

**CITY OF SANTA BARBARA  
CITY COUNCIL  
REDEVELOPMENT AGENCY**

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



**James L. Armstrong**  
*City Administrator/  
Executive Director*

**Stephen P. Wiley**  
*City Attorney/Agency Counsel*

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

**DECEMBER 6, 2011  
AGENDA**

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

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

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

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

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

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

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

## **ORDER OF BUSINESS**

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 2:00 p.m. - City Council Meeting
- 2:00 p.m. - Redevelopment Agency Meeting

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

**Subject: Fiscal Year 2012 Capital Improvement Program Funding For The Andrée Clark Bird Refuge Vegetation Maintenance And Restoration Project And The Shoreline Park Safety Improvement Project**

Recommendation: That the Finance Committee recommend that Council:

- A. Allocate \$236,900 from the Park Restroom Renovation Capital Improvement Program (CIP) Project to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project in the Capital Outlay Fund; and
- B. Transfer \$146,452 from the General Fund to the Capital Outlay Fund, funded from an increase in estimated revenues, and appropriate \$49,452 to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project and \$97,000 to the Shoreline Park Safety Improvement Project.

(See Council Agenda Item No. 14)

**REGULAR CITY COUNCIL MEETING – 2:00 P.M.  
REGULAR REDEVELOPMENT AGENCY 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 December 31, 2011.

**CHANGES TO THE AGENDA**

**PUBLIC COMMENT**

**CONSENT CALENDAR**

**CITY COUNCIL**

**2. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of October 10, 2011, the special meeting of October 17, 2011, the regular meetings of October 18, 2011, and October 25, 2011, the adjourned regular meeting of October 31, 2011, the regular meetings of November 1, 2011, and November 8, 2011 (cancelled), and the special meeting of November 14, 2011.

**3. Subject: Fiscal Year 2012 Interim Financial Statements For The Four Months Ended October 31, 2011 (250.02)**

Recommendation: That Council accept the Fiscal Year 2012 Interim Financial Statements for the Four Months Ended October 31, 2011.

## CONSENT CALENDAR (CONT'D)

### CITY COUNCIL (CONT'D)

**4. Subject: Adoption Of Ordinance Amending Municipal Code Title 14, Chapter 20 - Metering Requirements (540.01)**

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 Repealing Section 14.20.160 Pertaining to Separate Water Meters.

**5. Subject: Adoption Of An Ordinance Amending Municipal Code Title 28 For Veronica Meadows Specific Plan (680.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Title 28 by Amending Chapter 28.50 the "Veronica Meadows Specific Plan."

**6. Subject: Approval Of An Amendment To The Metropolitan Transit District Agreement (150.05)**

Recommendation: That Council:

- A. Approve an amendment to the Agreement with the Metropolitan Transit District (MTD), in the amount of \$205,000, for transit assistance for the Coastal Express Limited commuter bus; and
- B. Increase appropriations and estimated revenues in the Streets Fund by \$205,000 to fund a pass-through payment to the MTD from mitigation funds paid to the City by Caltrans.

**7. Subject: Introduction Of An Ordinance And Resolutions For The Annexation Of 455 And 457 North Hope Avenue (680.04)**

Recommendation: That Council:

- A. Consider the Planning Commission's recommendation to initiate the annexation of properties located at 455 and 457 North Hope Avenue;
- B. Make the environmental findings contained in the Council Agenda Report;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Zoning Upon Annexation of Assessor's Parcel Numbers 057-191-011 and 057-191-014 Located at 455 North Hope Avenue and Assessor's Parcel Number 057-170-012 Located at 457 North Hope Avenue in the Hope Neighborhood;

(Cont'd)

## CONSENT CALENDAR (CONT'D)

### CITY COUNCIL (CONT'D)

#### 7. (Cont'd)

- D. Adopt, by a reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting Initiation of Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara, Detachment from the Santa Barbara County Fire Protection District, Santa Barbara Sheriff's Office (CSA 32) and Goleta Water District for Certain Real Property Presently Located at 455 North Hope Avenue (Assessor's Parcel Numbers 057-191-011 and 057-191-014) and Located at 457 North Hope Avenue (Assessor's Parcel Number 057-170-012); and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Assessor's Parcel Numbers 057-191-011 and 057-191-014 Located at 455 North Hope Avenue and Assessor's Parcel Number 057-170-012 Located at 457 North Hope Avenue, Which will be Annexed to the City of Santa Barbara.

