CITY OF SANTA BARBARA
CITY COUNCIL

Helene Schneider
Mayor
Cathy Murillo
Mayor Pro Tempore
Randy Rowse
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Gregg Hart
Frank Hotchkiss
Bendy White

James L. Armstrong
City Administrator

Ariel Pierre Calonne
City Attorney

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

APRIL 8, 2014
AGENDA

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins 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 City Council 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 City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's 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 City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council 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 City Council, 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 City Council 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 City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, 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 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 City 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.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through April 30, 2014.

2. Subject: Proclamation Declaring April 2014 As Fair Housing Month (120.04)

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

3. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of March 18, 2014.

4. Subject: Adoption Of Ordinance For Municipal Code Title 17 Amendments Related To Waterfront Parking (550.08)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Chapter 17.36 of Title 17 Pertaining to Parking in the Waterfront Parking Lots.

CONSENT CALENDAR (CONT'D)

5. Subject: Adoption Of Municipal Code Amendments Regarding Fences, Screens, Walls And Hedges (640.02)

Recommendation: That Council:

A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 28.87.170 and 28.90.050 of the Santa Barbara Municipal Code Relating to Fences, Screens, Walls and Hedges; and

B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Approve Fences, Screens, Walls and Hedges Guidelines Consistent with Santa Barbara Municipal Code Section 28.87.170.

6. Subject: Authorization For The Allocation Of Transportation Development Act Funds (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of $69,742 in Transportation Development Act Funds for Fiscal Year 2015.

7. Subject: Fiscal Year 2014 Interim Financial Statements For The Seven Months Ended January 31, 2014 (250.02)

Recommendation: That Council accept the Fiscal Year 2014 Interim Financial Statements for the Seven Months Ended January 31, 2014.

8. Subject: Contracts For Design For On-Call Engineering Services For Groundwater Well Development (540.10)

Recommendation: That Council:

A. Authorize the Public Works Director to execute a City Professional Services contract with Pueblo Water Resources, Inc., in the amount of $250,000 for on-call hydrogeologic engineering design services for various groundwater well development projects, and authorize the Public Works Director to approve expenditures of up to $25,000 for extra services that may result from necessary changes in the scope of work; and

B. Authorize the Public Works Director to execute a City Professional Services contract with Kear Groundwater in the amount of $250,000 for on-call hydrogeologic engineering design services for various groundwater well development projects, and authorize the Public Works Director to approve expenditures of up to $25,000 for extra services that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

9. Subject: Approval Of License Agreement With Santa Barbara Certified Farmers Market, Inc. (180.02)

Recommendation: That Council approve and authorize the City Administrator to execute a new License Agreement with the Santa Barbara Certified Farmers Market, Inc., for the operation of the Downtown Farmers Market located in the Cota Commuter Parking Lot at 119 East Cota Street, the Old Town Farmers Market located in the 500-600 Blocks of State Street, and the Coast Village Road Farmers Market located in the 1100-1200 Blocks of Coast Village Road.

10. Subject: Execution Of A License Agreement For Parking Purposes At The Granada Garage (550.05)

Recommendation: That Council authorize the Public Works Director to execute a License Agreement with the Trustees of the Lesley J. Alexander Trust for use of three parking spaces within the Granada Garage for five years.

11. Subject: Rejection Of The Safe Routes To School Cleveland Project Bids (530.04)

Recommendation: That Council reject all bids for construction of the Safe Routes to School Cleveland Project and direct staff to re-bid the Project.

12. Subject: Police Department Explorer Program Funds (520.04)

Recommendation: That Council increase appropriations and estimated revenues in the Police Department Explorer Program by $5,666.

13. Subject: Sole Source Purchase Order For Versaterm, Inc., Computer Aided Dispatch Paging Module Software (520.03)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070(k), and authorize the General Services Manager to issue a purchase order to Versaterm, Inc., for a Versadex CAD 7.3 Paging module in an amount not to exceed $35,000.

CONSENT CALENDAR (CONT'D)

14. Subject: Bulletproof Vest Partnership Award (520.04)

Recommendation: That Council:

A. Accept $17,731 from the U.S. Department of Justice's 2013 Bulletproof Vest Partnership grant; and

B. Increase appropriations and estimated revenues by $17,731 in the Police Miscellaneous Grants Fund for the purchase of forty-six (46) bulletproof vests.

15. Subject: Proposed Lease Agreement With Santa Barbara Arts Collaborative For Community Arts Workshop At 631 Garden Street (180.02)

Recommendation: That Council approve a five-year lease agreement with the Santa Barbara Arts Collaborative for the development and use of City-owned property at 631 Garden Street as a Community Arts Workshop.

NOTICES

16. The City Clerk has on Thursday, April 3, 2014, 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.

17. Recruitment For City Advisory Groups

A. The City Clerk's Office will accept applications through Monday, May 5, 2014, at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, April 16, 2014;

B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, May 20, 2014, at 4:00 p.m. (Estimated Time), Tuesday, June 3, 2014, at 4:00 p.m. (Estimated Time), and Tuesday, June 10, 2014, at 6:00 p.m.; and

C. The City Council will make appointments to fill vacancies on various City Advisory Groups on Tuesday, June 24, 2014.

18. Receipt of communications advising of vacancies created on the Community Development and Human Services Committee with the resignations of Rocky Jacobson and Michael Just, the Community Events and Festivals Committee with the resignation of Rebekah Altman, and the Harbor Commission with the resignation of Frank Kelly. The vacancies will be part of the current City Advisory Groups Semiannual Recruitment.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

19. Subject: Urban Forest Management Plan (570.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Urban Forest Management Plan.

PUBLIC HEARINGS

20. Subject: Ordinance To Establish Air Quality Design Standards For Development Near Highway 101 (630.05)

Recommendation: That Council:

A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code by Adding Chapter 22.65 Establishing Air Quality Design Standards for New Development Near Highway 101 to Implement Policy ER7 of the 2011 General Plan; and

B. Repeal City Council Resolution No. 12-013 upon the effective date of the Ordinance Adopting Chapter 22.65 of the Santa Barbara Municipal Code.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

21. Subject: Appointment Of Council Members To The New Zoning Ordinance (NZO) Joint Council And Planning Commission Committee (640.09)

Recommendation: That Council consider the appointment of two members to the New Zoning Ordinance Joint Council and Planning Commission Committee.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

22. 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(d)(1) of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: ***Guy Robles v. City of Santa Barbara,*** *WCAB case number ADJ7188245.*

Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

23. Subject: Conference With Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider potential litigation pursuant to section 54956.9 (d)(2) and (e)(2) of the Government Code arising out of a contract dispute with Continental Casualty, and take appropriate action as needed.

Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

24. Subject: Conference With Real Property Negotiators (330.03)

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8 to consider a possible long-term lease to the Montecito Water District of a portion of the Charles Meyer Desalination Plant owned by the City of Santa Barbara and located on real property owned by the City of Santa Barbara.

Real Property: A portion of the Charles Meyer Desalination Plant located at 525 East Yanonali Street (Assessor's Parcel No.: 017-540-007) in the City of Santa Barbara.

City Negotiators: James Armstrong, City Administrator; Joshua Haggmark, Acting Water Resources Manager; Ariel Calonne, City Attorney; Sarah Knecht, Assistant City Attorney.

Negotiating Parties: Montecito Water District, Darlene Bierig, Board President.

Under Negotiation: Instructions to negotiators concerning the price and terms of payment of a possible ground lease of a portion of the Charles Meyer Desalination Plant by the Montecito Water District.

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

CLOSED SESSIONS (CONT'D)

25. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Acting Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and Firefighters Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

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

ADJOURNMENT

Agenda Item No. 1

File Code No. 410.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Employee Recognition – Service Award Pins

RECOMMENDATION:

That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through April 30, 2014.

DISCUSSION:

Since 1980, the City Employees' Recognition Program has recognized length of City Service. Service award pins are presented to employees for every five years of service. Those employees achieving 25 years of service or more are eligible to receive their pins in front of the City Council.

Attached is a list of those employees who will be awarded pins for their service through April 30, 2014.

ATTACHMENT: April 2014 Service Awards

PREPARED BY: Myndi Hegeman, Administrative Specialist

SUBMITTED BY: Kristine Schmidt, Acting Administrative Services Director

APPROVED BY: City Administrator's Office

APRIL 2014 SERVICE AWARDS

April 8, 2014 Council Meeting

5 YEARS

Luke Pico, Wastewater Collection Systems Operator I, Public Works Department
Benjamin Spencer, Water Treatment Plant Operator, Public Works Department

10 YEARS

Paul Lopez, Streets Maintenance Worker I, Public Works Department

15 YEARS

Kathleen Goo, Commission Secretary, Community Development Department
Melinda Jackson, Administrative Specialist, Public Works Department
Kimberly Thaler-Strange, Administrative Specialist, Public Works Department
Jill Zachary, Assistant Parks & Recreation Director, Parks & Recreation Department

30 YEARS

Alex Altavilla, Police Captain, Police Department

City of Santa Barbara

PROCLAMATION

Fair Housing Month
April 2014

WHEREAS, *2014 marks the 51st year of California's fair housing laws, the 46th year of the federal Fair Housing Act, and the 31st year of the City of Santa Barbara's Housing Discrimination Ordinance; and*

WHEREAS, *the City of Santa Barbara's Housing Discrimination Ordinance was enacted to ensure that a fair choice of rental housing was available to all individuals regardless of race, color, religion, sex, age, marital status, national origin, familial status, mental or physical disability, sexual orientation, or ancestry; and*

WHEREAS, *despite the local, state and federal laws on the books, reports of discrimination in housing continues; and*

WHEREAS, *during the month of April, interested parties from both the private and public sectors will participate in a national effort to promote fair housing; and*

WHEREAS, *as part of the City's participation in Fair Housing Month, notices will placed on the City News page directing residents to information about the City's Fair Housing and Rental Housing Mediation Task Force programs and an announcement will be placed in the City Newsletter.*

NOW, THEREFORE, I, HELENE SCHNEIDER, *by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California, do hereby proclaim April as* ***FAIR HOUSING MONTH*** *and urge all citizens to understand and exercise their right to equal housing opportunity.*

IN WITNESS WHEREOF, *I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 8th day of April 2014.*

HELENE SCHNEIDER
Mayor

CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
March 18, 2014
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet on this date).

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.
Councilmembers absent: None.
Staff present: City Administrator James L. Armstrong, City Attorney Ariel Pierre Calonne, Deputy City Clerk Sarah Fox.

PUBLIC COMMENT

Speakers: Sandra Nash; Steve Reynalds; Clint Orr, The California County Dance Foundation; Brandon Morse; Phil Walker; Bill Martin; Donald Cobb.

CONSENT CALENDAR (Item Nos. 1 – 6)

The titles of the resolution and ordinance related to Consent Calendar items were read.

Motion:
Councilmembers Rowse/White to approve the Consent Calendar as recommended.
Vote:
Unanimous roll call vote.

APR 08 2014 #3

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of March 4, 2014, and the special meeting of March 6, 2014.

Action: Approved the recommendation.

2. Subject: Joint Use Field Scheduling And Monitoring Agreement (570.07)

Recommendation: That Council authorize the Parks and Recreation Director to enter into an agreement with the Santa Barbara Unified School District (SBUSD) for Field Scheduling and Monitoring.

Action: Approved the recommendation; Agreement No. 24,739 (March 18, 2014, report from the Parks and Recreation Director).

3. Subject: Initiate Local Coastal Program (LCP) Update (650.04)

Recommendation: That Council:

A. Hold a public hearing and adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Initiating a Local Coastal Program Update;

B. Increase appropriations and revenues by $123,000 in the Miscellaneous Grants Fund for the California Coastal Commission LCP Planning Grant Award to partially fund the LCP Update; and

C. Authorize the Community Development Director to execute a City Professional Services Agreement with Bolton Strategic Planning, in an amount not to exceed $65,000, for planning consultant services to supplement staff to complete the project.

Documents:

- March 18, 2014, report from the Acting Community Development Director.
- Proposed Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- April 2, 2012, letter from Nancy Boeseke Brock.
- May 11, 2012, letter from Nancy Brock.
- March 11, 2014, letter from Rafael Franco.
- March 12, 2014, letter from Joanna Morgan and Stan Krome.
- March 17, 2014, letter from Gregory M. Smith.
- March 18, 2014, letter from Bruce Peterson.
- March 18, 2014, letter from the League of Women Voters of Santa Barbara.

(Cont'd)

3. (Cont'd)

Public comment was opened and closed at 2:18 p.m. No one wished to speak.

Action: Approved the recommendations; Resolution No. 14-012; Agreement No. 24,740.

4. Subject: Increase In Appraisal Services For The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council authorize an increase in the extra services amount with Schott & Company for real estate appraisal services for the Cabrillo Boulevard Bridge Replacement Project, Contract No. 388237, in the amount of $10,000, for a total project expenditure authority of $50,000.

Action: Approved the recommendation (March 18, 2014, report from the Public Works Director).

5. Subject: Adoption Of Ordinance For A Lease Agreement With Shoreline Beach Café (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Ten-Year Lease Agreement with Two Five-Year Options Dated as of March 18, 2014, with Kevin Boss, Steve Marsh, and Beachrok, Inc, a California Corporation, Doing Business As Shoreline Beach Café, at an Average Initial Base Rent of $14,342.06 Per Month, Allocated Seasonally, for the 5,095 Square Foot Restaurant Located at 801 Shoreline Drive, Effective April 17, 2014.

Action: Approved the recommendation; Ordinance No. 5648; Agreement No. 24,741.

NOTICES

6. The City Clerk has on Thursday, March 13, 2014, 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 concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

7. Subject: Mission Canyon Community Plan (650.09)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Mission Canyon Community Plan for the Unincorporated Mission Canyon Area, Repealing Council Resolution No. 84-159 Regarding the Mission Canyon Specific Plan, and Making Environmental Findings Pursuant to the California Environmental Quality Act.

Documents:
- March 18, 2014, report from the City Planner/Acting Community Development Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by staff.
- November 2013 Mission Canyon Community Plan Final Environmental Impact Report.
- December 2013 Mission Canyon Community Plan.

Speakers:
- Staff: Zoning Supervisor Renee Brooke, City Planner/Acting Community Development Director Bettie Weiss.
- Members of the Public: Rosie Dyste, Santa Barbara County Planning Department; Lisa Burns, Upper East Association.

Motion:
Councilmembers White/Hotchkiss to approve the recommendation; Resolution No. 14-013.

Vote:
Unanimous roll call vote.

POLICE DEPARTMENT

8. Subject: Police Department Update (520.04)

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

Documents:
- March 18, 2014, report from the Police Chief.
- PowerPoint presentation prepared and made by staff.

(Cont'd)

8. (Cont'd)

Speakers:
- Staff: Police Chief Camerino Sanchez, Deputy Police Chief Frank Mannix, City Attorney Ariel Pierre Calonne.
- Members of the Public: Brandon Morse; Kathy Swift, People Organizing for the Defense and Equal Rights of Santa Barbara Youth; Keith Terry, YStrive; J.P. Herrada.

Discussion:

The Police Chief and Deputy Chief provided updates on the City's crime trends and the Police Activities League/Explorers program. They also discussed the collaboration between the Police Department's Beat Coordinators and the Community Action Commission and local elementary schools. Finally, Staff highlighted the new look of the Compstat report system and the recent Employee Recognition Service Awards. Councilmembers' questions were answered.

PUBLIC WORKS DEPARTMENT

9. Subject: Stage I Drought Update (540.05)

Recommendation: That Council receive an update on the status of the current drought.

Documents:
- March 18, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:
- Staff: Acting Water Resources Manager Joshua Haggmark, Water Resources Supervisor Alison Jordan.
- Member of the Public: Phil Walker.

Councilmember Francisco left the meeting at 4:22 p.m. and returned at 4:32 p.m.

Discussion:

The Acting Water Resources Manager provided updates about the current drought situation and outlook, the City's water purchase options, and drought response capital projects, including a recycled water system, groundwater support services and projects, desalination plant project and the Cachuma Operations and Maintenance Board (COMB) Pumping Project. Staff is preparing for Stage II Drought declaration and is working on updating the Water Conservation Model as well as continuing drought-focused outreach to the public. Councilmembers' questions were answered.

RECESS

4:52 p.m. – 5:01 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT (CONT'D)

10. Subject: Contract For Modeling Services For Drought Water Rates (540.01)

Recommendation: That Council:

A. Authorize the Public Works Director to execute a Contract for Modeling Services for Drought Water Rates in the amount of $36,798 to Raftelis Financial Consultants, Inc. (RFC); and

B. Authorize the Public Works Director to approve expenditures up to $10,000 to cover cost increases that may result from necessary change orders for additional unforeseen modeling work by Raftelis Financial Consultants, Inc.

Documents:

- March 18, 2014, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

Staff: Water System Manager Catherine Taylor, City Administrator James Armstrong, Water Resources Supervisor Alison Jordan, Acting Water Resources Manager Joshua Haggmark.

Motion:

Councilmembers White/Hart to approve the recommendations; Contract No. 24,742.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at the Special Olympics basketball tournament, More Mesa Preservation Group symposium and the Mesa Village meeting, where they discussed traffic issues.
- Councilmember Rowse reported on the recent Downtown Parking Committee meeting, where they discussed various parking fees and presented their budget with reports that their operations are making a profit and some reserves are being used for Capital Improvement Projects.
- Mayor Schneider, as part of her role on the Santa Barbara County Association of Governments as Vice Chair of the Coastal Rail Coordinating Council, reported that she would be traveling to Sacramento to attend the first State Senate Rail Committee Hearing.

RECESS

The Mayor recessed the meeting at 5:21 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 11, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

11. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Acting Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and Firefighters Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

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

Documents:
March 18, 2014, report from the Acting Administrative Services Director.

Time:
5:21 p.m. – 5:48 p.m. All Councilmembers were present.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:48 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____ ATTEST: _____

HELENE SCHNEIDER
MAYOR

SARAH FOX
DEPUTY CITY CLERK

ORDINANCE NO._____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE MUNICIPAL CODE BY AMENDING CHAPTER 17.36 OF TITLE 17 PERTAINING TO PARKING IN THE WATERFRONT PARKING LOTS.

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

SECTION 1. Section 17.36.010 of Chapter 17.36 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

17.36.010 Parking in Waterfront Parking Lots.

A. WATERFRONT PARKING LOTS. Waterfront Parking Lots shall mean all parking lots managed and maintained by the Waterfront Department, including Leadbetter Parking Lot, Harbor West Parking Lot, Harbor Parking Lot, Garden Street Parking Lot, Palm Park Parking Lot, Cabrillo West Parking Lot, Cabrillo East Parking Lot and Stearns Wharf.

B. HARBOR PARKING LOT. The Harbor Parking Lot shall mean the Waterfront Parking Lot bounded on the east by West Beach, on the West by Harbor Way, on the north by Shoreline Drive and Cabrillo Boulevard and on the south by Marinas 2, 3, 4 and the small-boat launch ramp.

C. PARKING FEES AND PERMITS. No person shall park a vehicle in the Waterfront Parking Lots without having paid or paying the required parking fee. Parking fees and the permit system for Waterfront Parking Lots shall be established by resolution of the City Council.

D. PAY AND DISPLAY PARKING MANAGEMENT SYSTEMS.

When entering Waterfront Parking Lots operated by a Pay and Display Parking Management System, the owner or operator of a vehicle entering the lot must purchase a receipt from a Pay and Display Parking Management System machine in accordance with instructions and requirements posted on the machine. Such receipt shall be prominently displayed on the driver's side dashboard in such a manner that the date and expiration time of the receipt are readily visible from the exterior of the vehicle. Any owner or operator of a vehicle who fails to purchase or properly display a valid receipt purchased from a Pay and Display Parking Management System machine shall pay a fee as described by City Council Resolution.

SECTION 2. Section 17.36.040 of Chapter 17.36 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

Section 17.36.040 72-Hour Vehicle Parking Limit in Parking Lots.

A. 72-HOUR VEHICLE PARKING LIMIT IN WATERFRONT PARKING LOTS.

Except as provided in Subsection B, no person who owns, or has possession, custody or control of any vehicle shall park, stop or leave the vehicle in the same parking space in any of the Waterfront Parking Lots in excess of a period of seventy-two (72) consecutive hours.

B. **72-HOUR VEHICLE PARKING LIMIT IN HARBOR PARKING LOT.**

No person who owns, or has possession, custody or control of any vehicle shall park, stop or leave the vehicle in the Harbor Parking Lot in excess of a period of seventy-two (72) consecutive hours, except persons with valid permits or prepaid permits as established by City Council Resolution, under the following circumstances:

1. Vehicles owned by harbor slip holders who have also been issued a valid Waterfront slip-holder's parking permit will be allowed unlimited parking in the Harbor Parking Lot, providing that such vehicles are currently registered with the California Department of Motor Vehicles and are fully operational.

2. Any person wishing to park a vehicle in the Harbor Parking Lot over the seventy-two (72) hour limit may be allowed

to do so if the vehicle owner registers with the Waterfront Parking office prior to leaving the vehicle in the Harbor Parking Lot.

SECTION 3. Section 17.36.050 of Chapter 17.36 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

17.36.050 Penalties for Vehicle Parking Over 72 Hours in Parking Lots.

A. PENALTIES FOR VEHICLE PARKING OVER 72 HOURS IN WATERFRONT PARKING LOTS.

In the event a vehicle is parked, stopped or left standing in any of the Waterfront Parking Lots, except the Harbor Parking Lot pursuant to the provisions of Section 17.36.040B, in excess of a period of seventy-two (72) consecutive hours, the vehicle may be cited and the vehicle may be removed from the Waterfront Parking Lots by any member of the Police Department authorized by the Chief of Police in the manner and consistent with the requirements of the California Vehicle Code.

B. PENALTIES FOR VEHICLE PARKING OVER 72 HOURS IN HARBOR PARKING LOT.

In the event a vehicle is parked, stopped or left standing in the Harbor Parking Lot in excess of a period of seventy-two (72) consecutive hours, does not have a valid slip holder parking permit, and has not been registered with the Waterfront parking office in advance, the vehicle may be cited and removed from the Harbor Parking Lot by any member of the Police Department authorized by the Chief of Police may in the manner and consistent with the requirements of the California Vehicle Code.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SECTIONS 28.87.170 AND 28.90.050 OF THE SANTA BARBARA MUNICIPAL CODE RELATING TO FENCES, SCREENS, WALLS AND HEDGES.

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

SECTION 1. Section 28.87.170 of Chapter 28.87 of the Santa Barbara Municipal Code is deleted in its entirety and readopted to read as follows:

28.87.170 Fences, Screens, Walls and Hedges.

A. DEFINITIONS. As used in this Section 28.87.170, the following terms and phrases shall have the indicated meanings:

1. **Arbor.** An open structure typically constructed of latticework or metal that often provides partial shade or support for climbing plants, sometimes referred to as a trellis or pergola. An arbor is not considered an accessory building.

2. **Fence.** An upright structure serving as an enclosure, barrier, or boundary or that visually divides or conceals a parcel, usually made of posts, boards, wire, or rails.

3. **Hedge.** A row of closely planted shrubs, bushes, or any other kind of plant material that forms a boundary or substantially continuous visual barrier.

4. **Parkway.** An area between the curb and sidewalk in a fully improved right of way, typically landscaped.

5. **Screen.** Vegetation, including but not limited to trees, shrubs, bushes, and other plantings, that visually divides or conceals a parcel.

6. **Wall.** An upright structure of masonry, wood, plaster, or other building material serving to enclose, divide, or protect an area.

B. GENERAL RULES. The following guidelines and standards apply in any zone within the City:

1. **Guidelines.** The Fences, Screens, Walls and Hedges Guidelines, as adopted by resolution of the City Council, shall provide direction and guidance to decision makers and City staff in connection with applications reviewed pursuant to this Section.

2. **Required Reduction for Safety.** If the height of any fence, screen, wall or hedge obstructs the sightlines required for the safe operation of motor vehicles, the Public Works Director (or Director's designee) may declare the fence, screen, wall or hedge to be a public nuisance and require the reduction of the height of the fence, screen, wall or hedge in order to provide for the safe operation of motor vehicles.

3. **Height Measurement.** The height of a fence, screen, wall or hedge shall be measured in a vertical line from the lowest point of contact with the ground directly adjacent to either side of the fence, screen, wall or hedge to the highest point of the fence, screen, wall or hedge along said vertical line.

4. **Separation.** Unless there is a horizontal separation of at least five feet (5') between a fence, screen, wall or hedge, the combined height of a fence, screen, wall or hedge and any adjacent

fence, screen, wall or hedge shall be measured from the lowest point of the lowest such fence, screen, wall or hedge to the highest point of other fences, screens, walls or hedges.

5. **Schools.** A chain link or open mesh type fence of any height necessary to enclose an elementary or high school site may be located and maintained in any required yard.

6. **Barbed Wire, Concertina Wire, Sharp Wire or Points.** No barbed wire or concertina wire shall be used or maintained in or about the construction of a fence, screen, wall or hedge along the front or interior lot lines of any lot, or within three feet (3') of said lot lines. No sharp wire or points shall project at the top of any fence or wall less than six feet (6') in height.

C. RULES APPLICABLE TO FENCES AND WALLS ON RESIDENTIALLY ZONED PARCELS. On parcels zoned A-1, A-2, A-3, E-1, E-2, E-3, R-1, R-2, R-3, or R-4, the following standards apply to fences and walls:

1. **Required Setbacks.** Except as otherwise provided in this Section, no fence or wall located in the required setbacks shall exceed a height of eight feet (8’).

2. **Front Lot Lines.** Except as otherwise provided in this Section, no fence or wall located within ten feet (10') of a front lot line shall exceed a height of three and one-half feet (3-1/2').

3. **Driveways.** Except as otherwise provided in this Section, no fence or wall exceeding a height of three and one-half feet (3-1/2') shall be located within a triangular area on either side of a driveway as follows:

a. When a driveway directly abuts a portion of a street improved with a sidewalk and a parkway, the triangle is measured on two sides by a distance of ten feet (10') from the side of a driveway and ten feet (10') back from the front lot line.

b. When a driveway directly abuts a portion of a street without a sidewalk or parkway, the triangle is measured on two sides by a distance of twenty feet (20') from the side of a driveway and ten feet (10') back from the front lot line.

4. **Corner Lots.** Within the required “Intersection Sight Distance”, as depicted in the Fences, Screens, Walls and Hedges Guidelines, no fence or wall may obstruct the sightlines required for the safe operation of motor vehicles. This paragraph does not apply to parcels located adjacent to intersections controlled by an all-way stop.

5. **Guardrails.** A guardrail may extend above the maximum height limit for a fence or wall without requiring an exception or modification, only to the minimum extent required for safety by the California Building Code, and only if the guardrail is predominately transparent.

6. **Decorative Elements.** Notwithstanding the above provisions, decorative elements not wider than nine inches (9”) by nine inches (9”), such as pilaster caps, finials, posts, lighting fixtures, or similar decorative features as determined by the Community Development Director (or the Director’s designee), may exceed the maximum height of any fence or wall by not more than twelve inches (12”), provided such features are spaced not less than six feet (6’) apart, measured on-center.

7. **Entryway Arbors.** Notwithstanding the above provisions, one entryway arbor, substantially open (no solid walls or roof) and not exceeding a maximum of eighteen (18) square feet in area and eight feet (8’) in height, is permitted in any front yard. The square footage of the arbor shall be determined by the area located within the rectangle formed around the posts of the arbor or the roof portion of the arbor, whichever dimension is larger. This exception shall only apply to an entryway arbor used in combination with and attached to a fence or wall. No arbor shall be located on a street corner in conflict with the provisions of Section 28.87.170.C.4.

D. RULES APPLICABLE TO SCREENS AND HEDGES ON RESIDENTIALLY ZONED PARCELS. On parcels zoned A-1, A-2, A-3, E-1, E-2, E-3, R-1, R-2, R-3, or R-4, the following standards apply to screens and hedges:

1. **Required Setbacks.** Except as otherwise provided in this Section, no screen or hedge located in the required setbacks shall exceed a height of eight feet (8').

2. **Front Lot Lines.** Except as otherwise provided in this Section, no screen or hedge located within ten feet (10') of a front lot line shall exceed a height of eight feet (8').

3. **Driveways.** Except as otherwise provided in this Section, no screen or hedge exceeding a height of three and one-half feet (3-1/2') shall be located within a triangular area on either side of a driveway as follows:

a. When a driveway directly abuts a portion of a street improved with a sidewalk and a parkway, the triangle is measured on two sides by a distance of ten feet (10') from the side of a driveway and ten feet (10') back from the front lot line.

b. When a driveway directly abuts a portion of a street without a sidewalk or parkway, the triangle is measured on two sides by a distance of twenty feet (20') from the side of a driveway and ten feet (10') back from the front lot line.

4. **Corner Lots.** Within the required "Intersection Sight Distance", as depicted in the Fences, Screens, Walls and Hedges Guidelines, no screen or hedge may obstruct the sightlines required for the safe operation of motor vehicles. This paragraph does not apply to parcels located adjacent to intersections controlled by an all-way stop.

E. ADMINISTRATIVE REVIEW AND APPROVAL OF MINOR EXCEPTIONS.

1. **Exceptions to the Fence and Wall Standards by the Community Development Director.** The Community Development Director (or the Director's designee) may grant minor exceptions, as specified in the Fences, Screens, Walls and Hedges Guidelines, to Paragraphs C.1, C.2, C.5, C.6, and C.7 above, if the Community Development Director finds that:

a. If the subject fence or wall is located on, or within the required setback of, an interior property line, the adjacent property owner(s) that share a common property line nearest to the fence or wall have agreed to the requested exception;

b. The granting of such exception will not create or exacerbate an encroachment into the necessary sightlines for safe operation of motor vehicles;

c. As applicable, the subject fence or wall will be compatible with other similarly situated and approved structures in the neighborhood; and

d. The granting of such exception will not be detrimental to the use and enjoyment of other properties in the neighborhood.

2. **Exceptions to the Screen and Hedge Standards by the Community Development Director.** The Community Development Director (or the Director's designee) may grant minor exceptions, as specified in the Fences, Screens, Walls and Hedges Guidelines, to Paragraphs D.1 and D.2 above, if the Community Development Director finds that:

a. If the subject screen or hedge is located on, or within the required setback of, an interior property line, the adjacent property owner(s) that share a common property line nearest to the screen or hedge have agreed to the requested exception;

b. The granting of such exception will not create or exacerbate an encroachment into the necessary sightlines for safe operation of motor vehicles;

c. The screen or hedge will be compatible with the character of the neighborhood (the Community Development Director may seek advice from the appropriate design review body when considering this finding);

d. The proposed height of the screen or hedge will respect the height limitation applicable to structures for the protection of solar access as specified in Section 28.11.020 of this Code; and

e. The granting of such exception will not be detrimental to the use and enjoyment of other properties in the neighborhood.

3. **Exceptions to Corner Lot and Driveway Sightline Standards by the Public Works Director.** The Public Works Director (or the Director's designee) may grant minor exceptions, as specified in the Fences, Screens, Walls and Hedges Guidelines, to Paragraphs C.3, C. 4, D.3 and D.4 above, if the Public Works Director finds that:

a. The granting of such exception will not create or exacerbate an encroachment into the necessary sightlines for safe operation of motor vehicles; and

b. The granting of such exception will not be detrimental to the use and enjoyment of the other properties in the neighborhood.

F. NONCONFORMING. Any fence, screen, wall or hedge which is nonconforming to the provisions of this section and which existed lawfully on January 10, 1957 (the effective date of the ordinance adopting the provisions of this section) may be continued and maintained, provided there is no physical change other than necessary maintenance and repair in such fence or wall, except as permitted in other sections of this title. A hedge shall be determined to be nonconforming by the Community Development Director upon receipt of sufficient evidence indicating that the hedge existed in its present location on January 10, 1957. Notwithstanding the foregoing, no more than ten percent (10%) of the length of a nonconforming fence or wall may be replaced within any twelve-month period, unless: 1) such fence or wall is a significant structure or feature associated with a designated City Landmark or Structure of Merit and the extent of repair or maintenance occurs pursuant to Santa Barbara Municipal Code Section 22.22.070; or 2) such fence or wall is necessary to retain or support soil in a vertical or near vertical slope of earth. If a nonconforming fence, screen, wall or hedge has been determined to be a safety hazard by the Public Works Director, the Public Works Director (or Director's designee) may declare the fence, screen, wall or hedge to be a public nuisance and require the reduction of the height of the fence, screen, wall or hedge in order to provide for the safe operation of motor vehicles.

G. RELATIONSHIP WITH THE VIEW DISPUTE RESOLUTION PROCESS. The fact that a hedge or screen does not violate the standards set forth in this Section 28.87.170 or the fact that a property owner has received an administrative exception or modification from the standards set forth in this Section for a hedge or screen shall not preclude another property owner from alleging an unreasonable obstruction of a view and availing himself or herself of the protections and procedures of the City's View Dispute Resolution Process found in Chapter 22.76 of this Code.

SECTION 2. Section 28.90.050 of Chapter 28.90 of the Santa Barbara Municipal Code is amended to read as follows:

28.90.050 Landscaping and Lighting.

1. GENERAL. In an effort to encourage the development of more attractive parking lots in commercial, industrial, and multiple-family use areas, to provide for attractive and durable screening between such parking lots and adjoining areas, and to lessen the effect of commercial and industrial uses upon adjoining residential uses, the following requirements shall be met. Landscape plans shall be prepared by an architect or landscape architect registered in the State of California, unless said requirement is waived by the Architectural Board of Review, or the Historic Landmarks

Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, in projects containing fewer than twenty (20) parking spaces. The landscaping standards set forth below are required for all parking areas, parking lots, automobile service stations and automobile service stations/mini-markets except for one- or two-family dwellings.

2. FENCES AND WALLS. Where any parking area is for commercial, multiple-family residential, or industrial use and the parking area or driveway abuts property used for residential purposes, it shall be separated therefrom by an approved wall or fence at least six (6) feet in height, except no fence or wall shall exceed a height of three and one-half feet (3-1/2') within a triangular area on either side of a driveway as follows:

a. When a driveway directly abuts a portion of a street improved with a sidewalk and a parkway, the triangle is measured on two sides by a distance of ten feet (10') from the side of a driveway and ten feet (10') back from the front lot line.

b. When a driveway directly abuts a portion of a street without a sidewalk or parkway, the triangle is measured on two sides by a distance of twenty feet (20') from the side of a driveway and ten feet (10') back from the front lot line. The design of the wall or fence shall be subject to approval by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, said walls or fences may be lowered or eliminated in proportion to the degree of screening provided by differences in elevation, mounding, existing planting, and other similar factors.

3. PERIMETER PLANTERS. Where such parking areas and/or driveways abut a street, a planting area at least five (5) feet in depth shall be provided and an ornamental wall or fence three-and-one-half (3-1/2) feet in height shall be provided, except if the planting area is eight (8) feet or greater in depth and suitable screen planting is provided, the ornamental fence or wall may be omitted. Where parking areas or driveways abut a neighboring building or a property line not adjoining a street, a planting area at least five (5) feet in depth shall be provided. The Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, may reduce or waive the requirement regarding the five (5) foot planting area where alternative landscaping and designs are presented that result in landscaping and designs that are equally effective.

4. INTERIOR PLANTERS. In addition to the perimeter planters, there shall be planting areas to relieve the expanse of paving. Said interior planters shall be at least four (4) feet in width, and shall be located in such a way that there will be not more than eight (8) parking spaces without an intervening planter. Said planters shall have trees and either shrubs or ground cover. The Architectural Board of Review, or Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, may reduce or waive the requirement regarding the four (4) foot interior planter where alternative landscaping and designs are presented that result in landscaping and designs that are equally effective.

5. GRADING. Grading should be utilized as much as possible to screen parking lots, by lowering or raising the parking area or by providing earth mounds or berms. If approved by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, mounding or berms may be substituted for an ornamental wall or fence.

6. ORNAMENTAL WALLS OR FENCES. Ornamental walls or fences shall be subject to approval by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, and shall be constructed of materials compatible with adjacent buildings and surroundings.

7. PLANTING. Planting shall consist of trees, shrubs and ground cover. The use of drought tolerant plants is encouraged, as is the use of flowering vines on fences and walls. Trees shall be planted on a minimum ratio of one (1) tree per five (5) parking spaces, with at least two-thirds of the trees fifteen (15) gallon size or larger, and the balance not less than five (5) gallon.

8. CURB PROTECTION. Planters adjoining vehicular traffic areas shall be protected by concrete curbs or the equivalent, as approved by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark. The minimum dimensions listed herein may include the protecting curb.

9. RETAINING WALLS. Retaining walls shall be set back at least three (3) feet from parking areas and driveways and the footing design shall allow for appropriate planting in such intervening spaces.

10. PARKING LOT LIGHTING. Parking lot light fixtures placement shall be subject to approval by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark. Excessive glare shall not be permitted and the lights shall be arranged to reflect light away from adjoining residential property and streets.

11. IRRIGATION PLAN. A sprinkler system or drip irrigation system designed to provide complete coverage of all planted areas is required.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO APPROVE FENCES, SCREENS, WALLS AND HEDGES GUIDELINES CONSISTENT WITH SANTA BARBARA MUNICIPAL CODE SECTION 28.87.170

WHEREAS, on April 8, 2014, the City of Santa Barbara adopted Municipal Code Ordinance Amendments related to the allowed location and height of fences, screens, walls and hedges on private property;

WHEREAS, maintaining fair and consistent application of regulations within the City is an important goal;

WHEREAS, one of the key tenets to adopting the amended regulations related to fences, screens, walls and hedges is to provide clarity and flexibility in their application;

WHEREAS, the Fences, Screens, Walls and Hedges Guidelines clarify certain aspects of the regulations best explained in layperson's terms, diagrams and pictures;

WHEREAS, the Fences, Screens, Walls and Hedges Guidelines describe and depict how regulations are applied in unique circumstances and provide parameters for which exceptions to the standards may be considered by staff;

WHEREAS, under the provisions of Article 19, Section 15305 of the California Environmental Quality Act (CEQA) Guidelines; the adoption of guidelines for the implementation of regulations related to fences, screens, walls and hedges has been determined by staff to qualify for a Categorical Exemption.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

The Fences, Screens, Walls and Hedges Guidelines, attached hereto as an Exhibit, are hereby adopted.

EXHIBIT

City of Santa Barbara

Fences, Screens, Walls and Hedges Guidelines

April 2014

INTRODUCTION

Purpose of the Fences, Screens, Walls and Hedges Guidelines

The Fences, Screens, Walls and Hedges Guidelines have been developed to assist in the implementation of Santa Barbara Municipal Code Section 28.87.170. These guidelines explain, in user-friendly terms and diagrams, the application of the standards in various situations and provide criteria for circumstances that may qualify for Administrative approval of exceptions to the standards.

Relationship to Other Documents

- **Relationship to the Zoning Ordinance**. The Zoning Ordinance (Title 28 of the Municipal Code) contains standards to which development must comply. In the event of a conflict between these Guidelines and the Municipal Code, the Code requirements prevail. These Guidelines are intended to augment the Municipal Code by providing additional detail and some examples of methods available to comply with the Code.
- **Relationship to Other Guidelines**. Many other City Guidelines provide direction regarding physical development, architectural style, site design and landscaping. The Fences, Screens, Walls and Hedges Guidelines are compatible with, and are not meant to contradict or take the place of, other applicable Guidelines. For example, the Fences, Screens, Walls and Hedges Guidelines primarily address the allowed location and height of fences, screens, walls and hedges. The exact material, color, width and style of any of those elements may be subject to other guidelines (e.g., Single Family Design Board General Design Guidelines and Meeting Procedures), as applicable.

GUIDELINES

Measuring Height

Per SBMC §28.87.170.B.3, the height of a fence, screen, wall or hedge shall be measured in a vertical line from the lowest point of contact with the ground directly adjacent to either side of the fence, screen, wall or hedge to the highest point of the fence, screen, wall or hedge along said vertical line. [Figure 1]

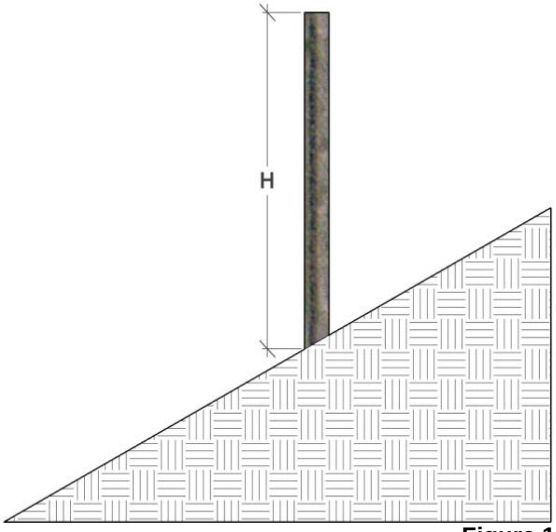


Figure 1

Horizontal Separation

Per SBMC §28.87.170.B.4, if there is a horizontal separation of **at least** five feet (5') between fences, screens, walls or hedges, the height shall be measured separately for each fence, screen, wall or hedge. The horizontal separation shall be measured from the "back" face of the lower fence, screen, wall or hedge to the "front" face of the higher fence, screen, wall or hedge. [Figure 2]

Also per SBMC§28.87.170.B.4, if there is a horizontal separation **less than** five feet (5') between fences, screens, walls or hedges, the height shall be measured as the cumulative vertical distance from the lowest point of the lowest fence, screen, wall or hedge to the highest point of other fences, screens, walls or hedges. The horizontal separation shall be measured from the "back" face of the lower fence, screen, wall or hedge to the "front" face of the higher fence, screen, wall or hedge. [Figures 3 through 5]

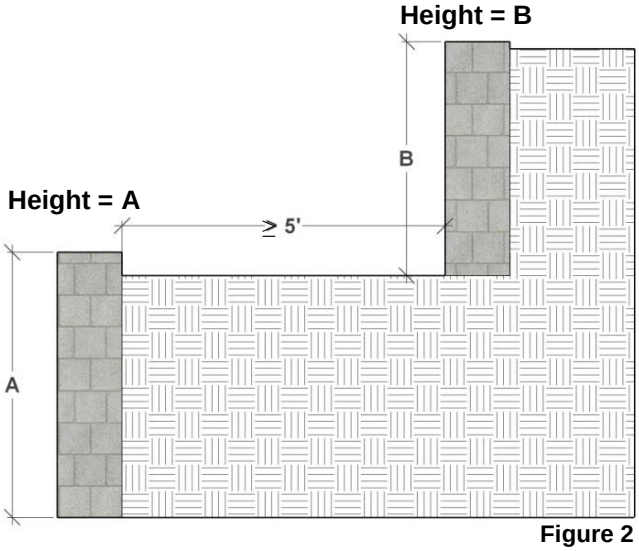


Figure 2

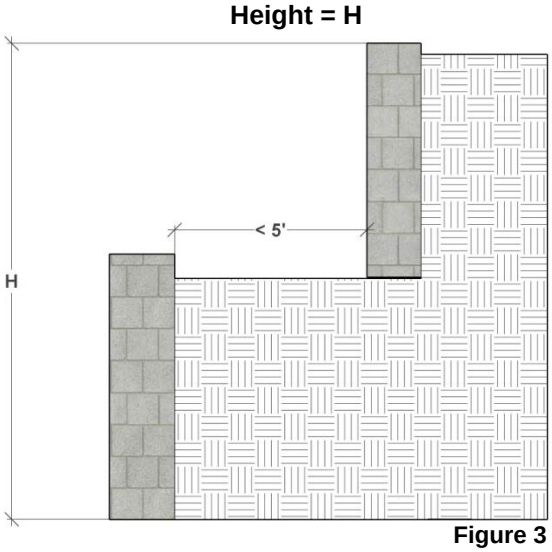


Figure 3

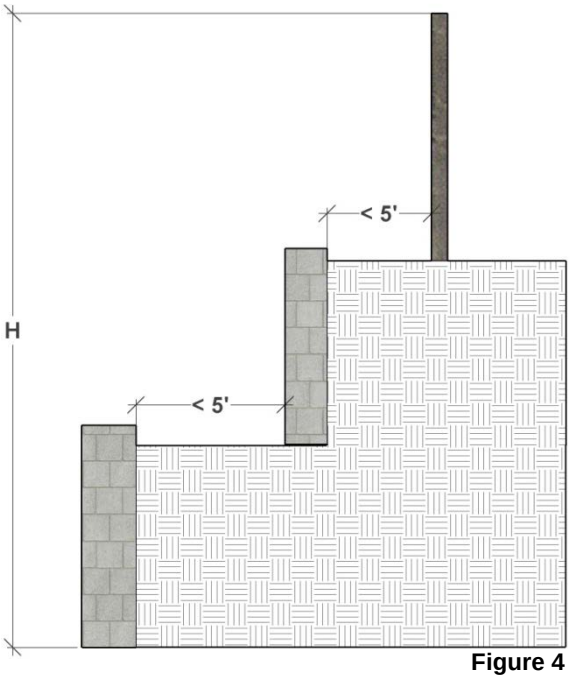


Figure 4

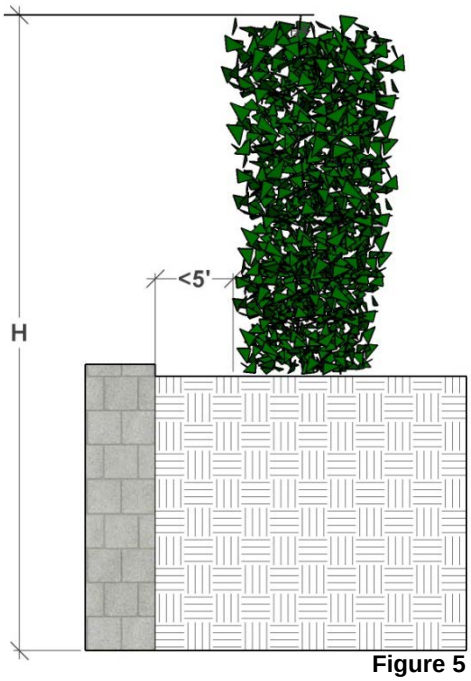


Figure 5

Retaining Walls

Where fences, screens, walls or hedges are located on retaining walls, the portion of the retaining wall above finished grade shall be considered as part of the overall height of the fence, screen, wall or hedge.

Guardrails

Per SBMC §28.87.170.C.5, a guardrail may extend above the maximum height of a fence or wall, but only to the minimum extent required for safety by the California Building Code (CBC Section 1013.2). To qualify for this exception to the height limit, safety guardrails themselves must be predominantly transparent. Some examples of guardrails that meet the intent of "predominantly transparent" are shown in Figures 6 through 8, below.

Figure 6

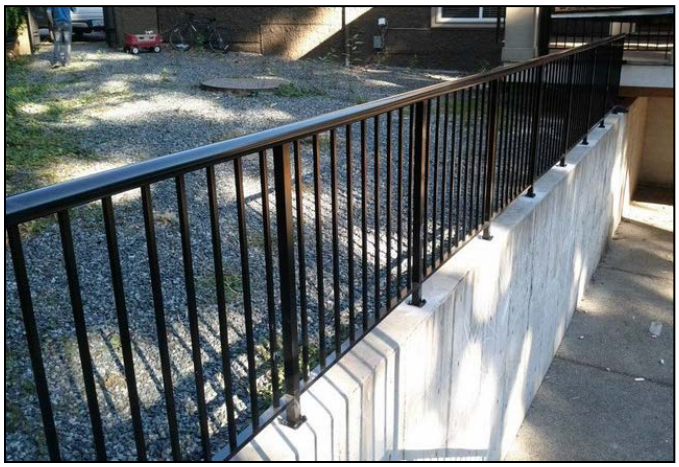


Figure 7

Guardrails or similar features proposed voluntarily to address an abrupt change in grade or perceived safety issue, and not explicitly required by the CBC, may exceed the height limit, subject to Administrative review and approval, and will be evaluated on a case-by-case basis.

Figure 8

Figure 9

Guardrails that are not predominantly transparent (Figure 9) may exceed the height limit if necessary to achieve consistency with the architectural style of the site, subject to Administrative review and approval, and will be evaluated on a case-by-case basis.

Driveways

Per SBMC §28.87.170.C.3 and D.3, no fence, screen, wall or hedge exceeding a height of three and one-half feet (3-1/2') shall be located within a triangular area (also referred to as "visibility triangle" or "sightline") on either side of a driveway, as described in the following scenarios.

When a driveway directly abuts a portion of a street improved with a sidewalk and parkway, the triangle is measured on two sides by a distance of ten feet (10') from the side of a driveway and ten feet (10') back from the front lot line [Figure 10].

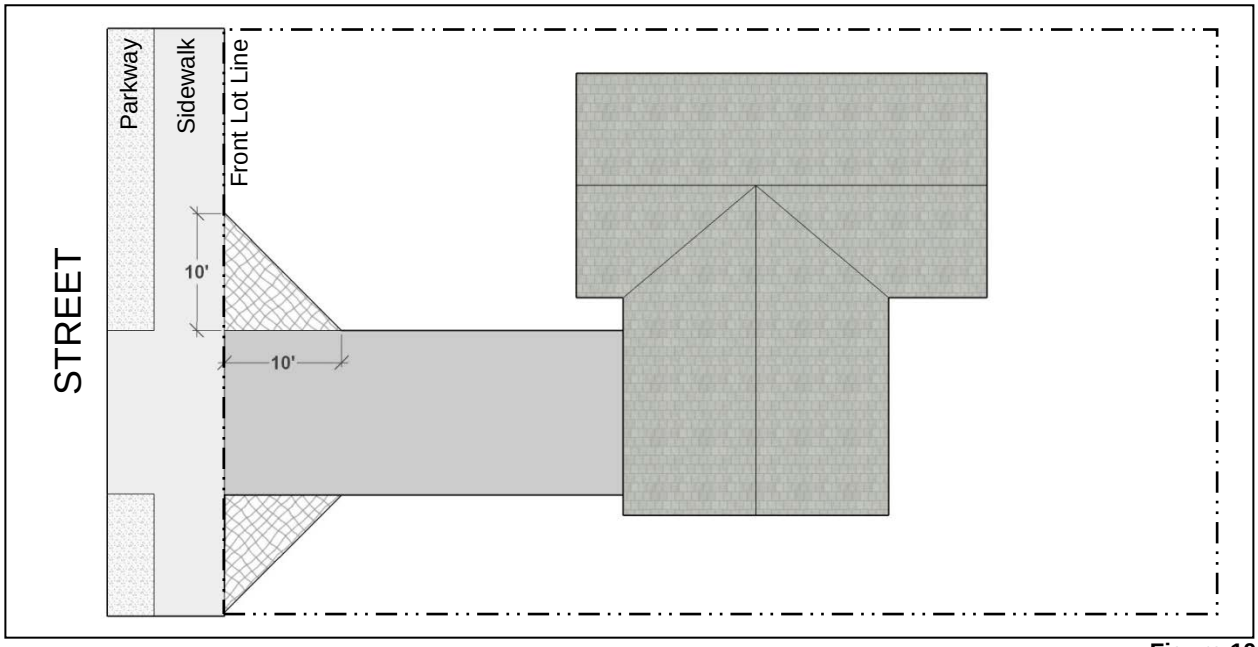


Figure 10

Figure 11 provides an example of how this provision may apply to a driveway not aligned perpendicularly to the street, which occurs in many locations throughout the community.

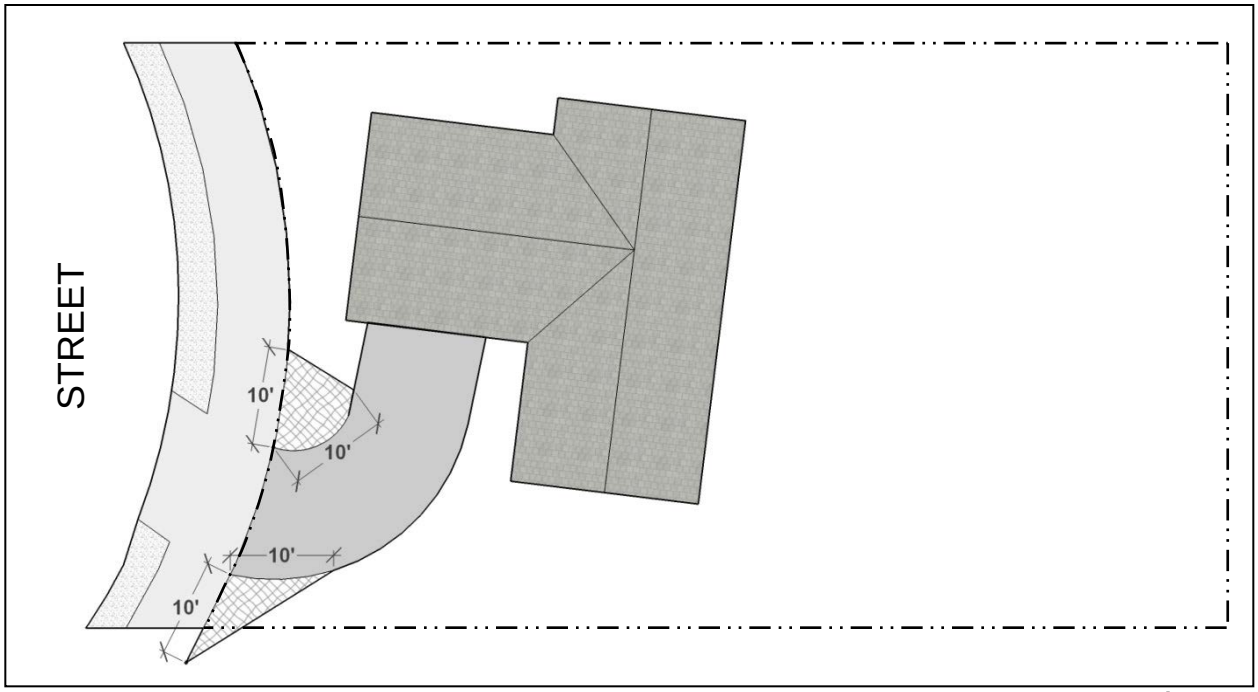


Figure 11

When a driveway directly abuts a portion of a street without a sidewalk or parkway, the triangle is measured on two sides by a distance of twenty feet (20') from the side of a driveway and ten feet (10') back from the front lot line. [Figure 12]

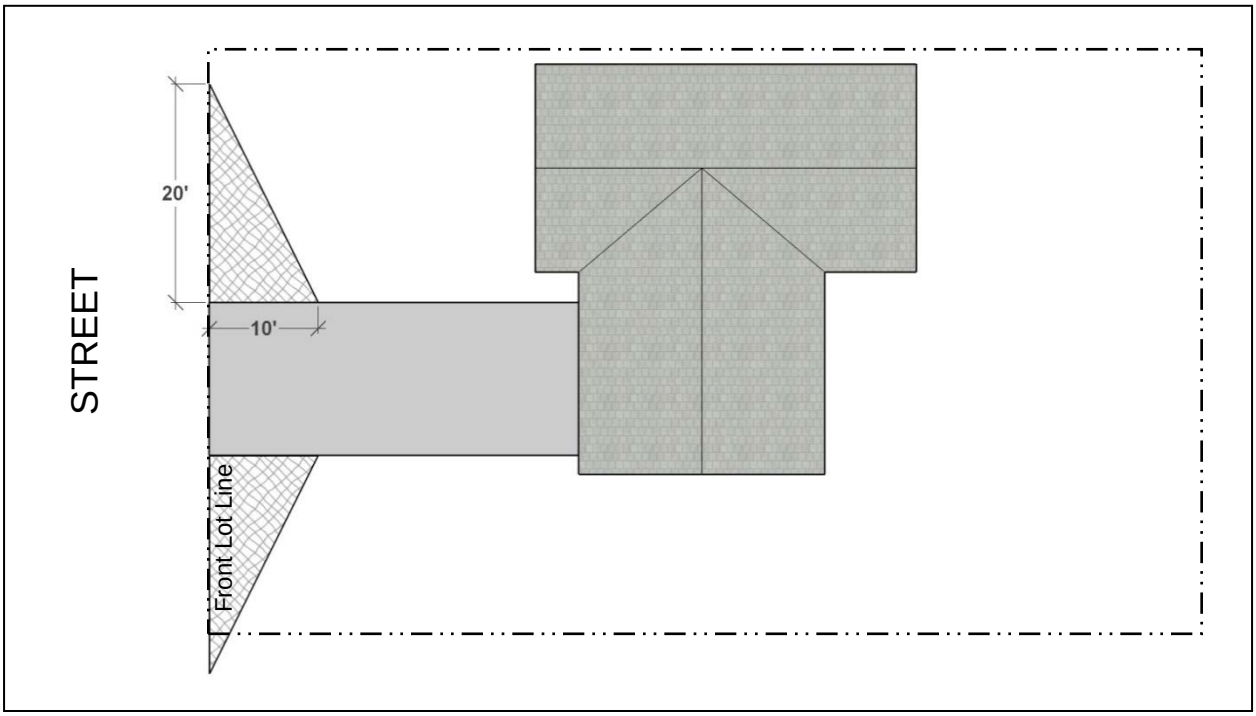


Figure 12

Corner Lots

Per SBMC §28.87.170.C.4 and D.4, the height and location of fences, screens, walls, or hedges located within the required "Intersection Sight Distance" (see Figure 13) shall be evaluated by Public Works Staff on a case-by-case basis. The required sight distance is established based on legal vehicle speed and the position of the driver's eye in relation to the intersection. Fences, screens, walls or hedges located adjacent to intersections controlled by an all-way stop are not subject to additional height restrictions pursuant to this subsection. Use of this template does not preclude the need for additional visibility due to site-specific conditions.

