
#2006-0101882 O.R.
BATH STREET
11016.dwg
PROPOSED 5' WIDE SEWER LATERAL EASEMENT

ORDINANCE NO._____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE GRANT OF AN EASEMENT FOR A PRIVATE SEWER SERVICE LATERAL ACROSS THE CITY-OWNED PROPERTY AT 633 BATH STREET FOR THE BENEFIT OF THE REAL PROPERTY AT 631 BATH STREET

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. That the grant of a non-exclusive easement set forth in the Easement Deed to Richard L. and Teresa Vaughan, Trustees of the Vaughan Trust, Dated March 10, 2006, owners of the property at 631 Bath Street (APNs 037-113-011 and -012), for the purposes of replacing a residential sewer service lateral displaced by the Ortega Street Bridge Replacement Project, and for all related purposes and uses in, on, under, along, through and across a portion of that certain tract of land owned by the City of Santa Barbara commonly known as 633 Bath Street (APN 037-113-010), is approved pursuant to the City Charter and the City Administrator is authorized to execute the same.

SECTION 2. That upon the effective date of the ordinance, the City Clerk is authorized to record said Easement Deed in the Official Records, in the Office of the County Recorder, Santa Barbara County.

Agenda Item No._____

File Code No. 330.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Business Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For A Lease Agreement With Stearns Wharf Bait & Tackle

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Reggie Drew, Doing Business As Stearns Wharf Bait & Tackle, for the Lease Space at 232 Stearns Wharf, Effective December 15, 2011.

DISCUSSION:

Reggie Drew has leased the 260 square foot tackle shop at 232 Stearns Wharf since assuming the lease agreement through a lease assignment process in August 2005. The current lease expired on July 31, 2011. The rent is currently $688 per month ($2.65 /square foot), or 10% of gross sales, whichever is greater. The base rent is subject to annual CPI increases.

The Bait & Tackle concession on Stearns Wharf has had four owners in the last 10 years and has been a marginal business during that time. However, Mr. Drew and his brother Frank have invigorated the business by maintaining regular hours of operation, keeping popular pier fishing tackle in stock and maintaining a supply of rental rods on hand.

The basic lease terms of the proposed lease are as follows:

- **Term:** Five-year term with one five-year option
- **Rent:** $688 per month, subject to annual CPI increases
- **Percentage Rent:** Base rent or 10% of gross sales, whichever is greater
- **Permitted Uses:**
  - Primary: Tenant shall use the Premises as a bait and tackle shop.
  - Secondary: Tenant shall also use the site for the sale of candy, pre-packaged snacks and beverages limited to a maximum of 20% of inventory display area.
  - Tenant may also sell tickets to the Santa Barbara Trolley (No change).

- **Lease Restrictions:** Tenant shall not permit the sale of frozen ice cream cones, ice cream packaged in cups, heated or prepared food and snacks.

All other terms of the lease remain unchanged. The tackle shop is an important amenity for the Wharf and provides a low-cost recreational opportunity for both residents and visitors.

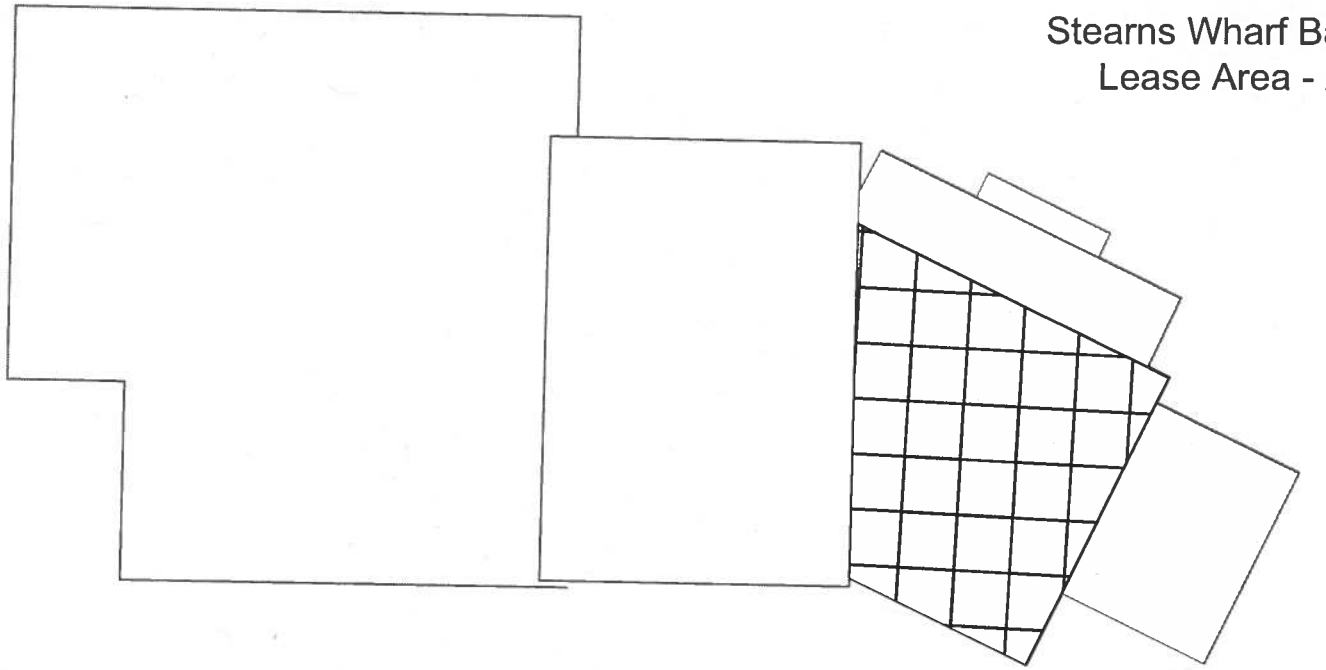
Stearns Wharf Bait & Tackle is considered by the Department to be a tenant in good standing as they are prompt with rent payments and have no default notices on file. The Harbor Commission recommended approval of the lease agreement at the October 20, 2011, meeting.

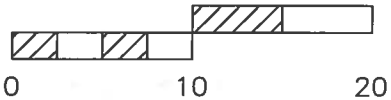
ATTACHMENT: Site Plan

PREPARED BY: Scott Riedman, Interim Waterfront Director

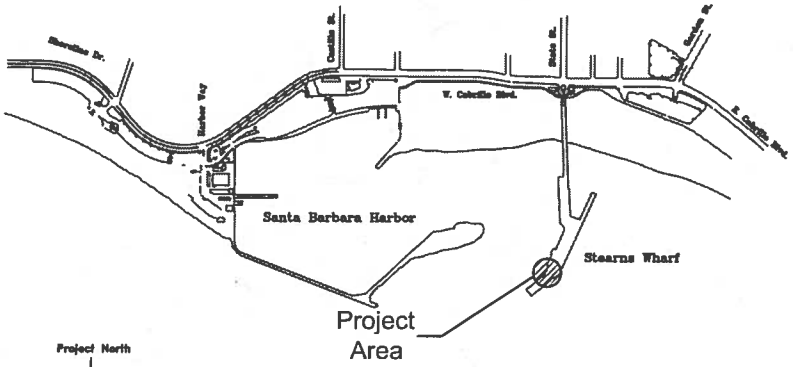
APPROVED BY: City Administrator's Office

232 Stearns Wharf
Stearns Wharf Bait & Tackle
Lease Area - 260 S.F.





Scale (Feet)



HARBOR VICINITY

NTS

ATTACHMENT

Lease Area Exhibit A			
REVISIONS	DATE: 03/06/06	APPROVED BY: S.Reidman	DRAWN BY: J.Johnson
	ADDRESS: 232 Stearn's Wharf		SHEET NO. 1 of 1
	City of Santa Barbara Waterfront Department		DRAWING NO. 2300-006

ORDINANCE NO._____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE AGREEMENT WITH ONE FIVE-YEAR OPTION WITH REGGIE DREW, DOING BUSINESS AS STEARNS WHARF BAIT & TACKLE, FOR THE LEASE SPACE AT 232 STEARNS WHARF, EFFECTIVE DECEMBER 15, 2011

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara approving a five-year lease with one five-year option with Reggie Drew, doing business as, Stearns Wharf Bait & Tackle, for the lease space at 232 Stearns Wharf, effective December 15, 2011, is hereby approved.

Agenda Item No._____

File Code No. 330.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Business & Property Division, Airport Department

SUBJECT: Introduction Of Ordinance For Amendment To Lease No. 200846 With Mercury Air Center – Santa Barbara, Inc.

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Amendment to Lease Agreement No. 200846 Between the City and Mercury Air Center – Santa Barbara, Inc., a California Corporation, dba Atlantic Aviation, Amending the "Leasehold Premises", "Term", "Rent", and "Utilities" Provisions of Lease No. 200846 to Take Effect Upon the Effective Date of the Ordinance.

DISCUSSION:

Airport Master Plan, Aviation Facilities Plan

October 11, 2011, City Council approved the selection of Coffman Associates to assist in preparation of a new Airport Master Plan. The Coffman contract will be paid for by a Federal Aviation Administration Airport Improvement Grant. The Federal Aviation Administration requires that airports have a comprehensive study of the airport that describes the short-, medium-, and long-term development plans to meet future aviation demand. Airport master plans are prepared to support the modernization or expansion of existing airport facilities and include the Airport's strategy for funding and phasing that development.

It is estimated that the Master Plan development and environmental review may take eighteen months to two years to complete. During the Master Plan development, the facility needs of the Airport's general aviation businesses and users will be identified. In addition, a site plan, for use of available land in the Aviation Facilities Zone, a financial plan, and a transition schedule will be developed. The new Master Plan will also consider other airport facility needs.

Fixed Base Operator Leases

The leases for both of the Airport's fixed base operators (FBOs), Signature Flight Support and Atlantic Aviation, expire in 2013. It is staff's intent to distribute a Request For Proposals (RFP) for fixed base operator services upon the termination of the current leases based upon the facility needs and site plan developed in the Master Plan process. Once FBOs have been selected through the RFP process, lease negotiations, design, permitting, and construction of improvements could take another 18 months to three years to finalize.

There may be some time efficiencies if the Airport is able to begin the RFP solicitation before the environmental review process for the Master Plan is finalized. However, the time savings is not expected to be significant. If the Airport plans to participate using FAA grant-eligible projects to facilitate the relocation of FBO buildings, environmental compliance on those projects must be completed before a grant application is submitted.

In order to provide a smooth transition for the FBO's under the Master Plan, staff is recommending that the Atlantic Aviation lease be extended for three years for a new termination date of July 31, 2016. Negotiations with Signature Flight Support for a similar extension are ongoing. The extension will allow Atlantic to make modest improvements to their facilities and to maintain services until the Master Plan and the associated environmental review are completed and FBOs are selected through a competitive process to construct new general aviation facilities on the north side of the airfield.

The size of the Leased Premises has been reduced to reflect the reduction in Atlantic's leasehold from 453,457 square feet to 436,314 square feet. The 17,143 square feet was recovered by the Airport in accordance with the provisions of the Lease Agreement as necessary to provide for the construction of the new Airline Terminal and associated parking and road improvements. The rental rate of $17,687 reflects the reduced rental rate.

Airport Commission

On Wednesday, June 8, 2011, the Airport Commission met to discuss and consider the three year lease extension for Atlantic Aviation and Signature Flight Support. The Commission unanimously recommended the extension.

Recommendation

The proposed Lease Amendment has been negotiated based upon the criteria set forth in Resolution 93-127, and has been reviewed and determined to be exempt from environmental review. The Airport Commission recommends approval.

PREPARED BY: Hazel Johns, Asst. Airport Director

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AN AMENDMENT TO LEASE AGREEMENT NO. 200846 BETWEEN THE CITY AND MERCURY AIR CENTER – SANTA BARBARA, INC., A CALIFORNIA CORPORATION, DBA ATLANTIC AVIATION, AMENDING THE "LEASEHOLD PREMISES", "TERM", "RENT", AND "UTILITIES" PROVISIONS OF LEASE NO. 200846 TO TAKE EFFECT UPON THE EFFECTIVE DATE OF THE ORDINANCE

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, that certain lease between the City of Santa Barbara and Mercury Air Center – Santa Barbara, Inc., dba Atlantic Aviation, which provides for operation of a Fixed Base Operation at the Santa Barbara Municipal Airport, is amended to extend the term for three years, reduce the premises, and adjust the rent and utilities charges accordingly, effective upon the effective date of this Ordinance, is hereby approved.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE 2010-2013 POLICE OFFICERS ASSOCIATION MEMORANDUM OF UNDERSTANDING TO INCLUDE AN ALTERNATIVE PUBLIC EMPLOYEE RETIREMENT SYSTEM COST SHARING SCENARIO

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Police Officers Association entered into as of July 1, 2010 and adopted as Ordinance No. 5538 (the "Agreement") is hereby amended as follows:

Effective September 23, 2011, Article 35 c (Retirement) is modified as follows:

A. Effective September 24, 2011, sworn employees will pay 3.0% of PERS-able compensation to share the cost of the 3% at 50 retirement benefit as allowed under CA Govt Code § 20516(a), subject to the following:
   1. Upon ratification of this Agreement, the City shall begin the process necessary to implement a contract amendment to allow employee contributions toward retirement through CA Govt Code § 20516(a) with a target effective date of September 24, 2011. All reasonable efforts will be made by both parties to finalize procedures necessary to implement these payments effective September 24, 2011.
   2. The City will approach each of the other employee groups in the PERS Police Safety Plan and ask them to agree to conduct an election under CA Govt Code § 20516(a), and to pay the required deductions if the election is successful. No election will occur until other affected employee groups agree to participate in a manner that will not increase overall costs to the City.
   3. In the event deductions under Govt Code §20516(a) cannot be implemented by the September 24, 2011 effective date, such as because other bargaining units have not yet agreed or because the PERS election is unsuccessful, then employee cost-sharing will be accomplished by employees continuing to pay 2.5% of the 9% employee's portion of the PERS contribution rate (with the City paying the remaining 6.5%) through April 20, 2012. This amount will be reduced to 2.266% of the 9% employee's portion of the PERS contribution rate (with the City paying the remaining 6.734%) effective April 21, 2012. Thereafter, the City will conduct an election under Government Code §20516(a) only if the parties mutually agree to conduct such an election.

4. Effective June 29, 2013, employee contributions to PERS under this section will cease unless extended by mutual agreement between the City and the Association.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE 2011-2013 PATROL OFFICERS' AND TREATMENT PLANTS' BARGAINING UNITS (TREATMENT AND PATROL UNITS) MEMORANDUM OF UNDERSTANDING TO INCLUDE AN ALTERNATIVE PUBLIC EMPLOYEE RETIREMENT SYSTEM COST SHARING SCENARIO

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The term of the Memorandum of Understanding between the City of Santa Barbara and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, effective as of January 1, 2011, and adopted by Ordinance No 5554, is hereby amended as follows.

Effective September 23, 2011 Article 45.b.5. (Retirement, Harbor Patrol Safety Employees) is amended as follows:

5. Notwithstanding the above, harbor patrol officers will temporarily participate in PERS cost-sharing as follows:
   a. Effective June 18, 2011, sworn employees will participate in retirement cost-sharing by paying 3.0% of earnings to the City through post-tax payroll deductions in the manner contemplated by Govt. Code § 20516(f). Such payments will not be credited under the retirement system. Such payments will not affect the City's payment of the 9% EPMC.
   b. Effective September 24, 2011, employees will begin to cost share pursuant to Govt. Code § 20516(a) in the same amount and through the same method as City of Santa Barbara Police Officers under the labor agreement applicable to those positions, or if a PERS contract amendment under Govt. Code § 20516(a) is not in place, post-tax payroll deductions will continue as in part "a" of this section. The parties acknowledge that cost-sharing under a Section 20516(a) PERS contract amendment may not exceed the PERS actuarially determined limit of 13.095% until July 14, 2021 and 4.460% thereafter.
   c. In the event that cost-sharing deductions for Police Officers cease for any reason before December 31, 2013, Harbor Patrol employees will continue to cost share at 3% of earnings through post-tax payroll deductions directly to the City in the manner contemplated by Govt. Code § 20516(f), which will continue until December 31, 2013, unless extended by agreement.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE 2009-2012 SUPERVISORY EMPLOYEES' BARGAINING UNIT MEMORANDUM OF UNDERSTANDING TO INCLUDE AN ALTERNATIVE PUBLIC EMPLOYEE RETIREMENT SYSTEM COST SHARING SCENARIO

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Supervisory Employees Bargaining Unit, Ordinance No. 5484, is hereby amended as follows:

Effective September 23, 2011Section 2.a.iii, 2 of the Supervisors Supplementary Agreement, adopted by Ordinance No. 5555, is amended as follows:

iii. Sworn to pay 3% of salary to PERS: Sworn employees in the Police Safety Plan (currently just the Harbor Patrol Supervisor) will contribute toward PERS pension benefits, as follows:

1. Effective June 18, 2011, sworn employees will participate in retirement cost-sharing by paying **3.0%** of earnings to the City through post-tax payroll deductions in the manner contemplated by Govt Code § 20516(f). Such payments will not be credited under the retirement system. Such payments will not affect the City's payment of the 9% EPMC.
2. Effective September 24, 2011, employees will begin to cost share Govt Code § 20516 in the same amount and through the same method as City of Santa Barbara Police Officers under the labor agreement applicable to those positions, or if a PERS contract amendment under Govt. Code § 20516(a) is not in place, post-tax payroll deductions will continue as in part "a" of this section.

Agenda Item No._____

File Code No. 330.08

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Business Division, Waterfront Department

SUBJECT: Five-Year License Agreement With Santa Barbara Water Taxi, LLC

RECOMMENDATION:

That Council approve a five-year license agreement with Santa Barbara Water Taxi, LLC, for a water taxi service, shoreboat service and limited charter operation from Santa Barbara Harbor.

DISCUSSION:

Fred and Kathy Hershman have operated the Santa Barbara Water Taxi under license agreements since October 2003. The Water Taxi has carried over 180,000 passengers over this period. They have provided a valuable service to both visitors and the boating community. The Water Taxi currently charges $4 per adult for a one-way trip and $1 for children 12 and under.

Captain Fred Hershman has over 40 years of motorboat/sailing experience. He has six years of Coast Guard ship handling and navigation experience and is an active member of the Coast Guard Auxiliary, Santa Barbara Flotilla.

The basic lease terms of the proposed lease agreement are as follows:

Term: Five Years

Water Taxi Service: The water taxi must operate between the Harbor and Stearns Wharf, six days per week, from noon to 6:00 p.m., weather and sea conditions permitting, between March and November. Minimum days of operation are reduced to weekends only from December through February.

Charter Service: Licensee may offer a charter service only before and after the scheduled hours of Water Taxi operation (noon to 6:00 p.m.) and only within City waters.

Shoreboat Service: Licensee may provide shoreboat service, providing transportation between shoreside facilities (such as Cabrillo Landing, the launch ramp, and Stearns Wharf) and vessels moored in City waters (such as the east of Wharf mooring and anchorage areas).

Licensee may sell food and beverages during the charter service. Licensee may sell one model of T-shirt, sweatshirt or hat that carries a logo or the name of the business. Licensee may post advertisements in the vessel.

Restrictions on Use:

- Charters may take place only outside of the normal Water Taxi operating hours- before noon and after 6:00 p.m.

License Fee:

- $50 per month or a percentage of gross sales, whichever is greater (no change)

Percentage Fee:

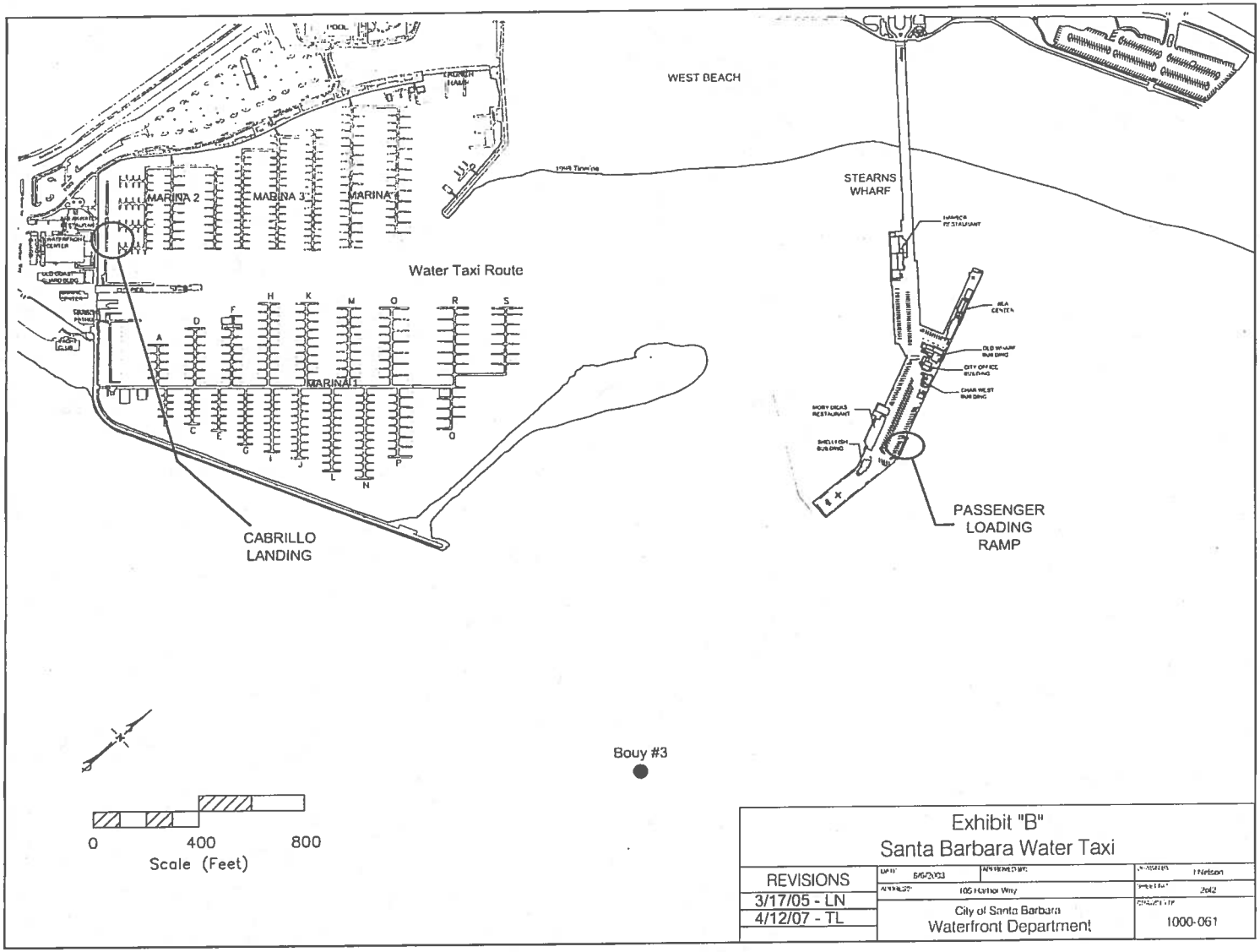
- 1% of gross sales from the Water Taxi service
- 1% of gross sales from Shoreboat service
- 10% of permitted merchandise sales
- 15% of permitted charter activities within city waters

The Water Taxi is a valuable transportation service between the Harbor and Wharf. The Harbor Commission recommended approval of the license agreement at the October 20, 2011, meeting.

ATTACHMENT: Site Plan

PREPARED BY: Scott Riedman, Interim Waterfront Director

APPROVED BY: City Administrator's Office


WEST BEACH
STEARNS WHARF
MARINA 2
MARINA 3
MARINA 4
MARINA 1
Water Taxi Route
CABRILLO LANDING
PASSENGER LOADING RAMP
Bouy #3
0
400
800
Scale (Feet)
Exhibit "B"
Santa Barbara Water Taxi
REVISIONS
3/17/05 - LN
4/12/07 - TL
105 Harbor Way
City of Santa Barbara
Waterfront Department
1000-061

ATTACHMENT

Agenda Item No._____

File Code No. 520.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Patrol Division, Police Department

SUBJECT: State Of California Office Of Traffic Safety Grant

RECOMMENDATION: That Council:

A. Accept $150,000 from the State of California Office of Traffic Safety and authorize the Chief of Police to execute the Grant Agreement; and
B. Appropriate the grant allocation of $150,000 to the Miscellaneous Grants Fund for Fiscal Year 2012 for the Sobriety Checkpoint Program.

DISCUSSION:

The Santa Barbara Police Department applied for a DUI Enforcement and Awareness Program Grant 2011-2012 from the State of California Office of Traffic Safety. The goals of this program are to reduce the number of victims killed and injured in alcohol-impaired collisions. This funding is to be completed by September 30, 2012. The grant funds will be used on an overtime basis for first line supervisors, officers, and clerical staff to meet the grant reporting requirements.

PREPARED BY: Mike McGrew, Traffic Sergeant

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office

Agenda Item No._____

File Code No. 510.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Treasury Division, Finance Department

SUBJECT: Memorandum Of Understanding For Early Digital Transition Of PEG Access Channels On The Cox Cable System

RECOMMENDATION:

That Council authorize the City Administrator to execute a Memorandum of Understanding with CoxCom, LLC (dba Cox Communications), the County of Santa Barbara, and the cities of Carpinteria and Goleta for the early transition of the Santa Barbara South Coast PEG channels from an analog format to a digital format on the regional cable system.

DISCUSSION:

Background

Cox Communications currently operates a regional cable system in the Santa Barbara South Coast region ("South Coast"), providing cable television service to the cities of Santa Barbara, Goleta and Carpinteria and the nearby unincorporated regions of the County of Santa Barbara. Within the City of Santa Barbara, Cox operates in the public right-of-way for the provision of cable services under a non-exclusive state video franchise authorized under Digital Infrastructure and Video Competition Act of 2006 ("DIVCA"). The other local jurisdictions in the region have each entered into non-exclusive cable franchise agreements with Cox, thereby allowing Cox to operate in the public right-of-way within their jurisdictional boundaries.

Under DIVCA and the Federal Telecommunications Act of 1996, local governments can require cable service providers to contribute public, educational and government access funding and channel space as a condition of operating in the public right-of-way. Currently, Cox provides seven public, education and government ("PEG") access channels in the South Coast region. The County of Santa Barbara and the cities of Santa Barbara, Carpinteria and Goleta each have their own government access channel. The City's government access channel is Channel 18 which is managed and programmed by City staff. The public and educational access channels are shared across the entire region on Channels 17 and 21, and are managed and programmed by the Santa Barbara Channels. A new higher education access channel will be managed by UCSB and initially programmed with UCTV content when the new channel goes live later this year.

Proposal for the Early Digital Transition of PEG Access Channels

Late last year, Cox approached the City and the other South Coast governments with a proposal to transition the seven PEG access channels to digital format before full digital transition of its analog channels on or before December 31, 2012. The early transition would create additional bandwidth on the cable system since each analog channel creates up to 5 digital channels after conversion. The additional bandwidth would allow Cox to offer additional pay-per-view ("PPV"), high definition ("HD"), and on demand programming in the interim before full digital transition of its channels. In exchange for the early transition, Cox would provide various forms of compensation to the local governments according to each government's needs. Cox would also provide affected subscribers all equipment necessary to view the digital PEG access channels and install the equipment free of charge. Only cable subscribers without a digital-ready television would be affected by the change. For the City, Cox estimates this number to be approximately 1,400 subscribers.

Under the proposal, there are several changes to PEG access channel numbers which would allow South Coast residents for the first time to view all seven PEG channels regardless of their location in the region. Currently, Carpinteria's government access channel shares a channel number with the City of Santa Barbara. As a result, Carpinteria residents are unable to view Santa Barbara's government access broadcast and vice versa. Carpinteria's government access channel would be moved to its own channel number, Channel 21. The existing educational access Channel 21 would be moved to Channel 71, next to the new UCSB higher educational access channel, Channel 72. After the full digital transition in December 2012, both education access channels would be moved to Channels 22 and 23, placing them adjacent to the band of government and public access channels (Channels 17 through 21). There would be no changes to the City, County, and Goleta governmental access or the public access channel numbers during the early digital transition or after full transition. The City's government access channel would remain on Channel 18 for the foreseeable future.

Cox would give various forms of compensation to the local governments as part of the proposal. To the City, Cox would continue providing through December 31, 2017: free internal electronic communications services ("intranet services") to existing free moderate volume City facilities, the current subsidized rate for intranet services to high volume City facilities, free cable drops, and free monthly cable service to existing City buildings and facilities. These free or subsidized services were requirements of the City's previous 1999 cable franchise agreement with Cox, but cannot be mandated at Cox under the state DIVCA after Cox secured a state video franchise from the California Public Utilities Commission to provide cable service within our City boundaries in December 2010.

The proposed agreement is the culmination of many months of work between City staff, staff from the other South Coast governments, and Cox representatives. With the proposed action, the City Administrator will be authorized to execute the necessary multi-agency agreement with Cox on behalf of the City.

PREPARED BY: Jill Taura, Treasury Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

Agenda Item No._____

File Code No. 340.08

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Facilities Division, Waterfront Department

SUBJECT: Waive Formal Bid Requirements And Authorize A Purchase Order For Trionic Corporation Dock Boxes

RECOMMENDATION:

That Council find it in the City's best interest to waive the formal bid process, as authorized by Municipal Code Section 4.52.070 (L), and authorize the General Services Manager to issue a purchase order to Trionic Corporation, as the most favorable source for providing the City with 155 standardized dock boxes for the Waterfront Department's Marina Three, in an amount not to exceed $56,000.

DISCUSSION:

The Waterfront Department provides storage for slipholders in the form of dock boxes at each slip. Marinas Three and Four were reconstructed in 1983/84 after severe storm damage. The reconstructed docks were provided with fiberglass dock boxes by a company that is no longer in business. A majority of the dock boxes have deteriorated significantly and/or been damaged by boats.

In 2009, staff received samples of dock boxes from four different suppliers. The sample dock boxes were installed at various locations and tested by staff and boaters with the goal of selecting a new standardized dock box for all slips in Marinas Three and Four. The most durable and least expensive dock boxes were made out of plastic and provided by Trionic Corporation. Staff purchased 80 dock boxes in 2009 and again in 2010 from Trionic Corporation, completing replacement of all the dock boxes in Marina Four. By standardizing the dock boxes, staff has increased the number of installations from two to five dock boxes a day.

Staff plans to install 155 dock boxes in Marina Three over the next two years. Trionic Corporation has provided a quote for the dock boxes in an amount not to exceed $56,000, including freight. The price has increased from $288 to $292 per dock box, a nominal increase, which still makes the price very competitive compared to the quoted prices for the other dock boxes in 2009. The dock boxes have proven to be very durable and resistant to frequent impacts from boaters attempting to dock.

Financial Information:

Funding for the purchase of dock boxes is included in the Waterfront's Capital Improvement Program.

PREPARED BY: Karl Treiberg, Waterfront Facilities Manager

APPROVED BY: City Administrator's Office

Agenda Item No._____

File Code No. 270.06

CITY OF SANTA BARBARA

CITY COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office
City Attorney's Office

SUBJECT: Appeal Of Penalty For Late Tax Filing By Santa Barbara Luxury Rentals

RECOMMENDATION:

That the City Council appoint the City Administrator as the appropriate City agency, officer, commission or committee to hear the appeal of the imposition of a penalty for a late transient occupancy tax payment upon Santa Barbara Luxury Rentals pursuant to the authority of Santa Barbara Municipal Code Section 1.30.050(B).

DISCUSSION:

Santa Barbara Luxury Rentals, a local vacation rental operator, has submitted an administrative appeal of the imposition of a penalty for a late transient occupancy tax payment received on July 13, 2011. Under SBMC Section 4.08.140, a lodging establishment operator may appeal the decision of the Finance Director with respect to the amount of the penalties imposed. The original request for a waiver of penalty from Santa Barbara Luxury Rentals was denied by the Finance Department based on the facts of the case.

The City of Santa Barbara levies a 12 percent occupancy tax on lodging customers under Santa Barbara Municipal Code (SBMC) sections 4.08 and 4.09. The tax is collected by lodging operators on behalf of the City and then reported and remitted to the City monthly. SBMC Section 4.08.070 states that each lodging operator shall report and remit all transient occupancy tax collected on or before the tenth (10th) day after the close of each calendar month. For any month when the 10th calendar day falls on a Saturday, Sunday or City holiday, the next business day is considered the due date. There is no tax exclusion in the SBMC for stays at vacation rentals.

The City accepts the responsibility for the mailing time by accepting dated postmarks from the U.S. Postal Service as proof of the meeting the SBMC deadline. Since July 10, 2011 fell on a Sunday, the deadline for U.S. Postal Service postmark, or actual receipt by the City, was Monday, July 11, 2001. The payment from Santa Barbara Luxury Rentals was received by the Finance department on Wednesday, July 13, 2011 with a U.S. Postal Service postmark dated July 12, 2011, one day after the legal deadline.

The Finance department issues one-time waivers for late penalties because unforeseen circumstances and emergencies can occur that make it impossible for an operator to submit their payment in a timely manner. In the case of Santa Barbara Luxury Rentals, penalties and interest for late taxes were waived on a one-time basis in July 2009 when the business was first brought into transient occupancy tax code compliance. At that time, Santa Barbara Luxury Rentals filed its first TOT return and submitted back tax for a number of prior periods, although it had been a licensed business for a number of years. Based on this, the Finance department denied the request for a second waiver of penalty.

Staff recommends that Council appoint the City Administrator as the City officer to hear and decide the appeal from Santa Barbara Luxury Rentals.

PREPARED BY: Jill Taura, Treasury Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

Agenda Item No._____

File Code No. 230.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Capital Improvement Projects First Quarter Report For Fiscal Year 2012

RECOMMENDATION:

That Council receive a report on the City's Capital Improvement Projects for the First Quarter of Fiscal Year 2012.

EXECUTIVE SUMMARY:

This report summarizes the progress on Capital Improvement Projects in the First Quarter of Fiscal Year 2012.

DISCUSSION:

CONSTRUCTION HIGHLIGHTS

Four projects were completed with a Notice of Completion in the First Quarter of Fiscal Year 2012, with a total project cost of $1,443,773 (Attachment 1). The following describes some of the highlights:

- Modoc Road Pavement Preparation Project ($97,647) – After several winter storms, the condition of the pavement on Modoc Road degraded significantly and required repairs. The completed project consisted of spot repairs on the surface of the roadway on Modoc Road between Las Positas Road and the City limits.

- El Cielito Pump Station Standby Generator Project ($220,776) – This project has improved the El Cielito Pump Station by providing an emergency power source in times of electric power failure and outages.

- Jake Boysel Multipurpose Pathway ($895,390) – This Project consisted of a 925-foot long off-street, multi-purpose pathway for use by bicyclists and pedestrians, beginning on Calle Real, just east of the St. Vincent's Bridge, and continuing to the east, and connecting to an existing path near the intersection of Calle Real

and Highway 154. The Project was a federally funded Safe Routes to School Project and is named in memory of Jake Boysel, who was hit by a car while bicycling to school on Calle Real.

- Westside Neighborhood Center Improvements Project ($229,959) – The completed project was a collaboration between the Parks and Recreation Department and the Redevelopment Agency. Work included extensive landscaping, upgrades to the existing playground, basketball court, and handball court, as well as new accessibility components, concrete walkways and ramps, seating areas, a drinking fountain, and trash and recycling receptacles.

In addition, 27 capital improvement projects are currently in the construction phase, with an approximate value of $85,433,653 (Attachment 2). To view a list of all construction projects, visit the following website: www.santabarbaraca.gov/Engineering.

The following are construction highlights of six projects:

Creeks:

- Mackenzie Parking Lot Storm Water Project ($405,053) – Permeable pavers will be installed in the Mackenzie Park parking lot at State Street and Las Positas Road, in order to allow storm water and urban runoff to infiltrate into the ground. The design will demonstrate a retrofit that complies with the City's Storm Water Management Program requirements of detaining and treating the volume of water generated from a one-inch, 24-hour storm event. The work is scheduled to be completed in November 2011.

Downtown Parking:

- Helena Avenue Parking Lot ($236,557) – This new lot will provide 31 parking spaces to serve the lower State Street area. This lot is adjacent to the new youth hostel, but will be operated by the Downtown Parking District. Construction of the new parking lot at 217 Helena Avenue began in August and is expected to be completed in November 2011.

Public Works Streets:

- Zone 6 Slurry Seal ($1,011,716) – Each year, the City of Santa Barbara contracts the maintenance operations to repair the streets in a designated area. This year, Granite Construction will carry out pavement preparation to repair localized defects. Pavement Coating Company will fill and seal the cracks before placing slurry. This year's zone, Zone 6, consists of the primary arterial streets throughout the City. The work is scheduled to be completed in November 2011.

Public Works Water:

- Escondido and Bothin Pump Stations Rehabilitation ($1,478,776) – The pump replacement work is scheduled to begin in the Fall of 2011. The existing pumps turn off and on as water demand fluctuates, resulting in higher energy usage and maintenance costs. After improvements are completed, pumps will operate at varying speeds, depending on water demand. The work is scheduled to be completed in March 2012.

- Water Main Replacement FY 09-10 ($2,026,946) – This project will replace approximately 8,500 linear feet of water mains located throughout the city. The water mains slated for replacement have been selected by considering numerous criteria including age, break history, pipe material, water demands, and fire flows. This is part of an annual program to replace 1% of the water distribution system throughout the City. The work is scheduled to be completed in April 2012.

Redevelopment Agency:

- Fire Department Administration Annex ($1,899,874) – The remodeled annex space will be used to house the Fire Department administrative staff and will include seismic, mechanical, and electrical upgrades, as well as Americans with Disabilities Act improvements. The annex remodel is expected to be substantially complete by November 2011. The Fire Department is planning on moving into the area by January 1, 2012.

DESIGN HIGHLIGHTS

In addition to the work in construction, there is a significant amount of work in the design phase. There are currently 52 projects under design, with an estimated total project cost of $159,602,023 (see Attachment 2). To view a list of all design projects, visit the following website: www.santabarbaraca.gov/Engineering.

Work is scheduled to be funded over several years, as generally shown in the City's Six-Year Capital Improvement Program Report. The projects rely on guaranteed or anticipated funding and grants.