#### 8. **Subject: Introduction Of Ordinance For A Lease Agreement With Sushi Go Go (330.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Kyung and Sarah Wang, Doing Business as Sushi Go Go, for the Restaurant Located at 119-B Harbor Way, Effective January 13, 2012.

#### 9. **Subject: Lease Agreement With Stearns Wharf, Inc., Doing Business As Old Wharf Trading Company (330.04)**

Recommendation: That Council approve a five-year lease agreement with Stearns Wharf, Inc., doing business as Old Wharf Trading Company, at an average base rent of \$12,463 per month or 10% of gross sales, whichever is greater, for a 2,369 square foot retail space located at 217-A, B and D Stearns Wharf.

## **CONSENT CALENDAR (CONT'D)**

### CITY COUNCIL (CONT'D)

**10. Subject: Contract For Final Design For The Punta Gorda Street Bridge (530.04)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$120,000 for final design services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$12,000 for extra services that may result from necessary changes in the scope of work;
- B. Reprogram \$25,000 of existing appropriations in the Measure D Fund for drainage improvements to this Project; and
- C. Reprogram \$75,000 of existing surplus appropriations in the Measure D Fund for the Haley/De la Vina Street Bridge Project to this Project.

**11. Subject: Contract For Construction For The Westside Community Development Block Grant Sidewalk Infill And Access Ramp Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Mendez Concrete, Inc., waiving minor irregularities, in their low bid amount of \$190,280.50 for construction of the Westside Community Development Block Grant Sidewalk Infill and Access Ramp Project, Bid No. 3642; and
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$30,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

**12. Subject: Contract For Construction For The Launch Ramp Boating Trails Project (570.03)**

Recommendation: That Council:

- A. Award a contract with Shaw Contracting, Inc., in their low bid amount of \$375,625 for construction of the Launch Ramp Boating Trails Project, Bid No. 3633;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$38,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;

(Cont'd)

## CONSENT CALENDAR (CONT'D)

### CITY COUNCIL (CONT'D)

#### 12. (Cont'd)

- C. Authorize the Public Works Director to execute a contract with Moffatt & Nichol Engineers, Inc., in the amount of \$12,000 for construction support services, and approve expenditures of up to \$1,200 for extra services of Moffatt & Nichol Engineers, Inc., that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a contract with Fugro Consultants, Inc., in the amount of \$3,830 for construction testing services, and approve expenditures of up to \$383 for extra services of Fugro Consultants, Inc., that may result from necessary changes in the scope of work.

#### 13. **Subject: Purchase Order For Installation And Monitoring Of Inclinometers In The Conejo Slide Area (640.04)**

Recommendation: That Council find it to be in the City's best interest to waive the formal bidding process in accordance with Section 4.52.020 (K) of the Santa Barbara Municipal Code and issue a Purchase Order in the amount of \$63,500 to Cotton, Shires and Associates for the installation and monitoring of inclinometers in the Conejo Slide Area, and authorize the Public Works Director to approve expenditures of up to \$6,350 for extra services of Cotton, Shires and Associates that may result from necessary changes in the scope of work.

#### 14. **Subject: Fiscal Year 2012 Capital Improvement Program Funding For The Andrée Clark Bird Refuge Vegetation Maintenance And Restoration Project And The Shoreline Park Safety Improvement Project (570.05)**

Recommendation: That Council:

- A. Allocate \$236,900 from the Park Restroom Renovation Capital Improvement Program (CIP) Project to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project in the Capital Outlay Fund; and
- B. Transfer \$146,452 from the General Fund to the Capital Outlay Fund, funded from an increase in estimated revenues, and appropriate \$49,452 to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project and \$97,000 to the Shoreline Park Safety Improvement Project.

## **CONSENT CALENDAR (CONT'D)**

### CITY COUNCIL (CONT'D)

**15. Subject: Santa Barbara Beautiful Funds For The Urban Forest Program (570.05)**

Recommendation: That Council accept a contribution from Santa Barbara Beautiful in the amount of \$30,000 and increase estimated revenues and appropriations in the Parks and Recreation Miscellaneous Grants Fund for the Upper State Street and Oleandar Tree Replacement Projects.

### REDEVELOPMENT AGENCY

**16. Subject: Redevelopment Agency Fiscal Year 2012 Interim Financial Statements For The Four Months Ended October 31, 2011**

Recommendation: That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2012 Interim Financial Statements for the Four Months Ended October 31, 2011.