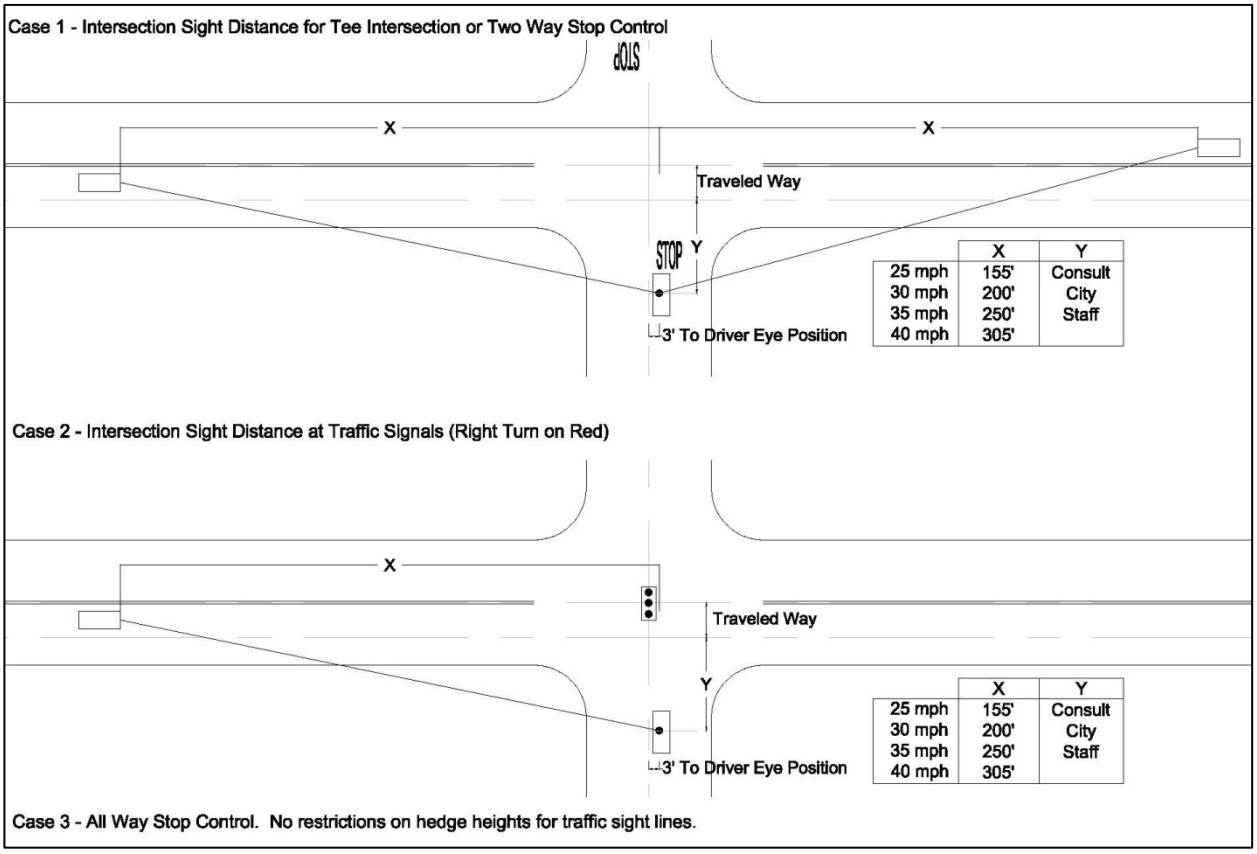


Figure 13

Entryway Arbor

An entryway arbor is intended to provide a decorative gateway to the property and define the pedestrian entrance from the street. To meet the provisions of SBMC §28.87.170.C.7, an entryway arbor must be used in combination with, and attached to, a fence or wall. A free-standing arbor or similar element is subject to the provisions of SBMC §28.87.062 (Setback, Open Yard, Common Outdoor Living Space, and Distance Between Main Buildings Encroachment).

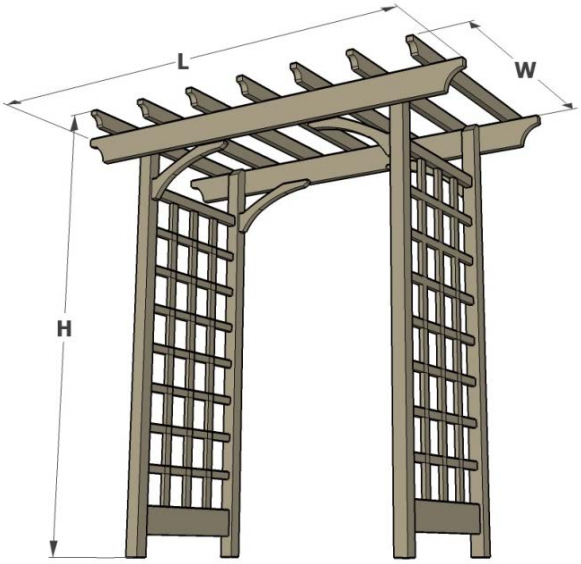


Figure 14

The square footage of the arbor shall be determined by the area located within the rectangle formed around the posts of the arbor or the roof portion of the arbor, whichever dimension is larger, as shown in Figures 14 and 15. The height is measured from the lowest point of contact with the ground directly adjacent to the arbor to the highest point of the arbor.

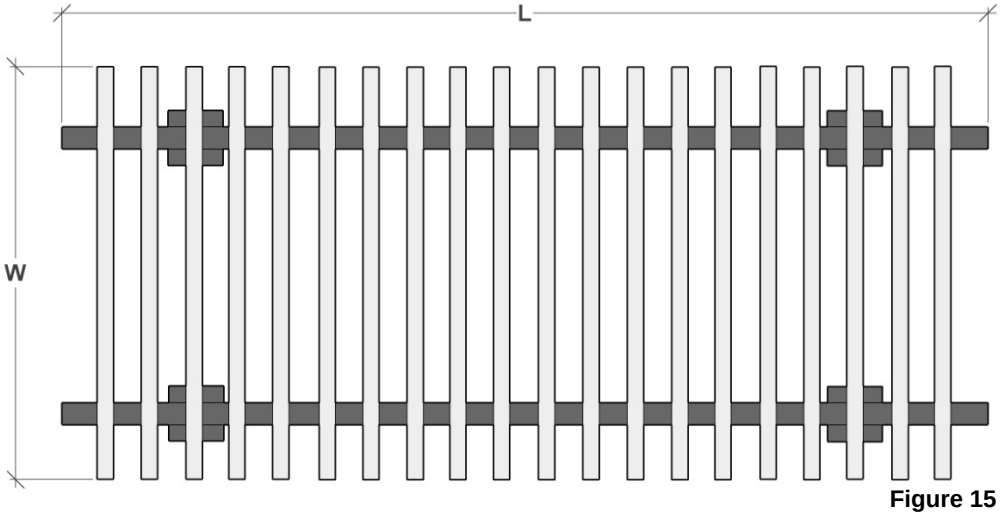


Figure 15

Consistent with SBMC §28.87.170.C.7, an entryway arbor must be substantially open, with no solid walls or roof. Exceptions to this provision may be evaluated on a case-by-case basis, subject to Administrative review and approval.

Gates or doors that meet the location and height limitations of SBMC §28.87.170 may be allowed within the frame of an entryway arbor. A gate or door may exceed the height limit, subject to Administrative review and approval, as long as the height, width, and visual transparency of the gate or door remain consistent with the intent to provide a welcoming entry feature to the property and does not obstruct sight lines for motorists, cyclists, or pedestrians.

ADMINISTRATIVE REVIEW AND APPROVAL OF MINOR EXCEPTIONS

Pursuant to SBMC §28.87.170.E, the following minor exceptions to the subject standards may be considered for approval administratively by the Community Development Director or Public Works Director (or the Directors' designee), if the necessary findings are made. If any of the required findings cannot be made, the owner/applicant has the option to request a Modification of the Fences, Screens, Walls and Hedges requirements, pursuant to SBMC §28.92.110.

Exceptions to Height Limits

Due to variations in lot size, configuration, and topography (both on- and off-site), flexibility in the height of fences, screens, walls or hedges may be warranted to allow an improvement similar to that enjoyed by other properties in the neighborhood. In all cases, the necessary sightlines for driveways and street corners must be met. Some examples of where exceptions may be considered within interior and front setbacks and along front lot lines, and potential conditions for approval, are described below.

Interior Setbacks

Within interior setbacks (ranging from 5 to 15 feet in residential zones), fences, screens, walls and hedges are limited to eight feet (8') in height. Fences and walls, may, upon granting Administrative approval, exceed the height limit within interior setbacks by no more than four feet (4'). Screens and hedges, may, upon granting Administrative approval, exceed the height limit within interior setbacks by no more than six feet (6'). An owner/applicant who desires a fence or wall to extend more than 12 feet in height within an interior setback has the option to request a Modification of the Fences, Screens, Walls and Hedges requirements, pursuant to SBMC §28.92.110. An owner/applicant who desires a screen or hedge to extend more than 14 feet in height within an interior setback has the option to request a Modification of the Fences, Screens, Walls and Hedges requirements, pursuant to SBMC §28.92.110.

Factors that may typically warrant special consideration and a possible exception include, but are not limited to, the following:

- An abrupt difference in elevation on either side of the fence, screen, wall or hedge
- The presence of a retaining wall or series of retaining walls
- The need to install a code-required security fence or wall around a pool
- A desire for additional privacy or security, with the agreement of adjacent property owner(s)

Methods to mitigate the actual or apparent height of the improvement, such as the following, are desirable and may be required as a condition of Administrative approval:

- Provide adequate separation between vertical elements (e.g., retaining wall system) to allow space for plantings between the walls or fences. Refer to the Single Family Residence Design Guidelines for appropriate treatment of retaining walls.
- Use vines or trellises and other climbing plants to screen the additional height

- Incorporate visually transparent elements (e.g., wrought iron, forged steel tubing, wood pickets)
- Use color and/or materials that soften the appearance of the fence or wall
- Undulate or break up the wall or fence into sections, to minimize the overall continuous length

Front Setbacks

Within front setbacks (ranging from 10 to 35 feet in residential zones), fences, screens, walls and hedges are limited to eight feet (8') in height. A fence, screen, wall or hedge, or combination thereof, located at least ten feet back from the front lot line may, upon granting Administrative approval, exceed the height limit within front setbacks by no more than four feet (4'). An owner/applicant who desires a fence, screen, wall or hedge to extend more than 12 feet in height within a front setback has the option to request a Modification of the Fences, Screens, Walls and Hedges requirements, pursuant to SBMC §28.92.110.

Factors that may typically warrant special consideration and a possible exception include, but are not limited to, the following:

- An abrupt difference in elevation on either side of the fence, screen, wall or hedge
- The presence of a retaining wall or series of retaining walls
- The need to install a code-required security fence or wall around a pool
- A desire/need to secure a secondary front yard
- A desire/need to buffer noise from a busy street

Methods to mitigate the actual or apparent height of the improvement, as outlined above, are desirable and may be required as a condition of Administrative approval.

Front Lot Lines

Within ten feet (10') of a front lot line, fences and walls are limited to three and one-half feet (3 ½') in height, and screens and hedges are limited to eight feet (8'). A fence, screen, wall or hedge, or combination thereof, may, upon granting Administrative approval, exceed this height limit by no more than four feet (4'). An owner/applicant who desires a fence or wall extend more than 7 ½ feet in height, or a screen or hedge to extend more than 12 feet, within ten feet of a front lot line has the option to request a Modification of the Fences, Screens, Walls and Hedges requirements, pursuant to SBMC §28.92.110.

Elements along front lot lines are typically much more visible to the public and, therefore, require additional scrutiny and consideration beyond approval by staff. This is reinforced by the fact that the Municipal Code (SBMC §22.69.020.C.8) requires review and approval by the Single Family Design Board for walls, fences or gates greater than 3 ½' in height within front yards. Although the installation of screens or hedges may not in all cases trigger design review, as a matter of policy, Staff will refer to the appropriate design review board most applications for requests to exceed the height limit within ten feet of a front lot line.

Factors that may typically warrant special consideration and a possible exception include, but are not limited to, the following:

- An abrupt difference in elevation on either side of the fence, screen, wall or hedge, particularly if the elevation of the public right of way is above the elevation of the private property (see Figures 16 and 17 for examples).
- The presence of a retaining wall or series of retaining walls
- The need to install a code-required security fence or wall around a pool
- A desire/need to secure a secondary front yard
- A desire/need to buffer noise from a busy street

Methods to mitigate the actual or apparent height of the improvement, as outlined above, are desirable and may be required as a condition of Administrative approval.

When evaluating requests to exceed the height limit within ten feet of a front property line, the methodology for measuring the maximum height may differ from that stated in SBMC §28.87.170.B.3. In situations where no obvious public purpose would be served by measuring the height from the lowest point of contact with the ground directly adjacent to the fence, screen, wall or hedge, such improvement may instead be measured from the elevation of the nearest adjacent sidewalk or curb (Figure 16) or, where no sidewalk or curb exists, the elevation of the right-of-way surface nearest to the fence, screen, wall or hedge (Figure 17). This will typically apply in situations where the elevation of the street is above the elevation of the subject property and the most significant portion of the height is visible primarily to the property owner(s), and not the public.

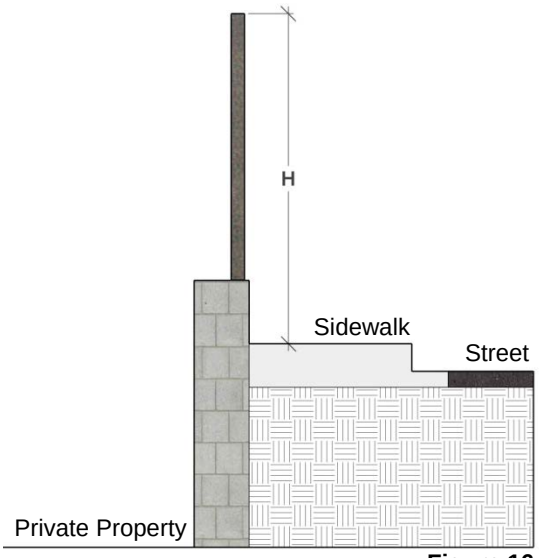


Figure 16

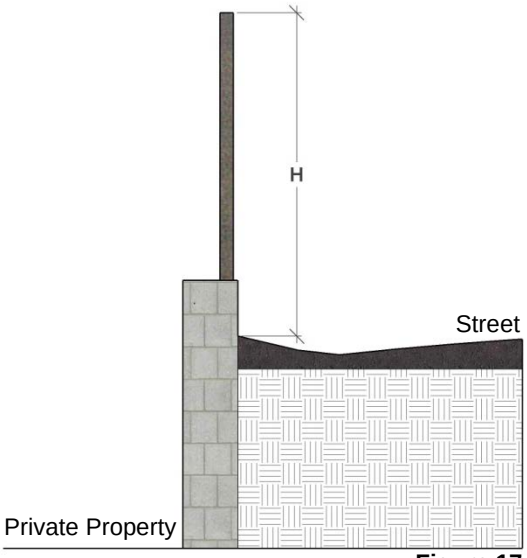


Figure 17

<u>Exceptions for Decorative Elements</u>

Decorative elements (e.g., pilaster caps, finials, posts, lighting fixtures, or similar decorative features) in excess of the size and spacing allowed by SBMC §28.87.170.C.6 may, upon granting Administrative approval, be allowed if the general amount (in terms of volume) of encroachment into the height, over the length of the fence or wall is, on average, relatively the same as allowed by the Municipal Code.

The Code allows decorative elements not wider than nine inches (9") by nine inches (9") to exceed the maximum height of any fence or wall by not more than twelve inches (12"), provided such features are spaced not less than six feet (6') apart, measured on-center. Two examples of generally equivalent exceptions include, but are not limited, to:

- Pilasters that are twelve inches (12") by twelve inches (12") wide and that exceed the height limit by six inches (6") and are spaced six feet (6') apart
- Lighting fixtures that are seven inches (7") by seven inches (7") wide and that exceed the height limit by fifteen inches (15") and are spaced five feet (5') apart

DESIGN REVIEW

The Municipal Code currently requires design review of certain applications for fences, walls or gates, as outlined below. In cases where an exception request triggers design review, staff will rely to a great extent on the appropriate advisory group to provide input on the aesthetics of an exception request prior to making a final Administrative decision on height.

Single Family Design Board

Pursuant to SBMC §22.69.020.C.7 and 22.69.020.C.8 (excerpts cited below), a building permit to construct, alter, or add to the exterior of a single family residential unit or related accessory structure (including fences and walls) on any lot shall be referred to the Single Family Design Board for design review if the permit involves the following:

7. The construction, alteration or addition of a retaining wall that is six feet (6') or greater in height, or
8. The construction, alteration or addition of a wall fence or gate in the front yard of the lot that is greater than three and one-half feet (3 ½') in height.

Historic Landmarks Commission

Pursuant to SBMC §22.22.130.A, no structure or real property in El Pueblo Viejo Landmark District or Brinkerhoff Avenue Landmark Districts shall be constructed, demolished, moved or altered on its exterior without the approval of the Historic Landmarks Commission (HLC). Further, SBMC §22.22.130.D states that no natural feature (including landscaping) affecting the visual qualities of private property located in El Pueblo Viejo Landmark District or Brinkerhoff Avenue Landmark Districts shall be placed, altered or removed without the approval of the HLC.

Architectural Board of Review

Pursuant to SBMC §22.68.020.B, a building permit to construct, alter or add to the exterior of a duplex or multi-family residential buildings and related accessory structures (including fences and walls) shall be referred to the Architectural Board of Review for design review.

Agenda Item No. 6

File Code No. 670.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Authorization For The Allocation Of Transportation Development Act Funds

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of $69,742 in Transportation Development Act Funds for Fiscal Year 2015.

DISCUSSION:

Each year, the City is required to adopt a resolution authorizing the Public Works Director to file a claim for the City's share of area-wide Transportation Development Act Funds. The use of these funds is restricted to pedestrian and bicycle projects.

The claim that will be submitted to the Santa Barbara County Association of Governments for Fiscal Year 2015 includes $69,742 for pedestrian and bicycle facilities. The funds are available based on a formula previously agreed to by the County of Santa Barbara and the cities within the County. Staff will use this money for bicycle and pedestrian projects, and as matching dollars when competing for state and federal bicycle and pedestrian grants.

PREPARED BY: Browning Allen, Transportation Manager/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE FILING OF A CLAIM WITH THE SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS FOR ALLOCATION OF $69,742 IN TRANSPORTATION DEVELOPMENT ACT FUNDS FOR FISCAL YEAR 2015

WHEREAS, the Transportation Development Act (TDA), as amended (Public Utilities Code Section 99220 et. seq.), provides for the allocation of funds from the Local Transportation Fund for use by eligible claimants for various transportation purposes; and

WHEREAS, pursuant to the provisions of the TDA, as amended, and pursuant to the applicable rules and regulations thereunder (21 Ca. Admin. Code Sections 6600 et. seq.), a prospective claimant wishing to receive an allocation from the Local Transportation Fund shall file its claim with the Santa Barbara County Association of Governments (SBCAG).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City's Transportation Manager is authorized to execute and file an appropriate claim with SBCAG pursuant to the terms of the TDA, as amended, and pursuant to the applicable rules and regulations promulgated thereunder, together with all the necessary supporting documents for an allocation of TDA funds in Fiscal Year 2015.

SECTION 2. The authorized claim includes $69,742 for pedestrian and bicycle facilities.

SECTION 3. A copy of this Resolution shall be transmitted to SBCAG in conjunction with the filing of this Claim.

Agenda Item No. 7

File Code No. 250.02

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Accounting Division, Finance Department

SUBJECT: Fiscal Year 2014 Interim Financial Statements For The Seven Months Ended January 31, 2014

RECOMMENDATION:

That Council accept the Fiscal Year 2014 Interim Financial Statements for the Seven Months Ended January 31, 2014.

DISCUSSION:

The interim financial statements for the seven months ended January 31, 2014 (58.3% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the General Fund, Enterprise Funds, Internal Service Funds, and select Special Revenue Funds.

ATTACHMENT: Interim Financial Statements for the Seven Months Ended January 31, 2014

PREPARED BY: Julie Nemes, Accounting Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget
GENERAL FUND					
Revenue	111,479,118	64,620,281	-	46,858,837	58.0%
Expenditures	111,961,176	64,115,171	1,489,988	46,356,016	58.6%
Addition to / (use of) reserves	(482,058)	505,110	(1,489,988)		
SOLID WASTE FUND					
Revenue	19,927,443	12,019,347	-	7,908,096	60.3%
Expenditures	20,047,668	11,366,130	420,435	8,261,104	58.8%
Addition to / (use of) reserves	(120,225)	653,217	(420,435)		
WATER OPERATING FUND					
Revenue	36,524,435	23,160,183	-	13,364,252	63.4%
Expenditures	45,085,726	22,770,889	2,004,256	20,310,581	55.0%
Addition to / (use of) reserves	(8,561,291)	389,294	(2,004,256)		
WASTEWATER OPERATING FUND					
Revenue	17,907,479	10,686,808	-	7,220,671	59.7%
Expenditures	19,048,006	9,190,929	1,576,019	8,281,058	56.5%
Addition to / (use of) reserves	(1,140,527)	1,495,879	(1,576,019)		
DOWNTOWN PARKING					
Revenue	7,420,709	4,628,731	-	2,791,978	62.4%
Expenditures	8,575,236	4,654,813	384,901	3,535,523	58.8%
Addition to / (use of) reserves	(1,154,527)	(26,082)	(384,901)		
AIRPORT OPERATING FUND					
Revenue	15,751,093	9,054,924	-	6,696,169	57.5%
Expenditures	16,571,531	8,874,073	540,573	7,156,885	56.8%
Addition to / (use of) reserves	(820,438)	180,850	(540,573)		
GOLF COURSE FUND					
Revenue	2,108,459	1,219,913	-	888,546	57.9%
Expenditures	2,076,923	1,260,558	1,202	815,162	60.8%
Addition to / (use of) reserves	31,536	(40,646)	(1,202)		
INTRA-CITY SERVICE FUND					
Revenue	5,604,962	2,892,535	-	2,712,427	51.6%
Expenditures	5,911,688	3,201,471	503,319	2,206,897	62.7%
Addition to / (use of) reserves	(306,726)	(308,937)	(503,319)		

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget
FLEET REPLACEMENT FUND					
Revenue	2,758,201	1,568,715	-	1,189,486	56.9%
Expenditures	5,134,991	831,388	638,926	3,664,676	28.6%
Addition to / (use of) reserves	(2,376,790)	737,327	(638,926)		
FLEET MAINTENANCE FUND					
Revenue	2,576,502	1,524,300	-	1,052,202	59.2%
Expenditures	2,650,739	1,326,648	133,794	1,190,297	55.1%
Addition to / (use of) reserves	(74,237)	197,652	(133,794)		
SELF INSURANCE TRUST FUND					
Revenue	5,960,947	3,472,799	-	2,488,148	58.3%
Expenditures	6,022,747	3,640,919	314,363	2,067,466	65.7%
Addition to / (use of) reserves	(61,800)	(168,120)	(314,363)		
INFORMATION SYSTEMS ICS FUND					
Revenue	2,514,997	1,467,082	-	1,047,915	58.3%
Expenditures	2,965,594	1,484,535	107,806	1,373,253	53.7%
Addition to / (use of) reserves	(450,597)	(17,454)	(107,806)		
WATERFRONT FUND					
Revenue	12,445,067	8,226,913	-	4,218,154	66.1%
Expenditures	13,558,989	7,697,522	672,903	5,188,564	61.7%
Addition to / (use of) reserves	(1,113,922)	529,391	(672,903)		
TOTAL FOR ALL FUNDS					
Revenue	242,979,412	144,542,529	-	98,436,883	59.5%
Expenditures	259,611,014	140,415,046	8,788,486	110,407,482	57.5%
Addition to / (use of) reserves	(16,631,602)	4,127,483	(8,788,486)		

*** It is City policy to adopt a balanced budget. In most cases, encumbrance balances exist at year-end. These encumbrance balances are 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 accommodate 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 Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Remaining Balance	Percent Received	Previous YTD
TAXES					
Sales and Use	21,084,894	11,659,266	9,425,628	55.3%	11,423,589
Property Taxes	25,475,500	14,042,156	11,433,344	55.1%	13,910,255
Utility Users Tax	6,975,300	4,133,435	2,841,865	59.3%	4,029,915
Transient Occupancy Tax	16,202,000	10,449,339	5,752,661	64.5%	9,336,438
Business License	2,415,000	1,553,650	861,350	64.3%	1,580,585
Real Property Transfer Tax	537,900	382,573	155,327	71.1%	445,445
Total	72,690,594	42,220,420	30,470,174	58.1%	40,726,227
LICENSES & PERMITS					
Licenses & Permits	219,180	107,920	111,260	49.2%	115,885
Total	219,180	107,920	111,260	49.2%	115,885
FINES & FORFEITURES					
Parking Violations	2,628,967	1,614,273	1,014,694	61.4%	1,517,272
Library Fines	135,000	77,942	57,058	57.7%	75,690
Municipal Court Fines	120,000	47,569	72,431	39.6%	65,234
Other Fines & Forfeitures	250,000	208,265	41,735	83.3%	154,717
Total	3,133,967	1,948,049	1,185,918	62.2%	1,812,913
USE OF MONEY & PROPERTY					
Investment Income	676,267	326,937	349,330	48.3%	479,498
Rents & Concessions	396,322	212,375	183,947	53.6%	235,201
Total	1,072,589	539,311	533,278	50.3%	714,699
INTERGOVERNMENTAL					
Grants	706,016	1,047,207	(341,190)	148.3%	614,456
Vehicle License Fees	-	39,945	(39,945)	100.0%	48,265
Reimbursements	14,320	6,254	8,066	43.7%	13,932
Total	720,336	1,093,405	(373,069)	151.8%	676,653
FEES & SERVICE CHARGES					
Finance	926,598	540,528	386,070	58.3%	511,136
Community Development	4,480,075	2,371,906	2,108,169	52.9%	2,477,024
Recreation	2,951,818	1,534,185	1,417,633	52.0%	1,423,164
Public Safety	631,938	286,544	345,394	45.3%	326,287
Public Works	5,661,288	3,319,034	2,342,254	58.6%	3,206,152
Library	753,839	712,776	41,063	94.6%	621,452
Reimbursements	4,293,383	2,514,568	1,778,815	58.6%	2,527,204
Total	19,698,939	11,279,541	8,419,399	57.3%	11,092,419
OTHER REVENUES					
Miscellaneous	1,624,751	1,014,605	610,146	62.4%	1,736,651
Franchise Fees	3,660,300	1,982,377	1,677,923	54.2%	1,943,363
Indirect Allocations	6,292,740	3,670,765	2,621,975	58.3%	3,407,747
Operating Transfers-In	2,365,721	763,887	1,601,834	32.3%	1,062,551
Total	13,943,512	7,431,634	6,511,878	53.3%	8,150,312
TOTAL REVENUES	111,479,118	64,620,281	46,858,837	58.0%	63,289,108

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	YTD Expended and Encumbered	Previous YTD
GENERAL GOVERNMENT						
Mayor & City Council						
MAYOR	770,723	410,766	29,609	330,348	57.1%	
Total	770,723	410,766	29,609	330,348	57.1%	417,738
City Attorney						
CITY ATTORNEY	2,129,254	1,196,329	8,325	924,600	56.6%	
Total	2,129,254	1,196,329	8,325	924,600	56.6%	1,191,579
Administration						
CITY ADMINISTRATOR	1,587,391	927,242	109	660,040	58.4%	
CITY TV	535,137	285,151	23,207	226,780	57.6%	
Total	2,122,528	1,212,393	23,315	886,820	58.2%	1,083,887
Administrative Services						
CITY CLERK	475,090	271,166	11,241	192,683	59.4%	
ADMIN SVCS-ELECTIONS	300,000	200,320	3,200	96,480	67.8%	
HUMAN RESOURCES	1,412,691	676,263	14,928	721,500	48.9%	
ADMIN SVCS-EMPLOYEE DEVELOPMENT	14,447	2,610	-	11,837	18.1%	
Total	2,202,228	1,150,359	29,369	1,022,500	53.6%	925,471
Finance						
ADMINISTRATION	221,336	151,429	6,735	63,172	71.5%	
TREASURY	510,731	238,455	14,600	257,676	49.5%	
CASHIERING & COLLECTION	458,460	260,974	-	197,486	56.9%	
LICENSES & PERMITS	469,695	278,467	16,175	175,052	62.7%	
BUDGET MANAGEMENT	430,198	241,805	-	188,393	56.2%	
ACCOUNTING	621,961	313,068	22,110	286,783	53.9%	
PAYROLL	293,974	163,607	-	130,367	55.7%	
ACCOUNTS PAYABLE	226,149	128,560	-	97,589	56.8%	
CITY BILLING & CUSTOMER SERVICE	684,788	306,876	140,822	237,089	65.4%	
PURCHASING	639,289	323,956	649	314,684	50.8%	
GENTRAL STORES	170,978	96,100	330	74,548	56.4%	
MAIL SERVICES	109,740	63,763	330	45,647	58.4%	
Total	4,837,299	2,567,061	201,752	2,068,486	57.2%	2,614,736
TOTAL GENERAL GOVERNMENT	12,062,032	6,536,908	292,369	5,232,755	56.6%	6,233,411
PUBLIC SAFETY						
Police						
CHIEF'S STAFF	1,035,400	605,569	-	429,831	58.5%	
SUPPORT SERVICES	690,977	379,279	2,288	309,410	55.2%	
RECORDS	1,293,046	708,316	15,959	568,771	56.0%	
COMMUNITY SVCS	1,035,807	586,508	4,330	444,969	57.0%	
PROPERTY ROOM	213,001	110,286	389	102,326	52.0%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	YTD Expended and Encumbered	Previous YTD
PUBLIC SAFETY						
Police						
TRAINING/RECRUITMENT	483,113	266,167	6,608	210,338	56.5%	
RANGE	1,268,968	741,042	51,438	476,487	62.5%	
BEAT COORDINATORS	858,553	528,816	-	329,737	61.6%	
INFORMATION TECHNOLOGY	1,193,300	682,804	31,636	478,860	59.9%	
INVESTIGATIVE DIVISION	4,994,432	3,052,250	-	1,942,182	61.1%	
CRIME LAB	155,092	83,422	-	71,670	53.8%	
PATROL DIVISION	15,795,703	9,184,055	107,621	6,504,028	58.8%	
TRAFFIC	1,415,405	814,307	559	600,539	57.6%	
SPECIAL EVENTS	831,095	755,270	-	75,825	90.9%	
TACTICAL PATROL FORCE	1,497,838	767,938	-	729,900	51.3%	
STREET SWEEPING ENFORCEMENT	340,916	197,247	-	143,669	57.9%	
NIGHT LIFT ENFORCEMENT	301,944	197,373	-	104,571	65.4%	
PARKING ENFORCEMENT	989,866	560,200	27,800	401,866	59.4%	
COMBINED COMMAND CENTER	2,462,970	1,303,266	-	1,159,704	52.9%	
ANIMAL CONTROL	661,248	268,563	-	392,685	40.6%	
Total	37,518,674	21,792,677	248,629	15,477,368	58.7%	20,791,382
Fire						
ADMINISTRATION	816,274	459,994	16,989	339,291	58.4%	
EMERGENCY SERVICES AND PUBLIC ED	294,891	170,363	-	124,528	57.8%	
PREVENTION	1,118,386	682,997	-	435,389	61.1%	
WILDLAND FIRE MITIGATION PROGRAM	199,013	102,571	3,947	92,494	53.5%	
OPERATIONS	18,064,121	10,838,778	52,359	7,172,984	60.3%	
ARFF	1,860,354	999,636	-	860,718	53.7%	
Total	22,353,039	13,254,339	73,295	9,025,405	59.6%	12,929,146
TOTAL PUBLIC SAFETY	59,871,713	35,047,016	321,924	24,502,772	59.1%	33,720,528
PUBLIC WORKS						
Public Works						
ADMINISTRATION	1,049,511	468,344	8,785	572,382	45.5%	
ENGINEERING SVCS	4,871,823	2,751,315	2,069	2,118,439	56.5%	
PUBLIC RT OF WAY MGMT	1,042,862	592,122	1,406	449,334	56.9%	
ENVIRONMENTAL PROGRAMS	507,253	150,002	193,812	163,439	67.8%	
Total	7,471,449	3,961,784	206,072	3,303,594	55.8%	3,860,984
TOTAL PUBLIC WORKS	7,471,449	3,961,784	206,072	3,303,594	55.8%	3,860,984
COMMUNITY SERVICES						
Parks & Recreation						
PROGRAM MGMT & BUS SVCS	699,131	383,508	3,874	311,748	55.4%	
FACILITIES	778,579	433,182	9,724	335,673	56.9%	
YOUTH ACTIVITIES	954,403	666,950	8,739	278,714	70.8%	
ACTIVE ADULTS	696,667	394,492	2,565	299,610	57.0%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	YTD Expended and Encumbered	Previous YTD
COMMUNITY SERVICES						
Parks & Recreation						
AQUATICS	1,251,951	771,831	35,380	444,740	64.5%	
SPORTS	537,090	316,910	15,980	204,200	62.0%	
TENNIS	274,749	166,288	-	108,461	60.5%	
NEIGHBORHOOD & OUTREACH SERV	1,027,181	663,859	-	363,322	64.6%	
ADMINISTRATION	627,767	365,768	1,731	260,268	58.5%	
PROJECT MANAGEMENT TEAM	376,272	171,473	76	204,723	45.6%	
BUSINESS SERVICES	6,082	3,886	-	2,196	63.9%	
PARKS - OPERATIONS MANAGEMENT	968,835	589,510	1,619	377,706	61.0%	
GROUNDS MANAGEMENT	4,688,543	2,448,801	68,828	2,170,914	53.7%	
FORESTRY	1,284,267	581,037	127,510	575,720	55.2%	
BEACH MAINTENANCE	157,332	76,123	15,065	66,144	58.0%	
Total	14,328,850	8,033,618	291,092	6,004,140	58.1%	7,723,673
Library						
ADMINISTRATION	460,433	259,577	-	200,856	56.4%	
PUBLIC SERVICES	2,607,620	1,402,206	-	1,205,415	53.8%	
SUPPORT SERVICES	1,617,031	955,153	17,786	644,092	60.2%	
Total	4,685,084	2,616,936	17,786	2,050,363	56.2%	2,409,705
TOTAL COMMUNITY SERVICES	19,013,934	10,650,553	308,878	8,054,502	57.6%	10,133,378
COMMUNITY DEVELOPMENT						
Community Development						
ADMINISTRATION	551,107	316,599	586	233,922	57.6%	
ECONOMIC DEVELOPMENT	48,420	23,694	-	24,726	48.9%	
CITY ARTS ADVISORY PROGRAM	437,260	403,248	-	34,012	92.2%	
RENTAL HOUSING MEDIATION	184,566	111,436	-	73,130	60.4%	
HUMAN SERVICES	836,025	456,022	315,174	64,830	92.2%	
HOUSING PRESERVATION AND DEV	44,645	12,082	15,724	16,839	62.3%	
LONG RANGE PLAN & SPEC STUDY	905,914	485,684	351	419,879	53.7%	
DEVEL & ENVIRONMENTAL REVIEW	1,350,777	724,757	7,553	618,467	54.2%	
ZONING INFO & ENFORCEMENT	1,264,867	688,602	1,353	574,912	54.5%	
DESIGN REV & HIST PRESERVATION	1,100,803	580,167	991	519,645	52.8%	
BLDG INSP & CODE ENFORCEMENT	1,147,440	621,169	347	525,924	54.2%	
RECORDS ARCHIVES & CLER SVCS	563,562	292,512	8,300	262,750	53.4%	
BLDG COUNTER & PLAN REV SVCS	1,302,478	734,678	10,366	557,434	57.2%	
Total	9,737,864	5,450,651	360,744	3,926,468	59.7%	5,263,151
TOTAL COMMUNITY DEVELOPMENT	9,737,864	5,450,651	360,744	3,926,468	59.7%	5,263,151
NON-DEPARTMENTAL						
Non-Departmental						
DUES, MEMBERSHIPS, & LICENSES	22,272	23,940	-	(1,668)	107.5%	
TRANSFERS OUT	43,500	25,375	-	18,125	58.3%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	YTD Expended and Encumbered	Previous YTD
NON-DEPARTMENTAL						
Non-Departmental						
DEBT SERVICE TRANSFERS	350,746	307,680	-	43,066	87.7%	
CAPITAL OUTLAY TRANSFER	1,000,000	583,333	-	416,667	58.3%	
APPROP.RESERVE	359,658	-	-	359,658	0.0%	
NON-DEPT - COMMUNITY PROMOTIONS	2,028,008	1,527,930	-	500,078	75.3%	
Total	3,804,184	2,468,259	-	1,335,925	64.9%	2,146,255
TOTAL NON-DEPARTMENTAL	3,804,184	2,468,259	-	1,335,925	64.9%	2,146,255
TOTAL EXPENDITURES	111,961,176	64,115,171	1,489,988	46,356,016	58.6%	61,357,707

*** 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 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
Interim Statement of Revenues and Expenditures
Special Revenue Funds
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget
TRAFFIC SAFETY FUND					
Revenue	506,204	305,505	-	200,699	60.4%
Expenditures	506,204	344,109	-	162,095	68.0%
Revenue Less Expenditures	-	(38,604)	-	38,604	
CREEK RESTORATION/WATER QUALITY IMPRVMT					
Revenue	3,367,572	2,144,712	-	1,222,860	63.7%
Expenditures	5,433,182	3,118,206	388,008	1,926,968	64.5%
Revenue Less Expenditures	(2,065,610)	(973,494)	(388,008)	(704,108)	
COMMUNITY DEVELOPMENT BLOCK GRANT					
Revenue	1,853,369	354,303	-	1,499,066	19.1%
Expenditures	2,167,813	228,594	180,990	1,758,228	18.9%
Revenue Less Expenditures	(314,444)	125,708	(180,990)	(259,162)	
COUNTY LIBRARY					
Revenue	1,962,864	1,223,196	-	739,668	62.3%
Expenditures	2,159,695	1,179,715	19,610	960,370	55.5%
Revenue Less Expenditures	(196,831)	43,481	(19,610)	(220,702)	
STREETS FUND					
Revenue	11,270,852	6,767,127	-	4,503,725	60.0%
Expenditures	15,897,321	6,053,322	1,100,390	8,743,609	45.0%
Revenue Less Expenditures	(4,626,469)	713,805	(1,100,390)	(4,239,884)	
MEASURE A					
Revenue	3,411,416	1,963,706	-	1,447,710	57.6%
Expenditures	4,761,898	2,009,029	795,901	1,956,969	58.9%
Revenue Less Expenditures	(1,350,482)	(45,323)	(795,901)	(509,259)	

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

SOLID WASTE FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service charges	19,210,027	11,573,907	-	7,636,120	60.2%	10,565,167
Other Fees & Charges	474,816	224,908	-	249,908	47.4%	134,237
Grants	20,000	-	-	20,000	0.0%	11,208
Miscellaneous	222,600	220,532	-	2,068	99.1%	93,628
TOTAL REVENUES	19,927,443	12,019,347	-	7,908,096	60.3%	10,804,240
EXPENSES						
Salaries & Benefits	979,288	459,933	-	519,355	47.0%	461,373
Materials, Supplies & Services	18,258,021	10,582,195	418,835	7,256,991	60.3%	9,949,137
Special Projects	585,988	282,824	1,600	301,564	48.5%	275,130
Transfers-Out	50,000	29,167	-	20,833	58.3%	29,167
Capital Outlay Transfers	17,556	10,241	-	7,315	58.3%	6,808
Equipment	13,709	1,770	-	11,939	12.9%	4,729
Capitalized Fixed Assets	10,000	-	-	10,000	0.0%	641
Other	100,000	-	-	100,000	0.0%	-
Appropriated Reserve	33,106	-	-	33,106	0.0%	-
TOTAL EXPENSES	20,047,668	11,366,130	420,435	8,261,104	58.8%	10,726,985

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

WATER OPERATING FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Water Sales- Metered	32,300,000	21,018,169	-	11,281,831	65.1%	19,302,891
Service Charges	506,500	385,311	-	121,189	76.1%	404,553
Cater JPA Treatment Charges	2,467,510	1,123,203	-	1,344,307	45.5%	1,209,563
Investment Income	534,400	317,938	-	216,462	59.5%	358,152
Rents & Concessions	22,872	13,342	-	9,530	58.3%	13,342
Reimbursements	673,153	252,660	-	420,493	37.5%	707,837
Miscellaneous	20,000	49,560	-	(29,560)	247.8%	49,003
TOTAL REVENUES	36,524,435	23,160,183	-	13,364,252	63.4%	22,045,341
EXPENSES						
Salaries & Benefits	8,333,163	4,438,020	-	3,895,143	53.3%	4,352,421
Materials, Supplies & Services	10,412,848	4,163,275	1,703,015	4,546,558	56.3%	4,078,441
Special Projects	1,105,856	240,617	117,894	747,345	32.4%	318,755
Water Purchases	8,016,230	4,751,024	141,272	3,123,934	61.0%	4,166,184
Debt Service	5,596,539	2,627,143	-	2,969,396	46.9%	2,805,959
Capital Outlay Transfers	11,189,231	6,527,051	-	4,662,180	58.3%	1,998,879
Equipment	63,722	5,817	2,560	55,345	13.1%	19,431
Capitalized Fixed Assets	215,312	16,294	39,515	159,503	25.9%	11,503
Other	2,825	1,648	-	1,177	58.3%	28,674
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	45,085,726	22,770,889	2,004,256	20,310,581	55.0%	17,780,247

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 Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

WASTEWATER OPERATING FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service Changes	16,957,000	10,143,423	-	6,813,577	59.8%	9,584,982
Fees	732,579	435,487	-	297,092	59.4%	325,494
Investment Income	150,900	94,392	-	56,508	62.6%	101,144
Rents & Concessions	32,000	12,172	-	19,828	38.0%	25,750
Miscellaneous	35,000	1,334	-	33,666	3.8%	28,593
TOTAL REVENUES	17,907,479	10,686,808	-	7,220,671	59.7%	10,065,963
EXPENSES						
Salaries & Benefits	5,722,999	2,965,468	-	2,757,531	51.8%	3,048,039
Materials, Supplies & Services	6,760,640	3,423,191	1,536,113	1,801,336	73.4%	3,321,466
Special Projects	465,500	61,212	-	404,288	13.1%	4,020
Debt Service	1,669,213	303,631	-	1,365,582	18.2%	314,422
Capital Outlay Transfers	4,154,727	2,423,591	-	1,731,136	58.3%	1,750,071
Equipment	97,044	6,128	38,531	52,385	46.0%	32,993
Capitalized Fixed Assets	26,000	6,609	1,375	18,016	30.7%	5,809
Other	1,883	1,098	-	785	58.3%	1,000
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	19,048,006	9,190,929	1,576,019	8,281,058	56.5%	8,477,820

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 Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

DOWNTOWN PARKING FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Improvement Tax	875,000	658,259	-	216,741	75.2%	659,707
Parking Fees	6,313,084	3,818,917	-	2,494,167	60.5%	3,695,301
Other Fees & Charges	1,000	2,117	-	(1,117)	211.7%	-
Investment Income	98,200	60,761	-	37,439	61.9%	65,790
Rents & Concessions	88,925	55,873	-	33,052	62.8%	23,873
Miscellaneous	1,000	7,428	-	(6,428)	742.8%	(1,380)
Operating Transfers-In	43,500	25,375		18,125	58.3%	25,375
TOTAL REVENUES	7,420,709	4,628,731	-	2,791,978	62.4%	4,468,666
EXPENSES						
Salaries & Benefits	4,049,433	2,268,347	-	1,781,086	56.0%	2,196,350
Materials, Supplies & Services	2,108,134	1,084,438	120,105	903,591	57.1%	997,000
Special Projects	531,852	244,431	260,795	26,626	95.0%	304,721
Transfer-Out	303,064	176,787	-	126,277	58.3%	173,321
Capital Outlay Transfers	1,507,753	879,523	-	628,230	58.3%	648,635
Equipment	25,000	1,287	4,000	19,713	21.1%	1,921
Appropriated Reserve	50,000	-	-	50,000	0.0%	-
TOTAL EXPENSES	8,575,236	4,654,813	384,901	3,535,523	58.8%	4,321,948

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 Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

AIRPORT OPERATING FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Leases-Commercial/Industrial	4,472,500	2,503,568	-	1,968,932	56.0%	2,603,594
Leases-Terminal	5,189,964	2,944,984	-	2,244,980	56.7%	2,863,153
Leases-Non-Commercial Aviation	1,895,929	978,732	-	917,197	51.6%	902,971
Leases-Commercial Aviation	3,939,000	2,495,883	-	1,443,117	63.4%	2,282,810
Investment Income	111,100	71,295	-	39,805	64.2%	74,341
Miscellaneous	142,600	60,461	-	82,139	42.4%	80,536
TOTAL REVENUES	15,751,093	9,054,924	-	6,696,169	57.5%	8,807,405
EXPENSES						
Salaries & Benefits	5,522,998	2,852,852	-	2,670,146	51.7%	2,818,195
Materials, Supplies & Services	7,441,870	3,960,124	539,738	2,942,008	60.5%	3,721,119
Special Projects	863,000	260,135	-	602,865	30.1%	337,429
Transfer-Out	19,728	11,508	-	8,220	58.3%	10,672
Debt Service	1,817,106	1,066,778	-	750,329	58.7%	571,869
Capital Outlay Transfers	744,632	692,825	-	51,807	93.0%	1,111,563
Equipment	66,358	29,504	835	36,018	45.7%	16,816
Other	-	347	-	(347)	100.0%	1,161
Appropriated Reserve	95,839	-	-	95,839	0.0%	-
TOTAL EXPENSES	16,571,531	8,874,073	540,573	7,156,885	56.8%	8,588,824

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 Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

GOLF COURSE FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Fees & Card Sales	1,739,239	981,332	-	757,907	56.4%	841,450
Investment Income	8,800	5,841	-	2,959	66.4%	5,893
Rents & Concessions	332,520	198,763	-	133,757	59.8%	168,888
Miscellaneous	27,900	33,977	-	(6,077)	121.8%	300
TOTAL REVENUES	2,108,459	1,219,913	-	888,546	57.9%	1,016,531
EXPENSES						
Salaries & Benefits	1,022,332	590,479	-	431,853	57.8%	592,584
Materials, Supplies & Services	562,907	350,716	1,202	210,988	62.5%	331,006
Debt Service	245,698	165,865	-	79,833	67.5%	161,887
Capital Outlay Transfers	242,086	152,633	-	89,453	63.0%	92,384
Equipment	3,000	-	-	3,000	0.0%	24,422
Other	900	864	-	36	96.0%	847
TOTAL EXPENSES	2,076,923	1,260,558	1,202	815,162	60.8%	1,203,130

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 Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

INTRA-CITY SERVICE FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service Charges	2,530,773	1,476,284	-	1,054,489	58.3%	1,258,084
Work Orders - Bldg Maint.	2,592,140	1,320,372	-	1,271,768	50.9%	1,806,989
Grants	120,449	53,175	-	67,274	44.1%	128,095
Miscellaneous	361,600	42,704	-	318,896	11.8%	64,464
TOTAL REVENUES	5,604,962	2,892,535	-	2,712,427	51.6%	3,257,632
EXPENSES						
Salaries & Benefits	3,462,955	1,899,945	-	1,563,010	54.9%	1,864,750
Materials, Supplies & Services	1,414,823	814,251	81,056	519,516	63.3%	650,287
Special Projects	940,978	482,791	405,229	52,958	94.4%	586,032
Equipment	15,000	-	-	15,000	0.0%	3,212
Capitalized Fixed Assets	51,882	4,485	17,034	30,363	41.5%	186,178
Appropriated Reserve	26,050	-	-	26,050	0.0%	-
TOTAL EXPENSES	5,911,688	3,201,471	503,319	2,206,897	62.7%	3,290,459

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

FLEET REPLACEMENT FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Vehicle Rental Charges	2,228,805	1,300,136	-	928,669	58.3%	1,251,960
Investment Income	122,300	73,309	-	48,991	59.9%	81,930
Rents & Concessions	233,978	136,487	-	97,491	58.3%	130,901
Miscellaneous	173,118	58,783	-	114,335	34.0%	30,111
TOTAL REVENUES	2,758,201	1,568,715	-	1,189,486	56.9%	1,494,902
EXPENSES						
Salaries & Benefits	193,629	107,898	-	85,731	55.7%	107,482
Materials, Supplies & Services	3,061	2,097	-	964	68.5%	1,672
Special Projects	1,161,400	13,761	11,900	1,135,739	2.2%	-
Capitalized Fixed Assets	3,776,901	707,632	627,026	2,442,243	35.3%	453,936
TOTAL EXPENSES	5,134,991	831,388	638,926	3,664,676	28.6%	563,090

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

FLEET MAINTENANCE FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Vehicle Maintenance Charges	2,463,432	1,437,002	-	1,026,430	58.3%	1,383,619
Reimbursements	10,000	5,833	-	4,167	58.3%	5,833
Miscellaneous	103,070	81,464	-	21,606	79.0%	44,668
TOTAL REVENUES	2,576,502	1,524,300	-	1,052,202	59.2%	1,434,120
EXPENSES						
Salaries & Benefits	1,280,067	707,159	-	572,908	55.2%	708,863
Materials, Supplies & Services	1,181,623	572,779	94,830	514,014	56.5%	680,759
Special Projects	64,663	11,268	38,964	14,431	77.7%	13,464
Debt Service	43,070	25,123	-	17,947	58.3%	-
Equipment	15,800	9,990	-	5,810	63.2%	190
Capitalized Fixed Assets	48,623	329	-	48,294	0.7%	-
Appropriated Reserve	16,893	-		16,893	0.0%	-
TOTAL EXPENSES	2,650,739	1,326,648	133,794	1,190,297	55.1%	1,403,276

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

SELF INSURANCE TRUST FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Insurance Premiums	2,756,112	1,607,732	-	1,148,380	58.3%	1,515,514
Workers' Compensation Premiums	2,950,702	1,721,243	-	1,229,459	58.3%	1,516,667
OSH Charges	193,833	113,069	-	80,764	58.3%	-
Investment Income	60,300	27,178	-	33,122	45.1%	40,360
Miscellaneous	-	3,577	-	(3,577)	100.0%	1,181
Accel-Return of Premium	-	-	-	-	100.0%	600,000
TOTAL REVENUES	5,960,947	3,472,799	-	2,488,148	58.3%	3,673,722
EXPENSES						
Salaries & Benefits	538,662	282,398	-	256,264	52.4%	282,522
Materials, Supplies & Services	5,483,919	3,358,454	314,363	1,811,102	67.0%	2,957,121
Special Projects	100	-	-	100	0.0%	-
Transfers-Out	-	-	-	-	100.0%	207,671
Equipment	66	66	-	-	100.0%	-
TOTAL EXPENSES	6,022,747	3,640,919	314,363	2,067,466	65.7%	3,447,314

**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 Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

INFORMATION SYSTEMS ICS FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service charges	2,514,997	1,467,082	-	1,047,915	58.3%	1,375,545
Miscellaneous	-	-	-	-	100.0%	1,138
TOTAL REVENUES	2,514,997	1,467,082	-	1,047,915	58.3%	1,376,683
EXPENSES						
Salaries & Benefits	1,701,218	901,065	-	800,153	53.0%	923,852
Materials, Supplies & Services	874,806	316,773	97,784	460,249	47.4%	506,406
Special Projects	18,500	305	2,500	15,695	15.2%	3,319
Transfers-Out	-	-	-	-	100.0%	43,000
Capital Outlay Transfers	212,000	123,667	-	88,333	58.3%	-
Equipment	23,484	21,381	7,521	(5,418)	123.1%	75,025
Capital Fixed Assets	123,000	121,345	-	1,655	98.7%	-
Appropriated Reserve	12,586	-	-	12,586	0.0%	-
TOTAL EXPENSES	2,965,594	1,484,535	107,806	1,373,253	53.7%	1,551,602

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Seven Months Ended January 31, 2014 (58.3% of Fiscal Year)

WATERFRONT FUND

	Annual Budget	YTD Actual	Encum-brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Leases - Commercial	1,373,772	919,802	-	453,970	67.0%	960,379
Leases - Food Service	2,641,800	1,825,034	-	816,766	69.1%	1,748,052
Slip Rental Fees	4,122,293	2,419,125	-	1,703,168	58.7%	2,375,248
Visitors Fees	450,000	267,646	-	182,354	59.5%	263,808
Slip Transfer Fees	525,000	346,450	-	178,550	66.0%	342,750
Parking Revenue	2,009,800	1,532,774	-	477,026	76.3%	1,279,957
Wharf Parking	250,000	156,965	-	93,035	62.8%	151,021
Other Fees & Charges	236,435	150,270	-	86,165	63.6%	142,633
Investment Income	137,700	75,568	-	62,132	54.9%	84,828
Rents & Concessions	306,267	194,642	-	111,625	63.6%	192,520
Reimbursements	-	-	-	-	100.0%	10,830
Miscellaneous	392,000	338,636	-	53,364	86.4%	154,410
TOTAL REVENUES	12,445,067	8,226,913	-	4,218,154	66.1%	7,706,436
EXPENSES						
Salaries & Benefits	5,866,308	3,298,819	-	2,567,489	56.2%	3,292,025
Materials, Supplies & Services	3,906,598	2,088,306	655,799	1,162,493	70.2%	1,989,655
Special Projects	150,438	70,750	-	79,688	47.0%	86,150
Debt Service	1,843,880	1,300,999	-	542,881	70.6%	1,226,865
Capital Outlay Transfers	1,544,155	900,757	-	643,398	58.3%	898,904
Equipment	107,610	13,609	-	94,000	12.6%	61,770
Capital Fixed Assets	40,000	22,896	17,104	-	100.0%	-
Other	-	1,385	-	(1,385)	100.0%	1,000
Appropriated Reserve	100,000	-	-	100,000	0.0%	-
TOTAL EXPENSES	13,558,989	7,697,522	672,903	5,188,564	61.7%	7,556,369

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. 8

File Code No. 540.10

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contracts For Design For On-Call Engineering Services For Groundwater Well Development

RECOMMENDATION: That Council:

A. Authorize the Public Works Director to execute a City Professional Services contract with Pueblo Water Resources, Inc., in the amount of $250,000 for on-call hydrogeologic engineering design services for various groundwater well development projects, and authorize the Public Works Director to approve expenditures of up to $25,000 for extra services that may result from necessary changes in the scope of work; and

B. Authorize the Public Works Director to execute a City Professional Services contract with Kear Groundwater in the amount of $250,000 for on-call hydrogeologic engineering design services for various groundwater well development projects, and authorize the Public Works Director to approve expenditures of up to $25,000 for extra services that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND

The City of Santa Barbara relies on groundwater as one of the many potable water sources meeting the needs of its customers. There are several groundwater wells in the City that require rehabilitation or replacement in order to continue providing this supplemental water supply. There is increased need for these projects given the current drought conditions. The Engineering Division does not currently have the staff or expertise to prepare designs for the rehabilitation or relocation of these groundwater well projects. Staff proposes to hire two local hydrogeologic engineering firms to provide on-call services for two-year contracts to address this temporary workload issue. Depending on the severity of drought conditions, workload may exceed the capacity of

one contractor so a second contractor is recommended to make sure the City's design services needs are met in a timely manner between both contractors.
The cost of design services for each well project described below in the project description are anticipated to range from $50,000 to $100,000, which could result in capital projects with costs totaling $3,000,000 to $5,000,000. By proactively negotiating a time and materials contract, staff will be able to reduce overall administration costs and better meet water demands during this time of water scarcity.