The following are design project highlights:

Airport:

- Firestone Road Drainage ($560,000) - The consultant completed 50% of the design for the project, and worked with staff to prepare an application for a Coastal Development permit.

Public Works Facilities:

- Cabrillo Arts Renovation - Facility Assessment ($225,000) – The work consists of a complete assessment of the Cabrillo Pavilion Arts Center and Bathhouse

Facility. Work to be performed includes: architectural analysis and design, civil assessment for drainage and surveying, Americans with Disabilities Act compliance assessment, structural evaluation of the building and upgrades to meet the current seismic code, mechanical and electrical assessments, landscaping, fire protection, and sea-level rise impact assessment.

Public Works Streets:

- Conejo Roadway & Utilities – With the recent activation of the Conejo Road/Conejo Lane "Slide Mass C" about six months ago, a multi-department group from Public Works, Community Development, Fire Department, and others was created to assure the City's public infrastructure is maintained. As such, roadway and wastewater designs are in progress to minimize the impact of periodic movement of "Slide Mass C" to the public infrastructure.

Public Works Streets/Bridge:

- Mason Street Bridge ($10,877,000) – The project is currently in the conceptual design phase. Over the next few months, Public Works will be working with the project stakeholders, Creeks Committee and Historic Landmarks Commission on the preferred design layout. In 2012, the project will move into final design.

SUMMARY:

Fiscal Year 2012 is scheduled to have 35 projects, valued at approximately $48 million, in completed construction. Fiscal Year 2013 is scheduled to be a record year, with approximately $96 million in completed construction.

ATTACHMENTS:

1. Completed Capital Improvement Projects for First Quarter Fiscal Year 2012
2. Capital Projects with Design and Construction in Progress

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/TB

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Attachment 1

COMPLETED CAPITAL PROJECTS, FIRST QUARTER FISCAL YEAR 2012

Project Name	Modoc Road Pavement Preparation	El Cielito Pump Station Standby Generator	Jake Boysel Multipurpose Pathway	Westside Neighborhood Center Improvements	TOTALS
Design Costs	$4,548	$40,783	$169,742	$82,548	$297,621
Construction Contract	$77,244	$107,463	$489,709	$111,771	$786,187
Construction Change Order Costs	$7,725	$15,507	$122,137	$3,892	$149,261
Construction Management Costs	$8,130	$57,024	$113,802	$31,748	$210,704
Total Project Costs	**$97,647**	**$220,777**	**$895,390**	**$229,959**	**$1,443,773**

CAPITAL PROJECTS WITH DESIGN AND CONSTRUCTION IN PROGRESS

PROJECT CATEGORY	DESIGN IN PROGRESS	
	No. of Projects	Total Value of Projects
Airport	4	$3,510,000
Creeks	1	$3,450,000
Library	1	$2,609,251
Parks and Recreation	1	$615,000
Public Works: Streets/Bridges	5	$43,118,640
Public Works:Streets/Transportation	11	$11,891,851
Public Works: Water/Wastewater	18	$30,365,281
Redevelopment Agency	10	$63,565,000
Waterfront	1	$477,000
TOTAL	**52**	**$159,602,023**

PROJECT CATEGORY	CONSTRUCTION IN PROGRESS	
	No. of Projects	Construction Contract Costs
Airport	3	$35,949,076
Creeks	2	$1,471,318
Environmental Services	1	$496,460
Public Works: Streets/Bridges	2	$7,643,722
Public Works: Streets/Transportation	5	$3,702,022
Public Works: Water/Wastewater	8	$27,990,655
Redevelopment Agency	5	$3,965,254
Waterfront	1	$4,215,146
TOTAL	**27**	**$85,433,653**

Agenda Item No._____

CITY OF SANTA BARBARA

REDEVELOPMENT AGENCY BOARD AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Redevelopment Agency Board

FROM: Accounting Division, Finance Department

SUBJECT: Redevelopment Agency Fiscal Year 2012 Interim Financial Statements For The Three Months Ended September 30, 2011

RECOMMENDATION:

That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2012 Interim Financial Statements for the Three Months Ended September 30, 2011.

DISCUSSION:

The interim financial statements for the three months ended September 30, 2011 (25.0% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the Redevelopment Agency's General, Housing, and Capital Projects Funds.

ATTACHMENT: Redevelopment Agency Interim Financial Statements for the Three Months Ended September 30, 2011

SUBMITTED BY: Robert Samario, Fiscal Officer

APPROVED BY: City Administrator's Office

Attachment

REDEVELOPMENT AGENCY
OF THE
CITY OF SANTA BARBARA

INTERIM FINANCIAL STATEMENTS
FISCAL YEAR 2012
FOR THE THREE MONTHS
ENDED SEPTEMBER 30, 2011

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA
General Fund
Interim Statement of Revenues, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	Year-to-date Actual	Encum-brances	Remaining Balance	Percent of Budget
Revenues:					
Incremental Property Taxes	$ 16,203,700	$ -	$ -	$ 16,203,700	0.00%
Investment Income	200,000	76,247	-	123,753	38.12%
Overnight Accommodation Mitigation Fee	1,500	385		1,115	0.00%
Rents	72,000	-	-	72,000	0.00%
Total Revenues	16,477,200	76,632	-	16,400,568	0.47%
Use of Fund Balance	1,339,020	334,771	-	-	25.00%
Total Sources	$ 17,816,220	$ 411,403	$ -	$ 16,400,568	2.31%
Expenditures:					
Material, Supplies & Services:					
Office Supplies & Expense	$ 2,000	$ 380	$ -	$ 1,620	19.00%
Mapping, Drafting & Presentation	250	-	-	250	0.00%
Janitorial & Hshld Supplies	100	-	-	100	0.00%
Minor Tools	100	-	-	100	0.00%
Special Supplies & Expenses	4,000	1,004	-	2,996	25.10%
Building Materials	100	-	-	100	0.00%
Equipment Repair	1,000	1,109	-	(109)	110.90%
Professional Services - Contract	787,354	164,279	2,560	620,515	21.19%
Legal Services	162,250	45,468	-	116,782	28.02%
Engineering Services	20,000	2,131	-	17,869	10.66%
Non-Contractual Services	12,000	180	-	11,820	1.50%
Meeting & Travel	7,500	360	-	7,140	4.80%
Mileage Reimbursement	300	-	-	300	0.00%
Dues, Memberships, & Licenses	16,000	522	-	15,478	3.26%
Publications	1,000	-	-	1,000	0.00%
Training	7,500	195	-	7,305	2.60%
Advertising	1,000	-	-	1,000	0.00%
Printing and Binding	1,000	102	-	898	10.20%
Postage/Delivery	1,000	417	-	583	41.70%
Vehicle Fuel	1,300	181	-	1,119	13.92%
Total Supplies & Services	1,025,754	216,328	2,560	806,866	21.34%
Allocated Costs:					
Desktop Maint Replacement	20,435	5,109	-	15,326	25.00%
GIS Allocations	4,754	1,189	-	3,565	25.01%
Building Maintenance	1,650	413	-	1,237	25.03%
Planned Maintenance Program	3,984	996	-	2,988	25.00%
Vehicle Replacement	721	180	-	541	24.97%
Vehicle Maintenance	241	60	-	181	24.90%
Telephone	2,061	515	-	1,546	24.99%
Custodial	3,443	861	-	2,582	25.01%
Communications	2,878	719	-	2,159	24.98%
Property Insurance	5,095	1,274	-	3,821	25.00%
Allocated Facilities Rent	6,313	1,578	-	4,735	25.00%
Overhead Allocation	579,719	144,930	-	434,789	25.00%
Total Allocated Costs	631,294	157,824	-	473,470	25.00%
Special Projects	1,342,744	216,612	26,215	1,099,917	18.08%
Transfers	13,691,942	2,694,302	-	10,997,640	19.68%
Grants	1,036,986	-	28,011	1,008,975	2.70%
Equipment	6,000	211	-	5,789	3.52%
Fiscal Agent Charges	11,500	2,284	-	9,216	19.86%
Appropriated Reserve	70,000	-	-	70,000	0.00%
Total Expenditures	$ 17,816,220	$ 3,287,561	$ 56,786	$ 14,471,873	18.77%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA
Housing Fund
Interim Statement of Revenues, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	Year-to-date Actual	Encum-brances	Remaining Balance	Percent of Budget
Revenues:					
Incremental Property Taxes	$ 4,050,900	$ -	$ -	$ 4,050,900	0.00%
Investment Income	60,000	33,570	-	26,430	55.95%
Interest Loans	200,000	131,231	-	68,769	65.62%
Miscellaneous	2,000	-	-	2,000	0.00%
Total Revenues	4,312,900	164,801	-	4,148,099	3.82%
Use of Fund Balance	6,691,050	1,672,763	-	-	25.00%
Total Sources	$ 11,003,950	$ 1,837,564	$ -	$ 4,148,099	16.70%
Expenditures:					
Material, Supplies & Services:					
Office Supplies & Expense	$ 1,800	$ 217	$ -	$ 1,583	12.06%
Special Supplies & Expenses	1,000	87	-	913	8.70%
Equipment Repair	500	1,109	-	(609)	221.80%
Professional Services - Contract	713,018	168,177	-	544,841	23.59%
Non-Contractual Services	2,000	496	-	1,504	24.80%
Meeting & Travel	1,000	1,745	-	(745)	174.50%
Dues, Memberships, & Licenses	1,500	50	-	1,450	3.33%
Training	2,000	-	-	2,000	0.00%
Printing and Binding	-	102	-	(102)	100.00%
Postage/Delivery	600	392	-	208	65.33%
Total Supplies & Services	723,418	172,375	-	551,043	23.83%
Allocated Costs:					
Desktop Maintenance Replacement	6,780	1,695	-	5,085	25.00%
GIS Allocations	3,170	793	-	2,377	25.02%
Building Maintenance	1,650	412	-	1,238	24.97%
Planned Maintenance Program	4,058	1,015	-	3,043	25.01%
Vehicle Replacement	482	120	-	362	24.90%
Vehicle Maintenance	96	24	-	72	25.00%
Telephone	1,030	257	-	773	24.95%
Custodial	3,507	877	-	2,630	25.01%
Communications	1,151	288	-	863	25.02%
Allocated Facilities Rent	6,432	1,608	-	4,824	25.00%
Overhead Allocation	111,359	27,840	-	83,519	25.00%
Total Allocated Costs	139,715	34,929	-	104,786	25.00%
Transfers	5,330	1,333	-	3,997	25.01%
Equipment	2,500	-	-	2,500	0.00%
Housing Activity	9,418,922	2,029,183	-	7,389,739	21.54%
Principal	490,000	490,000	-	-	100.00%
Interest	142,765	75,058	-	67,707	52.57%
Fiscal Agent Charges	1,300	1,265	-	35	97.31%
Appropriated Reserve	80,000	-	-	80,000	0.00%
Total Expenditures	$ 11,003,950	$ 2,804,143	$ -	$ 8,199,807	25.48%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA
Capital Projects Fund
Interim Statement of Revenues, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	Year-to-date Actual	Encum-brances	Remaining Balance	Percent of Budget
Revenues:					
Transfers-In	$ 6,133,868	$ 1,533,467	$ -	$ 4,600,401	25.00%
Total Revenues	6,133,868	1,533,467	-	4,600,401	25.00%
Use of Fund Balance	10,576,325	2,644,100	-	7,932,225	25.00%
Total Sources	$ 16,710,193	$ 4,177,567	$ -	$ 12,532,626	25.00%
Expenditures:					
Capital Outlay:					
Finished					
Phase II - E Cabrillo Sidewalks	$ 54,688	$ 17,902	$ 51,288	$ (14,502)	126.52%
Fire Station #1 EOC	1,721	-	-	1,721	0.00%
Fire Station #1 Remodel	7,179	7,147	-	32	99.55%
Soil Remediation - 125 State St	2,380	263	2,380	(263)	111.05%
Construction Phase					
Chase Palm Park Light/Electric	536,489	30,847	208,237	297,405	44.56%
Chase Palm Park Playground Replcmt	200,000	-	-	200,000	0.00%
DP Structure (9,10) Const. Imprvmt	1,258,440	5,698	916,343	336,399	73.27%
Lower West Downtown Street Lighting	726,512	11,654	590,556	124,302	82.89%
Design Phase					
Plaza Del Mar Restroom Renovation	204,046	-	-	204,046	0.00%
Pershing Park Restroom Renovation	115,041	5	-	115,036	0.00%
Parking Lot Capital Improvements	179,890	35,830	300	143,760	20.08%
Library Plaza Renovation	68,478	35,482	32,996	-	100.00%
Planning Phase					
Panhandling Edu. & Alt. Giving	16,429	-	16,429	-	100.00%
PD Locker Room Upgrade	6,989,173	69,209	390,814	6,529,150	6.58%
PD Annex Lease Cost	152,580	74,431	-	78,149	48.78%
925 De La Vina Rental Costs	81,432	79,758	-	1,674	97.94%
RDA Project Contingency Account	5,821,247	-	-	5,821,247	0.00%
Cabrillo Pav Arts Ctr Assessment St	248,898	2,450	249,930	(3,482)	101.40%
State St Pedestrian Amenities Pilot	45,570	-	2,060	43,510	4.52%
Total Expenditures	$ 16,710,193	$ 370,676	$ 2,461,333	$ 13,878,184	16.95%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA
RDA Bonds - Series 2001A
Interim Statement of Revenues, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	Year-to-date Actual	Encum-brances	Remaining Balance	Percent of Budget
Revenues:					
Investment Income	$ -	$ 60	$ -	$ (60)	100.00%
Transfers-In	-	703,093	-	(703,093)	100.00%
Total Revenues	-	703,153	-	(703,153)	100.00%
Use of Fund Balance	1,968,801	492,204	-	1,476,597	25.00%
Total Sources	$ 1,968,801	$ 1,195,357	$ -	$ 773,444	60.71%
Expenditures:					
Interest	$ -	$ 703,093	$ -	(703,093)	100.00%
Principal	-	-	-	-	
Total Non-Capital Expenditures	-	703,093	-	(703,093)	100.00%
Capital Outlay:					
Finished					
Brinkerhoff Lighting	$ 4,100	$ 727	$ 4,100	$ (727)	117.73%
Design Phase					
Mission Creek Flood Control @ Depot	1,964,701	-	-	1,964,701	0.00%
Total Expenditures	$ 1,968,801	$ 703,820	$ 4,100	$ 1,260,881	35.96%

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA
RDA Bonds - Series 2003A
Interim Statement of Revenues, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	Year-to-date Actual	Encum-brances	Remaining Balance	Percent of Budget
Revenues:					
Investment Income	$ -	$ 296	$ -	$ (296)	100.00%
Transfers-In	-	447,040	-	(447,040)	100.00%
Total Revenues	-	447,336	-	(447,336)	100.00%
Use of Fund Balance	11,180,538	2,795,155	-	8,385,383	25.00%
Total Sources	$ 11,180,538	$ 3,242,491	$ -	$ 7,938,047	29.00%
Expenditures:					
Interest	$ -	$ 447,040	$ -	$ (447,040)	100.00%
Principal	-	-	-	-	
Total Non-Capital Expenditures	-	447,040	-	(447,040)	100.00%
Capital Outlay:					
Finished					
West Beach Pedestrian Improvements	$ 180,893	$ 6,383	$ 98,588	$ 75,922	58.03%
Westside Center Park Improvement	-	-	776	(776)	100.00%
West Downtown Improvement	288,259	-	-	288,259	0.00%
Construction Phase					
Helena Parking Lot Development	360,892	30,552	299,588	30,752	91.48%
Fire Department Administration	2,787,872	634,510	1,361,714	791,648	71.60%
DP Structure #2, 9, 10 Improvements	22,719	-	14,259	8,460	62.76%
Carrillo Rec Ctr Restoration	1,562,008	64,719	177,345	1,319,944	15.50%
Design Phase					
Plaza De La Guerra Infrastructure	2,158,039	29,683	57,297	2,071,059	4.03%
Chase Palm Park Restroom Renovation	185,687	-	-	185,687	0.00%
Library Plaza Renovation	97,244	2,104	83,223	11,917	87.75%
Artist Workspace	524,692	-	-	524,692	0.00%
Planning Phase					
Mission Creek Flood Control @ Depot	535,299	-	-	535,299	0.00%
Mission Creek Flood Control - Park Development	727,086	-	-	727,086	0.00%
Chase Palm Park Wisteria Arbor	835,000	-	-	835,000	0.00%
On-Hold Status					
Visitor Center Condo Purchase	500,000	-	-	500,000	0.00%
Lower State Street Sidewalks	335,000	-	-	335,000	0.00%
Downtown Sidewalks	79,848	120	-	79,728	0.15%
Total Expenditures	$ 11,180,538	$ 1,215,111	$ 2,092,790	$ 7,872,637	29.59%

Agenda Item No._____

File Code No. 250.02

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Accounting Division, Finance Department

SUBJECT: Fiscal Year 2012 First Quarter Interim Financial Statements

RECOMMENDATION: That Council:

A. Accept the Fiscal Year 2012 Interim Financial Statements for the Three Months Ended September 30, 2011; and

B. Approve a transfer from the Airport Grants Fund to the Airport Operating Fund in the amount of $150,337 to reduce the City's 5% match for two FAA grants that were awarded at lower amounts than projected.

DISCUSSION:

Each month, the Finance Department submits Interim Financial Statements to Council, which show the progress of revenues and expenditures, in relation to budget, for each of the City's funds (Attachment 2). Each quarter, the interim financial statements are expanded to include a narrative analysis of the General Fund and enterprise funds (see Attachment 1). The information in this report will be discussed with the Finance Committee on November 15, 2011.

This report covers the first three months of the fiscal year, and it is premature to make any solid projections for the year; however, the decline in revenues over the past years appears to have ended. Revenues were budgeted conservatively and, at this time, it appears that revenues will meet budget by fiscal year-end. Expenditures appear to be within expectations at September 30 and most of the expenditure variances are timing differences that will diminish throughout the year. Significant variances are discussed in Attachment 1.

In addition to the analysis of revenues and expenditures, staff brings forward any recommended adjustments for City Council approval. At this time, staff is recommending one budget adjustment to the Airport Fund.

Airport

The Airport Grants Fund budget includes a 5% City Match from the Airport operating fund for two FAA grant awards. Staff has been advised that the actual grant revenues will be lower than budgeted; therefore the City's required match will also be reduced. The recommended transfer will return the excess match amount of $150,337 to the Airport operating fund.

ATTACHMENTS:

1. Interim Financial Statements (Narrative Analysis)
2. Interim Statement of Revenues and Expenditures – Summary by Fund

PREPARED BY: Ruby Carrillo, Accounting Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

Fiscal Year 2012 Interim Financial Statements
For the Three Months Ended September 30, 2011 (25% of Year Elapsed)

General Fund Revenues

The table below summarizes General Fund revenues for the three months ended September 30, 2011. For interim financial statement purposes, revenues are reported on the cash basis (i.e. when the funds are received). The table below includes the budgeted totals as well as the year-to-date (YTD) budget, which for tax revenues and franchise fees has been seasonally adjusted based on a 3-year average of collections through the same period. Because tax revenues are not collected evenly throughout the year, adjusting the year-to-date budget to reflect the unique collection pattern of each tax revenue enables a more meaningful comparison to year-to-date results as shown in the Year-to-Date Actual column. For all other revenues, the Year-to-Date Budget column represents 25% (3 months out of the 12 elapsed) of the annual budget column. Unlike tax revenues, these revenues tend to be collected more evenly throughout the year.

Summary of Revenues
For the Three Months Ended September 30, 2011
GENERAL FUND

	Current Year Analysis						Prior Year Analysis	
	Annual Budget	YTD Budget *	YTD Actual	YTD Variance	YTD Percent Rec'd	3-Year Average Bench-mark	Prior Year YTD Actual	Variance Prior Yr To Current Yr
Sales & Use Tax	$ 17,949,013	$ 3,419,287	$ 3,576,006	$ 156,719	19.92%	19.05%	$ 3,312,671	7.9%
Property Tax	23,063,000	-	-	-	0.00%	0.00%	-	0.0%
UUT	7,144,500	1,806,844	1,840,815	33,971	25.77%	25.29%	1,817,174	1.3%
TOT	12,865,000	4,609,530	4,725,853	116,324	36.73%	35.83%	4,295,569	10.0%
Bus License	2,229,800	399,134	386,552	(12,582)	17.34%	17.90%	414,774	-6.8%
Prop Trans Tax	410,000	107,338	95,277	(12,061)	23.24%	26.18%	99,093	-3.9%
Total Taxes	63,661,313	10,342,133	10,624,503	282,370	16.69%	16.25%	9,939,280	6.9%
License & Permits	182,900	45,725	57,836	12,111	31.62%	25.00%	27,122	113.2%
Fines & Forfeitures	2,927,016	731,754	815,850	84,096	27.87%	25.00%	661,693	23.3%
Franchise Fee	3,593,200	856,978	870,187	13,209	24.22%	23.85%	767,154	13.4%
Use of Money & Property	1,138,779	284,695	290,241	5,546	25.49%	25.00%	300,540	-3.4%
Intergovernmental	702,650	175,663	206,724	31,062	29.42%	25.00%	254,755	-18.9%
Fee & Charges	20,348,725	5,087,181	5,118,659	31,478	25.15%	25.00%	4,841,054	5.7%
Miscellaneous	9,354,486	2,338,622	2,516,966	178,345	26.91%	25.00%	2,386,323	5.5%
Total Other	38,247,756	9,520,617	9,876,464	355,846	25.82%	25.00%	9,238,640	
Total Before Budgeted Variances	101,909,069	19,862,750	20,500,967	638,217			19,177,920	
Anticipated Year-End Var	1,200,000	300,000	-	(300,000)	0.00%	25.00%	-	0.0%
Total Revenues	$ 103,109,069	$ 20,162,750	$ 20,500,967	$ 338,217	19.88%	19.04%	$ 19,177,920	6.9%

* YTD Budget for Taxes is calculated based on a 3-year average of collections for each revenue source; for all other revenues, YTD Budget is calculated on a straight-line basis based on the number of months elapsed.

After only three months of activity, it is generally difficult to project with any degree of certainty where revenues will end the year. However, the local economy appears to be in a period of recovery based on the results of key tax revenues over the last year. In particular, after 3 three quarters of moderate growth, sales tax revenues for the quarter ended June 30, 2011 (received in September 2011) grew by over 11%. Likewise, transient occupancy tax revenues realized strong growth for all of fiscal year 2011.

Variances in the City's key tax revenues are discussed below.

Sales and Use Taxes

Sales tax revenue ended the first quarter approximately $157,000 above the YTD budget on a cash basis. However, the revenues received through September 30, 2011 are primarily payments of sales tax revenues earned for the quarter ended June 30, 2011. Sales tax payments for the first three months of the year will not be received until mid-December. It appears that these revenues have begun to improve, and are following the trend of other economically-driven revenues such as transient occupancy tax.

Property Tax

Property taxes are received in December and April of each year, after property tax installments are due from property owners. As such, we do not usually receive any payments until after the first quarter.

Transient Occupancy Tax

TOT revenue was approximately $116,000 over the YTD budget at September 30. TOT revenues for the first quarter of the fiscal year are 10% above revenues for the first quarter of last fiscal year. These revenues have realized significant percentage growth in the past two years, as last year they were 10.7% higher than the same quarter from the previous year. It is expected they will continue their growth and surpass budgeted revenues by approximately 6% by year-end, if the budgeted growth estimate holds.

General Fund Expenditures

The table below summarizes the General Fund budget and year-to-date expenditures through September 30, 2011. The Annual Budget column represents the amended budget, which includes appropriation carryovers from the prior year, as well as any supplemental appropriations approved by Council in the current year.

As shown below, a year-to-date budget (labeled "YTD Budget") column is included. This represents 25% of the annual budget to coincide with 3 out of 12 months in the fiscal year having elapsed. Unlike revenues, where the collection rate during the year is often seasonally affected, most expenditures tend to be incurred fairly evenly throughout the year.

SUMMARY OF EXPENDITURES
GENERAL FUND
For the Three Months Ended September 30, 2011

Department	Annual Budget	YTD Budget	YTD Actual	Variance Without Encumbrance	Encum-brance	Variance With Encumb Favorable (Unfavorable) $	%
Mayor & Council	$ 725,196	$ 181,299	$ 179,042	$ 2,257	$ 1,443	$ 814	0.1%
City Attorney	1,930,640	482,660	524,945	(42,285)	-	(42,285)	-2.2%
City Administrator	1,923,509	480,877	480,349	528	44,021	(43,493)	-2.3%
Administrative Svs.	1,947,674	486,919	423,307	63,612	259,134	(195,523)	-10.0%
Finance	4,392,750	1,098,188	1,046,048	52,140	90,252	(38,113)	-0.9%
Police	34,525,472	8,631,368	9,310,870	(679,502)	404,768	(1,084,270)	-3.1%
Fire	21,086,442	5,271,611	5,477,981	(206,371)	115,488	(321,859)	-1.5%
Public Works	6,823,956	1,705,989	1,655,925	50,064	168,772	(118,708)	-1.7%
Parks & Recreation	12,691,886	3,172,972	3,628,904	(455,933)	386,616	(842,549)	-6.6%
Library	4,025,687	1,006,422	906,102	100,320	105,736	(5,416)	-0.1%
Community Dev.	10,091,759	2,522,940	2,758,106	(235,166)	564,880	(800,046)	-7.9%
Community Promotions	3,267,061	816,765	1,082,161	(265,396)	-	(265,396)	-8.1%
Total	$ 103,432,033	$ 25,858,008	$ 27,473,739	$ (1,615,732)	$ 2,141,111	$ (3,756,842)	-3.6%
% of annual budget		**25.0%**	**26.6%**	**-1.6%**	**2.1%**	**-3.6%**	

As shown in the table above, actual expenditures of approximately $27.5 million exceeded the year-to-date budget by $1.6 million (1.6%) as of September 30. This is primarily due to services and programs that occur during the first quarter of the fiscal year only, and therefore front load the expenditure budget. These seasonal variations will normalize by year-end,

Individual departments showing an unfavorable variance as of September 30 are discussed below.

- **City Attorney** expenditures were higher than the YTD budget due to the monthly prepayment of office lease costs.

- **Police Department** expenditures were approximately $680,000 above the YTD budget at September 30. The variance is due to overtime costs incurred by sworn personnel for special events such as July 4th and Fiesta celebrations, which occur in the first quarter. Expenditures are also higher due to the CAD/RMS annual maintenance/support contract costs being paid in the month of July.
- **Fire Department** expenditures are over the YTD budget by about $206,000. The negative variance is primarily due to overtime incurred in providing mutual aid assistance; these expenditures are typically reimbursable at direct allowable costs plus overhead.
- **Parks and Recreation** expenditures to exceed the YTD budget for the first quarter because of the summer camp programs offered by the department.
- **Community Promotions**, which includes funding for events such as Old Spanish Days and the Film Festival, exceeds the YTD budget due to costs for those events being incurred during the first quarter of the fiscal year. This department also includes semi-annual debt service payments that are paid in September, which distorts the budget to actual comparison in the early part of the fiscal year.

Enterprise Fund Revenues and Expenses

Unlike the General Fund, which relies primarily on taxes to fund programs and services, Enterprise Fund operations are financed primarily from user fees. The table below summarizes Enterprise Fund revenues through September 30, 2011, with a comparison to budget and prior year. Note that the "YTD Budget" column has been calculated based on a 3-year average collection rate through September 30th. This rate, which is shown as a percentage in the "3 Year Average" column, has been applied to the annual budget amount to arrive at the Year-to-Date Budget. This approach is used in recognition that enterprise fund revenues, like General Fund tax revenues, are seasonally affected and are not necessarily received evenly throughout the year. After only three months of activity, it is generally difficult to project with certainty where revenues will end the year.

SUMMARY OF REVENUES & EXPENSES
Three Months Ended September 30, 2011
ENTERPRISE FUNDS

	Current Year Analysis						Prior Year Analysis	
	Annual Budget	YTD Budget *	YTD Actual	YTD Variance	YTD Percent	3 Year Average	YTD Actual	% Variance
Water Fund								
Revenues	$ 35,671,185	$ 10,451,657	$ 10,277,409	$ (174,248)	28.8%	29.3%	$ 10,047,997	2.3%
Expenses **	43,442,910	10,860,728	10,382,754	477,974	23.9%	25.0%	8,106,415	28.1%
Wastewater Fund								
Revenues	16,395,810	4,408,833	4,368,663	(40,170)	26.6%	26.9%	4,060,456	7.6%
Expenses **	17,491,788	4,372,947	3,583,118	789,829	20.5%	25.0%	4,175,735	-14.2%
Downtown Parking Fund								
Revenues	7,036,049	1,805,450	1,870,824	65,374	26.6%	25.7%	1,652,303	13.2%
Expenses **	7,582,431	1,895,608	1,741,279	154,329	23.0%	25.0%	1,530,484	13.8%
Airport Fund								
Revenues	14,880,151	3,676,885	3,488,213	(188,672)	23.4%	24.7%	3,343,357	4.3%
Expenses **	15,550,628	3,887,657	3,378,822	508,835	21.7%	25.0%	2,748,419	22.9%
Golf Fund								
Revenues	2,060,146	517,715	539,835	22,120	26.2%	25.1%	546,313	-1.2%
Expenses **	2,065,870	516,468	605,972	(89,505)	29.3%	25.0%	615,125	-1.5%
Waterfront Fund								
Revenues	12,203,518	3,565,868	3,606,374	40,506	29.6%	29.2%	3,326,858	8.4%
Expenses **	11,984,239	2,996,060	2,615,760	380,300	21.8%	25.0%	2,495,306	4.8%

* The YTD Budget column has been calculated based on a 3-year average collection rate through September 30 which has been applied to the annual budget.

** Expenses include encumbrances at September 30

Enterprise fund expenses through September 30, 2011, with a comparison to budget and prior year, are also summarized in the table above. The column labeled "YTD Budget" represents 25% of the annual budget column. Although many expenses tend to be incurred somewhat

evenly throughout the year, there are some notable expenses that do not. These expenses, such as debt service and capital projects, can create significant temporary variances from the YTD budget at certain times during the year.

The following discussion highlights some of the more significant revenue and expense variances of the enterprise funds, in relation to budget or prior year.

Airport Fund

Airport Fund revenues are approximately $189,000 lower than the YTD budget at September 30. Most of the variance is due to a decline in parking revenue, as passengers are being dropped off instead of parking in order to avoid the ongoing construction. It is expected these revenues will improve later in the year, since a parking rate adjustment is tentatively scheduled to go into effect on January 1, 2012.

Golf Fund

Golf Fund revenues on average are 8% lower than those for the first three months of the prior year. Although the number of rounds was relatively stable in the first quarter, revenues continue to trend downward as they have been over the last few years. Staff has already implemented cost cutting measures and has restructured green fees to encourage more play. However, it appears the decline in revenues in due to a larger trend in the golf industry where overall play has declined and interest has waned. Consequently, staff will be completing a comprehensive analysis of operations to identify alternative strategies to addressing the current structural deficit on a long-term basis.

Waterfront Fund

Waterfront Fund revenues are on average 8.4% higher than prior year. The positive variance is primarily due to more activity in the area due to better weather at the Santa Barbara beaches this summer compared to last summer.

Waterfront expenses were approximately $380,000 below the YTD budget at September 30. The variance is temporary due to planned materials, supplies, and services expenses that are expected to be consumed throughout the remainder of the fiscal year.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget
GENERAL FUND					
Revenue	103,109,069	20,500,967	-	82,608,102	19.9%
Expenditures	103,432,033	27,473,739	2,141,111	73,817,182	28.6%
Addition to / (use of) reserves	(322,964)	(6,972,772)	(2,141,111)		
WATER OPERATING FUND					
Revenue	35,671,185	10,277,409	-	25,393,776	28.8%
Expenditures	43,442,910	10,382,754	3,159,893	29,900,263	31.2%
Addition to / (use of) reserves	(7,771,725)	(105,345)	(3,159,893)		
WASTEWATER OPERATING FUND					
Revenue	16,395,810	4,368,663	-	12,027,147	26.6%
Expenditures	17,491,788	3,583,118	1,991,324	11,917,346	31.9%
Addition to / (use of) reserves	(1,095,978)	785,545	(1,991,324)		
DOWNTOWN PARKING					
Revenue	7,036,049	1,870,824	-	5,165,225	26.6%
Expenditures	7,582,431	1,741,279	617,463	5,223,690	31.1%
Addition to / (use of) reserves	(546,382)	129,545	(617,463)		
AIRPORT OPERATING FUND					
Revenue	14,880,151	3,488,213	-	11,391,938	23.4%
Expenditures	15,550,628	3,378,822	598,225	11,573,581	25.6%
Addition to / (use of) reserves	(670,477)	109,392	(598,225)		
GOLF COURSE FUND					
Revenue	2,060,146	539,835	-	1,520,311	26.2%
Expenditures	2,065,870	605,972	104,282	1,355,615	34.4%
Addition to / (use of) reserves	(5,724)	(66,137)	(104,282)		
INTRA-CITY SERVICE FUND					
Revenue	6,119,971	1,774,747	-	4,345,224	29.0%
Expenditures	6,122,735	1,831,574	893,560	3,397,602	44.5%
Addition to / (use of) reserves	(2,764)	(56,827)	(893,560)		

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget
FLEET REPLACEMENT FUND					
Revenue	2,230,083	582,097	-	1,647,986	26.1%
Expenditures	1,502,646	298,463	7,093	1,197,090	20.3%
Addition to / (use of) reserves	727,437	283,635	(7,093)		
FLEET MAINTENANCE FUND					
Revenue	2,530,723	624,093	-	1,906,630	24.7%
Expenditures	2,482,012	523,457	315,162	1,643,393	33.8%
Addition to / (use of) reserves	48,711	100,636	(315,162)		
SELF INSURANCE TRUST FUND					
Revenue	5,391,678	1,297,003	-	4,094,675	24.1%
Expenditures	9,055,327	2,210,071	321,447	6,523,809	28.0%
Addition to / (use of) reserves	(3,663,649)	(913,068)	(321,447)		
INFORMATION SYSTEMS ICS FUND					
Revenue	2,306,135	577,742	-	1,728,393	25.1%
Expenditures	2,347,350	596,680	205,855	1,544,815	34.2%
Addition to / (use of) reserves	(41,215)	(18,938)	(205,855)		
WATERFRONT FUND					
Revenue	12,203,518	3,606,374	-	8,597,144	29.6%
Expenditures	11,984,239	2,615,760	940,731	8,427,748	29.7%
Addition to / (use of) reserves	219,279	990,615	(940,731)		
TOTAL FOR ALL FUNDS					
Revenue	209,934,518	49,507,968	-	160,426,550	23.6%
Expenditures	223,059,970	55,241,688	11,296,147	156,522,136	29.8%
Addition to / (use of) reserves	(13,125,452)	(5,733,720)	(11,296,147)		

*** It is City policy to adopt a balanced budget. In most cases, encumbrance balances exist at year-end. These encumbrance balances are obligations of each fund and must be reported at the beginning of each fiscal year. In addition, a corresponding appropriations entry must be made in order to accomodate the 'carried-over' encumbrance amount. Most differences between budgeted annual revenues and expenses are due to these encumbrance carryovers.*

CITY OF SANTA BARBARA
General Fund
Interim Statement of Budgeted and Actual Revenues
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Remaining Balance	Percent Received	Previous YTD
TAXES					
Sales and Use	17,949,013	3,576,006	14,373,007	19.9%	3,312,671
Property Taxes	23,063,000	-	23,063,000	0.0%	-
Utility Users Tax	7,144,500	1,840,815	5,303,685	25.8%	1,817,174
Transient Occupancy Tax	12,865,000	4,725,853	8,139,147	36.7%	4,295,569
Franchise Fees	3,593,200	870,187	2,723,013	24.2%	767,154
Business License	2,229,800	386,552	1,843,248	17.3%	414,774
Real Property Transfer Tax	410,000	95,277	314,723	23.2%	99,093
Total	67,254,513	11,494,691	55,759,822	17.1%	10,706,434
LICENSES & PERMITS					
Licenses & Permits	182,900	57,836	125,064	31.6%	27,122
Total	182,900	57,836	125,064	31.6%	27,122
FINES & FORFEITURES					
Parking Violations	2,403,500	703,642	1,699,858	29.3%	528,241
Library Fines	133,516	29,995	103,521	22.5%	26,625
Municipal Court Fines	180,000	24,652	155,348	13.7%	52,153
Other Fines & Forfeitures	210,000	57,561	152,439	27.4%	54,674
Total	2,927,016	815,850	2,111,166	27.9%	661,693
USE OF MONEY & PROPERTY					
Investment Income	740,827	234,227	506,600	31.6%	192,264
Rents & Concessions	397,952	56,015	341,937	14.1%	108,276
Total	1,138,779	290,241	848,538	25.5%	300,540
INTERGOVERNMENTAL					
Grants	488,610	6,866	481,745	1.4%	136,592
Vehicle License Fees	200,000	198,535	1,465	99.3%	116,687
Reimbursements	14,040	1,323	12,717	9.4%	1,475
Total	702,650	206,724	495,926	29.4%	254,755
FEES & SERVICE CHARGES					
Finance	860,000	206,527	653,473	24.0%	209,256
Community Development	4,525,570	1,167,429	3,358,141	25.8%	1,120,481
Recreation	2,274,257	710,802	1,563,455	31.3%	673,397
Public Safety	499,673	147,340	352,333	29.5%	120,896
Public Works	5,286,083	1,376,455	3,909,628	26.0%	1,331,839
Library	675,575	33,631	641,944	5.0%	7,557
Reimbursements	6,227,567	1,476,475	4,751,092	23.7%	1,377,628
Total	20,348,725	5,118,659	15,230,066	25.2%	4,841,054
OTHER MISCELLANEOUS REVENUES					
Miscellaneous	1,392,091	535,340	856,751	38.5%	489,386
Indirect Allocations	6,111,818	1,527,955	4,583,863	25.0%	1,630,128
Operating Transfers-In	3,050,577	453,671	2,596,906	14.9%	266,809
Total	10,554,486	2,516,966	8,037,520	23.8%	2,386,323
TOTAL REVENUES	103,109,069	20,500,967	82,608,102	19.9%	19,177,920