### NOTICES

17. The City Clerk has on Thursday, December 1, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
18. Receipt from the Housing Authority of the City of Santa Barbara of its 2011 Annual Report (660.03)

**This concludes the Consent Calendar.**

## **REPORT FROM THE FINANCE COMMITTEE**

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### COMMUNITY DEVELOPMENT DEPARTMENT

#### **19. Subject: Rental Housing Mediation Task Force Update (580.03)**

Recommendation: That Council:

- A. Receive a status report on the Rental Housing Mediation Task Force Program; and
- B. Increase estimated revenues and appropriations by \$37,450 in the Community Development Department's Rental Housing Mediation Task Force Program in recognition of funding secured from the City of Goleta in the amount of \$17,000, a Homeless Prevention and Rapid Re-Housing Program (HPRP) grant in the amount of \$15,250 and donations in the amount of \$5,200.

### POLICE DEPARTMENT

#### **20. Subject: Police Department Update (520.04)**

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

### **PUBLIC HEARINGS**

#### **21. Subject: Proposed Designation Of Three Landmarks: Granada Tower State Street Façade At 1214 State Street, Moreton Bay Fig Tree At 320 W. Pueblo Street, And 105 Ontare Hills Lane (640.06)**

Recommendation: That Council:

- A. Hold a public hearing;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Granada Tower State Street Façade, its Two-Foot Wraparound, and its Roof Form at 1214 State Street (Assessor's Parcel Numbers 039-183-050, 039-183-051, 039-183-052) a City Landmark;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Moreton Bay Fig Tree (*Ficus macrophylla*) at 320 W. Pueblo Street (Assessor's Parcel Number 025-100-001) a City Landmark; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Frederick H. Booth House and Garage at 105 Ontare Hills Lane (Assessor's Parcel Number 055-160-060) a City Landmark.

## 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 of the Government Code and take appropriate action as needed.

The pending litigation is:

*Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara, Santa Barbara Superior Court Case No. 1342979.*

*Ruben Barajas and Pamela Barajas as trustees for the Ruben and Pamela Barajas Living Trust, v. City of Santa Barbara, Santa Barbara Superior Court Case No. 1383054.*

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

**23. Subject: Conference With Real Property Negotiators - Acquisition Of Easements, Conejo Road Sewer Replacement Project**

Recommendation: That Council hold a closed session pursuant to the authority of Government Code §54956.8 in order to provide direction to the City Public Works Director regarding the possible City acquisition of certain non-exclusive subsurface easements concerning the real properties known as 523 and 515 Conejo Road.

Property: 523 Conejo Road, APN 019-062-008  
515 Conejo Road, APN 019-062-009

City Negotiator: City Public Works Director and the City Attorney's office.

Negotiating Party: Dennis Guinaugh (523 Conejo Road) and Ron and Elizabeth Faoro (515 Conejo Road). Under Negotiation: Price, terms of subsurface easement acquisitions.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

#### ADJOURNMENT

CITY OF SANTA BARBARA

**FINANCE COMMITTEE**

MEETING AGENDA

DATE: December 6, 2011

Dale Francisco, Chair

TIME: 12:30 P.M.

Michael Self

PLACE: David Gebhard Public Meeting Room  
630 Garden Street

Bendy White

James L. Armstrong  
City Administrator

Robert Samario  
Finance Director

**ITEM TO BE CONSIDERED:**

**Subject: Fiscal Year 2012 Capital Improvement Program Funding For The Andrée Clark Bird Refuge Vegetation Maintenance And Restoration Project And The Shoreline Park Safety Improvement Project**

Recommendation: That the Finance Committee recommend that Council:

- A. Allocate \$236,900 from the Park Restroom Renovation Capital Improvement Program (CIP) Project to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project in the Capital Outlay Fund; and
- B. Transfer \$146,452 from the General Fund to the Capital Outlay Fund, funded from an increase in estimated revenues, and appropriate \$49,452 to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project and \$97,000 to the Shoreline Park Safety Improvement Project.

(See Council/Redevelopment Agency Agenda Item No. 14)



Agenda Item No. \_\_\_\_\_

File Code No. 410.01

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**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 December 31, 2011.