PROJECT DESCRIPTION

The scope of the proposed hydrogeologic engineering services includes evaluating and creating work plans or designs for the following:

- Groundwater Supply Evaluation
- High School Well Project
- San Roque Park Well Project
- Los Robles Well Project
- Hope Well Project
- Storage Unit No. 1 Evaluation
- City Hall Well Project
- Vera Cruz Well Project
- Ortega Well Project
- Gibraltar Silt Wells
- Well Site Evaluation

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute contracts with Pueblo Water Resources in the amount of $250,000, with extra services in the amount of $25,000; and with Kear Groundwater in the amount of $250,000, with extra services in the amount of $25,000, for a total amount of $550,000. Pueblo Water Resources and Kear Groundwater were selected as the top two candidates from a recent RFP process for similar design services.

FUNDING

There are sufficient appropriations in the Water Fund to cover these costs.

SUSTAINABILITY IMPACT:

During times of drought, the City's groundwater supply plays an important role in providing a reliable local source of water to help meet demands.

PREPARED BY: Amanda Flesse, Supervising Civil Engineer/PM/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

Agenda Item No. 9

File Code No. 180.02

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of License Agreement With Santa Barbara Certified Farmers Market, Inc.

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute a new License Agreement with the Santa Barbara Certified Farmers Market, Inc., for the operation of the Downtown Farmers Market located in the Cota Commuter Parking Lot at 119 East Cota Street, the Old Town Farmers Market located in the 500-600 Blocks of State Street, and the Coast Village Road Farmers Market located in the 1100-1200 Blocks of Coast Village Road.

DISCUSSION:

Pursuant to various agreements, the Downtown Farmers Market has operated at the City's Cota Street Commuter Lot site since 1978, at the Old Town Farmers Market on State Street site since 1989, and at the Coast Village Road Farmers Market site since 1994.

Old Town Farmers Market and Downtown Farmers Market

On January 8, 2009, the City of Santa Barbara's Planning Commission adopted a resolution, which approved a Conditional Use Permit (CUP) and established specific guidelines relating to both the Old Town Farmers Market on Tuesdays, and the Downtown Farmers Market on Saturdays.

Coast Village Road Farmers Market

On July 20, 2006, the Planning Commission adopted a resolution, approving a CUP, a Coastal Development Permit (CDP), and establishing specific guidelines relating to the periodic operation of the Coast Village Road Farmers Market. The market at this location was allowed to operate on Fridays on a four-zone weekly rotational basis in the public street right of way fronting the 1100 and 1200 blocks of Coast Village Road.

On October 3, 2013, the Planning Commission adopted a resolution (Attachment 1), requiring the approval of a new Coastal Development Permit to allow the Santa Barbara Certified Farmers Market, Inc. (Farmers Market) to operate on the 1100 and 1200 blocks of Coast Village Road. A CUP was also required to allow continued operations of the State Street, Cota Commuter Lot, and Coast Village Road locations as the previous CUP expired after five years. Minor revisions to the Conditions of Approval were made by the Planning Commission (see Attachment 2).

New License Agreement

As a condition of the 2013 Resolution, a new License Agreement was required and is proposed to replace the current License Agreement.

No operational changes are proposed in the new License Agreement. The important existing provisions that were retained, and the new conditions proposed in the License Agreement per the Resolution, are as follows:

- The operation of the Old Town Farmers Market and the Downtown Farmers Market shall pay the City Parking and Business Improvement Area (PBIA) assessment related to downtown parking.

- The operation of the Coast Village Road Farmers Market, in addition to any statutory sales tax revenue to the City, shall also pay a percentage of its gross sales to the City in the same manner and at the same time as the PBIA assessment being paid by the Old Town Famers market and the Downtown Famers Market.

- All Farmers Market operations shall be responsible for all traffic and parking controls including, but not limited to, detour and parking control signs, flaggers, setup, take down, and maintenance of any barricades used.

- The Farmers Market has submitted a Traffic Diversion and Pedestrian Safety Plan (Plan) for each site for a Public Works permit. The Plan has been approved by Transportation Planning staff, Public Works Engineering Land Development staff, and the Supervising Transportation Engineer. The Plan will provide for the Farmers Markets to be operated and maintained in a manner that protects the public, market patrons, and participants from unsafe traffic or vehicular risks associated with the licensed use of the City property to the fullest extent as reasonably possible.

- Additionally, an important provision being proposed in the new License Agreement is that the insurance clause is being expanded with greater requirements to conform to the higher current standards of insurance required by the City's Risk Manager. The new License Agreement includes all three market operations under one License Agreement.

The new License Agreement shall remain in force concurrently and indefinitely with the Planning Commission Resolution and the allowed permit uses, for all Farmers Market operations, as stated above, as long as the licensing conditions are maintained in good standing. The City may revoke the License Agreement in whole or part with fifteen days written notice to the Farmers Market.

ATTACHMENT(S):
1. Planning Commission Resolution No. 013-13.
2. Planning Commission Minutes, October 3, 2013.

PREPARED BY: John Ewasiuk, Principal Civil Engineer/DT/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

City of Santa Barbara
California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 013-13
STATE STREET, COTA COMMUTER LOT, AND COAST VILLAGE ROAD FARMER'S MARKETS
COASTAL DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT AMENDMENT
OCTOBER 3, 2013

APPLICATION OF SANTA BARBARA CERTIFIED FARMER'S MARKET ASSOCIATION, 500 & 600 BLOCKS OF STATE STREET (NO APNS), 119 EAST COTA STREET (APN 031-151-018), 1100 & 1200 BLOCKS OF COAST VILLAGE ROAD (NO APNS) (MST2013-00149 & CDP2013-00006)

The project consists of permitting the Santa Barbara Certified Farmer's Market Association's continued operations of the existing Certified Farmer's Markets on the 500 and 600 blocks of State Street, at the Cota Commuter Lot (119 E. Cota St.), and on the 1100 and 1200 blocks of Coast Village Road. No operational changes are proposed.

The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2013-00006) to allow the Farmer's Market to operate on the 1100 and 1200 blocks of Coast Village Road in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44,150); and

2. A Conditional Use Permit Amendment to allow the continued operations of the State Street, Cota Commuter Lot, and Coast Village Road Farmer's Markets (SBMC §28.94.030.O).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15304(e) [Minor Alterations to Land – Minor Temporary Use of Land].

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 with concerns thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 26, 2013.
2. Site Plans
3. Correspondence received in support of the project:
   a. Paula Westbury, Santa Barbara
   b. Brenda D. Jones, Santa Barbara, CA

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

I. Approved the subject application making the following findings and determinations:

A. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

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

The project is consistent with the policies of the California Coastal Act. The Coastal Act requires that lower-cost visitor-serving facilities, such as the Coast Village Road Farmer's Market, are protected and encouraged. The Coast Village Road Market is located in an existing developed commercial area with adequate services for the use. The Coast Village Road Farmer's Market does not inhibit public beach access, recreation, or detrimentally affect any environmentally sensitive habitat area.

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 project is consistent with the City's Local Coastal Program. The Coast Village Road Farmer's Market is a public amenity in the Coastal Zone that provides a low-cost visitor-serving experience, which Local Coastal Plan Policy 4.3 protects and encourages. The Coast Village Road Farmer's Market is a temporary use that is harmonious with the surrounding commercial area.

B. CONDITIONAL USE PERMIT (SBMC §28.94.020)

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

   The Farmer's Markets provide desirable, convenient locations for the public to purchase fresh agricultural products and a marketplace for local farmers and fishermen to sell their goods at a fair market price. The Farmer's Markets have been operating at these locations for many years without major issues. As discussed in Section VI above, the General Plan refers to the benefits of the Farmer's Market to the buyers, sellers, and surrounding area and describes the desirable conjunctive use of the Cota Commuter Lot with the Saturday Farmer's Market.

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

   The operation of the Markets is accommodated by available public parking spaces including within City Parking Lots 10, 11, and 12 and within surrounding neighborhoods. The Farmer's Market and the City make efforts to minimize the disruption in City traffic patterns through implementation of traffic diversion plans and encouraging use of public parking. The Market also provides restroom facilities and recycling and trash receptacles for customers.

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

   The location of the Market vendors has been carefully considered to avoid conflicts with businesses in the area, provide emergency access, and allow for use of existing driveways. Placement of barricades does not block traffic on any cross streets. Clean-up of the site following the close of each Market is required and has been completed in a satisfactory manner in the past.

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

   During the times of each of the Markets, there is adequate parking in surrounding City parking lots and on City streets to accommodate the patrons of the Farmer's Markets. The Markets inform patrons of available parking in proximate City parking lots with signage. Additionally, the project provides bicycle parking within the Cota Commuter Lot during the Saturday market to encourage and facilitate bicycle use.

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

   The appearance and character of the Markets are compatible with the commercial nature of the surrounding areas. The Markets are a temporary use with no permanent physical change necessary for their accommodation.

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

   The Zoning Ordinance limits Certified Farmer's Markets to Commercial Zones. All Market locations are zoned commercial. No other specific Conditional Use Permit requirements apply to the use.

II. Said approval is subject to the following conditions:

A. The following conditions shall be imposed on the continued use of the operation of the three Farmer's Markets authorized by this Conditional Use Permit (CUP). Updated copies of all of the agreements and information required below shall be submitted to City Staff within 30 days of the approval of this CUP:

1. **Certified Status.** The Santa Barbara Certified Farmers Market Association (herein after, the "Market") shall maintain its status as a Certified Farmers Market as defined, authorized and permitted in accordance with Title 3, Sections 1392- 1392.12 of the California Code of Regulation and Sections 47,000 through 47,026 of the California Food and Agriculture Code collectively known as the Direct Marketing Law, as such may be amended from time to time. The Market shall submit to the Community Development Department a copy of its Certificate issued by the County Agriculture Commissioner each year as it is renewed.

2. **License Agreement.** The Market shall provide and maintain in good standing for the duration of the allowed use a signed License Agreement with the City of Santa Barbara. Said Agreement shall be submitted for approval by the City Council.

3. **Products for Sale.** The products for sale at the Market shall be limited to Agricultural Products (Certified and Non-Certified) as defined in the Direct Marketing Law and Non-agricultural Food Products such as: ocean fish, pesto, hummus, nut brittle, and whole pies. In addition, the Market may sell promotional items with the Farmers Market logo such as bags and caps. No handcrafted items are allowed.

   a. **Non-agricultural Food Products.** The sale of Non-agricultural Food Products shall be limited to no more than 10% of the participants at each market place. The sellers of value-added products must also sell the raw agricultural product at the same market.

   b. **Wine Sales.** Certified wine may be sold in conjunction with the Market, and no more than two such booths shall be allowed at any individual market place.

4. **Non-agricultural Sales.** Each person selling non-agricultural goods shall at all times maintain and display the certificate required pursuant to Municipal Code Section 5.32.035.C.2.(ii). The certificate shall be placed in a location that is clearly visible to all persons purchasing permitted non-agricultural goods and at a distance not greater than five feet from the non-agricultural goods being sold pursuant to the certificate.

5. **Environmental Health Services Standards.** All foods must be produced, prepared, packaged, stored, transported, and marketed in compliance with County Environmental Health Standards.

6. **Health Permits.** The Market shall maintain in good standing all necessary health permits for the operation of the market and shall be responsible for requiring all vendors be in possession of necessary health permits for all products sold.

7. **Food Preparation.** No food preparation will be allowed at the Market, with the exception of cooking demonstrations, providing free raw cut samples to customers, and the portioning of raw produce for sale, in accordance with the County Health and Safety Code.

8. **Fire Department Regulations.** The Market shall meet all current and future Fire Department regulations and conditions including:

   a. Maintain a minimum 16 foot wide fire access lane,

   b. Maintain adequate access to fire hydrants, and

   c. Maintain required exit areas from businesses in operation during the hours of the Market's operation.

9. **Traffic Diversion and Pedestrian Safety Plan.** The Market shall submit to the City Engineer a Traffic Diversion and Pedestrian Safety Plan for each site for review and approval. Submit the Plan to the Public Works Department for a permit. The Plan shall provide that the Market will be operated and maintained in a manner that appropriately protects the public, Market patrons, and Market participants from any and all unsafe traffic or vehicular risks which may occur in connection with using the licensed City property to the fullest extent reasonably possible. The Market shall operate at all times in accordance with the Plan, except for modifications to the Plan pre-approved in

writing by the City Engineer. A copy of the approved Plan shall also be provided to the City's Risk Manager.

10. **Barricades and Detour Signs.** The Market shall be responsible for the set-up, take down and maintenance of any barricades and detour signs used.

11. **Access Maintenance.** The Market shall avoid blockage of curb ramps and any other path of travel that specifically provides access for the disabled community.

12. **Private Parking Lots.** The Market shall provide proof of owner authorization for any private parking lot used by the Market.

13. **Towing.** If the towing of vehicles is deemed necessary, the Market shall comply with procedures for towing vehicles in accordance with applicable California Vehicle Code requirements, to ensure that a Police Officer of the City authorizes such towing.

14. **Waste Management and Maintenance.** The Market shall be fully responsible for providing recycling bins and necessary trash receptacles and disposal of such trash as required by County Environmental Health Services and the City. The Market shall comply with the terms of a standard reimbursement contract for cleaning services in the event that the site is not properly cleaned.

15. **Site Cleanup.** All cleanup methods must prevent wash water and any trash or other pollutants from entering the street and/or storm drains/drop inlets. Wash water must be properly disposed of to the sanitary sewer or adjacent landscaping.

16. **Oil Spots.** The Market shall be responsible for the cleaning of oil spots left by Market vehicles.

17. **Utility Equipment.** All equipment that is used within the Farmers Market designated area that provide utility services, such as generators, compressors for refrigeration, etc., shall meet all Federal, State, County and City regulations, codes and ordinances regarding operation and use during the Farmers Market operational hours.

18. **Signs.** The Market shall have no authority to place or erect any sign anywhere within the City except as permitted by the Sign Ordinance.

19. **Restrooms.** The Market shall provide separate men's, women's, and handicapped restroom facilities on site during the operation of the Farmers Market if the Community Development Director deems that there is a need.

20. **Complaint Brochure.** The Market shall publish and distribute an informational brochure on how to submit a complaint regarding the operation. It shall include contact information for the Market and City Planning Division. The brochure shall be subject to the review and approval by City Planning Staff. The brochure shall be distributed to all adjacent businesses and shall be available at each Market location.

21. **State Street Market Conditions.** The following conditions apply only to the State Street Market.

    a. **Times and Location.** The Market shall be allowed to operate on Tuesdays in the street public right-of-way of the 500 and 600 blocks of State Street, between Haley and Ortega Streets, between the hours of 3:30 p.m. and 7:30 p.m. when

Daylight Savings Time is in effect, and between the hours of 2:30 p.m. and 6:30 p.m. the remainder of the year. Street closure shall be allowed between the hours of 3:00 p.m. and 8:30 p.m. when Daylight Savings Time is in effect, and between the hours of 2:00 p.m. and 7:30 p.m. the remainder of the year.

b. **Alternating Vendor Orientation.** The Market shall alternate the orientation of the grower sales tables and parking on a weekly basis between the tables facing east with the trucks on the west side; and the tables facing west with the trucks on the east side.

c. **Sidewalks and Crosswalks.** The Market shall limit its operation to the street public right-of-way of the 500 and 600 blocks of State Street on Tuesdays. No sidewalk sales are permitted. The sidewalks and mid-block crosswalk access to the sidewalks on State Street shall remain open and unobstructed, and the Market shall not block pedestrian traffic.

d. **Cota Street.** The cross-street (Cota Street) that bisects the Market shall remain open to pedestrian and vehicle traffic.

e. **City Parking Lots.** The Market shall encourage patrons to utilize the following parking areas, or such other locations as the Transportation and Parking Manager may designate, in the Markets' advertising efforts:

(1) Parking Lot 10--corner of Ortega and Anacapa Streets

(2) Parking Lot 11--corner of Anacapa and Haley Streets

(3) Parking Lot 12--corner of Gutierrez and State Streets

f. **Lighting.** The Market shall pay for any additional lighting determined to be necessary by the Police Chief. If additional lighting is determined to be necessary, a lighting plan must be reviewed and approved in writing by the Building Official and be found consistent with the existing Outdoor Lighting Design Guidelines.

22. **Cota Commuter Lot Market Conditions.** The following conditions apply only to the Santa Barbara Certified Farmers Market insofar as it has been authorized to operate on Saturdays at the 119 E. Cota St. parking lot.

a. **Time and Location.** The Market shall be allowed to operate on Saturdays at 119 East Cota Street, the Cota Commuter parking lot, between the hours of 8:30 a.m. and 1:00 p.m. Parking lot closure shall be allowed between the hours of 6:00 a.m. and 1:30 p.m.

b. **Sidewalks.** The Market shall limit its operation to the Cota Commuter parking lot at 119 East Cota Street on Saturdays. No sidewalk sales are permitted. The sidewalks on Cota and Santa Barbara Streets shall remain open and unobstructed, and shall not be blocked by the Market to pedestrian traffic during the Saturday morning Market.

c. **Bicycle Parking.** The Market shall provide bicycle parking within the Cota Commuter parking lot or adjacent parkway.

d. **Adjacent Parking Lot.** The Market shall provide proof of owner authorization for public use of the parking lot at 130 E. Ortega Street during Market operational hours.

e. **City Parking Lots.** The Market shall encourage patrons to utilize the following parking areas, or such other locations as the Transportation and Parking Manager may designate, in the Markets' advertising efforts:

(1) Parking Lot 10--corner of Ortega and Anacapa Streets

(2) Parking Lot 11--corner of Anacapa and Haley Streets

(3) Parking Lot 12--corner of Gutierrez and State Streets

23. **Coast Village Road Market.** The following operational conditions apply only to the Coast Village Road Market.

a. **Locations and Times.** The Market shall be allowed to operate on Fridays on a 4-zone weekly rotational basis in the street public right of-way of the 1100 and 1200 blocks of Coast Village Road. The Market shall have the discretion to define the specific hours of their operation, as long as the street closure hours are strictly adhered to. Street closure shall be allowed between the hours of 6:00 a.m. and 11:45 a.m.

The boundaries of each zone are as follows:

- Zone A - The 1100 Block of Coast Village Road public right-of-way and median strip adjacent to Coast Village Circle (westernmost zone).
- Zone 1 – The 1100 Block of Coast Village Road public right-of-way and median strip adjacent to Paseo Mariposa and Coast Village Plaza.
- Zone 3 – The 1200 Block of Coast Village Road public right-of-way and median strip adjacent to Olive Mill Plaza.
- Zone 4 – The 1200 Block of Coast Village Road public right-of-way and median strip adjacent to Coast Village Square (easternmost zone).

b. **Holiday Restrictions.** There shall be no Market held on Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day Holidays.

c. **View Corridor.** There shall be a 12-foot wide view corridor from the road to the shops facing Coast Village Road in each zone.

d. **High Profile Vehicles.** Box trucks and trucks with high profile campers (taller than seven feet) shall be prohibited from the Market.

e. **Sidewalks.** The Farmers Market shall limit its operation to the street public right-of-way of the 1100-1200 blocks of Coast Village Road on Fridays. No sidewalk sales are permitted. The sidewalks on Coast Village Road shall remain open, and the Market shall not block pedestrian traffic during the Friday Market. There shall be no vehicle parking, stopping, or standing on the curbs, sidewalks, parking medians, City parkways or street medians.

f. **Parking Signage.** The Market shall provide directory signage advising of the Market and available parking opportunities. "No Farmers Market Parking" signage shall be placed at all access points of the adjoining private lots, where allowed, during the Market with the day and times listed. Additional signage shall be placed on the permanent 90-minute parking signs in each corresponding zone. These permanent signs will rotate with the operation and be installed no earlier than the Saturday prior to the Friday Market.

g. **Restroom Access Agreement.** The Market shall provide the Community Development Director a written agreement showing that the surrounding merchants will provide access to adequate restroom facilities for vendors participating in the Market.

B. General Conditions.

1. **Prior Conditions.** These conditions shall supersede the conditions identified in Planning Commission Resolutions 031-06 and 001-09.

2. **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.

3. **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. 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.

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.

III. NOTICE OF CONDITIONAL USE PERMIT APPROVAL TIME LIMITS:

The validity of a Planning Commission action approving the Conditional Use Permit shall terminate if the use authorized by the approval is discontinued, abandoned, or unused for a period of six (6) months following two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360. For purposes of abandonment, each Market site shall be evaluated individually. Therefore, if any individual Market site should cease operation for a period of six (6) months or more while other the Market site(s) continue to operate, only the individual Market site that ceased operation shall be deemed abandoned.

This motion was passed and adopted on the 3rd day of October, 2013 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 5 NOES: 0 ABSTAIN: 0 ABSENT: 2 (Campanella, Thompson)

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, Planning Commission Secretary

December 5, 2013
Date

PLEASE BE ADVISED:

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

City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

October 3, 2013

CALL TO ORDER:

Chair Jordan called the meeting to order at 1:04 P.M.

I. ROLL CALL

Chair Mike Jordan, Vice Chair Deborah L. Schwartz, Commissioners Bruce Bartlett, Sheila Lodge, and June Pujo.

Absent: Commissioners Campanella and Thompson.

STAFF PRESENT:

Paul Casey, Community Development Director
Bettie Weiss, City Planner
Renee Brooke, Senior Planner
Danny Kato, Senior Planner
Susan Reardon, Senior Planner
N. Scott Vincent, Assistant City Attorney
Stacey Wilson, Associate Transportation Planner
Allison De Busk, Project Planner
Andrew Bermond, Associate Planner
Dan Gullett, Associate Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of September 5, 2013

Chair Jordan announced that Item II.A.1 would be moved to 2:45 P.M.

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

None.

C. Announcements and appeals.
Ms. Brooke announced that the Planning Commission meetings of October 10 and 17, 2013 would be cancelled.

D. Comments from members of the public pertaining to items not on this agenda.
Chair Jordan opened the public hearing at 1:04 P.M. and, with no one wishing to speak, closed the hearing.

III. RECOGNITION:

ACTUAL TIME: 1:05 P.M.

PLANNING COMMISSION 90TH ANNIVERSARY

The Planning Commission was created by Ordinance 1170 on August 27, 1923, and held its first meeting on September 28, 1923. To commemorate this anniversary Staff provided a brief presentation of the milestones achieved since the Commission's inception and recognized Past and Current Planning Commissioners and Staff in attendance. A light reception followed during a meeting break.

Planner: Bettie Weiss, City Planner
Email: BWeiss@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 5509.

Bettie Weiss, City Planner, gave the presentation. Steve Wiley, City Attorney, acknowledged all present and returning Staff by name. Mayor Helene Schneider and Chair Mike Jordan recognized each returning Planning Commissioner with a certificate of appreciation for their service.

Six decades of returning Commissioners included Kenneth Kruger (1963) and Ernest Watson (1964). From the 1970;s: Tomas Castelo, Jeanne Graffy, Sheila Lodge (also on current Commission), Judith Orias, Gerry DeWitt, Michael Hall Gray, and Virginia Robinson. From the 1980's: James Craig Johnson and Elinor Langer. From the 1990's: Marty Blum, Anita Perez Ferguson, Gregg A. Hart, Dr. Dan Secord, Irma Unzueta, Maurie McGuire, Carole Echt, Brian Barnwell, Barbara Chen Lowenthal, Bendy White, Bill Mahan and Grant House. From 2000 to present: Peter Ehlen, Charmaine Jacobs, Stella Larson, George Myers, Bruce Bartlett, Michael Jordan, Deborah L. Schwartz, and June Pujo.

City Attorney Steve Wiley acknowledged all returning Staff that included Community Development Directors Paul Casey and Dave Davis; City Attorneys Steve Amerikaner, Cynthia Goena, and Kathleen Weinheimer.

Returning Senior Planners included Jan Hubbell, Stephanie Lawson-Diaz, Liz Limon and Danny Kato. Past Planning Commission Secretaries attending were Mitzi Clayton, Mary Louise Days, Susan Gantz, Pamela Gartin, and Anita Leskie.

All Commissioners met on the dais for a group photograph before the Chair adjourned the meeting at 2:00 P.M for a light reception. City TV-18 interviewed some of the returning Commissioners.

Chair Jordan reconvened the meeting at 2:45 P.M.

ITEM II.A.1. was heard:

A. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of September 5, 2013

MOTION: Pujo/Bartlett
Approved the Minutes of September 5, 2013 as earlier revised.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Campanella, Thompson)

IV. NEW ITEM:

ACTUAL TIME: 2:47 P.M.

APPLICATION OF SANTA BARBARA CERTIFIED FARMER'S MARKET ASSOCIATION, 500 & 600 BLOCKS OF STATE STREET (NO APNS), 119 EAST COTA STREET (APN 031-151-018), 1100 & 1200 BLOCKS OF COAST VILLAGE ROAD (NO APNS) (MST2013-00149 & CDP2013-00006)

The project consists of permitting the Santa Barbara Certified Farmer's Market Association's continued operations of the existing Certified Farmer's Markets on the 500 and 600 blocks of State Street, at the Cota Commuter Lot (119 E. Cota St.), and on the 1100 and 1200 blocks of Coast Village Road. No operational changes are proposed.

The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2013-00006) to allow the Farmer's Market to operate on the 1100 and 1200 blocks of Coast Village Road in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44,150); and

2. A Conditional Use Permit Amendment to allow the continued operations of the State Street, Cota Commuter Lot, and Coast Village Road Farmer's Markets (SBMC §28.94.030.O).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15304(e) [Minor Alterations to Land – Minor Temporary Use of Land].

Case Planner: Daniel Gullett, Associate Planner
Email: DGullett@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4550.

Daniel Gullett, Associate Planner, gave the Staff presentation.

Sam Edelman, Farmers Market General Manager, provided appreciatory comments to the Commission.

Chair Jordan opened the public hearing at 2:54 P.M.

Mark Sheridan, resident, offered recommendations for revised conditions of approval, such as clarification of non-agricultural products, market staffing for pedestrian safety, and physically blocking vehicles from entering the State Street market.

With no one else wishing to speak, the public hearing was closed at 2:57 P.M.

MOTION: Pujo/Bartlett **Assigned Resolution No. 013-013**
Approved the project, making the findings with a reference to fair market pricing, for the Coastal Development Permit and Conditional Use Permit Amendment, as outlined in the Staff Report, dated September 26, 2013, subject to the Conditions of Approval in Exhibit A of the Staff Report with the following revisions to the Conditions of Approval:

1. Amend Condition I.A.1 to include corrected legal references and the clause "as laws are amended."
2. Amend Condition I.A.3 to list non-agricultural sales separately.
3. Remove individual references to 'Non-Agriculture Products,' 'Non-Agricultural Sales,' and 'Wine Sales' from Conditions I.A.21, 22, and 23 and move to the general condition section (I.A.) with wording similar to the Cota and State Street Markets.
4. Delete Condition I.A.23.d., "Prohibition of Alcohol Sales."
5. Amend Condition II to clarify that if the use of one market site is discontinued for a period of six months, then only the approved use of the one site would expire, not all market sites.

Commissioners Bartlett and Jordan stated that the cessation of operations for two weeks leading to expiration of the license agreement was an inappropriately short period that should be longer and also consider natural disasters.

Commissioner Jordan suggested that the City consider providing more permanent safety improvements, such as bollards, at the North and South entrances of the State Street Market.

Commissioner Pujo asked that the license agreement include a requirement for periodic reporting to City staff on compliance with Conditional Use Permit conditions and that Commissioners comments be forwarded to City Council at the time of license agreement renewal.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Campanella, Thompson)

Chair Jordan announced the ten calendar day appeal period.

Chair Jordan called a recess at 4:12 P.M and reconvened at 4:21 P.M.

V. DISCUSSION ITEM – CONTINUED:

ACTUAL TIME: 4:21 P.M.

ZONING INFORMATION REPORTS

The purpose of this discussion is for the Planning Commission to hear from staff and the public regarding issues that arise during the preparation of Zoning Information Reports and make suggestions to the City Council on possible Ordinance amendments and changes in the process to address these issues.

Case Planner: Susan Reardon, Senior Planner
Email: SReardon@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4555

Chair Jordan provided an introduction stating that Public Comment had already been heard on September 19, 2013, and instructed Staff to summarize the next steps.

Susan Reardon, Senior Planner, gave the Staff presentation that included an ordinance amendment timeline.

Steve Wiley, City Attorney, commented on discrepancies between ZIRs that in his experience, 9 times out of 10 the perceived discrepancy is due to unpermitted work having been done between the time the two ZIRs were prepared.

Bob Hart, speaking on behalf of the Santa Barbara Realtors Association, stated that Realtors encounter the attitude of having to prove innocence, and instead of being found innocent when something is not known by the city. Gave example of a neighboring city where if no permit records can be found, then it is deemed OK. Whereas in Santa Barbara, if supporting permit records cannot be found, then it is deemed wrong and in violation.

Laurel Abbot added that often realtors are met by counter staff saying that a report cannot be done within the contingency period and that an expedite fee must be paid. Clarification was given between the 17 day contingency period and the escrow period. The escrow period is longer than the contingency period. If the report is received after the contingency period, it could launch a new contingency period.

The Association appreciated the idea of a formal appeal process but was concerned with added cost to a client and suggested a nominal fee structure. The Association was open to participating in any future community forum for an exchange of dialogue.

Commissioners Comments:

- Commissioner Lodge understood the realtor's concerns about the properties not being sold within a year and suggested that consideration be given to extending the expiration of the ZIR to 18 months or 2 years to allow the applicant a longer window of time. Believes the ZIR's serve a useful purpose for the seller and the

buyer. Staff is doing a good job and should continue in the direction they are going. Did agree that ZIR's should not be optional

- Commissioner Jordan reiterated Commissioner Thompson's comments of support for an appeal process; concerned with timeline and cost. Support of administrative approval process. Agreed that ZIR's should not be voluntary or optional; either have them or not. Concerned with unintended consequences on the current housing stock.
- Commissioner Pujo agreed with many of Commissioner Lodge's comments regarding ZIR report value and extended expiration date. Supportive of retaining the ZIR system, just needs processing improvements. Supports a future workshop. Appreciated Thompson's comments, including a formal appeal process with quick turnaround, but not in favor of an appeal process that goes up the chain of appeal, perhaps include an administrative level. In the area of process improvement needs, found: 1) Non-conformities. (legal non-conforming). Need to deal with errors in older reports that were not correctly tagged as legal non-conforming, possibly due to not having the tools. Should be treated differently from each other. Both categories need attention at different levels. For example, buyer could go one step further and ask for determination of what that means if it is in an error category. Strongly supportive of SHO administrative approval, as described in the staff slides. Does not necessarily mean that it goes to a SHO hearing, can be handled administratively. 2) Forms and Submittals: Information about what to expect, timing of reports, clarification on what reports are and are not, could be greatly improved. 3) Fees; Perhaps a break could be given on fees if the new owner volunteers to fix violations that are found.
- Commissioner Bartlett stated that we want to encourage people to go through a streamlined process to meet compliance. Supported an appeal process, including an administrative appeal that is not overly costly for applicant. Keeping things at the SHO level as much as possible is good. Clarifying what ZIR reports are and are not is critical. There should be a different process considered in the case of a voluntary ZIR where an owner wants to get an early look at what they may have, instead of a ZIR that comes back to hurt them when they sell. Fees need to be representative with the time allocation needed to prepare them. Fees need to be looked at double or nothing if not on time. Regarding timing, realtors should be more proactive, especially with increasing market. Support increasing the life of the ZIR. Suggested normal fee if applying early, others can pay the expedite fee if applying later. Believes we should keep ZIR as a requirement. It is a good process that serves a valuable purpose, just needs streamlining.
- Commissioner Schwartz referenced a memo by Mayor Schneider and Councilman Francisco and sees potential amendments to the city's zoning ordinance. Also sees the need for a companion piece for what is not covered by the ordinance, such as human resource allocation, fees associated with the process, and the ZIR. Referenced the PowerPoint that Staff took to Council on August 13, 2013. If a municipality is to have zoning ordinances and code, we need tools to monitor and enforce them. Not sure what to do about existing ZIR reports that buyer and

seller once relied on that gave a clean bill of health and later issues are found. The City needs to take responsibility for the content and accuracy of the ZIR reports. To resolve discrepancies, suggested grandfathering inaccurate information, missing information, etc. at the point of contact with buyer/seller transaction, so that the city problem is not passed on to someone else. Not fair for it to be the burden of the community. Cost and Timeframe: Not sure what the remedy is for not delivering our product on time. Suggested that Realtors request reports early as possible. Supported extending the reports 18-24 months. Supported retaining ZIR's as required, if improvements are made. The Commission has periodically discussed illegal dwelling units and still has not had a robust working session on this reoccurring topic. Supports a streamlined administrative process that does not drag down the process. Commissioner Schwartz did her own research asking contractors and home inspectors with what fees they would charge and found they are in line with what the city charges now. If we maintain full cost recovery fees, we should be able to staff up/staff down to follow the markets fluctuations. Concurred with Commissioner Bartlett that we need to find processes and legal language that helps the city and real estate industry come together to find common ground to improve the ZIR process. Extended appreciation to staff and the real estate industry that has put four years into a collective benefit.

- Commissioner Jordan reiterated that there is little traction for a voluntary report versus mandatory report. Encouraged the Board of Realtors to get past that and engage their resources on suggestions for process improvements. Believes ZIR's should be mandatory and not optional. Will look for process expediencies and fee reductions in instances where we can and when it is shown that staff made a mistake. Supports the Staff Hearing Officer administrative stream as the way to go. There is a burden on the city to repair the good will that has been lost in this process. Felt that cleaning up P3 performance evaluations to match up goals with the ordinance should be done. Supports Commissioner Thompson's suggestion of a workshop.

Ms. Weiss thanked the Commission for its comments and acknowledged the work that has been done over the last four years. Work will continue with the Association and the Council.

VI. ADMINISTRATIVE AGENDA

ACTUAL TIME: 6:30 P.M.

A. Committee and Liaison Reports.

2. Staff Hearing Officer Liaison Report

None was given.

3. Other Committee and Liaison Reports

a. Commissioner Jordan announced that it was First Thursday.

VII. ADJOURNMENT

Chair Jordan adjourned the meeting at 6:30 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary

Agenda Item No. 10

File Code No. 550.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Execution Of A License Agreement For Parking Purposes At The Granada Garage

RECOMMENDATION:

That Council authorize the Public Works Director to execute a License Agreement with the Trustees of the Lesley J. Alexander Trust for use of three parking spaces within the Granada Garage for five years.

DISCUSSION:

The Granada Theater (Theater) is in the process of acquiring the neighboring properties necessary to construct the Paseo De Las Granadas Theater Project (Project) in the open parking area behind the Granada Garage and the Granada Theater. The Project will include two two-car garages for the residential units on the upper floors of the theater, trash facilities, and a parking area for the buses and/or trucks associated with theater shows. When the Project is completed, the Theater proposes to transfer and dedicate to the City the parcel of real property where the Paseo De Las Granadas (Paseo) is located. (See area highlighted in red on the attached Vicinity Map.) Prior to the dedication the Theater will install the necessary improvements to create safe pedestrian access from the Paseo at State Street to the Granada Garage.

The Theater has asked the City to assist with a short term parking solution to facilitate acquisition of the neighboring private parking lot. The parking lot is owned in part by the Trustees of the Alexander Trust (Alexander Trust). The Theater needs to acquire the Alexander Trust's interest in the parking lot in order to complete the Project. The acquisition of this property interest and the subsequent dedication of the Paseo will ultimately result in the loss of three legal non-conforming parking spaces used by the Alexander Trust. To this end, the Alexander Trust has requested that the City enter into a Parking License Agreement (Agreement) whereby the City would issue the Alexander Trust three monthly parking permits in the Granada Garage (Garage) for a term of five years. The license agreement will not become effective, and the permits will not be issued, until recordation of the final subdivision map for the Paseo De Las Granadas Project. Once the permits are issued, the permit holders will be allowed to park in

unassigned spaces in the basement or upper levels of the Garage on a first come, first served basis with the general public.

BUDGET/FINANCIAL INFORMATION:

The value of three monthly parking permits in the Garage over a five year term is $27,900. Since the Garage has the capacity to handle issuance of these three additional permits, the Downtown Parking Program will not realize an actual loss in revenue as a result of granting these permits.

ATTACHMENT(S): Vicinity Map

PREPARED BY: Browning Allen, Transportation Manager/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT

VICINITY MAP

DATE	3/25/14
DRAWN	LY
BID NO.	N/A
SCALE	1" = 50'
SHEET	1 OF 1

Drawing1.dwg; 3/25/2014 5:58 PM; Yanez, Laura

Agenda Item No. 11

File Code No. 530.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Rejection Of The Safe Routes To School Cleveland Project Bids

RECOMMENDATION:

That Council reject all bids for construction of the Safe Routes to School Cleveland Project and direct staff to re-bid the Project.

DISCUSSION:

PROJECT DESCRIPTION

The Safe Routes to School Cleveland Project (Project) consists of pedestrian and vehicular safety improvements at four intersections within the Eastside Neighborhood, including Clifton Street at Oak Street, Clifton Street at Salinas Street, Cacique Street at Salinas Street, and Santa Ynez Street at Eucalyptus Hill Road. All four of these intersections are on the suggested route to school for Cleveland Elementary School, as presented in the City's Pedestrian Master Plan.

The Project will improve safety at the four intersections in three ways. First, new sidewalk access ramps will be constructed at the intersections of Clifton Street at Oak Street and at Santa Ynez Street at Eucalyptus Hill Road. Second, pedestrian safety lighting will be installed at the intersection of Clifton Street at Salinas Street. Finally, the intersection of Cacique Street at Salinas Street, which is currently offset approximately fifteen feet from north of the intersection to just south of the intersection, will be realigned and pedestrian safety lighting will also be installed at that location.

CONTRACT BIDS AND REQUEST TO REJECT ALL BIDS

A total of seven (7) bids were received for the subject work, ranging as follows:

	BIDDER	BID AMOUNT
1.	DPM Construction Company Camarillo, CA	$150,565.00*
2.	V. Lopez Jr. & Sons Santa Maria, CA	$196,030.50*
3.	Granite Construction Santa Barbara, CA	$228,015.00
4.	Berry General Engineering Ventura, CA	$258,993.00
5.	Lash Construction Inc. Santa Barbara, CA	$259,862.00
6.	R. Burke Corporation San Luis Obispo, CA	$279,661.00
7.	G. Sosa Construction, Inc. Orcutt, CA	$330,900.00

*corrected bid total

After review of the bid proposals, staff believes it is in the best interest of the City to reject all bids so that the bid specifications pertaining to the qualification of bidders, construction phasing and durations, and temporary traffic control requirements may be revised to reflect the special needs of the Project. Staff, therefore, recommends that Council exercise its authority under Charter section 519 and reject all bids. The Project will promptly be re-bid and staff anticipates returning to Council in the next 60 to 90 days for award of the new contract.

SCHEDULE

Construction is anticipated to start in early July 2014 and be complete by September 2014. The construction schedule requires some changes to the phasing in order to provide a safe route to Cleveland Elementary School once the children return from summer break.

FUNDING

This Project is funded by the Safe Routes to School Cycle 3 Grant and the Measure A Cycle 1 Grant. Staff has confirmed with Caltrans, the grant administrating agency, that the rejection of all bids does not affect the eligibility of the construction contract for grant reimbursement. There are sufficient funds in the Streets Fund to cover the cost of this Project.

PREPARED BY: Linda Sumansky, Principal Civil Engineer/LY/sk

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

Agenda Item No. 12

File Code No. 520.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Community and Media Relations, Police Department

SUBJECT: Police Department Explorer Program Funds

RECOMMENDATION:

That Council increase appropriations and estimated revenues in the Police Department Explorer Program by $5,666.

DISCUSSION:

On February 16, 2014, the Santa Barbara Police Department's Youth Explorer Program held the 2nd Annual Menudo Festival to raise funds for the Explorer Program. A total of $5,666 was earned from the event. This money will be used to pay for travel and expenses associated with participation in multi-agency competitions and attendance in an Explorer Academy, as well as uniforms and equipment.

The Explorer Program is a volunteer organization for young adults who have an interest in a career in law enforcement. The Santa Barbara Police Department's Explorer post currently has 25 Police Explorers, ages 15-20, preparing for careers in law enforcement.

BUDGET/FINANCIAL INFORMATION:

These funds will be used to cover costs associated with the Explorer Program.

PREPARED BY: Riley Harwood, Sergeant

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office

Agenda Item No. 13

File Code No. 520.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Administration Division, Fire Department

SUBJECT: Sole Source Purchase Order For Versaterm, Inc., Computer Aided Dispatch Paging Module Software

RECOMMENDATION:

That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070(k), and authorize the General Services Manager to issue a purchase order to Versaterm, Inc., for a Versadex CAD 7.3 Paging module in an amount not to exceed $35,000.

DISCUSSION:

On July 7, 2012, the Carpinteria-Summerland Fire Protection District (CSFPD) submitted a grant application to the U.S. Department of Homeland Security (DHS) on behalf of CSFPD, the City of Santa Barbara Fire Department (SBFD) and the Montecito Fire Protection District (MFPD) for a grant under the 2012 Assistance to Firefighters Grant Program. The requested funds would be used for the procurement of communications equipment. On April 6, 2013, the DHS awarded CSFPD a grant in the amount of $592,303, which includes a 20% local match of $118,461. The SBFD's share of this grant is $431,467, which requires the SBFD to provide matching funds of $86,293 (20%).

Through use of this federal grant, the SBFD has already obtained 98 personal-issue portable radios, vehicle chargers and speaker microphones at a cost of $396,467. As such, $35,000 of the total grant, including the matching portion, remains unspent.

The City is now ready to complete the final grant purchase with the acquisition of a Versadex Computer-Aided Dispatch (CAD) 7.3 Paging module. This paging module is an add-on software package to the existing Versadex CAD system currently in use (since 2007) by dispatchers in the 911emergency call center. This paging module component increases the CAD system's overall functionality and effectiveness by immediately notifying emergency personnel about significant events in the City such as large-scale disasters or multi-engine company responses.

Due to its proprietary nature, configuration and interface with the existing CAD system, the Versadex CAD 7.3 Paging module is the best option available to meet our information and communication requirements, and Versaterm Inc. is the only supplier that can provide it. Consequently, staff recommends waving formal bid procedures and authorizing the General Services Manager to issue a purchase order to Versaterm Inc. for the Versadex CAD 7.3 Paging module in an amount not to exceed $35,000.

BUDGET/FINANCIAL INFORMATION:

The estimated total project cost for this paging module is $35,000. Funds have been previously appropriated to the Fire Department's Operation Division for this expenditure.

PREPARED BY: Ronald Liechti, Administrative Services Manager

SUBMITTED BY: Patrick McElroy, Fire Chief

APPROVED BY: City Administrator's Office

Agenda Item No. 14

File Code No. 520.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Administrative Services, Police Department

SUBJECT: Bulletproof Vest Partnership Award

RECOMMENDATION: That Council:

A. Accept $17,731 from the U.S. Department of Justice's 2013 Bulletproof Vest Partnership grant; and

B. Increase appropriations and estimated revenues by $17,731 in the Police Miscellaneous Grants Fund for the purchase of forty-six (46) bulletproof vests.

DISCUSSION:

In May 2013, the Santa Barbara Police Department submitted an application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for their Bulletproof Vest Partnership grant. This partnership grant provides 50% of the funding for the purchase of bulletproof vests for sworn officers responding to calls for service.

On October 3, 2013, the Police Department was informed that they were approved to receive funding from the Bulletproof Vest Partnership grant through 2015, which will help to fund the purchase of approximately 46 bulletproof vests. In order to receive the grant award, the Police Department is required to match fifty percent (50%) of the funds given by the Department of Justice. These matching funds were included in the Department's Fiscal Year 2014 budget and will be included in the Fiscal Year 2015 recommended budget.

The Police Department requires all officers to wear a vest while on duty and issues all of its officers and reserve officers bulletproof vests as part of their standard safety equipment. During Fiscal Year 2014, approximately 30 vests will be purchased with the remaining 16 vests to be purchased in Fiscal Year 2015.

BUDGET/FINANCIAL INFORMATION:

The grant will reimburse the Police Department $17,731, and the Police Department will provide the 50% match as part of the Fiscal Year 2014 and 2015 budgets.

PREPARED BY: Marylinda Arroyo, Sergeant

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office

Agenda Item No. 15

File Code No. 180.02

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Proposed Lease Agreement With Santa Barbara Arts Collaborative For Community Arts Workshop At 631 Garden Street

RECOMMENDATION:

That Council approve a five-year lease agreement with the Santa Barbara Arts Collaborative for the development and use of City-owned property at 631 Garden Street as a Community Arts Workshop.

DISCUSSION:

City staff has negotiated with the Santa Barbara Arts Collaborative to prepare a five-year lease agreement for the development and use of City-owned property at 631 Garden Street as a Community Arts Workshop. The two buildings on site were most recently used as a recycling center and the site is currently vacant. The Community Arts Workshop will share site access with the adjacent Ortega Well Treatment Facility.

The Community Arts Workshop will become the permanent home for Summer Solstice activities and a year-round resource for arts organizations to be used for workshops, exhibits, rehearsals, classes, and community meetings. For many years, Summer Solstice has been challenged with finding space to create costumes and floats and prepare for the annual parade, managing to secure temporary space each year without a permanent base. Performing arts and visual arts organizations have also lacked an affordable space for art creation, set design, rehearsals, and meetings. The Community Arts Workshop will provide a flexible space to meet the needs of these arts organizations.

Santa Barbara Arts Collaborative

The Santa Barbara Arts Collaborative was originally organized in 2007 as a subcommittee of the City Arts Advisory Committee to address the changing landscape of arts funding in Santa Barbara. The Arts Collaborative is now a 501 (c) 3 non-profit organization of artists and supporters committed to sustaining and growing all forms of the arts in Santa Barbara. The Collaborative is governed by a Board of Directors with

representation from various constituency groups, including artists and arts organizations who wish to utilize the Community Arts Workshop.

Lease Highlights
The lease agreement was developed to facilitate the first phase of construction for the Community Arts Workshop. Key lease provisions are summarized below:

- **Rate**: $1 per year; Arts Collaborative pays all utility expenses.

- **Term**: 5 years, followed by the preparation of a 25-year lease upon completion of the following milestones which may take less than five years to complete:
  (a) Develop and implement a vapor mitigation plan for the north building to abate the risk of vapor intrusion in this building and enact the approved plan, in coordination with Santa Barbara County Environmental Health Services;

  (b) Complete construction documents and obtain required design review approvals and building permits to develop the site;

  (c) Clean and paint interior walls in both buildings by December 30, 2015;

  (d) Install signs identifying facility as Community Arts Workshop by December 30, 2015;

  (e) Install two gates and secure the perimeter;

  (f) Upgrade electric service; and

  (g) Construct public restrooms in the north building and access to them.

- **Use Limitations:** Soil contamination exists as a result of former leaking underground fuel tanks. Soil remediation activities did not remove all of the contamination. The County Environmental Health Services Department declared a closure of the LUFT (Leaking Underground Fuel Tank) site on January 30, 2014. A Soils Management Plan was developed for the site and the County Fire Department provided potential vapor mitigation measures if the site is developed. Such measures could include passive venting or the installation of a vapor barrier. The Arts Collaborative must develop and implement the vapor mitigation measures, as approved by Santa Barbara County Environmental Health Services.

  The building at the south of the premises is structurally challenged and can only be used for storage until a structural evaluation is completed and corrections are made. Before the building can be used for any purpose, an electrical system evaluation must be completed and deficiencies corrected.

- **Permitted Uses**: The site can only be used for Summer Solstice activities until vapor mitigation measures are implemented. Upon completion of vapor mitigation measures, the site can host other arts organizations for uses related to community arts. Both buildings must adhere to occupancy restrictions determined by the City's Chief Building Official.

- **Sharing Site Access with Ortega Well Facility**: The Arts Collaborative will share site access and maintain clearance for regular maintenance activities at the Ortega Well Treatment Facility. Construction and maintenance activities will be coordinated.

- **Performance Standards**: The Arts Collaborative must allow the site to be occupied for Summer Solstice activities for a maximum of 90 days and, upon completion of the vapor mitigation measures, permit use of the site by other community arts organizations on a temporary basis.

On January 27, 2014, Council voted to provide $300,000 in one-time capital funds for the first phase of work at the Community Arts Workshop. The Arts Collaborative intends to launch a fundraising campaign to further develop the site and operate the space.

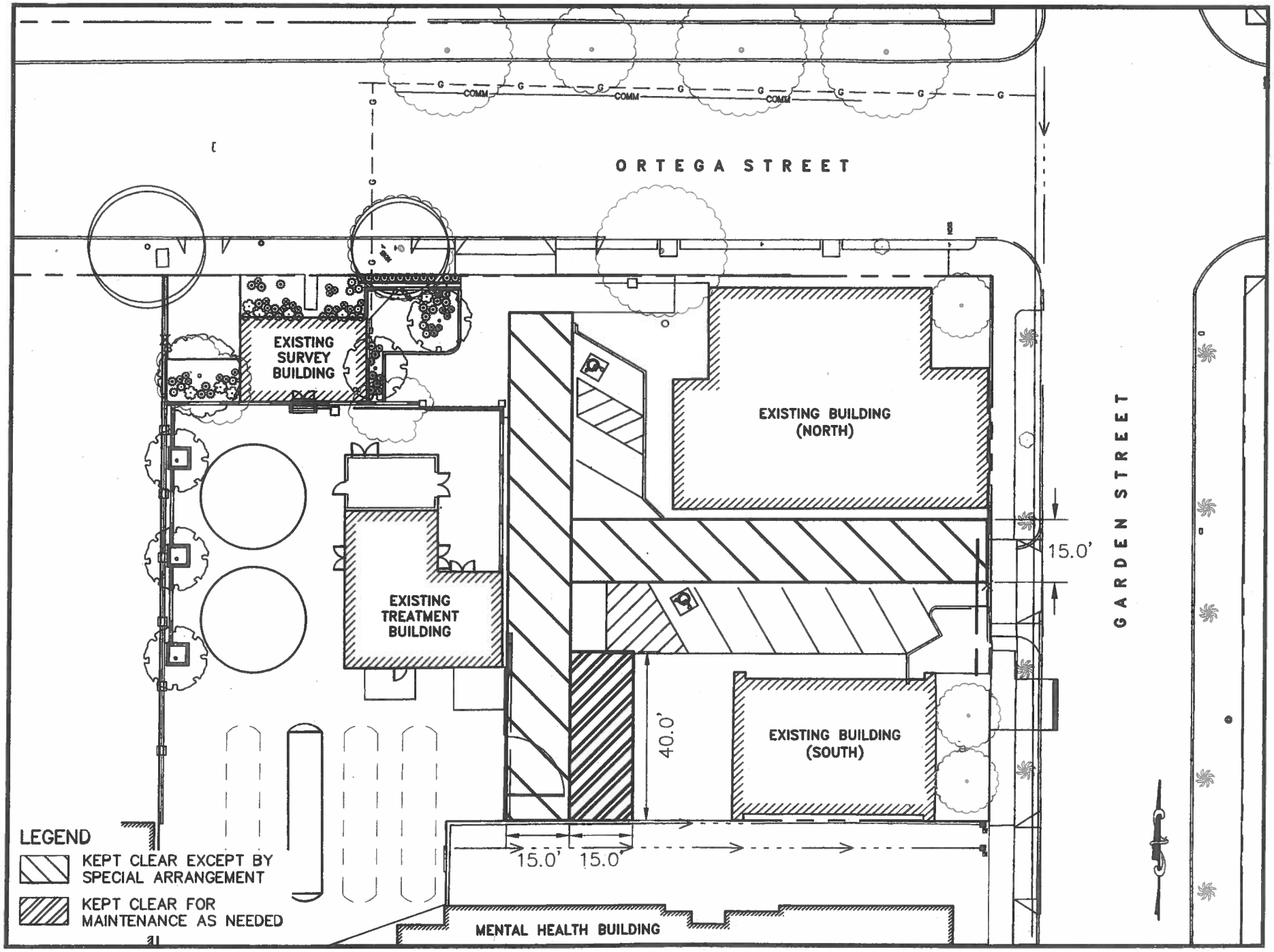
ATTACHMENT(S): Site Plan

PREPARED BY: Nina Johnson, Assistant to the City Administrator

SUBMITTED BY: Jim Armstrong, City Administrator

APPROVED BY: City Administrator's Office

Site Map - 631 Garden Street



Attachment

Agenda Item No. 19

File Code No. 570.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Administration Division, Parks and Recreation Department

SUBJECT: Urban Forest Management Plan

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Urban Forest Management Plan.

EXECUTIVE SUMMARY:

The City of Santa Barbara has a long history of municipal tree planting and a diverse urban forest. Today, Santa Barbara's urban forest faces a number of challenges related to tree age, infrastructure constraints, species diversity, program funds, and community participation. The City developed the Urban Forest Management Plan (Plan) to provide a long-term guide for the preservation and enhancement of trees in Santa Barbara. Initiated in July 2012, the Plan provides the framework for the City's urban forest, identifies key management issues, outlines goals, objectives, and actions, and proposes priorities for implementation.

DISCUSSION:

Background

The City of Santa Barbara has a long history of municipal tree planting and a diverse urban forest. Initially spearheaded in the early 1900s through the horticultural and civic leadership of prominent City residents, it is estimated that the City's urban forest is currently comprised of more than 320,000 trees. City-owned trees along public streets and in parks and other public places are estimated to represent 20 percent of the urban forest. The remaining 80 percent is found on private and other public property. There are more than 450 species of trees on City property. Citywide canopy coverage is estimated to be 25.4 percent.

Although the City has a Street Tree Master Plan (1977) and tree preservation policy guidance in the Municipal Code, General Plan, and other policy initiatives, Santa Barbara's urban forest faces a number of challenges. In certain areas of the City, the

urban forest is aging, mature trees conflict with infrastructure, and species diversity is in decline. In addition, resources for the planting and care of trees and community participation in tree management are limited. The purpose of an urban forest management plan is to identify long-term preservation and enhancement objectives, address key management considerations including infrastructure constraints, confirm environmental, aesthetic, and community priorities, and effectively allocate public resources.

In May 2012, the Parks and Recreation Department (Department) received a grant from the California Department of Forestry and Fire Protection (CAL FIRE) for the development of an Urban Forest Management Plan (Plan).

Plan Development

Plan development began in July 2012. Since then, the Department completed a case study of urban forest management plans, prepared a baseline tree canopy assessment and policy options analysis, and pursued extensive public discussion through community meetings, survey tools, City TV, web resources, and presentations to Boards and Commissions and community organizations. A Technical Advisory Committee (TAC) with members from the City's Parks and Recreation Commission, Street Tree Advisory Committee, and Planning Commission, as well as representatives from Southern California Edison, Santa Barbara Botanic Garden, and Santa Barbara Beautiful met throughout Plan development. The staff team included representatives from the Parks and Recreation, Community Development, Public Works, and Fire Departments as well as the City Attorney's office. Over more than 18 months, a total of 32 meetings were held with the TAC, City staff, the Parks and Recreation Commission, Planning Commission, Architectural Board of Review (ABR), Historic Landmarks Commission (HLC), Single Family Design Review Board (SFDB), Street Tree Advisory Committee (STAC), and Neighborhood Advisory Committee (NAC). City Council received a status report on the progress of Plan development on August 13, 2013.

Plan Organization

<u>Framework</u>

The Plan is organized in eight sections. The first four provide the framework for Santa Barbara's urban forest, including its history, the benefits of trees, diversity and canopy coverage, and outline policy and public management considerations.

<u>Key Issues</u>

Section five presents key issues for urban forest management today and in the future. Developed through public meetings, a community survey, and extensive discussion with staff and City boards and commissions, the identification of tree-related key issues for the long-term management of Santa Barbara's urban forest provides the foundation for the

urban forest objectives and implementation actions. Key issues address street tree and park tree management, private tree maintenance, program funding, policy guidance, City organization functions, public participation and knowledge about trees, and environmental considerations.

Vision and Mission

The vision and mission illustrates the vision for Santa Barbara's future urban forest and mission of the City's Urban Forest Program.

> *Vision*: Santa Barbara's urban forest is healthy and diverse, and contributes to the community's economic, environmental, and aesthetic vitality. It is valued and cared for by the City and its citizens, and reflects our horticultural heritage.
>
> *Mission:* Preserve, protect and enhance our trees, promote the benefits of trees, and foster a healthy and diverse urban forest.

Goals

The Plan includes the following goals:

1. Elevate the importance of the urban forest.
2. Continue Santa Barbara's horticultural legacy.
3. Promote a vibrant and healthy community.
4. Foster awareness and appreciation of trees.

Plan Objectives and Implementation Actions

Fifteen Objectives and corresponding Implementation Actions of the Plan are organized under: 1) Tree Resource Management, 2) City Organization and Policy, and 3) Community Involvement. Each Objective includes a discussion to provide context as well as support the need for each objective and the associated actions. Implementation of any action will include policy, program and budget coordination as well as an assessment of long-term funding and data gathering needs, development of tools and programs, and staffing levels.