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
GENERAL GOVERNMENT						
Mayor & City Council						
MAYOR	725,196	179,042	1,443	544,711	24.9%	
Total	725,196	179,042	1,443	544,711	24.9%	179,880
City Attorney						
CITY ATTORNEY	1,930,640	524,945	-	1,405,695	27.2%	
Total	1,930,640	524,945	-	1,405,695	27.2%	543,568
Administration						
CITY ADMINISTRATOR	1,468,399	371,226	1,443	1,095,730	25.4%	
CITY TV	455,110	108,809	42,577	303,725	33.3%	
Total	1,923,509	480,349	44,021	1,399,139	27.3%	509,537
Administrative Services						
CITY CLERK	435,245	109,338	22,182	303,725	30.2%	
ADMIN SVCS-ELECTIONS	300,000	27,827	210,535	61,638	79.5%	
HUMAN RESOURCES	1,197,982	286,143	26,416	885,423	26.1%	
ADMIN SVCS-EMPLOYEE DEVELOPMENT	14,447	-	-	14,447	0.0%	
Total	1,947,674	423,307	259,134	1,265,233	35.0%	371,846
Finance						
ADMINISTRATION	219,098	52,482	16,571	150,046	31.5%	
TREASURY	482,061	99,269	-	382,792	20.6%	
CASHIERING & COLLECTION	417,180	118,745	-	298,435	28.5%	
LICENSES & PERMITS	417,558	108,318	-	309,240	25.9%	
BUDGET MANAGEMENT	396,344	103,730	-	292,614	26.2%	
ACCOUNTING	478,913	92,211	67,813	318,889	33.4%	
PAYROLL	268,474	66,923	-	201,551	24.9%	
ACCOUNTS PAYABLE	207,832	55,134	-	152,698	26.5%	
CITY BILLING & CUSTOMER SERVICE	583,635	107,407	1,831	474,397	18.7%	
PURCHASING	659,344	175,854	3,037	480,453	27.1%	
CENTRAL STORES	160,010	39,907	500	119,603	25.3%	
MAIL SERVICES	102,301	26,066	500	75,735	26.0%	
Total	4,392,750	1,046,048	90,252	3,256,450	25.9%	1,064,922
TOTAL GENERAL GOVERNMENT	10,919,769	2,653,691	394,850	7,871,228	27.9%	2,669,754
PUBLIC SAFETY						
Police						
CHIEF'S STAFF	979,104	265,793	800	712,511	27.2%	
SUPPORT SERVICES	574,199	152,957	1,460	419,782	26.9%	
RECORDS	1,172,517	292,850	15,693	863,974	26.3%	
COMMUNITY SVCS	729,721	189,902	4,902	534,917	26.7%	
PROPERTY ROOM	165,159	34,709	1,392	129,058	21.9%	
TRNG/RECRUITMENT	405,269	146,465	41,647	217,157	46.4%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
PUBLIC SAFETY						
Police						
RANGE	1,184,348	298,826	52,227	833,295	29.6%	
BEAT COORDINATORS	784,859	181,986	-	602,873	23.2%	
INFORMATION TECHNOLOGY	1,275,497	419,035	57,988	798,475	37.4%	
INVESTIGATIVE DIVISION	4,582,903	1,139,866	5,800	3,437,237	25.0%	
CRIME LAB	130,163	36,468	-	93,695	28.0%	
PATROL DIVISION	14,663,551	3,866,750	192,105	10,604,695	27.7%	
TRAFFIC	1,288,412	325,078	1,100	962,234	25.3%	
SPECIAL EVENTS	772,599	610,206	-	162,393	79.0%	
TACTICAL PATROL FORCE	1,324,561	285,383	-	1,039,178	21.5%	
STREET SWEEPING ENFORCEMENT	294,783	77,357	-	217,426	26.2%	
NIGHT LIFE ENFORCEMENT	297,965	69,969	-	227,996	23.5%	
PARKING ENFORCEMENT	931,552	213,650	27,800	690,102	25.9%	
CCC	2,361,140	571,169	1,854	1,788,117	24.3%	
ANIMAL CONTROL	607,170	131,839	-	475,331	21.7%	
Total	34,525,472	9,310,870	404,768	24,809,834	28.1%	8,863,557
Fire						
ADMINISTRATION	740,779	201,957	5,540	533,282	28.0%	
EMERGENCY SERVICES AND PUBLIC ED	246,838	58,977	3,139	184,722	25.2%	
PREVENTION	1,109,296	294,423	1,114	813,759	26.6%	
WILDLAND FIRE MITIGATION PROGRAM	172,505	44,337	19,518	108,650	37.0%	
OPERATIONS	17,118,591	4,399,392	86,177	12,633,022	26.2%	
ARFF	1,698,433	478,895	-	1,219,538	28.2%	
Total	21,086,442	5,477,981	115,488	15,492,974	26.5%	5,712,429
TOTAL PUBLIC SAFETY	55,611,914	14,788,851	520,256	40,302,807	27.5%	14,575,985
PUBLIC WORKS						
Public Works						
ADMINISTRATION	868,519	210,838	14,584	643,097	26.0%	
ENGINEERING SVCS	4,357,704	1,091,550	23,144	3,243,010	25.6%	
PUBLIC RT OF WAY MGMT	1,176,628	299,146	4,006	873,476	25.8%	
ENVIRONMENTAL PROGRAMS	421,105	54,391	127,038	239,676	43.1%	
Total	6,823,956	1,655,925	168,772	4,999,259	26.7%	1,629,329
TOTAL PUBLIC WORKS	6,823,956	1,655,925	168,772	4,999,259	26.7%	1,629,329
COMMUNITY SERVICES						
Parks & Recreation						
PRGM MGMT & BUS SVCS	370,912	127,285	74	243,554	34.3%	
FACILITIES	731,720	186,088	15,136	530,496	27.5%	
YOUTH ACTIVITIES	742,707	278,027	4,197	460,483	38.0%	
SR CITIZENS	717,260	179,183	47,441	490,636	31.6%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
COMMUNITY SERVICES						
Parks & Recreation						
AQUATICS	1,040,683	476,308	47,495	516,880	50.3%	
SPORTS	423,214	96,960	18,300	307,954	27.2%	
TENNIS	224,714	60,561	-	164,153	27.0%	
NEIGHBORHOOD & OUTREACH SERV	980,833	284,850	5,704	690,279	29.6%	
ADMINISTRATION	522,889	137,545	-	385,344	26.3%	
PROJECT MANAGEMENT TEAM	222,476	64,331	-	158,145	28.9%	
BUSINESS SERVICES	299,201	64,001	7,279	227,921	23.8%	
FACILITY & PROJECT MGT	992,450	338,251	1,510	652,689	34.2%	
GROUNDS MANAGEMENT	4,116,439	1,024,223	89,109	3,003,106	27.0%	
FORESTRY	1,160,228	279,659	131,256	749,313	35.4%	
BEACH MAINTENANCE	146,160	23,524	19,115	103,521	29.2%	
Total	12,691,886	3,628,904	386,616	8,676,366	31.6%	3,539,206
Library						
ADMINISTRATION	420,294	94,019	-	326,275	22.4%	
PUBLIC SERVICES	1,822,641	484,693	3,950	1,333,998	26.8%	
SUPPORT SERVICES	1,782,752	327,389	101,786	1,353,577	24.1%	
Total	4,025,687	906,102	105,736	3,013,849	25.1%	958,595
TOTAL COMMUNITY SERVICES	16,717,573	4,535,006	492,352	11,690,215	30.1%	4,497,801
COMMUNITY DEVELOPMENT						
Community Development						
ADMINISTRATION	456,182	124,643	1,121	330,418	27.6%	
ECON DEV	52,667	11,401	-	41,266	21.6%	
CITY ARTS ADVISORY PROGRAM	427,260	361,237	-	66,024	84.5%	
HUMAN SVCS	855,862	177,614	506,380	171,868	79.9%	
RDA	715,653	164,295	-	551,358	23.0%	
RDA HSG DEV	611,074	154,587	-	456,487	25.3%	
LR PLANNING/STUDIES	826,558	187,543	641	638,374	22.8%	
DEV & DESIGN REVIEW	1,075,206	282,796	20,483	771,928	28.2%	
ZONING	1,245,146	288,856	4,581	951,709	23.6%	
DESIGN REV & HIST PRESERVATN	975,603	246,364	6,854	722,385	26.0%	
BLDG PERMITS	1,048,775	266,710	7,466	774,599	26.1%	
RECORDS & ARCHIVES	529,868	126,159	16,710	386,999	27.0%	
PLAN CK & COUNTER SRV	1,271,905	365,648	646	905,611	28.8%	
Total	10,091,759	2,758,106	564,880	6,768,773	32.9%	2,372,270
TOTAL COMMUNITY DEVELOPMENT	10,091,759	2,758,106	564,880	6,768,773	32.9%	2,372,270
NON-DEPARTMENTAL						
Non-Departmental						
DUES, MEMBERSHIPS, & LICENSES	22,272	1,693	-	20,579	7.6%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
NON-DEPARTMENTAL						
Non-Departmental						
COMMUNITY PROMOTIONS	1,536,799	555,976	-	980,823	36.2%	
SPECIAL PROJECTS	381,073	71,250	-	309,823	18.7%	
TRANSFERS OUT	43,500	10,875	-	32,625	25.0%	
DEBT SERVICE TRANSFERS	349,983	312,615	-	37,368	89.3%	
CAPITAL OUTLAY TRANSFER	519,005	129,751	-	389,254	25.0%	
APPROP. RESERVE	414,429	-	-	414,429	0.0%	
Total	3,267,061	1,082,161	-	2,184,900	33.1%	1,051,013
TOTAL NON-DEPARTMENTAL	3,267,061	1,082,161	-	2,184,900	33.1%	1,051,013
TOTAL EXPENDITURES	103,432,033	27,473,739	2,141,111	73,817,182	28.6%	26,796,152

*** The legal level of budgetary control is at the department level for the General Fund. Therefore, as long as the department as a whole is within budget, budgetary compliance has been achieved. The City actively monitors the budget status of each department and takes measures to address potential over budget situations before they occur.*

For Enterprise and Internal Service Funds, the legal level of budgetary control is at the fund level. The City also monitors and addresses these fund types for potential over budget situations.

CITY OF SANTA BARBARA
Special Revenue Funds
Interim Statement of Revenues and Expenditures
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget
TRAFFIC SAFETY FUND					
Revenue	515,000	115,962	-	399,038	22.5%
Expenditures	515,000	115,962	-	399,038	22.5%
Revenue Less Expenditures	-	-	-	-	
CREEK RESTORATION/WATER QUALITY IMPRVMT					
Revenue	2,800,800	988,837	-	1,811,963	35.3%
Expenditures	3,545,725	651,198	555,562	2,338,965	34.0%
Revenue Less Expenditures	(744,925)	337,639	(555,562)	(527,002)	
SOLID WASTE PROGRAM					
Revenue	18,331,232	4,484,538	-	13,846,694	24.5%
Expenditures	19,069,668	4,307,870	825,065	13,936,733	26.9%
Revenue Less Expenditures	(738,436)	176,667	(825,065)	(90,038)	
COMM.DEVELOPMENT BLOCK GRANT					
Revenue	2,730,423	203,392	-	2,527,031	7.4%
Expenditures	2,730,423	215,798	188,489	2,326,136	14.8%
Revenue Less Expenditures	-	(12,406)	(188,489)	200,895	
COUNTY LIBRARY					
Revenue	1,858,999	87,994	-	1,771,005	4.7%
Expenditures	1,982,066	413,175	96,429	1,472,462	25.7%
Revenue Less Expenditures	(123,067)	(325,181)	(96,429)	298,543	
STREETS FUND					
Revenue	10,393,577	2,730,955	-	7,662,622	26.3%
Expenditures	14,441,889	2,144,397	2,861,538	9,435,954	34.7%
Revenue Less Expenditures	(4,048,312)	586,558	(2,861,538)	(1,773,332)	
MEASURE A					
Revenue	2,774,034	464,467	-	2,309,567	16.7%
Expenditures	3,335,145	360,547	1,685,155	1,289,443	61.3%
Revenue Less Expenditures	(561,111)	103,920	(1,685,155)	1,020,125	

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

WATER OPERATING FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Water Sales - Metered	30,700,000	9,117,085	-	21,582,915	29.7%	8,796,490
Service Charges	450,192	176,061	-	274,131	39.1%	104,305
Cater JPA Treatment Charges	2,619,000	652,441	-	1,966,559	24.9%	832,400
Investment Income	791,800	175,915	-	615,885	22.2%	310,953
Miscellaneous	604,691	29,532	-	575,159	4.9%	3,849
Operating Transfers-In	505,502	126,375	-	379,127	25.0%	-
TOTAL REVENUES	35,671,185	10,277,409	-	25,393,776	28.8%	10,047,997
EXPENSES						
Salaries & Benefits	7,649,148	1,875,868	-	5,773,280	24.5%	1,887,400
Materials, Supplies & Services	9,992,002	1,460,579	2,700,173	5,831,250	41.6%	1,847,679
Special Projects	1,438,061	62,723	44,516	1,330,822	7.5%	91,444
Water Purchases	7,723,468	2,402,274	381,693	4,939,501	36.0%	1,708,851
Debt Service	4,831,189	1,707,799	-	3,123,390	35.3%	1,676,935
Capital Outlay Transfers	11,284,416	2,821,104	-	8,463,312	25.0%	837,425
Equipment	195,427	40,397	10,511	144,518	26.1%	46,288
Capitalized Fixed Assets	124,200	7,919	23,000	93,281	24.9%	6,285
Other	55,000	4,092	-	50,909	7.4%	4,107
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	43,442,910	10,382,754	3,159,893	29,900,263	31.2%	8,106,415

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

WASTEWATER OPERATING FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service Charges	14,926,192	3,917,251	-	11,008,941	26.2%	3,731,062
Fees	493,222	205,567	-	287,655	41.7%	236,480
Investment Income	267,300	56,748	-	210,552	21.2%	79,640
Public Works	10,000	11,205	-	(1,205)	112.1%	6,051
Miscellaneous	25,000	9,368	-	15,632	37.5%	7,223
Operating Transfers-In	674,096	168,524	-	505,572	25.0%	-
TOTAL REVENUES	16,395,810	4,368,663	-	12,027,147	26.6%	4,060,456
EXPENSES						
Salaries & Benefits	5,148,257	1,264,822	-	3,883,435	24.6%	1,291,621
Materials, Supplies & Services	6,019,715	1,164,758	1,988,281	2,866,677	52.4%	1,143,475
Special Projects	100,000	4,101	-	95,899	4.1%	131,581
Debt Service	1,352,213	-	-	1,352,213	0.0%	-
Capital Outlay Transfers	4,592,559	1,148,140	-	3,444,419	25.0%	1,573,875
Equipment	98,044	297	44	97,703	0.3%	13,248
Capitalized Fixed Assets	26,000	-	3,000	23,000	11.5%	20,935
Other	5,000	1,000	-	4,000	20.0%	1,000
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	17,491,788	3,583,118	1,991,324	11,917,346	31.9%	4,175,735

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

DOWNTOWN PARKING

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Improvement Tax	840,000	223,021	-	616,979	26.6%	215,783
Parking Fees	5,662,166	1,529,557	-	4,132,609	27.0%	1,378,170
Investment Income	137,600	29,832	-	107,768	21.7%	42,143
Rents & Concessions	40,925	-	-	40,925	0.0%	-
Reimbursements	-	-	-	-	100.0%	4,598
Miscellaneous	1,500	(51)	-	1,551	-3.4%	734
Operating Transfers-In	353,858	88,465	-	265,393	25.0%	10,875
TOTAL REVENUES	7,036,049	1,870,824	-	5,165,225	26.6%	1,652,303
EXPENSES						
Salaries & Benefits	3,799,707	1,010,990	-	2,788,717	26.6%	965,360
Materials, Supplies & Services	1,842,052	339,519	231,159	1,271,373	31.0%	322,469
Special Projects	574,522	54,460	379,143	140,918	75.5%	7,250
Transfers-Out	297,121	74,280	-	222,841	25.0%	70,405
Capital Outlay Transfers	1,043,270	260,817	-	782,453	25.0%	165,000
Equipment	25,760	1,212	7,160	17,388	32.5%	-
TOTAL EXPENSES	7,582,431	1,741,279	617,463	5,223,690	31.1%	1,530,484

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

AIRPORT OPERATING FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Leases - Commercial / Industrial	4,171,000	1,075,788	-	3,095,212	25.8%	1,067,461
Leases - Terminal	5,183,033	1,218,711	-	3,964,322	23.5%	1,257,362
Leases - Non-Commerical Aviation	1,361,600	371,972	-	989,628	27.3%	333,929
Leases - Commerical Aviation	3,465,000	619,963	-	2,845,037	17.9%	568,910
Investment Income	214,300	48,014	-	166,286	22.4%	67,857
Miscellaneous	185,052	78,723	-	106,329	42.5%	47,837
Operating Transfers-In	300,166	75,041	-	225,125	25.0%	-
TOTAL REVENUES	14,880,151	3,488,213	-	11,391,938	23.4%	3,343,357
EXPENSES						
Salaries & Benefits	5,001,631	1,325,192	-	3,676,439	26.5%	1,244,822
Materials, Supplies & Services	6,582,644	1,441,016	466,780	4,674,847	29.0%	1,300,419
Special Projects	941,298	112,017	121,298	707,983	24.8%	56,460
Transfers-Out	44,212	11,053	-	33,159	25.0%	7,762
Debt Service	1,113,099	-	-	1,113,099	0.0%	-
Capital Outlay Transfers	1,496,334	485,943	-	1,010,391	32.5%	137,500
Equipment	129,276	3,600	10,147	115,529	10.6%	1,455
Appropriated Reserve	242,134	-	-	242,134	0.0%	-
TOTAL EXPENSES	15,550,628	3,378,822	598,225	11,573,581	25.6%	2,748,419

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

GOLF COURSE FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Fees & Card Sales	1,640,801	422,095	-	1,218,706	25.7%	469,045
Investment Income	9,900	2,574	-	7,326	26.0%	4,229
Rents & Concessions	302,322	77,944	-	224,378	25.8%	70,214
Miscellaneous	3,500	11,316	-	(7,816)	323.3%	2,826
Operating Transfers-In	103,623	25,906	-	77,717	25.0%	-
TOTAL REVENUES	2,060,146	539,835	-	1,520,311	26.2%	546,313
EXPENSES						
Salaries & Benefits	1,111,449	292,291	-	819,158	26.3%	290,633
Materials, Supplies & Services	547,478	129,305	99,758	318,414	41.8%	149,120
Special Projects	10,724	-	4,524	6,200	42.2%	-
Debt Service	230,294	159,507	-	70,787	69.3%	157,025
Capital Outlay Transfers	92,036	23,009	-	69,027	25.0%	17,500
Equipment	27,500	1,013	-	26,487	3.7%	-
Other	1,014	847	-	167	83.5%	847
Appropriated Reserve	45,375	-	-	45,375	0.0%	-
TOTAL EXPENSES	2,065,870	605,972	104,282	1,355,615	34.4%	615,125

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

INTRA-CITY SERVICE FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service charges	99,584	24,896	-	74,688	25.0%	-
Work Orders - Bldg Maint.	3,035,446	956,641	-	2,078,805	31.5%	756,023
Grants	617,472	199,354	-	418,118	32.3%	-
Service Charges	2,032,567	508,142	-	1,524,425	25.0%	433,141
Miscellaneous	-	1,988	-	(1,988)	100.0%	68
Operating Transfers-In	334,902	83,726	-	251,177	25.0%	-
TOTAL REVENUES	6,119,971	1,774,747	-	4,345,224	29.0%	1,189,233
EXPENSES						
Salaries & Benefits	3,107,626	811,951	-	2,295,675	26.1%	739,238
Materials, Supplies & Services	1,104,526	241,419	201,285	661,822	40.1%	204,141
Special Projects	1,320,989	515,168	501,986	303,835	77.0%	166,957
Equipment	15,000	-	-	15,000	0.0%	6,290
Capitalized Fixed Assets	574,595	263,037	190,289	121,269	78.9%	3,353
TOTAL EXPENSES	6,122,735	1,831,574	893,560	3,397,602	44.5%	1,119,978

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

FLEET REPLACEMENT FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Vehicle Rental Charges	1,805,982	450,299	-	1,355,684	24.9%	447,857
Investment Income	149,700	33,115	-	116,585	22.1%	46,428
Rents & Concessions	224,401	56,100	-	168,301	25.0%	58,085
Miscellaneous	50,000	42,584	-	7,416	85.2%	9,935
TOTAL REVENUES	2,230,083	582,097	-	1,647,986	26.1%	562,305
EXPENSES						
Salaries & Benefits	158,537	43,259	-	115,278	27.3%	40,528
Materials, Supplies & Services	2,452	275	-	2,177	11.2%	248
Special Projects	300,000	-	-	300,000	0.0%	-
Capitalized Fixed Assets	1,041,657	254,929	7,093	779,636	25.2%	196,821
TOTAL EXPENSES	1,502,646	298,463	7,093	1,197,090	20.3%	237,598

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

FLEET MAINTENANCE FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Vehicle Maintenance Charges	2,371,918	592,979	-	1,778,939	25.0%	592,354
Miscellaneous	60,000	6,412	-	53,588	10.7%	7,520
Operating Transfers-In	98,805	24,701	-	74,104	25.0%	-
TOTAL REVENUES	2,530,723	624,093	-	1,906,630	24.7%	599,875
EXPENSES						
Salaries & Benefits	1,147,349	310,540	-	836,809	27.1%	304,355
Materials, Supplies & Services	1,269,663	207,527	304,254	757,883	40.3%	237,881
Special Projects	60,000	5,391	10,909	43,701	27.2%	6,471
Equipment	5,000	-	-	5,000	0.0%	-
TOTAL EXPENSES	2,482,012	523,457	315,162	1,643,393	33.8%	548,707

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

SELF INSURANCE TRUST FUND

	** Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Insurance Premiums	2,547,084	636,771	-	1,910,313	25.0%	645,938
Workers' Compensation Premiums	2,500,000	625,000	-	1,875,000	25.0%	660,895
OSH Charges	182,894	-	-	182,894	0.0%	-
Investment Income	161,700	33,122	-	128,578	20.5%	49,000
Reimbursements	-	-	-	-	100.0%	316
Miscellaneous	-	2,110	-	(2,110)	100.0%	230
TOTAL REVENUES	5,391,678	1,297,003	-	4,094,675	24.1%	1,356,379
EXPENSES						
Salaries & Benefits	500,761	125,288	-	375,473	25.0%	100,689
Materials, Supplies & Services	4,860,238	1,161,295	321,447	3,377,496	30.5%	1,407,196
Transfers-Out	3,694,328	923,488	-	2,770,840	25.0%	717,988
TOTAL EXPENSES	9,055,327	2,210,071	321,447	6,523,809	28.0%	2,225,873

*** The Self Insurance Trust Fund is an internal service fund of the City, which accounts for the cost of providing workers' compensation, property and liability insurance as well as unemployment insurance and certain self-insured employee benefits on a city-wide basis. Internal Service Funds charge other funds for the cost of providing their specific services.*

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

INFORMATION SYSTEMS ICS FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service charges	2,286,395	571,598	-	1,714,797	25.0%	572,896
Miscellaneous	-	1,209	-	(1,209)	100.0%	-
Operating Transfers-In	19,740	4,935	-	14,805	25.0%	-
TOTAL REVENUES	2,306,135	577,742	-	1,728,393	25.1%	572,896
EXPENSES						
Salaries & Benefits	1,502,407	407,539	-	1,094,868	27.1%	391,442
Materials, Supplies & Services	553,174	157,502	197,901	197,771	64.2%	149,392
Special Projects	3,700	2,704	2,114	(1,118)	130.2%	1,283
Equipment	276,637	28,935	5,840	241,862	12.6%	32,362
Appropriated Reserve	11,432	-	-	11,432	0.0%	-
TOTAL EXPENSES	2,347,350	596,680	205,855	1,544,815	34.2%	574,479

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Three Months Ended September 30, 2011 (25% of Fiscal Year)

WATERFRONT FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Leases - Commercial	1,332,869	432,165	-	900,704	32.4%	399,957
Leases - Food Service	2,352,254	730,008	-	1,622,246	31.0%	686,204
Slip Rental Fees	3,998,521	989,553	-	3,008,968	24.7%	960,061
Visitors Fees	463,000	139,936	-	323,064	30.2%	148,521
Slip Transfer Fees	425,000	138,200	-	286,800	32.5%	108,425
Parking Revenue	1,911,450	706,218	-	1,205,232	36.9%	651,571
Wharf Parking	244,000	77,198	-	166,802	31.6%	70,268
Other Fees & Charges	380,911	97,222	-	283,689	25.5%	101,999
Investment Income	185,859	58,755	-	127,104	31.6%	72,973
Rents & Concessions	301,173	99,123	-	202,050	32.9%	99,844
Grants	-	-	-	-	100.0%	4,256
Miscellaneous	155,000	24,625	-	130,376	15.9%	22,780
Operating Transfers-In	453,481	113,370	-	340,111	25.0%	-
TOTAL REVENUES	12,203,518	3,606,374	-	8,597,144	29.6%	3,326,858
EXPENSES						
Salaries & Benefits	5,461,051	1,530,083	-	3,930,968	28.0%	1,458,970
Materials, Supplies & Services	3,457,396	696,617	940,731	1,820,048	47.4%	763,309
Special Projects	137,020	19,255	-	117,765	14.1%	18,780
Debt Service	1,776,789	123,503	-	1,653,286	7.0%	-
Capital Outlay Transfers	934,483	233,621	-	700,862	25.0%	242,340
Equipment	117,500	12,681	-	104,819	10.8%	11,906
Appropriated Reserve	100,000	-	-	100,000	0.0%	-
TOTAL EXPENSES	11,984,239	2,615,760	940,731	8,427,748	29.7%	2,495,306

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

Agenda Item No._____

File Code No. 640.07

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of Planning Commission Decision For 415 Alan Road

RECOMMENDATION That Council:

A. Hear the appeal of Steven Amerikaner, agent for Mr. & Mrs. Andrew Seybold, of the Planning Commission's denial of the staff recommendation that Council approve a General Plan amendment, Rezone, and Local Coastal Program amendment, and a proposed Lot Area Modification, the Tentative Subdivision Map, and the Coastal Development Permit at 415 Alan Road; and

B. Take one of the following actions:

1. Deny the appeal, thereby upholding the Planning Commission's denial of the project, and direct staff to return with findings and decisions; or
2. Uphold the appeal, and:
   a. Approve the following applications, making findings in Attachment 8, subject to the conditions of approval in Attachment 9:
      i. A Lot Area Modification to allow the proposed Parcel A to be less than the minimum lot size of 1.5 acres required for lots with slopes of 10%-20% in the A-1 Zone (SBMC §28.92.026.A);
      ii. A Tentative Subdivision Map to allow the division of one (1) lot into two (2) parcels (SBMC 27.07);
      iii. A Coastal Development Permit for the development within the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060).
   b. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving A Local Coastal Program Amendment for an application of Patsy Stadleman, agent for Andrew Seybold, 415 Alan Road – Parcel B (MST2009-00083);

c. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving a General Plan map amendment for an application of Patsy Stadleman, agent for Andrew Seybold, 415 Alan Road – Parcel B (MST2009-00083); and

d. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Rezoning of Property in the Campanil area neighborhood.

DISCUSSION:

Project Description

The project consists of a subdivision of a 1.37 acre parcel that is currently developed with a single family residence with a garage. The subdivision would result in the creation of one 45,056 square foot lot (Proposed Parcel A), with the existing single-family residence remaining on this lot, and one 14,601 square foot lot (Proposed Parcel B), which would be vacant. A development restriction of a single story, 2,000 square foot maximum size residence with a 500 square foot garage, which would be constructed between the 40 foot contour line and the sidewalk, is proposed. Access to each of the proposed lots would be from Alan Road.

As part of the project, a General Plan/Local Coastal Program Amendment and a Rezone are being requested for the proposed northern lot (Proposed Parcel B). A lot area Modification is being requested for the proposed southern lot (Proposed Parcel A) to be less than the minimum lot size of 1.5 acres as required under the slope density section of the Municipal Code. The following table provides more detail on the proposal.

	Proposed Parcel A	**Proposed Parcel B**
Zone District	A-1/ SD-3	E-3/ SD-3*
Use	Residential (Existing Res.)	Residential (Vacant)
General Plan Designation	Residential, one unit per acre	Residential, three units per acre**
Slope	14.40%	19.90%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)	11,250 sq. ft. (0.26 acres)
Proposed Lot area	45,056 sq. ft. (1.03 acres)***	14,601 sq. ft. (0.34 acres)
Zoning	**Nonconforming to Lot Area**	**Conforming to Lot Area**
General Plan	**Conforming to Density**	**Conforming to Density**

* Rezone and Local Coastal Program amendments are required

** General Plan and Local Coastal Program amendments are required
*** Lot Area Modification is required

Background

The property at 415 Alan Road is located in the Campanil neighborhood of the City, which is bordered on the north and east by Arroyo Burro Creek, on the south by the ocean and on the west by Hope Ranch. The project site was originally comprised of 2.37 acres and developed with a single-family residence with a garage and accessory structure. A two lot subdivision was approved and was recorded in May of 1978 (Parcel Map No. 20,191), which left the residence on a 1.37-acre lot, the subject of the current proposal, and a vacant 1-acre lot to the south. The parcel to the south, which is bounded by Cliff Drive and Alan Road, was later developed with a single-family residence.

Since 2003, the applicant has proposed to subdivide the subject 1.37-acre lot into two parcels with various configurations. For example, one proposal included adjusting lot lines with adjacent lots to achieve a lot configuration consistent with the zoning ordinance. The most recent proposal was submitted on February 2, 2009. The current proposal involves the division of the current lot into two lots and the adoption of zoning ordinance and land use plan amendments.

A request to initiate a General Plan Amendment, a Rezone, and a Local Coastal Program amendment was presented to the Planning Commission on June 11, 2009 with a staff recommendation to deny the request (Attachment 2 – Staff Report). The recommendation was based, in part, upon the Land Use Element discussion that the Braemar Tract is an example of creating lots too small for the topographic setting of the area. Further, the proposed project would require a General Plan Amendment and Rezone in order to make the findings of consistency with the General Plan and the Zoning Ordinance. The Planning Commission denied the applicant's request (Attachment 3 - Minutes), and the applicant appealed the denial to Council (Attachment 4 – Council Agenda Report).

On November 9, 2009, Council upheld the applicant's appeal, and initiated the General Plan Amendment, Rezone, and Local Coastal Program amendment by a vote of 5-2 (Horton and Blum, no) [Attachment 5 – Minutes]. The majority of the Council supported the initiation if the applicant could demonstrate that the future development of proposed Parcel B could be a middle income affordable unit through design. After Council's action, the applicant adjusted the configuration of the lot split slightly to meet the slope density requirement for proposed Parcel B, and proposed a deed restriction on this vacant lot that the future development would be limited to a single 2,000 square foot residence and a 500 square foot garage.

The project was presented to the Planning Commission on March 3, 2011 (Attachment 6 – Staff Report), with a recommendation of approval by staff based, in part, upon Council's previous action and direction. Staff's support of the project was also based upon the subdivision resulting in a net gain of one residential unit in the City's housing stock, and the density of the proposed subdivision being compatible with the surrounding neighborhood. Proposed Parcel B would be similar in size to lots within the neighboring Braemar tract that begins on its northern and western lot lines and the proposed zoning designation would coincide with that tract's zoning of E-3 (Residential 7,500 square feet minimum).

The Planning Commission did not agree with staff's reasoning and denied all of the project's requests by a vote of 3-2 (Bartlett, Jordan). The minutes of that hearing are included as Attachment 7. The Commission focused on the Lot Area Modification for proposed Parcel A as the main area of concern. Some Commissioners supported the Modification request because the existing residence of 3,000 square feet with an approximate 500 square foot garage would remain on this lot and thus not change the visual character of the neighborhood. Other Commissioners did not support the Modification because the intent of the slope density section of the Municipal Code was not met. According to the dissenting Commissioners, the intent was to provide more lot area for development on sloped parcels to reduce visual impacts, yet shrinking the lot size below the slope density lot size is inconsistent with that intent.

Because a majority of the Commissioners did not support the Lot Area Modification, the Commission also voted to deny the proposed recommendation to Council of approval of the General Plan, Zoning, and Local Coastal Program Amendments by a 3-2 vote. The Commission denied all of the project's requests because the project could not move forward without majority support of the Lot Area Modification.

POSSIBLE ACTIONS BY COUNCIL:

Given the history of this project, staff is presenting two options for Council's consideration without a recommendation. Option 1 follows the direction of the Planning Commission to deny the project. Option 2 would uphold the appeal, adopt the General Plan, Rezone, and Local Coastal Program Amendments, and approve the lot area modification, the tentative subdivision map, and the coastal development permit.

ATTACHMENTS:

1. Steve Amerikaner appeal letter dated March 11, 2011
2. Planning Commission Staff Report, dated June 11, 2009
3. Final Planning Commission Minutes, dated June 11, 2009
4. Council Agenda Report, dated November 10, 2009
5. City Council Minutes, dated November 10, 2009
6. Planning Commission Staff Report, dated March 3, 2011
7. Final Planning Commission Minutes, dated March 3, 2011
8. Draft Findings of Approval
9. Conditions of Approval

PREPARED BY: Peter Lawson, Associate Planner

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Brownstein | Hyatt
Farber | Schreck

March 11, 2011

Steven A. Amerikaner

805.882.1407 tel
805.965.4333 fax
SAmerikaner@bhfs.com

VIA HAND DELIVERY

Honorable Mayor Schneider and Members of the City Council
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

RE: Appeal of March 3, 2011 Planning Commission Decision
415 Alan Road, APN 047-091-024
MST 2009-00083

Dear Mayor Schneider and Members of the City Council:

This appeal letter is submitted on behalf of the applicants, Mr. and Mrs. Andrew Seybold, and requests the City Council reverse the Planning Commission's March 3, 2011 decision and grant approval of the proposal to create one new single family residential parcel. The approvals required for this project include a Tentative Parcel Map, Lot Area Modification and Coastal Development Permit and a corresponding General Plan Amendment, Local Coastal Plan Amendment and Zoning Map Amendment.

The proposed project would allow for the future construction of one new, modest-sized, single-family home in a nearly built-out neighborhood. The Seybolds plan to build a one-story, three to four bedroom home that is compatible with the character and scale of surrounding homes. This would be a "smart home," showcasing the most current home automation technologies and including solar power and many other energy efficient and sustainable features.

Project History

On June 11, 2009, the Planning Commission voted 3-2 to deny the Seybolds' application to initiate a General Plan Amendment, Coastal Plan Amendment and Zone Change. On November 10, 2009, the City Council upheld the Seybolds' appeal and initiated a Zone Change, General Plan Amendment and Local Coastal Plan Amendment for APN 047-091-024. At that hearing, Council directed the Seybolds to work with staff to determine the appropriate density to meet the project goals and be consistent with City policy and practices.

In the following year, the Seybolds worked with staff and reached the conclusion that three dwellings per acre is an appropriate density for the proposed new single family residential lot and is consistent with the designated density for other hillside areas. During that same period, City staff prepared a Land Use Map as part of the General Plan Update which included a change to the land use designation for the surrounding Braemar Tract and Alan Road neighborhood from one dwelling per acre to three dwellings per acre. This General Plan change is intended to make the land use designation for this neighborhood more consistent with the existing zoning and actual development pattern in the neighborhood.

On September 29 and 30, 2010, the Planning Commission conducted hearings on the General Plan Update and forwarded its recommendations to the City Council. Its recommendations included a change to the General Plan land use designation for the Braemar Tract and Alan Road neighborhood, including 415 Alan Road, to three dwellings per acre.

In a report to the Planning Commission for the March 3, 2011 hearing, Planning staff recommended approval of the Seybolds' application. On a vote of 3-2, the Planning Commission denied the application.

Requested Action

Mr. and Mrs. Seybold respectfully request the City Council reverse the Planning Commission's March 3, 2011 decision and approve the following:

1. General Plan Amendment to change the land use designation for a portion of 415 Alan Road (proposed Parcel B) from Residential, One Dwelling per Acre to Residential, Three Dwellings per Acre (14,520 sq. ft. per unit).

2. Local Coastal Plan Amendment to change the land use designation for a portion of 415 Alan Road (proposed Parcel B) from Residential, One Dwelling per Acre to Residential, Three Dwellings per Acre (14,520 sq. ft. per unit) and to change the zoning map designation as described below.

3. Zoning Map Amendment to rezone a portion of 415 Alan Road (proposed Parcel B) from A-1/S-D-3 (Single Family Residential) to E-3/SD-3 (Single Family Residential).

4. Tentative Subdivision Map to allow the division of one parcel into two parcels, resulting in one new developable parcel.

5. Lot Area Modification to allow the remainder parcel (proposed Parcel A) to be less than the required lot size of 1.5 acres required for lots with slopes of 10-20 percent slope in the A-1 zone district.

6. Coastal Development Permit for development within the non-appealable jurisdiction of the Coastal Zone.

Reasons to Support the Proposal

This project has received broad support from the surrounding neighborhood, is consistent with existing City policies and good planning practice, and would create one new developable parcel with appropriate development limitations to make it a substantial benefit to the surrounding neighborhood and community as a whole.

1. **The project will create parcels that are compatible with the neighborhood.** The proposal takes advantage of an infill housing opportunity while not changing the character of the neighborhood. There are relatively few places in the City where additional housing can be provided without changing the character of the neighborhood, and this is one of those places. The proposed new 14,601 square-foot parcel is similar in size to surrounding properties which have an average lot size of 13,970 square feet.

Further, consistent with City Council direction at the June 2009 hearing to evaluate scenarios that would result in a home that provides a substantial community benefit, the Seybolds propose to include a deed restriction limiting future development on the new lot to a one-story, 2,000 square-foot home with a 500 square-foot garage, and to keep development on the front of the lot to avoid the steepest slopes on the property which are at the rear. The floor area ratio (FAR) of 0.17 for this new home would match the prevailing FAR in the surrounding neighborhood. The existing house, which would remain on a 45,056 square-foot parcel, would have the same FAR (0.09) as the four parcels adjacent to it along Cliff Drive that were part of the original subdivision that created the 415 Alan Road parcel.