### **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 December 31, 2011.

**ATTACHMENT:** December 2011 Service Awards

**SUBMITTED BY:** Marcelo López, Assistant City Administrator

**APPROVED BY:** City Administrator's Office

**DECEMBER 2011 SERVICE AWARDS**

December 6, 2011 Council Meeting

**5 YEARS**

Melissa Serrano, Administrative Specialist, Community Development Department  
Thomas Oretsky, Environmental Services Specialist I, Finance Department  
Carolina Camacho, Administrative Specialist, Public Works Department  
Amanda Flesse, Project Engineer II, Public Works Department  
Sarah Grant, Associate Transportation Planner, Public Works Department  
Chris Olvera, Water Distribution Operator II, Public Works Department

**10 YEARS**

Michael Mudgett, Firefighter, Fire Department  
Cynthia Collinge, Administrative Supervisor, Public Works Department

**15 YEARS**

Dorine Villalpando, Accounting Technician, Finance Department

**20 YEARS**

Jason Bryan, Senior Recreation Supervisor, Parks and Recreation Department

**30 YEARS**

James Scott, Senior Wastewater Collection Systems Operator, Public Works Department  
Philip Walker, Wastewater Treatment Plant Operator III, Public Works Department



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## ADJOURNED REGULAR MEETING October 10, 2011 860 JIMENO ROAD/1402 GRAND AVENUE

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 1:45 p.m.

### ROLL CALL

Councilmembers present: Dale Francisco, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: Frank Hotchkiss, Grant House.

Staff present: Assistant City Administrator Paul Casey, City Attorney Stephen P. Wiley.

### PUBLIC COMMENT

No one wished to speak.

### NOTICES

The City Clerk has on Thursday, October 6, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

### SITE VISIT

#### **Subject: 860 Jimeno Road/1402 Grand Avenue**

Recommendation: That Council make a site visit to the property located at 860 Jimeno Road/1402 Grand Avenue, which is the subject of an appeal hearing scheduled for October 11, 2011, at 2:00 p.m.

#### Discussion:

Staff presented an overview of the appeal issues and noted the characteristics of the site. Staff also answered Councilmembers' questions for clarification.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 1:55 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

\_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## SPECIAL MEETING October 17, 2011 1359 AND 1383 SANTA TERESITA DRIVE

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 1:45 p.m.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Randy Rowse, Mayor Schneider.

Councilmembers absent: Michael Self, Bendy White.

Staff present: Assistant City Administrator Paul Casey, City Attorney Stephen P. Wiley.

### PUBLIC COMMENT

No one wished to speak.

### NOTICES

The City Clerk has on Thursday, October 13, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

### SITE VISIT

Subject: 1359 And 1383 Santa Teresita Drive

Recommendation: That Council make a site visit to the property located at 1359 and 1383 Santa Teresita Drive, which is the subject of an appeal hearing scheduled for October 18, 2011, at 2:00 p.m.

### Discussion:

Staff provided an overview of the appeal issues and led the Council on a walk of the private road which is the focus of the appeal. Staff also answered Councilmembers' questions for clarification.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 2:05 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

\_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING October 18, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees, 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, Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

### PUBLIC COMMENT

Speakers: Justin; Reverend Paul Vit; Wayne Scoles; Kenneth Loch; Judith Evered; James Glenwright; Max Golding; Robert Villegas; Raiden Soria-Begley; Scott Miller; Marc McGinnes; Brother Patrick; Kate Longstory; Susan Young, Isis Castenada, Selena Rockwell and Janice Rorick, representing the Santa Barbara Teen Coalition; George Wright.

### CONSENT CALENDAR (Item Nos. 1 - 6)

The title of the resolution related to Item No. 2 was read.

Motion:

Councilmembers House/White to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of September 8, 2011, and the regular meeting of September 20, 2011.

Action: Approved the recommendation.

2. Subject: Downtown Parking Proposed Changes To Fee Resolution (550.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 11-048 to Establish Parking Fees in the City Parking Lot Located at 217 Helena Avenue and Eliminate the 90-Day Bus Pass Fee for Eligible Downtown Employees.

Action: Approved the recommendation; Resolution No. 11-067 (October 18, 2011, report from the Public Works Director; proposed resolution).

3. Subject: Contract For Design Peer Review Of The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$28,800 for engineering services for a peer review of the Cabrillo Boulevard Bridge Replacement Project design, and authorize the Public Works Director to approve expenditures of up to \$2,880 for extra services of Drake Haglan and Associates that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,904 (October 18, 2011, report from the Public Works Director).