Tree Resource Management

Eight objectives and a number of actions focus on planning, planting, and maintenance, maximizing the economic, environmental and aesthetic benefits of the urban forest, and protecting Santa Barbara historic and specimen trees.

- Objective 1 includes actions to trim trees more frequently citywide, develop multi-year maintenance plans and address trees located under high voltage utility lines

through formalized partnerships with Southern California Edison and other utility companies.

- Objective 2 actions are specific to parkway trees and the surrounding infrastructure. Actions include revisions to infrastructure construction specifications, widening of parkways where feasible, development of parkway planting guidelines, providing strategic plans to address sensitive trees during drought conditions, enhancement of soil and use of permeable pavers where feasible.
- Objectives 3 and 4 seek to increase tree canopy and optimize age and species diversity. Actions include identifying and planting large or larger trees where feasible, completing a comprehensive inventory of vacant sites to determine which ones are viable for replanting, maintaining and/or increasing species diversity and partnering with local nurseries for the propagation of unique and desirable trees not commercially available.
- Objective 5 includes actions that maximize economic, environmental and aesthetic benefits, including strategic plantings for shading and energy conservation, and developing street tree plans for major commercial corridors such as Milpas, Upper State, and De La Vina streets, among others. This objective also contains actions that seek to work with private landowners to minimize tree-infrastructure conflicts.
- Objectives 6 and 7 are specific to park and facility trees. Actions under these objectives include development of a park tree replacement program, increased canopy cover, control of invasive species, use of native trees where appropriate, and riparian restoration in parks with creek habitats.
- Objective 8 addresses historic and specimen trees. Actions include revisions to the definition and criteria for designating these trees, clarification on guidance for maintenance and replacement of designated species, and increased maintenance.

City Organization and Policy

The Plan includes five objectives and 18 supporting actions that enhance the City's investment in urban forest health and management, improve interdepartmental and interagency collaboration, elevate urban forest objectives in land development considerations, and ensure ordinances support urban forest management. Specific actions include:

- Increase annual maintenance funding
- Establish funding for community outreach and education
- Establish an inter-departmental urban forest team to address tree management and coordinate tree review for land development projects
- Implement annual staff, board and commission tree training program to review tree ordinances and Plan objectives
- Update the Street Tree Master Plan
- Develop a Park Tree Master Plan
- Develop partnerships with organizations, businesses and the public school system to encourage tree health and plantings on private property

Community Involvement

Community involvement objectives and supporting actions focus on enhancing and expanding community participation and investment in the urban forest. Three objectives seek to enhance public awareness and expand public participation in urban forest preservation through actions such as:

- Comprehensive tree education and technical assistance programs
- Partnerships with organizations, businesses, and schools
- Adopt-a-Block or Adopt-a-Tree programs
- Urban forest stewardship projects
- Community involvement in street tree designations, planting and maintenance
- Collaboration with universities and colleges on urban forestry science

Urban Forest Management Plan Implementation

The final section of the Plan addresses some priorities for implementation and illustrates how the City already undertakes many of the urban forest management objectives. A detailed matrix outlines current actions that will continue and actions that will require additional resources in both the short and long term. As a 30+ year Plan, many actions will be implemented over an extended period of time. Implementation priorities are likely to vary based on City resources and community objectives.

Some key considerations for priority implementation in the next two to five years address developing better tools to foster tree health and manage infrastructure, improving City management and coordination, and building community understanding of tree policies and enhancing public participation. Some examples include:

- Expand resources to maintain existing trees
- Revise parkway infrastructure specifications to minimize infrastructure conflicts and promote tree health
- Update the Street Tree Master Plan
- Develop and implement a comprehensive outreach and education program
- Establish an interdepartmental urban forest team

In addition, a key consideration in the short-term will be developing a drought management plan for the City's public tree resources.

Board and Commission Review and Recommendations

From December 2013 to March 2014, the Department presented the proposed plan and received recommendations for Council adoption from the Street Tree Advisory Committee, Parks and Recreation Commission, Single Family Design Board, Architectural Board of Review, Historic Landmarks Commission, and the Planning Commission. A summary of

Board and Commission comments and priorities for implementation is included as Attachment 2.

Plan Outreach

Community information tools to promote the Plan include a City TV *Inside Santa Barbara* video, printed materials, signage, website resources and presentations to community organizations.

BUDGET/FINANCIAL INFORMATION:

Development of the plan was funded through a $71,092 grant from CAL FIRE. Grant funds partially supported the staff time for plan development and project outreach tools. In addition to tree management funding allocated through the City's annual budget process, grant resources will be pursued to support Plan implementation.

SUSTAINABILITY IMPACT:

In addition to quality of life and aesthetic community benefits, the City's urban forest provides energy conservation, water quality, air quality, and wildlife habitat benefits.

ATTACHMENTS:
1. Urban Forest Management Plan
2. Summary of Board and Commission Priorities

PREPARED BY: Jill E. Zachary, Assistant Parks and Recreation Director

SUBMITTED BY: Nancy L. Rapp, Parks and Recreation Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

SANTA BARBARA URBAN FOREST MANAGEMENT PLAN

PRESERVING AND PROTECTING
OUR COMMUNITY TREES

March 2014

ACKNOWLEDGEMENTS

On behalf of the City Parks and Recreation Department, we would like to thank the following people for their contributions to the development of the Urban Forest Management Plan.

Parks and Recreation Department Staff
Nancy Rapp, Parks and Recreation Director
Jill Zachary, Assistant Parks and Recreation Director
Tim Downey, Urban Forest Superintendent
Mandy Burgess, Administrative Analyst
Santos Escobar, Parks Manager

Community Development Department
Bettie Weiss, City Planner/Acting Community Development Director
Jaime Limon, Senior Planner II
Dan Gullet, Project Planner

Public Works Department
Rebecca Bjork, Public Works Director
Pat Kelly, Assistant Public Works Director/City Engineer
Derrick Bailey, Transportation Engineer
Rick Fulmer, Streets Manager
Brian D'Amour, Project Engineer
Browning Allen, Transportation Manager

Fire Department
Joe Poire, Fire Prevention Division Chief
Ann Marx, Fire Inspector

City Administration
Jim Armstrong, City Administrator
Paul Casey, Assistant City Administrator
Scott Vincent, Assistant City Attorney

City Boards and Commissions
Parks and Recreation Commission
Planning Commission
Historic Landmarks Commission
Architectural Board of Review
Street Tree Advisory Committee
Single Family Design Review Board
Neighborhood Advisory Committee

City Council

Technical Advisory Committee Members
Lesley Wiscomb, Parks and Recreation Commissioner
Charles Trentacosti, Parks and Recreation Commissioner
Maury Treman, Street Tree Advisory Committee Member
Duke McPherson, Street Tree Advisory Committee Member
Mike Jordan, Planning Commissioner
Robert N. Muller, Director of Research, Santa Barbara Botanic Garden
Patrick Gladden, SCE Area Vegetation Manager, Southern California Edison
Robert Adams, Landscape Architect, Santa Barbara Beautiful
Beebe Longstreet, Parks and Recreation Commissioner

Members of the Public
The City wants to thank the engaged citizens and groups who participated in community meetings and surveys and provided valuable input.

California Department of Forestry and Fire
The development of the Urban Forest Management Plan was funded in part from a California Department of Forestry and Fire Protection (CAL FIRE) Urban and Community Forestry Grant.

Santa Barbara Urban Forest Management Plan

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Glossary

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I. Introduction

Santa Barbara was once a largely treeless landscape of grassland and coastal wetlands with coast live oaks along canyons and hillsides and sycamores and willows lining the creeks.[1] Today, an estimated 320,000 trees grow along city streets, in parks and on private property creating Santa Barbara's urban forest.[2] The urban forest is one of Santa Barbara's most visible and vibrant natural resources providing aesthetic, ecological and economical benefits as well as reflecting horticultural heritage, cultural and community well-being. The urban forest touches the lives of Santa Barbara residents and visitors every day and profoundly influences the city's urban landscape. Trees characterize neighborhoods, beautify parks, enhance commercial corridors, complement buildings, provide environmental benefits and wildlife habitat, and contribute to community health and wellbeing. A recent assessment of Santa Barbara's street tree population estimates they provide over $2 million in annual benefits.[3] If extrapolated out to all trees in the urban forest, benefits could reach upwards of $29 million on an annual basis.

The urban forest is distinguished by its urban setting of paved surfaces, streets, buildings, homes, parks and undeveloped open spaces. Similar to many California coastal communities, Santa Barbara's urban forest is the result of tree planting and landscaping activities carried out by people rather than native growth.[4] Like streets, sidewalks and other urban infrastructure, the urban forest needs regular maintenance and a long-term plan to ensure its health and longevity.

Benefits of Trees

The City recognizes the important environmental, economic and social benefits trees provide, including energy conservation, stormwater reduction, carbon dioxide reduction, air quality improvement, social health and aesthetics. The U.S. Forest Service has developed tools to measure these benefits and ecosystem services. Collectively, Santa Barbara's urban forest has the potential to provide the community with $29 million in benefits annually. The following includes some examples of how trees affect our lives and the community around us.

<u>Environment</u>

Trees have many positive environmental effects to our surroundings. Leaves filter air by removing dust, other particulates and gaseous pollutants like carbon dioxide and

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[1] Hartfeld, Edward A. (2001). *The Santa Barbara City Park Department, Dwight Murphy and John Hartfeld and the Depression Miracle*. Santa Barbara Historical Society: Noticias 48 (4) 78-105.

[2] City of Santa Barbara Parks and Recreation Department. (2012). *City of Santa Barbara Tree Canopy Cover Assessment*, Santa Barbara.

[3] City of Santa Barbara Parks and Recreation Department. (2009). *City of Santa Barbara i-Tree Assessment. Santa Barbara, CA.*

[4] Muller, Robert N. and J. Robert Haller. (2005). *Trees of Santa Barbara.* Santa Barbara, CA: Santa Barbara Botanic Garden.

nitrogen dioxide.[5] They capture rainwater and remove impurities, decrease volume into sewer systems and peak stream flows, plus reduce soil erosion. Urban trees offer habitat to birds, insects, reptiles, mammals and the vast system of microorganisms in the soil.[6] Trees also provide habitat and shade in the creek corridors for fish and amphibian species. Local fruiting trees and orchards reduce the distance food must travel to reach city dwellers. Finally, trees strategically planted along streets reduce noise levels to nearby businesses and homes.

Social

Researchers continue to uncover ways in which our environment and landscape positively contribute to a community's social health. Trees connect people to nature, provide a link to a community's horticultural heritage, improve public health and provide a sense of community. Thompson Ward and others have been finding these links in everything from quicker recovery times post surgery to less stress in deprived communities.[7,8] Cities with more green space and trees have more active communities and decreased rates of obesity. Patients at hospitals with views of trees have quicker recovery times post surgery. Trees provide opportunities to watch birds and wildlife and offer a place for discovery and exploration, plus naturally create a place of gathering for recreation, family and spiritual purposes. Tree planting activities at schools, along streets and on private property creates neighborhood pride and strengthens the sense of community.

Economic

Strategically planted trees trim costs by reducing energy consumption, prolonging infrastructure, increasing property values and improving work productivity.[9,10,11] Deciduous trees shade streets, homes and building in the summer and provide sun during the winter, thus reducing energy consumption. Shade from trees has been shown to prolong the life of asphalt, while trees in general reduce the need for expensive stormwater management systems. Trees and landscaping have also been shown to improve work productivity. Workers with access to (or views of) trees and green space, are generally more productive, less stressed and happier employees.

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[5] Nowak, David J. (2002). *Effects of Urban Trees on Air Quality*. Syracuse, New York: U.S. Forest Service.
[6] Muller, Robert N. and Carol Boernstein (2010). *Maintaining the Diversity of California's Municipal Forests*. Arboriculture and Urban Forestry 36 (1): 18-27
[7] Ward, Thompson, C. (2011). *Linking landscape and health: The recurring theme*. Landscape and Urban Planning 99(3-4): 187 195.
[8] Ward Thompson, C., et al. (2012). *More green space is linked to less stress in deprived communities: Evidence from salivary cortisol patterns*. Landscape and Urban Planning 105(3): 221-229.
[9] Dimoudi, Argiro and Marialena Nikolopoulou (2003). *Vegetation in the urban environment: microclimatic analysis and benefits*. Energy and Buildings 35 (69-76).
[10] Dravigne, A., et al. (2008). *The Effect of Live Plants and Window Views of Green Spaces on Employee Perceptions of Job Satisfaction*. HortScience 43(1): 183-187.
[11] Lottrup, L., et al. (2013). *Workplace greenery and perceived level of stress: Benefits of access to a green outdoor environment at the workplace*. Landscape and Urban Planning 110(0): 5-11.

II. Background

The City embarked on the development of its first Urban Forest Management Plan (Plan) recognizing the role of urban trees in providing environmental, economic, social and aesthetic benefits, as well as the challenges faced with managing the urban forest. In certain areas of the city, the urban forest is aging, mature trees conflict with infrastructure, and species diversity is in decline. In addition, resources for the planting and care of trees and community participation in tree management are limited.

The purpose of the Plan is to identify long-term preservation and enhancement objectives and address key management considerations including canopy cover, infrastructure constraints, and environmental, land use, aesthetic, and community considerations. Although nearly 80 percent of the urban forest lies on privately owned land, the Plan's primary focus is on trees located on City property, over which the City of Santa Barbara can exert the most direct influence. Through implementation of this Plan, the City will improve urban tree management, allocate resources, and promote stewardship in a coordinated, cooperative approach with City departments, community partners and citizens.

Plan Development

Development of the Plan included preparation of a baseline tree canopy assessment and policy options analysis; extensive public outreach through community meetings, survey tools, City TV information, web resources, and other public information methods. A Technical Advisory Committee (TAC) was formed with members from the City's Parks and Recreation Commission, Street Tree Advisory Committee, and Planning Commission, as well as representatives from Southern California Edison, Santa Barbara Botanic Garden and Santa Barbara Beautiful to provide technical assistance and input. Over an 18 month period, a total of 32 meetings were held with the TAC, City staff, the Parks and Recreation Commission, Planning Commission, Architectural Board of Review (ABR), Historic Landmarks Commission (HLC), Single Family Design Review Board (SFDB), Street Tree Advisory Committee (STAC), Neighborhood Advisory Committee (NAC), as well as the public, to review current urban forest program management, identify key issues, develop a vision and mission statement as well as broad goals and develop, review and refine objectives and key actions. Additional public input was received through an online survey and distributed comment cards. The project was funded in part by a grant from the California Department of Forestry and Fire.

Santa Barbara's Urban Forest

Unlike cities with naturally occurring forests, Santa Barbara's historic landscape was fairly treeless.[12] Early pictures of the area show it nearly devoid of trees, with the

[12] Personal contact with former Mayor Sheila Lodge, 2013- 2014.

exception of native stands near creek corridors, in canyons and along hillsides.[13] Native trees included the coast live oak, species of willows and sycamores. Extensive tree planting beginning in the 1800s and continuing well into the new century transformed the city into a global arboretum.

History Highlights

The extent and diversity of the City's current urban forest is primarily the result of efforts of early horticulturalists and City management of diverse tree resources for more than a century. Early horticulturalists, including Joseph Sexton, Dr. Francesco Franceschi, Dr. Boyd Doremus, Peter Reidel, and E. O. Orpet, brought plants and trees from all over the world to Santa Barbara. Beginning in the early 1900's, these pioneers transformed Santa Barbara's downtown barren landscape into a diverse canopy, planting trees for food, aesthetics and for the love of horticulture. While some of the earliest recorded plantings are from Spanish Franciscan Padres who introduced the olive trees and California pepper trees, official plantings began in 1908.[14] By 1914, an official street tree list and street designation had been compiled and adopted by the Parks Commission. Many trees throughout the city, such as the Italian Stone Pines along Anapamu, are representatives of this original list. Some important times in Santa Barbara's horticultural history include:

- 1793 - Captain George Vancouver observed almonds, apples, apricots, cherries, lemons, limes, oranges, peaches, pears, and pomegranates near the Mission gardens.
- Spanish settlers introduced the California pepper, chinaberry, as well as palms for the tradition of Palm Sunday.
- 1867- Joseph Sexton established his first nursery. Ten years later, this grew to become one of the area's most extraordinary sites containing some of the world's rarest shrubs and plants. Sexton is also credited with popularizing the cork oak, dragon tree, Lombardy poplar as well as the invasive pampas grass.
- 1870's - Ellwood Cooper introduced over 50 species of Eucalyptus, a common tree seen throughout Santa Barbara today.
- 1880-1910 - Kinton Stevens, Francesco Franceschi, Dr. Boyd Doremus, and Peter Reidel made their individual mark on Santa Barbara, forever changing the landscape. Combined, they introduced several thousand plant and tree species and contributed immensely to the city's horticultural heritage
- 1920-1956 - E.O. Orpet, a highly respected horticulturist, made his contributions to Santa Barbara's street and park plantings including Olive trees along Olive Street, Southern magnolias along San Andres, and unique species in Orpet Park.

[13] Graffy, Neal (2012). *Santa Barbara Then and Now.* Santa Barbara, CA: El Barbareño Publishing.

[14] Muller, Robert N. and J. Robert Haller. (2005). *Trees of Santa Barbara.* Santa Barbara, CA: Santa Barbara Botanic Garden.

- 1956-Present - Many other Santa Barbara residents, horticultural enthusiasts, and arborists added to the flora of Santa Barbara, including: Finlay MacKenzie (Superintendent of Parks from 1938-1962), Bruce Van Dyke (horticulture teacher in Santa Barbara City College's Adult Education classes for over 40 years), and Dan Condon (city arborist from 1980-2002) to name a few. During this time, the City has also enhanced tree preservation policies, established a Street Tree Master Plan, and formulated daily operations consistent with industry standards.

The most recent edition of *Trees of Santa Barbara*, by Robert N. Muller and J. Robert Haller, published by the Santa Barbara Botanic Garden in 2005, documents Santa Barbara's long tradition of horticulture and the importance of trees in the region. The book documents over 400 species of trees that can be viewed in public places. Many of these trees are found on City streets, in City parks, and on the grounds of various public facilities.

The diverse horticulture found in Santa Barbara would not be possible without the winning combination of climate and soils that favor a variety of plant species. Southern California enjoys a Mediterranean climate, generally characterized by temperatures and annual precipitation that is moderated by the cool Pacific Ocean.

Today's Urban Forest

Today's urban forest is a complex mix of native forests, diverse city parks, and a variety of trees planted in landscapes, along streets and on private property. While the urban forest is estimated to contain over 320,000 trees, the City manages only a portion of that. The City's tree inventory database includes over 23,000 street trees, 9,200 park and facility trees, and a number of vacant sites along streets and in parks. [15] As a capital asset, this is valued at $109 million. A large number of trees, perhaps as many as 30,000,not individually counted also exist in open space parks like Rattlesnake Canyon, Parma Park, Skofield Park and along steep hillsides.

The City's tree inventory also contains 456 different varieties of trees, making it one of the most diverse urban forests amongst southern California communities.[16] However, nearly half of those species occur five or less times, suggesting fragility to Santa Barbara's urban forest diversity. Maintaining high species diversity can provide increased protection against disease, pest, and environmental changes. Other benefits include nearly year-round color, fragrance and texture due to varied growing seasons, and educational opportunities in the areas of species preservation, ecology, biodiversity, and cultural uses of trees. Some rare species in the City's inventory include the Kentucky Coffee tree native to North America, and the Cadaga tree and Queensland

[15] City maintains a database of its trees. A query in 2014 identified 23,603 street trees, 9,295 park trees, 3,938 vacant street sites and 101 vacant park sites. Vacant street tree sites may have been replanted and are awaiting database updates. More information on the condition of these sites is needed to determine if replanting is an option.

[16] Muller, Robert N. and Carol Bornstein (2010). *Maintaining the Diversity of California's Municipal Forests*. Arboriculture and Urban Forestry 36 (1): 18-27.

Kauri both native to Queensland, Australia. Commonly planted species include the Coast Live Oak native to California, Jacaranda native to subtropical South America, Mexican Fan Palm from western Sonora and northwestern Mexico, Queen Palm of South America and King Palm native to Queensland, Australia. These five species make up 30 percent of publicly owned trees.

Tree Canopy Overview

To capture the breadth of the urban forest, the City completed a tree canopy cover assessment and from that estimated city-wide tree population.[17] Tree canopy is defined as the percent of land area covered by the crown of a tree. Approximately 25 percent of Santa Barbara is covered by tree canopy, yet canopy cover distribution varies greatly across the city.

Tree canopy was divided into the major land use types of residential, parks and open space, commercial/civic, public schools, office areas, and industrial as described in the City's 2011 General Plan. The table below provides information on canopy cover by these land uses, including: number of canopy acres, percent canopy coverage, the percent this represents out of the total city-wide canopy coverage, and the estimated tree population. Perhaps not surprising, tree canopy is higher in residential areas and parks and open spaces, and lower in commercial, office and more industrial areas. Residential areas make up approximately 80.6 percent of total canopy cover citywide. Within these residential areas, approximately 28 percent of the area has canopy cover. Parks and open space represent approximately 11 percent of total canopy cover citywide with 23 percent canopy cover throughout the parks and open space areas. The remaining 8 percent of total canopy cover citywide is represented by office zones, industrial zones, commercial zones, civic zones, and public school zones. The city-wide canopy map on the following page illustrates the distribution of tree canopy cover.

Location (2011 General Plan)	Canopy Area (Acres)	Percent Canopy by Location	Percent Canopy of entire city	Estimated Tree Population
Entire City*	2,787	25.4%	100%	322,290
Residential Areas	2,094	27.8%	80.6%	259,719
Parks and Open Spaces**	322	23.3%	11.6%	36,727
Commercial/Civic	140	20.4%	4.9%	16,077
Public Schools	55	18.7%	2.0%	6,299
Office Areas	20	11.4%	0.7%	2,320
Industrial	10	6.9%	0.4%	1,148

* The area excludes unincorporated areas, the Santa Barbara Airport, and the area of the 101 Freeway that intersects within the City limits.

** Parks and Open Space areas in the 2011 General Plan do not include the Montecito Country Club, Sheffield Open Space/Reservoir, Laurel Canyon Reservoir, and the Santa Barbara Municipal Golf Course.

[17] City of Santa Barbara Parks and Recreation Department. (2012). *City of Santa Barbara Tree Canopy Cover Assessment*, Santa Barbara, CA

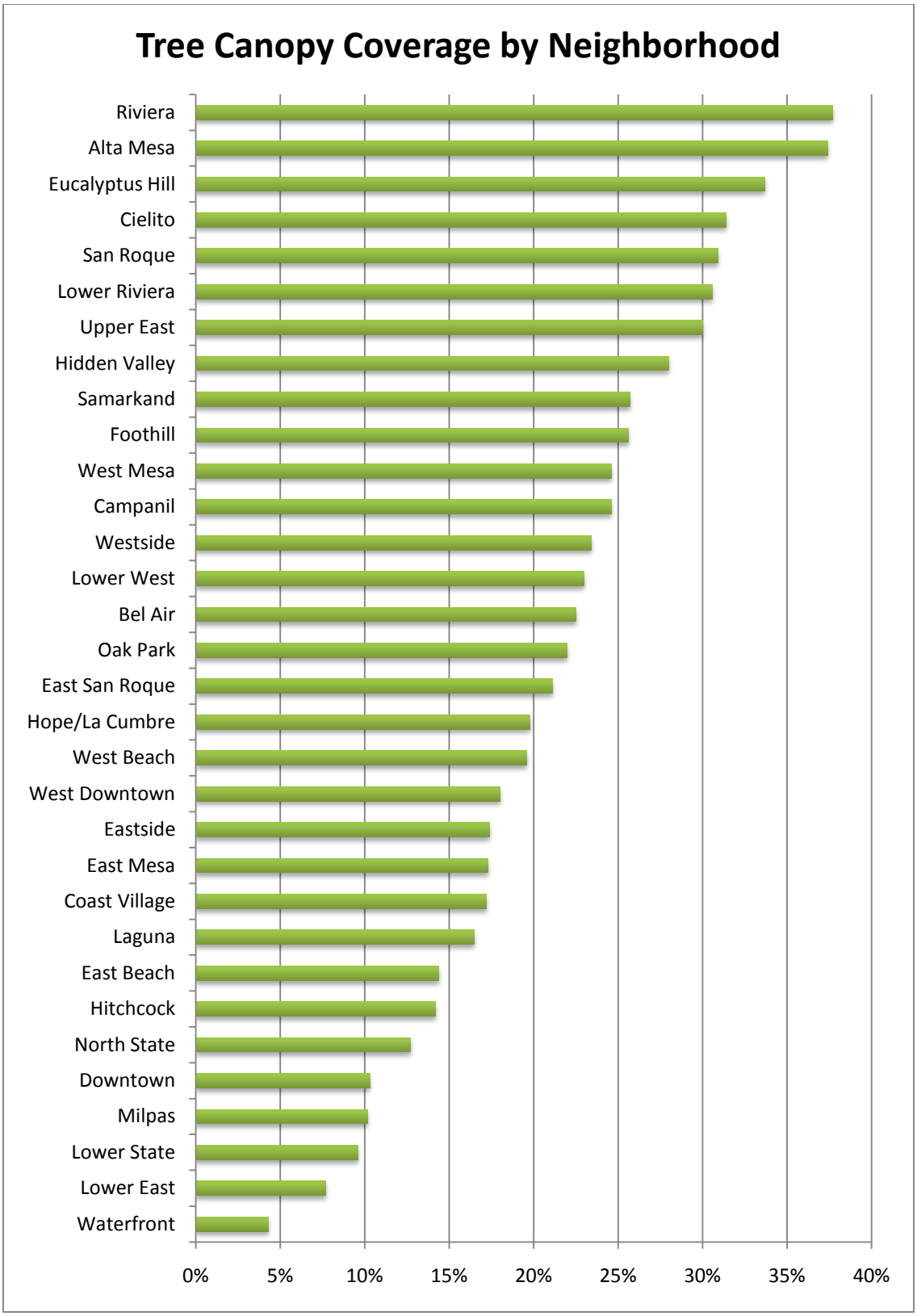
City of Santa Barbara 2012 Tree Canopy Cover

Neighborhood Canopy Cover

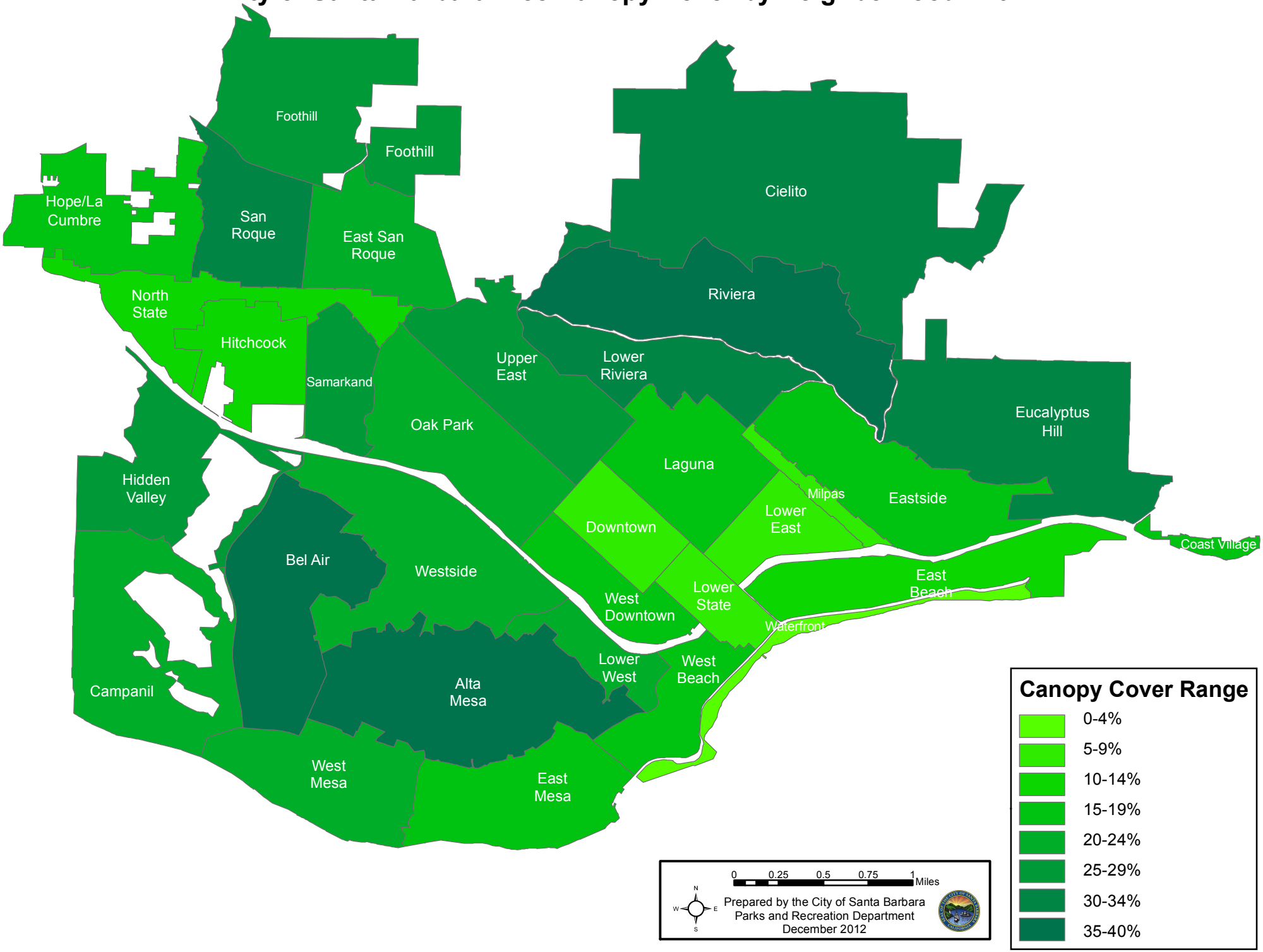
Tree canopy distribution varies from neighborhood to neighborhood and park to park. The variation in tree distribution may be attributed to a number of factors. Lot sizes, location and historic planting patterns may have emphasized certain neighborhoods over others. Highly developed areas containing buildings, schools, and major arterial streets negatively influence canopy coverage while the hundreds of trees found in parks and open spaces can positively influence neighborhood canopy estimates. The table below has divided canopy cover information by neighborhood. The City's General Plan describes 32 neighborhoods throughout Santa Barbara. Several neighborhoods, like Alta Mesa, Riviera and Eucalyptus Hill, have high canopy coverage in the 30 percentile, while Downtown, Lower East and Waterfront areas have low coverage in the 10 percentile and below. The graph and canopy map on the following pages also illustrate the distribution of tree canopy cover by neighborhood.

Neighborhood*	Total Area (Acres)	Canopy Area (Acres)	% Area of Canopy Cover
Alta Mesa	634	237	37.40%
Bel Air	480	108	23%
Campanil	488	119	24.60%
Cielito	1,294	407	31.40%
Coast Village	36	6	17.20%
Downtown	172	18	10.30%
East Beach	321	46	14.40%
East Mesa	376	65	17.30%
East San Roque	284	60	21.10%
Eastside	429	75	17.40%
Eucalyptus Hill	672	225	33.70%
Foothill	573	146	25.60%
Hidden Valley	336	94	28.00%
Hitchcock	218	31	14.20%
Hope/La Cumbre	339	67	19.80%
Laguna	324	53	16.50%
Lower East	162	13	7.70%
Lower Riviera	306	94	30.60%
Lower State	122	12	9.60%
Lower West	127	29	23.00%
Milpas	56	6	10.20%
North State	273	35	12.70%
Oak Park	416	91	22.00%
Riviera	607	229	37.70%
Samarkand	177	45	25.70%
San Roque	273	84	30.90%
Upper East	377	112	30.00%
Waterfront	88	4	4.30%
West Beach	183	36	19.60%
West Downtown	178	32	18.00%
West Mesa	350	86	24.60%
Westside	529	124	23.40%
TOTAL	11,200	2,789	

* Includes all General Plan designated neighborhoods. Tree canopy that fell into the 101 Freeway and unincorporated areas were not included in these results.


Tree Canopy Coverage by Neighborhood
Riviera
Alta Mesa
Eucalyptus Hill
Cielito
San Roque
Lower Riviera
Upper East
Hidden Valley
Samarkand
Foothill
West Mesa
Campanil
Westside
Lower West
Bel Air
Oak Park
East San Roque
Hope/La Cumbre
West Beach
West Downtown
Eastside
East Mesa
Coast Village
Laguna
East Beach
Hitchcock
North State
Downtown
Milpas
Lower State
Lower East
Waterfront
0%
5%
10%
15%
20%
25%
30%
35%
40%

City of Santa Barbara Tree Canopy Cover by Neighborhood - 2012

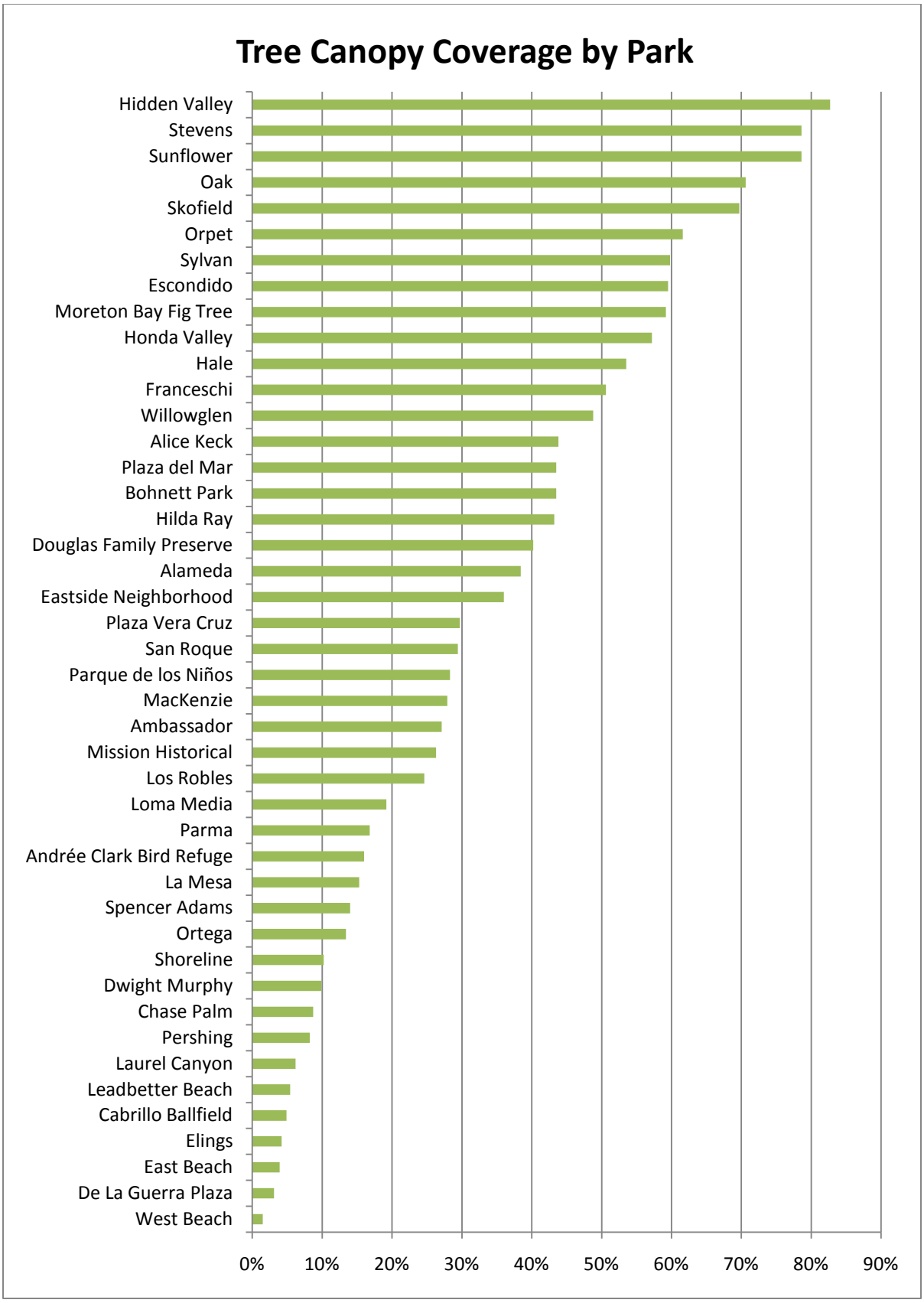


Park Canopy Cover

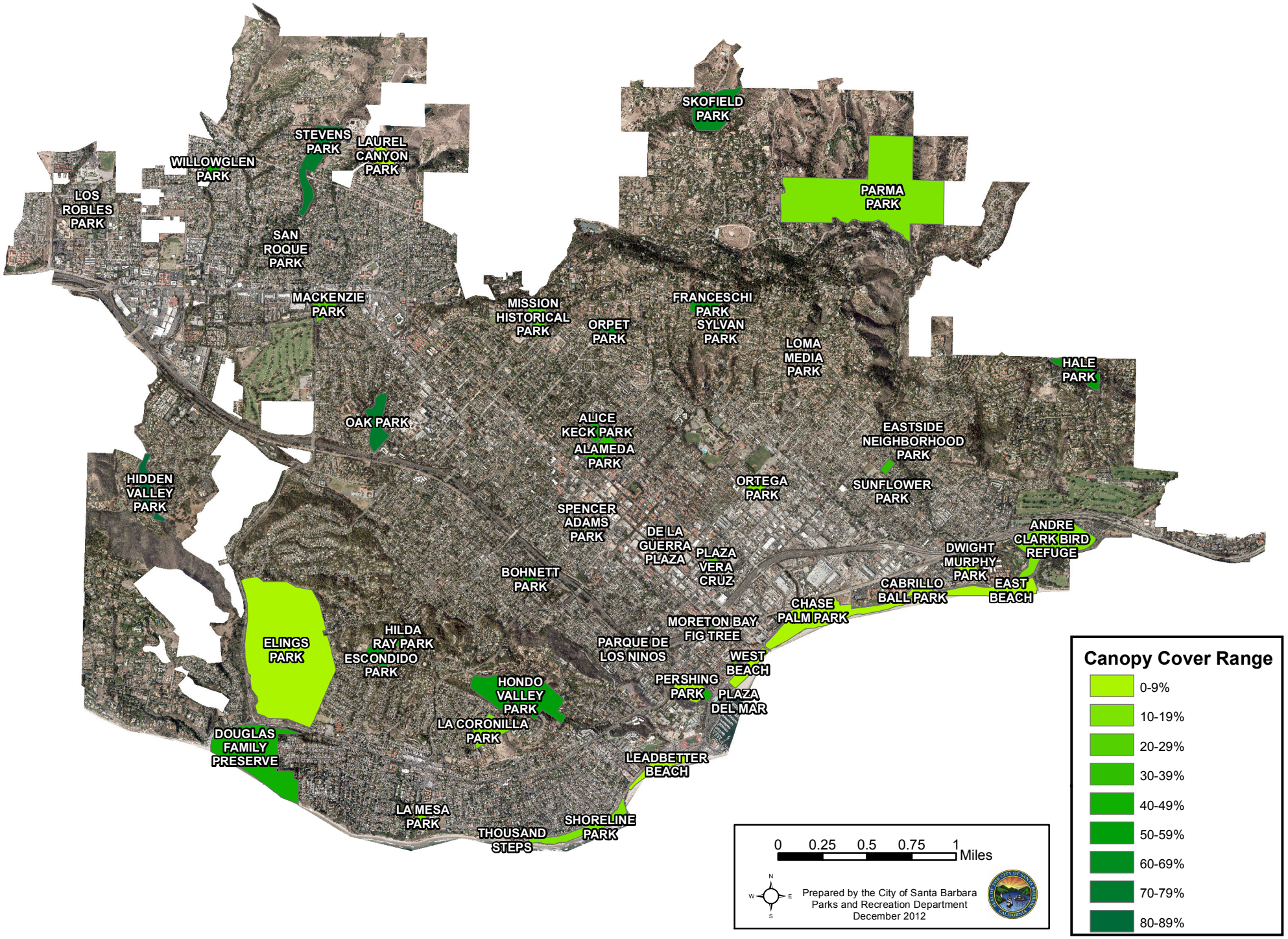
Several factors influence tree canopy within parks, most notably how the park is used and its geographic location. As shown in the following tables and figures, parks used as sports facilities and those along the beachfront have very little canopy (as low as 1.5%). These include Dwight Murphy and Cabrillo Ball Field as well as East Beach, West Beach and Leadbetter Beach Parks. Parks with high tree canopy coverage (as high as 82 percent) are a combination of open space, neighborhood and community parks such as Hidden Valley, Stevens, Sunflower, Oak and Skofield. Both the graph and map on the following pages highlight canopy cover distribution amongst city parks and open spaces.

Location	Total Area (Acres)	Canopy Area (Acres)	% Area of Canopy Cover
All Parks	**1,383**	**322**	**23.3%**
Neighborhood Parks	61	31	50.8%
Community Parks	123	42	34.1%
Passive Parks	72	18	25.1%
Public Open Space*	498	110	22.1%
Open Space Parks	551	114	20.8%
Sports Facilities	35	5	13.8%
Beach Parks	43	2	3.9%

*Includes areas designated as Parks and Open Space in the 2011 General Plan and does not include the Montecito Country Club, Santa Barbara Zoo, Sheffield Reservoir, Laurel Canyon Reservoir, and the Santa Barbara Municipal Golf Course.


Tree Canopy Coverage by Park
Hidden Valley
Stevens
Sunflower
Oak
Skofield
Orpet
Sylvan
Escondido
Moreton Bay Fig Tree
Honda Valley
Hale
Franceschi
Willowglen
Alice Keck
Plaza del Mar
Bohnett Park
Hilda Ray
Douglas Family Preserve
Alameda
Eastside Neighborhood
Plaza Vera Cruz
San Roque
Parque de los Niños
MacKenzie
Ambassador
Mission Historical
Los Robles
Loma Media
Parma
Andrée Clark Bird Refuge
La Mesa
Spencer Adams
Ortega
Shoreline
Dwight Murphy
Chase Palm
Pershing
Laurel Canyon
Leadbetter Beach
Cabrillo Ballfield
Elings
East Beach
De La Guerra Plaza
West Beach
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%

City of Santa Barbara 2012 Park Tree Canopy Cover



III. Urban Forest Management

City management of the urban forest involves a number of City departments including Parks and Recreation, Public Works, Community Development and Fire. Planting and maintenance of City trees is primarily the responsibility of the Parks and Recreation Department. Other departments such as Fire, Community Development, and Public Works are involved as part of public safety, public capital improvement projects and land use planning and development. Public review and policymaking related to tree planting, maintenance, and preservation is provided by the Street Tree Advisory Committee, Parks and Recreation Commission, Single Family Design Board, Historic Landmarks Commission, Architectural Board of Review, Planning Commission, and the City Council.

City Departments

Parks and Recreation Department

The mission of the Parks and Recreation Department's Forestry Program is to plant and maintain City public street, park, and facility trees for the benefit of residents, and to ensure a safe and healthy community forest. The Forestry Program currently has eight staff directly involved in the care and maintenance of the City's urban forest, including the Urban Forest Superintendent (City Arborist), Street Tree Supervisor, and six field staff. The Urban Forest Superintendent develops, implements, and supervises tree planting, pruning, removal, and pest management; enforces City tree ordinances; and, coordinates urban forestry related activities with other divisions, departments, and outside agencies or groups. The Street Tree Supervisor oversees field staff, inspects trees, and schedules the day-to-day operations including contracted maintenance services. Field staff are responsible for City tree maintenance including trimming, planting, watering, and respond to emergency tree situations. The field staff includes a Small Tree Care Specialist who is responsible for planting and maintaining young street trees.

Street trees are the primary focus of the Forestry Program and its annual tree maintenance schedule. There are over 23,000 street trees and a number of vacancies waiting replanting.[18] Maintenance of trees and landscaping within the street right-of-way (ROW) is funded by the Utility Users Tax revenue. The Forestry Program also maintains over 9,200 public trees located within 68 parks and landscaped areas of public facilities, as well as all trees within open space parks. In the last five years, the City has pruned an average of 5,796 street trees, 1,375 park/facility trees, and planted 239 new street trees annually. City staff perform block pruning, provide citizen

[18] March, 2014 queries to the Forestry Program database identify 4,039 street and park vacant sites. These sites require inspection to confirm their suitability for replanting. In some cases these sites may have been replanted and are awaiting database updates to reflect the change.

response based and emergency pruning, as well as care for larger park and street trees. Tree contractors are assigned blocks of street pruning or park specific tree pruning. Maintenance of park and public facility trees is funded by the General Fund.

The Forestry Program administers the tree removal permit application and review process in accordance with Santa Barbara Municipal Code Chapter 15.20 and Chapter 15.24. The review of each tree removal application includes site visits and discussion with the Street Tree Advisory Committee, and presentation to the Parks and Recreation Commission.

Outreach and education is primarily conducted through public meetings with the Parks and Recreation Commission and the tree removal permitting process and tree planting projects. Recent outreach efforts include a comprehensive update of the Forestry Program web page, publication of a community guide for tree planting, and workshops for tree professionals. The Forestry page on the City's website provides information to the public regarding city-owned and regulated trees and the public benefits of a healthy urban forest. These efforts are supported by community street tree planting projects and annual Arbor Day celebrations and planting projects. As of 2014, the City also enjoys 33 years of designation as a Tree City USA.

Community Development Department

The Community Development Department (CDD) oversees city-wide community planning and land development. Urban forest policy is found in the City's General Plan, Climate Action Plan and various City ordinances. Implementation of City tree policies occurs through project design review and land development approvals, and falls under the purview of the: Historic Landmarks Commission, Architectural Board of Review, Single Family Design Board, and the Planning Commission. Trees are integrated into the land development process through landscape plans. CDD issues permits authorizing landscaping alterations, which may include planting and/or removing trees. Trees planted as part of approved landscape plans are subject to establishment and maintenance requirements. CDD has enforcement authority for unapproved alterations to approved landscape plans. In addition, staff can administratively approve limited tree removals as allowed in the adopted Design Board Guidelines. Under certain circumstances, the Urban Forest Superintendent may review tree removal and planting proposals as part of land development.

Fire Department

The Fire Department is responsible for implementation of the City's Wildland Fire Plan. The purpose of the plan is to manage vegetation, including trees, in the City's high fire hazard areas for public safety and wildland fire management. With policy guidance from the Wildland Fire Plan, the Fire Department institutes defensible space requirements for property owners, provides roadside vegetation clearance within the foothill areas for fire truck access, leads exotic/pest plant removal projects, and provides

water-wise and fire-wise plant and tree landscaping options. The Fire Department has the authority to require tree maintenance and/or removal within high fire hazard areas to achieve fire safety objectives. The Fire and Parks and Recreation Departments work together to evaluate and address trees and vegetation on City streets and City parks to meet the City's vegetation management fire safety requirements.

Public Works Department

The Public Works Department Streets Section is responsible for the maintenance of the City's streets and sidewalks, including the street sweeping program. The Engineering Division and Transportation Planning Section oversee street right-of way improvement projects. As a result, the Public Works Department's involvement in urban forest management is primarily focused on street trees and the relationship of trees and maintenance of public infrastructure. Of particular interest is maintenance of tree canopy for intersection, traffic signal and streetlight visibility, as well as sidewalk travel and street parking. Tree type and placement and potential for conflict with maintenance of underground infrastructure such as water and sewer lines are also important. Under the Streets Section, trees are trimmed to allow for street sweeping vehicle clearance and ensure parking sign visibility. Street and sidewalk improvement projects at times impact the root zone of trees. The Street Section works with the Urban Forest Superintendent to assess trees that may be impacted from these activities. As part of Plan implementation, Public Works and the Parks and Recreation Departments will be developing parkway construction standards and updates to the Street Tree Master Plan.

Public Review and Policy Decision Making

Street Tree Advisory Committee
The Street Tree Advisory Committee provides advice to the Parks and Recreation Commission and Department staff regarding tree-related issues including, planting and removing City trees, removal requests for street trees and trees located in residential front setbacks, and changes to the Street Tree Master Plan. The Committee is composed of five voting members who have interest and technical knowledge of trees and tree care issues.

Parks and Recreation Commission
The Parks and Recreation Commission acts on all street tree and most residential setback tree removal applications, as well as changes to the Street Tree Master Plan. When appropriate, the Commission may seek the advice of the Historic Landmarks Commission on Specimen or Historic trees as well as Street Trees within the El Pueblo Viejo and Brinkerhoff Landmark Districts. The Parks and Recreation Commission can recommend trees to City Council for Specimen or Historic designation.

Historic Landmarks Commission
The Historic Landmarks Commission provides design review for new development and redevelopment projects within El Pueblo Viejo and Brinkerhoff Landmark Districts. HLC

also reviews alterations to historic or potentially historic properties throughout the city as well as other Historic Districts (e.g. Riviera Campus). The HLC's purview includes species selection, placement, and preservation of trees on properties within HLC's jurisdiction. HLC reviews and acts on setback tree removal applications within El Pueblo Viejo and Brinkerhoff Landmark Districts and parking lots. The HLC can recommend trees to City Council for Historic designation and reviews all historic and specimen trees subject to removal.

Architectural Board of Review

The Architectural Board of Review provides design review for new development and redevelopment projects that involve multi-family residential, non-residential and mixed-use development outside of Historic Landmarks Commission jurisdiction. Part of design review involves the placement and preservation of trees as part of landscape plans and the development of commercial parking lots. ABR reviews and acts on parking lot tree removal applications.

Single Family Design Board

The Single Family Design Board provides design review for some development proposals in single family residential zones that are not reviewed by Historic Landmarks Commission. Part of design review involves the preservation, placement and maintenance of trees as part of landscape plans.

Staff Hearing Officer

The Staff Hearing Officer reviews and acts on certain development applications including small subdivisions, modifications, performance standard permits, and coastal development permits. The Staff Hearing Officer may consider details related to trees and vegetation associated with development proposals.

Planning Commission

The Planning Commission makes recommendations to the City Council on changes to the City's Zoning Ordinance, Coastal Plan, General Plan and other plans that provide guidance in the physical development of the City, and reviews and approves land subdivisions and land development plans. The Planning Commission may consider details related to trees and vegetation associated with land development proposals.

City Council

The City Council sets City policy through the Municipal Code, general plan policies, and by Council resolution. All tree-related decisions by the Parks and Recreation Commission and design review decisions by ABR, HLC, SFDB, and design review decisions by the Planning Commission are appealable to City Council.

IV. Policy Context for Urban Forest Management

Management of the City's urban forest is guided by a number of City regulations in the Santa Barbara Municipal Code, policies in the General Plan, Local Coastal Plan (LCP), Wildland Fire Plan, Climate Action Plan, and various design review board guidelines, building design guidelines, and other resources.

Street Tree Master Plan

Chapter 15.20, Santa Barbara's Tree Planting and Maintenance Ordinance, requires a comprehensive plan for planting and maintaining trees along streets and in public areas, and establishes general elements to be included in the plan. The Street Tree Master Plan (STMP) was adopted by City Council in 1977.

The Street Tree Designation section of the plan is used on a regular basis to both assess tree planting options and maintain the City's street tree diversity. The list matches tree species to street blocks, or segments. Street blocks are generally grouped into segments based on tree populations and street characteristics. Some segments span several blocks, while others are only a block long. To date, the Street Tree Designation list has 124 species of trees designated to 969 street segments. There are 134 street segments without tree designations. In some cases, a street or a section of a street may not have a designated species until the public right-of-way receives improvements, such as sidewalks.

Street tree designations are updated for a variety of reasons, including when the designated tree species is no longer available commercially, or when specific species present pest or health problems, cause infrastructure conflicts, and are no longer compatible with size of parkways, among other considerations. Street tree designation changes are reviewed and approved by the Parks and Recreation Commission during a publicly noticed meeting.

Santa Barbara Municipal Code

<u>Chapter 15.20, Tree Planting and Maintenance</u>

First adopted by the City Council in 1963, Chapter 15.20 addresses City-owned trees in parks and parkways (street trees) and other developed City parcels. Key aspects of Chapter 15.20 include the application of the American National Standards Institute (ANSI) standards for pruning trees, requirements for conformance to the Master Street Tree Plan in the placement and types of trees, the Parks and Recreation Director's authority and responsibilities related to trees, permitting requirements, and the process for review of requests for significant pruning and removal of City-owned trees. The most recent amendments were adopted by the City Council in December 2009.

Chapter 15.24, Preservation of Trees

Adopted by the City Council in 1969, Chapter 15.24 regulates tree removal and the degree of pruning allowed for any privately-owned trees located in the regulated front setback of a residential or commercial property, regulated parking lots, trees identified on an approved landscape plan, and/or Historic and Specimen trees located anywhere on a private lot. Chapter 15.24 establishes considerations and findings for removal, the processes for review and appeal, and designates the proper review body for various privately-owned, City-regulated trees. Chapter 15.24 also cross-references all other City regulations related to trees and landscaping. The most recent updates were adopted by the City Council in December 2009. Although the ordinance regulates the removal and degree of pruning of trees, it does not regulate the planting of trees in any way.

Resolution 09-096

The City Council adopted Resolution 09-096, on December 8, 2009 to establish a municipal code violation fine schedule specific to certain violations in Chapters 15.20, 15.24, including tree pruning and removal without a permit, and Chapter 22.11, maintenance to approved landscape plans. It authorizes the City Arborist or Community Development Director to issue corrective measures if deemed appropriate.

Action without or in violation of permit	**Trunk diameter from 4" to 12"**	**Trunk diameter over 12" and up to 24"**	**Trunk diameter over 24"**
Significant Alteration	Up to $500	Up to $1,000	Up to $1,000
Removal	Up to $1,000	Up to $3,000	Up to $5,000

The Resolution 09-096 also clarifies and establishes regulations related to tree size, location, and maintenance, applies the ANSI A-300 Standards and Best Management Practices to city-owned trees and to record in the city data base when city-owned trees are pruned by more than one quarter, defines and updates the roles and responsibilities of various boards and commissions in the regulation of public and private trees, establishes explicit protections for trees on commercial and multiple-family properties with approved plans, and clarifies enforcement mechanisms for the maintenance of approved landscape plans.

Historic and Specimen Trees

Chapters 15.20 and 15.24 provide for the designation of historic and specimen trees by the City Council. Both Chapters protect the removal of these and define specimen and historic trees.[19]

Chapter 22.22.040 provides the criteria for designating landmarks and structures of merit which includes natural features, like trees. The Historic Landmarks Commission can use any or all of the following criteria and considerations in its findings:

A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
B. Its location as a site of a significant historic event;
C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State or the Nation;
D. Its exemplification of a particular architectural style or way of life important to the City, the State or the Nation;
E. Its exemplification of the best remaining architectural type in a neighborhood;
F. Its identification as the creation, design or work of a person or persons whose effort has significantly influenced the heritage of the City, the State or the Nation;
G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials or craftsmanship;
H. Its relationship to any other landmark if its preservation is essential to the integrity of that landmark;
I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;
J. Its potential of yielding significant information of archaeological interest;
K. Its integrity as a natural environment that strongly contributes to the well-being of the people of the City, the State or the Nation. (Ord. 5333, 2004; Ord. 4848, 1994; Ord. 3900 §1, 1977.)

19 Specimen Tree - Any tree which has been found by the Board of Park Commissioners to be of high value because of its type and/or age and which has been designated by resolution of the City Council as a "specimen tree".
Historic Tree - A tree which has been found by the Board of Park Commissioners, the Historic Landmarks Commission, or the City Council, to be a tree of notable historic interest and designated by resolution of the City Council as an "historic tree".

City designated Specimen Trees

Type	Location	Year Designated
American Elm *Ulmus americana*	1210 Carpinteria St	1989
Two Australian Fan Palms *Livistona australis*	131 E. Anapamu St	1989
Indian Laurel Fig *Ficus microcarpa var. nitida*	100 E. Constance Ave	1977

City designated Historic Trees

Type	Location	Year Designated
Moreton Bay Fig Tree *Ficus macrophylla*	Chapala St. at Montecito St	1970
Moreton Bay Fig Tree *Ficus macrophylla*	320 West Pueblo Street	2011
City Hall Pepper *Schinus molle*	De La Guerra Plaza entrance to City Hall	2000
Cota Sycamores *Platanus racemosa*	near Mission SB-at Los Olivos St. & APS	Pending[20]
Doremus Stone Pines *Pinus pinea*	300-800 Blocks E. Anapamu St	1997
"Fernald Eucalyptus" *Eucalyptus citriodora*	400 Blk. Santa Barbara St	1997
Franceschi Flame Tree *Brachychiton acerifolium x populneum*	11-15 W. Gutierrez St. – City Parking Lot 12	2002
"Tree of Light" *Araucaria heterophylla*	100 W. Carrillo St	1977
Five Lemon Scented Eucalyptus *Corymbia citriodora*	40 E Anapamu Street (Main Library)	2012

Chapter 22.10 Vegetation Removal

Chapter 22.10 is a general vegetation and tree protective measure that regulates the amount of vegetation removed from areas of the city within the Hillside Design District in order to prevent damage, reservoir siltation, denuding, flood hazards, soil loss, and other dangers created by or increased by improper clearing activities; and to establish the administrative procedure for issuance of permits for vegetation removal. The code provides protection to trees on portions of private property that are not subject to the regulations of Municipal Code Chapters 15.20 and 15.24.