2. **It is good housing policy to encourage small scale infill development.** Encouraging small scale infill where it is compatible with the existing neighborhood is an important tool in planning for the City's housing needs and is supported by current City policy. The City's adopted Housing Element includes the following provisions:

   > Protect existing neighborhood character while encouraging compatible infill development. (Goal 3.)
   >
   > Where appropriate and legally possible, reduce or remove governmental constraints to the maintenance, improvement, and development of housing. (Goal 5.)
   >
   > Support the development of infill residential projects in the City. (Implementation Strategy 4.1.10.)

3. **It is good planning policy to encourage infill where services already exist.** This property is already served by all utilities and is located less than 200 feet from a bus stop on Cliff Drive with direct service to the Mesa, downtown, and La Cumbre Plaza. It is also close to numerous bicycle routes that provide access to all areas of the City and is a short walk or bike ride to recreation areas including Arroyo Burro Beach, the Douglas Preserve and Elings Park.

4. **The proposed project would allow for better use of an odd-shaped lot and more efficient use of scarce vacant land in the City.** The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. The established infrastructure and lack of significant natural resources on the property make this an ideal location for infill development that fits with the existing scale and character of the neighborhood. The enclosed visual simulation shows a bird's eye view of the neighborhood as it exists today and as it would appear with the additional home.

5. **The project would result in no significant impacts on the environment.** With the proposed limitations on the size and scale of development, future development of this new lot would not require excessive grading. Further, as stated in the March 3, 2010 staff report to the Planning Commission, the site is a disturbed area devoid of native vegetation, is over 200 feet from Arroyo Burro Creek and riparian areas, contains soils suitable for residential development, and contains no archaeological resources. Moreover, the site is served by existing public services and surrounding intersections have the capacity for additional residential development.

6. **The land use designation change for this neighborhood corrects a discrepancy between the land use designation and zoning for the Braemar Tract/Alan Road neighborhood that has lingered for too long.** Principles of sound community planning, as reflected in California law, hold that a general plan should be consistent with all other land use regulations, including the zoning ordinance (Government Code §65860). While Santa Barbara is exempt from this legal requirement because it is a charter city, general plan and zoning consistency is nonetheless good planning practice. The Seybolds' proposed change in the General Plan land use designation for the new parcel is consistent with the staff-proposed change in the General Plan for the entire area. Both changes reflect the actual density and development pattern of this built-out neighborhood. No other parcels would have the potential to be further subdivided to create additional developable lots.

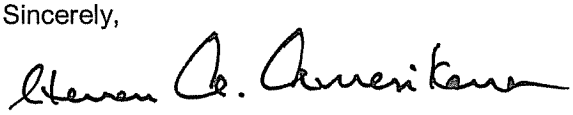
7. **The proposed project is supported by the neighborhood.** The Seybolds have worked hard to keep their neighbors informed of their plans for their property and address any concerns raised. The project is supported by their neighbors who recognize the home can add value to the neighborhood and, with the proposed development limitations, will fit the existing character of Alan Road.

Conclusion

Based on the foregoing, we respectfully request that the City Council reverse the Planning Commission's decision and approve this project.

Thank you for your time and consideration.

Sincerely,



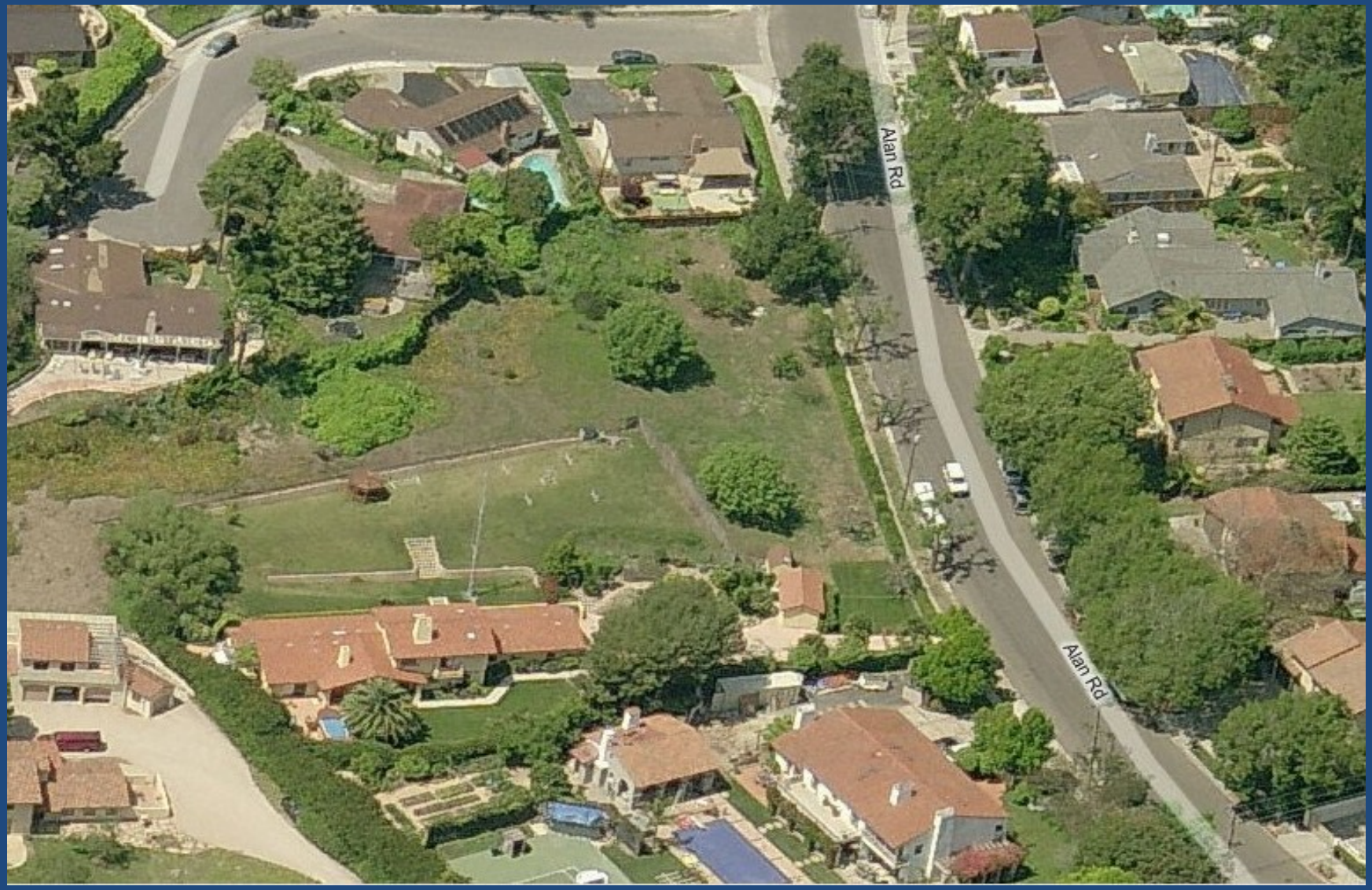
Steven A. Amerikaner

Enclosure

cc: Mr. and Mrs. Andrew Seybold (by email)
Scott Vincent, Assistant City Attorney (by email)
Paul Casey, Community Development Director (by email)
Danny Kato, Senior Planner (by email)
Peter Lawson, Associate Planner (by email)

SB 573994 v4:012399.0001

415 Alan Road: Today



415 Alan Road: Proposed

City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE:	June 4, 2009
AGENDA DATE:	June 11, 2009
PROJECT ADDRESS:	415 Alan Road (MST2009-00083)
TO:	Planning Commission
FROM:	Planning Division, (805) 564-5470 Danny Kato, Senior Planner DK Kathleen Kennedy, Associate Planner KK

I. PROJECT DESCRIPTION

The proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

At this time, the Planning Commission is not being requested to take any action regarding approval of the proposed project nor make any determination regarding environmental review.

II. REQUIRED APPLICATIONS

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

III. RECOMMENDATION

Staff recommends that the Planning Commission deny the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment.

IV. SITE INFORMATION

A. EXISTING

Zone District	A-1/ SD-3
General Plan Designation	Residential, one unit per acre
Slope	15.6%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)
Lot area	59,657 sq. ft. (1.37 acres)
Zoning	**Nonconforming to Lot Area**
General Plan	**Conforming to Density**

B. PROPOSED

	Proposed Parcel A	**Proposed Parcel B**
Zone District	A-1/ SD-3	E-3/ SD-3
General Plan Designation	Residential, one unit per acre	Residential, five units per acre
Slope	14.40%	19.90%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)	11,250 sq. ft. (0.26 acres)
Lot area	46,948 sq. ft. (1.08 acres)	12,709 sq. ft. (0.29 acres)
Zoning	**Nonconforming to Lot Area**	**Conforming to Lot Area**
General Plan	**Conforming to Density**	**Conforming to Density**

V. DISCUSSION

A. PROJECT LOCATION

The property at 415 Alan Road is located in the Campanil neighborhood of the City, which is bordered on the north and east by Arroyo Burro Creek, on the south by the ocean and on the west by Hope Ranch. The General Plan designation for the neighborhood is one dwelling unit per acre. Most of this area consists of large parcels, similar to the size of the project site or larger, which are either vacant or contain single-family dwellings. An exception to this is the Braemar Tract, a single-family, small-lot development that was subdivided while under County jurisdiction. This tract of approximately 120 parcels, on relatively steep topography, is described in the City's General Plan Land Use Element as presenting "a vivid picture of improper subdivision techniques." The density in this portion of the neighborhood is approximately four times greater than the other areas.

When the Braemar Tract was annexed to the City in 1956, it was given an E-3, One-Family Residence zone designation, which requires a 7,500 square foot minimum lot size (or more if the average slope exceeds 10%). The rest of the neighborhood has an A-1, One-Family Residence zone designation, which requires a one-acre minimum lot size (or more if the average slope exceeds 10%).

B. BACKGROUND

Similar proposals regarding the project site have been submitted for review in the past. In 2004, the Planning Commission conceptually reviewed a proposed project that involved a lot line adjustment between two parcels (415 Alan Road and 23 Wade Court) resulting in an increase of lot area for 23 Wade Court. The Planning Commission, during their review, discouraged any development on the land that would be added to 23 Wade Court.

In February of 2005, an application was submitted that consisted of a subdivision of 415 Alan Road into two lots, in addition to the lot line adjustment. Following the subdivision, the smaller lot would have been rezoned from A-1 to E-3 and the larger lot would have required a lot area modification. During project review, Staff stated that if the project were to proceed to the Planning Commission for initiation of the Zone Change and Local Coastal Program Amendment, Staff would recommend denial, in part because the original 415 Alan Road parcel, which is currently nonconforming to lot area, would have become more nonconforming as a result of the proposed subdivision. Furthermore, the creation of a new lot that would not conform to the General Plan density would not be appropriate for the neighborhood when the Land Use Element and Local Coastal Plan state that this neighborhood is already too dense.

The applicant did proceed with the project and on October 6, 2005, the Planning Commission denied the initiation requests. One of the main reasons for the denial was the inconsistency with the General Plan density.

The applicant filed an appeal of the Planning Commission action but subsequently withdrew the appeal and submitted a proposal to Staff that included a request to initiate a General Plan Amendment as well. With a General Plan Amendment (from one unit per acre to five units per acre) added to the proposal, all proposed lots would conform to the General Plan density. Due to the rezone, the 23 Wade Court parcel would become conforming to lot area as would the newly created smaller parcel; however, the larger parcel would become more nonconforming to lot area. This proposal was put on hold.

C. CURRENT PROPOSAL

In early 2009, the applicant submitted a new proposal that no longer included 23 Wade Court. The proposed project consisted of the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment and a subdivision of 415 Alan Road under the proposed Zoning and General Plan designations. The proposed project also included five additional properties along the eastern side of Alan Road. In response to the application, Staff provided the applicant with the following comments:

1. The existing parcel at 415 Alan Road is nonconforming to lot area due to the slope density requirements of the A-1 zone. Staff is not in support of the subdivision of the parcel that results in 415 Alan Road (proposed parcel A) becoming more nonconforming to lot area. In addition, Staff is also not in support of the proposal to rezone a number of parcels and change the General Plan and Local Coastal Plan designations on those parcels in order to facilitate the creation of a new lot in the project area. As you know, the City's General

Plan Land Use Element considers the adjacent Braemar Tract an example of an improper subdivision because it is a dense development on steep topography. Staff is not in support of creating a new lot in a neighborhood identified in the Land Use Element as already too dense.

2. If the applicant chooses to proceed with the proposed project, Staff would be recommending denial of the Initiation of the Zone Change and General Plan and Local Coastal Program Amendments at the Planning Commission.

3. Staff, however, would be in support of the proposal if the newly created lot were to have an upper-middle income restricted single-family detached unit. The proposal would be subject to the requirements of the City's Density Bonus Program. If the applicant chooses to proceed in this manner, please see SBMC§28.87.400 and the City of Santa Barbara Affordable Housing Policies and Procedures Manual for more information.

The proposal being presented to the Planning Commission is the same as described above but it does not include the five additional properties along the eastern side of Alan Road. In regard to the affordable housing suggestion by Staff, the applicant has requested that a payment of an in-lieu fee be considered rather than a restriction on the new residence.

VI. RECOMMENDATION

Staff's concerns remain the same as stated above. In addition, Staff would not be in support of a payment of an in-lieu fee because the purpose is to provide payment as an alternative to constructing an affordable unit. This would not be a proper application of this alternative.

For the reasons presented above, Staff recommends that the Planning Commission deny the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment for the proposed project.

If the initiation is granted, it is not meant to imply any approval of, or formal position on the proposed project other than acknowledging that the proposed Zone Change, General Plan Amendment and Local Coastal Program Amendment can proceed for study and environmental review.

Exhibits:

A. Applicant's letter, dated May 22, 2009
B. Project Plans (Exhibits A, B-1, B-2, C & Tentative Map)

Brownstein | Hyatt
Farber | Schreck
A Strategic California Merger with Hatch & Parent

Patsy Stadelman, AICP
Land Use Planner
805.882.1424 tel
805.965.4333 fax
PStadelman@bhfs.com

May 22, 2009

RECEIVED
MAY 22 2009
CITY OF SANTA BARBARA
PLANNING DIVISION

VIA HAND DELIVERY

Ms. Kathleen Kennedy
City of Santa Barbara
Community Development Department
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Initiation of Seybold Lot Split, Rezone and General Plan Amendment
415 Alan Road (APN 047-091-024)

Dear Ms. Kennedy:

Enclosed are the copies of the revised exhibits for Planning Commission initiation of the proposed rezone and General Plan amendment at 415 Alan Road.

Following our pre-application review meeting with you on March 23, 2009, Mr. Seybold decided to revise the proposed project to eliminate the request for a rezone and General Plan amendment of the properties on the east side of Alan Road. The revised exhibits reflect this change. This letter and accompanying enclosures describe the proposed project and the reasons we believe the proposal is consistent with City policies and regulations as well as the Subdivision Map Act.

Project Description

The proposed project includes (1) subdivision of the 415 Alan Road parcel (APN 047-091-024), resulting in one new developable lot; (2) a rezone of the newly created parcel from A-1/S-D-3, One-Family Residence and Coastal Overlay Zones, to E-3/S-D-3, One-Family Residence and Coastal Overlay Zones; (3) a General Plan Amendment, and consistent Local Coastal Plan Amendment, to change the land use designation of the rezoned parcel from 1 dwelling unit per acre to 5 dwelling units per acre; and (4) a lot area modification to reduce the minimum lot area of the already developed remainder lot from 1.5 acres to 1.08 acres (see enclosed exhibits). The proposed project would require a Tentative Parcel Map, Coastal Development Permit, Lot Area Modification, Rezone, and General Plan and Local Coastal Plan Amendments.

The 415 Alan Road parcel is 59,657 square feet (1.37 acres) and is currently developed with one single family home and associated accessory structures on the southern side of the property. The size of this parcel conforms to the minimum one acre parcel size standard of the A-1 zone district but is smaller than the 1.5 acres that would be required under the city's slope density ordinance if the lot were now being proposed for development. The proposed lot split would result in two parcels: Parcel A would contain the existing dwelling and be 46,948 square feet in size (1.08 acres) and Parcel B would be 12,709 square feet in size (see Exhibit B-1 and Tentative Map). With the proposed rezone and land use designation change to E-3/S-D-3 and 5 dwelling units per acre, respectively, Parcel B would conform with the minimum 7,500 parcel size standard of the E-3 zone district and would satisfy the

11,250 square foot slope density standard for a lot with an average slope between 10% and 20%. Parcel A would continue to be nonconforming to the minimum lot area under the slope density ordinance and therefore would require a lot area modification.

Project Benefits and Required Findings

The Santa Barbara Municipal Code requires the City to make the following findings in order to approve the proposed project

Findings for Tentative Map (SBMC §27.07.100): The tentative map is (1) consistent with applicable General and specific plans; (2) the design or improvement proposed is consistent with applicable general and specific plans; (3) the site is physically suitable for the type of development; (4) the site is physically suitable for the proposed density of development; (5) the design of the development or the proposed improvements are not likely to cause substantial environmental damage or to substantially and avoidably injure fish or wildlife or their habitat; (6) the design of the development or the type of improvement is not likely to cause serious public health problems; and (7) the design of the development or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed development.

Findings for a Change of Zone Boundaries (SBMC §28.92.015): The change is justified by public necessity, convenience, general welfare or good zoning practice.

Findings for Coastal Development Permit (SBMC §28.45.009): The project is consistent with the policies of the California Coastal Act and the project is consistent with all applicable policies of the City's Coastal Plan, all implementing guidelines and all applicable provisions of the Municipal Code.

Findings for a Local Coastal Program Amendment (SBMC §28.45.009): The project is consistent with the policies of the California Coastal Act (commencing with Section 30200) including pubic access and public recreation because it would not affect public access or recreation opportunities. In addition, the project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provision of the Municipal Code.

Findings for a Lot Area Modification (SBMC §28.92.110): The modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to (i) secure an appropriate improvement on a lot, (ii) prevent unreasonable hardship, (iii) promote uniformity of improvement, or (iv) the modification is necessary to construct a housing development which is affordable to very low-, low-, moderate- or middle-income households.

We respectfully submit that these findings can be made for the following reasons. The property is an excellent location for infill development of a single family home. The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. Further, it is adjacent to and across Alan Road from lots of comparable size, all infrastructure is in place, slopes are relatively minimal, and development would not negatively impact traffic in the neighborhood.

A rezone and General Plan Amendment to allow a new lot would be consistent with the actual density of the existing neighborhood. While the area is currently designated for 1 unit per acre, this land use designation was applied after the neighborhood was developed. The actual density of the area along Alan Road between Cliff Drive and Wade Court is 1.8 units per acre. One infill unit would result in a minimal increase in density to 2 units per acre.

The proposed project is consistent with the Coastal Act because it does not affect public access or public recreation. The project would result in a new lot added to the City's tax rolls and would be compatible with the Alan Road neighborhood. The proposed new lot has ready access from Alan Road and would connect to the existing water and sewer infrastructure on Alan Road. Further, there are no significant natural resources on the property which could be adversely affected by future development.

In conclusion, the proposed project benefit the City by creating a new infill property compatible with the existing neighborhood, furthering the City's policy of providing housing opportunities through infill development and adding a new property to the City's tax rolls.

Thank you for your time and consideration of this proposal.

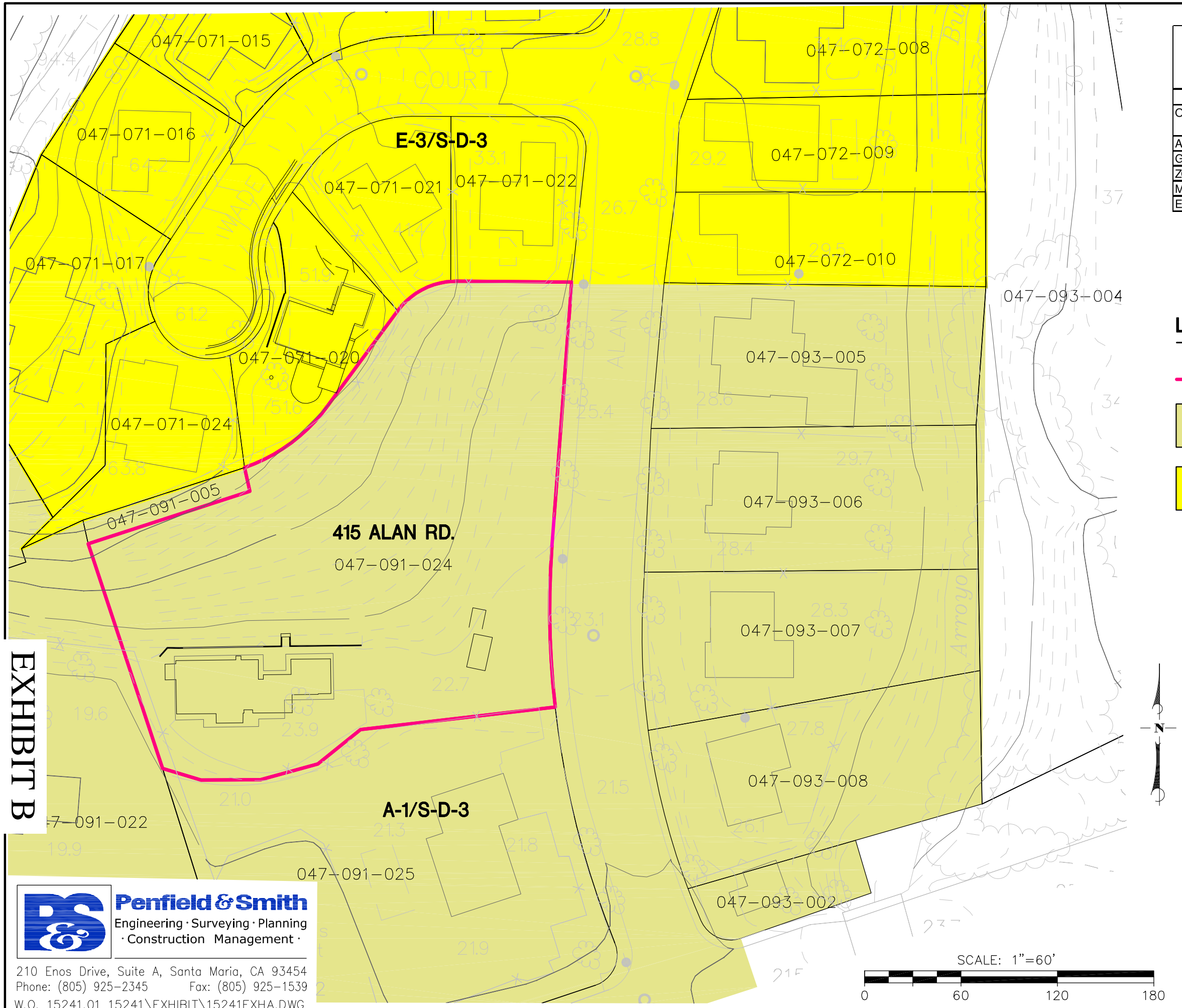
Sincerely,

Patsy Stadelman, AICP
Land Use Planner

cc: Andrew Seybold
Steven Amerikaner, Esq.

Enclosures: Tentative Parcel Map (10 copies)
Exhibit A: Seybold Existing Conditions (10 copies)
Exhibit B-1: Seybold Proposed Conditions, Subdivision and Rezone (10 copies)
Exhibit B-2: Seybold Proposed Conditions, Subdivision and General Plan Amendment (10 copies)
Exhibit C: Seybold Vicinity/Zoning Map (10 copies)

SB 505951 v1:012399.0001



EXISTING CONDITIONS 415 ALAN ROAD	
OWNER	ANDREW SEYBOLD
APN	047-091-024
GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)
ZONE DISTRICT	A-1/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 ACRE)
EXISTING LOT AREA	59,657 S.F. (1.37 AC.)

LEGEND

EXISTING PROPERTY LINE

A-1/S-D-3 ZONE

E-3/S-D-3 ZONE

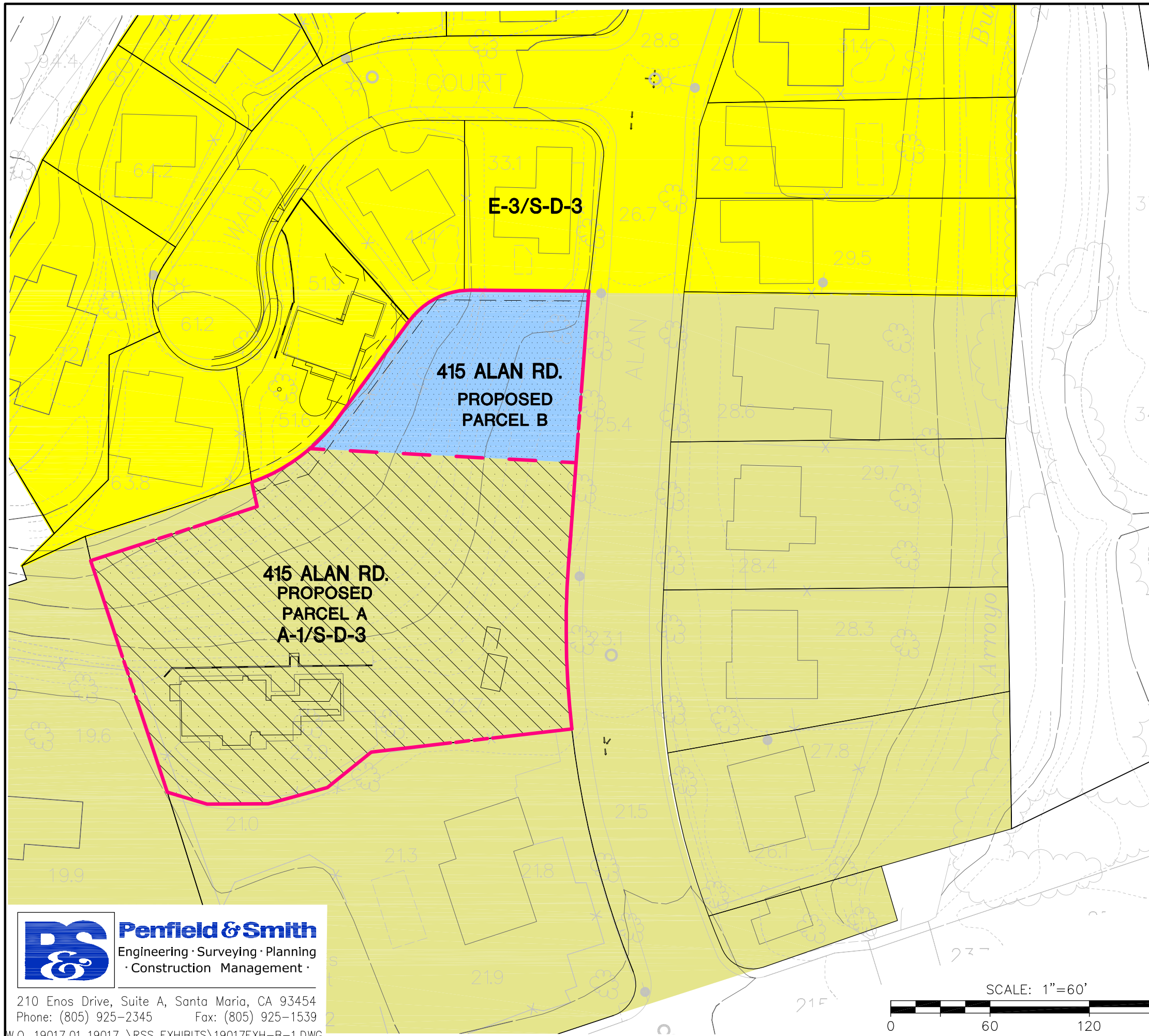
EXHIBIT B

ATTACHMENT 2

EXHIBIT A
SEYBOLD EXISTING CONDITIONS
APN 047-091-024

CITY OF SANTA BARBARA, CALIFORNIA
JANUARY 2009

Penfield & Smith
Engineering · Surveying · Planning · Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539
W.O. 15241.01 15241\EXHIBIT\15241EXHA.DWG



PROPOSED CONDITIONS FOR 415 ALAN ROAD FOR CONSIDERATION OF THE REZONE AND GENERAL PLAN AMENDMENT		
	PARCEL A	PARCEL B
OWNER	ANDREW SEYBOLD	ANDREW SEYBOLD
PROPOSED GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)	RESIDENTIAL (5 UNITS PER ACRE)
PROPOSED ZONE DISTRICT	A-1/S-D-3	E-3/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 ACRE)	7,500 S.F. (0.17 ACRE)
AVERAGE SLOPE	14.40%	19.90%
MINIMUM LOT AREA WITH SLOPE DENSITY FACTOR	65,430 S.F. (1.5 ACRES)	11,250 (0.26 ACRE)
PROPOSED LOT AREA	46,948 S.F. (1.08 AC.)	12,709 S.F. (0.29 AC.)

LEGEND

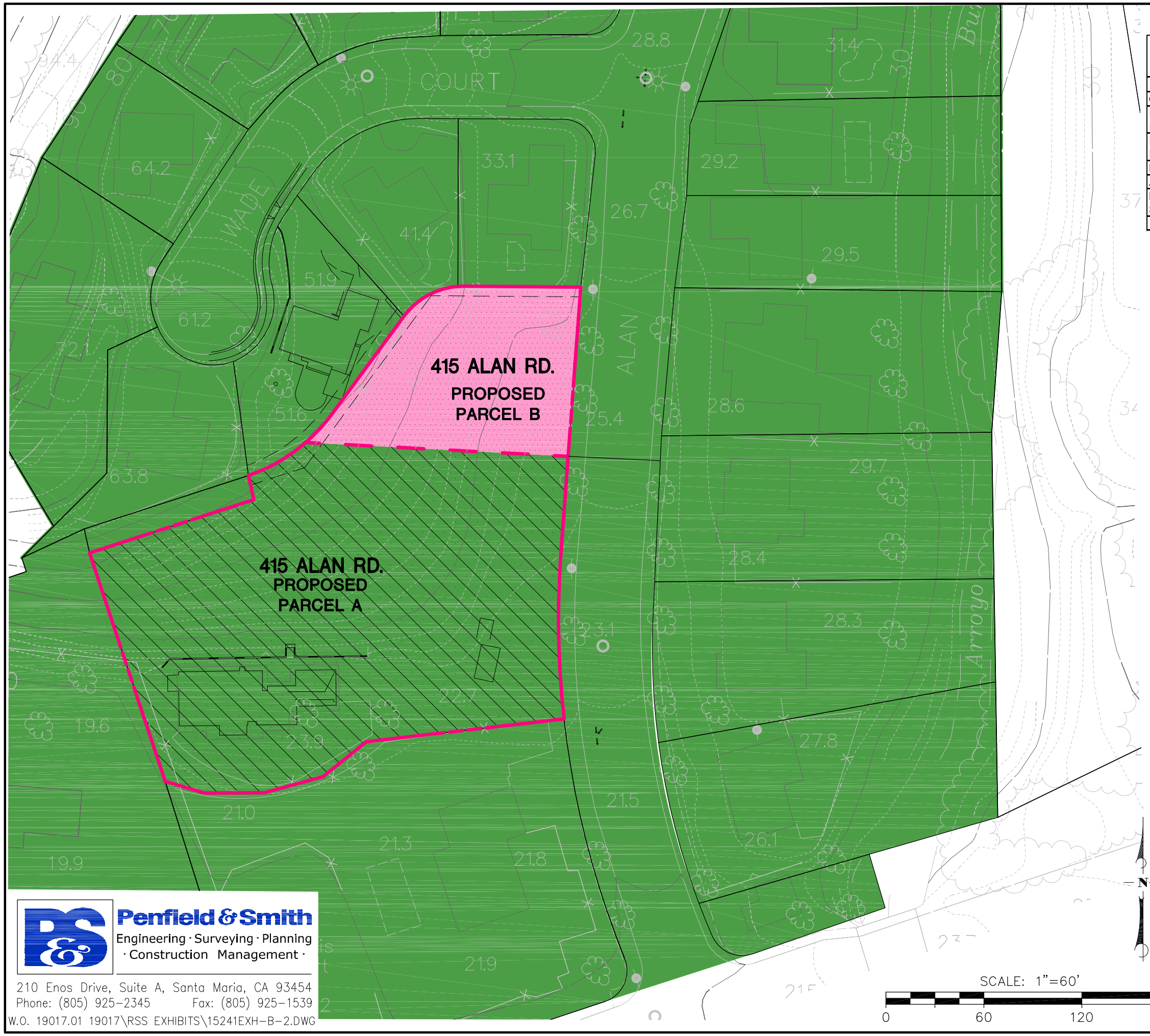
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING A-1/S-D-3 ZONE
- EXISTING E-3/S-D-3 ZONE
- AREA OF PROPOSED REZONE FROM A-1/S-D-3 TO E-3/S-D-3
- PROPOSED PARCEL A
- PROPOSED PARCEL B

EXHIBIT B-1
SEYBOLD PROPOSED CONDITIONS
SUBDIVISION AND REZONE
APN 047-091-024

CITY OF SANTA BARBARA, CALIFORNIA
MAY 2009

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539
W.O. 19017.01 19017 \RSS EXHIBITS\19017EXH-B-1.DWG

ATTACHMENT 2



PROPOSED CONDITIONS FOR 415 ALAN ROAD FOR CONSIDERATION OF THE REZONE AND GENERAL PLAN AMENDMENT		
	PARCEL A	PARCEL B
OWNER	ANDREW SEYBOLD	ANDREW SEYBOLD
PROPOSED GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)	RESIDENTIAL (5 UNITS PER ACRE)
PROPOSED ZONE DISTRICT	A-1/S-D-3	E-3/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 ACRE)	7,500 S.F. (0.17 ACRE)
AVERAGE SLOPE	14.40%	19.90%
MINIMUM LOT AREA WITH SLOPE DENSITY FACTOR	65,430 S.F. (1.5 ACRES)	11,250 (0.26 ACRE)
PROPOSED LOT AREA	46,948 S.F. (1.08 AC.)	12,709 S.F. (0.29 AC.)