4. Subject: Contract With Tetra Tech, Inc., To Review And Develop Public Works Department Safety Practices And Standard Operating Procedures (530.01)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services Agreement between the City and Tetra Tech, Inc., to review safety practices and develop standard operating procedures for the Public Works Department, in an amount not to exceed \$75,183, and authorize the Public Works Director to approve expenditures of up to \$7,518 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 23,905 (October 18, 2011, report from the Public Works Director).

## NOTICES

5. The City Clerk has on Thursday, October 13 , 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
6. Cancellation of the regular Redevelopment Agency meeting of October 18, 2011, due to lack of business.

This concluded the Consent Calendar.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### ADMINISTRATIVE SERVICES DEPARTMENT

7. Subject: November 8, 2011, Election Update (110.03)

Recommendation: That Council receive an update on the November 8, 2011, Vote-By-Mail General Municipal Election.

#### Documents:

- October 18, 2011, report from the Assistant City Administrator/Administrative Services Director.
- PowerPoint presentation prepared and made by Staff.

#### Speakers:

Staff: Assistant City Administrator/Administrative Services Director  
Marcelo López, City Clerk Services Manager Cynthia M. Rodriguez.

By consensus, the Council received the update, and their questions were answered.

### COMMUNITY DEVELOPMENT DEPARTMENT

8. Subject: Status Briefing On Senate Bill 375 Implementation (630.02)

Recommendation: That Council receive a status briefing on Senate Bill 375 (Sustainable Communities and Climate Protection Act of 2008) regional implementation efforts to date.

#### Documents:

- October 18, 2011, report from the Assistant City Administrator/Community Development Director.
- Report entitled "Driving Change: Reducing Vehicle Miles Traveled in California," prepared by the Public Policy Institute of California.

(Cont'd)

8. (Cont'd)

Documents (Cont'd):

- PowerPoint presentation prepared and made by Staff of the Santa Barbara County Association of Governments.

Speakers:

- Staff: Principal Planner John Ledbetter.
- Santa Barbara County Association of Governments: Deputy Director Peter Imhof.
- Members of the Public: Kellam de Forest, Robert Villegas.

By consensus, the Council received the briefing, and their questions were answered.

## **PUBLIC HEARINGS**

9. Subject: Appeal Of Single Family Design Board Approval For 1359 And 1383 Santa Teresita Drive Erosion Repair (640.07)

Recommendation: That Council deny the appeal of Debbie Foley and uphold the decision of the Single Family Design Board to grant Project Design Approval with findings and conditions for a proposed erosion repair grading and drainage plan along a private driveway/road in the Hillside Design District.

Documents:

- October 18, 2011, report from the Assistant City Administrator/Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- October 18, 2011, letter from the Appellant.
- October 5, 2011, letter from Timothy Trager, Attorney representing Rancho San Roque, Inc.

Public Comment Opened:

3:27 p.m.

Speakers:

- Staff: Senior Planner Jaime Limón, City Attorney Stephen Wiley.
- Single Family Design Board: Member Fred Sweeney.
- Appellant: Debbie Foley, Tim Foley.
- Applicant: Mark Lloyd, representing Rancho San Roque, Inc.

Public Comment Closed:

4:15 p.m.

(Cont'd)

9. (Cont'd)

Motion:

Councilmembers House/Hotchkiss to continue the appeal to December 6, 2011; direct authorized representatives of the property owners, in the interim, to work to resolve the dispute regarding the proposed plan to grade and improve the drainage within that part of the easement area located on the Appellant's property; allow the grading work to proceed during the rainy season as long as the erosion control plan is approved by the Chief Building Official; and direct that if the appeal is not withdrawn by December 6, 2011, the issue be resubmitted to Council on that date for Council deliberations only.

Vote:

Unanimous voice vote.

In taking the above action, the Council also stated that should the appeal be withdrawn, the appeal fee is to be refunded.

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Self reported that the Metropolitan Transit District is moving ahead to effect timing changes to Upper State Street traffic signals to better meet bus headways.
- Councilmember Rowse stated that the Downtown Parking Committee met recently to review parking changes related to the proposed De La Guerra Plaza Project.

### **ADJOURNMENT**

Mayor Schneider adjourned the meeting at 4:46 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING  
OCTOBER 25, 2011  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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## **CALL TO ORDER**

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

## **PLEDGE OF ALLEGIANCE**

Mayor Schneider.