[20] Cota Street Sycamores has been on the list of designated historic trees for many years and exists on historic property, however a resolution documenting its designation is under investigation.

Exceptions to the permitting process are described in Section 22.10.040 and include: harvesting fruit-bearing crops, the removal of vegetation approved by fire prevention agencies, utility companies, or by public agencies on publicly owned property or rights-of-way, when the average slope of the removal site and access to the removal site is less than twenty percent (20%), and contains limits to the quantity of removed native and non-native vegetation over one year and five year time periods.

Chapter 22.11 Maintenance of Approved Landscape Plan

Chapter 22.11 deems it unlawful for an owner of a lot subject to the provisions of this Chapter to not maintain the trees, plants, irrigation system, and other improvements in accordance with the approved landscape plan and the provisions of this Chapter. In addition, it is unlawful for any person to alter or to authorize or allow the alteration of an approved landscape plan for a lot subject to the provisions of this Chapter without the permit required pursuant to Section 22.11.050. Permits are required for any alteration to the design, character, and plant coverage at maturity, or other improvements specified on an approved landscape plan.

The regulations in this Chapter pertain to any lot developed with a multiple-family residential, commercial, or industrial use; or any lot developed solely with a single-family residence or a duplex residential unit, where the conditions of approval for the development on the lot require the installation and maintenance of trees or landscaping in accordance with an approved landscape plan.

Chapter 22.22 Historic Structures

Section 814 of the Santa Barbara City Charter creates and establishes a Historic Landmarks Commission for the City to promote the general public welfare of the City and to protect and preserve the natural and historical charm and beauty of the City and its aesthetic appeal and beauty. The purpose of Chapter 22.22 is to recognize, preserve, enhance, and perpetuate the use of structures, natural features such as trees, sites and areas within the City of Santa Barbara having historic, architectural, archaeological, cultural or aesthetic significance. As mentioned above, this Chapter also includes criteria for considering trees as historic . Trees identified as historic are subject to the regulations per municipal code chapters 15.20 and 15.24, which include significant pruning and removal.

Chapter 22.68 Architectural Board of Review

Section 814 of the Santa Barbara City Charter creates and establishes an Architectural Board of Review for the City to promote the general public welfare of the City and to protect and preserve the natural and historical charm and beauty of the City and its aesthetic appeal and beauty. The board is composed of seven members that review project design as it relates architecturally and city-wide.

Chapter 22.68, as it pertains to the urban forest, provides protection to trees on private properties that are not developed with or proposed to be developed with a single family residence, located in historic districts, or have historic or cultural value. The ABR considers landscaping as part of project compatibility and reviews any substantial alteration or deviation from the design, character, plant coverage at maturity, or other improvements specified on an approved landscape plan for any lot within the City of Santa Barbara that is developed with a multiple residential unit, a mixed use development, or a building that is occupied by a nonresidential use, whether or not the alteration or deviation to the landscape plan is proposed in connection with an alteration to a building or structure on the lot that is subject to design review by the Architectural Board of Review. Whether a proposed alteration or deviation is substantial is determined in accordance with the Architectural Board of Review Guidelines.

Chapter 22.69 Single Family Design Board

The goal of the Single Family Design Board is to ensure that single family residential unit projects are compatible with the surrounding neighborhood in size and design. The Single Family Design Board is also charged with the task of protecting public visual resources and promoting the ecological sustainability of the City's built environment through the design review process. This Chapter, as it relates to the urban forest, places general protection on trees located on private property by use of landscape plans during development or redevelopment (see Findings 22.69.050 (A.2, C.2, D.2, and D.3).

Chapter 22.76 View Dispute Resolution Process

Chapter 22.76 provides a conflict resolution process for homeowners and their neighbors to undertake in the event that a privately owned tree is blocking a view or access to sunlight. City-owned trees are not subject to the provisions in the chapter. The process includes initial discussion amongst the affected parties, mediation, arbitration, restoration and liability.

It is important to note that while the City provides a process for resolution, the City is not part of the process, other than to provide residents with lists of mediators, arbitrators and certified arborists, or to document that a claim has been made pursuant to this chapter. A Complainant can notify the Community Development Department of any request for mediation or arbitration pursuant to the provisions of this Chapter and can provide the City with the claim documentation materials including: evidence of prior view, evidence regarding unreasonable tree blockage, desired action, evidence of attempted resolution, and evidence of ownership. As noted above, notification and documentation is for the purposes of City record-keeping regarding the use of this Chapter only and does not obligate the City to assist or advise a property owner or participate in the dispute resolution process in any way.

Chapter 22.80 Landscape Design Standards for Water Conservation

Although not specifically related to trees, these standards include requirements for new development that includes new landscaping or alterations to existing landscaping and is subject to the review by the Historic Landmarks Commission, Architectural Board of Review or Single Family Design Board. The standards require the use of water-wise plants, limit the amount of turf and plants not considered water-wise and include requirements for mulch and installation of water-efficient irrigation.

Title 28 The Zoning Ordinance

The Zoning Ordinance establishes classifications and districts or zones and regulates the use of property within the city, defines terms used in the ordinance, includes a zoning map, provides for the adjustment, enforcement, and amendment thereof, and prescribes penalties for its violation. The City of Santa Barbara is divided into zone classifications that establish, regulate, restrict and segregate the uses of land, buildings and structures; regulate and restrict the height and bulk of buildings; regulate the area of setbacks, open yards, courts and other open spaces about buildings; and regulate the density of dwelling units.

	Zone Classification	SBMC	Front Setback
RESIDENTIAL	A-1, One Family	28.15	35’
	A-2, One Family	28.15	30’
	E-1, One Family	28.15	30’
	E-2, One Family	28.15	25’
	E-3, One Family	28.15	20’
	R-1, One Family	28.15	15’-20’
	R-2, Two Family	28.18	15’-20’
	R-3 & R-4, Multi-Family	28.21	10’-15’
	SD-1, Special District	28.45	25’-40’
	SD-2, Special District	28.45	10’-20’
COMMERCIAL/ OFFICE	R-O, Restricted Office	28.48	10’- 20’
	C-O, Medical Office	28.51	10’- 20’
	C-P, Restricted Commercial	28.54	10’
	C-L, Limited Commercial	28.57	10’
	C-1, Limited Commercial	28.63	10’
	C-2, Commercial	28.66	0’- 20’
	C-M, Commercial Manufacturing	28.69	0’- 20’
	OC, Ocean-Oriented Commercial	28.71	0’
	M-1, Light Manufacturing	28.72	0’
	OM-1 Ocean-Oriented Lt. Manuf.	28.73	0’
	HRC-1, Hotel and Related Commerce	28.22	10’-20’
	HRC-2, Hotel and Related Commerce	28.22	10’-20’

While the Zoning Ordinance defines regulated setback on both private and public property, Ch. 15.24 regulates trees planted within the defined setback areas according to the specific land use zones. Front setback distances range in residential zones from 10 feet to 40 feet. Areas zoned commercial or office have regulated front setbacks in the ranges of 0 feet to 20 feet.

Chapter 28.90 Automobile Parking Requirements

Chapter 28.90 provides the minimum requirements and standards for the provision of off-street parking for all buildings, structures and uses in the City of Santa Barbara in an effort to encourage the development of more attractive parking lots in commercial, industrial, and multiple-family use areas, to provide for attractive and durable screening between such parking lots and adjoining areas, and to lessen the effect of commercial and industrial uses upon adjoining residential uses.

This chapter enhances the urban forest by requiring landscape plans and standards are for all parking areas, parking lots, automobile service stations and automobile service stations/mini-markets except for one- or two-family dwellings. Section 28.90.050 focuses on requirements for landscaping and lighting.

Chapter 28.11 Protection and Enhancement of Solar Access

Chapter 28.11 was developed to establish height limitations in the residential zones to protect solar access particularly during development or redevelopment. This ordinance, as it relates to the urban forest, does not establish height limitations on trees or consider tree shading. The intent is to accommodate for natural light.

Santa Barbara General Plan

The City's General Plan provides broad policy direction for the urban forest. Proposed land use, growth management, and biological resources policies and implementation actions included in the 2011 General Plan update, *Plan Santa Barbara*, address ongoing protection and enhancement of the City's urban forest.

Land Use Element

The Land-Use Element of the General Plan contains goals and possible implementation actions that seek to enhance community and neighborhood character and are described below. In general, these goals recognize trees as an important visual element and seek to preserve them during development or redevelopment, as well as include them during long-range neighborhood planning development for reduced carbon footprint.

Open Space, Parks and Recreation Element

The Open Space, Parks and Recreation Element seeks to enhance the character of Santa Barbara through conservation and by providing significant open and natural landforms throughout the City. Implementation of goals defined in the original document (1972) included preservation of creek channels and hillsides in their natural state, reforestation in mountains where possible, protection of mature trees on private property and adoption of an effective tree preservation ordinance.

Environmental Resources Element

The Environmental Resources Element includes policies related to: climate change, energy conservation, air quality, biological resources, hydrology, water quality and flooding, aesthetics and visual resources.

Specific goals that preserve and enhance the urban forest are found under Biological Resource Policies include ER11 and ER12.1. ER 11 addresses the protection of native and Mediterranean drought-tolerant species in urban areas and in landscaping for their benefits as energy and water savers and providers of habitat and shade. ER 12.1 addresses protection, maintenance and expansion of the City's remaining diverse native plant and wildlife habitats, including ocean, wetland, coastal, creek, foothill, and urban-adapted habitats.

Local Coastal Plan

The Local Coastal Plan is the Land Use Plan and Map for the City's Coastal Zone. The City's LCP implements the provisions of the California Coastal Act by indicating the type, location, and intensity of land uses; and providing resource protection and development policies and implementation actions. Policy 9.11 and 9.12 require minimizing vegetation and tree removal along Highway 101. Policy 9.11 requires replacement of removed vegetation where removal is unavoidable. Policy 9.12 provides conditions to the Coastal Development Permit as part of the approval process that relate to trees and landscaping along Highway 101 and provides its own definition of "specimen tree" related to this policy. The LCP notes, "For the purposes of this standard, a specimen tree is defined as any tree with a diameter of at least six inches measured four feet above the ground with a minimum height of six feet. For trees such as willows which do not have a single trunk, the diameter of all upright woody stems should be combined for the measurement of the diameter." Conditions include tree replacement ratios and tree size, use of drought-tolerant species that provide screen, and installation of irrigation.

Climate Action Plan

The Santa Barbara Climate Action Plan addresses climate change issues for the City of Santa Barbara community through the year 2030, in accordance with directives of the Santa Barbara General Plan and the California Global Warming Solutions Act (AB 32). The purpose of the plan is to: (1) reduce the rate of carbon emissions generated within the Santa Barbara community; and (2) plan for adaptation of Santa Barbara to climate changes. The Plan includes policies for reducing carbon emissions and adapting to climate change the areas of energy efficiency and green building, renewable energy, travel and land use, vegetation, waste reduction, and water conservation. Several strategies relate to trees and vegetation in the urban forest, including:

<u>Carbon Reduction</u>

39. Tree planting – Increase carbon sequestration through the planting of additional trees, with a goal of 1,000 new trees by 2030.

40. Street trees – Issues to be addressed include canopy cover, land uses, infrastructure constraints, environmental resources, and aesthetics.

41. Tree & landscaping protection – Protect native & other urban trees and landscaped places and promote use of native or Mediterranean, drought-tolerant species in landscaping to save energy and water, incorporate habitat, and provide shade.

42. Urban heat island effect – Establish standards to decrease impermeable surfaces; incentives for green roofs and cool roofs

43. Regional open space preservation – Coordinate with County, school district, other cities on regional open space protection.

<u>Adaptation to Climate Change Effects – Bio Resources</u>

97. Wildlife, coastal and native plant habitat protection

98. Open space connectivity and trails

99. Creek setbacks, protection, restoration

Wildland Fire Plan

Santa Barbara's Wildland Fire Plan was created to protect lives, property, and natural resources threatened by wildland fire. The Plan organizes the City's existing high fire hazard area into four zones and applies appropriate vegetation management distances to each zone, known as defensible space requirements.

Defensible space requirements are established for properties in high fire areas and include brush clearance, the use of fire resistant landscaping, plant spacing and maintenance. In some cases, this limits the number and type of trees placed on private property. Use of these guidelines is intended to impede the progress of fire, reduce its intensity and provide a safe buffer to protect homes and buildings. The plan includes a list of plants and trees that have desirable qualities for fire resistant landscaping as well as those that do not.

The Wildland Fire Plan also identifies areas within the high fire hazard area that are outside the Fire Department Defensible Space Requirements, but that have existing hazards and risks that increase the potential for loss of wildlife habitat, property loss and safe fire protection. These units are identified as Vegetation Management Units. Vegetation management is proposed within each of these units. The Fire Department works with private property owners and neighborhoods to implement vegetation management plans and provides a list of fire-wise tree and plants and encourages tree pruning.

Design Guidelines

Several design guidelines and plans are listed due to their relevance to trees in the urban forest, particularly during re-development or new development. The City's design review boards including Single Family Design Board Architectural Board of Review and Historic Landmarks Commission have design guidelines for development and redevelopment. Other guidelines consist of voluntary actions like those in the Passive Solar Building Design Guidelines.

<u>Single Family Design Board Guidelines Architectural Board of Review Guidelines and Historic Landmarks Commission Guidelines</u>

Guidelines for Single Family Design Board, Historic Landmarks Commission and Architectural Board of Review contain many of the same goals and policies for protection and enhancement of trees and landscaping on private property. Many of the projects subject to the review by one of these Boards are required to have a landscape plan. The guidelines are intended to clarify the goals and policies of the respective boards for the public and those who enter apply for a permit.

<u>Solar Energy System Design Guidelines</u>

These voluntary guidelines provide guidance to property owners, architects, contractors and others who may be interested in using solar energy in their buildings. The guidelines include general principles as well as specific techniques for designing solar energy systems that can take advantage of solar energy.

As they pertain to trees in the urban forest, the guidelines encourage choosing plant and tree types and locations that will not grow to shade areas on the property or on neighboring properties where solar energy systems are installed. While these guidelines consider the type and placement of trees, they do not address trees planted prior to or after the installation of solar energy systems or trees on adjacent property owners that may grow to shade the solar systems.

Passive Solar Building Design Guidelines and Recognition Program

The Passive Solar Building Design Guidelines are voluntary actions that can provide energy savings and create a more comfortable environment. The Guidelines promote Passive Cooling Techniques that minimize direct sun exposure and heat absorption. For example, trees can be strategically placed to shade homes and provide cooling in the summer, sun in the winter and to decrease wind.

Landscape Plan Guidelines

When landscape plans are required for a project subject to the review of the Architectural Board of Review, Historic Landmarks Commission or Single Family Design Board , they must be submitted prior to the Project Design Approval hearing. When developing these plans, the following considerations should be made: number of tree removals, invasive plants being used, right plant-right place, water conservation, permeability, sustainability and any specific guidelines particular to the project. A Landscape Design Guidelines Consistency worksheet is available to help the public develop their plan with the City's policies in mind.

Stormwater Management Program

The State's Minimum Design Standards for storm water management and water quality protection are addressed in the City's Storm Water Management Program (SWMP). The SWMP addresses a number of required design standards, one of which is natural area conservation grading limitations. The SWMP design standards seek to minimize grading and clearing of native vegetation, preserve existing trees and vegetation, promote the use of native and drought-tolerant vegetation, incorporate landscaping in parking lot design, and preserve riparian areas and wetlands.

Pedestrian Master Plan

Santa Barbara is already a world-renowned city for its livable and walkable Downtown. Pedestrian activity translates directly into health, economic, environmental, and cultural community benefits. The objective of the Pedestrian Master Plan is to address obstacles to increased walking, such as deficient facilities, concerns about safety, attractiveness and appeal, and a lack of connectivity. The Pedestrian Master Plan sets forth specific strategies for improvements The Plan identifies the desirability and

psychological comforts of trees, accommodates for street trees, and provides design guidance for minimum clearances below street trees.

Urban Design Guidelines

Several sections of this document incorporate the use of vegetation and canopy trees to enhance landscaping near and around pedestrian facilities and amenities, courtyards, plazas, and placitas. Use of trees is generally required to provide shade, weather protection and greenery in the urban environment.

Upper State Street Design Guidelines

These guidelines require trees to be used in streetscape plantings and to frame views rather than block them. They recommend protecting skyline and canopy trees bordering State Street, as well as integrate parking lot lighting with trees.

Harbor Master Plan Design Guidelines

The Harbor Master Plan suggests the use of large canopy trees in parking areas and shade trees for pedestrian areas.

Other Guidelines

Other areas of the city with designated guidelines for development, including trees, include the Haley Milpas Design Guidelines, Highway 101 Coastal Parkway Design Guidelines, State Street Landscaping Design Guidelines, Waterfront Aesthetic Criteria for New Development, Lower Riviera Special Design District Guidelines, and El Pueblo Viejo (EPV) Design Guidelines.

V. Santa Barbara Urban Forest Key Issues

The identification of key issues for the long-term management of Santa Barbara's urban forest provides the foundation for the urban forest objectives and implementation actions. The key issues presented below were developed with input from community members, City design/development review boards and commissions, the Street Tree Advisory Committee and Parks and Recreation Commission, the Urban Forest Technical Advisory Committee, and City staff in the Parks and Recreation, Community Development, Public Works and Fire departments. The issues are organized under three main topics: tree resource management, City policy and organization, and community involvement.

Tree Resource Management

As the City has developed with paved streets, sidewalks, and other public infrastructure, street parkway planting spaces have decreased and tree root systems are increasingly impacted by compaction and construction disturbance. There are management challenges when trees grow into high voltage power lines, root systems disrupt paved surfaces, and grow too close to underground infrastructure. Tree planting spaces can also be inappropriate for the size of the tree. Public resources to plant and maintain trees have not kept pace with tree maintenance needs to ensure a healthy urban forest. The public's opinion of trees is diverse and can create conflict due to tree size, leaf drop, views, shade and/or solar access. The Wildland Fire Plan and high voltage line street clearance requirements can result in radical pruning with aesthetic and tree value impacts. In addition, traffic visibility considerations can affect the potential to plant and maintain trees in areas with higher traffic volumes.

Existing resources allocated for tree planting and maintenance are unlikely to be sufficient to adequately care for existing trees and/or expand urban forest resources over the long-term. Currently, annual street tree pruning operations are primarily focused on grid pruning. Fewer resources are available for specialized pruning, and systematic removal and replacement of poorly performing trees, or trees at the end of their life. The loss of tree resources and the lack of planning for new trees also affects the health and longevity of City park tree population.

Specific Tree Resource Management Issues identified during Plan development include:

1. Low diversity/overuse of similar species in existing population
2. Need to develop a proactive approach to systematic removal and timely replacement of poorly performing or placed trees and trees at the end of their life
3. Need for organized interdepartmental plan to manage tree and infrastructure maintenance, improve parkways, address tree canopy clearances and assess roadway visibility and other public safety issues

4. Tree planting and landscaping challenges arise when buildings are constructed at property line and/or building heights limit tree sizes and/or ability to plant trees
    - Redevelopment/Urban infill changes streetscapes and tree options
5. A large number of vacant tree sites exists in parks and along streets that are potentially suitable for planting
6. Maintenance focuses on grid pruning and citizen response pruning
    - Need for proactive pruning/maintenance
7. Conflict between trees/solar access/views likely to increase
8. Need for proactive verse reactive pest management
9. Unknown consequences of climate change on tree population health, longevity and maintenance requirements
10. Value of trees not frequently considered, trees not treated as a capital resource
11. Park tree maintenance focused on safety
    - A significant number of unique park tree species occur only once with no plan to offset this loss
    - Need to take advantage of and seek opportunities to restore/enhance riparian canopy, eliminate invasive species and increase native habitat in open space parks and parks with creeks
12. Trees as bird and wildlife habitat not always considered during species selection and tree replacement and planting
13. Limited maintenance and inappropriate planting and pruning of private trees
    - Loss of tree resources through removals
    - Lack of knowledge of landowner responsibility for maintenance of private infrastructure and regulated trees
14. Public and private infrastructure damage from both publicly and privately owned trees
15. Fire prevention and safety
    - High Fire Hazard Area Defensible Space requirements limit tree planting opportunities and require certain tree maintenance

City Organization and Policy

Santa Barbara's organizational challenges relate to interdepartmental coordination, staff training, and financial resources. In addition to Parks and Recreation, the Public Works, Fire and Community Development Departments are involved in the management of tree resources. Consistent interdepartmental coordination and communication is critical for effective tree resource management. At times poor coordination and lack of staff knowledge of tree protection policies and practices has resulted in delayed project decision-making, loss of trees, lost opportunities for planting new trees, and other issues.

From a policy and planning perspective, the City has a strong foundation for tree protection and enhancement. While some documents, such as the Street Tree Master Plan need to be updated, recent updates to the municipal code and landscape plan guidelines reaffirm Santa Barbara's commitment to preservation of urban forest

resources. In addition, guidance in the General Plan, Local Coastal Plan, and Climate Action Plan, as well as City Council support for urban forest management issues and well-established advisory boards, provide a solid framework to address urban forest issues. At the same time, as Santa Barbara continues to develop and the public urban forest matures, land development, infrastructure improvements, and community safety considerations, such as including solar design, pedestrian access, views, and fire protection, among others, may require new policy guidance.

Specific City Policy Issues include:

1. Street Tree Master Plan outdated, provides limited guidance
2. No overall Park Tree Master Plan
    - Fire prevention and species selection in parks and open spaces
    - Defensible space considerations
3. Landscape design guidelines require the planting and maintenance of some trees on private property, yet enforcement of those plans is limited
4. Tree preservation ordinances do not address native trees, native habitat areas, or wildlife corridors
5. Pedestrian Master Plan does not adequately address need for space to plant trees
6. Design review boards require landscaping within parkways without regard to maintenance needs
7. Risk reduction plans need to reduce wind/falling limb hazards and identify potential high hazard trees or areas
8. Purpose and function of Historic and Specimen designations not well defined
    - Review definition and designation process with consideration of replacement species and location

Specific City Organization Issues include:

1. Limited funding resources to maintain existing street trees
2. Limited funding resources to plant, establish and maintain new street trees
3. Lack of funding and mechanisms for community education/outreach and tree planting programs
4. Limited funds for park and facility tree maintenance and new park tree planting
    - Loss of park species diversity
5. Budget implications for identification and resolution of infrastructure conflicts
6. No comprehensive enforcement program that is proactive, education based
7. Competing priorities among different departments can create conflict and adversely affect trees
8. Inconsistent interdepartmental communication and coordination can result in missed opportunities to plant/maintain and protect trees
9. Lack of staff knowledge on tree preservation and maintenance requirements results in missed opportunities, delayed project decision-making, loss of trees, lost opportunities for planting new trees and other issues.

Community Involvement

Community involvement in the urban forest is primarily focused on street tree maintenance. Residential homeowners often have an expectation that the City will provide prompt response based pruning. This practice, which is increasingly difficult with reduced staff, also reduces tree maintenance efficiency. In addition, many landowners are not familiar with City tree preservation rules and maintenance requirements which can lead to illegal removals and improper pruning practices. This is compounded by limited staff resources that have a greater focus on enforcement rather than proactive community education. Recent updates to community information materials, including City web page information, preparation of a Community Tree Guide, and workshops for tree care professionals, provide some of the tools to increase community knowledge and involvement, yet more is needed.

Specific Community Involvement Issues include:

1. Limited community involvement in street tree selection, planting and maintenance
2. Limited public knowledge of tree preservation policies
3. Public perception of street trees is diverse
4. Lack of knowledge of City preservation rules and landowner responsibility for maintenance of private infrastructure and regulated trees
5. Limited resident participation in street tree maintenance
6. Community involvement primarily focused on street tree maintenance through tree permitting.
7. Need for incentive programs to promote tree planting on private property
8. Residential homeowners often have an expectation that the City will provide prompt response based pruning

VI. Urban Forest Management Plan Vision and Mission

Urban Forest Plan Vision

Santa Barbara's urban forest is healthy and diverse, and contributes to the community's economic, environmental, and aesthetic vitality. It is valued and cared for by the City and its citizens, and reflects our horticultural heritage.

Urban Forest Plan Mission

Preserve, protect and enhance our trees, promote the benefits of trees, and foster a healthy and diverse urban forest.

VII. Urban Forest Plan Goals, Objectives, Implementation Actions

Goals

1. Elevate the importance of the urban forest.
2. Continue Santa Barbara's horticultural legacy.
3. Promote a vibrant and healthy community.
4. Foster awareness and appreciation of trees.

Objectives

The fifteen Objectives and corresponding implementation actions of the Urban Forest Plan are organized under: 1) Tree Resource Management, 2) City Organization and Policy, and 3) Community Involvement. Each objective includes a discussion to provide context and support the associated actions. Implementation of any action will include policy, program and budget coordination as well as an assessment of long-term funding and data needs, development of tools and programs, and staffing levels. Where necessary, additional considerations are included specific to each objective and/or associated actions.

Tree Resource Management

Objective 1: Maintain City trees to promote safety, health and longevity.

Healthy trees contribute to Santa Barbara's environmental health and quality of life. Trees maintained on a regular, frequent cycle are healthier, live longer, reduce conflicts with urban infrastructure, and increase safety. The City's current trimming cycle limits the City's ability to adequately maintain all of its street trees. Maintenance plans are year-to-year, and funding levels constrain proactive and systematic removal and replacement of trees that are performing poorly or reaching the end of their life. Further, the City does not have a plan to address trees located under high voltage power lines that are pruned for safety reasons by Southern California Edison that often results in a dramatic loss of tree canopy, reduced aesthetics and tree benefits. Addressing these issues will prolong the life of trees, provide clear direction for tree replacement and increase the aesthetic quality of trees located under or near utilities. In addition, ongoing comprehensive analysis of the urban forest is essential for implementation of resource management tools and cost/benefit analyses.

<u>Implementation Actions</u>

1. Trim/maintain street trees more frequently to promote public safety, neighborhood aesthetics, and tree health.
2. Develop a multi-year plan to address tree maintenance, planting and removal

citywide.

3. Develop a young tree training program to reduce the potential for mature trees to conflict with high voltage lines and other utilities and infrastructure.
4. Broaden and formalize partnerships with Southern California Edison (SCE), Caltrans and other utility companies through Memorandum Of Understanding's or other means to implement tree trimming plans and where possible utility undergrounding to minimize conflict/maximize safety while promoting tree canopy, health and longevity.
5. Conduct periodic tree assessments to monitor tree performance.
6. Continue to maintain the City tree inventory database to achieve urban forest objectives and tree management.
7. Continue to work with the Fire Department to develop and implement proactive maintenance plans for street trees located in high fire zones.

Objective 2: Enhance street parkway growing conditions where feasible.

Many tree problems in urban areas can be traced to physical changes, such as introduced hardscapes, poor soils, small planting spaces and street and sidewalk construction that result in reduced supply of nutrient rich soil, water and oxygen. Consequences can include hardscape/root conflict, poor canopy growth and degraded tree health. The implementation actions seek to enhance the health, longevity and aesthetics of street trees by providing better growing conditions. Baseline data on parkway conditions will provide information on enhancement opportunities.

<u>Implementation Actions</u>

1. Revise City infrastructure construction specifications to maximize tree health and longevity and minimize infrastructure damage.
2. Identify existing parkways that can be enlarged to accommodate greater canopy and/or larger canopy trees.
3. Promote streetscape redevelopment to maximize parkway planting area.
4. Develop formal parkway and tree planting guidelines and specifications to maximize tree health and minimize conflict with public infrastructure.
5. Provide extra protection for newly planted trees such as curb adjustments and protective barriers where necessary and feasible.
6. Where feasible, include irrigation during parkway and sidewalk redevelopment.
7. Work with adjacent land owners and neighborhoods to provide supplemental water and weed management.
8. Develop strategies to manage sensitive parkway trees during drought conditions.
9. Develop parkway construction specifications to improve parkway soil conditions that promote young tree root development and minimize infrastructure damage.
10. Where feasible, utilize the latest construction technology such as permeable pavers, to increase storm water infiltration and provide water to tree roots.

Objective 3: Optimize tree canopy.

As canopy increases, the benefits that trees provide increases, such as shade and energy conservation, wildlife habitat, neighborhood character and beauty, cleaner air and reduced storm water runoff, among others. Optimizing tree canopy includes identifying appropriate planting spaces for large trees, planting groups of trees to achieve contiguous canopy, planting larger trees where possible, and planting new trees and replacing lost trees in areas with lower canopy coverage. Key considerations include staffing costs for tree planting and maintenance, and implementation of outreach programs to involve residents and property owners.

Implementation Actions

1. Identify planting locations along City streets, in City parks and on other public property that can support greater canopy and/or large canopy tree species.
2. Complete a comprehensive inventory of vacant planting sites to determine which ones can support new trees.
3. Identify opportunities to increase available planting space along City streets, in City parks and on other public property.
4. Increase the use of large-canopy trees where practical.
5. Expand the young tree care program to increase plantings and associated care and maintenance.
6. Expand street tree planting and replacement program with priority on neighborhoods with the fewest trees and in areas where residents are willing to provide supplemental early tree care.

Objective 4: Optimize age and enhance species diversity.

Age and species structure are important elements of urban forest health. While species diversity reduces the likelihood of tree loss from disease or pests, varied tree age reduces the possibility that all the trees in the forest will begin to die at the same time. A healthy mixture of young, medium, and older trees also provides a more complex habitat for wildlife and can support a greater number of species. Long known for its horticultural heritage, Santa Barbara's tree diversity is at risk. Although the current City tree inventory contains approximately 456 different varieties of trees, half of those occur at a frequency of five or fewer times; ninety-six (96) species occur only once, many of which are no longer available commercially. Determining an appropriate mix of tree age and species diversity that accounts for tree availability, planting locations, maintenance requirements, and other issues is a key consideration.

Implementation Actions

1. Maintain existing species diversity and investigate methods for increasing desirable

species that are rare.

2. Assess and develop age and species criteria for City parks and other City property.
3. As part of the Street Tree Master Plan update, define appropriate age and species diversity distribution and locate areas where new or replacement trees should be planted.
   - Determine potential life spans and growth sizes in Santa Barbara for designated trees and potential designated trees
   - Increase planting species that have longer average life spans Formalize the criteria and methodology for change to street tree designations.
4. To the extent feasible, work with local and regional nurseries and other public agencies to grow/propagate unique and desirable tree species not commercially available.

Objective 5: Maximize the economic, environmental, and aesthetic benefits of the urban forest.

Trees provide ecological benefits such as reduced energy consumption, improved air quality, increased carbon sequestration, wildlife habitat, reduced storm water runoff and enhanced views. Developing resources to measure and communicate these benefits is critical for City board and commission members during land development review, for home and business owners during re-landscaping and solar panel installation, and for effective decision-making by City managers.

Implementation Actions

1. Select new tree plantings that will maximize energy conservation, increase carbon sequestration, and provide shade.
2. Encourage the use of parking lot and streetscape designs that provide greater amounts of pavement shading.
3. Develop an economic/environmental tree resource calculator/performance checklist to evaluate the tree resource as it relates to other capital resources during land development.
4. Develop long-term street tree plans for major commercial corridors and public areas such as Upper State Street, De La Vina Street, Carrillo Street, Milpas Street, Chapala Street and Cliff Drive. Integrate plans in land development projects and public infrastructure improvements.
5. Require street tree plantings and maintenance as part of permitting for all land development and/or redevelopment, when new trees are planted.
6. Develop tree resource management guidelines that balance tree resource value with solar access and solar energy system design.
7. Work with private landowners to minimize the potential for private trees to conflict with public infrastructure.
8. Develop guidance for tree selection and planting along Highway 101 that would improve air quality for nearby sensitive land uses.

Objective 6: Provide urban forest benefits that enhance visitor experiences in City parks and facilities.

Santa Barbara's parks provide relief to an urban landscape for both people and the environment. City parks offer a diverse experience that includes: sports, bird and wildlife viewing, botanical discoveries, children's play, picnicking, walking and other exercise, place of gathering, and more. Maintaining these areas for safety and their respective designed use is important. The City's Urban Forestry Program maintains over 9,200 trees located within 68 parks and landscaped areas of public facilities, and as many as 30,000 trees in open space parks. Overall, park trees are on an eight to ten-year pruning cycle and lost trees are rarely replaced. More frequent pruning, beyond safety pruning, is needed to prolong park tree life and health. Planned replacements are needed to maintain aesthetic value and heritage as well as enhance native habitats.

<u>Implementation Actions</u>

1. Increase park tree maintenance for prolonged health and longevity.
2. Develop a tree replacement program that enhances aesthetics and promotes recreation.
3. Continue to work with the Fire Department to develop and implement proactive maintenance plans for parks located in high fire zones.
4. Maintain stands of large trees in open spaces and community and developed parks.
5. Increase canopy cover to enhance habitat for wildlife and for public benefit, where appropriate.

Objective 7: Enhance and preserve trees within native habitats including riparian areas, oak woodlands and protected open spaces.

Native habitats host drought-tolerant trees and vegetation that provide shelter, food and movement for native wildlife. City open space parks and riparian areas provide optimal locations to promote and enhance native trees. Actions within this Objective are consistent with General Plan goals found in Sections 11 and 12 of the Environmental Resources Element which recognize the importance of native trees and habitats found in native oak stands and riparian woodlands.

Implementation Actions

1. Minimize compaction of soil under drip lines of trees by routing trails and pathways around trees.
2. As part of the Park Tree Master Plan, address riparian and oak woodland management to preserve and protect mature trees, native tree saplings and native understory vegetation.
3. Use large native trees in riparian zones and areas that connect to native landscaping and open spaces, where feasible.
4. To the extent feasible, control invasive, non-native vegetation that threatens trees in riparian areas and open space parks.
5. Develop a riparian canopy restoration program in parks with creek habitats.

Objective 8: Maintain and protect historic and culturally significant trees city-wide.

Historic and specimen trees provide a link to Santa Barbara's culture and history and have been designated for a variety of reasons, including their location amongst other historic/landmark structures, association with a particular person or time, value to an area as a prominent and established visual feature, or unique location, among other considerations. Specimen trees are designated as such by virtue of their age, size, rarity, and condition of species. Refining the definition of these trees and criteria for designation will better guide the designation process, as well as the maintenance and replacement of designated trees.

1. Review and revise, as needed, the definition of and criteria for designation of historic and specimen trees.
2. Clarify guidance for maintenance, longevity and replacement of designated specimen and historic trees.
3. Maintain the history, design, cultural integrity, and functional use of developed parks, as feasible.
4. Protect and enhance trees in historically significant parks such as Alameda Park, Alice Keck Park Memorial Garden, Orpet Park and Franceschi Park through increased tree maintenance and tree planting programs.

City Organization and Policy

Objective 9: Enhance City investment in the health and management of the urban forest.

Public resources to plant and maintain trees have not kept pace with tree maintenance needs to ensure a healthy urban forest and cannot support expanding programs. Increased funding will be an important first step as the City seeks to increase its level of tree service. Further, dedicated funding is not allocated for community outreach and public education, yet nearly 80 percent of the urban forest lies on private property. Long-term urban forest health will require programs that integrate the community. Establishing funding for programs and resources will drive the development of urban forest education.The City will continue to seek funds from grants and other sources to further Plan Objectives.

Implementation Actions

1. Increase annual maintenance funding for the management and care of City trees.
2. Establish an annual capital improvement program to plant and maintain new trees.
3. Establish funding for community outreach programs and public education resources.
4. Develop public-private partnerships to address tree resource needs.
5. Identify and obtain external sources of funding to support the goals and strategies of the Management Plan.
6. Evaluate the feasibility of a Street Tree/Parkway Management Assessment District to fund street tree maintenance.

Objective 10: Improve interdepartmental communication and coordination related to tree preservation and enhancement.

Consistent interdepartmental coordination and communication is critical for effective tree resource management. Several City departments are involved in tree care, including the Parks and Recreation, Public Works, Fire, and Community Development. At times, poor coordination and lack of staff knowledge of tree protection policies and practices has resulted in delayed project decision-making, loss of trees, lost opportunities for planting new trees, and other issues. Part of long-term planning will be the ability to synchronize projects with other departments. For example, parkway enhancements can be coordinated with street or sidewalk related projects.

Implementation Actions

1. Establish formal urban forest team comprised of staff from Parks and Recreation, Public Works, and Community Development and Fire to address tree management and coordinate tree review for land development projects.

2. Implement an annual staff and board/commission tree training program to review Tree Preservation and Tree Maintenance Policies, plus objectives and actions outlined in the Urban Forest Management Plan.
3. Collaborate with the Public Works Department to develop criteria to evaluate tree performance, age and species diversity as well as options to remove/replace trees and enhance street tree grow space during construction projects that involve sidewalks, curbs, gutters and other infrastructure.

Objective 11: Elevate urban forest objectives in City policies and land development considerations.

The City's street tree program is guided by the Street Tree Master Plan, adopted in 1977. Since that time, trees that were once small and in a spacious planting space, are now large and confined with a variety of infrastructure constraints. An updated Street Tree Master Plan will address current urban forest key issues including: revisions to street tree designations, tree diversity objectives, canopy enhancement, infrastructure considerations and tree health and maintenance, among others. In addition, the City does not currently have a plan that addresses long-term management of park trees. As the community develops and the public urban forest continues to mature, trees need to be incorporated into the discussion during beginning stages of review for land development, infrastructure improvements, and for community safety considerations. Updating relevant documents in combination with the development of resource tools will increase urban forest health and optimize canopy, plus decrease missed opportunities.

<u>Implementation Actions</u>

1. Update the Street Tree Master Plan to address long range tree management objectives.
2. Develop a Park Tree Master Plan that includes maintenance objectives, and planting and replacement strategies.
3. Continue to implement and update, as needed, urban forest objectives in the City's General Plan, Climate Action Plan, Local Coastal Plan, Pedestrian Master Plan, and Wildland Fire Plan.
4. Integrate tree resource management objectives in the future update to the Open Space, Parks and Recreation Element of the General Plan.

Objective 12: Ensure that tree preservation and land development ordinances support urban forest management goals.

City policy documents affirm the City's commitment and provide guidance for tree preservation. Additional guidance/clarification for long-term planning specific to historic species is becoming an issue as these trees near the end of their life and are lost due to disease, extreme weather, and other conditions.

Implementation Actions

1. Review and update, if necessary, the City ordinances pertaining to trees and landscapes to ensure that they are consistent with urban forest management plan objectives.
2. Develop Parkway Vegetation Planting and Care Guidelines/Checklist to better articulate and document plantings during land development review.
3. Establish a tree mitigation bank program when impacts to trees cannot be avoided.

Objective 13: Improve interagency coordination and partnerships.

Developing strong partnerships with local agencies, businesses and private property owners will increase the success of urban forest objectives and generate additional resources. While the City currently works with several agencies on tree-related issues, these communications have primarily been on a case-by-case basis. The actions below seek to strengthen existing partnerships and develop new partnerships.

Actions

1. Establish and formalize partnerships with Southern California Edison, Caltrans and other utility companies through Memorandum Of Understanding's or other means to implement tree trimming and planting plans that minimize conflict/maximize safety while promoting tree canopy, health and longevity.
2. Develop partnerships with organizations, businesses and the public school system to encourage tree health and plantings on private property.

Community Involvement

Objective 14: Enhance public awareness and appreciation of the urban forest as a community resource.

In order for residents to become actively engaged in enhancing and caring for the urban forest, they must first be made aware of the value and benefits it provides. With an estimated 80 percent of the urban forest on private property, the urban forest's overall health is dependent on community support. Until now, outreach and education has been aligned with specific City projects including tree removals and policy changes, or as part of tree removal permitting processes. It is anticipated that expanding urban forest education at a programmatic level will increase awareness of tree preservation policies and improve tree care practices city-wide.

Implementation Actions

1. Develop a comprehensive tree education program to provide city residents with

information about tree preservation policies, the benefits trees provide, and the importance of tree canopy.
2. Strengthen city-wide approaches for communicating through web, print and media and social media. Continue to provide resources about urban forestry to the public through newsletters, permitting, websites, and other resources.
3. Hold an annual public workshop to educate public on policies, maintenance and care of trees.
4. Develop partnerships with organizations, businesses, private and public schools to encourage tree health and plantings on non-City property.
5. Institute a program to acknowledge and publicize contributions to urban forestry by residents, businesses, institutions, and neighborhood group organizations.
6. Develop a tree education program to foster appreciation and awareness of the contribution of city-owned street trees and park trees to the City's history and cultural heritage.

Objective 15: Expand public participation in urban forest preservation and enhancement.

Santa Barbara's tree planting history is strongly tied to citizen stewardship. Today's tree policies aim to protect trees from unauthorized plantings and removals but can also limit the amount of public involvement. Currently, community involvement is often associated with street tree maintenance issues. City programs are needed to balance the desires of individual residents with the City's responsibility for overall tree care and management. To increase urban forest enhancement on private property, the City will provide tree planting and maintenance technical assistance and work with public schools and other institutions to develop forest stewardship projects.

Implementation Actions

1. Develop Adopt-a-Block or Adopt-a-Tree programs to encourage healthy long-lived street trees.
2. Develop a technical assistance program to support the planting and care of trees on private property.
3. Develop community service opportunities with schools and other institutions for urban forest stewardship projects.
4. Increase community involvement in street tree designations, maintenance, plantings and care.
5. Engage the community to identify opportunities and barriers for tree planting and preservation on public property.
6. Develop volunteer maintenance programs to increase public participation opportunities.

Objective 16: Expand public/private partnerships.

Partnerships will bring newfound resources and broader support for urban forest objectives. Strengthening partnerships with civic groups, educational institutions and businesses will expand the message of urban forest health and associated community benefits.

Implementation Actions

1. Develop partnerships with non-profit organizations, businesses, neighborhood associations, private schools and the public school system to encourage tree health and plantings.
2. Seek opportunities to collaborate with universities and colleges and the public school system on urban forestry science and current research.
3. Encourage private landowners to apply a tree resource calculator when selecting trees to increase economic, environmental and aesthetic benefits and enhance property values.

VIII. Urban Forest Management Plan Implementation

Implementation of this 30 year plan will require policy, program and budget coordination, data gathering, development of tools and programs, and establishment of long-term funding mechanisms. Because not all actions can be implemented immediately, a work plan will outline priority actions, identify roles and responsibilities, analyze resource implications and funding needs, and establish realistic timelines for execution and completion. Priority actions identified by the public, boards and commissions and staff address a variety of community needs and desires including tree maintenance, tree planting and community outreach, as well as organizational improvements including project coordination and staff training. Work plans will remain flexible to account for new opportunities and respond to available funding through City Council annual budget approval.

As shown in the following matrix, some implementation actions are already underway and represent key aspects of the City's Urban Forest Management Program, while others expand upon current practices or are altogether new. The matrix also illustrates actions that do not require additional resources, as well as those that have short-term funding needs and others that require long-term program enhancements.

Tree Resource Management

Tree resource management implementation actions will increase tree planting and maintenance, formalize partnerships with utility companies to address tree/infrastructure conflicts, and optimize tree species and age to promote safety, aesthetics and tree health. Additional actions include the development of and/or revisions to tree resource documents to help evaluate and provide guidance for urban forestry decisions for staff, boards and commissions, as well as the public. Key actions include:

- Shorten tree trimming cycles city-wide
- Development of multi-year maintenance plans
- Increase tree planting city-wide by identifying planting locations and areas where larger canopy trees can be planted
- Develop a tree training program for trees located under utility lines
- Formalize partnerships with Southern California Edison, Caltrans and other utility companies to address tree/infrastructure and utility conflicts
- Revise City infrastructure construction specifications and development of formalized parkway tree planting guidelines
- Develop tree resource guidelines that balance tree resource value with solar access and solar energy system design
- Partner with neighborhoods for supplemental street tree maintenance
- Assess parkway irrigation needs and adjustment options during times of drought
- Work with local and regional nurseries and other public agencies to grow/propagate unique and desirable tree species not commercially available

- Develop planting palettes for parking lots and areas along Highway 101
- Protect trees in historically significant parks through increased planting and maintenance
- Revise the definition of and criteria for selection of Historic and Specimen trees
- Promote native canopy in parks where native woodlands and vegetation currently exist or where restoration is needed

City Organization and Policy

To address funding needs the Plan provides the following primary actions:

- Increase annual maintenance funding for the management and care of City trees
- Establish an annual capital improvement program to include planting and maintenance of new trees planted as part of a development/redevelopment projects
- Establish funding for community outreach programs and public education resources

To better coordinate with City boards, commissions and staff, the following actions are prioritized:

- Establish an urban forestry team comprised of several departments to evaluate and address tree management and coordinate land development projects
- Implement staff, board and commission trainings to review Tree Preservation and Tree Maintenance policies as well as UFMP work plan actions

Actions that address policy objectives include:

- Update the Street Tree Master Plan
- Develop a Park Tree Master Plan
- Develop parkway vegetation planting and care guidelines/checklist to better articulate and document plantings during land development review
- Update City ordinances and Plans to provide consistency and reflect the UFMP objectives

Community Involvement

The implementation plan would expand community outreach and education through a variety of internal resources (such as web, printed materials, media, and permitting processes) as well as develop new programs. New programs and partnerships would increase community involvement in tree care and foster appreciation of the urban forest. Key tasks include:

- Development of a comprehensive outreach and education program

- Implementation of an Adopt-a-block program to supplement street tree care through neighborhood involvement
- Schedule public workshops to provide technical assistance on care and maintenance plus educate public on City tree policies
- Strengthen partnerships with non-profit organizations, businesses, neighborhood associations, local schools to encourage tree health and planting on private property
- Establish recognition program for urban forestry contributions made by the public

Partnerships may take a variety of forms depending on the type and/or role of an organization. For example, the City may look to partner with the Association of Realtors as a venue to disseminate tree preservation and parkway tree care information to homebuyers while school district partnerships provide opportunities to educate the youth on the benefits of trees and provide tree planting on private property. Other programs can provide volunteer planting and tree care opportunities and engage the community in street tree designations.

Plan Monitoring and Reporting

The Urban Forest Management Plan is intended to be a living document with the ability to be updated and revised periodically to:

- Reflect changes in the urban forest resource structure and function
- Incorporate changes in industry standards
- Consider community response
- Amend and/or develop new recommended actions

Ongoing monitoring, analysis, and reporting will help keep staff and urban forest partners involved and focused on accomplishing Plan objectives. To monitor progress of the Plans' recommended actions, a progress report would be prepared periodically. Annual performance measure (P3) reporting would continue to reflect progress in planting and maintenance, permitting, ordinance violations, and contractor trainings. Analysis may include an updated street tree inventory, i-Tree benefits analyses, or urban tree canopy assessment.

UFMP Implementation Matrix

Objectives and Actions	New	Existing	Expanding
Tree Resource Management			
Obj. 1: Maintain City trees to promote safety, health and logevity			
Trim/maintain street trees more frequently to promote public safety, neighborhood aesthetics, and tree health.			✓
Develop a multi-year plan to address tree maintenance, planting and removal citywide.	✓		
Develop a young tree training program to reduce the potential for mature trees to conflict with high voltage lines and other utilities and infrastructure.			✓
Broaden and formalize partnerships with Southern California Edison (SCE), Caltrans and other utility companies through Memorandum Of Understanding's or other means to implement tree trimming plans that minimize conflict/maximize safety while promoting tree canopy, health and longevity.	✓		
Conduct periodic tree assessments to monitor tree performance.			✓
Continue to maintain the city tree inventory database to achieve urban forest objectives and monitor tree management.		✓	
Continue to work with the Fire Department to develop and implement proactive maintenance plans for street trees located in high fire zones		✓	
Obj. 2: Enhance street parkway growing conditions where feasible			
Revise City infrastructure construction specifications to maximize tree health and longevity and minimize infrastructure damage.	✓		
Identify existing parkways that can be enlarged to accommodate greater canopy and/or larger canopy trees.	✓		
Promote streetscape redevelopment to maximize parkway planting area.			✓
Develop formal parkway and tree planting guidelines and specifications to maximize tree health and minimize conflict with public infrastructure.			✓
Provide extra protection for newly planted trees such as curb adjustments and protective barriers where necessary.	✓		
Where feasible, include irrigation during parkway and sidewalk redevelopment.	✓		
Work with adjacent land owners and neighborhoods to provide supplemental water and weed management.	✓		
Develop strategies to manage sesnsitive parkway trees during drought conditions.	✓		
Develop parkway construction specifications to improve parkway soil conditions that promote young tree root development and minimize infrastructure damage.	✓		
Where feasible, use the latest construction technology such as permeable pavers, to increase storm water infiltration and provide water to	✓		
Obj. 3: Optimize tree canopy			
Identify planting locations along City streets, in City parks and on other public property that can support greater canopy and/or large canopy tree species.	✓		
Complete a comprehensive inventory of vacant planting sites to determine which ones can support new trees.			
Identify opportunities to increase available planting space along City streets, in City parks and on other public property.			✓
Increase the use of large canopy trees where practical.			✓
Expand young tree care program to increase plantings and associated care and maintenance.			✓
Expand street tree planting and replacement program placing priority on neighborhoods with the fewest trees and in neighborhoods willing to provide supplemental early tree care.	✓		
Obj. 4: Optimize age and enhance species diversity			
Maintain existing species diversity and investigate methods for increasing desirable species that are rare.			✓
Assess and develop age and species criteria for City parks and other City property.	✓		
As part of the Street Tree Master Plan update, define appropriate age and species diversity distribution and locate areas where new or replacement trees should be planted.	✓		
To the extent feasible, work with local and regional nurseries and other public agencies to grow/propagate unique and desirable tree species not commercially available.	✓		

Resource Needs:
Yellow- Part of program practice and/or no additional funding needed
Green- Short-term project, short-term increase in funding needed
Blue- Longer-term project or program, requires additional funding

UFMP Implementation Matrix

Objectives and Actions	New	Existing	Expanding
Obj. 5: Maximize the economic, environmental and aesthetic benefits of the urban forest.			
Select new tree plantings that will miximize energy conservation, increase carbon sequestration and provide shade.	✓		
Encourage the use of parking lot and streetscape designs that provide greater amounts of pavement shading.			✓
Develop an economic/environmental tree resource calculator/performance checklist to evaluate the tree resource as it relates to other capital resources during land development.	✓		
Require street tree plantings and maintenance as part of permitting for land development and/or redevelopment, when new trees are planted.			✓
Develop long-term street tree plans for major commercial corridors and public areas such as Upper State St, De La Vina Street, Carrillo Street, Milpas Street, Chapala Street and Cliff Drive. Integrate plans in land development projects and public infrastructure improvements.	✓		
Develop tree resource management guidelines that balance tree resource value with solar access and solar energy system design.	✓		
Work with private landowners to minimize the potential for private trees to conflict with public infrastructure.	✓		
Develop guidance for tree selection and planting along Highway 101 that would improve air quality for nearby sensitive land uses.	✓		
Obj. 6: Provide urban forest benefits that enhance visitor experiences in City parks and facilities.			
Increase park tree maintenance for prolonged health and longevity.			✓
Develop a tree replacement program that enhances aesthetics and promotes recreation.	✓		
Continue to work with the Fire Department to develop and implement proactive maintenance plans for parks located in high fire zones		✓	
Maintain stands of large trees in open spaces and community and developed parks.		✓	
Increase canopy cover to enhance habitat for wildlife and for public benefit, where appropriate.			✓
Obj. 7: Enhance and preserve trees within native habitats including riparian area, oak woodlands and protected open spaces.			
Minimize compaction of soil under drip lines of trees by routing trails and pathways around trees.	✓		
As part of the Park Tree Master Plan, address riparian and oak woodland management to preserve and protect mature trees, native tree saplings and native understory vegetation.	✓		
Use large native trees in riparian zones and areas that connect to native landscaping and open spaces, where feasible.			✓
To the extent feasible, control invasive, non-native vegetation that threatens trees in riparian areas and open space parks.			✓
Develop riparian canopy restoration program in parks with creek habitats.	✓		
Obj. 8 Maintain and protect historic and culturally significant trees city-wide.			
Review and revise, as needed, the definition of and criteria for designation of historic and speciment trees.	✓		
Clarify guidance for maintenance, longevity and replacement of designated specimen and historic trees.	✓		
Maintain the history, design, cultural integrity and functional use of developed parks, as feasible.			✓
Protect and enhance trees in historically significant parks such as Alameda Park, Alice Keck Park Memorial Garden, Orpet Park and Franceschi Park through increased tree maintenance and tree planting programs.			✓

Resource Needs:
Yellow- Part of program practice and/or no additional funding needed
Green- Short-term project, short-term increase in funding needed
Blue- Longer-term project or program, requires additional funding

UFMP Implementation Matrix

Objectives and Actions	New	Existing	Expanding
City Organization and Policy			
Obj. 9: Enhance City investment in the health and management of the urban forest.			
Increase annual maintenance funding for the management and care of City trees.	✓		
Establish an annual capital improvement program to plant and maintain new trees.	✓		
Establish funding for community outreach programs and public education resources.	✓		
Develop public-private partnerships to address tree resource needs.	✓		
Identify and obtain external sources of funding to support the goals and strategies of the Management Plan.	✓		
Evaluate the feasibility of the Street Tree/Parkway Management Assessment District to fund street tree maintenance.	✓		
Obj. 10: Improve interdepartmental communication and coordination related to tree preservation and enhancement.			
Establish formal urban forest team comprised of staff from Parks and Recreation, Public Works, Community Development and Fire to address tree management and coordinate tree review for land development projects.	✓		
Implement an annual staff and board/commission tree training program to review Tree Preservation and Tree Maintenance Policies, plus objectives and actions outlined in the Urban Forest Management Plan.	✓		
Collaborate with the Public Works Department to develop criteria to evaluate tree performance, age and species diversity, as well as			✓
Obj. 11: Elevate urban forest objectives in City policies and land development considerations.			
Update the Street Tree Master Plan to address long range tree management objectives.	✓		
Develop a Park Tree Master Plan that includes maintenance objectives, and planting and replacement strategies.	✓		
Continue to implement and update, as needed, urban forest objectives in the City's General Plan, Climate Action Plan, Local Coastal Plan, Pedestrian Master Plan, and Wildland Fire Plan.			✓
Integrate tree resource management objectives in the future update to the Parks, Recreation and Open Space Element of the General			✓
Obj. 12: Ensure tree preservation and land development ordinances support urban forest management goals.			
Review and update, if necessary, the City ordinances pertaining to trees and landscapes to ensure they are consistent with urban forest management plan objectives.			✓
Develop Parkway Vegetation Planting and Care Guidelines/Checklist to better articulate and document plantings during land development review.	✓		
Establish a tree mitigation bank program when impacts to trees cannot be avoided	✓		
Obj. 13: Improve interagency coordination and partnerships			
Establish and formalize partnerships with Southern California Edison, Caltrans and other utility companies through Memorandum Of Understanding's or other means to implement tree trimming and planting plans that minimize conflict/maximize safety while promoting tree canopy, health and longevity.	✓		
Develop partnerships with organizations, businesses and the public school system to encourage tree health and plantings on private	✓		

Resource Needs:
Yellow- Part of program practice and/or no additional funding needed
Green- Short-term project, short-term increase in funding needed
Blue- Longer-term project or program, requires additional funding

UFMP Implementation Matrix

Objectives and Actions	New	Existing	Expanding
Community Involvement			
Obj. 14: Enhance public awareness and appreciation of the urban forest as a community resource.			
Develop a comprehensive tree education program to provide city residents with information about tree preservation policies, the benefits trees provide, and the importance of tree canopy.	✓		
Strengthen city-wide approaches for communicating about trees through web, print and social media. Continue to provide resources about urban forestry to the public through newsletters, permitting, websites, and other resources.			✓
Hold an annual public workshop to educate public on policies, maintenance and care of trees.	✓		
Develop partnerships with organizations, businesses, private and public schools to encourage tree health and plantings on private property.	✓		
Institute a program to acknowledge and publicize contributions to urban forestry by residents, businesses, institutions, and neighborhood group organizations.			✓
Develop a tree education program to foster appreciation and awareness of the contribution of city owned street trees and park trees to the City's history and cultural heritage.	✓		
Obj. 15: Expand public participation in urban forest preservation and enhancement.			
Develop Adopt-a-block or Adopt-a-Tree program to encourage healthy long-lived street trees.	✓		
Develop a technical assistance program to support the planting and care of trees on private property.	✓		
Develop community service opportunities with schools and other institutions for urban forest stewardship projects.			✓
Increase community involvement in street tree designations, maintenance, plantings and care.	✓		
Engage the community to identify opportunities and barriers for tree planting and preservation on public property.		✓	
Develop volunteer maintenance programs to increase public participation opportunities.	✓		
Obj. 16: Expand public/private partnerships.			
Develop partnerships with non-profit organizations, businesses, neighborhood associations, private schools and the public school system to encourage tree health and plantings.	✓		
Seek opportunities to collaborate with universities and colleges and the public school system on urban forestry science and current research.			✓
Encourage private landowners to apply a tree resource calculator when selecting trees to increase economic, environmental and aesthetic benefits and enhance property values.	✓		

Resource Needs:
Yellow- Part of program practice and/or no additional funding needed
Green- Short-term project, short-term increase in funding needed
Blue- Longer-term project or program, requires additional funding

GLOSSARY

CANOPY

The branches and foliage of a tree above ground or water.