LEGEND

PROPOSED PROPERTY LINE

EXISTING PROPERTY LINE

EXISTING 1 DU/AC LAND USE DESIGNATION

AREA OF PROPOSED LAND USE DESIGNATION CHANGE FROM 1 DU/AC TO 5 DU/AC

PROPOSED PARCEL A

PROPOSED PARCEL B

(A CONSISTENT AMENDMENT TO THE THE LOCAL COASTAL PLAN IS ALSO PROPOSED)

SCALE: 1"=60'

0 60 120 180

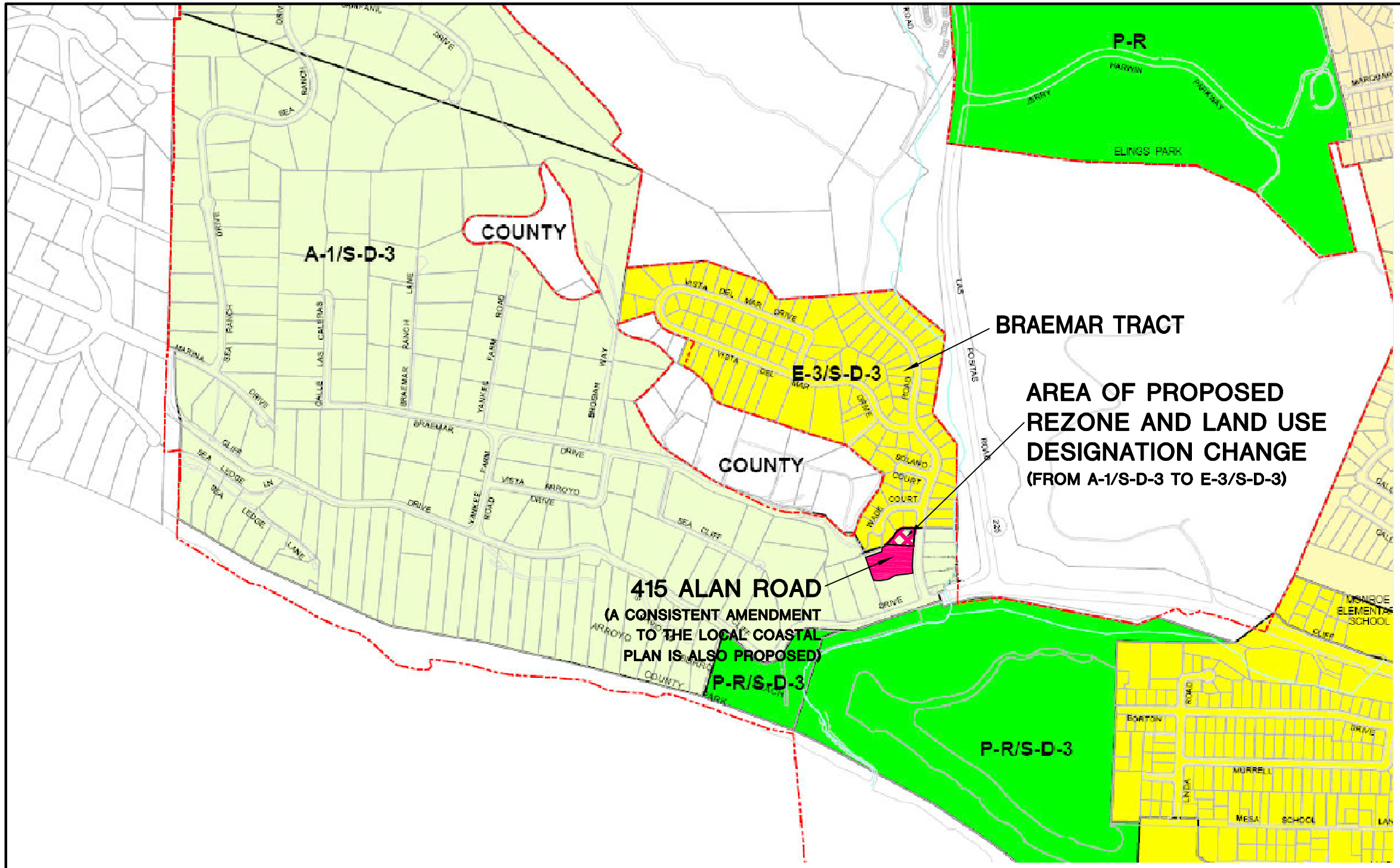
EXHIBIT B-2
SEYBOLD PROPOSED CONDITIONS
SUBDIVISION AND GENERAL PLAN AMENDMENT
APN 047-091-024

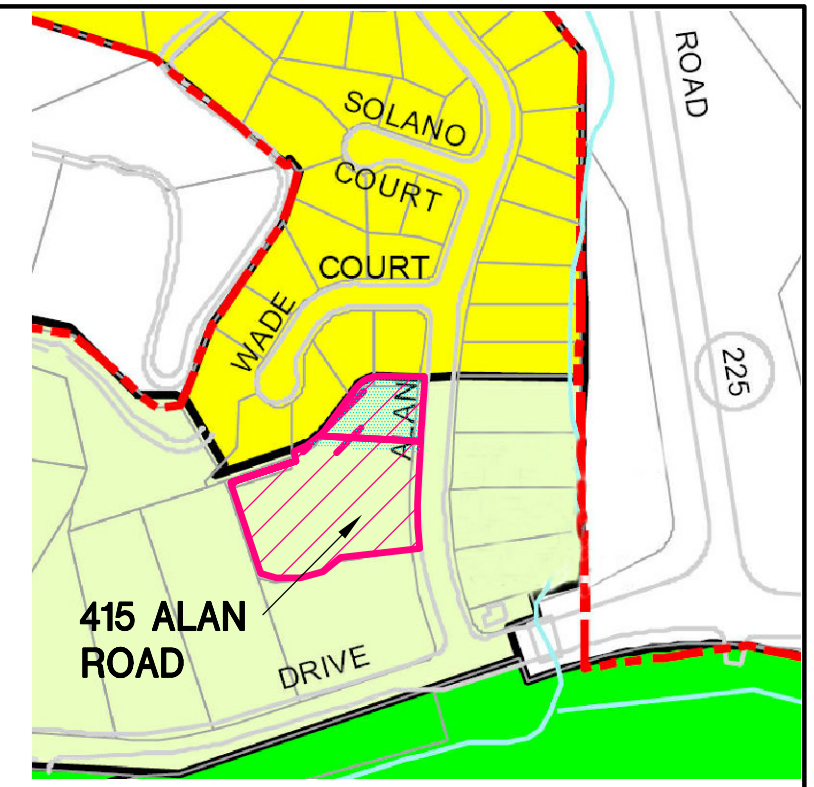
CITY OF SANTA BARBARA, CALIFORNIA
MAY 2009

ATTACHMENT 2

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539

W.O. 19017.01 19017\RSS EXHIBITS\15241EXH-B-2.DWG





PROJECT AREA

AREA OF PROPOSED REZONING AND LAND USE DESIGNATION CHANGE

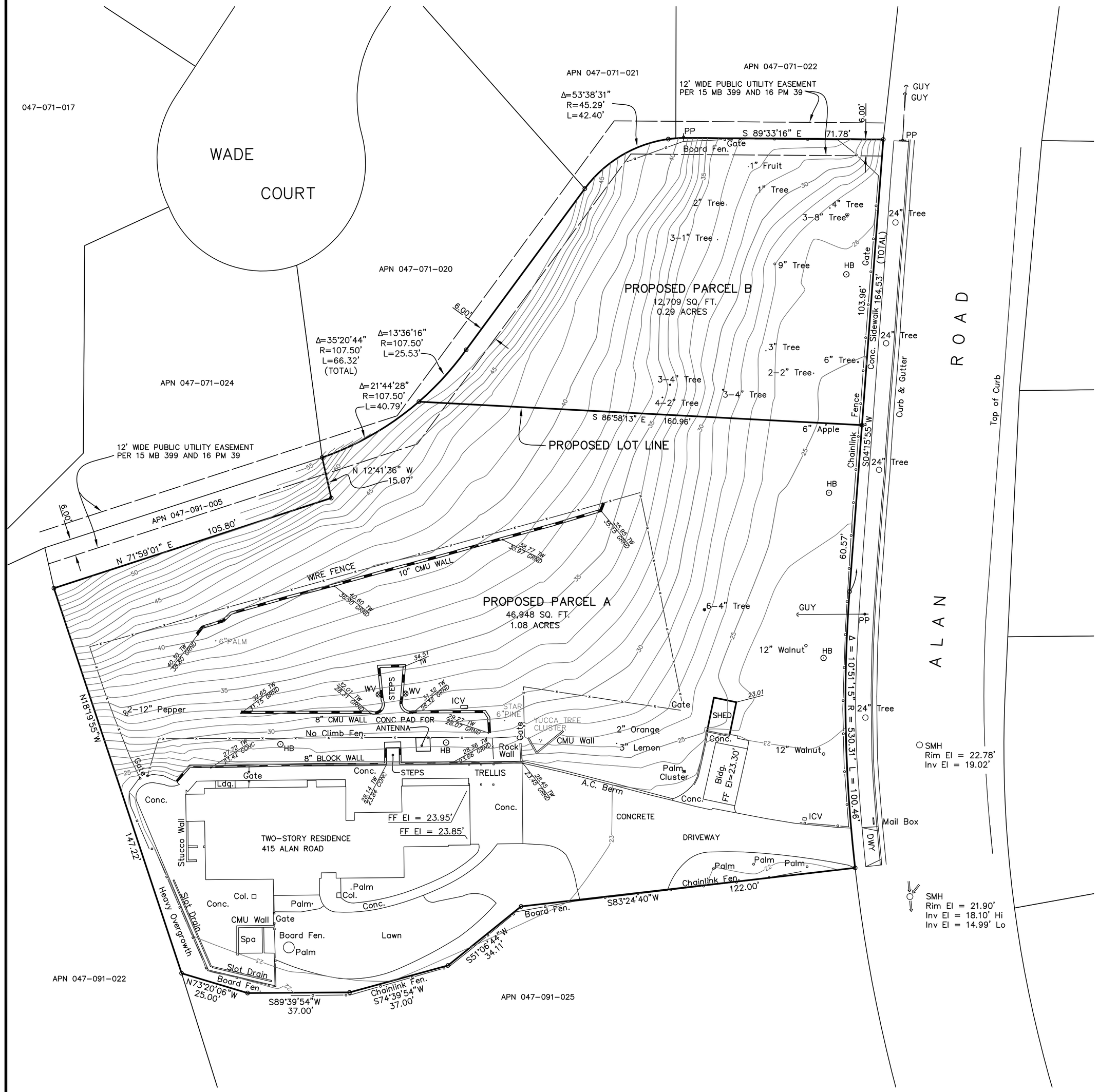
VICINITY / EXISTING ZONING MAP

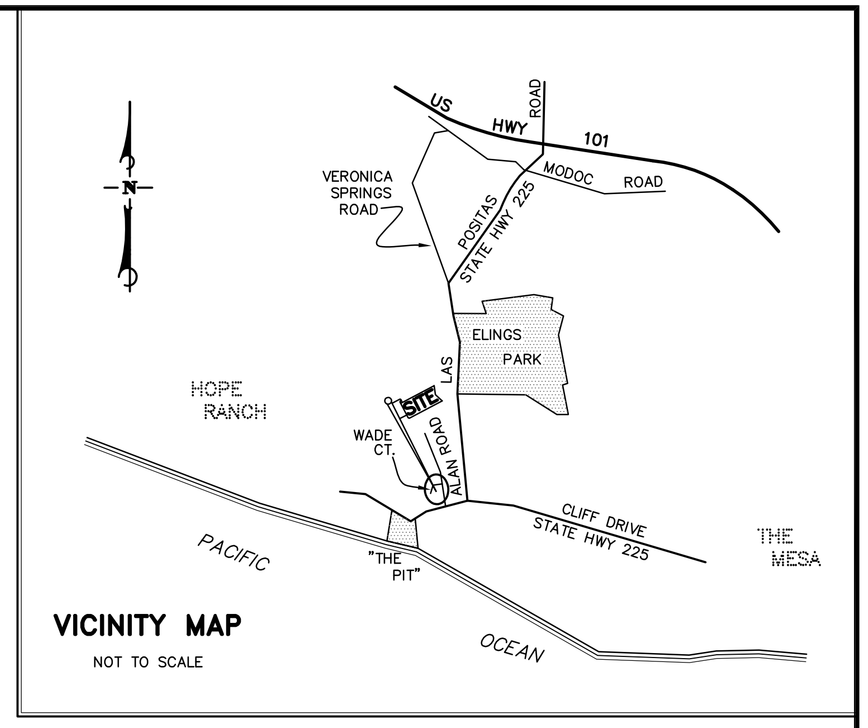
EXHIBIT C
SEYBOLD VICINITY/ZONING MAP
APN 047-091-024

ATTACHMENT 2

CITY OF SANTA BARBARA, CALIFORNIA
MAY 2009

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539
W.O. 19017.01 19017\RSS EXHIBITS\15241EXH-C.DWG





VICINITY MAP

NOT TO SCALE

LEGEND

- PP = POWER POLE
- = GUY ANCHOR
- HB = HOSE BIB
- TW = TOP OF WALL
- GRND = GROUND
- CONC = CONCRETE
- FF = FINISHED FLOOR
- SMH = SEWER MANHOLE
- WV = WATER VALVE
- ICV = IRRIGATION CONTROL VALVE

NOTES

1. ZONING: EXISTING PARCEL: A-1/SD-3
   APN 047-091-024
   PROPOSED PARCEL A: A-1/SD-3
   PROPOSED PARCEL B: PROPOSED REZONE TO E-3/SD-3

(SEE SEPARATE EXHIBIT FOR REZONING PROPOSAL)

2. WATER: SANTA BARBARA CITY

3. SEWER: SANTA BARBARA CITY

4. GAS: SOUTHERN CALIFORNIA GAS

5. ELECTRIC: SOUTHERN CALIFORNIA EDISON

6. THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A FIELD SURVEY BY BLAKE LAND SURVEYS, PREPARED OCTOBER 04, 2002 AND SUPPLEMENTED BY A FIELD SURVEY UNDERTAKEN BY PENFIELD AND SMITH, JANUARY 04, 2005.

7. THE BASIS OF BEARINGS FOR THIS SURVEY IS CCS 83, ZONE 5, EPOCH 1992, PER GPS TIES TO STATION 0029 OF THE SANTA BARBARA CONTROL NETWORK AS SHOWN ON THE MAP FILED IN BOOK 147, PAGES 70 THROUGH 74, OF RECORD OF SURVEYS. DISTANCES HAVE BEEN SCALED FROM GRID TO GROUND BY A COMBINED FACTOR OF 1.00005553 COMPUTED AT CONTROL POINT 1. THE GRID BEARINGS SHOWN HEREON ARE ROTATED CLOCKWISE 1°09'54" FROM THE RECORD BEARINGS SHOWN ON THE MAP FOR TRACT 20,191, BOOK 95, PAGES 48 AND 49, OF MAPS.

8. VERTICAL DATUM IS NAVD 88, BASED UPON SBCN STATION 0029. LOCAL BENCHMARK IS A FOUND LEAD AND TAG, PT. NO 200, MARKED "LS 3228", AT THE SOUTHEAST CORNER OF THE PROJECT, HAVING AN ELEVATION OF 23.67 U.S. SURVEY FEET.

9. THIS TENTATIVE MAP WAS PREPARED IN CONJUNCTION WITH A PRELIMINARY TITLE REPORT ISSUED BY FIDELITY NATIONAL TITLE COMPANY, DATED JANUARY 21, 2009, AS ORDER NO. 09-425100652-RR. PENFIELD AND SMITH CANNOT GUARANTEE THE ACCURACY OR COMPLETENESS OF SAID REPORT.

OWNER'S STATEMENT:

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE AN INTEREST IN THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE ANNEXED MAP, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND. WE CONSENT TO THE MAKING AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINES.

BY: ANDREW M. SEYBOLD _____

BY: LINDA M. SEYBOLD _____

415 ALAN ROAD
STREET

DATE PHONE
SANTA BARBARA CA 93109
CITY STATE ZIP

AREAS:

EXISTING LOT 1, TRACT 20,191
TOTAL AREA: 1.37 ACRES (GROSS AND NET)
AVERAGE SLOPE: 15.6%

PROPOSED PARCEL A
TOTAL AREA: 1.08 ACRES (GROSS AND NET)
AVERAGE SLOPE: 14.4%

PROPOSED PARCEL B
TOTAL AREA: 0.29 ACRES (GROSS AND NET)
AVERAGE SLOPE: 19.9%

N

SCALE: 1"=20'

0 20 40 60 80

TENTATIVE PARCEL MAP NO. 20,XXX

BEING A DIVISION OF LOT 1 OF TRACT 20,191
IN THE CITY OF SANTA BARBARA, STATE OF CALIFORNIA,
RECORDED IN BOOK 95, PAGES 48 AND 49 OF MAPS

SCALE: 1"= 20' MAY 2009

PREPARED UNDER THE DIRECTION OF:

KENNETH S. HUGHES PLS 6170

LICENSE EXPIRATION
DATE: 3/31/10

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·
111 East Victoria Street, Santa Barbara, CA 93101
Phone: (805) 963-9532 Fax: (805) 966-9801

ATTACHMENT 2

City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

June 11, 2009

ACTUAL TIME: 1:07 P.M.

A. **APPLICATION OF PATSY STADELMAN, BROWNSTEIN HYATT FARBER SCHRECK, LLP, AGENT FOR ANDREW M. SEYBOLD, 415 ALAN ROAD, APN 041-091-024, A-1/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (MST2009-00083)**

The proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

Case Planner: Kathleen Kennedy, Associate Planner
Email: KKennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Steve Amerikaner, Attorney, gave the applicant presentation joined by Andrew Seybold, Property Owner.

Chair Larson opened the public hearing at 1:29 P.M. and acknowledged the correspondence received.

Gill Barry, neighbor, spoke in opposition to the project on behalf of neighbor Dr. Timothy Rodgers, who could not be present at the meeting. He cited concerns over the lot split and increased density and stated that a previous condition of approval prohibited any further subdivision of the parcel.

With no one else wishing to speak, the public hearing was closed at 1:33 P.M.

Scott Vincent, Assistant City Attorney, answered Planning Commission questions about how the slope density provisions of the City's Ordinance apply to the project. Mr. Vincent also stated that the City cannot place a condition on a property that would not allow an owner to request further division of the property.

The Commission made the following comments:

1. Commissioner Lodge was not in support because it would become denser.
2. Commissioner White concurs but may be in support of a secondary unit in the future.
3. Commissioner Bartlett was in support because the new lot would conform and the applicant is willing to pay in-lieu fees and construct a green building. Need to fix the rules.
4. Commissioner Bartlett suggested that the General Plan and Zoning inconsistencies in this area be addressed in the future.
5. Commissioner Thompson suggested that the in-lieu fee option be explored.

MOTION: Lodge/White **Assigned Resolution No. 025-09**
Denied the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment for the proposed project as recommended in the Staff Report.

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Bartlett/Thompson) Abstain: 0 Absent: 2 (Jacobs/Jostes)

Chair Larson announced the ten calendar day appeal period.

ATTACHMENT 4

Agenda Item No._____

File Code No. 640.07

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 10, 2009

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of Planning Commission Decision For 415 Alan Road

RECOMMENDATION:

That Council deny the appeal of Steven Amerikaner, agent for Mr. and Mrs. Andrew Seybold, and uphold the Planning Commission decision to deny the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment at 415 Alan Road.

DISCUSSION:

Project Description

The proposed project consists of a subdivision of 415 Alan Road into two lots, a lot area modification to allow less than the required lot area for proposed Parcel A, a Zone Change, General Plan Amendment and Local Coastal Program Amendment for proposed Parcel B and a Coastal Development Permit. Initiation and approval of the Zone Change, General Plan Amendment and Local Coastal Program Amendment is required before action can be taken on the subdivision application. The Zoning designation for proposed parcel B would change from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) so that the new smaller lot would become conforming to lot area. The General Plan Amendment would result in a change from Residential, one unit per acre to five units per acre so that the new smaller lot would become conforming to density.

	Existing	**Proposed Parcel A**	**Proposed Parcel B**
Zone District	A-1/ SD-3	A-1/ SD-3	E-3/ SD-3 *(Rezone)*
General Plan Designation	Residential, one unit per acre	Residential, one unit per acre	Residential, five units per acre (8,712 sq. ft. per unit) (*General Plan Amendment*)
Slope	15.6%	14.40%	19.90%
Minimum Lot area required	65,340 sq. ft. (1.5 acres)	65,340 sq. ft. (1.5 acres)	11,250 sq. ft. (0.26 acres)
Lot area	59,657 sq. ft. (1.37 acres)	46,948 sq. ft. (1.08 acres)	12,709 sq. ft. (0.29 acres)
Zoning	**Nonconforming to Lot Area**	**Nonconforming to Lot Area**	**Conforming to Lot Area**
General Plan	**Conforming to Density**	**Conforming to Density**	**Conforming to Density**

Project Location

The property at 415 Alan Road is located in the Campanil neighborhood of the City, which is bordered on the north and east by Arroyo Burro Creek, on the south by the ocean and on the west by Hope Ranch. Most of this area consists of large parcels, similar to the size of the project site or larger, containing single-family dwellings. An exception to this is the Braemar Tract, a small-lot development that was subdivided prior to annexation to the City. This tract of approximately 120 parcels, on relatively steep topography, is described in the City's General Plan Land Use Element as presenting "a vivid picture of improper subdivision techniques." The density in this portion of the neighborhood is approximately four times greater than the other areas. The Land Use Element further states that other areas in the City have been rezoned to lower densities in order to prevent this sort of development.

When the Braemar Tract was annexed to the City in 1956, it was given an E-3, One-Family Residence zone designation, which requires a 7,500 square foot minimum lot size (or more if average slope is 10% or more). Many parcels in the Braemar Tract are non-conforming (smaller) than the lot area requirement for the E-3 zone. The rest of the neighborhood has an A-1, One-Family Residence zone designation, which requires a one-acre minimum lot size (or more if average slope is 10% or more). A number of these parcels, although larger, are also non-conforming to the lot area requirement for the A-1 zone. The General Plan designation for the entire neighborhood is Residential, one dwelling unit per acre. The project site and the majority of the parcels in the neighborhood, with the exception of the Braemar Tract, conform to this designation.

Background

As described in Attachment 2, the applicant submitted similar proposals in the past. Staff and the Planning Commission have consistently not supported proposals that involve the creation of a new lot in this neighborhood which is identified in the Land Use Element as already too dense, a Zone Change and General Plan Amendment for one lot to facilitate the creation of one new lot, or a lot split that results in a proposed lot becoming more nonconforming to lot area.

Planning Commission Action

On June 11, 2009, the Planning Commission concurred with the Staff recommendation and voted 3-2-2 to deny the request to initiate the Zone Change, General Plan Amendment and Local Coastal Plan Amendment (3 in favor, 2 against, 2 absent). (See Attachment 3 – Planning Commission Minutes and Resolution.)

Appeal

After the Planning Commission denial of the initiation requests, Steven Amerikaner, on behalf of the applicant, filed an appeal (see Attachment 1 – Appeal Letter). The appeal letter requests that the Council approve the initiation requests, as well as direct staff to investigate the possibility of initiating a General Plan Amendment for the entire Braemar Tract, for the following reasons: 1) The proposed amendments would facilitate better use of an odd-shaped lot and more efficient use of scarce vacant land in the City; 2) Santa Barbara needs housing and this proposal will create an additional modest-sized residential unit; 3) The proposal takes advantage of an infill housing opportunity while not changing the character of the neighborhood; 4) The proposed General Plan Amendment corrects a discrepancy between the land use designation and zoning for the Braemar Tract that has lingered for too long; and 5) The proposal is consistent with the principles of Plan Santa Barbara.

For the reasons presented previously, Staff is not in support of the proposal. The General Plan Land Use Element includes both discussion and land use designations. Although the applicant suggests that the map amendments to the designations are appropriate, staff believes if such changes were pursued, text changes would be necessary as well.

The area zoned E-3 does have smaller lot sizes and this designation allows appropriate improvements to the residences. The area zoned A-1, including this property, is characterized with larger lots, many with an acre or more, and do comply with the General Plan designation. No changes to this neighborhood are proposed with PlanSB. In addition, the policy direction for infill housing opportunities is intended for areas of the City where higher densities are allowed, not hillside areas of single-family homes.

RECOMMENDATION:

Staff recommends that Council deny the appeal and uphold the Planning Commission decision to deny the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment proposed at 415 Alan Road.

ATTACHMENTS:
1. Appeal letter dated June 18, 2009
2. Planning Commission Staff Report, June 11, 2009
3. Planning Commission Minutes and Resolution, June 11, 2009

PREPARED BY: Kathleen Kennedy, Associate Planner

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Brownstein | Hyatt
Farber | Schreck

A Strategic California Merger with Hatch & Parent

June 18, 2009

Steven A. Amerikaner

805.882.1407 tel
805.965.4333 fax
SAmerikaner@bhfs.com

VIA HAND DELIVERY

Honorable Mayor Blum and Members of the City Council
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

Attention: City Clerk

RE: 415 Alan Road (MST2009-00083)
Appeal of Planning Commission Decision

Dear Mayor Blum and Members of the City Council:

This appeal letter is submitted on behalf of the applicants, Mr. and Mrs. Andrew Seybold, and requests the City Council reverse the Planning Commission's June 11, 2009 decision and grant initiation of a General Plan Amendment, Local Coastal Plan Amendment and zone change for 415 Alan Road.

The proposed amendments and zone change would allow for a lot split and construction of a new modest-sized single-family home in this nearly built-out neighborhood. The Seybolds plan to build a one-story, three to four bedroom home that is compatible with the character and scale of surrounding homes. This would be a "smart home," showcasing the most current home automation technologies and including solar power and many other energy efficient and sustainable features.

On June 11, 2009, the Planning Commission denied the request by a vote of 3-2. We respectfully request the City Council reverse this decision and direct staff to:

1. Initiate a General Plan Amendment changing the land use designation for a portion of 415 Alan Road (proposed Parcel B) from "Residential, One Dwelling per Acre" to "Residential, Five Dwellings per Acre."

2. Direct staff to investigate the desirability of initiating a General Plan Amendment for the so-called "Braemar Tract" which is immediately north of 415 Alan Road, changing the land use designation from "Residential, One Dwelling per Acre" to "Residential, Five Dwellings per Acre," so that the General Plan land use designation is consistent with the existing zoning and reflects the existing development pattern of the neighborhood. This General Plan Amendment could be undertaken as part of the general plan update process in which the City is currently engaged.

3. Initiate a Local Coastal Plan Amendment consistent with the General Plan land use designation change described above.

4. Initiate a zone change for the proposed Parcel B from A-1/S-D-3 to E-3/S-D-3, consistent with the proposed General Plan designation and the current zoning of the Braemar Tract.

Reasons to Support the Proposal

1. **The proposed amendments would facilitate better use of an odd-shaped lot and more efficient use of scarce vacant land in the City.** The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. The established infrastructure and lack of significant natural resources on the property make this an ideal location for infill development that fits with the existing scale and character of the neighborhood. The enclosed visual simulation shows a bird's eye view of the neighborhood as it exists today and as it would appear with the additional home.

2. **Santa Barbara needs housing and this proposal will create an additional modest-sized residential unit.** The City is suffering from a severe shortage of middle-class housing opportunities, which is one of the reasons for the high cost of housing. Infill sites, such as this one, offer the opportunity to fit new housing into the City without expanding its boundaries or converting dedicated open space.

3. **The proposal takes advantage of an infill housing opportunity while not changing the character of the neighborhood.** There are relatively few places in the City where additional housing can be provided without changing the character of the neighborhood, and this is one of those places. The proposed new 12,709 square foot parcel is similar in size to surrounding properties and conforms to slope density standards.

4. **The proposed General Plan Amendment corrects a discrepancy between the land use designation and zoning for the Braemar Tract that has lingered for too long.** California planning law requires general plans to be consistent with all other land use regulations, including the zoning ordinance (Government Code §65860). While Santa Barbara is exempt from this legal requirement because it is a charter city, general plan and zoning consistency is nonetheless good planning practice. The General Plan change would also reflect the actual density and development pattern of this fully built-out neighborhood. Only one parcel, 53 Vista Del Mar Drive, would have the potential to be further subdivided to create an additional developable lot. This property is currently developed with a single-family home.

5. **The proposal is consistent with the principles of Plan Santa Barbara.** The Plan SB "Policy Preference Report," issued in January 2009 puts forth the following sustainability principle:

> "'Living Within Our Resources'" means effectively managing growth and in-fill development to conserve the community's natural, physical and historic resources for present and future generations. Challenges between future development and resource use must be met with creative solutions that meet the multiple objectives of preserving historic resources and community character, retaining a diverse population and culture, and allowing sufficient growth to propel a steady economy" (page 19).

Further, the report calls for incentives to encourage smaller, 'affordable-by-design' homes:

> "Incentives for Affordable-by-Design Units. Prepare design standards and codify incentives for market rate developers to build smaller, 'affordable-by-design' residential units that better meet the needs of

> our community. Incentives could includes higher allowable densities, less required parking, etc." (Housing Policy H5, page 54).

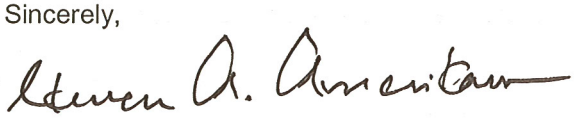
This proposal affords the opportunity to put these stated goals into action. We respectfully suggest that the City should support this type of infill project, unless there are compelling reasons to say no.

Conclusion

Based on the foregoing, we respectfully request you overturn the Planning Commission's decision and grant initiation of a General Plan Amendment, Local Coastal Plan Amendment and zone change.

Thank you for your time and consideration.

Sincerely,



Steven A. Amerikaner

Enclosure

cc: Mr. and Mrs. Andrew Seybold (by email)
Scott Vincent, Assistant City Attorney (by email)
Paul Casey, Director (by email)
Danny Kato, Senior Planner (by email)
Kathy Kennedy, Associate Planner (by email)

SB 508227 v4:012399.0001

415 Alan Road: Today

415 Alan Road: Proposed

City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: June 4, 2009

AGENDA DATE: June 11, 2009

PROJECT ADDRESS: 415 Alan Road (MST2009-00083)
TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner DK
Kathleen Kennedy, Associate Planner KK

I. PROJECT DESCRIPTION

The proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

At this time, the Planning Commission is not being requested to take any action regarding approval of the proposed project nor make any determination regarding environmental review.

II. REQUIRED APPLICATIONS

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

III. RECOMMENDATION

Staff recommends that the Planning Commission deny the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment.

IV. SITE INFORMATION

A. EXISTING

Zone District	A-1/ SD-3
General Plan Designation	Residential, one unit per acre
Slope	15.6%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)
Lot area	59,657 sq. ft. (1.37 acres)
Zoning	**Nonconforming to Lot Area**
General Plan	**Conforming to Density**

B. PROPOSED

	Proposed Parcel A	**Proposed Parcel B**
Zone District	A-1/ SD-3	E-3/ SD-3
General Plan Designation	Residential, one unit per acre	Residential, five units per acre
Slope	14.40%	19.90%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)	11,250 sq. ft. (0.26 acres)
Lot area	46,948 sq. ft. (1.08 acres)	12,709 sq. ft. (0.29 acres)
Zoning	**Nonconforming to Lot Area**	**Conforming to Lot Area**
General Plan	**Conforming to Density**	**Conforming to Density**

V. DISCUSSION

A. PROJECT LOCATION

The property at 415 Alan Road is located in the Campanil neighborhood of the City, which is bordered on the north and east by Arroyo Burro Creek, on the south by the ocean and on the west by Hope Ranch. The General Plan designation for the neighborhood is one dwelling unit per acre. Most of this area consists of large parcels, similar to the size of the project site or larger, which are either vacant or contain single-family dwellings. An exception to this is the Braemar Tract, a single-family, small-lot development that was subdivided while under County jurisdiction. This tract of approximately 120 parcels, on relatively steep topography, is described in the City's General Plan Land Use Element as presenting "a vivid picture of improper subdivision techniques." The density in this portion of the neighborhood is approximately four times greater than the other areas.

When the Braemar Tract was annexed to the City in 1956, it was given an E-3, One-Family Residence zone designation, which requires a 7,500 square foot minimum lot size (or more if the average slope exceeds 10%). The rest of the neighborhood has an A-1, One-Family Residence zone designation, which requires a one-acre minimum lot size (or more if the average slope exceeds 10%).

B. BACKGROUND

Similar proposals regarding the project site have been submitted for review in the past. In 2004, the Planning Commission conceptually reviewed a proposed project that involved a lot line adjustment between two parcels (415 Alan Road and 23 Wade Court) resulting in an increase of lot area for 23 Wade Court. The Planning Commission, during their review, discouraged any development on the land that would be added to 23 Wade Court.

In February of 2005, an application was submitted that consisted of a subdivision of 415 Alan Road into two lots, in addition to the lot line adjustment. Following the subdivision, the smaller lot would have been rezoned from A-1 to E-3 and the larger lot would have required a lot area modification. During project review, Staff stated that if the project were to proceed to the Planning Commission for initiation of the Zone Change and Local Coastal Program Amendment, Staff would recommend denial, in part because the original 415 Alan Road parcel, which is currently nonconforming to lot area, would have become more nonconforming as a result of the proposed subdivision. Furthermore, the creation of a new lot that would not conform to the General Plan density would not be appropriate for the neighborhood when the Land Use Element and Local Coastal Plan state that this neighborhood is already too dense.

The applicant did proceed with the project and on October 6, 2005, the Planning Commission denied the initiation requests. One of the main reasons for the denial was the inconsistency with the General Plan density.

The applicant filed an appeal of the Planning Commission action but subsequently withdrew the appeal and submitted a proposal to Staff that included a request to initiate a General Plan Amendment as well. With a General Plan Amendment (from one unit per acre to five units per acre) added to the proposal, all proposed lots would conform to the General Plan density. Due to the rezone, the 23 Wade Court parcel would become conforming to lot area as would the newly created smaller parcel; however, the larger parcel would become more nonconforming to lot area. This proposal was put on hold.

C. CURRENT PROPOSAL

In early 2009, the applicant submitted a new proposal that no longer included 23 Wade Court. The proposed project consisted of the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment and a subdivision of 415 Alan Road under the proposed Zoning and General Plan designations. The proposed project also included five additional properties along the eastern side of Alan Road. In response to the application, Staff provided the applicant with the following comments:

1. The existing parcel at 415 Alan Road is nonconforming to lot area due to the slope density requirements of the A-1 zone. Staff is not in support of the subdivision of the parcel that results in 415 Alan Road (proposed parcel A) becoming more nonconforming to lot area. In addition, Staff is also not in support of the proposal to rezone a number of parcels and change the General Plan and Local Coastal Plan designations on those parcels in order to facilitate the creation of a new lot in the project area. As you know, the City's General

Plan Land Use Element considers the adjacent Braemar Tract an example of an improper subdivision because it is a dense development on steep topography. Staff is not in support of creating a new lot in a neighborhood identified in the Land Use Element as already too dense.

2. If the applicant chooses to proceed with the proposed project, Staff would be recommending denial of the Initiation of the Zone Change and General Plan and Local Coastal Program Amendments at the Planning Commission.

3. Staff, however, would be in support of the proposal if the newly created lot were to have an upper-middle income restricted single-family detached unit. The proposal would be subject to the requirements of the City's Density Bonus Program. If the applicant chooses to proceed in this manner, please see SBMC§28.87.400 and the City of Santa Barbara Affordable Housing Policies and Procedures Manual for more information.

The proposal being presented to the Planning Commission is the same as described above but it does not include the five additional properties along the eastern side of Alan Road. In regard to the affordable housing suggestion by Staff, the applicant has requested that a payment of an in-lieu fee be considered rather than a restriction on the new residence.

VI. RECOMMENDATION

Staff's concerns remain the same as stated above. In addition, Staff would not be in support of a payment of an in-lieu fee because the purpose is to provide payment as an alternative to constructing an affordable unit. This would not be a proper application of this alternative.

For the reasons presented above, Staff recommends that the Planning Commission deny the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment for the proposed project.

If the initiation is granted, it is not meant to imply any approval of, or formal position on the proposed project other than acknowledging that the proposed Zone Change, General Plan Amendment and Local Coastal Program Amendment can proceed for study and environmental review.

Exhibits:

A. Applicant's letter, dated May 22, 2009
B. Project Plans (Exhibits A, B-1, B-2, C & Tentative Map)

Brownstein | Hyatt
Farber | Schreck
A Strategic California Merger with Hatch & Parent

Patsy Stadelman, AICP
Land Use Planner
805.882.1424 tel
805.965.4333 fax
PStadelman@bhfs.com

May 22, 2009

RECEIVED
MAY 22 2009
CITY OF SANTA BARBARA
PLANNING DIVISION

VIA HAND DELIVERY

Ms. Kathleen Kennedy
City of Santa Barbara
Community Development Department
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Initiation of Seybold Lot Split, Rezone and General Plan Amendment
415 Alan Road (APN 047-091-024)

Dear Ms. Kennedy:

Enclosed are the copies of the revised exhibits for Planning Commission initiation of the proposed rezone and General Plan amendment at 415 Alan Road.

Following our pre-application review meeting with you on March 23, 2009, Mr. Seybold decided to revise the proposed project to eliminate the request for a rezone and General Plan amendment of the properties on the east side of Alan Road. The revised exhibits reflect this change. This letter and accompanying enclosures describe the proposed project and the reasons we believe the proposal is consistent with City policies and regulations as well as the Subdivision Map Act.

Project Description

The proposed project includes (1) subdivision of the 415 Alan Road parcel (APN 047-091-024), resulting in one new developable lot; (2) a rezone of the newly created parcel from A-1/S-D-3, One-Family Residence and Coastal Overlay Zones, to E-3/S-D-3, One-Family Residence and Coastal Overlay Zones; (3) a General Plan Amendment, and consistent Local Coastal Plan Amendment, to change the land use designation of the rezoned parcel from 1 dwelling unit per acre to 5 dwelling units per acre; and (4) a lot area modification to reduce the minimum lot area of the already developed remainder lot from 1.5 acres to 1.08 acres (see enclosed exhibits). The proposed project would require a Tentative Parcel Map, Coastal Development Permit, Lot Area Modification, Rezone, and General Plan and Local Coastal Plan Amendments.

The 415 Alan Road parcel is 59,657 square feet (1.37 acres) and is currently developed with one single family home and associated accessory structures on the southern side of the property. The size of this parcel conforms to the minimum one acre parcel size standard of the A-1 zone district but is smaller than the 1.5 acres that would be required under the city's slope density ordinance if the lot were now being proposed for development. The proposed lot split would result in two parcels: Parcel A would contain the existing dwelling and be 46,948 square feet in size (1.08 acres) and Parcel B would be 12,709 square feet in size (see Exhibit B-1 and Tentative Map). With the proposed rezone and land use designation change to E-3/S-D-3 and 5 dwelling units per acre, respectively, Parcel B would conform with the minimum 7,500 parcel size standard of the E-3 zone district and would satisfy the

EXHIBIT A

11,250 square foot slope density standard for a lot with an average slope between 10% and 20%. Parcel A would continue to be nonconforming to the minimum lot area under the slope density ordinance and therefore would require a lot area modification.

Project Benefits and Required Findings

The Santa Barbara Municipal Code requires the City to make the following findings in order to approve the proposed project

Findings for Tentative Map (SBMC §27.07.100): The tentative map is (1) consistent with applicable General and specific plans; (2) the design or improvement proposed is consistent with applicable general and specific plans; (3) the site is physically suitable for the type of development; (4) the site is physically suitable for the proposed density of development; (5) the design of the development or the proposed improvements are not likely to cause substantial environmental damage or to substantially and avoidably injure fish or wildlife or their habitat; (6) the design of the development or the type of improvement is not likely to cause serious public health problems; and (7) the design of the development or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed development.

Findings for a Change of Zone Boundaries (SBMC §28.92.015): The change is justified by public necessity, convenience, general welfare or good zoning practice.

Findings for Coastal Development Permit (SBMC §28.45.009): The project is consistent with the policies of the California Coastal Act and the project is consistent with all applicable policies of the City's Coastal Plan, all implementing guidelines and all applicable provisions of the Municipal Code.

Findings for a Local Coastal Program Amendment (SBMC §28.45.009): The project is consistent with the policies of the California Coastal Act (commencing with Section 30200) including pubic access and public recreation because it would not affect public access or recreation opportunities. In addition, the project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provision of the Municipal Code.

Findings for a Lot Area Modification (SBMC §28.92.110): The modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to (i) secure an appropriate improvement on a lot, (ii) prevent unreasonable hardship, (iii) promote uniformity of improvement, or (iv) the modification is necessary to construct a housing development which is affordable to very low-, low-, moderate- or middle-income households.

We respectfully submit that these findings can be made for the following reasons. The property is an excellent location for infill development of a single family home. The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. Further, it is adjacent to and across Alan Road from lots of comparable size, all infrastructure is in place, slopes are relatively minimal, and development would not negatively impact traffic in the neighborhood.

A rezone and General Plan Amendment to allow a new lot would be consistent with the actual density of the existing neighborhood. While the area is currently designated for 1 unit per acre, this land use designation was applied after the neighborhood was developed. The actual density of the area along Alan Road between Cliff Drive and Wade Court is 1.8 units per acre. One infill unit would result in a minimal increase in density to 2 units per acre.

The proposed project is consistent with the Coastal Act because it does not affect public access or public recreation. The project would result in a new lot added to the City's tax rolls and would be compatible with the Alan Road neighborhood. The proposed new lot has ready access from Alan Road and would connect to the existing water and sewer infrastructure on Alan Road. Further, there are no significant natural resources on the property which could be adversely affected by future development.

In conclusion, the proposed project benefit the City by creating a new infill property compatible with the existing neighborhood, furthering the City's policy of providing housing opportunities through infill development and adding a new property to the City's tax rolls.

Thank you for your time and consideration of this proposal.