## **ROLL CALL**

Councilmembers present: Dale Francisco (2:14 p.m.), Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

## **PUBLIC COMMENT**

Speakers: David Daniel Diaz; Justin Moore, Occupy Santa Barbara; Katherine Young; Justine Kennedy and Justin, Occupy Santa Barbara; Brooke Robbins; Sarah R. Grubbs; Steve Price; Kenneth Loch; Lee Moldaver, COAST; K8 Longstory (Kate Smith); Dawn Dunn, Santa Barbara County Public Health; Karla Deleon and Melissa Wilkins.

## **CONSENT CALENDAR (Item Nos. 1 - 13)**

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

Motion:

Councilmembers Francisco/Self to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: September 30, 2011, Investment Report And September 30, 2011, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the September 30, 2011, Investment Report; and
- B. Accept the September 30, 2011, Fiscal Agent Report.

Action: Approved the recommendations (October 25, 2011, report from the Finance Director).

2. Subject: Contract With Arcadis US, Inc., For Environmental Services For The Chapala Bridge Replacement Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Arcadis US, Inc., in the amount of \$13,500 for environmental services for the Chapala Bridge Replacement Project relating to the impact of pile driving in Mission Creek, and authorize the Public Works Director to approve expenditures of up to \$1,350 for extra services of Arcadis US, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,906 (October 25, 2011, report from the Public Works Director).

3. Subject: Contract For Construction With Lash Construction For Intersection Improvement Project At Anacapa And Carrillo Streets (530.04)

Recommendation: That Council:

- A. Accept Federal Highway Safety Improvement Program funding in the total amount of \$400,000;
- B. Increase estimated revenues by \$400,000 in the Fiscal Year 2012 Streets Capital Fund and appropriate \$400,000 for the Intersection Improvement Project at Anacapa and Carrillo Streets;
- C. Award a contract with Lash Construction in their low bid amount of \$319,895 for construction of the Intersection Improvement Project at Anacapa and Carrillo Streets, Bid No. 3576; and
- D. Authorize the Public Works Director to execute the contract and approve expenditures up to \$48,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

Action: Approved the recommendations; Contract No. 23,907 (October 25, 2011, report from the Public Works Director).

4. Subject: Contract For Capital Asset Management Support Services For El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract with Carollo Engineers, Inc., in the amount of \$223,927 to provide capital asset management support services for the El Estero Wastewater Treatment Plant, and authorize the Public Works Director to approve expenditures of up to \$24,881 for extra services of Carollo Engineers, Inc., that may result from necessary changes in the scope of work, for a total not-to-exceed amount of \$248,808.

Action: Approved the recommendation; Contract No. 23,908 (October 25, 2011, report from the Public Works Director).

5. Subject: Contract With Leach Mounce Architects For Design Services For The Temporary Relocation Of The 9-1-1 Call Center (550.05)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Leach Mounce Architects in the amount of \$190,808 for design services for Tenant Improvements to the Granada Garage Office Building for the Temporary Relocation of the 9-1-1 Call Center, and authorize the Public Works Director to approve expenditures of up to \$19,000 for extra services of Leach Mounce Architects that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,909 (October 25, 2011, report from the Public Works Director).

6. Subject: Authorization To Submit A Land And Water Conservation Fund Grant Application For Up To \$300,000 For The Mesa Lane Steps Reconstruction Project (570.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Submit a Grant Application to the California Department of Parks and Recreation Under the Land and Water Conservation Fund Program for the Mesa Lane Steps Reconstruction Project.

Action: Approved the recommendation; Resolution No. 11-068 (October 25, 2011, report from the Parks and Recreation Director; proposed resolution).

7. Subject: Participation In UCSB/UCSD Application For Federal Sea Grant Funding (650.08)

Recommendation: That Council approve an in-kind staff time contribution, not to exceed \$25,000, for City participation as a community partner in a UCSB/UCSD application for a National Oceanic and Atmospheric Administration Sea Grant to research the vulnerability and adaptation of Santa Barbara coastal ecosystems to climate change effects.

Action: Approved the recommendation (October 25, 2011, report from the Assistant City Administrator/Community Development Director).

8. Subject: Declare Property At 136 W. Haley Street As Excess And Subject To Disposal By Public Auction (330.03)

Recommendation: That Council declare the real property located at 136 W. Haley Street as excess to the City's needs and authorize staff to begin the process required by the City Charter and Municipal Code for the disposition of said property.

Action: Approved the recommendation (October 25, 2011, report from the Public Works Director).

9. Subject: Final Community Priority Designation For Children's Museum At 125 State Street (640.09)

Recommendation: That Council find that the Children's Museum development project at 125 State Street meets the definition of a Community Priority Project, and grant the project a Final Community Priority Designation for an allocation of 5,106 square feet of nonresidential floor area.