CANOPY COVER

The percent of the city that is covered by trees.

CARBON SEQUESTRATION

Removal of carbon from the air by living trees and plants to be stored in their cells through the process of photosynthesis.

COMPACTION

The compression of soil, causing a reduction of pore space and an increase in the density of the soil. Tree roots cannot grow in compacted soil.

DIAMETER AT BREAST HEIGHT (DBH)

Measurement of trunk diameter taken at a four and a half feet (4-1⁄2') above ground.

DECLINING TREE

Declining trees are defined as having a permanent and progressive reduction in health, vigor and/or structural stability that can eventually lead to its death or structural failure. Declining trees may typically be over mature, suffering from old wounds or other impacts that have interrupted the living system resulting in impeded growth and followed by the depletion of energy reserves that are normally stored in the root mass resulting in the reduction of health, condition and stability.

FEASIBLE

Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, public safety and technological factors.

FRONT SETBACK

An area between the front lot line and a line parallel to the front lot line bounded by the interior lot lines of the lot that are roughly perpendicular to the front lot line, the depth of such area being the distance required by the zoning ordinance. (SBMC 28.04.620)

GEOGRAPHIC INFORMATION SYSTEM (GIS)

A Geographic Information System is a system designed to capture, store, manipulate, analyze, manage and present all types of geographically referenced data. A computerized system organizing data sets through the geographical referencing of all data included in its infrastructure.

GOAL

The result or achievement toward which effort is directed. Goals can be short term, long term and adaptable.

GROWSPACE

The ground level space that a tree is allotted to grow.

HABITAT

A place where a plant, animal or other organism naturally or normally lives or grows.

HISTORIC TREE

A tree which has been found by the Board of Park Commissioners, the Historic Landmarks Commission, or the City Council to be a tree of notable historic interest and has been designated by resolution of the City Council as an “historic tree”. (SBMC 15.24.010)

INFRASTRUCTURE

The basic physical organization of a city’s capital assets (e.g. sewer, utility, street, sidewalk, transportation systems) needed for operational function within a city.

MAINTENANCE

Pruning, spraying, bracing, root pruning, staking, fertilizing, watering, treating for disease or injury, and other work performed to promote the health, beauty, or adaptability of trees and shrubs, but shall not include the watering of such trees in residential zones. (SBMC 15.20)

NATIVE PLANT

A plant that lives or grows naturally in a particular region without direct or indirect human intervention. Plants indigenous to a region, naturally occurring and not introduced by humans.

PARKWAY

Either (i) the area between the curb and sidewalk within a fully improved street right-of-way, or (ii) that area extending six feet from the curb towards the nearest right-of-way line in an area with no sidewalk, or (iii) any area within a street right-of-way in which an official or parkway tree is located. (SBMC 15.20)

PARKWAY TREE

A tree planted or caused to be planted by the City within a street right-of-way. (SBMC 15.20)

PRUNING

Selective removal of branches (or occasionally roots) from a tree or other plant , using approved practices, for the purposes of cleaning, thinning, raising or reducing the crown or to improve structure of the tree or for crown restoration.

RIPARIAN

Areas adjacent to rivers, streams and watersheds with a differing density, diversity and productivity of plant and animal species relative to nearby uplands.

SPECIMEN TREE

A tree which has been found by the Board of Park Commissioners to be of high value because of its type and/or age and which has been so designated by resolution of the City Council as a “specimen tree”. (SBMC 15.24)

STREET

A public or private way constructed for the primary purpose of vehicular travel. An alley or a driveway is not a street. The term "street" describes the entire legal right-of-way or easement (public or private), including, but not limited to, the traffic lanes, bike lanes, curbs, gutters, sidewalk whether paved or unpaved, parkways, and any other grounds found within the legal street right-of-way. The name given to the right-of-way (avenue, court, road, etc.) is not determinative of whether the right-of-way is a street. (SBMC 28.04.650)

STREETSCAPE

A term used to describe the natural and built appearance of the street that usually includes street trees, ornamentals, landscape and site amenities.

STREET TREES

See Parkway Tree

TREE

A usually tall, woody plant, distinguished from a shrub by having comparatively greater height and, characteristically, a single trunk rather than several stems. (SBMC 15.20.020)

TOPPING

The indiscriminate cutting of tree branches to stubs or lateral branches that are not large enough to assume the terminal role.

TRIMMING

The same as pruning.

TRIMMING CYCLE

Frequency by which trees are maintained and depends on the size, location and type of tree.

UNDERSTORY

The underlying layer of vegetation including trees, plants and shrubs between the forest canopy and ground cover.

URBAN FORESTRY

The management, establishment and protection of trees and forests within cities, suburbs and towns.

VISION

Statement that provides a purpose beyond the moment and thinks and plans for the future.

WILDLIFE CORRIDOR

A pathway or habitat linkage that connects discreet areas of natural open space otherwise separated or fragmented by urbanization. Such a corridor allows animals to move between remaining habitats and provides escape routes from fire, predators and human disturbances.

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Online Resources

Boyles, Salynn. (2009). *Parks and Greenspaces Protect Your Health*. WebMD Medical News. http://www.webmd.com/mental-health/news/20091014/parks-green-spaces-protect-your-health.

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Local Coastal Plan (1981, Amended 2004)
http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=16925Santa

Wildland Fire Plan (2004):
http://www.santabarbaraca.gov/gov/depts/fire/

Storm Water Management Program (2009)
http://www.santabarbaraca.gov/gov/depts/parksrec/creeks/quality/storm.aspBarbara

Santa Barbara General Plan (2011)
http://www.santabarbaraca.gov/services/planning/plan.asp

Climate Action Plan (2012)
http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=17709

Design Guidelines (Residential and Specific Areas)
http://www.santabarbaraca.gov/services/planning/design/default.asp

Santa Barbara Municipal Code:
http://www.santabarbaraca.gov/gov/cityhall/municode.asp

Urban Forest Management Plan Summary of Comments and Actions

Single Family Design Board, December 16, 2013

The Single Family Design Board (SFDB) approved recommending the Plan to Council for adoption. The SFDB also recommended that plan implementation be coordinated with other ordinance updates, such as the hedge ordinance, and that street tree species selection consider neighborhood character and compatibility, canopy and the surrounding architecture. SFDB members identified the following areas of interest for implementation:

- Landscaping along 101, in parkways and medians that reflects the area/neighborhood
- Efforts to increase homeowner knowledge of parkway and street tree standards
- Provide reference to parkway maintenance standards in Zoning Ordinance
- Consider the character of the developed area around trees in historic designation criteria
- Coordinate with the County and School District
- Use of mulch in parkway maintenance standards to reduce water needs
- Neighborhood outreach through the recruitment of Block Captains
- Public workshops

Historic Landmarks Commission, December 18, 2013 and March 26, 2014

The Historic Landmarks Commission (HLC) reviewed the Plan on December 18, 2013 and provided the following comments related to the proposed Plan:

- Provide an objective dedicated to addressing historic/specimen tree actions
- Make the plan more concise
- Add definition for tree drip line

HLC members identified the following areas for implementation:

- Revisions to Historic/Specimen definition
- Enforcement related to illegal pruning/removal, construction techniques
- Solar system design that balances tree canopy objectives.
    - Provide clear direction for boards and commissions
    - Address clear skies/line of sight issues
- Porous pavement in parkways
- Tree maintenance needs, including adequate water
- Coordination with the Pedestrian Master Plan and hedge ordinance updates
    - Address whether tree clusters are a hedge
- Education of the public is a high priority
- Education of board members and staff

After reviewing the revised final Plan, the Commission approved recommending the Plan to Council for adoption on March 26, 2014.

Architectural Board of Review, January 6, 2014

The Architectural Board of Review (ABR) recommended that the plan be forwarded to Council for adoption.

ABR members identified the following areas of interest for implementation:

- Tools for design/development review, including:
    - Replacement ratios for trees that are approved for removal
    - Tree protection plans
    - Bird protection measures, with a focus on bird nesting season
- Recommended tree species for parking lots
- Appropriate public locations for edible fruit trees
- Maintain the balance of tree diversity with both native and non-native species
- Balance street objectives with tree objectives
- Tools to address tree needs during drought
- Preferred tree species list

Street Tree Advisory Committee, January 9, 2014

The Street Tree Advisory Committee (STAC) recommended the Parks and Recreation Commission forward the Plan to Council for adoption.

Committee priorities include:

- Public education and outreach
- Revisions to Street Tree Master Plan
- Working with local growers and agencies to propagate desirable species not commercially available
- Revisions to Historic/Specimen tree designation criteria and definition
- Increased funding for urban forest management
- Developing parkway vegetation planting and care guidelines

Planning Commission, January 16, 2014

The Planning Commission recommended that City Council adopt the Plan and requested the Plan include discussion of the benefits of trees, revisions to the glossary, revision to Objective 5, Action 1, and additional references to open space park trees.

Other comments and priorities included:

- Tools and resources to assess trees versus solar and other considerations
- Partnerships with neighborhood associations
- Develop a resource for the public, similar to the Storm Water Management Program land development guide
- Make program a policy level process, rather than ancillary level process

Parks and Recreation Commission, January 22, 2014

The Parks and Recreation Commission recommended that the Plan be forwarded to Council for adoption, and had the following comments and priorities for implementation.

- Integrate climate change adaptations/options during severe droughts
- Assess the feasibility of creating a climate action team to address the protection of tree /natural resources
- Outreach and education
    - Make nursery propagation plantings available to the public
    - Work with youth
    - Continue to discuss tree benefits
- Value and attention to park trees
- Develop an adequate budget for urban forestry and Plan implementation

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ADOPTING THE URBAN FOREST MANAGEMENT PLAN

WHEREAS, the City of Santa Barbara has a long history of municipal tree planting and a diverse urban forest;

WHEREAS, it is estimated that the City's urban forest is currently comprised of more than 320,000 trees;

WHEREAS, Santa Barbara's urban forest faces a number of challenges related to tree age, infrastructure constraints, species diversity, program funding limits, and community participation;

WHEREAS, the City received a grant in 2012 from the California Department of Forestry and Fire to prepare an Urban Forest Management Plan;

WHEREAS, development of the Urban Forest Management Plan included extensive community outreach and public discussion with City Boards and Commissions;

WHEREAS, the Urban Forest Management Plan identifies key management issues, outlines goals, objectives, and actions, and proposes priorities for implementation; and

WHEREAS, the Urban Forest Management Plan provides a long-term guide for the preservation and enhancement of trees in Santa Barbara.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT the Council adopts the Urban Forest Management Plan attached hereto as Exhibit A.

Agenda Item No. 20

File Code No. 630.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Ordinance To Establish Air Quality Design Standards For Development Near Highway 101

RECOMMENDATIONS: That Council:

A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 22 of the Santa Barbara Municipal Code by Adding Chapter 22.65 Establishing Air Quality Design Standards for New Development Near Highway 101 to Implement Policy ER7 of the 2011 General Plan; and

B. Repeal City Council Resolution No. 12-013 upon the effective date of the Ordinance Adopting Chapter 22.65 of the Santa Barbara Municipal Code.

EXECUTIVE SUMMARY:

Extensive exposure to higher air pollution levels next to freeways is correlated with increased health risks. State air pollution control agencies recommend that cities limit development of sensitive land uses such as residences and schools next to freeways.

Policy ER7 adopted by Council with the 2011 General Plan limits development of sensitive land uses within 250 feet of Highway 101 until air quality improves, or unless individual projects address the issue with development design. Implementation Action ER7.1 directs that development project review criteria be established for the near-highway corridors.

The draft Ordinance proposed for inclusion in the Municipal Code would provide more detailed criteria for implementing Policy ER7, providing definitions of terms, applicable and exempt types of development, and project design measures for new sensitive land uses, including for site layout, barriers, vegetation, building features, and interior air filtration.

The Ordinance Committee forwarded a draft Ordinance for Planning Commission review. The Commission held a public hearing to consider the draft Ordinance. Public input on this issue continues to be divided. The Commission recommends Council adoption of a revised draft Ordinance, and recommends that an air quality study be conducted within 2-3 years to inform reassessment of the need for the policy and ordinance.

DISCUSSION:

Background

Air Pollution Health Risks

Scientific and epidemiological studies have correlated extensive exposure to higher air pollution levels next to highways with increased health risks, including for cancer, asthma, and emphysema. The most sensitive populations are children, the elderly, and those with chronic medical conditions.

The California Air Resources Board (CARB) and Santa Barbara County Air Pollution Control District (APCD) recommend that local agencies restrict development of sensitive land uses within 500 feet next to highways (e.g., residences, schools) to limit exposure to higher pollution levels and health risks.

A 2009 study of air pollution along Highway 101 within Santa Barbara was conducted for the City by the firm Illingworth & Rodkin. The analysis identified that air pollution concentrations generally dissipated to below the level of the excess cancer risk health standard at a distance of approximately 250 feet from Highway 101.

General Plan Environmental Resources Policy ER7

As part of the 2011 General Plan Update, the Program Environmental Impact Report (EIR) evaluated air quality effects of additional incremental development to the year 2030.

The EIR concluded that the air quality impact from future development near Highway 101 would be mitigated with an interim policy restricting new development of sensitive land uses within 250 feet of Highway 101 until pollution and health risk levels were reduced through planned State regulations or other means, or unless individual projects incorporate design measures to address the issue.

Policy ER7 establishing the 250-foot corridor distance was adopted by City Council as part of the 2011 General Plan Update (Attachment 1 – Policy ER7). The policy was carefully considered by the Planning Commission and City Council with input from agencies, property owners, interest groups, and the public. There was a split in public opinion, ranging from those that favored a 500-foot corridor distance consistent with recommendations of the air resources agencies, to others that favored 0 distance - no policy or corridor limitations.

Implementation Action ER7.1 directs that the City establish project review criteria for new development to implement the policy.

ER7 Implementation Actions to Date

In 2012, the City Council adopted Resolution 12-013 initially establishing applicable types of new development for implementing Policy ER7 (Attachment 2 – Council Resolution). Staff recommends rescinding this Resolution upon adoption of the Ordinance because the Ordinance would supersede the Resolution.

The City Attorney's Office prepared a draft implementing Ordinance, which was considered by the City Council Ordinance Committee on November 12, 2013. The Committee directed that it be forwarded for Planning Commission review and subsequent Council adoption (Attachment 3 – Ordinance Committee Minutes).

Public notice for the January 16th Planning Commission public hearing included a newspaper display advertisement, and mailed notice to all property owners within 250 feet of Highway 101, as well as to community interest groups, agencies, and interested parties.

The Planning Commission considered public comments and made revisions to the draft Ordinance. At the continued hearing on February 13, 2014, the Commission forwarded recommendations that Council adopt the Ordinance, and also undertake another air quality study of the highway corridor within 2-3 years to inform reconsideration of Policy ER7 and the Ordinance for repeal or amendment (Attachment 4 – Planning Commission Resolution and Hearing Minutes).

Additional Background Information

Attachment 5 provides further background information pertaining to land use within 250 feet of Highway 101; effectiveness of project design measures; tracking of air quality and regulations; and policies in neighboring jurisdictions.

Summary of Ordinance Components

Purpose

The intent of the proposed Ordinance is to implement Policy ER7 to protect the public health, safety, and welfare by reducing the highway pollution exposure levels and associated health risks for the occupants of new sensitive development close to Highway 101 through project design standards.

Definitions

Sensitive Individuals are identified as persons most susceptible to adverse effects of poor air quality, including children, the elderly, and those with chronic medical conditions. *Extensive Occupancy or Exposure* refers to daily occupancy or frequent lengthy visits occurring repeatedly over many years. *Sensitive Land Uses* means land uses that involve extensive occupancy by sensitive individuals, including residences, retirement and nursing homes, schools, and large family day care facilities. Uses such as medical facilities and parks were not included because of shorter exposure periods.

Applicability

The Ordinance provisions would apply to specified types of new development of sensitive land uses on properties located in whole or part within 250 feet of Highway 101. The distance would be measured from the outer edge of the nearest travel lane (excluding highway on- and off-ramps). The Ordinance would not apply to, nor require retrofitting of, existing development which is not proposing new development.

Applicable new development would include: (1) One or more new residential units; (2) Substantial addition to an existing residential unit (greater than 50% of floor area); (3) New building for sensitive land use; (4) Demolition and replacement with structure for sensitive land use; (5) Change of use of an existing main building from a non-sensitive to a sensitive land use, or from one sensitive use to another sensitive use.

Exemptions

Projects exempt from the Ordinance would include: (1) Site locations with Caltrans sound walls (which help to block pollutants); (2) Still-valid applications submitted or approved prior to December 2011; (3) Projects on sites in part within 250 feet of the highway that propose new sensitive development more than 250 feet from the highway; and (4) Projects that submit an individual health risk assessment demonstrating no elevated health risk due to site-specific climatic or topographic conditions.

Development Design Standards

Site Layout and Building Design. Specified new development of main buildings for sensitive land uses would be prohibited within 250 feet of Highway 101 unless the Community Development Director or designee determines that the combination of project design features reduces air quality risks, with consideration of the following listed features. It is recognized that not all measures would be feasible on all sites.

(1) *Distance from Highway 101*. Locate main structures as far as feasible from highway.

(2) *Building Orientation and Outdoor Living Areas*. Orient with doors and outdoor living areas on side of building away from highway, which provides some physical screening by the building.

(3) *Vegetative Screening and Physical Barriers*. Incorporate dense tiers of trees and other vegetation between the highway and project. Include walls or fences between the highway and project.

(4) *Air Infiltration*. Use double-paned windows throughout and locate air intake vents on the side of building away from highway.

Interior Ventilation and Filtration. High efficiency interior air ventilation/filtration system would be required for all main buildings for sensitive land uses. This is identified as one of the most effective measures.

Ordinance Implementation

Staff and decision-makers would apply ordinance provisions as part of regular application review and approval processes.

Public information about ordinance provisions would be provided on the City web site, and summary handouts provided at the Planning Counter.

Planning Commission Issues and Draft Ordinance Changes

The Planning Commission made adjustments and additions to the earlier draft of the Ordinance that was considered by the Council Ordinance Committee, as follows:

Ordinance Application to One Unit on a Vacant Lot

The earlier draft ordinance had provided an exemption for one residential unit on a vacant lot. This was derived from ER7 language intended to ensure that a vacant property would retain the right to develop an economic use, and a taking would not occur. Commissioners questioned the fairness of this exemption given that other new residential development would be subject to the ordinance.

The current draft Ordinance forwarded by the Commission deleted this exemption for one unit on a vacant lot.

Ordinance Exemption for Development outside the 250-Foot Corridor

The Ordinance would apply to parcels “in whole or part” within 250 feet of Highway 101 (See Attachment 6 – Map of 250-Foot Corridors, Parcels, and Sound Walls). Initial application of the ordinance by property boundary is a practical way to ensure proper and consistent implementation by staff, including at the building permit stage.

The Commission added an exemption from the Ordinance for situations where a parcel is partly within 250 feet of Highway 101 but the proposed project for new sensitive land use is entirely outside of the 250-foot corridor.

Ordinance Clarifications

The Planning Commission incorporated clarifications to the draft Ordinance: (1) to clarify Purpose text; (2) to clarify application of design measures to main buildings and not accessory structures; and (3) to include risk assessment criterion to be used in the general exemption.

Air Quality Study and Reassessment of Policy ER7 and Implementing Ordinance

Policy ER7 is identified as an interim policy until air quality improves through State regulation or the City otherwise determines that risks have been satisfactorily reduced. The Commission debated inclusion of a “sunset clause” in the Ordinance to specify the criterion for repeal or an automatic time frame for expiration of the ordinance.

Staff advised not to include a sunset provision in the ordinance for the following reasons:

- It is not necessary because there is an ongoing option for Council to consider policy and ordinance amendments or repeal.
- There is a benefit to retaining flexibility as to exactly what air quality information and criteria the City may use as a basis for policy and ordinance repeal.
- A specific time frame for expiration does not reflect the need for evidence of changed air quality conditions as a basis, and could undermine Council's environmental findings supporting the General Plan approval.

The Planning Commission did not add a sunset provision, but provided a separate recommendation to Council to fund another air quality study within 2-3 years (and thereafter as needed) to inform reassessment of the need for the Policy and Ordinance.

Public Comment

Attachment 7 provides letters and communications received from the public during the Planning Commission hearing process, and a summary of staff responses.

- *Reduced Property Rights*. Several property owners expressed concerns that the Ordinance could reduce property rights and their ability to improve their property.
- *Underlying Policy and Air Quality Study*. Several property owners and residents disagreed with adopted Policy ER7 that underlies the Ordinance. Some suggested that the policy be repealed, and others that the policy be strengthened and the 250-foot distance increased to 500 feet or more. Comments in disagreement with the 2009 City air quality study were made in support of suggested ER7 policy changes.
- *Support for Ordinance*. One resident commented in support of the Ordinance, and noted that Caltrans tree planting had improved air quality in her area.

Policy and Environmental Analysis

<u>Policy Consistency</u>

City Charter. Charter Section 1507 includes the City policy that land development shall not exceed public services and physical and natural resources, including air quality. The proposed Ordinance provides development design standards to address air quality near Highway 101, consistent with the intent of this Charter section.

General Plan. The proposed Ordinance would be consistent with and implement the General Plan Policy ER7 limitation for sensitive development within 250 feet of Highway 101, and Implementation Action ER7.1 for establishing project review criteria for development within the corridor.

Environmental Review

Adoption of the proposed Ordinance to implement Policy ER7 is within the scope of the 2011 General Plan Update and its Program EIR analysis. The Ordinance would implement ER7 and would not result in additional environmental impacts beyond those identified in the Program EIR. The staff analyst determined that, in accordance with CEQA Guidelines Sections 15168 and 15162, no further environmental review process under California Environmental Quality Act (CEQA) provisions is required for Ordinance adoption.

BUDGET/FINANCIAL INFORMATION:

Implementation of the Ordinance through regular permit review and approval processes is not expected to substantially affect workload and staffing, or associated costs.

Staff will continue to monitor State air quality regulations and reports in coordination with the County Air Pollution Control District, and will include a status update as part of the General Plan Adaptive Management Plan. When air quality information indicates a substantial change, staff will recommend whether a local study is advisable to support possible rescission or amendment of this Ordinance. The consultant cost for the 2009 City air quality study was $12,450. Staff could likely request a sole source quote to update the study, and the funding of the study would be requested as part of the City's budget cycle.

SUSTAINABILITY IMPACT:

The proposed Ordinance would have a positive sustainability effect by reducing pollution exposures and health risks for sensitive populations. Design measures such as planting of trees and inclusion of barriers could have added sustainability benefits pertaining to biological resources, climate change, noise mitigation, visual resources, and livability.

ATTACHMENT(S):

1. General Plan Policy ER7
2. City Council Resolution 12-013
3. Ordinance Committee Meeting Minutes of November 12, 2013
4. Planning Commission Resolution, and Meeting Minutes of February 13 and January 16, 2014
5. Additional Background Information
6. Map of 250-foot Corridors, Parcels, and Sound Walls
7. Public Comments Received during Planning Commission Process

PREPARED BY: Barbara Shelton, Project Planner/ Environmental Analyst

SUBMITTED BY: Bettie Weiss, Acting Community Development Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

City of Santa Barbara 2011 General Plan, Environmental Resources Element
AIR QUALITY POLICY ER 7

ER7. **Highway 101 Setback**. New development of residential or other sensitive receptors (excluding minor additions or remodels of existing homes or one unit on vacant property) on lots of record within 250 feet of U.S. Hwy 101 will be prohibited in the interim period until California Air Resources Board (CARB) phased diesel emissions regulations are implemented and/or until the City determines that diesel emission risks can be satisfactorily reduced or that a project's particulate exposure level is sufficiently reduced. The City will monitor the progress of CARB efforts and progress on other potential efforts or measures to address diesel emissions risks.

Possible Implementation Actions to be Considered

ER7.1 Review Criteria. Prepare project review criteria for the set-back area.

ER7.2 Barriers and Sound Walls. Pursue funding and installation of sound walls, trees and shrubs along unprotected areas of U.S. Hwy 101 to create a barrier to reduce particulate transmissions. Barriers and sound walls to be consistent with the Highway Santa Barbara Coastal Parkway Design Guidelines.

RESOLUTION NO. 12-013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA REGARDING THE IMPLEMENTATION OF THE GENERAL PLAN INTERIM POLICY REGARDING AIR QUALITY ISSUES

WHEREAS, the City undertook an update of the General Plan in a process known as *Plan Santa Barbara (PlanSB);*

WHEREAS, an Environmental Impact Report was prepared, considered, and certified, and which informed the decision-making process in *PlanSB;*

WHEREAS, potential effects associated with air pollution including diesel particulates is a concern such that both the California Air Resources Board and the Santa Barbara County Air Pollution Control District recommended guidelines for reducing health hazards by limiting development of new residences and other sensitive receptor uses involving extensive exposure periods in close proximity to the highway;

WHEREAS, during the public process for *PlanSB,* the Planning Commission and City Council carefully considered the input from other agencies, property owners, and the general public;

WHEREAS, the air quality policy under consideration is intended to reduce exposure of more people to potential hazards by limiting new development of sensitive receptors close to Highway 101 for an interim period of time while the regulations requiring cleaner burning fuels and engines are being adopted and implemented to reduce the hazard;

WHEREAS, on December 1, 2011, the Council adopted the General Plan with a new Environmental Resources Element Policy Air Quality 7, along with implementation actions including direction to establish interim criteria for review of development, and to monitor associated regulations and levels of diesel particulate pollution to determine when the interim policy should be retired; and

WHEREAS, it is customarily the policy of the Council to consider applying new policies and standards to new development applications while exempting pending projects that began the City review process before the new policy was adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The following projects are exempt from the application of Policy ER7:

a. Projects submitted to the City before December 1, 2011 for development permits including submittal of a Master Application, submittal for building permit plan check, or submittal of an application for other development approval.
b. Projects that received an approval from the City prior to December 1, 2011 where the approval is still valid.

SECTION 2. For purposes of implementing Policy ER7, the term "New development" includes the following:

a. The addition of two or more new residential units to a vacant lot.
b. The addition of one or more new residential units to a lot with existing development.
c. The development of a new building on any lot that will include a use that involves numerous visits, or extended periods of occupancy, by persons who are considered sensitive receptors. A change of use of an existing building is not considered new development.

SECTION 3. For purposes of implementing Policy ER7, the term "Minor Addition" is defined as follows: An addition of floor area to an existing residential unit that does not exceed 50% of the floor area that existed as of December 1, 2011. The amount of the additional floor area shall be measured in the aggregate during the time when the policy is in effect.

RESOLUTION NO. 12-013

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on February 14, 2012, by the following roll call vote:

AYES: Councilmembers Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White; Mayor Helene Schneider

NOES: None

ABSENT: None

ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on February 15, 2012.

Cynthia M. Rodriguez, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on February 15, 2012.

Helene Schneider
Mayor

ATTACHMENT 3

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

FINISHED ACTIONS

DATE: November 12, 2013
TIME: 12:30 p.m.
PLACE: Council Chambers

X Grant House, Chair
X Frank Hotchkiss
X Randy Rowse

Office of the City Administrator

Nina Johnson
Assistant To City Administrator

X Kate Whan
Administrative Analyst

Office of the City Attorney

Stephen P. Wiley
City Attorney

X Scott Vincent
Assistant City Attorney

ITEM FOR CONSIDERATION

Subject: Interim Design Standards For Development Near Highway 101

Recommendation: That the Ordinance Committee:

A. Consider a draft ordinance establishing interim air quality design standards for development near Highway 101, to implement Policy ER7 of the 2011 General Plan; and
B. Forward the draft ordinance for Planning Commission review and subsequent City Council adoption.

The Committee heard a staff presentation on the proposed interim design standards for development near Highway 101. There was no public comment on this issue. The Committee directed staff to forward the draft ordinance for Planning Commission review and subsequent City Council adoption.

ATTACHMENT 4

PLANNING COMMISSION

- Resolution of February 13, 2014
- Meeting Minutes of February 13, 2014
- Meeting Minutes of January 16, 2014

City of Santa Barbara
California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 005-14
CITY WIDE
RECOMMENDATION TO CITY COUNCIL ON
AIR QUALITY DESIGN STANDARDS FOR DEVELOPMENT NEAR HIGHWAY 101
FEBRUARY 13, 2014

AIR QUALITY DESIGN STANDARDS FOR DEVELOPMENT NEAR HIGHWAY 101

The Planning Commission held public hearings on January 16, 2014 and February 13, 2014 on a draft ordinance to establish air quality design standards for new development of sensitive uses within 250 feet of Highway 101, to implement adopted General Plan Policy ER7. The intent of the ordinance is to reduce health risks from highway vehicle exhaust for any future development of residences, nursing or retirement homes, schools, or family day care close to the freeway. Project design criteria involve site layouts, vegetative screening, and interior air filtration. The Planning Commission considered recommendations to City Council regarding ordinance adoption. Public comment was welcomed.

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

WHEREAS, no one appeared to speak in favor of the recommendation, and no one appeared to speak in opposition thereto or with concerns at the February 13, 2014 hearing, and the following documents were presented for the record:

1. Staff Report with Attachments, January 9, 2014.
2. Staff Report with Attachments, February 6, 2014.
3. Draft Public Handout to assist understanding of the ordinance.
4. Staff memorandum summarizing phone call from Cynthia Ruano in support of ordinance, February 13, 2014.
5. Correspondence received in opposition to the recommendation or with concerns:
   a. Mary Rose Bryson, via email
   b. Steve Johnson, via emails
   c. Azam Mirtorabi, via emails and hand-delivered letter
   d. Tracy Hernandez, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission recommended to City Council the following actions:

I. Adopt the Ordinance establishing Air Quality Design Standards for Development near Highway 101, as provided in Exhibit A of the Staff Report dated February 6, 2014, with the following revisions:

Amend Title 22 of the Santa Barbara Municipal Code by adding Chapter 22.65 titled "Design Standards for Development Near Highway 101" to read as follows:

22.65.010 Purpose and Intent.

It is the purpose of this section to limit and regulate development within close proximity to Highway 101 in a manner that promotes the health, safety, and welfare of the residents of the City of Santa Barbara.

Pursuant to 2011 General Plan Policy ER7, the design standards in this Chapter are intended to limit the number of people, including Sensitive Individuals, who receive Extensive Exposure to potential air pollution hazards from highway vehicle exhaust including diesel particulates by limiting the development of new sensitive land uses within close proximity of Highway 101 or by modifying the design of new sensitive land uses to reduce the amount of air pollution exposure received, until such time as statewide diesel particulate levels are reduced by planned State regulations or other means.

22.65.020 Definitions.

For the purpose of this Chapter, the following words and phrases shall have the following meanings:

A. **Accessory Building.** As defined in Section 28.04.010 of this Code.

B. **Extensive Occupancy or Exposure.** Substantial time periods involving daily occupancy or frequent lengthy visits of many hours occurring repeatedly over many years, as experienced with residential land uses and schools.

C. **Main Building.** As defined in Section 28.04.145 of this Code.

D. **Required Outdoor Living Space.** Outdoor living space or open yard area required in accordance with City residential zoning standards as specified in Title 28 of this Code.

E. **Sensitive Individuals**. Persons most susceptible to adverse affects of poor air quality (including from diesel particulates) including children, the elderly, and people who are ill or have serious chronic respiratory, heart, or other medical conditions that are exacerbated by air pollution.

F. **Sensitive Land Uses.** Land uses that involve Extensive Occupancy or Exposure by Sensitive Individuals, including residences; nursing homes, retirement homes, and other community care facilities; schools; and large family day care facilities. Land uses not considered sensitive land uses include retail, commercial services, and offices.

G. **State Highway Roadside Sound Wall.** A roadside sound wall constructed by the California Department of Transportation.

22.65.030 Applicability and Exemptions.

A. **Applicability.**

1. **Location.** Any property that is located in whole or part within 250 feet of Highway 101 as measured from the outer edge of the nearest highway travel lane (excluding highway on- and off-ramps) is subject to the requirements of this Chapter, unless identified as exempt in Subsection B of this Section 22.65.030.

2. **Types of Development.** The following types of development are subject to the requirements of this Chapter, unless identified as exempt in Subsection B of this Section 22.65.030:

a. The development of one or more new residential units on a lot.

b. An addition to an existing residential unit that increases the net floor area of the residential unit by more than 50% of the net floor area that existed within the residential unit as of December 1, 2011. If multiple additions are made to a residential unit during the time this Chapter is in effect, the amount of the additional floor area shall be measured in the aggregate.

c. The development of a new main building that will be occupied by a Sensitive Land Use.

d. The demolition of an existing building and its replacement with a main building that will be occupied by a Sensitive Land Use.

e. A change of use of an existing main building from a use not defined as a Sensitive Land Use to a Sensitive Land Use.

f. A change of use of an existing Main Building from a Sensitive Land Use that existed on the effective date of the ordinance adopting this Chapter to a different Sensitive Land Use.

B. **Exemptions.** The following projects are exempt from this Chapter:

1. Projects on sites where a State Highway Roadside Sound Wall is located between the highway and project site.

2. Projects with applications submitted to the City before December 1, 2011 for development permits including a Master Application, building permit plan check, or for other development approval, where the application has not expired.

3. Projects that received a final approval from the City prior to December 1, 2011 where the approval remains valid.

4. Projects where the property owner submits a site plan that demonstrates that no new Main Building or required outdoor living area that is to be occupied by a Sensitive Land Use will be located within 250 feet of Highway 101, as measured from the outer edge of the nearest highway travel lane.

5. Projects where the property owner can demonstrate to the satisfaction of the Community Development Director or the Director's designee that site-specific climatic or topographic conditions avoid or address the air quality risks from Highway 101 on the site such that the site specific conditions present a health risk of less than 10 excess cancer cases per one million persons.

Nothing in this Subsection B prevents an applicant from incorporating the design standards specified in Section 22.65.040 to exempt projects on a voluntary basis.

22.65.040 Design Standards for Air Quality.

The following design standards apply to development and occupancy of main buildings to which this Chapter applies. The location, design, and filtration standards specified in this Section are not required for accessory buildings or areas on the lot where Sensitive Individuals would not be subject to Extensive Occupancy or Exposure (e.g., parking).

A. **Proximity to Highway 101 and Project Design Features.** Main buildings that will be occupied by Sensitive Land Uses are prohibited from locating within 250 feet of Highway 101 unless the City

Community Development Director or designee determines that project design features satisfactorily address air quality risks. When determining whether the project design features satisfactorily address air quality risks, the Director shall consider the following factors:

1. **Distance from Highway 101.** Main buildings and outdoor living areas that will be extensively occupied by Sensitive Land Uses should be located as far from Highway 101 as feasible. For projects that have a mixture of Sensitive Land Uses and non-sensitive land uses, Main Buildings and areas expected to have Extensive Occupancy or Exposure by Sensitive Individuals should be located furthest from the highway, while facilities for non-sensitive populations and/or involving short-term use (such as parking facilities) should be placed closer to the highway.
2. **Building Orientation and Outdoor Living Areas.** Main Buildings for occupancy by Sensitive Land Uses should be oriented with doors and outdoor living areas on the side of the building away from the highway in order to provide physical screening by the building.
3. **Vegetative Screening and Physical Barriers.** Project sites to be occupied by Sensitive Land Uses should incorporate dense, tiered vegetative plantings between the highway and the Main buildings and outdoor living areas that are to be occupied by Sensitive Land Uses, which helps to remove air pollutants and reduce diesel particulate concentrations. Vegetation should largely entail trees with complex foliage (leafy vegetation or with needles) that allow substantial in-canopy airflow; preferably in multiple rows, using tree plantings of tall and uniform height that retain foliage year-round and have a long life span. Inclusion of physical barriers such as walls and solid fences between the highway and the project also help to reduce air pollutant exposure levels.
4. **Air Infiltration.** In addition to a filtration system as required in Section 22.65.040 B, Main Buildings occupied by Sensitive Land Uses should be designed to locate air intake vents on the side of building away from the highway and use double-paned windows throughout.
5. **Other Measures.** An applicant proposing a Sensitive Land Use that will be located within 250 feet of Highway 101 may propose other measures that have a demonstrated ability to reduce highway air pollution exposure.

B. **Interior Air Filtration System.** Main Buildings intended for occupation by a Sensitive Land Use that are located within 250 feet of Highway 101 and are not exempt pursuant to Section 22.65.030.B shall incorporate a central ventilation system with air filtration rated at Minimum Efficiency Reporting Value of "MERV13" or better for enhanced particulate removal efficiency. The owner of any development subject to this requirement shall attach a copy of the operator's manual for the central ventilation and filtration system as an exhibit to every lease of the building or any portion of the building.

22.65.050 Maintenance of Design Features.

Design features incorporated into an approved project design pursuant to Section 22.65.040 shall be maintained as long as this Chapter remains in effect.

II. As part of the City General Plan Adaptive Management Program, provide funding to conduct an air quality study of the Highway 101 corridor within 2-3 years and update the study as needed thereafter and, based on the study results or other available air quality information, consider whether to repeal or amend General Plan Policy ER7 and the implementing Ordinance.

This motion was passed and adopted on the13th day of February, 2014 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jordan)

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, Planning Commission Secretary

March 13, 2014
Date

City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

February 13, 2014

CALL TO ORDER:

Chair Schwartz called the meeting to order at 1:00 P.M.

I. ROLL CALL

Chair Deborah L. Schwartz, Vice Chair Addison Thompson, Commissioners Bruce Bartlett, John P. Campanella, Sheila Lodge, and June Pujo.

Absent: Commissioner Mike Jordan

II. STAFF PRESENT:

Bettie Weiss, City Planner/Acting Community Development Director
Renee Brooke, Senior Planner
N. Scott Vincent, Assistant City Attorney
Barbara Shelton, Project Planner/Environmental Analyst
Julie Rodriguez, Planning Commission Secretary

III. PRELIMINARY MATTERS:

A. Action on the review of the following Draft Minutes and Resolutions:

1. Draft Minutes of January 16, 2014
2. Resolution 001-14
   Recommendation to City Council on Urban Forest Management Plan

MOTION: Pujo/Thompson
Approve the minutes and resolution as corrected.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0. Absent: 1 (Jordan)

3. Draft Minutes of January 23, 2014
4. Resolution 002-14
   1732 Gillespie Street
5. Resolution 003-14
   150 S. La Cumbre Road

6. Resolution 004-14
Recommendation to City Council on Municipal Code Amendments Regarding Fences, Screens, Walls and Hedges

MOTION: Lodge/Campanella
Approve the minutes and resolutions as corrected.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: As noted. Absent: 1 (Jordan)

Commissioner Pujo abstained from Item III, 1732 Gillespie Street, in the Minutes of January 23, 2014 and Resolution 002-14.

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

None.

C. Announcements and appeals.

Ms. Brooke made the following announcements:

1. The regular Planning Commission meeting of February 20, 2014 will be cancelled.
2. The regular Planning Commission meeting of March 6, 2014 will be cancelled so that the Commission can attend the special Joint City Council and Planning Commission meeting on March 6, 2014.

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

Chair Schwartz opened the public hearing at 1:07 P.M.

Chris Bell spoke to the Commission regarding development near at 457 Hope Avenue and requested that triggers for design review be re-examined.

The Commission unanimously expressed interest in having this item discussed at a future lunch item, and suggested March 20, 2014, if possible.

With no one else wishing to speak, the hearing was closed.

IV. RECOMMENDATION TO CITY COUNCIL:

ACTUAL TIME: 1:22 P.M.

AIR QUALITY DESIGN STANDARDS FOR DEVELOPMENT NEAR HIGHWAY 101 (Continued from January 16, 2014)

The Planning Commission held a continued public hearing on a draft ordinance to establish air quality design standards for new development of sensitive uses within 250 feet of Highway 101, to implement adopted General Plan Policy ER7. The intent of the

ordinance is to reduce health risks from highway vehicle exhaust for any future development of residences, nursing or retirement homes, schools, or family day care close to the freeway. Project design criteria involve site layouts, vegetative screening, and interior air filtration. The Planning Commission will consider recommendations to City Council regarding ordinance adoption. Public comment was welcomed.

Case Planner: Barbara Shelton, Project Planner
Email: BShelton@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4467.

Barbara Shelton, Project Planner, gave the Staff presentation.

Chair Schwartz opened the public hearing at 1:40 P.M., and with no one wishing to speak, the public hearing was closed.

A letter objecting to the ordinance was submitted at the hearing from property owner Azam Mirtorabi.

MOTION: Pujo/Campanella **Assigned Resolution No. 005-14**
Recommended that City Council take the following actions:

A. Adopt the Ordinance establishing Air Quality Design Standards for Development near Highway 101, as provided in Exhibit A of the Staff Report dated February 6, 2014, with the following revisions:

1. In Section 22.65.020, Definitions, remove the words "such" and "typically" from Subsection B. Extensive Occupancy or Exposure; and remove the word "typically" from Subsection F. Sensitive Land Uses.

2. In Section 22.65.030.B - Exemptions, add an exemption as Number 4 to read "Projects where the property owner submits a site plan that demonstrates that no new Main Building or required outdoor living area that is to be occupied by a Sensitive Land Use will be located within 250 feet of Highway 101, as measured from the outer edge of the nearest highway travel lane;" and renumber the general exemption involving a site-specific risk assessment as Number 5 in the list.

B. As part of the City General Plan Adaptive Management Program, provide funding to conduct an air quality study of the Highway 101 corridor within 2-3 years and update the study as needed thereafter and, based on the study results or other available air quality information, consider whether to repeal or amend General Plan Policy ER7 and the implementing Ordinance.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: (1 Jordan)

Chair Schwartz announced the ten calendar day appeal period.

V. ADMINISTRATIVE AGENDA

ACTUAL TIME: 2:42 P.M.

E. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

Commissioner Lodge reported on the Staff Hearing Officer meeting held on January 22, 2014.

2. Other Committee and Liaison Reports

a. Commissioner Lodge reported on the Historic Landmarks Committee meeting of February 12, 2014.

b. Commissioner Lodge acknowledged the passing of long-time civic participant Paula Westbury with public tributes.

c. Commissioner Campanella reported on the Downtown Parking Committee meeting that he and Commissioner Schwartz attended earlier on February 13, 2014.

d. Commissioner Campanella reported on the Architectural Board of Review meetings of January 21, 2014 and February 10, 2014.

e. Commissioner Bartlett reported on the Architectural Board of Review meeting of February 3, 2014.

f. Commissioner Schwartz reported on the Transportation and Circulation Committee meeting of January 23, 2014.

g. Commissioner Schwartz reported on attending the Storm Filtration Project ribbon cutting at Oak Park on January 29, 2014 with Commissioner Campanella.

h. Commissioner Schwartz reported on the Water Commission meeting of February 10, 2014.

i. Commissioner Schwartz reported on the Historical Museum's "State of the Museum" address on February 12, 2014.

3. Report from the Chair.

Chair Schwartz reported that the Planning Commission will next meet on March 6, 2014 for a special Joint City Council and Planning Commission meeting at 630 Garden Street.

VI. ADJOURNMENT

Chair Schwartz adjourned the meeting at 2:59 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary

City of Santa Barbara
Planning Division

PLANNING COMMISSION MINUTES

January 16, 2014

CALL TO ORDER:

Chair Jordan called the meeting to order at 1:00 P.M.

I. ROLL CALL

Chair Mike Jordan, Vice Chair Deborah L. Schwartz, Commissioners Bruce Bartlett, John P. Campanella, Sheila Lodge, June Pujo, and Addison Thompson.

STAFF PRESENT:

Renee Brooke, Senior Planner
Jill Zachary, Assistant Parks and Recreation Director
N. Scott Vincent, Assistant City Attorney
Barbara Shelton, Project Planner/Environmental Analyst
Mandy Burgess, Parks and Recreation Planning Technician
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

Chair Jordan announced a change in the order of preliminary matters, with agenda item A being heard last.

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 Jordan opened the public hearing at 1:01 P.M. and, with no one wishing to speak, closed the hearing.

D. Nominations and election of Chair and Vice Chair.

MOTION: Bartlett/Lodge
Nomination of Deborah Schwartz as Chair.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

MOTION: Bartlett/Lodge
Nomination of Addison Thompson as Vice Chair

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

III. RECOMMENDATIONS TO CITY COUNCIL:

ACTUAL TIME: 1:03 P.M.

A. URBAN FORESTRY MANAGEMENT PLAN

The Planning Commission reviewed the Urban Forestry Management Plan, and considered recommending that City Council adopt the plan.

Case Planner: Jill Zachary, Assistant Parks and Recreation Director
Email: JZachary@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 5437

Jill Zachary, Assistant Parks and Recreation Director; and Mandy Burgess, Parks and Recreation Planning Technician, gave the Staff presentation.

Chair Schwartz opened the public hearing at 1:54 P.M., and with no one wishing to speak, closed the public hearing.

Commissioners' comments:

The Commission thanked Staff for developing guidelines and believes they will help applicants, property owners, and design review boards. Staff was encouraged to move forward after reviewing the document for editing, clarification, and some condensing.

The environmental benefits of trees to public health were acknowledged along with funding restrictions. Staff was encouraged to develop more public/private partnerships, especially when trying to fill empty street tree wells.

MOTION: Jordan/Lodge **Assigned Resolution No. 001-14**
Recommend to City Council adoption of the Urban Forest Master Plan with the following recommendations:

1. Include neighborhood associations in public/private partnerships.
2. Develop a resource for the public, similar to the tool guide for Storm Water Management.
3. Make program a policy level process, rather than ancillary level process.
4. Correct last item in the chart on page 22 to read "Average Unit-Size Density".
5. Make sure the 60 foot height limit range in the overlay zone is the most current information.
6. Clarify solar access versus tree shading.
7. Include "tree pruning" in the glossary.
8. Benefits of the Urban Forest should be at the beginning of the document.
9. Encourage more of the 3,500-7,000 empty tree wells to be filled.
10. Include Parma Park in the Plan.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

Chair Schwartz called a recess at 2:19 P.M. and resumed the meeting at 2:27 P.M.

ACTUAL TIME: 2:27 P.M.

B. AIR QUALITY DESIGN STANDARDS FOR DEVELOPMENT NEAR HIGHWAY 101

The Planning Commission held a public hearing on a draft ordinance to establish air quality design standards for new development of sensitive uses within 250 feet of Highway 101. The intent of the ordinance is to reduce health risks from highway vehicle exhaust for any future development of residences, nursing or retirement homes, schools, or family day care. Project design criteria involve site layouts, vegetative screening, and interior air filtration. The Planning Commission will consider recommendations to City Council regarding ordinance adoption. Public comment is welcome.

Case Planner: Barbara Shelton, Project Planner/Environmental Analyst
Email: BShelton@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 4467.

Barbara Shelton, Project Planner/Environmental Analyst, gave the Staff presentation. Public comment received was acknowledged that included three new

letters and one phone call. An additional late communication from Cynthia Ruano was also acknowledged.

Molly Pearson and Carly Wilburton from the Santa Barbara Air Pollution Control District (APCD) were present to answer any of the Commission's questions.

Chair Schwartz opened the public hearing at 2:47 P.M.

The following people commented on the project:

1. Azam Mirtorabi, affected property owner, submitted written and verbal comments objecting to the ordinance and noting improvements in air quality.
2. Mary Rose Bryson, affected neighbor, was concerned with the ordinance impact on the ability to upgrade her 1902 home. She was also concerned with trees that were removed from buffering the freeway and asked the City to plant trees on City property.
3. Steven Johnson, affected property owner, submitted written and verbal comments objecting to underlying City air quality studies and supporting a wider corridor.

With no one else wishing to speak, the public hearing was closed at 2:56 P.M.

Commissioners' comments:

- Commissioner Pujo recommended changes to the ordinance to clarify that design measures apply to primary structures and not accessory structures.
- Commissioners Campanella and Schwartz appreciated Staff's time on the report. The ordinance implements the General Plan and the intent of City Hall, and represents the best job with information available.
- Commissioner Thompson requested clarification on whether the ordinance was addressing only particulates, and on the effectiveness of Caltrans sound walls. He recommended clarifying applicable types of fences.
- Commissioner Bartlett expressed concern about the overall benefits of the policy and ordinance for residents. He requested clarification regarding application of the ordinance to new vacant lots created through subdivision; whether properties become legal non-conforming under the ordinance; and why the ordinance does not apply to temporary stay facilities. He suggested that the hedges and fences ordinance establish a different standard for the highway corridor.
- Commissioners Bartlett and Jordan suggested addition of an automatic sunset clause based on time frame and/or specific air quality criteria. Commissioner Schwartz was not entirely comfortable with the absence of a sunset clause but would not push for it.

- Commissioner Lodge requested clarification for the public that a single-family home could be upgraded under the ordinance (i.e., remodels and minor additions would be exempt, and substantial additions and new units could be permitted with design compliance). She would have preferred a 500 foot corridor, as other communities have used, but thinks that 250 feet is as good as we will get. She recommended that Caltrans be encouraged to build additional sound walls in those areas without, such as by Mission Terrace and the nearby nursery school.
- Commissioner Campanella confirmed with Staff that walls, vegetation, and other design measures have precedents in other communities and are supported by evidence of effectiveness. He requested confirmation that off-site structures may be used as a measure toward compliance with ordinance design standards.
- Commissioner Jordan expressed concern that design boards might apply ordinance provisions outside of the 250 foot corridor, and recommended an upfront exemption for parcels partially within the corridor when applicable new development is outside of it. He suggested clarification of the general exemption based on site-specific conditions, so that the submittal analysis and basis of determination is clear. He expressed concern about the ordinance, asserting that tangible benefits and quantifiable criteria are unclear.
- Commissioners Jordan and Bartlett could support a recommendation to Council with the following exceptions: 1) Ordinance needs an exemption when the parcel is partly within the corridor but the project is outside; and 2) Ordinance needs a sunset provision.
- Commissioner Schwartz noted a questionable benefit of interior filtration given the local climate

Scott Vincent, Assistant City Attorney, stated that the ordinance would apply to lots that are in whole or in part within 250 feet of the freeway, but that the design standards would only apply to new development within 250 feet. He will address accessory uses in the ordinance language found in Section 22.65.040 Design Standards for Air Quality, subsection A (Proximity to Highway 101 and Project Design Features), on page 3 of the draft ordinance dated January 9, 2014 with inclusion of "*...that will be occupied by or for Sensitive Land Uses...*" in the first sentence. He noted that the provision for exempting one new unit on a vacant lot could be changed because ordinance design measures provide for a means of permitting potentially precluded development such that a property taking is not a concern.

Chair Schwarz left the dais at 4:34 P.M and returned at 4:36 P.M.

- Commissioner Campanella recommended that the ordinance purpose and intent be clarified.
- Commissioner Thompson could accept the ordinance without a sunset clause, and would support a recommendation moving it to Council.
- Commissioner Lodge supports the ordinance and sending it to Council.
- Commissioner Jordan supports the ordinance philosophically and supports the applicability provisions and flexibility exemption. He cannot support recommending the ordinance without an exemption for development outside of the 250 foot corridor and a sunset clause.
- Commissioner Bartlett supports Mr. Vincent's revised wording of the draft ordinance language regarding accessory structures; and supports use of the property as trigger for applying the ordinance. He does not support the "*in whole or part*" provision without an exemption for development outside of 250 feet; or the lack of a sunset provision.
- Commissioner Pujo felt that the ordinance needed more clarity on what we are trying to capture and the workability of the ordinance. She does not support subsection C, applying the ordinance to substantial residential additions and suggested removing it. Commissioner Pujo felt that in the absence of a sunset clause, tracking and monitoring are needed as a part of adaptive management.
- Commissioners Pujo and Schwartz commented that the ordinance is flexible and open-ended and can be interpreted differently, and recommended templates or handouts for applicants with examples of what would fit some of the design standards.
- Commissioner Schwartz noted that air pollution monitoring and air quality control measures are an ever changing issue, and a number of national studies of this issue are underway. She requested more clarity in the site-specific analysis exemption. She noted the tie-in with the Urban Forest Plan, and agreed with Commissioner Lodge that adding vegetation should be the preferred mitigation over hardscape solutions, and provides for more visual compatibility and other benefits.

MOTION: Jordan/Bartlett
Continue indefinitely for Staff to return with ordinance refinements that could be supported by a Commission majority.

Commissioner Pujo asked that when this item returns to the Commission, examples be provided to show applicants and homeowners how design standards apply.

Commissioner Bartlett asked Staff to review Page 6 of the Staff report dated, December 12, 2014, requesting that the sentence *"Following such studies, the*

City may reassess the Ordinance provisions for amendment or appeal." to add something more quantifiable rather than "may".

This motion carried by the following vote:

Ayes: 5 Noes: 2 (Lodge, Thompson) Abstain: 0 Absent: 0

Commissioners Lodge and Thompson believed the ordinance should be forwarded to City Council.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 5:16 P.M.

Chair Schwartz prefaced the Commission's reports with comments from the Chair.

A. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

   None.

2. Other Committee and Liaison Reports

   a. Commissioner Thompson reported on the Single Family Design Board meeting of January 13, 2014.

   b. Commissioner Thompson reported on the Airport Committee meeting of January 15, 2014.

   c. Commissioner Schwartz reported on the Downtown Parking Committee meeting of January 15, 2014.

   d. Chair Schwartz summarized agenda items of upcoming January 23, 2014.

V. ADJOURNMENT-

Chair Schwartz adjourned the meeting at 5:25 P.M.

Submitted by,

Julie Rodriguez

Julie Rodriguez, Planning Commission Secretary

Additional Background Information

Air Quality Design Standards for Development near Highway 101
April 8, 2014 City Council Agenda

Land Use Information within 250-Foot Corridors along Highway 101

Most parcels along each side of Highway 101 have some existing development, variously within commercial areas and residential areas. There are 991 parcels either wholly or partially within the 250-foot distance of Highway 101.

	No. of Parcels
• Parcels with some existing development	984
• Vacant parcels	7
• Parcels behind Caltrans highway sound walls	246
• Parcels without Caltrans highway sound walls	745
• Residentially zoned parcels (A-2, E-1, E-3, PUD, R-1, R-2, R-3, or R-4)	634
• Other zones (C-1, C-2, C-M, C-O, C-P, HRC-2, M-1, O-C, OM-1, or P-R)	357

The existing residential development includes some multiple-unit complexes for families and the elderly which are partially located within the 250-foot distance. Examples include the Pilgrim Terrace senior housing in the Mission/Modoc area south of the freeway, and several City Housing Authority projects (at 600 block of Eucalyptus; 1200 block of Castillo Street & 400 block of Anapamu Street; 500 block of W. Victoria Street; 300 block of S. Voluntario Street; and 1900 block of San Pascual Street).

Potential additional build out of residential units on these parcels under the General Plan and zoning designations is estimated at 458 units. During the upcoming period to the year 2030, up to approximately 91 additional residential units could likely be proposed on parcels wholly or partly within the 250-foot distance. This estimate uses the 2011 General Plan build-out scenario to the year 2030, which is based on historic growth rates and growth management policies. A portion of these would be on parcels not behind Caltrans sound walls and the ordinance provisions would apply.

A complete land use inventory of other existing sensitive land uses within 250 feet of Highway 101 has not been conducted, but the area includes a few retirement homes and day care facilities. None of the District elementary, junior high, or high schools in the City are located within 250 feet of Highway 101.

Effectiveness of Project Design Measures

It is recognized that the level of air quality mitigation from various design measures will vary across different site and meteorological circumstances and with changing factors such as wind direction and speed. A publication from the California Air Resources Board summarizes recent research on the effectiveness of air quality mitigation methods along highways (*CARB, Status of Research on Potential Mitigation Concepts to Reduce Exposure to Nearby Traffic Pollution, 2012*).

- As expected, distance from the highway pollution source is the most effective measure.