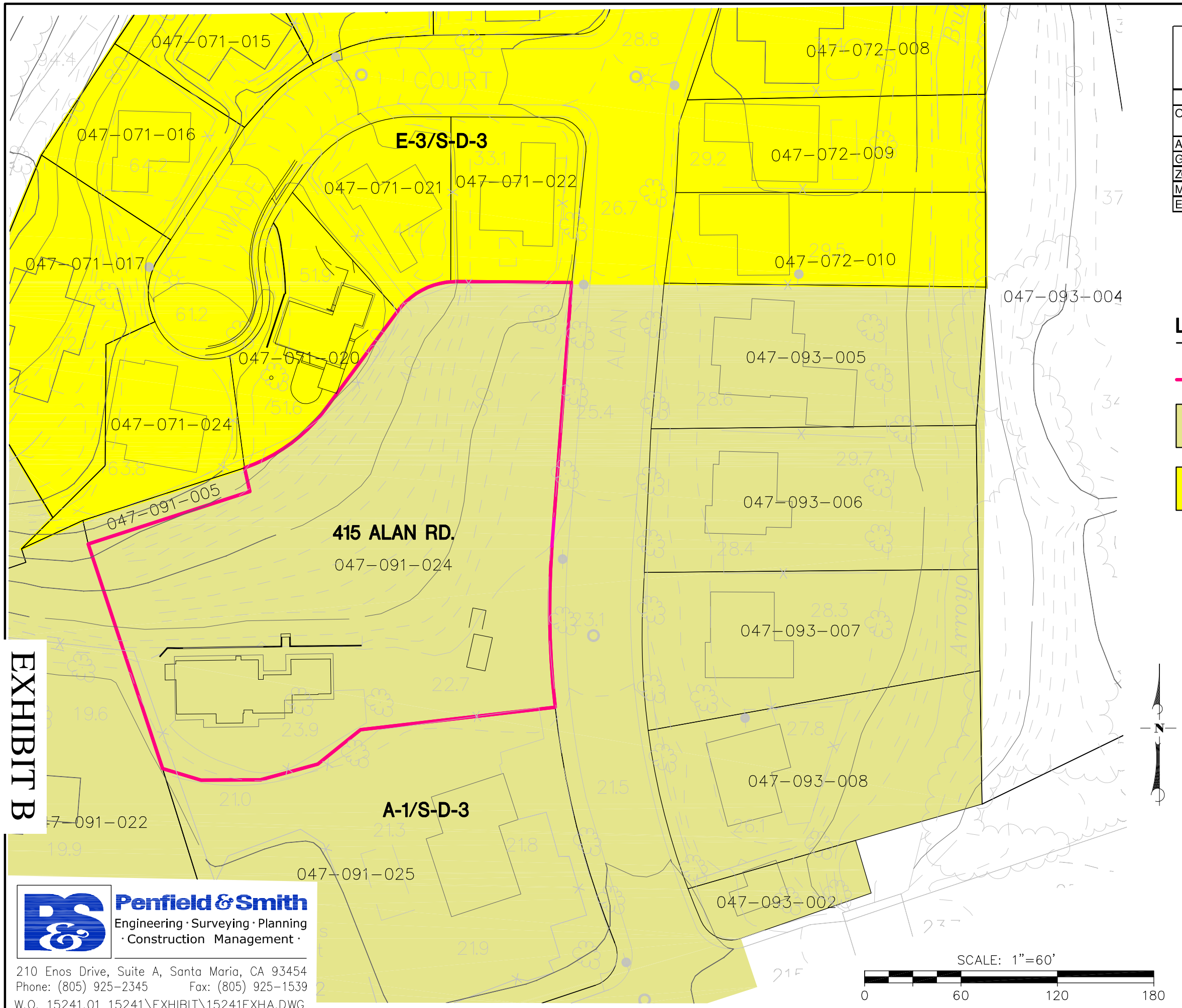
Sincerely,

Patsy Stadelman, AICP
Land Use Planner

cc: Andrew Seybold
Steven Amerikaner, Esq.

Enclosures: Tentative Parcel Map (10 copies)
Exhibit A: Seybold Existing Conditions (10 copies)
Exhibit B-1: Seybold Proposed Conditions, Subdivision and Rezone (10 copies)
Exhibit B-2: Seybold Proposed Conditions, Subdivision and General Plan Amendment (10 copies)
Exhibit C: Seybold Vicinity/Zoning Map (10 copies)

SB 505951 v1:012399.0001



EXISTING CONDITIONS 415 ALAN ROAD	
OWNER	ANDREW SEYBOLD
APN	047-091-024
GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)
ZONE DISTRICT	A-1/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 ACRE)
EXISTING LOT AREA	59,657 S.F. (1.37 AC.)

LEGEND

EXISTING PROPERTY LINE

A-1/S-D-3 ZONE

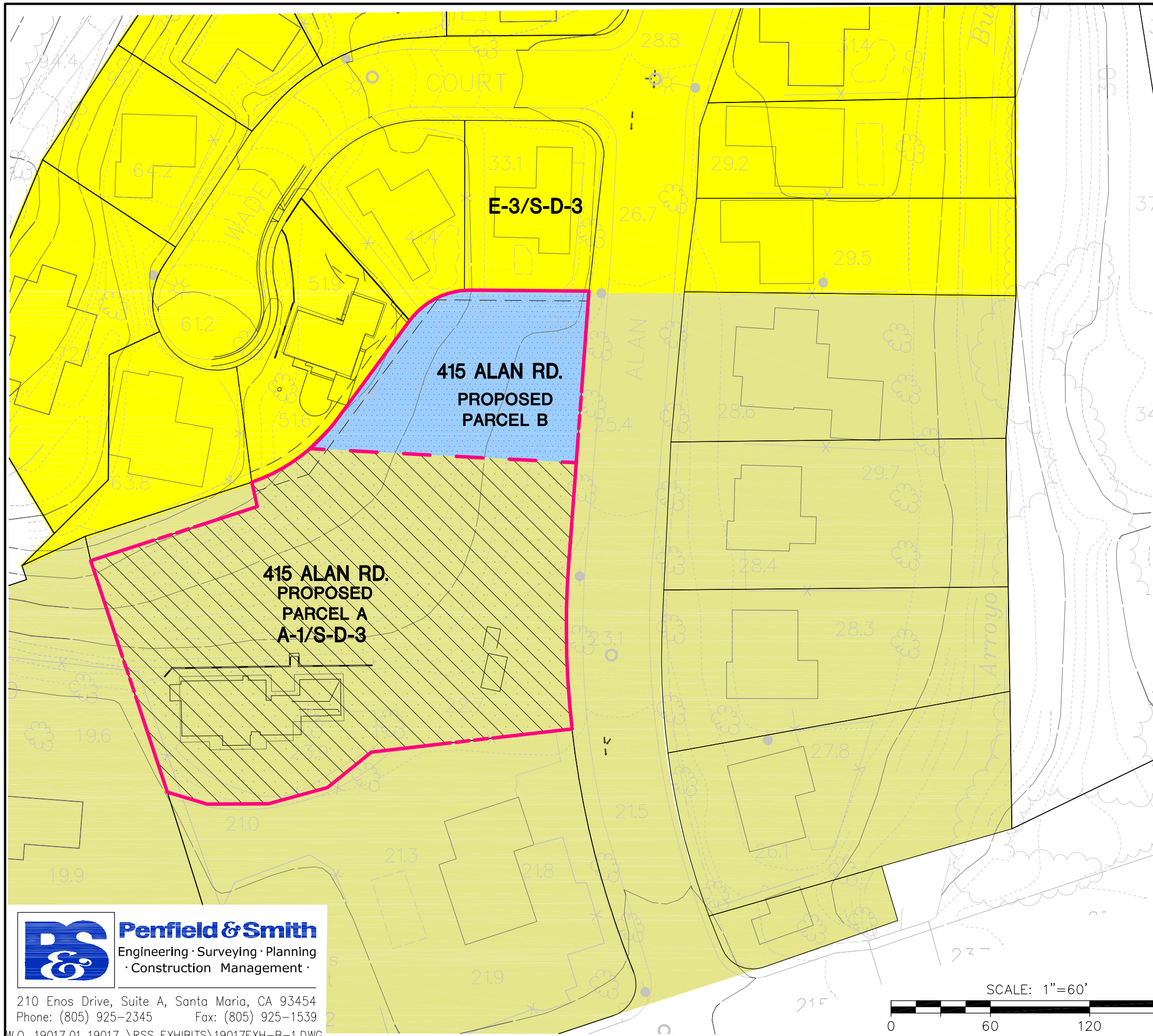
E-3/S-D-3 ZONE

EXHIBIT B

EXHIBIT A
SEYBOLD EXISTING CONDITIONS
APN 047-091-024

CITY OF SANTA BARBARA, CALIFORNIA
JANUARY 2009

Penfield & Smith
Engineering · Surveying · Planning · Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539
W.O. 15241.01 15241\EXHIBIT\15241EXHA.DWG



PROPOSED CONDITIONS FOR 415 ALAN ROAD FOR CONSIDERATION OF THE REZONE AND GENERAL PLAN AMENDMENT

	PARCEL A	PARCEL B
OWNER	ANDREW SEYBOLD	ANDREW SEYBOLD
PROPOSED GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)	RESIDENTIAL (5 UNITS PER ACRE)
PROPOSED ZONE DISTRICT	A-1/S-D-3	E-3/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 ACRE)	7,500 S.F. (0.17 ACRE)
AVERAGE SLOPE	14.40%	19.90%
MINIMUM LOT AREA WITH SLOPE DENSITY FACTOR	65,430 S.F. (1.5 ACRES)	11,250 (0.26 ACRE)
PROPOSED LOT AREA	46,948 S.F. (1.08 AC.)	12,709 S.F. (0.29 AC.)

LEGEND

- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING A-1/S-D-3 ZONE
- EXISTING E-3/S-D-3 ZONE
- AREA OF PROPOSED REZONE FROM A-1/S-D-3 TO E-3/S-D-3
- PROPOSED PARCEL A
- PROPOSED PARCEL B

N

SCALE: 1"=60'

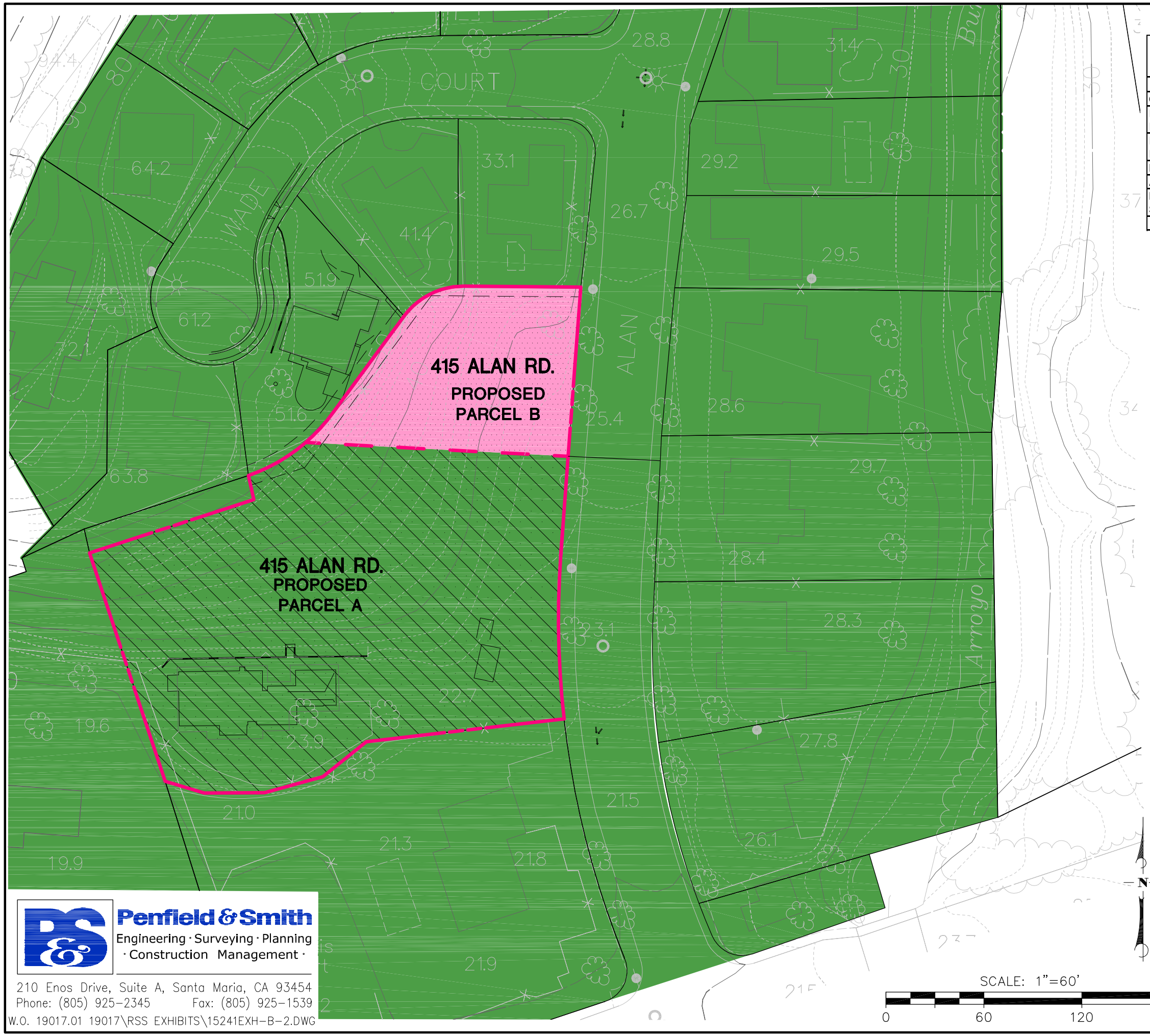
0 60 120 180

EXHIBIT B-1
SEYBOLD PROPOSED CONDITIONS
SUBDIVISION AND REZONE
APN 047-091-024

CITY OF SANTA BARBARA, CALIFORNIA
MAY 2009

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539

W.O. 19017.01 19017 \RSS EXHIBITS\19017EXH-B-1.DWG



PROPOSED CONDITIONS FOR 415 ALAN ROAD FOR CONSIDERATION OF THE REZONE AND GENERAL PLAN AMENDMENT		
	PARCEL A	PARCEL B
OWNER	ANDREW SEYBOLD	ANDREW SEYBOLD
PROPOSED GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)	RESIDENTIAL (5 UNITS PER ACRE)
PROPOSED ZONE DISTRICT	A-1/S-D-3	E-3/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 ACRE)	7,500 S.F. (0.17 ACRE)
AVERAGE SLOPE	14.40%	19.90%
MINIMUM LOT AREA WITH SLOPE DENSITY FACTOR	65,430 S.F. (1.5 ACRES)	11,250 (0.26 ACRE)
PROPOSED LOT AREA	46,948 S.F. (1.08 AC.)	12,709 S.F. (0.29 AC.)

LEGEND

PROPOSED PROPERTY LINE

EXISTING PROPERTY LINE

EXISTING 1 DU/AC LAND USE DESIGNATION

AREA OF PROPOSED LAND USE DESIGNATION CHANGE FROM 1 DU/AC TO 5 DU/AC

PROPOSED PARCEL A

PROPOSED PARCEL B

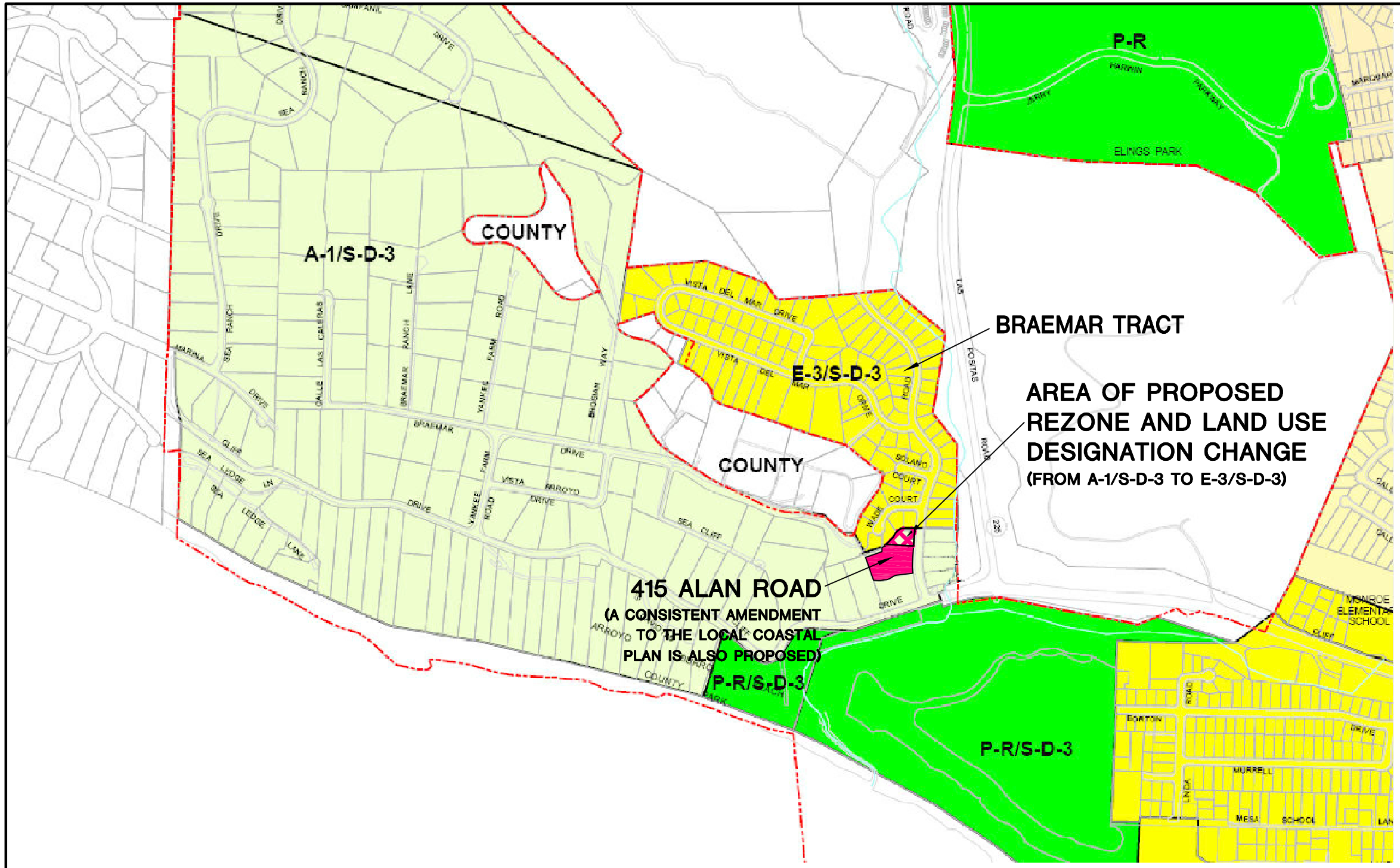
(A CONSISTENT AMENDMENT TO THE THE LOCAL COASTAL PLAN IS ALSO PROPOSED)

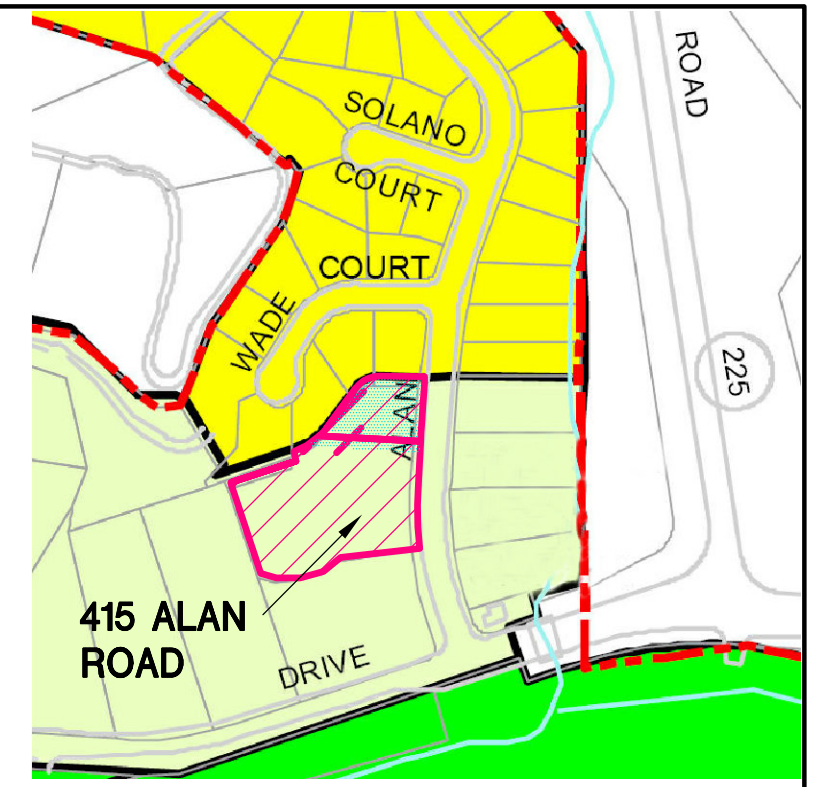
EXHIBIT B-2
SEYBOLD PROPOSED CONDITIONS SUBDIVISION AND GENERAL PLAN AMENDMENT
APN 047-091-024

CITY OF SANTA BARBARA, CALIFORNIA
MAY 2009

Penfield & Smith
Engineering · Surveying · Planning · Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539

W.O. 19017.01 19017\RSS EXHIBITS\15241EXH-B-2.DWG





PROJECT AREA

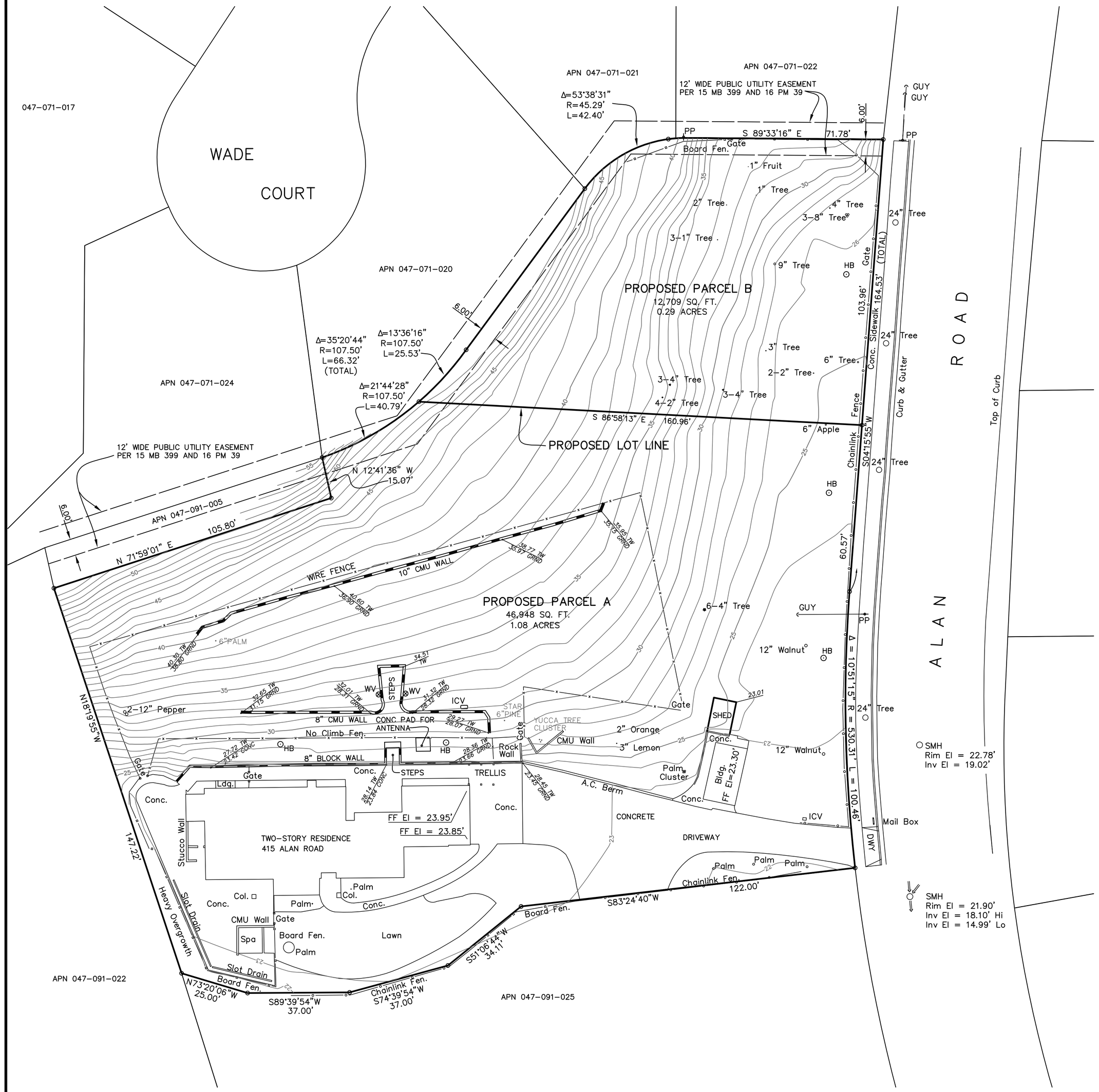
AREA OF PROPOSED REZONING AND LAND USE DESIGNATION CHANGE

VICINITY / EXISTING ZONING MAP

EXHIBIT C
SEYBOLD VICINITY/ZONING MAP
APN 047-091-024

CITY OF SANTA BARBARA, CALIFORNIA
MAY 2009

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539
W.O. 19017.01 19017\RSS EXHIBITS\15241EXH-C.DWG



LEGEND

- PP = POWER POLE
- ‹ = GUY ANCHOR
- HB = HOSE BIB
- TW = TOP OF WALL
- GRND = GROUND
- CONC = CONCRETE
- FF = FINISHED FLOOR
- SMH = SEWER MANHOLE
- WV = WATER VALVE
- ICV = IRRIGATION CONTROL VALVE

NOTES

1. ZONING: EXISTING PARCEL: A-1/SD-3
   APN 047-091-024
   PROPOSED PARCEL A: A-1/SD-3
   PROPOSED PARCEL B: PROPOSED REZONE TO E-3/SD-3

(SEE SEPARATE EXHIBIT FOR REZONING PROPOSAL)

2. WATER: SANTA BARBARA CITY

3. SEWER: SANTA BARBARA CITY

4. GAS: SOUTHERN CALIFORNIA GAS

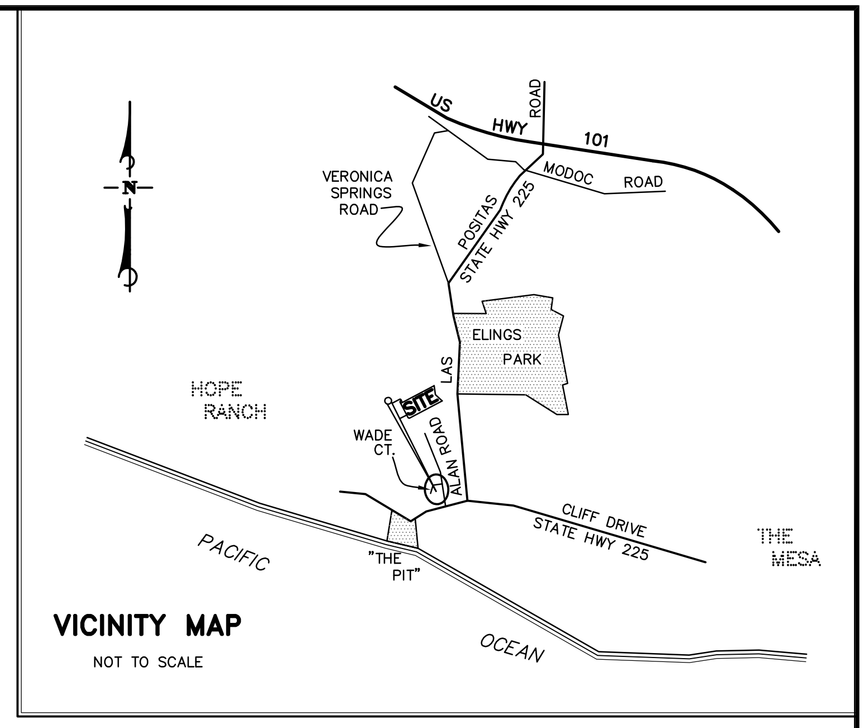
5. ELECTRIC: SOUTHERN CALIFORNIA EDISON

6. THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON A FIELD SURVEY BY BLAKE LAND SURVEYS, PREPARED OCTOBER 04, 2002 AND SUPPLEMENTED BY A FIELD SURVEY UNDERTAKEN BY PENFIELD AND SMITH, JANUARY 04, 2005.

7. THE BASIS OF BEARINGS FOR THIS SURVEY IS CCS 83, ZONE 5, EPOCH 1992, PER GPS TIES TO STATION 0029 OF THE SANTA BARBARA CONTROL NETWORK AS SHOWN ON THE MAP FILED IN BOOK 147, PAGES 70 THROUGH 74, OF RECORD OF SURVEYS. DISTANCES HAVE BEEN SCALED FROM GRID TO GROUND BY A COMBINED FACTOR OF 1.00005553 COMPUTED AT CONTROL POINT 1. THE GRID BEARINGS SHOWN HEREON ARE ROTATED CLOCKWISE 1°09'54" FROM THE RECORD BEARINGS SHOWN ON THE MAP FOR TRACT 20,191, BOOK 95, PAGES 48 AND 49, OF MAPS.

8. VERTICAL DATUM IS NAVD 88, BASED UPON SBCN STATION 0029. LOCAL BENCHMARK IS A FOUND LEAD AND TAG, PT. NO 200, MARKED "LS 3228", AT THE SOUTHEAST CORNER OF THE PROJECT, HAVING AN ELEVATION OF 23.67 U.S. SURVEY FEET.

9. THIS TENTATIVE MAP WAS PREPARED IN CONJUNCTION WITH A PRELIMINARY TITLE REPORT ISSUED BY FIDELITY NATIONAL TITLE COMPANY, DATED JANUARY 21, 2009, AS ORDER NO. 09-425100652-RR. PENFIELD AND SMITH CANNOT GUARANTEE THE ACCURACY OR COMPLETENESS OF SAID REPORT.



VICINITY MAP

NOT TO SCALE

OWNER'S STATEMENT:

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE AN INTEREST IN THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE ANNEXED MAP, AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID LAND. WE CONSENT TO THE MAKING AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDER LINES.

BY: ANDREW M. SEYBOLD _____

BY: LINDA M. SEYBOLD _____

415 ALAN ROAD
STREET

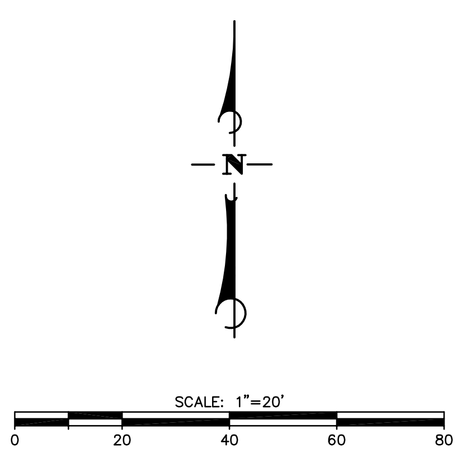
DATE PHONE
SANTA BARBARA CA 93109
CITY STATE ZIP

AREAS:

EXISTING LOT 1, TRACT 20,191
TOTAL AREA: 1.37 ACRES (GROSS AND NET)
AVERAGE SLOPE: 15.6%

PROPOSED PARCEL A
TOTAL AREA: 1.08 ACRES (GROSS AND NET)
AVERAGE SLOPE: 14.4%

PROPOSED PARCEL B
TOTAL AREA: 0.29 ACRES (GROSS AND NET)
AVERAGE SLOPE: 19.9%



TENTATIVE PARCEL MAP NO. 20,XXX

BEING A DIVISION OF LOT 1 OF TRACT 20,191
IN THE CITY OF SANTA BARBARA, STATE OF CALIFORNIA,
RECORDED IN BOOK 95, PAGES 48 AND 49 OF MAPS

SCALE: 1"= 20' MAY 2009

PREPARED UNDER THE DIRECTION OF:

KENNETH S. HUGHES PLS 6170

LICENSE EXPIRATION
DATE: 3/31/10

Penfield & Smith
Engineering · Surveying · Planning · Construction Management
111 East Victoria Street, Santa Barbara, CA 93101
Phone: (805) 963-9532 Fax: (805) 966-9801

II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

None.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Larson opened the public hearing at 1:07 P.M. and, with no one wishing to speak, closed the hearing.

III. NEW ITEMS:

ACTUAL TIME: 1:07 P.M.

A. **APPLICATION OF PATSY STADELMAN, BROWNSTEIN HYATT FARBER SCHRECK, LLP, AGENT FOR ANDREW M. SEYBOLD, 415 ALAN ROAD, APN 041-091-024, A-1/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (MST2009-00083)**

The proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

Case Planner: Kathleen Kennedy, Associate Planner
Email: KKennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Steve Amerikaner, Attorney, gave the applicant presentation joined by Andrew Seybold, Property Owner.

Chair Larson opened the public hearing at 1:29 P.M. and acknowledged the correspondence received.

Gill Barry, neighbor, spoke in opposition to the project on behalf of neighbor Dr. Timothy Rodgers, who could not be present at the meeting. He cited concerns over the lot split and increased density and stated that a previous condition of approval prohibited any further subdivision of the parcel.

With no one else wishing to speak, the public hearing was closed at 1:33 P.M.

Scott Vincent, Assistant City Attorney, answered Planning Commission questions about how the slope density provisions of the City's Ordinance apply to the project. Mr. Vincent also stated that the City cannot place a condition on a property that would not allow an owner to request further division of the property.

The Commission made the following comments:

1. Commissioner Lodge was not in support because it would become denser.
2. Commissioner White concurs but may be in support of a secondary unit in the future.
3. Commissioner Bartlett was in support because the new lot would conform and the applicant is willing to pay in-lieu fees and construct a green building. Need to fix the rules.
4. Commissioner Bartlett suggested that the General Plan and Zoning inconsistencies in this area be addressed in the future.
5. Commissioner Thompson suggested that the in-lieu fee option be explored.

MOTION: Lodge/White **Assigned Resolution No. 025-09**
Denied the initiation of a Zone Change, General Plan Amendment and Local Coastal Program Amendment for the proposed project as recommended in the Staff Report.

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Bartlett/Thompson) Abstain: 0 Absent: 2 (Jacobs/Jostes)

Chair Larson announced the ten calendar day appeal period.

City of Santa Barbara
California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 025-09
415 ALAN ROAD
ZONE CHANGE, GENERAL PLAN AMENDMENT AND LOCAL COASTAL PROGRAM AMENDMENT
JUNE 11, 2009

APPLICATION OF PATSY STADELMAN, BROWNSTEIN HYATT FARBER SCHRECK, LLP, AGENT FOR ANDREW M. SEYBOLD,415 ALAN ROAD, APN 041-091-024, A-1/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (MST2009-00083)

The proposal is a request to initiate a Zone Change, General Plan Amendment and Local Coastal Program Amendment for a portion of the parcel (proposed parcel B) located at 415 Alan Road, from A-1/SD-3 (One-Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One-Family Residence/Coastal Overlay Zone) and from Residential, one unit per acre to Residential, five units per acre.

If the initiation requests are approved, the proposed project would also require a Tentative Subdivision Map to allow a subdivision of the parcel into two lots, a Lot Area Modification to allow less than the required lot area for one lot (proposed parcel A) and a Coastal Development Permit.

The initiation requests are as follows:

1. Initiation of a Zone Change from A-1/SD-3 (One Family Residence/Coastal Overlay Zone) to E-3/SD-3 (One Family Residence/Coastal Overlay Zone);
2. Initiation of a General Plan Amendment from Residential, One unit per acre to Residential, Five units per acre; and
3. Initiation of a Local Coastal Program Amendment to accept the Zone Change.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and 1 person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 4 2009.
2. Site Plans
3. Correspondence received in support of the project:
    a. Steven Amerikaner
    b. Steve H. Dougherty, via email
    c. Richard B. Tanner, Santa Barbara, CA

4. Correspondence received in opposition to the project:

   b. Judy Orias, Allied Neighborhood Association, via email

   c. Herbert L. Gravitz and Julie Borden, via email

   d. Timothy Rodgers, M. D., via email

   e. Paula Westbury, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

Denied the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment.

This motion was passed and adopted on the 11th day of June, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 3 NOES: 2 (Bartlett, Thompson) ABSTAIN: 0 ABSENT: 2 (Jacobs, Jostes)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Julie Rodriguez

Julie Rodriguez, Planning Commission Secretary

July 9, 2009

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

ATTACHMENT 5

Speakers:
Staff: Interim Finance Director Robert Samario, Police Chief Camerino Sanchez, Library Director Irene Macias, Principal Engineer John Ewasiuk.

Motion:
Councilmembers Horton/Schneider to approve the recommendations; Resolution No. 09-089.

Vote:
Unanimous roll call vote .

PUBLIC HEARINGS

16. Subject: Appeal Of Planning Commission Decision For 415 Alan Road (640.07)

Recommendation: That Council deny the appeal of Steven Amerikaner, agent for Mr. and Mrs. Andrew Seybold, and uphold the Planning Commission decision to deny the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment at 415 Alan Road.

2009 NOV 10 CAR 415 ALAN RD APPEAL - 1.DOC
2009 NOV 10 CAR 415 ALAN RD APPEAL - 2.PDF
2009 NOV 10 CAR 415 ALAN RD APPEAL - 3.PDF
2009 NOV 10 CAR 415 ALAN RD APPEAL - 4.PDF

Documents:
- November 10, 2009, report from the Community Development Director.
- November 10, 2009, PowerPoint presentation prepared and made by Staff.
- November 10, 2009, PowerPoint presentation submitted by Steven Amerikaner.
- Affidavit of Publication.
- May 5, 2009, letter from Richard B. Tanner.
- November 2, 2009, letter from Steve H. Dougherty.

Councilmember Williams left the meeting at 3:04 p.m. and returned at 3:09 p.m.

Public Comment Opened:
3:04 p.m.

Speakers:
- Staff: Associate Planner Kathleen Kennedy, City Planner Bettie Weiss, Assistant City Attorney N. Scott Vincent.
- Planning Commission: Commissioner Sheila Lodge.
- Appellant/Applicant: Steven Amerikaner, Andrew Seybold.

Public Comment Closed:
3:31 p.m.

Motion:
Councilmembers Falcone/House to uphold the appeal and to initiate the Zone Change, General Plan Amendment and Local Coastal Program Amendment at 415 Alan Road.