Speakers:

- Members of the Public: Michael Jordan, K8 Longstory.
- Staff: Assistant City Administrator/Community Development Director Paul Casey, Housing and Redevelopment Manager Brian Bosse.

Action: Approved the recommendation (October 25, 2011, report from the Assistant City Administrator/Community Development Director).

10. Subject: Adoption Of An Ordinance For A Lease With Greyhound Lines, Inc. (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 with Two Five-Year Options with Greyhound Lines, Inc., to Lease the City-Owned Building at 224 Chapala Street for a Passenger Bus Service Facility, Effective November 17, 2011.

(Cont'd)

10. (Cont'd)

Action: Approved the recommendation; Ordinance No. 5569; Agreement No. 23,910.

11. Subject: Add Public Employee Retirement System Cost Sharing Alternatives To Memorandum Of Understanding (430.08)

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 the 2010-2013 Police Officers Association Memorandum Of Understanding to Include an Alternative Public Employee Retirement System Cost Sharing Scenario;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2011-2013 Patrol Officers' and Treatment Plants' Bargaining Units (Treatment and Patrol Units) Memorandum Of Understanding to Include an Alternative Public Employee Retirement System Cost Sharing Scenario; and
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2009-2012 Supervisory Employees' Bargaining Unit Memorandum Of Understanding to Include an Alternative Public Employee Retirement System Cost Sharing Scenario.

Action: Approved the recommendations (October 25, 2011, report from the Assistant City Administrator/Administrative Services Director; proposed ordinances).

## NOTICES

- 12. The City Clerk has on Thursday, October 20, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 13. A City Council site visit is scheduled on Monday, October 31, 2011, at 1:30 p.m. to the property located at 1117 Las Alturas Road, which is the subject of an appeal hearing set for November 1, 2011, at 2:00 p.m.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to hear a report on the Investment Report and Fiscal Agent Report for the quarter ending September 30, 2011, which were approved by the City Council as part of this Agenda's Consent Calendar (Item No. 1).

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### CITY ADMINISTRATOR

14. Subject: Annual Performance Management Program Report For Fiscal Year 2011 And Comparative Indicators Report (170.01)

Recommendation: That Council:

- A. Receive a status report on the City's performance management program and a summary of department performance highlights for Fiscal Year 2011; and
- B. Receive a report on how the City of Santa Barbara compares with other California communities on key indicators.

Documents:

- October 25, 2011, report from the Assistant City Administrator/Administrative Services Director.
- October 25, 2011, PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: City Administrator James L. Armstrong, Administrative Analyst Lori Pedersen.

Discussion:

Staff presented the reports and responded to the Councilmembers' questions.

### COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Human Services And Community Development Block Grant Application Release And Funding Process (610.05)

Recommendation: That Council:

- A. Approve the City of Santa Barbara's Community Development Block Grant Administrative Manual and the updated City of Santa Barbara's Citizen Participation Manual;
- B. Review and provide input and direction to the Community Development and Human Services Committee on funding priorities for the Fiscal Year 2013 Human Services and Community Development Block Grant allocation process;
- C. Authorize staff to release the Fiscal Year 2013 funding application along with the committee application-review process, criteria and schedule;
- D. Establish a funding commitment from the Fiscal Year 2013 General Fund in the amount of \$703,256 for the Human Services Program; and

(Cont'd)

15. (Cont'd)

- E. Authorize the allocation of up to \$75,000 from Fiscal Year 2013 Human Services Program funds to pay the City's share of staffing costs associated with a regional homeless collaborative.

Documents:

- October 25, 2011, report from the Assistant City Administrator/Community Development Director.
- October 25, 2011, PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Housing and Redevelopment Manager Brian Bosse, Community Development Programs Supervisor Deirdre Randolph, Administrative Services Manager Susan Gray.
- Members of the Public: Robert Burke.

Motion:

Councilmembers House/White to approve the recommendations.

Vote:

Unanimous voice vote.

## RECESS

Mayor Schneider recessed the meeting at 4:14 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 16 and 17, and she stated that no reportable action is anticipated.

## CLOSED SESSIONS

16. Subject: Closed Session Regarding Real Property (330.03)

Recommendation: That Council hold a closed session pursuant to Section 54956.8 of the Government Code to consider real property negotiations between the staff of the City Administrator's Office for the City of Santa Barbara and the staff of the Santa Barbara County Executive Officer concerning a possible lease of parking spaces to the County. The subject real property is known as: Granada Parking Garage, 1221 Anacapa Street, Santa Barbara, CA 93101, APNs 039-183-046 and -054.