- Highway sound walls are effective at blocking roadway pollutants and providing higher dispersal of pollutants, resulting in substantial mitigation on the other side of the wall; generally about a 50% reduction in the concentration of pollutants. This is the basis for the proposed ordinance exemption for project sites located behind Caltrans sound walls. Caltrans sound walls are constructed of solid material (e.g., masonry or wood) and vary in dimension but are typically 10-14 feet in height and eight inches thick.

- Interior central ventilation/ air filtration is also identified as a very effective measure, although the effectiveness may be compromised by individual user practices regarding open windows and system maintenance.

- Vegetative and Structural Barriers. Trees and dense vegetation are shown to be effective at trapping particulates. Both vegetative and structural barriers between the highway and project reduce the concentration of air pollution.

  Vegetation for air pollution mitigation is most effectively provided by rows of trees with either needles, such as firs and cedars, or dense leafy foliage, and planted in rows. City landscape design guidelines include a number of firs, cedars, and leafy trees.

  Other issues also need to be considered in selecting appropriate trees and vegetation for an individual site, including space limitations, fire hazard, soil type/climatic conditions, drought tolerant and native/Mediterranean plants, potential effects of root system on paved areas, blocking solar access on adjacent parcels, and maintenance issues.

  The proposed City Urban Forest Master Plan includes the following action item, which would provide additional guidance for vegetation selection:

  Action: Develop guidance for tree selection and planting along Highway 101 that would improve air quality for nearby sensitive land uses.

Tracking State Regulations and Air Quality Changes

Policy ER7 is identified as an interim policy until such time as highway pollution levels and health hazards are reduced through further planned State regulations or other means. The policy provides that the City will track regulatory efforts of the California Air Resources Board (CARB) and progress on air quality improvements.

Santa Barbara County Air Pollution Control District staff is assisting City staff in monitoring State regulatory activities and data on air quality changes. Scientific studies have estimated that diesel particulate levels statewide were substantially reduced in the years 1990-2010 due to in-place State regulations (UCSD, *Black Carbon and the Regional Climate of California*, 2013). The next phase of diesel particulate regulations (heavy truck retrofits), which had been put on hold following the State's economic downturn, is now underway.

With adoption of ER7, it was anticipated that the City will periodically conduct updated modeling of air quality conditions along Highway 101 within Santa Barbara as part of the City's General Plan Adaptive Management Program (AMP). Following such studies, the City would reassess Policy ER7 and the Ordinance provisions for amendment or repeal. It is also possible that the CARB may in the future be able to provide data about improved air quality that would support policy repeal without the City study.

Other Jurisdictions

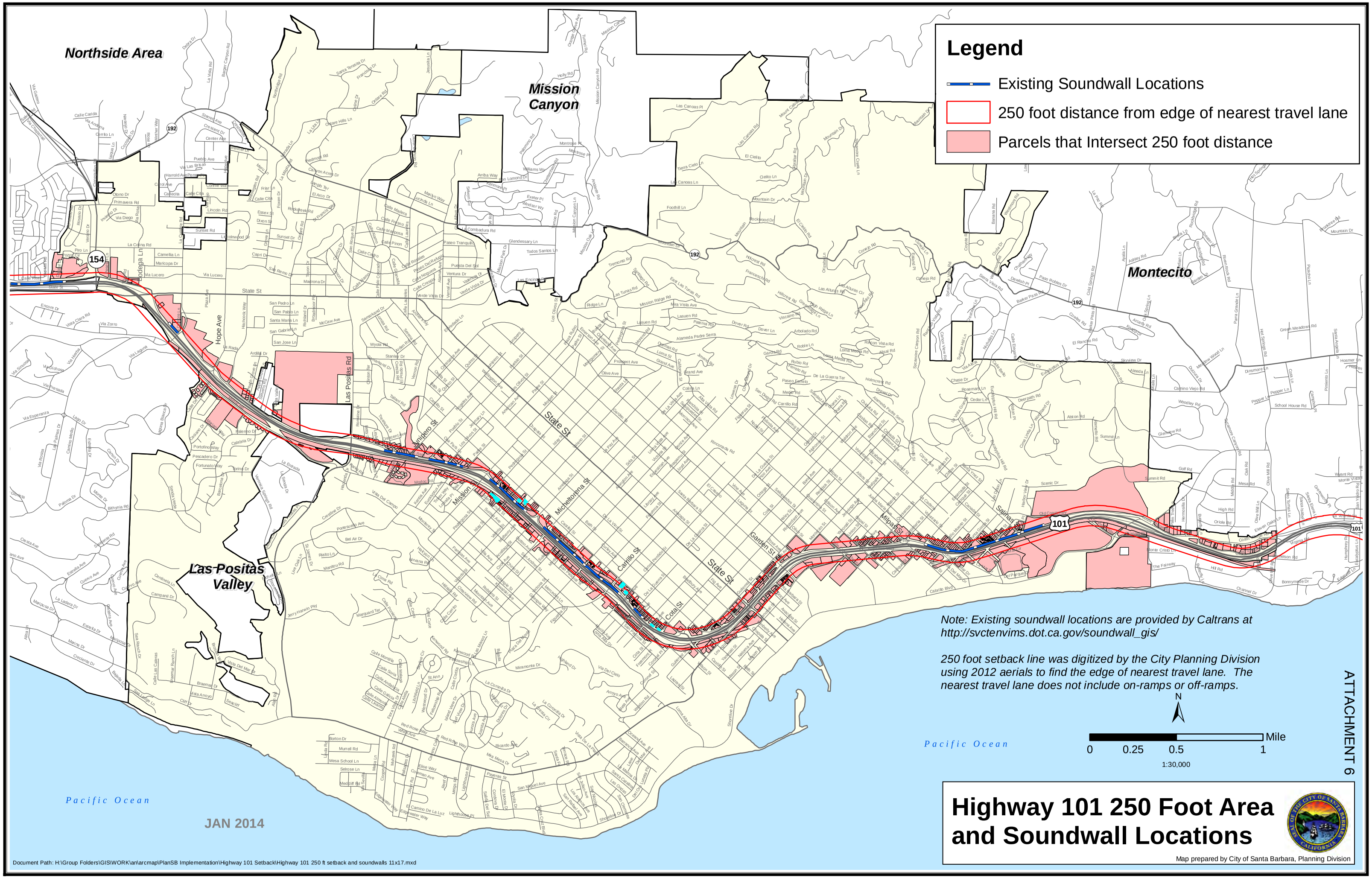
The City of Goleta adopted a General Plan policy requiring projects within 500 feet of Highway 101 to prepare project-specific health risk assessments.

The County of Santa Barbara's Los Alamos Community Plan includes development standards providing that a high efficiency ventilation system should be installed for all residential projects within 500 feet of Highway 101; residents provided with filter maintenance information; and potential buyers provided with an air quality disclosure statement.

The County is in process of preparing an updated East Goleta Valley Community Plan for the unincorporated portion of the valley, which is also expected to include a policy addressing this near-highway air quality issue.

The Santa Barbara Association of Governments (SBCAG) recently adopted an updated Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). The Final Program Environmental Impact Report for this plan identifies a list of potential mitigation measures for siting sensitive land uses within 500 feet of Highway 101, which may include site design and screening, health risk assessments, interior filtration, and disclosure statements, as determined by the lead agency for individual projects.

A number of jurisdictions in northern and southern California also have similar policies in place or pending.



ATTACHMENT 6

Highway 101 250 Foot Area and Soundwall Locations

Map prepared by City of Santa Barbara, Planning Division

ATTACHMENT 7

CORRESPONDENCE RECEIVED

SUMMARY OF PUBLIC COMMENT AND STAFF RESPONSES

City of Santa Barbara
Community Development Department

Memorandum

DATE: January 16, 2014

TO: Planning Commission

FROM: Barbara Shelton, Planning Division

SUBJECT: Agenda Item III.B – Air Quality Design Stds - Public Comment

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Telephone contact received from Cynthia Ruano, 211 W. Gutierrez, #13, who had planned to attend the hearing but now cannot.

- She supports the strongest possible ordinance measures to reduce health risk from Highway pollution.
- She notes that trees planted by Caltrans have helped a lot.

From: Mary Rose Bryson [mailto:maryrosebryson@gmail.com]
Sent: Friday, January 10, 2014 10:09 AM
To: Community Development PC Secretary
Subject: Fwd: Comments on Air Quality Design Standards for development near Highway 101

To Whom it May Concern,

I will be attending the hearing on Thursday, January 16th, 2014 at 1:00 p.m. at the City Council Chambers. I have attached four (4) pictures and a newspaper article regarding health issues of people living next to freeways.

My concern is that I live in a 100-year-old house at the end of West Figueroa Street. This ordinance will affect the building footprint of any upgrades I wish to make to my house. My house is located in an R-4 zone, and my neighbors are apartment buildings and R-4 rentals. Now I will not be allowed to upgrade my house.

The pictures I have attached reflect "before" and "after" shots of the end of West Figueroa Street, where the City of Santa Barbara constructed steelhead trout "ladders" in Mission Creek. The City hired MacPherson landscaping to cut down approximately twenty (20) forty-year-old trees (bottlebrush and pecan) as part of this Measure B project to bring back the steelhead trout.

If this ordinance requires homeowners to plant trees or construct some type of filter or screen for the harmful effects of traffic, I think the City of Santa Barbara should re-plant trees too. I also feel it is unfair to penalize homeowners whose homes happened to be next to freeway exits or entrances where Caltrans did not decide to build walls to shield homeowners from noise from pollution.

The newspaper article from the New York Times discusses the uncertainty of the science of calculating the health effects of living next to freeways.

I look forward to speaking to the Planning Commission next week.

Sincerely,

Mary Rose Bryson
410 West Figueroa Street

City of Santa Barbara
California

NOTICE OF A PUBLIC HEARING OF THE PLANNING COMMISSION
TO PROPERTY OWNERS WITHIN 250 FEET OF HIGHWAY 101 AND INTERESTED PARTIES

THURSDAY, JANUARY 16, 2014, 1:00 P.M.* (See note below)
CITY COUNCIL CHAMBERS, CITY HALL – 735 ANACAPA STREET

AIR QUALITY DESIGN STANDARDS FOR DEVELOPMENT NEAR HIGHWAY 101

The Planning Commission will hold a public hearing on a draft ordinance to establish air quality design criteria for new development of sensitive uses within 250 feet of Highway 101. The intent of the ordinance is to reduce health risks from highway vehicle exhaust for any future development of residences, nursing or retirement homes, schools, or family day care. Project design criteria involve site layouts, vegetative screening, and interior air filtration. The Planning Commission will consider recommendations to City Council regarding ordinance adoption. Public comment is welcome.

You are invited to attend this hearing. Written comments are welcome and will be entered into the public record. Written information should be submitted prior to the meeting at the Planning Division Office, 630 Garden St; by mail attention Planning Commission Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at PCSecretary@SantaBarbaraCA.gov, and received no later than 4:30 P.M. on the Monday before the Planning Commission hearing. Please submit 12 copies of any written materials of more than two pages. Written comments are accepted at and up to the time of the hearing; however, the Planning Commission may not have time to consider materials submitted after the Monday deadline.

This is the only notification you will receive for this draft ordinance. If you have any questions or wish to be placed on a mailing list for future agendas for this item, please contact Barbara Shelton at the Planning Division office at (805) 564-5470, extension 4467, or by email at BShelton@SantaBarbaraCA.gov. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Thursday, and every other Friday. Please check our website under City Calendar to verify closure dates.

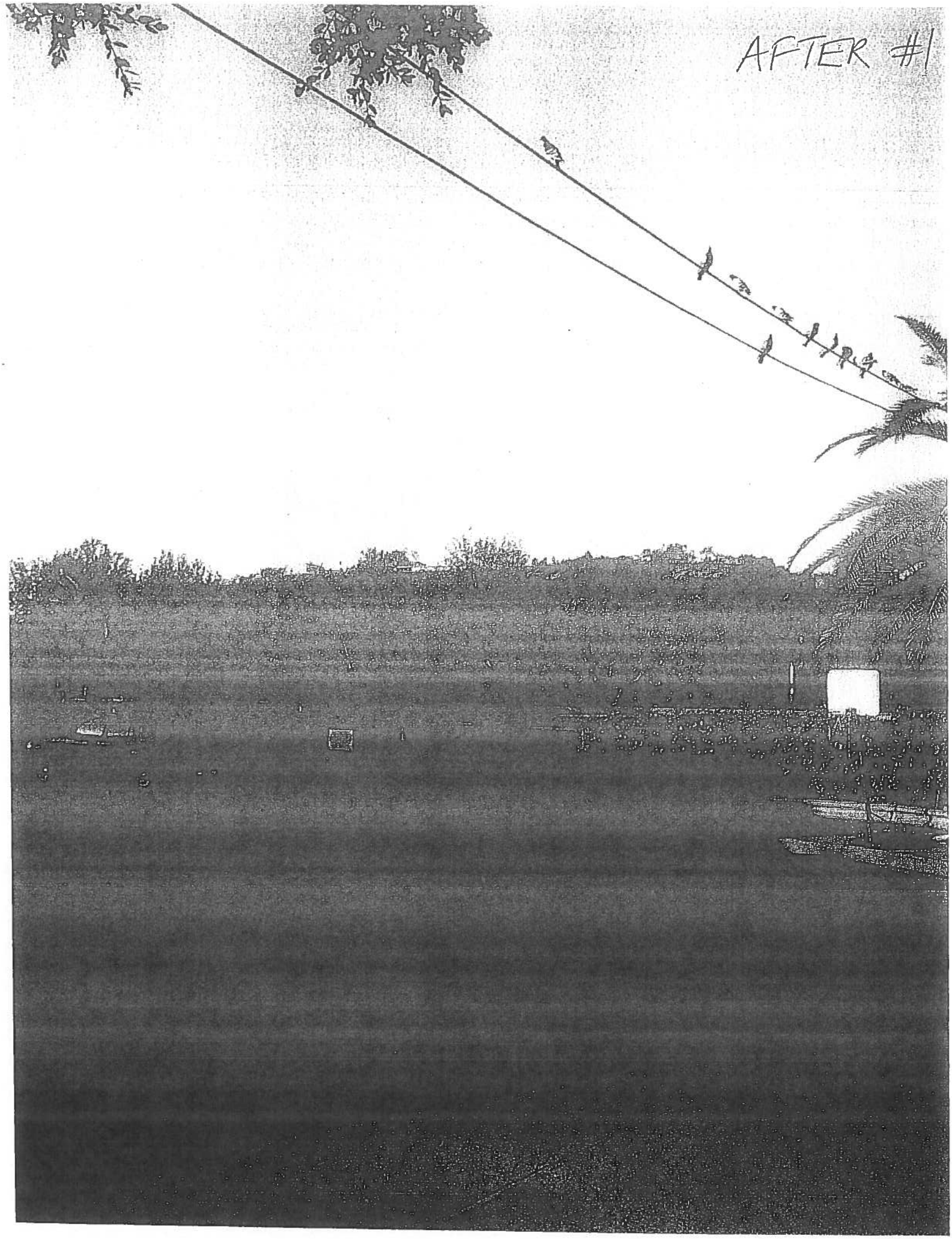
This implementing ordinance is within the scope of the 2011 General Plan Update and its Program Environmental Impact Report. If you challenge the decision-making action or environmental determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or Council hearings, or in written correspondence delivered to the City prior to the hearings.

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 Planning Division Office at (805) 564-5470, extension 4535. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

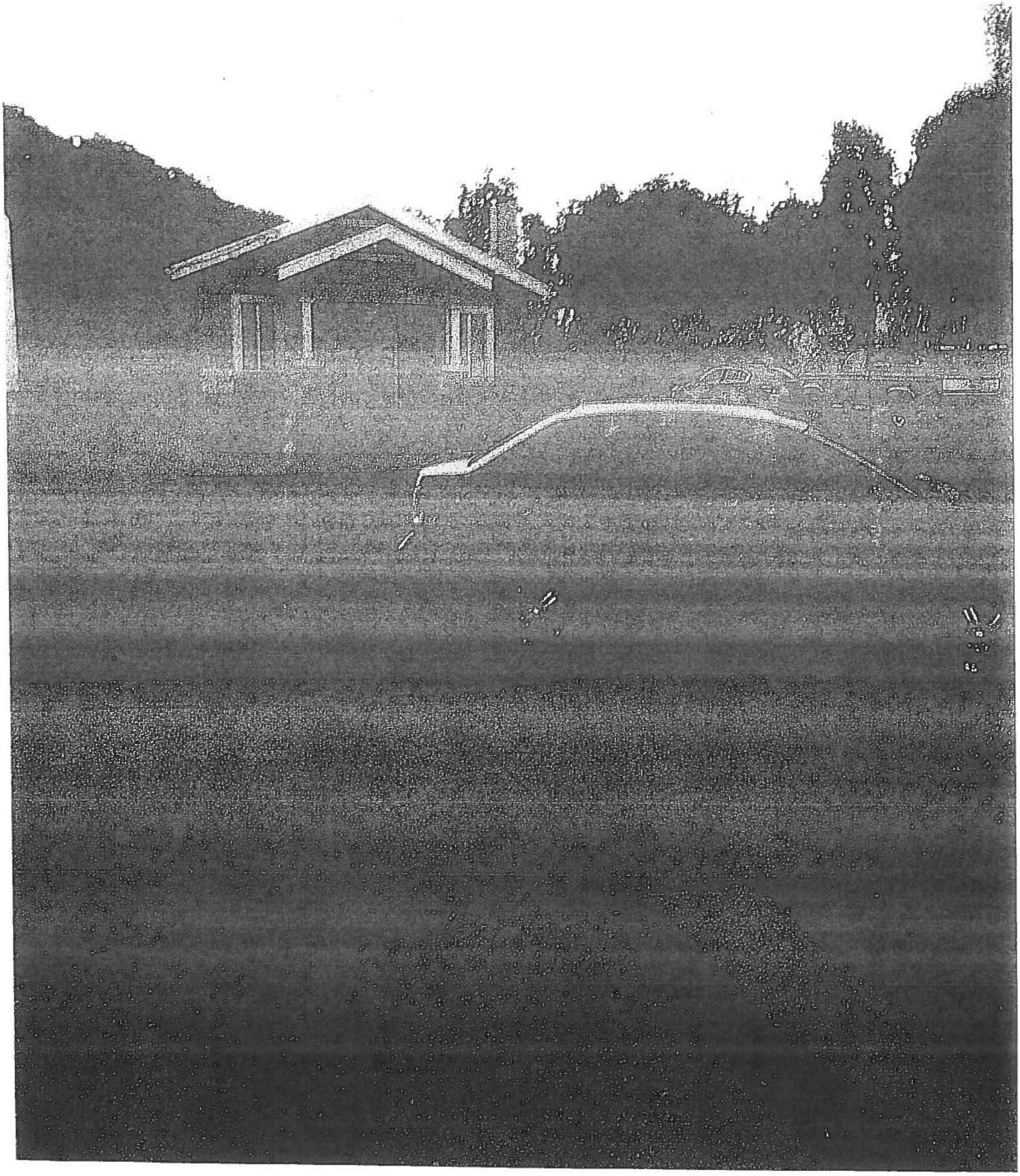
*** NOTE:** On Thursday, January 9, 2014, an Agenda with all items to be heard on Thursday, January 16, 2014, will be available at 630 Garden Street. AGENDAS, MINUTES and REPORTS: Copies of all documents relating to agenda items are available for review at 630 Garden St., the Central Library at 40 E. Anapamu Street, and posted online at www.SantaBarbaraCA.gov/PC. Please note that online Staff Reports may not include some exhibits. Agenda items are subject to change. It is recommended that interested parties plan to arrive for the meeting at 1:00 p.m. However, for longer agendas, all parties are encouraged to monitor Channel 18 and when the item prior to the application of interest begins come to the Commission hearing. Continuances will not be granted unless there are exceptional circumstances.

Meetings can be viewed live on City TV-18, or on your computer at www.SantaBarbaraCA.gov/CityTV. A rebroadcast schedule can be found at www.SantaBarbaraCa.gov/CityTVProgramGuide.

BEFORE #1


AFTER #1

BEFORE #2



AFTER #2

The New York Times

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January 13, 2010

Report Links Vehicle Exhaust to Health Problems

By MATTHEW L. WALD

Exhaust from cars and trucks exacerbates asthma in children and may cause new cases as well as other respiratory illnesses and heart problems resulting in deaths, an independent institute that focuses on vehicle-related air pollution has concluded.

The report, to be issued on Wednesday by the nonprofit Health Effects Institute, analyzed 700 peer-reviewed studies conducted around the world on varying aspects of motor vehicle emissions and health. It found "evidence of a causal relationship," but not proof of one, between pollution from vehicles and impaired lung function and accelerated hardening of the arteries.

It said there was "strong evidence" that exposure to traffic helped cause variations in heart rate and other heart ailments that result in deaths. But among the many studies that evaluated death from heart problems, some did not separate stress and noise from air pollution as a cause, it said.

The institute, based in Boston, is jointly financed by the Environmental Protection Agency and the auto industry to help assure its independence. Its reports are peer-reviewed but are not published in a scientific journal.

The researchers noted that proving that air pollution from vehicles caused illness was difficult. The pollutants studied often come from sources like industry in addition to cars and trucks, they said, and many of the studies failed to rule out factors like income levels that could contribute to the illnesses studied.

Many people who live near major roads fall into lower-income categories. Vibration and noise rather than air pollution could also cause some health damage, the report said.

Nonetheless, "we see a strong signal that says traffic exposure seems to be causing effects," said Dan Greenbaum, the president of the institute.

The study found that the biggest effects occurred among people who lived within 300 to 500 meters — about two-tenths to three-tenths of a mile — from highways and major roads. That applies to 30 percent to 45 percent of the population of North America, the authors said.

The pollutants studied in the report do not include ozone, the chemical for which the Environmental Protection Agency proposed new regulations last week. Ozone is more prevalent in places distant from highways.

For many categories of health effects, the authors concluded that the studies completed so far suggested that air pollution from vehicles was the cause, without establishing that as fact.

Contacted for comment, the environmental agency said it welcomed the study. The agency added that it was taking steps to cut toxic materials in gasoline and that the federal recovery act included $300 million for cleaning up diesel engines.

Outside experts briefed on the study had mixed reactions.

"Like the issue of second-hand smoke, it's very difficult to understand the exact mechanisms that make it bad — but it's easy to understand that it is in fact bad," said Rich Kassel, an expert on diesel engines at the Natural Resources Defense Council, an environmental group. "This study underscores that difficulty."

"Despite 40 years of building ever-cleaner vehicles, we still have a vehicle pollution problem in this country," Mr. Kassel said.

Howard J. Feldman, the director of regulatory and scientific affairs at the American Petroleum Institute, noted that the evidence of a causal factor was inconclusive for some ailments.

"The only conclusive thing that was found was with the asthma," Mr. Feldman said. "Nothing else was found to be conclusive, which to me was interesting in itself."

"These are epidemiological studies, which by definition reflect past exposures with past fuels," he added.

As emissions from traffic decline, Mr. Feldman predicted, exposures from other sources will become more important.

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From: Steve Johnson [mailto:steve@stevej.com]
Sent: Monday, January 13, 2014 2:22 PM
To: Community Development PC Secretary
Subject: Planning Commission consideration of AIR QUALITY DESIGN STANDARDS

The City's proposed ordinance to regulate development of properties near Highway 101 is based on false data.
City staff is aware of this fact, but has failed to take action to alert the public to the true dangers associated with cancer hazards near highway 101.

The Air Quality Study (Feb 2009) conducted as part of the City's recent General Plan update contains a simple mistake which produced a screening corridor width of 250'. A correct calculation would have yielded a corridor width of just under 1000'.

I am particularly upset by the fact that the value calculated in the Air Quality Study is patently false (as the author of the study has admitted to City staff); yet the City insists on using the study to promote the 250' value for the corridor. This very much reminds me of Ibsen's "A Public Enemy".

Compounding the problem is the City's support for the widening of Highway 101, which will worsen air quality.

The proposed ordinance is a fig leaf which does essentially nothing to deal the cancer hazard identified in the Air Quality Study; support for the widening 101 before the Sate certifies that the cancer hazard has been reduced is a mistake.
The City actually has some leverage with the state to lessen the hazard, but is failing to apply it.

Thank you for the opportunity to express my concerns.

Steve Johnson
Email: steve@stevej.com
Voice/Text: 805-699-5364
319 W. Cota St, SB CA 93101

From: Steve Johnson [mailto:steve@stevej.com]
Sent: Tuesday, January 14, 2014 10:50 PM
To: Shelton, Barbara
Subject: FW: Planning Commission consideration of AIR QUALITY DESIGN STANDARDS

Ms. Shelton,

Thank you for providing the explanation (shown below) by James Reyff regarding the discrepancy noted in the Air Quality Report:

"The author of the Air Quality Report, James Reyff, has responded to Mr. Johnson's issue about the report. There was an error in a text notation, not in the modeling. The report text incorrectly referenced traffic volume modeling input as representing 10% of daily traffic volume. The modeling for this study in fact used average hourly traffic volumes over the entire day, which was the correct input because traffic occurs all hours of the day on Highway 101, and the study was modeling for average emission exposure levels."

However, Mr. Reyff's assertion/explanation is demonstrably false. Please consider the following lines from the Air Quality Study (pdf page 13):

The model used representative screening meteorological conditions that include a low wind speed of 1 meter per second, a worst-case wind angle search and a stability class of E. The hourly traffic volume was assumed to be 10% of the average daily volume. Except in outside suburban areas, peak-hour freeway traffic volumes are usually 10% or less. The hourly concentration was converted to an annual concentration using a conversion factor of 0.08 (U.S. EPA 1992).

A key point is the use of the 0.08 factor to obtain an <average> annual concentration. The reference to U.S. EPA 1992 refers to *Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised.* EPA-454/R-92-019. October.
A copy of this document is attached. The conversion factor of 0.08 comes from pdf page 38. The relevant text is:

"To obtain the estimated maximum concentration for a 3-, 8-, 24-hour or annual averaging time, multiply the 1-hour maximum ($|_1$) by the indicated factor:

Averaging Time

Multiplying Factor

3 hours
0.9 (±0.1)
8 hours
0.7 (±0.2)
24 hours
0.4 (±0.2)
Annual
0.08 (±0.02) "

The EPA document states that an annual average concentration is obtained by applying the 0.08 factor to a **1-hour maximum** concentration. Mr. Reyff chose 10% of the average daily volume as his estimate of the 1-hour maximum concentration, and supported that choice with his comment "*peak-hour freeway traffic volumes are usually 10% or less*".

Further defeating Mr. Reyff's explanation is his use of the 0.08 factor to obtain average annual concentrations.

My assertion is that Mr. Reyff made a simple error, and later concocted a disengenuous rationalization, rather than confirm that an error was made. I am hoping that as a technical specialist, you can review and support my argument. However if necessary, I am willing to pay for an independent professional review of my assertion.

Germane excerpts from the Air Quality Study:

Page 13:

The hourly traffic volume was assumed to be 10% of the average daily volume. Except in outside suburban areas, peak-hour freeway traffic volumes are usually 10% or less.

Page 27:

Hourly traffic was input to the model as 10 percent of the average daily volume.

Hourly concentrations produced by the model were computed to annual concentrations by applying a persistence factor of 0.08.

Table on Page 30:

(see following page)

Summary of DPM Concentrations and Resulting Risks - 70-Year Exposure

2007 Emissions	1-Hour Maximum Conc (ug/m3) at Receptor s*								
Meteorological Conditions	15.25 m **50 ft**	30.5 m **100 ft**	45.75 m **150 ft**	60.96 m **200 ft**	76.2 m **250 ft**	91.44 m **300 ft**	106.7 **350 ft**	121.9 m **400 ft**	152.4 m **500 ft**
F at 1 m/s	1.94	1.28	0.92	0.69	0.52	0.40	0.31	0.24	0.14
E at 1 m/s	1.15	0.77	0.58	0.45	0.36	0.29	0.24	0.20	0.14
D at 1 m/s	0.82	0.55	0.41	0.32	0.26	0.22	0.18	0.15	0.11
	Risk (per million) at Receptor Distance (70-Year Exposure)**								
Meteorological Conditions	15.25 m **50 ft**	30.5 m **100 ft**	45.75 m **150 ft**	60.96 m **200 ft**	76.2 m **250 ft**	91.44 m **300 ft**	106.7 **350 ft**	121.9 m **400 ft**	152.4 m **500 ft**
F at 1 m/s	49.4	32.6	23.4	17.6	13.3	10.2	7.9	6.1	3.6
E at 1 m/s	29.3	19.6	14.8	11.5	9.2	7.4	6.1	5.1	3.6
D at 1 m/s	20.9	14.0	10.4	8.2	6.6	5.6	4.6	3.8	2.8

* Distances are from the edge of the roadway

** Conversion factor for 1-hr to annual average conc. of 0.08

Steve Johnson
319 W. Cota St
Santa Barbara CA 93101

To: Barbara Shelton, City of Santa Barbara
Date: Jan 16, 2014
Subject: Santa Barbara Air Quality Report

Ms. Shelton,

Thank you for providing the explanation (shown below) by James Reyff regarding the discrepancy noted in the Air Quality Report:

"The author of the Air Quality Report, James Reyff, has responded to Mr. Johnson's issue about the report. There was an error in a text notation, not in the modeling. The report text incorrectly referenced traffic volume modeling input as representing 10% of daily traffic volume. The modeling for this study in fact used average hourly traffic volumes over the entire day, which was the correct input because traffic occurs all hours of the day on Highway 101, and the study was modeling for average emission exposure levels."

However, Mr. Reyff's assertion/explanation is demonstrably false. Please consider the following lines from the Air Quality Study (pdf page 13):

The model used representative screening meteorological conditions that include a low wind speed of 1 meter per second, a worst-case wind angle search and a stability class of E. The hourly traffic volume was assumed to be 10% of the average daily volume. Except in outside suburban areas, peak-hour freeway traffic volumes are usually 10% or less. The hourly concentration was converted to an annual concentration using a conversion factor of 0.08 (U.S. EPA 1992).

A key point is the use of the 0.08 factor to obtain an <average> annual concentration. The reference to U.S. EPA 1992 refers to *Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised.* EPA-454/R-92-019. October.
A copy of this document is attached. The conversion factor of 0.08 comes from pdf page 38. The relevant text is:

"To obtain the estimated maximum concentration for a 3-, 8-, 24-hour or annual averaging time, multiply the 1-hour maximum (χ_1) by the indicated factor:

Averaging Time	Multiplying Factor
3 hours	0.9 (±0.1)
8 hours	0.7 (±0.2)
24 hours	0.4 (±0.2)
Annual	0.08 (±0.02) "

The EPA document clearly states that an annual average concentration is obtained by applying the 0.08 factor to the **1-hour maximum**.
Mr. Reyff clearly implies that the 1-hour maximum is taken as 10% of the average daily volume.
Use of the 24 hour average is not consistent with use of the 0.08 factor.

My assertion is that Mr. Reyff made a simple error, and later concocted a nonsensical rationalization, rather than confirm that an error was made.
I am hoping that as a technical specialist, you can review and support my argument.
However if necessary, I am willing to pay for an independent professional review of my assertion.

Steve Johnson
Email: steve@stevej.com
Voice/Text: 805-699-5364
319 W. Cota St, SB CA 93101

Steve Johnson
319 W. Cota St
Santa Barbara CA 93101

To: Planning Commission, City of Santa Barbara
Date: Feb 6, 2012
Subject: 1255 Coast Village Road (MST2011-00220)

I am writing to offer information about air quality concerns related to this project.
The recent General Plan Update included Policy ER7 – Highway 101 Set-Back.
A strict interpretation of ER7 might prevent the Planning Commission from approving this project.
I understand waivers are being considered for projects which were in the pipeline prior to the Dec 1, 2011 adoption date of the GP Update. However, such waivers might stigmatize a project with an uncertainty regarding the health risks future residents/tenants/workers might experience.

I am the owner of a project at 517 W. Figueroa St also impacted by Policy ER7.
As a consequence, I have done considerable research into the methodology used in the **Air Quality Report**, prepared for the City by Illingworth & Rodkin as part of the GP Update EIR.
My research suggests that the report contains an error which significantly underestimates health risks.
However, the report also stresses (on page 13) that it is based on "screening" assumptions, and that site-specific studies would produce better assessments of health risks.
The final EIR (Section 6 - Air Quality, page 6-20) also recognizes the need for site-specific studies:

"As part of the project review process for proposed projects within the specified distance, a project-specific study would be required to provide a risk assessment and identify any feasible measures to reduce potential impacts. "

I have conducted a site-specific evaluation using the same methodology as that in the Air Quality Report, but improved by use of the following:
- actual wind conditions
  (hourly wind observations for all of 2010 obtained from the SBC Air Pollution Control District)
- diurnal truck traffic pattern (based on a 2003 Caltrans study)
- actual geometry (coordinates obtained using Google Earth)

For the 1255 Coast Village Road site, my evaluation shows a 70 year health risk of 18 cases per million, well above the 10 in a million threshold of significance. However, the more reasonable 30 year health risk is just under 9 cases in a million. The reasonable standard for rental units (used by other jurisdictions) is just over 3 cases in a million.

I would be happy to provide detailed support of my evaluation. Thank you for the opportunity to comment.

Steven A Johnson

EPA-454/R-92-019

Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised

U.S. ENVIRONMENTAL PROTECTION AGENCY
Office of Air and Radiation
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

October 1992

Report is on file at the
City of Santa Barbara Planning Division
Office at 630 Garden Street, S.B.

DISCLAIMER

This report has been reviewed by the Office of Air Quality Planning and Standards, EPA, and approved for publication. Mention of trade names or commercial products is not intended to constitute endorsement or recommendation for use.

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PREFACE

This document presents current EPA guidance on the use of screening procedures to estimate the air quality impact of stationary sources. The document is an update and revision of the original Volume 10 of the "Guidelines for Air Quality Maintenance Planning and Analysis", and the later Volume 10 (Revised), and is intended to replace Volume 10R as the standard screening procedures for regulatory modeling of stationary sources.

Many of the short-term procedures, outlined in this document, have been implemented in a computerized version in a model entitled SCREEN2. In previous editions of this document, the SCREEN user's guide was contained within an appendix to the document. As of this edition, the SCREEN2 user's guide and documentation is provided as a separate document entitled "SCREEN2 Model User's Guide," EPA-450/4-92-006. Software copies of SCREEN2 may be downloaded from the Office of Air Quality Planning and Standards (OAQPS) Technical Transfer Network (TTN) Bulletin Board System (BBS) via modem by dialing (919) 541-5742. The TTN BBS now serves as the primary source of air dispersion models, replacing the User's Network for Applied Modeling of Air Pollution (UNAMAP). Copies of SCREEN2 in diskette form may be obtained from the National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161.

ACKNOWLEDGMENTS

Special credit and thanks are due Mr. Thomas E. Pierce, EPA-AREAL, for his assistance with developing the FORTRAN code for the SCREEN model and for his technical suggestions on improving the procedures. Credit is due Mr. Russell F. Lee, who served as EPA Project Officer on the preparation of the original version of the Volume 10 procedures, and who continued to provide valuable technical assistance for this document, and Mr. Laurence J. Budney, author of the revised version of Volume 10, which served as a foundation for development of the current document. The author also acknowledges those who reviewed the document and provided many valuable comments, including the EPA Regional Modeling Contacts, several State meteorologists, and meteorologists within EPA-OAQPS. Credit and thanks are due Mr. Roger W. Brode, for developing the "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Draft for Public Comment" documentation for SCREEN. The project officer for SCREEN2, Dennis G. Atkinson, is responsible for the first revision to this document. Mr. Atkinson is on assignment from the National Oceanic and Atmospheric Administration, U.S. Department of Commerce. Final thanks are due James L. Dicke and Joseph A. Tikvart of EPA-OAQPS for their support and insight.

Steve Johnson
319 W. Cota St
Santa Barbara CA 93101

To: Santa Barbara City Council
Date: Feb 8, 2012
Subject: Policy ER7

I am writing to offer information about Air Quality Policy ER7, contained in the General Plan Update adopted on Dec 1, 2011.

I feel the City has acted with excessive caution by imposing a moratorium on development for sites within 250' of the highway. No such moratorium has been adopted by the cities of Los Angeles, San Francisco, Oakland, Sacramento, Buellton, Goleta, Carpinteria, or Ventura. All of those cities allow development within 500' of major freeways. Oakland and Sacramento require either mitigations or a site-specific survey. San Francisco exempts projects of 10 or fewer units, and considers mitigations in other cases (source: rampasthma.org).

I am the owner of a project at 517 W. Figueroa St impacted by Policy ER7.

As a consequence, I have done considerable research into the methodology used in the **Air Quality Report**, prepared for the City by Illingworth & Rodkin as part of the GP Update EIR. **My research suggests that the report contains an error in the estimate of maximum hourly truck traffic, leading to faulty results which significantly underestimate health risks.**

The report used a very simplistic approach to create a "screening" corridor along Highway 101. The intent was to identify a corridor which could be used to identify sites where site-specific studies would be appropriate in order to produce better assessments of health risks. The fault in the analysis underscores the need for site-specific studies, rather than reliance on a simplistic corridor.

The final EIR (Section 6 - Air Quality, page 6-20) also recognizes the need for site-specific studies:

"As part of the project review process for proposed projects within the specified distance, a project-specific study would be required to provide a risk assessment and identify any feasible measures to reduce potential impacts. "

Inexpensive site-specific evaluations can be readily produced using the CAL3QHCR methodology of the Air Quality Report, but improved by use of the following:
- actual wind conditions for the City of Santa Barbara
  (hourly wind observations for all of 2010, obtained from the SBC Air Pollution Control District)
- diurnal truck traffic pattern (based on 2011 Caltrans Weigh-in-Motion data from station 81)
- actual geometry (coordinates obtained using Google Earth)

I have conducted several site-specific evaluations to consider the impact of prevailing winds. These evaluations show that sites located inland from Highway 101 have significantly higher health risks than that suggested by the Air Quality Study. Again, this underscores the importance of not relying on a simplistic distance for evaluating health risks.

I understand the City might grant waivers to projects which were in the pipeline prior to the Dec 1, 2011 adoption date of the GP Update. However, such waivers might stigmatize a project with an uncertainty regarding the health risks future residents/tenants/workers might experience. I would prefer that my project be permitted to advance based on a site-specific study. However, please note that I do not advocate the very expensive process of site-specific air-quality testing. I advocate the CAL3QHCR modeling approach used by many other jurisdictions

Thank you for the opportunity to comment.

Steven A Johnson

Steve Johnson
steve@stevej.com

SB cancer risks near 101, starting 2015 (screening assumptions)

50' 70 year summed risk		Annual Cair	**1hr max**							
	Cancer Risk	Cair	**Cair**	URF	DBR	A	Exposure	EF	ED	AT
2015 to 2030	8.19	0.12	**1.5**	68.26	302	1	24	350	15	25550
2030 onward	16.02	0.064	**0.8**	250.29	302	1	24	350	55	25550
70-year total:	**24.21**									

100' 70 year summed risk		Annual Cair	**1hr max**							
	Cancer Risk	Cair	**Cair**	URF	DBR	A	Exposure	EF	ED	AT
2015 to 2030	6.01	0.088	**1.1**	68.26	302	1	24	350	15	25550
2030 onward	10.01	0.04	**0.5**	250.29	302	1	24	350	55	25550
70-year total:	**16.02**									

150' 70 year summed risk		Annual Cair	**1hr max**							
	Cancer Risk	Cair	**Cair**	URF	DBR	A	Exposure	EF	ED	AT
2015 to 2030	4.91	0.072	**0.9**	68.26	302	1	24	350	15	25550
2030 onward	10.01	0.04	**0.5**	250.29	302	1	24	350	55	25550
70-year total:	**14.93**									

200' 70 year summed risk		Annual Cair	**1hr max**							
	Cancer Risk	Cair	**Cair**	URF	DBR	A	Exposure	EF	ED	AT
2015 to 2030	3.82	0.056	**0.7**	68.26	302	1	24	350	15	25550
2030 onward	8.01	0.032	**0.4**	250.29	302	1	24	350	55	25550
70-year total:	**11.83**									

250' 70 year summed risk		Annual Cair	**1hr max**							
	Cancer Risk	Cair	**Cair**	URF	DBR	A	Exposure	EF	ED	AT
2015 to 2030	3.28	0.048	**0.6**	68.26	302	1	24	350	15	25550
2030 onward	6.01	0.024	**0.3**	250.29	302	1	24	350	55	25550
70-year total:	**9.28**									

28 January 2014

Deborah L. Schwartz, Planning Commissioner
630 Garden St
Santa Barbara CA 93101

Dear Commissioner Schwartz,

I have interrupted my life's work to bring you this important message:

The reason the California Air Resources Board (joined by the Santa Barbara Air Pollution District) recommends that sensitive land uses—residences, schools, day care centers, playgrounds, and medical centers—not be located closer than **500** feet from a freeway is entirely **different** from the reason Santa Barbara City planners promulgate a **250**-foot buffer between sensitive land uses and Highway 101.

City planners set its buffer at 250 feet to reduce **70-year cancer risk** from exposure solely to **truck diesel exhaust particulates**, whereas the Air Resources Board placed its setback at 500 feet to alleviate **non-cancerous respiratory impairments** (for example, slow lung development, reduced lung function, asthma, bronchitis) primarily **in children** (but also seniors and those with acute or chronic lung or heart problems) from exposure to the **many kinds of air pollution** produced by **all kinds of traffic**.

City planners (lacking the relevant expertise) based their decision on a **single** commissioned report by a **single** person in Petaluma who, without making **any** site-specific measurements, used computer models to generate **hypothetical** estimates of only truck diesel exhaust particulate concentrations and to derive a **hypothetical** 70-year cancer risk, whereas the Air Resources Board relied on numerous health studies which examined **real** adverse health impacts on **real** people in relation to their **real** proximity to traffic: for example, the USC Children's Health Study [news release and executive summary results enclosed] tracked four types of air pollutants in a dozen communities in southern California and regularly measured, from elementary through high school, the lung function of thousands of children living there.

Because both the goal and basis for these two policies are **different**, the consequences of codifying as an ordinance either the City planners' 250-foot buffer with its narrow focus, or the Air Resource Board's 500-foot setback with its broader scope, will be disastrously **different**. If the 250-foot buffer from Highway 101 is established in the City of Santa Barbara, 70-year cancer risk solely from truck diesel particulates might be reduced, but the respiratory health of children (and seniors and those with acute or chronic lung or heart problems) will be **endangered** by traffic-related air pollutants because **250 feet is not far enough away to significantly alleviate non-cancerous lung impairments**, whereas if the 500-foot setback from the freeway is established instead, the increased distance from traffic-related air pollutants will result in substantial benefits to the non-cancerous respiratory health of children (and seniors and those with acute or chronic lung or heart problems) **and** might reduce even more the 70-year cancer risk solely from truck diesel particulates.

To adopt the 250-foot buffer will incur the responsibility for needless human suffering.

Sincerely,

Tracy Fernandez
302 Palisades Dr
Santa Barbara CA 93109

REFERENCES verso.

REFERENCES

For the reason and evidential basis of the Air Resources Board's 500-foot setback, see the first comment [labeled "1." on the first page] in the letter [Agency Letter #A9] from the Santa Barbara Air Pollution Control District to John Ledbetter, Principal Planner, "RE: APCD Review of the Draft EIR for the Plan Santa Barbara General Plan Update," dated May 17, 2010, and signed by **Molly Pearson**, Community Programs Supervisor of the Technology and Environmental Assessment Division [**961-8838; mmp@sbcapcd.org**], as well as the important attachment to that letter, *Public Health and High Traffic Roadways* [**enclosed**], referred to in her first comment: page 53 [first comment] and pages 56–57 [the attachment] of *Volume III: Response to Comments* of the proposed final [which became the final] *Program Environmental Impact Report for the 'Plan Santa Barbara' General Plan Update* [dated September 2010].

For the basis of the City's 250-foot buffer, see "Impact AQ-3.1" on page 6-19 of Section 6, Air Quality of *Volume I* of the proposed final [which became the final] *Program Environmental Impact Report for the 'Plan Santa Barbara' General Plan Update* [dated September 2010]: "...potential **cancer risks** near freeways would be substantially reduced...." [p. 6-19, last ¶, my emphasis] based on the *Air Quality Report: City of Santa Barbara* prepared by James A. Reyff of Illingworth & Rodkin, Inc. of Petaluma, dated February 24, 2009, in Appendix E: Air Quality of *Volume II: Appendices B through L* of the proposed final [which became the final] *Program Environmental Impact Report for the 'Plan Santa Barbara' General Plan Update* [dated March 2010], especially pages 11, 13–14, and the report's Attachment 3, pages A3-1–A3-3.

Important quotations from this report are italicized below with clarifications in brackets { } :

"*A screening analysis of future DPM* {Diesel Particulate Matter; only from trucks (the considerable contribution of the diesel trains that run through the City's freeway corridor is omitted) and only 10 microns in diameter (p. A3-1, 3rd ¶ from the bottom) though 90% of DPM is 2.5 microns in diameter (p. 6, 2nd ¶)} *exposure and associated health effects was conducted as part of this report for traffic on the freeway of Santa Barbara. The health impacts associated with the DPM exhaust are expressed in terms of* ***increased risk of contracting cancer by individuals who reside for extended periods*** {70 years!: p. 13, pp. A3-2–A3-3} *near the freeway.*" [p. 12, 3rd ¶, my emphasis; children have shown non-cancerous lung impairment within 4 years of exposure; by the time they are 70 they are no longer children!]

"*While CARB {California Air Resources Board} recommends a 500-foot setback between sensitive receptors and freeways, this analysis suggests that the setback could be* ***300 feet or possibly less.***" [p. 14, my emphasis] So why do the City planners promulgate 250 feet? Because they **remember** the following: "*The analysis of existing DPM exposures indicates that significant health risks* {defined, remember, as 70-year cancer risk} *could occur at distances of almost 250 feet from the edge of U.S. 101.*" [first sentence of p. 13]; but have **forgotten** that "*On average, CARB reports that DPM represents about* ***70%*** *of the potential cancer risk from vehicle travel.*" [p. 11, 2nd ¶, my emphasis] Most of the other 30% is due to benezene and 1,3 butadiene [p.11, same ¶], but "*This analysis did not include the contribution of benzene and 1,3 butadiene to the overall risk from freeway traffic.*" [p. 13, 2nd ¶]. "*For existing conditions, a screening distance of* ***300 feet*** *between the edge of the freeway and the siting of new sensitive receptors in Santa Barbara could be used to account for the small* {30%} *contribution of non-DPM TACs* {non-Diesel Particulate Matter Toxic Air Contaminants, among which benzene and 1,3 butadiene pose the greatest cancer risk}. *More refined modeling that uses site-specific conditions (traffic and meterology) would likely find the distances to be less.*" [p.13, 2nd ¶, my emphasis] Since the computer model that Mr. Reyff used "*does not predict emissions*" for benzene or 1,3 butadiene [p. 13, same ¶] and no further modeling or measuring has been done by either Mr. Reyff or City planners, the City's **250-foot** buffer is **not** substantiated by the very report they have commissioned!

Public Health and High Traffic Roadways

California Air Resources Board Recommended Policy:
Sensitive land uses such as residences, schools, day care centers, playgrounds, and medical facilities should not be sited within 500 feet of:

- A freeway
- Urban roads with 100,000 or more vehicles/day
- Rural roads with 50,000 or more vehicles/day

(Ref. *"Air Quality and Land Use: A Community Health Perspective."* California Air Resources Board. April 2005)

Reason for the Policy:
Many studies show that living in proximity to freeways and other high traffic roadways leads to adverse health effects beyond those associated with regional air pollution. A number of studies that focused on children have found slower lung development and significant increases in the incidence of lung disease, such as asthma, bronchitis, and decreased lung function, in children who live or attend school near heavily travelled roadways. In addition to children, seniors, and people with heart and lung conditions are considered particularly sensitive to effects of air pollution. Residence in high-traffic areas has been shown to increase the risk of mortality within a cohort of male veterans.

Health Studies:
The results of health studies suggests that it is important to avoid exposing children and other sensitive populations to the elevated air pollution levels near freeways and other high traffic roads. While particulate pollution is suspected as contributing the most to the adverse health effects, studies have not yet determined which specific pollutants and sources (cf. diesel particulate, re-entrained roadway dust particulate, NO2 vehicle exhaust, diesel trucks vs. gasoline cars, &c.) are responsible. Additional studies are underway. While significant adverse health effects were observed in children who lived within 1,500 feet of a freeway (Gauderman, 2007), the studies indicate a substantial benefit to a 500 foot separation (McConnell, 2006).

Key Findings:

- Reduced lung function in children is associated with traffic density within 1,000 feet and the strongest association is within 300 feet of the roadway. (Brunekreef, 1997)
- Children living within 550 feet of heavy traffic have more medical visits than children who live further away from traffic. (English, 1999)
- Increased asthma hospitalizations are associated with living within 650 feet of heavy traffic. (Lin, 2000)
- Asthma symptoms increase with proximity to roadways and the risk is greatest within 300 feet. (Venn, 2001)
- Asthma and bronchitis symptoms in children are associated with proximity to high traffic in a community with good overall regional air quality. (Kim, 2004)
- Children living within 150 – 200 meters (~450 feet – 600 feet) of heavy traffic have higher rates of asthma than children living further away from traffic. (McConnell, 2006)
- Children living within 500 meters (~1,500 feet) of heavy traffic have significantly slower lung development than children living further away from traffic. (Gauderman, 2007)
- Survival of members of the Washington University-EPRI Veterans Cohort is strongly and robustly associated with county-average levels of traffic related air pollution and mortality relationships are stronger in the counties with higher levels of traffic density. (Lipfert et al, 2009)

Applicability to Santa Barbara County:
The studies covered children in a variety of urban environments living in proximity to roadways covering a wide spectrum of traffic volumes. The adverse health effects were measured at traffic volumes as low as 41,000 vehicles per day (English) and between 80,000 and 150,000 vehicles per day (Brunekreef). Highway 101, through Santa Barbara County, experiences traffic volumes within the range where health effects have been observed. Also, some parts of Highway 101 see over 7000 diesel trucks per day (SBCAG). Furthermore, running parallel to Highway 101 through the southern portion of Santa Barbara County is a rail corridor that contributes significantly to the pollution levels near the highway (cf., rail contributes an additional 10% or 0.07 tons per day to mobile source generated PM10 emissions in Santa Barbara County).

2006 Average Daily Traffic (ADT) Volumes for Highway 101 (SBCAG):
US 101 at Glenn Annie = 65,800 ADT
US 101 at Highway 150 = 68,000 ADT
US 101 at Las Positas = 140,000 ADT
US 101 at Highway 166, Santa Maria = 55,000 ADT

Conclusion:
In order to protect the public health, especially the health of children, from the adverse effects of air pollutants generated by traffic on Highway 101, land use policies should prohibit the construction of new residences, schools, day care centers, playgrounds, and medical facilities within 500 feet of Highway 101. No other roadways in Santa Barbara County currently have estimated traffic volumes at the magnitude for which the proximity studies have identified adverse health effects.

References:

"Air Quality and Land Use: A Community Health Perspective." California Air Resources Board. (April 2005).
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"2007 Travel Trends Report for Santa Barbara County." Santa Barbara County Association of Governments. (December 2007)
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California Environmental Protection Agency

NEWS RELEASE

Air Resources Board

Release 04-14

FOR IMMEDIATE RELEASE
June 24, 2004

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ARB's 10-Year Children's Health Study Complete

SACRAMENTO - The landmark Children's Health Study, funded by the California Air Resources Board (ARB), is nearing to a close having produced numerous new findings on the effects of air pollution on children's health. This 10-year, $18 million study produced results showing how air pollution reduces children's lung growth and function, impacts respiratory health in asthmatic children, including new asthma cases, and contributes to increased school absences.

ARB Chairman Dr. Alan Lloyd said, "This study has added greatly to our basic understanding of air pollution's effects on our children's health and reinforced the need to continue our efforts to reduce the pollution affecting millions of children."

The study, conducted by researchers from the University of Southern California (USC), was the nation's first large-scale effort to study the effects of long-term exposure to outdoor air pollution in children, one of our most sensitive populations.

The study followed more than 5500 children at 52 schools in twelve Southern California communities from elementary through high school to track how different outdoor air pollution exposures affect respiratory health. The majority of children enrolled in the program as fourth-graders and were followed through high school.

The major findings of the study were:

- Significant lung function deficits are most closely associated with exposure to nitrogen dioxide, atmospheric acidity, PM 2.5 and PM10. This decreased lung development may have permanent adverse effects in adulthood;
- Children living in high ozone communities, who are especially active, are up to three times more likely to develop asthma;
- Children living near roadways with high traffic experienced an increased risk for having been diagnosed with asthma;
- Short-term exposures to elevated ozone levels are associated with a significant increase (up to 1.3 million per year) in school absences from both upper respiratory illness with symptoms such as runny nose and lower respiratory illnesses such as asthma attacks;
- Children who move to cleaner communities with lower levels of PM have improvements in lung function growth rates. This means that even small reductions in air pollution can have immediate benefits to the long-term respiratory health of children living in polluted communities;
- Bronchitic symptoms are associated with exposure to nitrogen dioxide and the organic carbon fraction

of PM2.5 in asthmatic children;

- The strength of the air pollution effects are generally greater in children who spend more time outdoors; and,
- Results from the study suggest that boys in general are more susceptible to adverse respiratory symptoms and asthma outcomes than girls. Girls appear to have greater susceptibility for adverse effects on lung function development. There is limited evidence supporting sex differences in responses to ambient air pollutants; however, children of both sexes appear to have adverse respiratory effects of exposure to current levels of air pollution.

Outdoor pollution monitoring tracked levels of ozone, nitrogen oxide, acid vapor and particulate matter over the 10-year study. In addition, limited indoor pollution measurements were taken at schools and in homes. Each spring, the lung function of each child was tested and annual questionnaires collected information about respiratory symptoms and diseases, physical activity, time spent outdoors, and factors such as parental smoking, and mold and pets in the household.

The 12 communities studied were: Atascadero in San Luis Obispo County; Lompoc and Santa Maria in Santa Barbara County; Lake Arrowhead and Upland in San Bernardino County; Lancaster, Long Beach and San Dimas in Los Angeles County; Lake Elsinore, Mira Loma and Riverside in Riverside County; and, Alpine in San Diego County.

A final report of the study is being produced and will be posted to the ARB website for downloading, along with a list of the 72 published scientific papers produced by the USC researchers. The study has been co-sponsored by the U.S. Environmental Protection Agency, South Coast Air Quality Management District and other local air pollution control districts.

To view a copy of the report, click here.

The Air Resources Board is a department of the California Environmental Protection Agency. ARB's mission is to promote and protect public health, welfare, and ecological resources through effective reduction of air pollutants while recognizing and considering effects on the economy. The ARB oversees all air pollution control efforts in California to attain and maintain health based air quality standards.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy cost, see our web site at http://www.arb.ca.gov

# # # # #

predict local pollution concentrations at all CHS participants' homes and all schools. These model-based predictions were supplemented by measurements of NO_2 concentrations during two 2-week periods in 287 homes across the 12 CHS communities.

Multi-level random effects models were used for the statistical analysis of the health outcome data in relation to air pollution and other risk factors. This approach provides a unified and valid way to assess associations at three levels of comparison: over years, between individuals, and between communities.

1.3. Results

Our findings demonstrated an association between breathing polluted air in Southern California and significant chronic deficits in lung function among adolescent children. We observed air pollution effects on lung function level at study entry (youngest cohort, age 10yrs), on 4-year lung function growth (age 10-14 years) in two independent cohorts, on 8-year lung function growth (age 10-18 years) in the original fourth grade cohort, and on the maximum rate of lung function growth during adolescence (over the study period). Air pollution exposure over the 8-year (from fourth grade to twelfth grade) study period was also linked to clinically significant deficits [forced expiratory volume in one second (FEV_1) below 80% predicted] in lung function at age 18 years. We found that there were three to five times more children with clinically significant deficits in lung function living in communities with high outdoor air pollution levels compared to communities with low pollution levels. In a subset of children who moved away from their original study community, we observed consistent associations of changes in lung function growth rates with corresponding changes in ambient air pollution exposure between their former and current communities of residence. The pollutants most closely associated with lung function deficits were NO_2, acids (either inorganic, organic, or a combination of the four acids monitored), PM_{10}, and $PM_{2.5}$. Several constituents of $PM_{2.5}$, including EC, nitrate, and ammonium, also showed associations with lung function growth. However, the inter-correlation among PM pollutants, and their high correlations with NO_2 and acid, limited our ability to distinguish the independent effects of any one of these pollutants.

Our findings demonstrated effects of air pollution on both new onset asthma and asthma exacerbations. Prior to the performance of the CHS, the prevailing scientific view was that air pollution made existing asthma worse but that it did not *cause* new cases to develop. Study data showed that new cases of asthma are much more likely to occur in high ozone communities, especially among those children who exercise regularly and at elevated levels. Additionally, our analyses regarding exposure to traffic-related air pollution have found associations between proximity to high traffic density (a marker for pollutant exposure) and increased risks for prevalent asthma among children.