Amendment Motion:
Councilmembers Falcone/House to uphold the appeal and to initiate the Zone Change, the General Plan Amendment and Local Coastal Plan Program Amendment at 415 Alan Road, and request that staff present to Council what designations the parcel should have in order to meet the applicant's interest and what substantiation would actually be made to ensure that the new unit is a middle income unit in terms of size or whatever else is determined in a deliberation with the applicant.

Vote on Amendment Motion:
Majority voice vote (Noes: Councilmember Horton, Mayor Blum).

MAYOR AND COUNCIL REPORTS

17. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:
A. Hold interviews of applicants to various City Advisory Groups; and
B. Continue interviews of applicants to November 17, 2009, at 6:00 p.m.
(Estimated Time: 4:00 p.m.)

2009 NOV 10 CAR INTERVIEWS FOR CITY ADVISORY GROUPS - 1.DOC
2009 NOV 10 CAR INTERVIEWS FOR CITY ADVISORY GROUPS - 2.DOC

Documents:
- November 10, 2009, report from the Administrative Services Director.
- November 10, 2009, resume submitted by Chris Casebeer.

City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: February 24, 2010

AGENDA DATE: March 3, 2010

PROJECT ADDRESS: 415 Alan Road (MST2009-00083)

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner
Peter Lawson, Associate Planner

I. PROJECT DESCRIPTION

The project consists of a subdivision of a 1.37 acre parcel that is currently developed with a single family residence with a garage. The subdivision would result in the creation one 45,056 square foot lot (Proposed Parcel A), with the existing single-family residence remaining on this lot, and one 14,601 square foot lot (Proposed Parcel B), which would be vacant. A development restriction of a single story, 2,000 s.f. maximum size residence with a 500 square foot garage, which would be constructed between the 40 foot contour line and the sidewalk is proposed. Access to each of the proposed lots would be from Alan Road.

As part of the project, a General Plan/Local Coastal Plan Amendment and a Rezone are being requested for the proposed northern lot, and a lot area Modification is being requested for the proposed southern lot to be less than the minimum size required for slope density.

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/or Coastal Commission:

1. General Plan Amendment to change the land use designation of the newly created vacant lot (Parcel B) from Residential, one unit per acre to Residential, three units per acre, (8,712 sq. ft. per unit) (SBMC §28.07);
2. Local Coastal Plan Amendment to change the land use designation of the newly created vacant lot (Parcel B) from Residential, one unit per acre to Residential, three units per acre, (8,712 sq. ft. per unit) (SBMC §28.07) and to change the zoning map designation as described below;
3. Zoning Map Amendment to rezone proposed Parcel B from A-1/ SD-3 (Single Family Residential), to E-3/ SD-3 (Single Family Residential) (SBMC, §28.92.020);

Actions by the Planning Commission, contingent upon approval of the actions listed above:

4. A lot area Modification to allow proposed Parcel A to be less than the required lot size of 1.5 acres is required for lots with slopes of 10%-20% (SBMC §28.92.026.A);

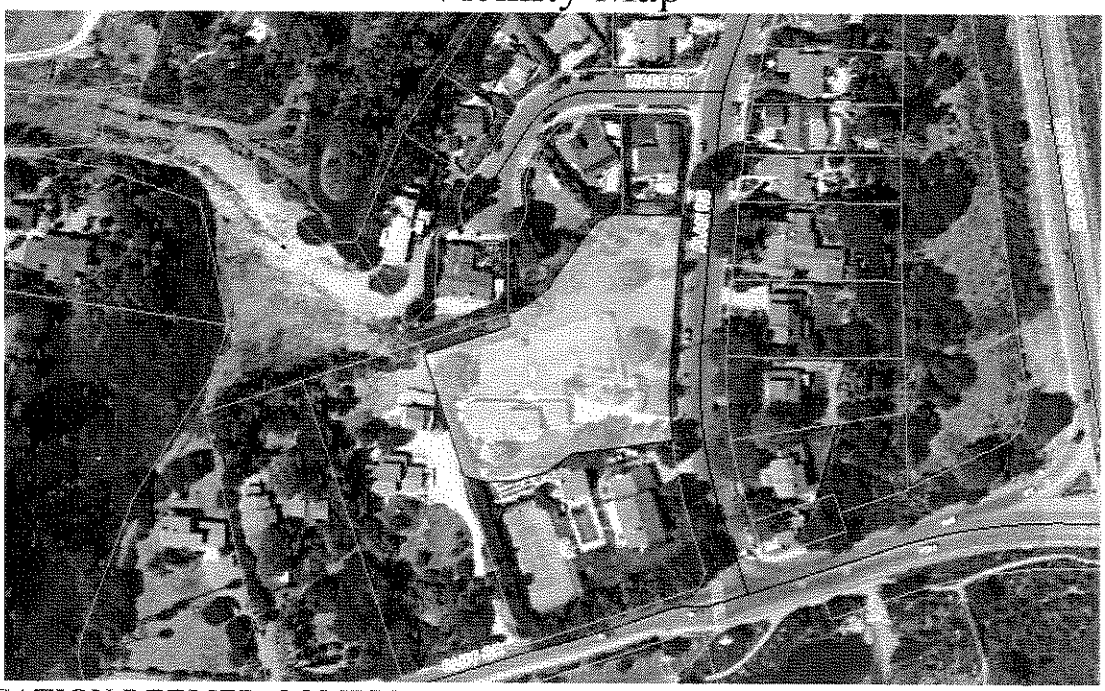
5. A Tentative Subdivision Map to allow the division of one (1) lot into two (2) parcels (SBMC 27.07);

6. A Coastal Development Permit for the development within the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060).

III. RECOMMENDATION

City staff is supportive of the proposed two-lot subdivision. With City Council and Coastal Commission approval of the requested re-zone of proposed Parcel B from A-1/SD-3, to E-3/ SD-3 and accompanying General Plan/Local Coastal Plan land use designation amendment from Residential, one unit per acre to Residential, three units per acre, the project would conform to the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal Plan. The project would result in a net gain of one residential unit in the City's housing stock, and the density of the proposed subdivision would be compatible with the surrounding neighborhood. Future development of the lot would be subject to design review by the Single Family Design Board to ensure compatibility with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission recommend to the City Council the approval of the re-zone and General Plan and Local Coastal Plan Map Amendments, and approve the project, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.

Vicinity Map



APPLICATION DEEMED COMPLETE: August 10, 2010
DATE ACTION REQUIRED PER MAP ACT: March 3, 2011

IV. BACKGROUND INFORMATION

The project site was originally comprised of 2.37 acres and developed with a single-family residence with a garage and accessory structure. A two lot subdivision was approved and was recorded in May of 1978 (FM No. 20,191), which left the residence on a 1.37-acre lot, the subject of the current proposal, and a vacant 1-acre lot to the south. The parcel to the south, which is bounded by Cliff Drive and Alan Road, was later developed with a single-family residence.

Since 2003, the applicant has proposed to subdivide the subject 1.37-acre lot into two parcels through various configurations. For example, one proposal included adjusting lot lines with adjacent lots to achieve a lot configuration consistent with the zoning ordinance. The most recent proposal included a two lot subdivision in the same configuration, as currently proposed, along with ordinance and land use plan changes.

Staff did not support the project and recommended denial of the applicant's request to initiate the Zone Change, General Plan Amendment and Local Coastal Plan Amendment of the Zoning Ordinance and General Plan. On June 11, 2009, the Planning Commission concurred with the Staff recommendation and voted 3-2-2 to deny the request (3 in favor, 2 against, 2 absent). The applicant appealed this decision to City Council. On November 9, 2009, Council upheld the appeal of the applicant and initiated the Zone Change, General Plan Amendment and Local Coastal Plan Amendment and directed staff to process the lot split application.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Patsy Stadleman, Agent	Property Owner: Andrew Seybold
Parcel Number: 047-091-024	
Adjacent Land Uses: North - Residential South - Residential	 East - Residential West - Residential

EXISTING PARCEL

Zone District	A-1/ SD-3
Existing Use	Residential
General Plan Designation	Residential, one unit per acre
Topography	15.6%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)
Lot area	59,657 sq. ft. (1.37 acres)
Zoning	**Nonconforming to Lot Area**
General Plan	**Conforming to Density**

PROPOSED SUBDIVISION - TWO LOTS

	Proposed Parcel A	**Proposed Parcel B**
Zone District	A-1/ SD-3	E-3/ SD-3
Proposed Use	Residential	Residential
General Plan Designation	Residential, one unit per acre	Residential, three units per acre
Slope	14.40%	19.90%
Minimum lot area required (with slope density factor of 1.5)	65,340 sq. ft. (1.5 acres)	11,250 sq. ft. (0.26 acres)
Lot area	45,056 sq. ft. (1.03 acres)	14,601 sq. ft. (0.34 acres)
Zoning	**Nonconforming to Lot Area**	**Conforming to Lot Area**
General Plan	**Conforming to Density**	**Conforming to Density**

B. PROJECT STATISTICS

EXISTING PARCEL

Living Area	3,080 square feet
Garage	530 square feet
Accessory Space	250 square feet

PROPOSED SUBDIVISION - TWO LOTS

	Proposed Parcel A	**Proposed Parcel B**
Living Area	3,080 s.f. house	No Development
Garage	530 s.f. Garage	No Development
Accessory Space	250 s.f. Accessory Space	No Development

VI. ZONING ORDINANCE CONSISTENCY

The project would result in the creation of two lots. Proposed Parcel A would include an existing residence, a garage and an accessory structure, and Proposed Parcel B would be vacant. The proposed project would meet the requirements of the Municipal Code, with the exception of Proposed Parcel A. Proposed Parcel A would be 1.03 acres, which is consistent with the minimum required lot size of the A-1/SD-3 Zone District and the existing development of this lot is consistent the zone district. However, Proposed Parcel A does not meet the slope density requirement of 1.5 times the minimum lot area for parcels with slopes between 10% - 20%, and therefore requires a lot area Modification. Proposed Parcel B would be consistent with the minimum lot size of the recommended zoning of E-3/SD-3, including the slope density requirement of 1.5 times the required minimum lot area.

VII. ISSUES

A. DESIGN REVIEW

Consistent with §22.69.020.D, Neighborhood Preservation - Single Family Residential Unit Design Review, Subdivision Grading Plans, this project is not subject to design review since

there is no grading associated with the proposed subdivision. Any future development is subject to review by the Single Family Design Board.

B. COMPLIANCE WITH THE GENERAL PLAN/LOCAL COASTAL PLAN

The project site is located within the General Plan designated Campanil Area and Component 1 of the Local Coastal Plan. This area is roughly bounded by the western City limits, Arroyo Burro Creek to the east and north and the shoreline to the south. Within this bounded area there are a mixture of large lot and small lot subdivisions. As described in the background section, the subject lot was created from a larger lot in 1978. A subdivision of 114 lots, known as the Braemar Park Tract, is located immediately to the north of the project site and is comprised of 10,000 square foot lots. The Land Use Element describes the Braemar Tract as being a picture of improper subdivision techniques and this description is carried over to the Local Coastal Plan. The main concern with the Braemar Park Tract is the size of the lots relative to the steep slopes found in parts of the tract.

The project as proposed would include a General Plan Amendment and Local Coastal Plan Amendment for Proposed Parcel B, change the designation from one unit per acre to three units per acre. If approved, the proposed 14,810 square foot lot would be consistent with the new General Plan and Local Coastal Plan designation. The project would also be consistent with the intent of the Land Use Element by avoiding development on slopes and limiting the scale of future development. As part of the project, Proposed Parcel B would include a deed restricted development size. The development would be restricted, by a condition of approval, to the area between the forty foot contour line and the public street, and the improvements would be restricted to a 2,000 square foot house (approximately 46% of the maximum FAR) and a 500 square foot garage.

C. ENVIRONMENTAL REVIEW

The proposed subdivision is exempt from further environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3). This section states that:

> "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The proposed project qualifies for this exemption because Proposed Parcel A is currently developed with a single-family residence, which is consistent with the development of the surrounding neighborhood. Proposed Parcel B is vacant, and with the proposed development restriction of a single story, 2,000 square foot residence with a 500 square foot garage would be developed in an area that avoids slopes in excess of 20%, would not require excessive grading, and is located in a disturbed area devoid of native vegetation. The lot is over 200 feet from Arroyo Burro Creek and associated riparian areas. A soils report and archeology report were prepared for proposed Parcel B, and no unsuitable soils or archeological resources were discovered. Both parcels are served by existing public services and the surrounding

intersections can accept an additional residential development. Therefore the subdivision and additional building location would not have a significant effect on the environment.

VIII. RECOMMENDATIONS TO COUNCIL

Staff recommends that the Planning Commission make the following recommendations to the City Council for the following reasons:

A. GENERAL PLAN AND LOCAL COASTAL PLAN AMENDMENTS

Change the land use designation of Proposed Parcel B from Residential - 1 unit per acre to Residential – 3 units per acre. The proposed parcel would be consistent with the density requirement of 3 units per acre. While the adjacent parcels in the Braemar Park Tract would continue to be under the General Plan designation of one unit per acre, it is anticipated that under Plan Santa Barbara update, this tract and surrounding parcels would also be designated 3 units per acre. Finally, this designation would be consistent and compatible with all of the development and land uses in this neighborhood, which are comprised of lots of 9,000 to 12,000 square feet.

B. ZONING MAP AMENDMENT

Change the zoning designation of Proposed Parcel B from A-1/S-D-3 One Family Residential Zone/Coastal Overlay Zone to E-3/S-D-3, One Family Residence Zone/Coastal Overlay Zone. This residential zoning designation would be consistent with the proposed General Plan and Local Coastal Plan designation of Residential, 3 units per acre and would be consistent with the Local Coastal Plan text discussion of development in the Braemar Park Tract area. Additionally, the proposed zone would be consistent with surrounding zoning designations. This designation would also be consistent and compatible with adjacent and nearby development, land uses and zoning designations, located to the north of the subject parcel.

IX. FINDINGS

The Planning Commission finds the following:

A. MODIFICATION LOT AREA (SBMC § 28.92.110.2)

The request for a slope density, lot area Modification for proposed Parcel A is consistent with the intent and purpose of Title 28, Zoning Ordinance and is necessary to secure an appropriate improvement on a lot, and promote uniformity of improvement,. The purpose of slope density is to provide more options to locate development on a lot to minimize grading and visual impacts. Proposed Parcel A would include the existing residence, garage and accessory structure. The visual landscape of the lot would remain unchanged and there would be no impacts from grading, since no additional development is proposed. Additionally, the development is approximately 75% of the recommended Floor Area Ratio, which is less aggressive than the surrounding large lot development. The proposed 1.03-acre lot is similar in size to the parcels located immediately to the west, south and north and two to three times the size of parcels located to the east.

B. THE TENTATIVE MAP (SBMC §27.07.100)

Proposed Parcel A

If approved as proposed, Parcel A of the Tentative Subdivision Map would be consistent with the current General Plan and Local Coastal Plan of the city of Santa Barbara because it would meet the density requirement of one unit per acre. The project would also be consistent with underlying lot size requirement of the A-1 Zone District.

The site is current developed with a single-family residence and is physically suited for the site. It is served by adequate City services, has adequate access and complies with all applicable regulations. No additional development is proposed at this time. Because the new parcel does not propose any new development, the project will not cause substantial environmental damage, such as impacts to the nearest marine environment, and associated improvements will not cause serious public health problems. The existing driveway from Alan Road provides adequate access to the site and does not interfere with any easements.

Proposed Parcel B

If approved as proposed, Parcel B of the Tentative Subdivision Map would be consistent with the General Plan and the Zoning Ordinance of the city of Santa Barbara. The proposed amendments would change the General Plan land use designation from one unit per acre to three units per acre.

The proposed parcel is physically suitable for the proposed development the project and is consistent with the provisions of the Municipal Code and the General Plan because there would be available level area to develop a residence without requesting Modifications. The proposed use is consistent with the vision for this neighborhood of the General Plan because the size of the lot is within range of the adjacent lots within the Braemar Park Tract, which begins on the northern property line. This tract is comprised of single and two-story development ranging in size of 1,500 to 3,000 square feet. While most of the Campanil Neighborhood is more semi-rural, the Braemar Tract includes more urban public improvements such as sidewalks, streetlights and public sewer, which extent the length of the project site frontage.

Future development of the lot will not cause substantial environmental damage because it will avoid steep slopes and still be consistent with all applicable provisions of the Ordinance. Future improvements of the lot will not cause serious public health problems because all public services are available to serve the parcel. To ensure that there will be minimal impacts, Proposed Parcel B includes a development restriction of a 2,000 square foot single story residence with a 500 square foot garage and a requirement that this development shall be located in an area between the forty-foot contour line and the public street (Exhibit A). There is adequate access to the site directly from Alan Road and there are existing pedestrian improvements along the front of the proposed parcel.

A. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.060)

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the Local Coastal Plan as amended.

1. The project is consistent with the policies of the California Coastal Act. The project will not impact coastal access, since it is located on the north side of Cliff Drive and there are no recreational facilities on site. The project will not impact the marine environment due the distance from the Coastline and Arroyo Burro Creek. Future development of the site will comply with applicable storm water management practices. While no development is proposed at this time, the project site is located within a developed neighborhood with public sidewalks, lighting and all public services available adjacent to the lot. There would be no visual impacts of the coastal area. The subdivision includes one lot that is developed with a single-family residence and the other lot would be a vacant sloping lot immediately adjacent to a public street. The project is not located within a hazards zone and future development would comply with all applicable energy codes.

   The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation. The project will not significantly impact existing recreation opportunities as there are no such activities currently occurring onsite. The project would not result in a negative impact to recreational activities at nearby Douglas Family Preserve or Henry's Beach, and, due to its location on the northeast side of Cliff Drive, the project does not have the potential to affect public access to the coast.

2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code. The subdivision would result in one lot developed with an existing residence with a garage and the other would be vacant. The applicant has demonstrated that adequate off street parking would be available for the vacant lot. The additional vacant lot would not result in impacts to recreational facilities. Public sidewalks are located along the front of the vacant parcel and passive outdoor recreational opportunities are near the site. While no development is proposed, the vacant parcel will be restricted to 2,500 square feet of total development, which is consistent with the character of the neighborhood. Additionally, given the location of the project site, views to and from the coastline would not be impacted. Finally, any future development would be required to underground the utilities.

Exhibits:

A. Conditions of Approval
B. Site Plan
C. Applicant's letter, dated March 31, 2010

PLANNING COMMISSION CONDITIONS OF APPROVAL

415 ALAN ROAD

TENTATIVE SUBDIVISION MAP, MODIFICATION, GENERAL PLAN & LOCAL COASTAL PLAN AMENDMENT
ZONING MAP AMENDMENT & COASTAL DEVELOPMENT PERMIT

MARCH 3, 2011

I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all additional land use approvals. Refer to condition B "Approval Contingent Upon Adoption of General Plan/Local Coastal Plan Amendment."

2. Pay Land Development Team Recovery Fee.

3. Make application and obtain a Public Works Permit (PBW) for all required public improvements as identified in condition D.6 "Alan Road Public Improvements," and **complete** said improvements. Refer to condition E "Requirements Prior to Permit Issuance."

4. Make application for and obtain City Council approval of the Parcel Map and Agreement(s) and record said documents. Refer to conditions D "Public Works Submittal for Parcel Map Approval" and F "Prior to Recordation of Map."

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Approval Contingent Upon Adoption of Zoning and General Plan Map and Local Coastal Program Amendment.** Approval of the subject project is contingent upon City Council approval of the Zoning, General Plan Map and Local Coastal Program Amendments, and California Coastal Commission approval of the Local Coastal Program Amendment.

C. **Recorded Conditions Agreement.** The Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on March 3, 2011 is limited to a two lot subdivision, creating one 45,056 square foot lot, with an existing single family residence remaining on this lot, and one 14,601 square foot lot, which would be vacant. No additional development is proposed, as shown on the tentative subdivision map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

2. **Future Development.** All future development on Proposed Parcel A shall be subject to the following conditions:

a. All future construction shall comply with the applicable conditions of approval contained in Sections F. "Requirements Prior To Permit Issuance."

b. All future development shall be located between the forty foot contour line and the public street.

c. Future development of the lot shall be limited to following: 1) A single story residence not to exceed 2,000 square feet, 2) A garage not to exceed 500 square feet, 3) A driveway providing access to the development and 4) hardscape, landscaping and other at grade type of uses (e.g. pool).

3. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

D. **Public Works Submittal For Parcel Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval prior to processing the approval of the Parcel Map:

1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.

2. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner's signature.

3. **Alan Road Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on Alan Road. As determined by the Public Works Department, the improvements shall include the following: saw-cut and replace a minimum of 6 panels of cracked, uplifted or otherwise damaged sidewalk, and grind the edges of approximately 6 additional panels of sidewalk that are uplifted at the joints under the direction of the Public Works Inspector. All work in the public right-of-way requires a Public Works Permit.

4. **Inclusionary Housing Fee.** Submit evidence that the Owner has paid the required inclusionary housing fee of $15,000 to the Community Development Department prior to Certificate of Occupancy of the future development of Proposed Parcel A.

E. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the departments listed below prior to the issuance of any Permit for the project. Some of these conditions may be waived for public improvement permits pulled prior to recordation of the Parcel Map. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Public Works Department.**

   a. **Public Improvement Plans.** A site plan showing required public improvements, identified in condition D.6 "Alan Road Public Improvements", shall be submitted to the Public Works Department for review, approval, and issuance of a Public Works permit.

2. **Community Development Department.**

   a. **Conditions on Plans/Signatures.** The final Planning Commission / Staff Hearing Officer / City Council Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

   Signed:

   _____
   Property Owner Date

   _____
   Contractor Date License No.

   _____
   Architect Date License No.

   _____
   Engineer Date License No.

F. **Prior to Recordation of the Map.** Prior to recordation of the Map, the Owner of the Real Property shall complete the following:

1. **Complete Public Improvements.** Public improvements, as shown in the building plans, including utility service undergrounding and installation of street trees and street lights, shall be completed.

G. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.

2. **Approval Limitations.**

   a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.

b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.

c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

3. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid prior to issuance of any building permit or recordation of the Map, whichever comes first.

4. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

   Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

The Planning Commission's action approving the Modification or shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or

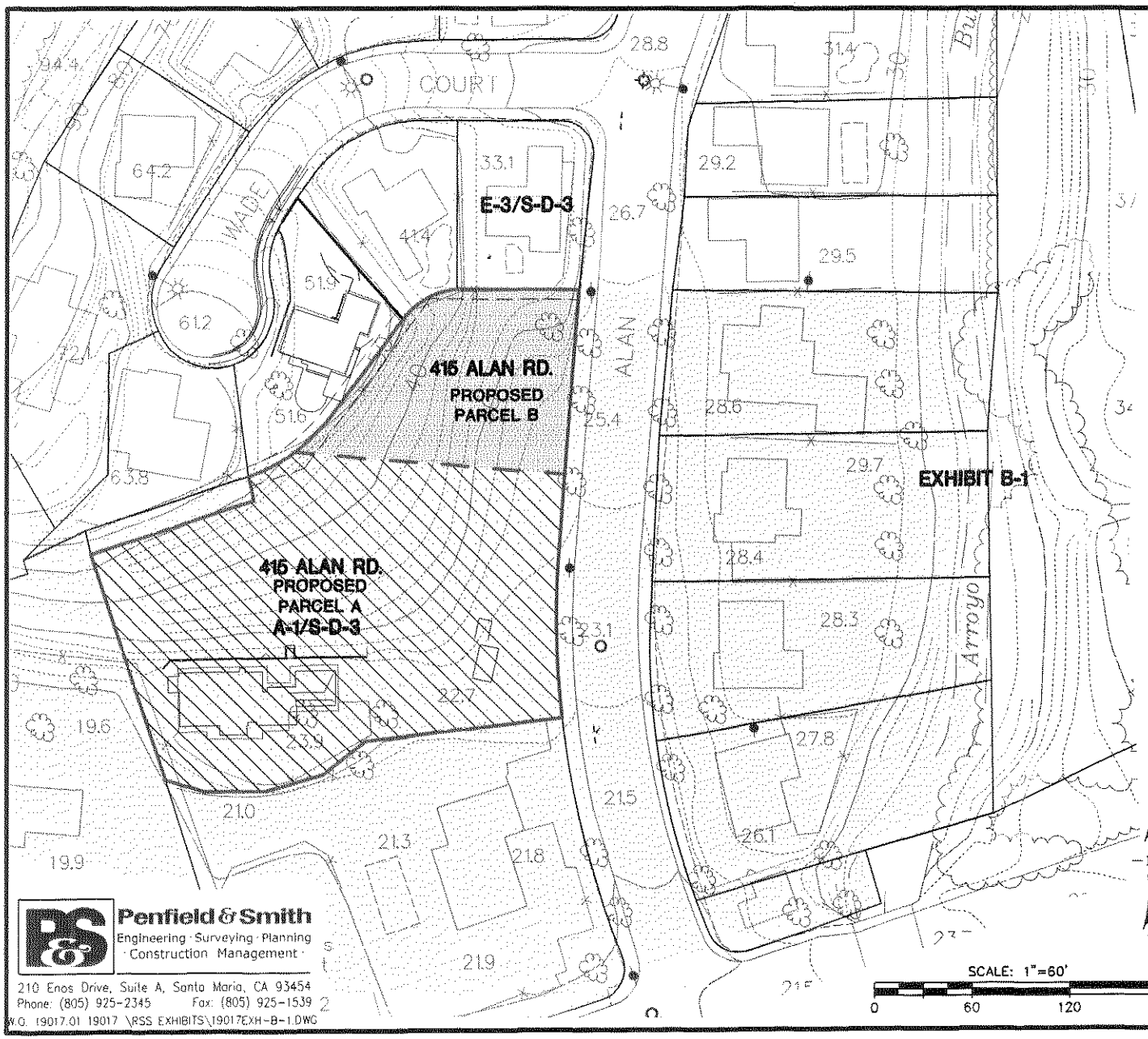
2. A Building permit for the use authorized by the approval is issued and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:

The Planning Commission's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.

NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.



PROPOSED CONDITIONS FOR 415 ALAN ROAD REZONE AND GENERAL PLAN AMENDMENT		
	PARCEL A	PARCEL B
PROPOSED GENERAL PLAN DESIGNATION	RESIDENTIAL (1 UNIT PER ACRE)	RESIDENTIAL (3 UNITS PER ACRE)
PROPOSED ZONE DISTRICT	A-1/S-D-3	E-3/S-D-3
MINIMUM LOT AREA	43,560 S.F. (1 AC)	7,500 S.F. (0.17 AC)
AVERAGE SLOPE	14.3%	19.5%
MINIMUM LOT AREA WITH SLOPE DENSITY FACTOR	65,340 S.F. (1.5 AC)	11,250 (0.26 AC)
PROPOSED LOT AREA	45,056 S.F. (1.03 AC.)	14,801 S.F. (0.34 AC)

LEGEND

- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING A-1/S-D-3 ZONE
- EXISTING E-3/S-D-3 ZONE
- AREA OF PROPOSED REZONE FROM A-1/S-D-3 TO E-3/S-D-3
- PROPOSED PARCEL A
- PROPOSED PARCEL B

EXHIBIT B-1
SEYBOLD PROPOSED CONDITIONS SUBDIVISION AND REZONE
APN 047-091-024

CITY OF SANTA BARBARA, CALIFORNIA

FEBRUARY 2011

Penfield & Smith
Engineering · Surveying · Planning
· Construction Management ·
210 Enos Drive, Suite A, Santa Maria, CA 93454
Phone: (805) 925-2345 Fax: (805) 925-1539
W.O. 19017.01 19017 \RSS EXHIBITS\19017EXH-B-1.DWG

EXHIBIT B

Brownstein | Hyatt
Farber | Schreck

RECEIVED
FEB 16 2011
CITY OF SANTA BARBARA
PLANNING DIVISION

March 31, 2010

Patsy Stadelman, AICP
Land Use Planner
805.882.1424 tel
805.965.4333 fax
PStadelman@bhfs.com

VIA HAND DELIVERY

Honorable Chair Jostes and Members of the Planning Commission
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Seybold Lot Split, Zone Change, General Plan and Local Coastal Plan Amendments
415 Alan Road, APN 047-091-024
MST # 2009-00083

Dear Chair Jostes and Members of the Planning Commission:

Brownstein Hyatt Farber Schreck, LLP submits the enclosed Planning Commission/DART application on behalf of Andrew and Linda Seybold, owners of property located at 415 Alan Road. The Seybolds are proposing a Lot Split, Zone Change, General Plan and Local Coastal Plan Amendments of their property which would result in one new developable residential parcel.

On November 10, 2009 the City Council upheld an appeal of the Planning Commission's June 11, 2009 decision and initiated a Zone Change, General Plan Amendment and Local Coastal Plan Amendment for APN 047-091-024. This letter and accompanying enclosures describe the proposed project and the reasons we believe the proposal is consistent with City policies and regulations and the Subdivision Map Act.

Project Description

The proposed project includes subdivision of the 415 Alan Road parcel (APN 041-091-024), resulting in one new developable lot; a rezone of the newly created parcel from A-1/S-D-3, One-Family Residence and Coastal Overlay Zones, to E-3/S-D-3, One-Family Residence and Coastal Overlay Zones; and General Plan and Local Coastal Plan Amendments to change the land use designation of the rezoned parcels from 1 dwelling unit per acre to either 3 or 5 dwelling units per acre as further discussed below. The proposed project would require a Tentative Parcel Map, Coastal Development Permit, Lot Area Modification, Zone Change, and General Plan and Local Coastal Plan Amendments.

The 415 Alan Road parcel is 59,657 square feet (1.37 acres) and is currently developed with one approximately 2200 square foot single family home with an attached garage and an approximately 250 square foot accessory structure toward the southern half of the property. The northern half of the property is undeveloped and contains fruit trees, grasses and shrubs. The average slope of the parcel is 15.6 percent. Single family residential uses surround the project site. The subject property and the area to the south, southwest and east is zoned A-1/S-D-3. The area to the north and northwest of the subject property is zoned E-3/S-D-3. The entire area has a land use designation of 1 dwelling unit per acre. However, much of the surrounding development is not consistent with the zoning and/or land use designation. The average parcel size within the surrounding area is less than 14,000 square feet.

The size of the existing 415 Alan Road parcel conforms to the minimum one acre parcel size standard of the A-1 zone district but is smaller than the 1.5 acres required under the city's slope density ordinance. The proposed lot split would result in two parcels: Parcel A would contain the existing

EXHIBIT C

dwelling and accessory structure and be 45,056 square feet in size (1.03 acres) and Parcel B would be 14,601 square feet (0.34 acre) in size. With a rezone and land use designation change to E-3/S-D-3 and 3 dwelling units per acre, respectively, Parcel B would conform with the minimum 7,500 parcel size standard of the E-3 zone district and would satisfy the 11,250 square foot slope density standard for a lot with an average slope between 10 and 20 percent. Parcel A would continue to conform with the minimum lot area of the A-1 zone district; however, it would continue to be smaller than the required size per the slope density ordinance. We are requesting a Modification to allow the smaller lot area on this already developed lot.

Parcel B could also be configured to meet the parcel size and slope density standards for 5 dwelling units per acre land use designation which would be consistent with the actual density of the surrounding neighborhood. The City Council did not identify a preferred density at the June 11 hearing, but instead directed us to work with staff to determine the appropriate density, balancing factors including compatibility with the surrounding neighborhood, consistency with designations in other similar areas of the City, and good planning principles. Based on discussions with you and Ms. Weiss, it is our understanding that staff prefers a land use designation of 3 dwellings per acre for consistency with designations in other hillside areas of the City. This is also consistent with the General Plan Update's proposed land use designation for the surrounding developed neighborhood, including the Braemar Tract and the parcels on Alan Road directly across the street from the subject property. Should staff's opinion regarding the preferred land use designation change after further review of the project, we are willing to consider a change to the proposal so long as it continues to achieve the goal of creating one new developable residential lot.

No development is proposed at this time, however the project would result in the creation of one new developable single family residential lot (Parcel B). Future development on Parcel B would be subject Single Family Design Board approval and require a Coastal Development Permit. Vegetation on the site currently includes fruit trees, grasses and shrubs, some of which would be removed to allow construction of a home. Some grading would also likely be required for the future development. The home would be served by existing utilities (sewer, water, electricity, phone) located along Alan Road and vehicular access would be from Alan Road.

Home Size Restriction

At the November 10, 2009 City Council hearing, the Council directed staff and the Seybolds to work together to determine whether a unit size or other restrictions on the future development could result in a home that provides a substantial community benefit.

We propose to limit the house to 2000 square feet with a garage of 540 square feet or less, which would result in a floor-to-lot area ratio of 0.17. In addition, the house would be limited to a maximum of one story and include solar panels and other energy efficient measures to make it a sustainable home.

The average size of the homes on the 20 closest lots in the neighborhood is 2540 square feet with a floor-to-lot area ratio of 0.17, so the future home on Parcel B would fit seamlessly within the neighborhood. Using the Single Family Design Review Board's practice of limiting the maximum home size to 85 percent of the maximum FAR, a 3676 square foot house could be built on this 14,601 square foot parcel. Therefore, a 2540 square foot house is a 31 percent smaller than what could be built on a lot of this size.

Limiting the size and incorporating sustainable and energy efficient features will result in a home that demands far fewer resources than the typical home making this infill development a model of modest-size sustainable housing for the community, thereby providing a substantial benefit to the community.

Pre-Application Review Comments

The project has changed somewhat since the Pre-Application Review, therefore, most of the comments contained in the March 13, 2009 PRT letter are no longer applicable to the proposed project. We incorporated the applicable information requested in the Engineering Division Handout in the Tentative Map.

Project Benefits and Required Findings

The proposed project would allow for the future construction of a new modest-sized single-family home in this nearly built-out neighborhood. The Seybolds plan to build a one-story, three to four bedroom home that is compatible with the character and scale of surrounding homes. This would be a "smart home," showcasing the most current home automation technologies and including solar power and many other energy efficient and sustainable features

1. **The proposed project would facilitate better use of an odd-shaped lot and more efficient use of scarce vacant land in the City.** The proposed new parcel already appears to be a separate lot because it is physically separated from the existing house and yard area. The established infrastructure and lack of significant natural resources on the property make this an ideal location for infill development that fits with the existing scale and character of the neighborhood. The enclosed conceptual site plan shows the approximate size and location of the home that would be developed on Parcel B.

2. **Santa Barbara needs housing and this proposal will create an additional modest-sized residential unit.** The City is suffering from a severe shortage of middle-class housing opportunities, which is one of the reasons for the high cost of housing. Infill sites, such as this one, offer the opportunity to fit new housing into the City without expanding its boundaries or converting dedicated open space. As stated above, the Seybolds are willing to limit the size of the future home on the property to 2000 square feet to ensure the new home fit seamlessly with the neighborhood and provide a housing opportunity for a middle-class Santa Barbara family.

3. **The proposal takes advantage of an infill housing opportunity while not changing the character of the neighborhood.** There are relatively few places in the City where additional housing can be provided without changing the character of the neighborhood, and this is one of those places. The proposed new 14,601 square foot parcel is slightly larger than surrounding properties and conforms to slope density standards

4. **The proposal is consistent with the principles of Plan Santa Barbara.** The Plan SB "Policy Preference Report," issued in January 2009 puts forth the following sustainability principle:

> "'Living Within Our Resources'" means effectively managing growth and in-fill development to conserve the community's natural, physical and historic resources for present and future generations. Challenges between future development and resource use must be met with creative solutions that meet the multiple objectives of preserving historic resources and community character, retaining a diverse population and culture, and allowing sufficient growth to propel a steady economy" (page 19).

Further, the report calls for incentives to encourage smaller, 'affordable-by-design' homes:

> "Incentives for Affordable-by-Design Units. Prepare design standards and codify incentives for market rate developers to build smaller, 'affordable-by-design' residential units that better meet the needs of our community. Incentives could includes higher allowable densities, less required parking, etc." (Housing Policy H5, page 54).

This proposal affords the opportunity to put these stated goals into action.

Conclusion

We respectfully submit that the project is consistent with all applicable policies and standards of the Zoning Ordinance, General Plan and Local Coastal Plan and all the findings for approval of the Tentative Map, Coastal Development Permit, Lot Area Modification, General Plan and Coastal Plan Amendments can be made. In addition the project supports the goals of Plan Santa Barbara to promote infill housing opportunities and living within our resources.

The project would improve the Alan Road neighborhood and benefit the City by creating a new infill property that fits within the existing neighborhood and provides a sustainable, energy-efficient home for a middle-class family. The proposed new lot has ready access from Alan Road and would connect to the existing water and sewer infrastructure on Alan Road. Further, there are no significant natural resources on the property which could be adversely affected by future development.

Thank you for your time and consideration of this proposal.

Sincerely,

Patsy Stadelman, AICP
Land Use Planner

cc: Andrew Seybold

Enclosures: Planning Commission Submittal Cover Sheet
Master Application
Coastal Development Permit Application
Hazardous Waste and Substances Form
Check for application fees ($56,685)
PRT Letter, dated March 13, 2009
Tentative Parcel Map (1 reduced, 10 full-size copies)
Conceptual Site Plan for Parcel B (1 copy)
Updated Preliminary Title Report (2 copies)
Project and Context Photos (1 copy)
Property Owner and Tenant Mailing Labels
Mailing Label Affidavit

012399\0001\530332.2

City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

March 3, 2011

ACTUAL TIME: 1:32 P.M.

A. **APPLICATION OF PATSY STADELMAN, BROWNSTEIN HYATT FARBER SCHRECK, LLP, AGENT FOR ANDREW M. SEYBOLD, 415 ALAN ROAD, APN 041-091-024, A-1/SD-3, ONE-FAMILY RESIDENCE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, ONE UNIT PER ACRE (MST2009-00083)**

The project consists of a lot split of a 1.37 acre parcel that is currently developed with a single family residence with a garage. The lot split would result in the creation of one 45,056 square foot lot (Proposed Parcel A), with the existing single-family residence remaining on this lot, and one 14,601 square foot lot (Proposed Parcel B), which would be vacant. A development restriction of a single story, 2,000 square foot (s.f.) maximum size residence with a 500 s.f. garage, which would be constructed on slopes of less than 20% is proposed for Parcel B. Access to each of the proposed lots would be from Alan Road.