We have demonstrated that air pollution is related to bronchitic symptoms and that asthmatics are more likely to be affected than non-asthmatics. Evaluation of the longitudinal data implicated NO_2 and organic carbon as being responsible for the observed effects.

Our results showed that short-term changes in O_3, but not NO_2 or PM_{10}, were associated with a substantial increase in school absences from both upper and lower respiratory illness. Absences were significantly increased 2 to 3 days after exposure and reached a peak on day 5 after

exposure. Because exposures at the levels observed in this study are common, the increase in school absenteeism from respiratory illnesses associated with relatively modest day-to day changes in O_3 concentration documents an important adverse impact of O_3 on children's health and well-being.

Our data also demonstrate an association between ozone levels and birth weight of children. High ozone levels during the second or third trimester of pregnancy are associated with lower birth weight. Other manuscripts resulting from this study have demonstrated the important health effects associated with maternal smoking, environmental tobacco smoke, genetics, obesity, and dietary factors.

1.4. Conclusions

Our main conclusion is that current levels of air pollution in Southern California are associated with several serious health effects that are costly to children's health and to the state. Lung function was found to be consistently associated with a package of highly correlated pollutants that include particulates, NO_2, and acids, but not ozone. This impact of vehicle-related pollution on children's lung function is likely to have life-long adverse health sequelae. The demonstration of strong evidence linking exposure to new cases of asthma (the most common chronic disease of childhood) to ozone is another striking association. It is also important to note that most of these associations extend to pollution levels below current ambient air standards and may exert significant health effects. Taken as a whole, the results from the Children's Health Study should provide scientific support for aggressive and accelerated efforts to achieve clean air for our children to breathe.

Azam Mirtorabi

29343 Whitley Collins Dr. RPV, CA, 90275
Phone: 310-9807503, Fax: 310-5448727

January 16, 14

To the city of Santa Barbara planning commission:

My name is Azam Mirtorabi. I am the owner of a vacant parcel located at 324 De La Vina Street, in downtown Santa Barbara.

I have received a notice of today's hearing in the mail and that is the one and only notice we have received regarding the land use changes and ER7 change in particular.
I have contacted Julie Rodriguez and Barbara Shelton to receive information. Both Ms. Rodriguez and Ms. Shelton have been overwhelmingly nice and help ready.

I have received more than 2000 pages of EIR reports along with the staff report. The latest documents were sent to me two days ago. I would need to have more time and review more documents. This was not possible because of the short period of time since I was notified.

Hereby, I object to the purposed ordinance and reserve all of my rights, being legal or of other natures. Here are a few points I have to make:

1- The EIR reports that are used in making the policy decisions are issued in 2009 and are out dated. The air is much cleaner and the diesel particulate matters are much less in 2014.

2- The City council has determined that this was an interim policy in 2012 and recognized that there are a number of regulatory changes underway in the area of diesel particulates and other pollutants, thus the need for such a set back distance is expected to be short-term.

3- **Progress Toward Clean Air** is a report by the California Air Pollution Control Association, issued in April of 2013. I respectfully ask you to read it. I refer you to pages 19, which talks about the progress made in keeping Santa Barbara's level of Particulate

matters and Ozone in attainment with the federal and state standards as of 2012. It also talks about plans and programs for even better air quality in Santa Barbara.
When it comes to Air Quality Index (AQI), Santa Barbara has had zero overall AQI unhealthy days reflected in page 25.

4- ER 7.2 requires the city to pursue funding and Installation of the sound walls, trees and shrubs along unprotected areas. It seems to me this would be a good solution and I wonder how much will and effort has been used toward this goal to date?

5- The language of the policy is vague and up for Interpretation. There are no clear thresholds and clean cut dates. There is no clear trigger point for action. The way that this policy is drafted could put people who want to develop their lands up in the limbo for years. If this has taken 6 years for the city to change its policy, it would take much longer for an individual to push the city for the termination of this policy. After all this policy is meant to be for the interim and short term. Adding the years that it would take to repeal this policy would make it to be a very long-term policy. This would cause irreparable harm to the landowners.

6- There has been 991 parcels identified to fall into the 250 set back criteria. Out of 991 parcels, there are 984 parcels that are already improved. Out of the reaming 7 parcels that are vacant, 5 of them are less than 6000 square feet in size, and thus not permitted to have more than one dwelling unit on them anyway. For the other two lots, one is right next to the railroad tracks with limited access. So it seems that the panic is about the immanent improvement of **one lot**. For the remaining 984 improved parcels, the chance of demolishment or addition to them should not be that great and certainly not immanent. Wouldn't it be better for the city to care for the occupants of those 984 properties more and concentrate it's efforts toward building the walls per ER7.2? I wonder how much the City of Santa Barbara has spent to date for a policy change that by passage of time would become moot. And we are very close to the foreseen time, if we are not there yet.

7- There is an expressed need for reduction of the number of commuters to downtown district and the need for affordable housing for downtown employees. The Air Resource Board (ABR) recommends that their guidelines to be considered by the decision makers along with housing needs, economic development priorities, and other quality of life issues.

8- The duration of exposure to Particulate Maters for an individual to have an increased risk of cancer is calculated to to be 70 years. This assessment is reflected in CAPCOA Guidance Document, prepared by CAPCOA Planning Managers. The title of this document is: " **Health Risk Assessment for the Proposed Land Use"**
In policy before you, there is no mention of the short-term occupancy and no threshold for determination of the occupancy time limit. If the City's argument for bypassing this Category is lack of measures to control the implementation, the city ought to use good faith planning and seek public help to find a reasonable way for implementation.
Some landowners are going to be over looked and irreparably harmed for the reason stated above.

9- The city employees are not environmental and or health risk assessment experts. The city has to spend hundreds of thousands dollars of public money to obtain expert reports to cover itself for possible liability. In future, there would be confusion, waste of time and money, both for the city and the public, In absence of proper language and pre determined clean cut provisions in the policy regarding the reversal of this temporary ordinance.

In conclusion I want to thank each one of you and other people involved for your well-meaning efforts. Thank you for caring about the beautiful city of Santa Barbara.

Sincerely,

Azam Mirtorabi

Azam Mirtorabi

29343 Whitley Collins Dr. RPV, CA, 90275
Phone: 310-9807503, Fax: 310-5448727

February 12, 14

To the city of Santa Barbara planning commission:

My name is Azam Mirtorabi. I am the owner of a vacant parcel located at 324 De La Vina Street, in downtown Santa Barbara. This is my second letter to the honorable commissioners. I have reviewed the staff report submitted to the Planning Commission dated February 6, 2014. I hereby incorporate my previous objection and state my objections to the best of my knowledge and ability as a layperson and not an expert. In the notice for this hearing, there is a place that states:

"If you challenge the decision making action or environmental determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice"

This statement by itself is discriminatory in nature and designed to put the general public in disadvantageous position. And here is why:

An average citizen is inherently incapable to compare and evaluate scientific data contained in thousands of pages of documents, gather rebuttal data and information to what is being presented by the City as the factual basis for their actions. An average citizen is not an expert in constitution law; Land laws, civil laws and the regulations that have to do with governing bodies neglect, dereliction, mismanagement and abuse of power.

An average citizen would need a team of lawyers and experts in order to raise all appropriate objections. The City knows fully, that people do not have the resources to hire experts and may not even be aware of their rights or may not have received notice of such meetings.

Therefore City's limitation imposed on the citizens is self-serving, discriminatory, unfair and, signifies an abuse of the power by the City Of Santa Barbara.

Attached hereto as exhibit **A**, you will find the first 4 pages of the 2009 AIR QUALITY REPORT that is the basis for the proposed ordinance before you. Although the report has a 2009 date of submittal to the City of Santa Barbara, when you turn to page 3, you will find that the PM2.5 and PM10 measurement chart used in this report compares the Particulate Matters level in years 1987 leading up to the year 2005.
We are in the year 2014. We have several federal, State and local agencies at work that have been working hard toward the air quality improvements. We have laws and regulations in place. California has adopted more stringent air quality standards than federal and many other states. A lot has happened since 2005. As a matter of the fact I contacted Mr. Joel Cordes at the SANTA BARBARA COUNTY AIR POLUTION CONTROL DISTRICT. Mr. Cordes is the IT & MONITORING SUPERVISOR OF THE APCD.
Attached as exhibit **B**, you will find an email from him to me, and a chart that he sent me as an attachment to his email. Mr. Cordes's email is self-explanatory and shows that in 2013, there were only **2 days** that Santa Barbara was not in attainment as to the level of PM10.

As a reminder, my letter dated January 16, 2014 is attached hereto as exhibit: **C**
In that letter previously submitted to the Planning Commissioners, under line item 6, I demonstrated that the area of concern and imminent treat of development limits to **ONE VACANT LOT**, as the CITY has represented. Now if you couple this with the **TWO DAYS** of excess PM10 level per year, you will soon understand that the CITY'S pretense of concern is hollow. And I say hollow for the following reasons;

1- The CITY has not made any efforts to mitigate. I talked to CAL TRANS. They could not recall any communication from the CITY OF SANTA BARBARA regarding the construction of the sound walls along HWY 101 within the Santa Barbara city limit. I asked Ms. Shelton if the CITY has had any communication with CAL TRANS in that regard, since 2009?
   Ms. Shelton provided that there were communications in relation of the 101-widening project in which the construction of the sound walls were discussed.
   I also talked to Mr. Guiliano, who is the project engineer for CAL TRANS. He said that CAL TRANS **has to** build sound walls, if building a new HWY or improving one.
   So building the sound walls for the new 101-widening project to the south of Milpas street is **given** and required no efforts by the CITY.
   The truth is that the CITY has not made any efforts toward mitigation.

2- The CITY has spent a lot of money to receive an AIR QUALITY REPORT, based on outdated data and yet requesting to pay for another report, when there

are reliable data and analysis available through multiple federal and state agencies.
For one, I do not think that a private corporation like URS can better inform us than a governmental entity like the SANTA BARBARA COUNTY AIR POLLUTION DISTRICT.

Another form of mitigation is planting trees and shrubs as it is described in the proposed ER 7 ordinance.

I am not aware of any efforts by the CITY since 2009 to plant trees and Shrubs along HWY 101.

At least 2000 trees could have been or could be planted with the monies spent or proposed to be spending on these reports.

Not adopting a SUNSET clause will cause heavy burden and possible economic loss for the landowners. Especially when it is attached to a new EIR as a pre requisite condition. With that, the process could take years and years. This would be in conflict with the nature of the policy, which meant to be short term.

Again I am quite disappointed that the staff did not address the short-term occupancy situations. It is really rare for a renter to stay at one place for the period of 50 or 70 years. Instead of a blanket denial of such exemption, the CITY could have imposed a limit to the time that a person can live in a property close to the FWY, for example, for a period no more than 10 years. This exemption would have been beneficial and consistent with the other policies spelled out in PLAN SANTA BARBARA.

Yet, I have to do more research, but I have a suspicion that the CITY may have covertly targeted our lot in order to devalue it for the future purchase. I say this because the CITY with the help of **URS** Corporation has taken the liberty to reroute the MISSION CREEK at our expense and loss of our land.
URS Corporation is the same player who was/is involved with the MISSION CREEK restoration project and development restriction for the lots in close proximity to 101FWY.

In Conclusion, for what I mentioned above, I object to the adaptation of revised draft ordinance. I hereby, reserve all of my rights, being constitutional, legal or of other natures.

Dear commissioners, before you, there is a proposal to adopt an ordinance that does look good on the surface.
Who doesn't want a better living condition for all people? But in reality this ordinance will not achieve much as mentioned above and before.

I would truly appreciate if you could evaluate the points that I have raised objectively and take appropriate action. Thank You.

Sincerely,

Azam Mirtorabi

EXHIBIT: A

AIR QUALITY REPORT
CITY OF SANTA BARBARA

February 24, 2009

Submitted to:

City of Santa Barbara
Community Development Department
630 Garden Street
Santa Barbara, CA 93102

Submitted by:

URS Corporation
130 Robin Hill Road
Goleta, CA 93117

Prepared by:

James A. Reyff

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Job No.: 06-145

Introduction

Air quality in Santa Barbara is reasonably good due to relatively low emissions and favorable climate conditions. Emissions from human activities within Santa Barbara, including vehicle emissions, stationary equipment emissions, and off-shore tanker emissions, contribute to air quality problems experienced in the area. The Santa Barbara County Air Pollution Control District (APCD) has regional authority over air quality-related activities in Santa Barbara County. The APCD regulates stationary sources (with respect to federal, State, and local regulations), monitors regional air pollutant levels[1], develops air quality control strategies and conducts public awareness programs. The APCD has also developed local air quality evaluation guidelines and impact significance thresholds for evaluating new projects and plans under the California Environmental Quality Act (CEQA). Air pollution emissions from mobile sources (i.e., cars and trucks) are generally regulated by the State of California Air Resources Board (CARB) and the U.S. Environmental Protection Agency (EPA).

This technical report on air quality in the city of Santa Barbara was prepared for the City Community Development Department as part of a program to update their Master Environmental Assessment (MEA) maps and data. This report provides the analytic basis for update of mapped MEA air quality information. The report will also be used as background information for both long-range planning and associated environmental review as well as for individual project reviews for air quality impacts.

Criteria Air Pollutants

The Federal and California Clean Air Acts have established ambient air quality standards for different pollutants. National ambient air quality standards (NAAQS) were established by the Federal Clean Air Act of 1970 (amended in 1977 and 1990) for six "criteria" pollutants. These criteria pollutants now include carbon monoxide (CO), ozone (03), nitrogen dioxide ($N0_2$), particulate matter with a diameter less than 10 microns (PM_{10}), sulfur dioxide ($S0_2$), and lead (Pb). In 1997, EPA added fine particulate matter or $PM_{2.5}$ as a criteria pollutant. These are considered the most prevalent air pollutants that are known to be hazardous to human health.

California established ambient air quality standards as early as 1969 through the Mulford-Carrol Act. Pollutants regulated under the California Clean Air Act are similar to those regulated under the Federal Clean Air Act. In many cases, California ambient air quality standards (CAAQS) are more stringent than the NAAQS. Federal and State air quality standards are shown in Attachment 1.

Ozone

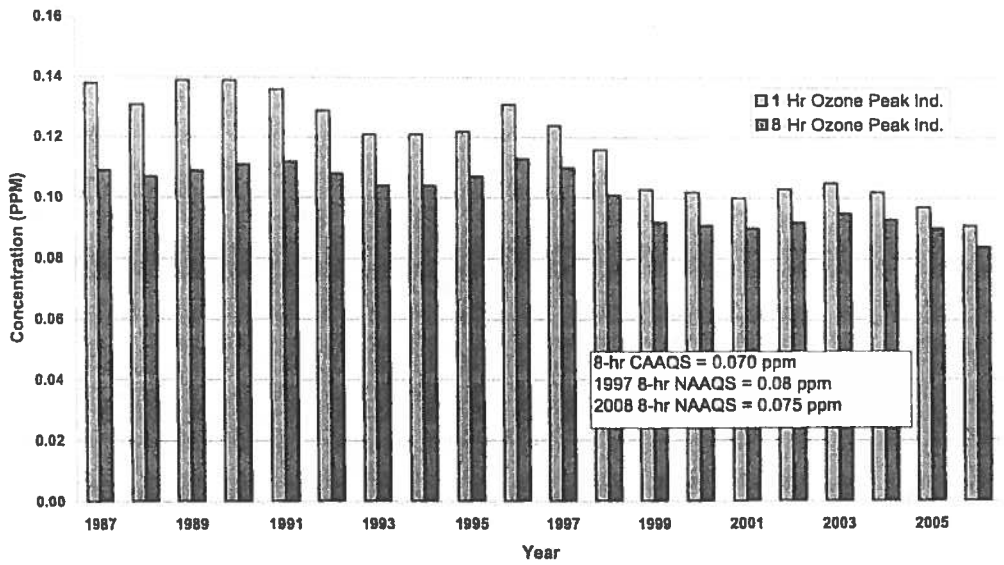
Ground-level ozone is the principal component of smog. It is not directly emitted into the atmosphere but is formed by the photochemical reaction of reactive organic gases (ROG) and nitrogen oxides (NOx, known as ozone precursors) in the presence of sunlight. Ozone is considered a regional air pollutant, rather than a localized or directly emitted pollutant. Ozone levels are highest during late spring through summer when precursor emissions are high and meteorological conditions are favorable for the complex photochemical reactions to occur. Over

[1] The California Air Resources Board operates the one air quality monitoring station in Santa Barbara and previously conducted measurements of toxic air contaminants.

half of the reactive organic gas and nitrogen oxide emissions in urban areas are from motor vehicles. Adverse health effects of ground-level ozone include respiratory impairment and eye irritation. High ozone concentrations are also a potential problem to sensitive crops such as wine grapes.

Santa Barbara County is designated as a federal ozone attainment area for the 8-hour ozone NAAQS. The County had attained the 1-hour federal ozone standard which was revoked in 2004. The County is also considered in attainment for the 1-hour CAAQS for ozone as of June 2007. A new CAAQS 8-hour ozone standard was implemented in May 2006. The County does not meet this new 8-hour zone standard.

Figure 1. Peak Ozone Trends in Santa Barbara County



Source: CARB - The Almanac or California Emissions and Air Quality - 2008 Edition

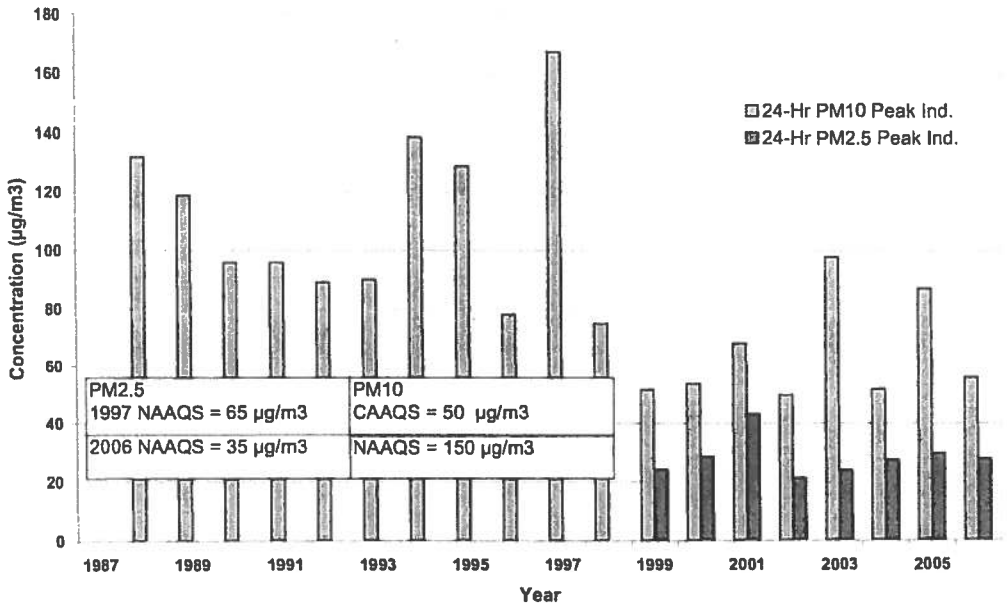
Particulate Matter

Respirable particulate matter, PM_{10}, and fine particulate matter, $PM_{2.5}$, consist of particulate matter that is 10 microns or less in diameter and 2.5 microns or less in diameter, respectively. PM_{10} and $PM_{2.5}$ represent fractions of particulate matter that can be inhaled and cause adverse health effects. PM_{10} and $PM_{2.5}$ are a health concern, particularly at levels above the Federal and State ambient air quality standards. $PM_{2.5}$ (including diesel exhaust particles) is thought to have greater effects on health because minute particles are able to penetrate to the deepest parts of the lungs. Scientific studies have suggested links between fine particulate matter and numerous health problems including asthma, bronchitis, acute and chronic respiratory symptoms such as shortness of breath and painful breathing. Children are more susceptible to the health risks of $PM_{2.5}$ because their immune and respiratory systems are still developing. Very small particles of certain substances (e.g., sulfates and nitrates) can also directly cause lung damage or can contain absorbed gases (e.g., chlorides or ammonium) that may be injurious to health.

Particulate matter in the atmosphere results from many kinds of dust- and fume-producing industrial and agricultural operations, fuel combustion, and atmospheric photochemical reactions. Some sources of particulate matter, such as mining and demolition and construction activities, are more local in nature, while others, such as vehicular traffic, have a more regional effect. In addition to health effects, particulates also can damage materials and reduce visibility. Dust comprised of large particles (diameter greater than 10 microns) settles out rapidly and is more easily filtered by human breathing passages. This type of dust is considered more of a soiling nuisance rather than a health hazard.

The Santa Barbara County continues to exceed the state standard for PM_{10}. There is not yet enough data to determine the attainment status for either the NAAQS for PM_{10} or $PM_{2.5}$. or the CAAQS $PM_{2.5}$ standard. However, monitoring data indicate that the County is likely to be in attainment for the PM_{10} and $PM_{2.5}$ NAAQS.

Figure 2. Peak PM_{10} and $PM_{2.5}$ Trends in Santa Barbara County



Source: CARB - The Almanac or California Emissions and Air Quality - 2008 Edition

Carbon Monoxide

Carbon monoxide (CO) is a non-reactive pollutant that is highly toxic, invisible, and odorless. It is formed by the incomplete combustion of fuels. The largest source of carbon monoxide emissions is motor vehicles. Wood stoves and fireplaces also contribute to high levels of carbon monoxide. Unlike ozone, carbon monoxide is directly emitted to the atmosphere. The highest carbon monoxide concentrations occur during the nighttime and early mornings in late fall and winter when very stable atmospheric conditions are present. Carbon monoxide levels are strongly influenced by meteorological factors, such as wind speed and atmospheric stability. Adverse health effects of carbon monoxide include the impairment of oxygen transport in the bloodstream, increase of carboxyhemoglobin, aggravation of cardiovascular disease, impairment

EXHIBIT: B

Gmail by Google

Azam Mirtorabi <mirtorabi.a@gmail.com>

particulate air quality in Santa Barbara County

2 messages

Joel S. Cordes <CordesJ@sbcapcd.org> Wed, Feb 12, 2014 at 4:31 PM
To: "mirtorabi.A@gmail.com" <mirtorabi.A@gmail.com>

This information is being provided per our phone conversation.

In Santa Barbara County, we are in attainment of the Federal PM10 and PM2.5 standards.

For the State PM2.5 standard we are unclassified which means the state has not classified our county as attainment or non-attainment. However, our PM2.5 monitors show that we currently do not exceed the state PM2.5 standard.

We are classified as non-attainment of the State PM10 standard.

I attached a chart which shows the maximum PM10 concentrations per year in Santa Barbara County. The Chart shows data from 2003 through 2012. Data for 2013 is not finalized yet.

Preliminarily, the maximum PM10 concentration in 2013 was 75ug/m3

In 2013 we had 18 days where we had concentrations in excess of the state PM10 standard of 50ug/m3. Thirteen of those days were in Santa Maria and two days were in Santa Barbara. The rest of the days were in Lompoc, El Capitan State Beach and Vandenberg Air force base.

Please let me know if you have any questions or need further information.

Joel Cordes

Santa Barbara Air Pollution Control District

IT/Air Monitoring Supervisor

(805) 961-8816

cordesj@sbcapcd.org

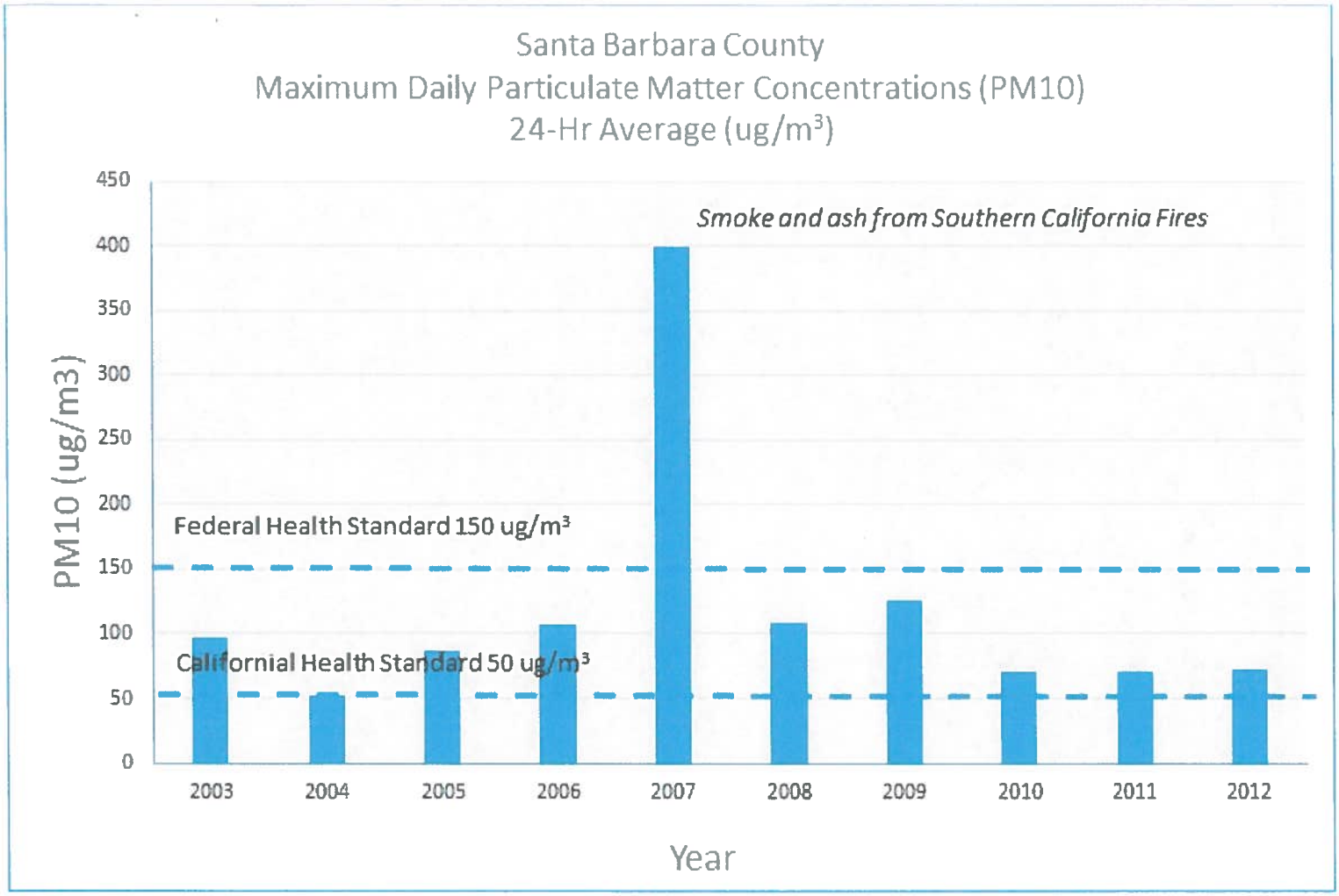

Santa Barbara County
Maximum Daily Particulate Matter Concentrations (PM10)
24-Hr Average (ug/m³)
Smoke and ash from Southern California Fires
Federal Health Standard 150 ug/m³
Californial Health Standard 50 ug/m³
PM10 (ug/m3)
450
400
350
300
250
200
150
100
50
0
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
Year

EXHIBIT: C

Azam Mirtorabi

29343 Whitley Collins Dr. RPV, CA, 90275
Phone: 310-9807503, Fax: 310-5448727

January 16, 14

To the city of Santa Barbara planning commission:

My name is Azam Mirtorabi. I am the owner of a vacant parcel located at 324 De La Vina Street, in downtown Santa Barbara.

I have received a notice of today's hearing in the mail and that is the one and only notice we have received regarding the land use changes and ER7 change in particular.
I have contacted Julie Rodriguez and Barbara Shelton to receive information. Both Ms. Rodriguez and Ms. Shelton have been overwhelmingly nice and help ready.

I have received more than 2000 pages of EIR reports along with the staff report. The latest documents were sent to me two days ago. I would need to have more time and review more documents. This was not possible because of the short period of time since I was notified.

Hereby, I object to the purposed ordinance and reserve all of my rights, being legal or of other natures. Here are a few points I have to make:

1- The EIR reports that are used in making the policy decisions are issued in 2009 and are out dated. The air is much cleaner and the diesel particulate matters are much less in 2014.

2- The City council has determined that this was an interim policy in 2012 and recognized that there are a number of regulatory changes underway in the area of diesel particulates and other pollutants, thus the need for such a set back distance is expected to be short-term.

3- **Progress Toward Clean Air** is a report by the California Air Pollution Control Association, issued in April of 2013. I respectfully ask you to read it. I refer you to pages 19, which talks about the progress made in keeping Santa Barbara's level of Particulate

matters and Ozone in attainment with the federal and state standards as of 2012. It also talks about plans and programs for even better air quality in Santa Barbara.
When it comes to Air Quality Index (AQI), Santa Barbara has had zero overall AQI unhealthy days reflected in page 25.

4- ER 7.2 requires the city to pursue funding and Installation of the sound walls, trees and shrubs along unprotected areas. It seems to me this would be a good solution and I wonder how much will and effort has been used toward this goal to date?

5- The language of the policy is vague and up for Interpretation. There are no clear thresholds and clean cut dates. There is no clear trigger point for action. The way that this policy is drafted could put people who want to develop their lands up in the limbo for years. If this has taken 6 years for the city to change its policy, it would take much longer for an individual to push the city for the termination of this policy. After all this policy is meant to be for the interim and short term. Adding the years that it would take to repeal this policy would make it to be a very long-term policy. This would cause irreparable harm to the landowners.

6- There has been 991 parcels identified to fall into the 250 set back criteria. Out of 991 parcels, there are 984 parcels that are already improved. Out of the reaming 7 parcels that are vacant, 5 of them are less than 6000 square feet in size, and thus not permitted to have more than one dwelling unit on them anyway. For the other two lots, one is right next to the railroad tracks with limited access. So it seems that the panic is about the immanent improvement of **one lot.** For the remaining 984 improved parcels, the chance of demolishment or addition to them should not be that great and certainly not immanent. Wouldn't it be better for the city to care for the occupants of those 984 properties more and concentrate it's efforts toward building the walls per ER7.2? I wonder how much the City of Santa Barbara has spent to date for a policy change that by passage of time would become moot. And we are very close to the foreseen time, if we are not there yet.

7- There is an expressed need for reduction of the number of commuters to downtown district and the need for affordable housing for downtown employees. The Air Resource Board (ABR) recommends that their guidelines to be considered by the decision makers along with housing needs, economic development priorities, and other quality of life issues.

8- The duration of exposure to Particulate Maters for an individual to have an increased risk of cancer is calculated to to be 70 years. This assessment is reflected in CAPCOA Guidance Document, prepared by CAPCOA Planning Managers. The title of this document is: " **Health Risk Assessment for the Proposed Land Use**"
In policy before you, there is no mention of the short-term occupancy and no threshold for determination of the occupancy time limit. If the City's argument for bypassing this Category is lack of measures to control the implementation, the city ought to use good faith planning and seek public help to find a reasonable way for implementation.
Some landowners are going to be over looked and irreparably harmed for the reason stated above.

9- The city employees are not environmental and or health risk assessment experts. The city has to spend hundreds of thousands dollars of public money to obtain expert reports to cover itself for possible liability. In future, there would be confusion, waste of time and money, both for the city and the public, In absence of proper language and pre determined clean cut provisions in the policy regarding the reversal of this temporary ordinance.

In conclusion I want to thank each one of you and other people involved for your well-meaning efforts. Thank you for caring about the beautiful city of Santa Barbara.

Sincerely,

Azam Mirtorabi

Planning Commission Jan-Feb 2014
Draft Ordinance – Air Quality Design Measures for Development near Highway 101

SUMMARY OF PUBLIC COMMENTS RECEIVED AND STAFF RESPONSES

CYNTHIA RUANO (Resident of W. Gutierrez; telephone call 01-16-14)

Supports Ordinance: Should establish strongest possible measures to reduce health risks from highway pollution. Trees planted by Caltrans have helped a lot.

PROPERTY OWNER CONCERNS

Property Rights: Several owners expressed concerns that Ordinance would reduce property development rights and affect ability to improve property.

(Mr. Hurst, resident, property trustee, phone call 01-02-14; Billy J. Wafford, owner on W. Los Olivos St., phone call 01-13-14; Mary Rose Bryson, owner and resident W. Figueroa St., email 01-14-14 and PC hearing 01-16-14; Azam Mitorabi, Rancho Palos Verde resident, owner at De la Vina St., letters 01-16-14, 02-13-14, and PC hearing comments 01-16-14)

Staff Response: The proposed implementing Ordinance applies to specified types of new sensitive development, and does not apply to existing development which is not proposing new development.

The Ordinance would provide more detailed project criteria to make it clearer and more predictable for property owners as to how they can develop while protecting health.

Policy ER7 is an already adopted City General Plan policy which prohibits new sensitive land uses within 250 of Highway 101 unless the project's exposure is reduced through design measures. The hearing is to consider the ordinance for implementing the policy, not to reconsider the adopted policy that already received extensive public debate.

Mary Rose Bryson comment: If private property owners are required to put in trees, City should be too, given that the City took out ~20 trees next to the Mission Creek steelhead fish passage project at end of W. Figueroa Street.

Staff Response: Parks Department/Creeks Division is the lead City department on the fish passage project, and is also involved in planting many replacement trees; 200 trees are planned to be planted at the creek bank.

STEVE JOHNSON (Resident at W. Cota St., property owner at W. Figueroa St., email of 01-14-14, letter of 01-16-14, PC hearing comments 01-16-14, letters of 02-06-14 and 02-08-14)

Comment: Error in 2009 City Air Quality Report – the modeling output does not represent 10% of traffic, and the corridor should be wider than 250 feet.

Staff Response: This comment has been raised repeatedly over the years and responded to in the record, most recently in the September and October 2013 Planning Commission and City Council reports on the General Plan Safety Element.

James Reyff, Illingworth & Rodkin, author of the City Air Quality Report, responded as follows:

There was an error in the text notation on traffic volume inputs, not in the modeling or results. The modeling for this study in fact used average hourly traffic volumes over the entire day based on the average annual daily traffic volume published by Caltrans. This is the correct

input because traffic occurs all hours of the day on Highway 101, and the study was modeling for average emission exposure levels.

Excess cancer risk is based on a lifetime exposure using an annual concentration of the modeled air contaminant. The modeling predicted the hourly concentration that had to be converted to an annual concentration, as explained in the report. Because the modeling is based on screening meteorological conditions, the model produces a 1-hour concentration that is representative of the hour with the highest concentration due to a combination of meteorological conditions that include worst wind direction, low wind speed, and stable conditions. To convert this hourly concentration to an annual concentration, a persistence factor of 0.08 was used. The persistence factor accounts for variations in meteorological conditions between the worst-hour and annual conditions. This represents a conservative analysis. The corridor should not be wider based on this analysis.

TRACEY FERNANDEZ (Resident on Palisades Drive, phone call 11-15-13; letter 01-28-14)

Comment: The City policy should not be based on modeling using a health risk standard for excess cancer cases. The City 2009 study does not support the 250-foot distance. The original 500 foot guideline recommended by the California Air Resources Board (CARB) and Santa Barbara County APCD was also based on epidemiological studies, including for childhood asthma and emphysema. A greater distance consistent with recommendations of the air resources agencies is warranted.

Staff Response: Clearly, the greater the distance from the highway, the less potential for health risk from highway air pollution. The 2005 CARB guideline recommending 500-foot setback for sensitive land uses was based both on analysis with the cancer health risk standard, and also epidemiological studies about other health risks.

City 2009 air quality study modeled average air quality and traffic conditions and identified average distance for dissipation of air pollutant concentration to a level associated with the health risk standard of 10 excess cancer cases per one million persons. The analysis received peer review from APCD staff and the General Plan EIR consultants.

Diesel particulates are classified by the State as a toxic contaminant, constitute approximately 70% of harmful roadway exhaust particulates, and have been a primary focus of the California Air Resources Board statewide regulatory process over the past several decades. The associated health risk standard for excess cancer cases is used in health risk assessments per State guidelines. It is a reasonable proxy and metric to characterize highway air pollution health risks and provide the basis for a City policy within budgetary constraints.

The CARB analysis used assumptions from more highly urbanized/ industrialized areas of the State, which have greater traffic volumes, a larger mix of heavy truck traffic, and higher pollution concentrations than in Santa Barbara. The City study therefore identified a lesser distance to reach the lower pollution concentration correlating to the health risk standard. Some of the epidemiological studies for other health issues cited in CARB analysis also assumed greater traffic and pollution conditions than typically occur in Santa Barbara.

The 2005 CA Air Resources Board 500-foot guideline also included the following caveat, recognizing that individual jurisdictions may determine different policies: *"These recommendations are advisory. Land use agencies have to balance other considerations,*

including housing and transportation needs, economic development priorities, and other quality of life issues." (Source: CARB, *Air Quality and Land Use Handbook: A Community Health Perspective*, 2005, Table 1-1.)

The City of Santa Barbara policy is for a largely built out area with limited development potential. There was a substantial split in public option over the policy, with some favoring no policy, and some favoring a 500-foot distance. The Council adopted a policy with 250-foot distance based on the certified Program EIR analysis, public input, and consideration of other issues. The adopted City policy represents greater protection than most jurisdictions within the State, and in an area with less severe air pollution than many jurisdictions.

AZAM MITORABI (Rancho Palos Verdes resident, owner of parcel on De la Vina Street; letters of 01-16-14, 02-13-14; Commission hearing comments 01-16-14; email of 02-10-14)

Comment: What criteria will be used to identify that air quality has improved and the interim policy can be repealed?

Staff Response: The same criteria used in establishing the 250-foot corridor distance: the air quality level associated with the Health Risk Standard of 10 excess cancer cases in 1 million people. It is planned that the City would periodically do another air quality study as part of the General Plan Adaptive Management Program. Alternatively, the California Air Resources Board (CARB) may in future provide other air quality information that could be used as the basis for ordinance repeal.

Comment: Few parcels are affected – only 7 vacant parcels.

Staff Response: The ordinance would not only apply to development on vacant parcels but also on parcels with existing development. There are 745 parcels in whole or part within 250 feet of Highway 101 and without highway sound barriers. Many of these parcels have the potential for additional development subject to the ordinance (residential additions, new units, other sensitive uses).

Comment: Extended exposure of 70 years needed to have increased cancer risk. Should also address short-term uses and occupancy. The City could impose a limit to the time that a person can live in a property close to the freeway, i.e., for a period no more than 10 years.

Staff Response: The City 2009 air quality analysis did use the standard exposure assumption for calculating the distance associated with the excess cancer risk standard. The implementing ordinance applies to permanent types of land uses that involve extensive exposure periods (e.g., residential main buildings for primary living and sleeping areas). The draft ordinance design criteria would apply to Main Buildings that involve extensive exposure, and would not apply to Accessory Structures (e.g., parking, outbuildings) that involve short-term exposures.

The ordinance would not apply to land uses involving only periodic and short-term exposures (e.g., medical facilities typically involve periodic short periods for appointments; park facilities typically involve intermittent, short exposures; hotels and other transient occupancy involve temporary exposures). These types of uses do not meet the criteria for extensive exposure over many years.

The suggested policy for limiting the time a person can live in a property close to the freeway would not appear to be a legally viable approach.

Azam Mitorabi (cont.)

Comment: 2009 City air quality data is outdated. Information in *Progress Toward Clean Air Report,* 04-13 by CA Air Pollution Control Officers Assn shows Santa Barbara has clean air.

Staff Response: The air quality report cited provides good overall information about improvements in air quality in the Santa Barbara area. However, overall compliance with district-wide air quality standards is a different issue than persistent higher pollution levels next to freeways and associated greater health risk.

Neither the CA Air Resources Board nor Santa Barbara County Air Pollution Control District have rescinded their recommendations as a result of the improved overall air quality information cited by the commenter, and these agencies continue to recommend that sensitive land uses be limited next to highways and that developments incorporate design measures to lessen air quality health risks.

Policy ER7 specifies that reconsideration of the policy will occur in coming years as a separate matter, and this has been identified to be under the General Plan Adaptive Management Program. Policy ER7 was adopted after due consideration of information and public input. The hearing is for the purpose of considering an implementing ordinance, not for reconsideration of the underlying policy.

Comment: General Plan Implementation Action ER 7.2 directs City to install sound walls and trees along the Highway. Request for copies of City communications to Caltrans since 2009 about constructing Highway 101 sound walls. The City has not made any effort to mitigate.

Staff Response: Two City letters to Caltrans since 2009 were provided to the commenter. They pertain to the currently proposed Caltrans Highway 101 improvement project (High Occupancy Vehicle Lanes) and include comments requesting that Caltrans be consistent with the City adopted Coastal Plan policy to minimize use of sound walls. Caltrans determines the need for sound barriers as part of their projects based on environmental review, public input, and Caltrans departmental policy.

The 2011 General Plan update is a 20-year plan, and proceeding with its many possible future Implementation Actions will occur incrementally through 2030 as they are scheduled and funded. Potential Implementation Measure ER7.2 identifies a City program to pursue funding and installation of walls, trees, and shrubbery barriers along unprotected areas of Highway 101 to help reduce near-highway pollution transmission. This program has not yet been scheduled or funded for implementation.

Comment: CA Air Resources Board noted that their guideline should be considered along with housing needs and other issues. There is the need for housing in downtown Santa Barbara. The City should reverse the temporary policy and ordinance.

Staff Response: The State guideline does include a caveat recognizing that local agencies may need to balance a variety of issues in determining highway setback policies. The State's 500-foot setback guideline for sensitive land uses was considered by the Planning Commission and City Council along with other issues, including housing needs in Santa Barbara. Following analysis and extensive public input, the Policy ER7 with 250-foot distance was adopted, and no density increases were applied to updated General Plan Land Use Map designations for the 250-foot corridors.

Azam Mitorabi (cont.)

How much did the City pay URS & Illingworth firms for the 2009 air quality study; and how much since then? Suspect that City may have covertly targeted our lot in order to devalue it for future purchase. The City with the help of URS Corporation rerouted Mission Creek at our expense and loss of land. URS Corporation involved with both the Mission Creek restoration project and development restriction for the lots in close proximity to 101 freeway.

Staff Response: The 2009 City air quality study cost $12,450 under contract with URS Corporation, which included $7,200 for subcontractor Illingworth & Rodkin, Inc. This URS contract included a larger scope of work analyzing other issues, with a total amount of $154,270 paid, which included $15,680 to Illingworth & Rodkin, Inc. for analysis on other topics, and $20,760 to another subcontractor.

Since that time, the City Planning Division has not had further contracts or payments to these two consulting firms, either on air quality issues or other projects. URS is a broad-based technical consulting firm with local area offices, and other City departments, including Public Works, Parks & Recreation, and Airport Departments, have had contracts with URS Corporation on various other projects since 2009.

There is no basis for the suggestion that the City is targeting a lot to devalue it.

Comment: Rather than doing another air quality study, City should use air quality information from air resources agencies and use the City money to plant many trees along the freeway.

Staff Response: Comment noted. If sufficient air quality information becomes available from State or local air pollution control agencies, the City might be able to use the information in lieu of a City-funded study. However, because there are few air monitoring sites, and none at the freeway, some modeling of air quality may be necessary in assessing this issue.

Comment: City's hearing notice states that court challenges may be limited to issues raised at the public hearings. This is discriminatory, unfair, an abuse of City power, and puts the public at a disadvantage, because citizens are not experts in scientific and legal issues.

Staff Response: The notice provision is not a policy of the City's making as suggested by the comment; it is simply public notification that under the laws of the State of California, court challenges on the item may be limited to issues raised during the hearing and approval process. The public hearing process is intended to receive comments from the public about a matter before a decision is made. The court challenge limitation is intended to avoid litigation based on after-the-fact comments that couldn't be considered by the decision-makers.

OTHER EMAIL COMMUNICATIONS REQUESTING DRAFT ORDINANCE AND/OR FUTURE MEETING NOTICES FROM:

John Free, property trustee

Doug Fell, attorney

Andrew Orfilia, SBCAG Transportation

Greg Marak, property owner

Geneze Izuno

ORDINANCE NO. ____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING TITLE 22 OF THE SANTA BARBARA MUNICIPAL CODE BY ADDING CHAPTER 22.65 ESTABLISHING AIR QUALITY DESIGN STANDARDS FOR NEW DEVELOPMENT NEAR HIGHWAY 101 TO IMPLEMENT POLICY ER7 OF THE 2011 GENERAL PLAN.

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

SECTION ONE: The City Council adopts the ordinance codified in Chapter 22.65 of the Santa Barbara Municipal Code based on the following findings:

A. The California Air Resources Board and the Santa Barbara County Air Pollution Control District have recommended reducing potential health hazards associated with vehicle exhaust, including diesel particulates, by limiting development of new residences and other sensitive land uses in close proximity to highways.

B. A Program Environmental Impact Report (EIR) certified for the City of Santa Barbara 2011 General Plan update evaluated air quality effects associated with new development in close proximity to Highway 101 during the General Plan time horizon. The EIR identified an interim policy for limiting new development of sensitive land uses within 250 feet of Highway 101. The EIR analysis concluded that the interim policy would mitigate the potential air quality impact associated with future development within the City near Highway 101 to a less than significant level until such time as statewide diesel particulate levels and associated health hazards are reduced by planned State regulations or other means.

C. Interim policy ER7 adopted as part of the City of Santa Barbara 2011 General Plan directs that the development of new sensitive land uses within 250 feet of Highway 101 be limited unless the City determines that diesel emission risks or exposures are satisfactorily addressed. Implementation Measure ER7.1 directs that the City establish development standards for new development to implement the policy, and track State regulations and progress on reducing highway diesel particulates pollution to determine when the interim policy is to be retired.

D. This ordinance is consistent with City policy, including Charter Section 1507 directing that development shall not exceed physical and natural resources including air quality; General Plan policy ER7 establishing limitation on specified new development within 250 feet of Highway 101; and General Plan Implementation Measure ER7.1 directing development of standards for new development next to Highway 101. The adoption of this implementing ordinance is in compliance with California Environmental Quality Act (CEQA) provisions for environmental review under CEQA Guidelines Section 15168 and 15162, based on the staff analyst determination that the ordinance is within the scope of the 2011 General Plan update and its certified Program Environmental Impact Report (EIR), would not result in additional environmental impacts beyond those identified in the Program EIR, implements Program EIR Mitigation Measure AQ-1, and requires no further environmental review process.

SECTION TWO: Title 22 of the Santa Barbara Municipal Code is amended by adding Chapter 22.65 titled "Design Standards for Development Near Highway 101" to read as follows:

22.65.010 Purpose and Intent.

It is the purpose of this section to limit and regulate development within close proximity to Highway 101 in a manner that promotes the health, safety, and welfare of the residents of the City of Santa Barbara.

Pursuant to 2011 General Plan Policy ER7, the design standards in this Chapter are intended to limit the number of people, including Sensitive Individuals, who receive Extensive Exposure to potential air pollution hazards from highway vehicle exhaust including diesel particulates by limiting the development of new sensitive land uses within close proximity of Highway 101 or by modifying the design of new sensitive land uses to reduce the amount of air pollution exposure received, until such time as statewide diesel particulate levels are reduced by planned State regulations or other means.

22.65.020 Definitions.

For the purpose of this Chapter, the following words and phrases shall have the following meanings:

A. Accessory Building. As defined in Section 28.04.010 of this Code.

B. Extensive Occupancy or Exposure. Substantial time periods involving daily occupancy or frequent lengthy visits of many hours occurring repeatedly over many years as experienced with residential land uses and schools.

C. Main Building. As defined in Section 28.04.145 of this Code.

D. Required Outdoor Living Space. Outdoor living space or open yard area required in accordance with City residential zoning standards as specified in Title 28 of this Code.

E. Sensitive Individuals. Persons most susceptible to adverse affects of poor air quality (including from diesel particulates) including children, the elderly, and people who are ill or have serious chronic respiratory, heart, or other medical conditions that are exacerbated by air pollution.

F. Sensitive Land Uses. Land uses that involve Extensive Occupancy or Exposure by Sensitive Individuals including residences; nursing homes, retirement homes, and other community care facilities; schools; and large family day care facilities. Land uses not considered sensitive land uses include retail, commercial services, and offices.

G. State Highway Roadside Sound Wall. A roadside sound wall constructed by the California Department of Transportation.

22.65.030 Applicability and Exemptions.

A. Applicability.

1. **Location.** Any property that is located in whole or part within 250 feet of Highway 101 as measured from the outer edge of the nearest highway travel lane (excluding highway on- and off-ramps) is subject to the requirements of this Chapter, unless identified as exempt in Subsection B of this Section 22.65.030.

2. **Types of Development.** The following types of development are subject to the requirements of this Chapter, unless identified as exempt in Subsection B of this Section 22.65.030:

   a. The development of one or more new residential units on a lot.

   b. An addition to an existing residential unit that increases the net floor area of the residential unit by more than 50% of the net floor area that existed within the residential unit as of December 1, 2011. If multiple additions are made to a residential unit during the time this Chapter is in effect, the amount of the additional floor area shall be measured in the aggregate.

   c. The development of a new main building that will be occupied by a Sensitive Land Use.

   d. The demolition of an existing building and its replacement with a main building that will be occupied by a Sensitive Land Use.

   e. A change of use of an existing main building from a use not defined as a Sensitive Land Use to a Sensitive Land Use.

   f. A change of use of an existing Main Building from a Sensitive Land Use that existed on the effective date of the ordinance adopting this Chapter to a different Sensitive Land Use.

B. Exemptions. The following projects are exempt from this Chapter:

1. **Sound Walls.** Projects on sites where a State Highway Roadside Sound Wall is located between the highway and project site.

2. **Prior Applications.** Projects with applications submitted to the City before December 1, 2011 for development permits including a Master Application, building permit plan check, or for other development approval, where the application has not expired.

3. **Approved Projects.** Projects that received a final approval from the City prior to December 1, 2011 where the approval remains valid.

4. **New Buildings More than 250 Feet from Highway.** Projects where the property owner submits a site plan that demonstrates that no new Main Building or required outdoor living area that is to be occupied by a Sensitive Land Use will be located within 250 feet of Highway 101, as measured from the outer edge of the nearest highway travel lane.

5. **Site-specific Demonstration.** Projects where the property owner can demonstrate to the satisfaction of the Community Development Director or the Director's designee that site-specific climatic or topographic conditions avoid or address the air quality risks from Highway 101 on the site such that the site specific conditions present a health risk of less than 10 excess cancer cases per one million persons.

Nothing in this Subsection B prevents an applicant from incorporating the design standards specified in Section 22.65.040 to exempt projects on a voluntary basis.

22.65.040 Design Standards for Air Quality.

The following design standards apply to development and occupancy of main buildings to which this Chapter applies. The location, design, and filtration standards specified in this Section are not required for accessory buildings or areas on the lot where Sensitive Individuals would not be subject to Extensive Occupancy or Exposure (e.g., parking).

A. Proximity to Highway 101 and Project Design Features. Main buildings that will be occupied by Sensitive Land Uses are prohibited from locating within 250 feet of Highway 101 unless the City Community Development Director or designee determines that project design features satisfactorily address air quality risks. When determining whether the project design features satisfactorily address air quality risks, the Director shall consider the following factors:

1. **Distance from Highway 101.** Main buildings and outdoor living areas that will be extensively occupied by Sensitive Land Uses should be located as far from Highway 101 as feasible. For projects that have a mixture of Sensitive Land Uses and non-sensitive land uses, Main Buildings and areas expected to have Extensive Occupancy or Exposure by Sensitive Individuals should be located furthest from the highway, while facilities for non-sensitive populations and/or involving short-term use (such as parking facilities) should be placed closer to the highway.

2. **Building Orientation and Outdoor Living Areas.** Main Buildings for occupancy by Sensitive Land Uses should be oriented with doors and outdoor living areas on the side of the building away from the highway in order to provide physical screening by the building.

3. **Vegetative Screening and Physical Barriers.** Project sites to be occupied by Sensitive Land Uses should incorporate dense, tiered vegetative plantings between the highway and the Main buildings and outdoor living areas that are to be occupied by Sensitive Land Uses, which helps to remove air pollutants and reduce diesel particulate concentrations. Vegetation should largely entail trees with complex foliage (leafy vegetation or with needles) that allow substantial in-canopy airflow; preferably in multiple rows, using tree plantings of tall and uniform height that retain foliage year-round and have a long life span. Inclusion of physical barriers such as walls and solid fences between the highway and the project also help to reduce air pollutant exposure levels.

4. **Air Infiltration.** In addition to a filtration system as required in Section 22.65.040 B, Main Buildings occupied by Sensitive Land Uses should be designed to locate air intake vents on the side of building away from the highway and use double-paned windows throughout.

5. **Other Measures.** An applicant proposing a Sensitive Land Use that will be located within 250 feet of Highway 101 may propose other measures that have a demonstrated ability to reduce highway air pollution exposure.

B. Interior Air Filtration System. Main Buildings intended for occupation by a Sensitive Land Use that are located within 250 feet of Highway 101 and are not exempt pursuant to Section 22.65.030.B shall incorporate a central ventilation system with air filtration rated at Minimum Efficiency Reporting Value of “MERV13” or better for enhanced particulate removal efficiency. The owner of any development subject to this requirement shall attach a copy of the operator’s manual for the central ventilation and filtration system as an exhibit to every lease of the building or any portion of the building.

22.65.050 Maintenance of Design Features.

Design features incorporated into an approved project design pursuant to Section 22.65.040 shall be maintained as long as this Chapter remains in effect.

Agenda Item No. 21

File Code No. 640.09

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development

SUBJECT: Appointment of Council Members To The New Zoning Ordinance (NZO) Joint Council And Planning Commission Committee

RECOMMENDATION:

That Council consider the appointment of two members to the New Zoning Ordinance Joint Council and Planning Commission Committee.

DISCUSSION:

The Planning Division requests the appointment of two Council members to serve on the New Zoning Ordinance Joint Committee, which will consist of two Council members and three Planning Commissioners.

Staff recommends that the appointment include the liaison to the Planning Commission and one member of the Ordinance Committee.

The Joint Committee will work closely with staff on the comprehensive update of the City's Zoning Ordinance, including vetting the zoning standards to be amended. Members of the Joint Committee would participate in working meetings and attend public forums for the NZO over the next two years.

PREPARED BY: Beatriz Gularte, Project Planner

SUBMITTED BY: Bettie Weiss, City Planner/Acting Community Development Director

APPROVED BY: City Administrator's Office

Agenda Item No. 22

File Code No. 160.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Risk Management Division, Finance Department

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(d)(1) of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: ***Guy Robles v. City of Santa Barbara***, *WCAB case number ADJ7188245*.

Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

PREPARED BY: Mark W. Howard, Risk Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

Agenda Item No. 23

File Code No. 160.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Risk Management Division, Finance Department

SUBJECT: Conference With Legal Counsel – Potential Litigation

RECOMMENDATION:

That Council hold a closed session to consider potential litigation pursuant to section 54956.9 (d)(2) and (e)(2) of the Government Code arising out of a contract dispute with Continental Casualty, and take appropriate action as needed.

Scheduling: Duration, 10 minutes; anytime
Report: None anticipated

PREPARED BY: Mark W. Howard, Risk Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

Agenda Item No. 24

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: Water Division, Public Works Department

SUBJECT: Conference With Real Property Negotiators

RECOMMENDATION:

That Council hold a closed session pursuant to Government Code Section 54956.8 to consider a possible long-term lease to the Montecito Water District of a portion of the Charles Meyer Desalination Plant owned by the City of Santa Barbara and located on real property owned by the City of Santa Barbara.

Real Property: A portion of the Charles Meyer Desalination Plant located at 525 East Yanonali Street (Assessor's Parcel No.: 017-540-007) in the City of Santa Barbara.

City Negotiators: James Armstrong, City Administrator; Joshua Haggmark, Acting Water Resources Manager; Ariel Calonne, City Attorney; Sarah Knecht, Assistant City Attorney.

Negotiating Parties: Montecito Water District, Darlene Bierig, Board President.

Under Negotiation: Instructions to negotiators concerning the price and terms of payment of a possible ground lease of a portion of the Charles Meyer Desalination Plant by the Montecito Water District.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Joshua Haggmark, Acting Water Resources Manager

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office

Agenda Item No. 25

File Code No. 440.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 8, 2014

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Labor Negotiator

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Acting Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Units, Hourly Bargaining Unit, Police Management Association, and Firefighters Association, and regarding salaries and fringe benefits for certain unrepresented management and confidential employees.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Kristine Schmidt, Acting Administrative Services Director

SUBMITTED BY: Kristine Schmidt, Acting Administrative Services Director

APPROVED BY: City Administrator's Office