A General Plan/Local Coastal Plan Amendment and a Rezone for the proposed northern lot (Proposed Parcel B) were initiated by City Council on November 10, 2009.

The discretionary applications required for this project are the following:

Actions requiring a recommendation by the Planning Commission to the City Council, and subsequent approval by the City Council and/or Coastal Commission:

1. General Plan Amendment to change the land use designation of the newly created vacant lot (Proposed Parcel B) from Residential, one unit per acre to Residential, three units per acre, (14,520 sq. ft. per unit) (SBMC §28.07); and
2. Local Coastal Plan Amendment to change the land use designation of the newly created vacant lot (Proposed Parcel B) from Residential, one unit per acre to Residential, three units per acre, (14,520 sq. ft. per unit) (SBMC §28.07) and to change the zoning map designation as described below; and
3. Zoning Map Amendment to rezone proposed Parcel B from A-1/ SD-3 (Single Family Residential), to E-3/ SD-3 (Single Family Residential) (SBMC, §28.92.020).

Actions by the Planning Commission, contingent upon recommendation of the actions listed above:

4. A Lot Area Modification to allow proposed Parcel A to be less than the required lot size of 1.5 acres necessary to be consistent with the slope density (SBMC §28.92.026.A); and

5. A Tentative Subdivision Map to allow the division of one (1) lot into two (2) parcels (SBMC 27.07).

6. A Coastal Development Permit for the development within the non-appealable jurisdiction of the Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15061(b)(3).

Case Planner: Peter Lawson, Associate Planner
Email: PLaweson@SantaBarbaraCA.gov Phone: 805-564-5470, ext. 4565

Peter Lawson, Associate Planner, gave the Staff presentation.

Steve Amerikaner, Counsel for the Applicant, gave the applicant presentation, joined by Andrew Seybold, Applicant, and Patsy Stadelman, AICP, Land Use Planner, Brownstein Hyatt Farber Schreck, LLP.

Chair Jostes opened the public hearing at 2:01 P.M.

Julie Bowden, neighbor, spoke to the Commission with concerns and asked that if the Planning Commission approves the development, that the building structure be moved downward toward Hendry's Beach, and build back into the hillside to allow for more natural view preservation.

With no one else wishing to speak, the public hearing was closed at 2:03 P.M.

In response to Commissioner Jordan's inquiry regarding future development on Parcel B, Mr. Amerikaner stated that the Applicant is prepared to include a deed restriction on Parcel B that would limit the size of the future development.

Some Commissioners expressed support for the project, with elimination of Condition D.4., the inclusionary fee, and one Commissioner supported recording a deed restricting the amount of development on Parcel B offered by the Applicant. Three of the Commissioners were concerned with the request for a Lot Area Modification for Parcel A and could not make the findings for a positive recommendation to City Council for the General Plan and Local Coastal Plan Amendment.

Because the Commission was divided on the project, Scott Vincent recommended that the Planning Commission first determine their recommendation to Council on the General Plan Amendment, the Zoning Map Amendment, and the Local Coastal Map Amendment; then determine a decision on the permit requests for the project.

STRAW POLL:
Support for the General Plan Amendment, Local Coastal Plan Amendment and Zoning Map Amendment.

Ayes: 2 (Barlett, Jordan) Noes: 3 (Larson, Lodge, Jostes) Abstain: 0 Absent: 2 (Jacobs, Schwartz)

STRAW POLL:
Presuming that a General Plan Amendment were approved by City Council, could the Commission make findings for the Lot Area Modification to accommodate the project to be consistent with zoning and the General Plan as changed.

Ayes: 2 (Barlett, Jordan) Noes: 3 (Larson, Lodge, Jostes) Abstain: 0 Absent: 2 (Jacobs, Schwartz)

MOTION: Lodge/Larson **Assigned Resolution No. 004-11**
Recommendation that City Council not adopt the General Plan Amendment, Zoning Map Amendment and Local Coastal Plan Amendment

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Bartlett, Jordan) Abstain: 0 Absent: 2 (Jacobs, Schwartz)

MOTION: Lodge/Larson **Assigned Resolution No. 004-11**
Deny the Lot Area Modification, the Tentative Subdivision Map, and the Coastal Development Permit because the Planning Commission could not make the findings for a positive recommendation to City Council.

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Barlett, Jordan) Abstain: 0 Absent: 2 (Jacobs, Schwartz)

Chair Jostes announced the ten calendar day appeal period.

Council Findings for Approval – 415 Alan Road

I. FINDINGS

The Santa Barbara City Council finds the following:

A. MODIFICATION LOT AREA (SBMC § 28.92.110.2)

The request for a slope density, lot area Modification for proposed Parcel A is consistent with the intent and purpose of Title 28, Zoning Ordinance and is necessary to secure an appropriate improvement on a lot, and promote uniformity of improvement. The purpose of slope density is to provide more options to locate development on a lot to minimize grading and visual impacts. Proposed Parcel A would include the existing residence, garage and accessory structure. The visual landscape of the lot would remain unchanged and there would be no impacts from grading, since no additional development is proposed. Additionally, the development is approximately 75% of the recommended Floor Area Ratio, which is less aggressive than the surrounding large lot development. The proposed 1.03-acre lot is similar in size to the parcels located immediately to the west, south and north and two to three times the size of parcels located to the east.

B. THE TENTATIVE MAP (SBMC §27.07.100)

Proposed Parcel A

If approved as proposed, Parcel A of the Tentative Subdivision Map would be consistent with the current General Plan and Local Coastal Plan of the city of Santa Barbara because it would meet the density requirement of one unit per acre. The project would also be consistent with underlying lot size requirement of the A-1 Zone District.

The site is current developed with a single-family residence and is physically suited for the site. It is served by adequate City services, has adequate access and complies with all applicable regulations. No additional development is proposed at this time. Because the new parcel does not propose any new development, the project will not cause substantial environmental damage, such as impacts to the nearest marine environment, and associated improvements will not cause serious public health problems. The existing driveway from Alan Road provides adequate access to the site and does not interfere with any easements.

Proposed Parcel B

If approved as proposed, Parcel B of the Tentative Subdivision Map would be consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The proposed amendments would change the General Plan land use designation from one unit per acre to three units per acre.

The proposed parcel is physically suitable for the proposed development the project and is consistent with the provisions of the Municipal Code and the General Plan because there would be available level area to develop a residence without requesting Modifications. The proposed use is consistent with the vision for this neighborhood of the General Plan because the size of the lot is within range of the adjacent lots within the Braemar Park Tract, which begins on the northern property line. This tract is comprised of single and two-story

development ranging in size of 1,500 to 3,000 square feet. While most of the Campanil Neighborhood is more semi-rural, the Braemar Tract includes more urban public improvements such as sidewalks, streetlights and public sewer, which extent the length of the project site frontage.

Future development of the lot will not cause substantial environmental damage because it will avoid steep slopes and still be consistent with all applicable provisions of the Ordinance. Future improvements of the lot will not cause serious public health problems because all public services are available to serve the parcel. To ensure that there will be minimal impacts, Proposed Parcel B includes a development restriction of a 2,000 square foot single story residence with a 500 square foot garage and a requirement that this development shall be located in an area between the forty-foot contour line and the public street (Exhibit A). There is adequate access to the site directly from Alan Road and there are existing pedestrian improvements along the front of the proposed parcel.

A. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.060)

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the Local Coastal Plan as amended.

1. The project is consistent with the policies of the California Coastal Act. The project will not impact coastal access, since it is located on the north side of Cliff Drive and there are no recreational facilities on site. The project will not impact the marine environment due the distance from the Coastline and Arroyo Burro Creek. Future development of the site will comply with applicable storm water management practices. While no development is proposed at this time, the project site is located within a developed neighborhood with public sidewalks, lighting and all public services available adjacent to the lot. There would be no visual impacts of the coastal area. The subdivision includes one lot that is developed with a single-family residence and the other lot would be a vacant sloping lot immediately adjacent to a public street. The project is not located within a hazards zone and future development would comply with all applicable energy codes.

   The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation. The project will not significantly impact existing recreation opportunities as there are no such activities currently occurring onsite. The project would not result in a negative impact to recreational activities at nearby Douglas Family Preserve or Henry's Beach, and, due to its location on the northeast side of Cliff Drive, the project does not have the potential to affect public access to the coast.

2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code. The subdivision would result in one lot developed

with an existing residence with a garage and the other would be vacant. The applicant has demonstrated that adequate off street parking would be available for the vacant lot. The additional vacant lot would not result in impacts to recreational facilities. Public sidewalks are located along the front of the vacant parcel and passive outdoor recreational opportunities are near the site. While no development is proposed, the vacant parcel will be restricted to 2,500 square feet of total development, which is consistent with the character of the neighborhood. Additionally, given the location of the project site, views to and from the coastline would not be impacted. Finally, any future development would be required to underground the utilities.

CITY COUNCIL DRAFT CONDITIONS OF APPROVAL

415 ALAN ROAD

TENTATIVE SUBDIVISION MAP, MODIFICATION, GENERAL PLAN & LOCAL COASTAL PLAN AMENDMENT
ZONING MAP AMENDMENT & COASTAL DEVELOPMENT PERMIT

NOVEMBER 15, 2011

I. In consideration of the project approval granted by the City Council and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all additional land use approvals. Refer to condition B "Approval Contingent Upon Adoption of General Plan/Local Coastal Plan Amendment."

2. Make application and obtain a Public Works Permit (PBW) for all required public improvements as identified in condition D.3 "Alan Road Public Improvements," and **complete** said improvements. Refer to condition E "Requirements Prior to Permit Issuance."

3. Make application for and obtain City Council approval of the Parcel Map and Agreement(s) and record said documents. Refer to conditions D "Public Works Submittal for Parcel Map Approval" and F "Prior to Recordation of Map."

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Approval Contingent Upon Adoption of Local Coastal Program Amendment.** Approval of the subject project is contingent upon California Coastal Commission approval of the Local Coastal Program Amendment.

C. **Recorded Conditions Agreement.** The Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the City Council on November 15, 2011 is limited to a two lot subdivision, creating one 45,056 square foot lot, with an existing single family residence remaining on this lot, and one 14,601 square foot lot, which would be vacant. No additional development is proposed, as shown on the tentative subdivision map signed by the Mayor of the City Council on said date and on file at the City of Santa Barbara.

2. **Future Development.** All future development on Proposed Parcel B shall be subject to the following conditions:

a. All future construction shall comply with the applicable conditions of approval contained in Sections F. "Requirements Prior To Permit Issuance."

b. All future development shall be located between the forty foot contour line and the public street.

c. Future development of the lot shall be limited to following: 1) A single story residence not to exceed 2,000 square feet, 2) A garage not to exceed 500 square feet, 3) A driveway providing access to the development and 4) hardscape, landscaping and other at grade type of uses (e.g. pool).

3. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

D. **Public Works Submittal For Parcel Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval prior to processing the approval of the Parcel Map:

1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.

2. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner's signature.

3. **Alan Road Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on Alan Road. As determined by the Public Works Department, the improvements shall include the following: saw-cut and replace a minimum of 6 panels of cracked, uplifted or otherwise damaged sidewalk, and grind the edges of approximately 6 additional panels of sidewalk that are uplifted at the joints under the direction of the Public Works Inspector. All work in the public right-of-way requires a Public Works Permit.

4. **Inclusionary Housing Fee.** Submit evidence that the Owner has paid the required inclusionary housing fee of $15,500 to the Community Development Department prior to Certificate of Occupancy of the future development of Proposed Parcel B.

E. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the departments listed below prior to the issuance of any Permit for the project. Some of these conditions may be waived for public improvement permits pulled prior to recordation of the Parcel Map. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Public Works Department.**

a. **Public Improvement Plans.** A site plan showing required public improvements, identified in condition D.3 "Alan Road Public

Improvements", shall be submitted to the Public Works Department for review, approval, and issuance of a Public Works permit.

2. **Community Development Department.**

a. **Conditions on Plans/Signatures.** The final City Council Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

_____
Property Owner Date

_____
Contractor Date License No.

_____
Architect Date License No.

_____
Engineer Date License No.

F. **Prior to Recordation of the Map.** Prior to recordation of the Map, the Owner of the Real Property shall complete the following:

1. **Complete Public Improvements.** Public improvements, as shown in the building plans, including utility service undergrounding and/or installation of street trees and street lights, shall be completed.

G. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.

2. **Approval Limitations.**

a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.

b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the City Council.

c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the City

Council Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

3. **Litigation Indemnification Agreement.** Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

   Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

The City Council's action approving the Modification or shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.

NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:

The City Council's action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.

NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.

RESOLUTION NO._____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A LOCAL COASTAL PROGRAM AMENDMENT FOR AN APPLICATION OF PATSY STADLEMAN, AGENT FOR ANDREW SEYBOLD, 415 ALAN ROAD – PARCEL B (MST2009-00083)

WHEREAS, the City accepted an application from Patsy Stadleman, Agent FOR Andrew Seybold, in order to process a request for a Local Coastal Program Amendment for a property located at 415 Alan Road;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider a request for initiation on June 11, 2009 and no one spoke regarding the project;

WHEREAS, on June 11, 2009, the Planning Commission denied a request to initiate a General Plan Amendment, a Rezone and a Local Coastal Program Amendment;

WHEREAS, the City Council held a duly noticed public period to consider an appeal of the Planning Commission decision by the applicant on November 9, 2009 and no one spoke regarding the project;

WHEREAS, on November 9, 2009, the City Council upheld the appeal of the applicant and initiated General Plan Amendment, a Rezone and a Local Coastal Program Amendment of the subject parcel;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider a request for initiation on March 3, 2011 and one person spoke regarding the project;

WHEREAS, on March 3, 2011, the Planning Commission denied a request for a Lot Area Modification, a Tentative Subdivision Map and a Coastal Development Permit because a majority could not support a recommendation of approval of a General Plan Amendment, a Rezone and a Local Coastal Program Amendment;

WHEREAS, on March 11, 2011 Steve Amerikaner of Brownstein Hyatt Farber Schreck, LLP on behalf of Andrew Seybold appealed the Planning Commission approval of the project;

WHEREAS, on November 15, 2011, the City Council held a duly noticed public hearing on the appeal. After the public hearing, the City Council upheld the appeal and approved the Lot Area Modification (Parcel A), a Tentative Subdivision Map and a Coastal Development Permit;

WHEREAS, the City Council held a duly noticed public hearing on November 15, 2011 to consider a Local Coastal Program amendment proposed in conjunction with the project, and concluded that the Local Coastal Program amendment is consistent with the goals and objectives of the City's General and Local Coastal Plans;

WHEREAS, the City Council has conducted a duly noticed public hearing pursuant to the provisions of Chapter 3, Title 7 of the Government Code of the State of California;

WHEREAS, the City Council has received and accepted a proposed amendment to the current Zoning Map and General Plan; and

WHEREAS, the City Council has reviewed and considered all materials and exhibits in the current record relative to this amendment, including, the project, and all staff reports.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Santa Barbara as follows:

Section 1. The Local Coastal Program of the City of Santa Barbara is hereby amended to change the land use designation of the northerly portion of APN 041-091-024 (Parcel B) to Residential (three (3) units per acre).

Section 2. The City Council makes the following findings with respect to amending the City's Local Coastal Program:

A. Local Coastal Program Amendment:

1. The amendment is consistent with the policies of the California Coastal Act.

2. The amendment is consistent with the City of Santa Barbara Local Coastal Plan Map.

3. The amendment is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation, because the project will not impede public access to the coast, and there will be minimal effects on public recreation.

Section 3. This resolution shall not take effect unless and until the Rezone Ordinance (City Ordinance No. ___ as introduced on November 15, 2011) has been duly adopted by the City Council.

RESOLUTION NO._____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A GENERAL PLAN MAP AMENDMENT FOR AN APPLICATION OF PATSY STADLEMAN, AGENT FOR ANDREW SEYBOLD, 415 ALAN ROAD – PARCEL B (MST2009-00083)

WHEREAS, the City accepted an application from Patsy Stadleman, Agent For Andrew Seybold, in order to process a request for a Local Coastal Program Amendment for a property located at 415 Alan Road;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider a request for initiation on June 11, 2009 and one person spoke regarding the project;

WHEREAS, on June 11, 2009, the Planning Commission denied a request to initiate a General Plan Amendment, a Rezone and a Local Coastal Program Amendment;

WHEREAS, the City Council held a duly noticed public period to consider an appeal of the Planning Commission decision by the applicant on November 9, 2009 and no one spoke regarding the project;

WHEREAS, on November 9, 2009, the City Council upheld the appeal of the applicant and initiated General Plan Amendment, a Rezone and a Local Coastal Program Amendment of the subject parcel;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider a request for initiation on March 3, 2011 and one person spoke regarding the project;

WHEREAS, on March 3, 2011, the Planning Commission denied a request for a Lot Area Modification, a Tentative Subdivision Map and a Coastal Development Permit because a majority could not support a recommendation of approval of a General Plan Amendment, a Rezone and a Local Coastal Plan Amendment;

WHEREAS, on March 11, 2011, Steve Amerikaner of Brownstein Hyatt Farber Schreck, LLP on behalf of Andrew Seybold appealed the Planning Commission denial of the project;

WHEREAS, on November 15, 2011, the City Council held a duly noticed public hearing on the appeal. After the public hearing, the City Council upheld the appeal and approved the Lot Area Modification (Parcel A), a Tentative Subdivision Map and a Coastal Development Permit;

WHEREAS, the City Council held a duly noticed public hearing on November 15, 2011 to consider a General Plan Amendment for proposed Parcel B proposed in conjunction with the project, and concluded that the General Plan amendment is consistent with the goals and objectives of the City's General Plan;

WHEREAS, the City Council has conducted a duly noticed public hearing pursuant to the provisions of Chapter 3, Title 7 of the Government Code of the State of California;

WHEREAS, the City Council has received and accepted a proposed amendment to the current Zoning Map and Local Coastal Program; and

WHEREAS, the City Council has reviewed and considered all materials and exhibits in the current record relative to this amendment, including, the project, and all staff reports.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Santa Barbara as follows:

Section 1. The General Plan Map of the City of Santa Barbara is hereby amended to change the land use designation of the northerly portion of APN 041-091-024 (Parcel B) to Residential (three (3) units per acre).

Section 2. This resolution shall not take effect unless and until the Rezone Ordinance (City Ordinance No. ___ as introduced on November 15, 2011) has been duly adopted by the City Council.

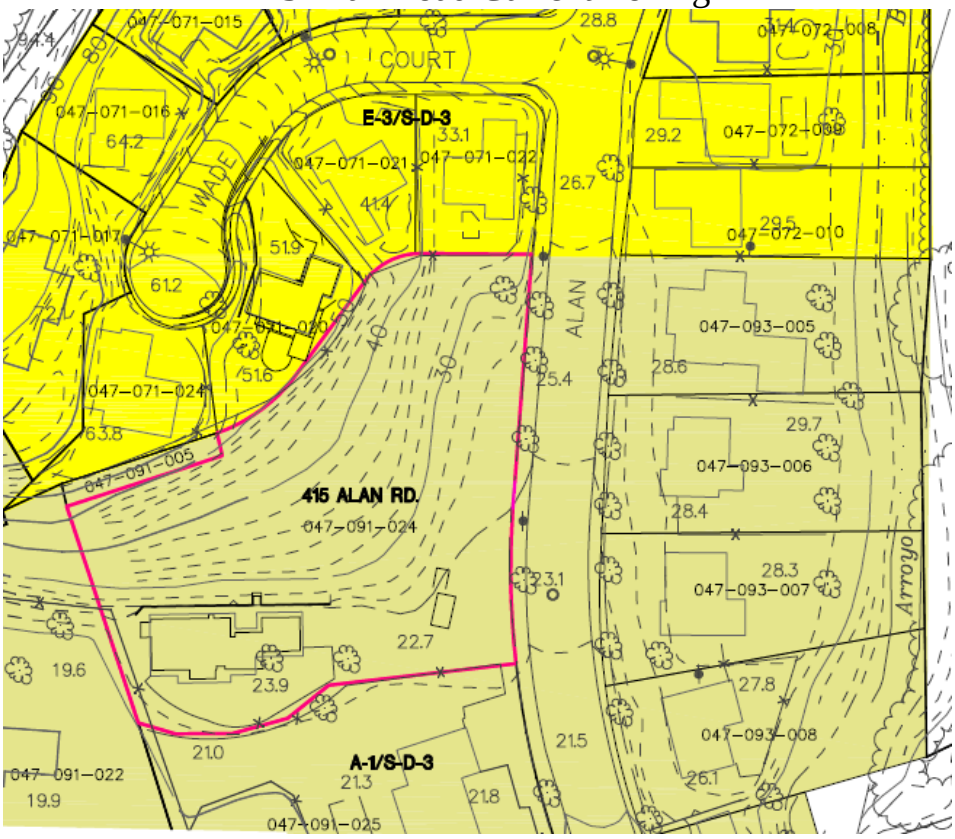
ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 28.12 (ZONE MAP) OF TITLE 28 OF THE MUNICIPAL CODE PERTAINING TO THE REZONING OF PROPERTY IN THE CAMPANIL AREA NEIGHBORHOOD

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

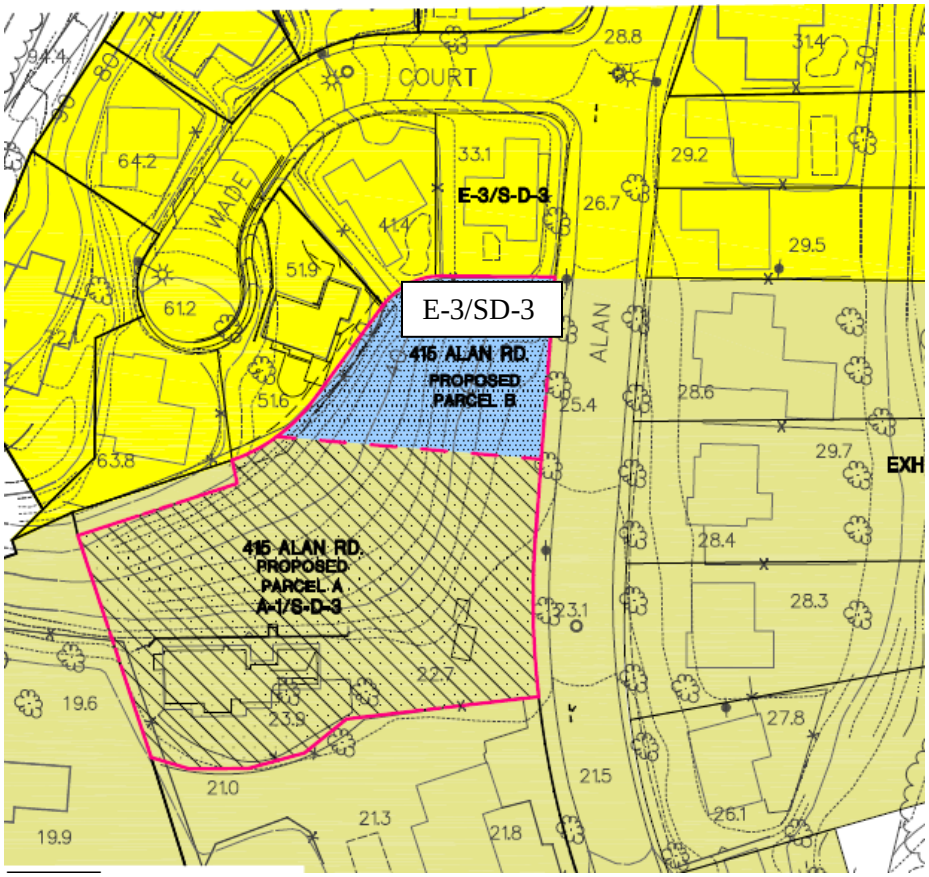
SECTION 1. Sectional Zone Map SE02 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended by changing the zoning of a portion of the property located at 415 Alan Road (Parcel B) from A-1/SD-3 to E-3/SD-3 as indicated in the attached Exhibit A.

415 Alan Road Current Zoning



415 Alan Road Proposed Zoning Change

EXHIBIT A


E-3/SD-3
COURT
WADE
ALAN
E-3/S-D-3
415 ALAN RD.
PROPOSED
PARCEL B
415 ALAN RD.
PROPOSED
PARCEL A
A-1/S-D-3
EXH
28.8
31.4
64.2
33.1
29.2
26.7
41.4
29.5
51.9
61.2
51.6
25.4
28.6
63.8
29.7
28.4
23.1
28.3
22.7
19.6
23.9
27.8
21.0
21.5
21.3
21.8
26.1
19.9

Agenda Item No._____

File Code No. 160.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Conference With Legal Counsel – Pending Litigation

RECOMMENDATION:

That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is *Santa Barbara Channelkeeper v. City of Santa Barbara*, USDC Case No. CV-1103624 JHN (AGRx)

SCHEDULING:

Duration: 30 minutes - Anytime

REPORT:

None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office

Agenda Item No._____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Real Property Negotiations

RECOMMENDATION:

That Council hold a closed session, pursuant to Section 54956.8 of the Government Code to consider real property negotiations between the staff or the City Administrator's Office, for the City of Santa Barbara, and the staff of the Superintendent's Office, for the Santa Barbara School District. The subject properties are known as:

- Fire Station No. 5, 2505 Modoc Road, La Cumbre Junior High School APN 049-170-007;
- Franklin Elementary School, 1111 East Mason Street, APN 017-101-003, APN 017-101-004, APN 017-061-003 and APN 017-094-002; and
- Santa Barbara High School, 700 East Anapamu Street, APN 029-180-009, APN 029-240-003, and APN 029-240-008

SCHEDULING:

Duration, 45 minutes; anytime

REPORT:

None anticipated

PREPARED BY: Kristy Schmidt, Employee Relations Manager

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office

Agenda Item No._____

File Code No. 570.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 15, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Waterfront Director - Public Employee Appointment

RECOMMENDATION:

That Council hold a closed session, pursuant to Section 54957 of the Government Code, to consider a public employee appointment.

Title: Waterfront Director

SCHEDULING:

Duration: 20 minutes

Time: Anytime

REPORT:

Anticipated

PREPARED BY: Marcelo A. Lopez, Assistant City Administrator

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office

Agenda Item No. _____

File Code No. 140.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 1, 2011

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Interviews For City Advisory Groups

RECOMMENDATION: That Council:

A. Hold interviews of applicants to various City Advisory Groups; and
B. Continue interviews of applicants to November 15, and November 22, 2011.

DISCUSSION:

Interviews of applicants for various positions on City Advisory Groups are to be held on November 1, 2011, at 2:00 p.m. Applicants will also have the option to be interviewed on November 15, at 6:00 p.m. and November 22, 2011, at 2:00 p.m.

For the current vacancies, 66 individuals submitted 72 applications. A list of eligible applicants and pertinent information about the City Advisory Groups is attached to this report.

Applicants have been notified that to be considered for appointment they must be interviewed. Applicants have been requested to prepare a 2-3 minute verbal presentation in response to a set of questions specific to the group for which they are applying.

Appointments are scheduled to take place on December 13, 2011.

ATTACHMENT: List of Applicants

PREPARED BY: Cynthia M. Rodriguez, CMC, City Clerk Services Manager

SUBMITTED BY: Marcelo A. López, Assistant City Administrator/Administrative Services Director

APPROVED BY: City Administrator's Office

ACCESS ADVISORY COMMITTEE

- Four vacancies.
- Terms expire 12/31/2014.
- Residents of the City or a full-time employees of an entity doing business within the City who demonstrate an interest, experience, and commitment to issues pertaining to disability and access and who represent the public at large:
  - Two members from the Architectural/Engineering/Building Community; and
  - Two members from the Disability Community.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Architectural/ Engineering/Building Communities (2)	Brian Barnwell	12/16/08 (3 years)		
	Jeanette Chian	12/16/08 (3 years)		
Disability Community (2)	Mary Ellen Bangs			
	Robert Burnham	6/28/11 (6 months)		
	Ken McLellan	12/15/09 (2 years)		
	Scott Smigel			

ARCHITECTURAL BOARD OF REVIEW

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors of the City or the County of Santa Barbara; any of the following:
  - Licensed architect;
  - Member who possess professional experience in related fields including, but not limited to, landscape architecture, building design, structural engineering or industrial design; or
  - Public at large.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Licensed Architect/ Professional Qualifications/ Public at Large (2)	Travis B. Colburn		1) Architectural Board of Review; 2) Planning Commission	Architect; Qualified Elector - City
	Kirk B. Gradin			Architect; Qualified Elector - City
	Robert Kupiec		1)	Architect; Qualified Elector - County
	Kevin Moore			Architect; Qualified Elector - City
	Stephanie Poole			Architect; Qualified Elector – City
	Barry Winick		1) Historic Landmarks Commission; 2) Architectural Board of Review	Architect; Qualified Elector - City

ARTS ADVISORY COMMITTEE

- Three vacancies.
- Terms expire 12/31/2015.
- Persons with acknowledged accomplishments in the arts and who demonstrate an interest in and commitment to cultural and arts activities.
- Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Electors (3)	Darian Bleecher	6/22/04 & 12/18/07 (7 years, 6 months)		
	Charmaine Curtis Jacobs		1) Historic Landmarks; 2) Parks and Recreation; & 3) Arts Advisory Committee	Current Planning Commissioner; term expires 12/31/11
	Linda Saccoccio			
	Carol M. Taylor			
	Thea Vandervoort			
	Nathan Vonk			

BUILDING AND FIRE CODE BOARD OF APPEALS

- One vacancy.
- Open term.
- Resident of the City or adjoining unincorporated areas of Santa Barbara County.
- Appointee shall demonstrate knowledge and expertise in specialty areas governed by the construction and fire codes of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Resident of the City or unincorporated area of Santa Barbara County (1)	None			

CENTRAL COAST COMMISSION FOR SENIOR CITIZENS

- One vacancy.
- Term expires 6/30/2013.
- Resident of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Resident of the City (1)	None			

CIVIL SERVICE COMMISSION

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government and, for 1 year after ceasing to be a member, may not be eligible for any salaried office or employment with the City.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Electors (2)	Alan T. Kasehagen	11/25/03 & 12/18/07 (8 years)		
	Donna Lewis	6/28/05 & 12/18/07 (8 years)		

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE

- Five vacancies.
- One term expires 12/31/2013; one term expires 12/31/2014; and three terms expire 12/31/2015
- Residents or employees within the City but need not be qualified electors of the City.
- One representative from each:
  - Eastside Neighborhood
  - Housing Interests
  - Human Services Agencies
  - Senior Community
  - Youth Oriented Services
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Eastside Neighborhood (1)	Veronica Loza	7/3/07 & 12/18/07 (4 years, 6 months)		
Housing Interests (1)				
Human Services Agencies (1)	Alejandra Gutierrez			Also eligible for the Youth Oriented Services category
Senior Community (1)				
Youth Oriented Services (1)	Daniel Ramirez	6/30/09 (2 years, 6 months)	1) Community Development & Human Services Committee; 2) Planning Commission	

COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Six vacancies.
- Two terms expire 12/31/2014; and four terms expire 12/31/2015.
  - Three representatives of the Business/Lodging/Retail Industry;
  - One representative of the Cultural Arts; and
  - Two residents of the City who represent the public at large (one of whom shall not represent any specific group).
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Business/Lodging/Retail Industry (3)	Jason McCarthy	12/13/05 & 12/18/07 (6 years)		County
	Laura McIver			City
Cultural Arts (1)	Laura Inks			County
Public at Large (2)	Jacqueline Kronberg			City
	Kate Schwab			City

CREEKS ADVISORY COMMITTEE

- Four vacancies.
- Terms expire 12/31/2015.
- Residents of the City of Santa Barbara:
  - One representative from the Hotel/Lodging Industry; and
  - Three members with experience in ocean use (e.g., recreational user or commercial fisherman, etc.), business, environmental issues and/or provide community at large representation.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Hotel/Lodging Industry (1)	Paul Bullock	6/30/09 (2 years, 6 months)		City
Experience in ocean use, business, or environmental issues, and/or represents the community at large (3)	Kirsten Castagnola			City
	Jeremy Lyter			City
	Stephen MacIntosh	6/28/11 (6 months)		City
	Lee Moldaver	7/11/06 & 12/18/07 (5 years, 6 months)		City
	Judy Sanregret			City
	Kathleen "Betsy" Weber	12/15/09 (2 years)		City

DOWNTOWN PARKING COMMITTEE

- Two vacancies.
- Terms expire 12/31/2015.
- Residents of the City or the County of Santa Barbara who demonstrate an interest and knowledge of downtown parking issues.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Resident of the City or the County (2)	Ruth Ann Bowe			City
	William "Bill" Collyer	7/1/08 (3 years, 6 months)		City
	Tom A. Williams	7/11/06 & 12/18/07 (5 years, 6 months)		City

FIRE AND POLICE COMMISSION

- Two vacancies
- Terms expire 12/31/2015.
- Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Electors (2)	Jennifer Christensen	12/15/09 (2 years)		
	Thomas Parker			
	John J. Torell			
	Paul R. Zink		1) Planning Commission; 2) Fire & Police Commission	Current Architectural Board of Review Member; term expires 12/31/14

FIRE AND POLICE PENSION COMMISSION

- Three vacancies.
- One term expires 12/31/2012; one term expires 12/31/2013; and one term expires 12/31/2014.
  - One active retired police officer who need not be a resident or qualified elector of the City; and
  - Two qualified electors of the City who are not active firefighters or police officers for the City of Santa Barbara.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Active/Retired Police Officer (1)	None			
Qualified Electors (2)	None			

HARBOR COMMISSION

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Electors (2)	Frank Kelly	12/17/02, 11/25/03 & 12/18/07 (9 years)		
	Helene Webb			

HISTORIC LANDMARKS COMMISSION

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors of the City; any of the following:
  - Licensed Architect
  - Professional Architectural Historian
  - Licensed Landscape Architect
  - Public at large
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified elector of the City who is a licensed Architect, licensed Landscape Architect, Professional Architectural Historian, or public at large (2)	Michael Drury	7/1/08 (3 years, 6 months)		Public at large – Qualified Elector - City
	Charmaine Curtis Jacobs		1) Historic Landmarks Commission; 2) Parks and Recreation Commission; 3) Arts Advisory Committee	Public at large – Qualified Elector - City (Current Planning Commissioner; Term expires 12/31/11)
	Ronald Sorgman			Architect – Qualified Elector - City
	Barry Winick		1) Historic Landmarks Commission; 2) Architectural Board of Review	Architect – Qualified Elector - City

HOUSING AUTHORITY COMMISSION

- One vacancy.
- Term expires 2/15/2014 (Appointment effective on 2/16/12).
- Resident of the City who is a senior tenant (age 62 or older and who is receiving housing assistance from the Housing Authority of the City of Santa Barbara)
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Senior Tenant (1)	Victor Suhr			

LIBRARY BOARD

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Elector (2)	Christine Roberts	12/16/08 (3 years)		

MEASURE P COMMITTEE

- Six vacancies.
- Two terms expire 12/31/2012; One term expires 12/31/2013; two terms expire 12/31/2014; and one term expires 12/31/2015
- Two residents of the City; and one representative from each:
  - Civil Liberties Advocate
  - Drug abuse & treatment & prevention counselor
  - Criminal Defense Attorney
  - Medical Professional
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Civil Liberties Advocate (1)	Luis Esparza	7/11/06 & 12/18/07 (4 years, 9 months)		
Criminal Defense Attorney (1)	None			
Drug abuse, treatment & prevention counselor (1)	None			
Medical Professional (1)	None			
Residents of the City (2)	None			

NEIGHBORHOOD ADVISORY COUNCIL

- Three vacancies.
- Terms expire 12/31/2015
- Residents of the City who need not be qualified electors of the City.
- Two representatives of the public at large; and one representative from any of the following neighborhoods:
  - Eastside
  - Lower Eastside
  - Laguna
  - Westside
  - Lower Westside
- One appointee may be a youth member (age 16 or older).
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd	Notes
Neighborhood Representative (1)	Teresa Peña	3/1/11 (9 months)		Eastside Neighborhood
Public at Large (2)	Sally Kingston	3/1/11 (9 months)		

PARKS AND RECREATION COMMISSION

- One vacancy.
- Term expires 12/31/2015.
- Qualified elector of the City, or a resident of the City and a citizen of the United States who is 16 years of age or older.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Elector of the City, or a resident of the City and a citizen of the United States who is 16 years of age or older (1)	Megan Luciana Diaz			Qualified Elector
	Charmaine Curtis Jacobs		1) Historic Landmarks Commission; 2) Parks & Recreation Commission; & 3) Arts Advisory Committee	Qualified Elector (Current Planning Commissioner; term expires 12/31/11)
	Charles Trentacosti	6/28/11 (6 months)		Qualified Elector

PLANNING COMMISSION

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Electors (2)	William A. Anikouchine			Current Harbor Commissioner; term expires 12/31/11
	John P. Campanella			
	Travis B. Colburn		1) Architectural Board of Review 2) Planning Commission	
	Stephen M. Cushman			
	June Pujo			
	Daniel Ramirez		1) Community Development & Human Services Committee; 2) Planning Commission	
	Joseph A. Rution			
	Dan Secord			
	Addison S. Thompson			
	Paul R. Zink		1) Planning Commission; 2) Fire & Police Commission	Current Architectural Board of Review Member; term expires 12/31/14

RENTAL HOUSING MEDIATION TASK FORCE

- Four vacancies.
- One term expires 12/31/2012; and three terms expire 12/31/2015.
- Residents of the City or the County of Santa Barbara:
  - One homeowner
  - Two landlords
  - One tenant

  Note: Non-resident members must be owners of residential rental property within the City limits or affiliated with organizations concerned with landlord-tenant issues within the City limits.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Homeowner (1)	David McDermott			City
Landlords (2)	Silvio DiLoreto	6/28/05 & 12/18/07 (6 years, 6 months)		County
	Martin B. Manzo			City
Tenant (1)	David M. Brainard	6/28/11 (6 months)		City
	Michael Petretta			County

SINGLE FAMILY DESIGN BOARD

- One vacancy.
- Term expires 6/30/2015.
- Resident of the City or the County who is a licensed landscape architect.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Licensed Landscape Architect (1)	None.			

WATER COMMISSION

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
Qualified Electors (2)	Barry Keller	7/1/08 (3 years, 6 months)		