Scheduling: 30 minutes; anytime

Report: None anticipated

Documents:

October 25, 2011, report from the City Administrator.

Time:

4:40 p.m. - 5:15 p.m.

No report made.

17. 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 Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Hourly Employees' bargaining unit.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

October 25, 2011, report from the Assistant City Administrator/Administrative Services Director.

Time:

5:15 p.m. - 5:20 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:20 p.m. to Monday, October 31, 2011, at 1:30 p.m. at 1117 Las Alturas Road, and in memory of Michael Magne.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST:

\_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**ADJOURNED REGULAR MEETING  
October 31, 2011  
1117 LAS ALTURAS ROAD**

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The adjourned regular meeting of the City Council, scheduled for 1:30 p.m. on October 31, 2011, for a site visit to the property located at 1117 Las Alturas Road, was cancelled on October 31, 2011, due to withdrawal of the appeal.

The next regular meeting of the City Council is scheduled for November 1, 2011, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 1, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which are ordinarily scheduled to meet at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Dale Francisco (2:03 p.m.), Frank Hotchkiss, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

### 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 November 30, 2011.

#### Documents:

November 1, 2011, report from the Assistant City Administrator/Administrative Services Director.

#### Speakers:

Staff: City Administrator James Armstrong, Award Recipient Diana Palmer.

(Cont'd)

1. (Cont'd)

Action: By consensus, the Council recognized the following employees:

5-Year Pin

Phillip Faulding, Firefighter, Fire Department  
Eric Lohela, Environmental Services Specialist I, Finance Department

10-Year Pin

Todd Johnson, Police Sergeant, Police Department  
Ruben Gutierrez, Custodian, Public Works

15-Year Pin

Mabel Shatavsky, Executive Assistant, Airport Department  
Marcelo Lopez, Assistant City Administrator, City Administrator's Office  
Brenda Craig, Finance Supervisor, Finance Department

20-Year Pin

Mark Howard, Risk Manager, Finance Department  
Michael Johnson, Water Distribution Operations Emergency Services Worker, Public  
Works Department  
Ralph Prieto, Streets Maintenance Crew Leader, Public Works Department

25-Year Pin

Diana Palmer, Waterfront Parking Supervisor, Waterfront Department

**CHANGES TO THE AGENDA**

Item Removed from Agenda

City Administrator James Armstrong announced that the following item was being removed from the agenda due to withdrawal of the appeal.

9. Subject: Appeal Of Single Family Design Board Approval For 1117 Las Alturas Road Residence (640.07)

Recommendation: That Council deny the appeal of Penelope True and uphold the decision of the Single Family Design Board to grant Project Design Approval with findings and conditions for a proposed single family residence in the Hillside Design District.

**PUBLIC COMMENT**

Speakers: Steve Price; Kenneth Loch; Charles Lopez, Occupy Santa Barbara; Katherine Young; Justin Kennedy, Occupy Santa Barbara; Reverend Paul Vit; Carole Lieff; K8 Longstory (Kate Smith), Occupy Santa Barbara; Patricia Rosen; Bryan Rosen.

## CONSENT CALENDAR (Item Nos. 2 - 7)

### Motion:

Councilmembers White/Hotchkiss to approve the Consent Calendar as recommended.

### Vote:

Unanimous voice vote.

### 2. Subject: Cancellation Of Certain Council Meetings In 2012 And 2013 (120.09)

Recommendation: That Council cancel the regular Council Meetings on the following dates: January 3, January 17, February 21, April 3, May 29, July 10, August 28, September 4, November 27, and December 25, 2012, and January 1, 2013.

### Speakers:

Members of the Public: K8 Longstory (Kate Smith).

Action: Approved the recommendation (November 1, 2011, report from the Assistant City Administrator/Administrative Services Director).

### 3. Subject: Contract For Construction Of The 800 Block Of East Carrillo Street Sidewalk Infill Project (530.04)

Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc., in their low bid amount of \$212,263.40 for construction of the 800 Block of East Carrillo Street Sidewalk Infill Project, Bid No. 3595; and
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$32,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

### Speakers:

Staff: Principal Engineer John Ewasiuk.

Action: Approved the recommendations; Contract No. 23,911 (November 1, 2011, report from the Public Works Director).

### 4. Subject: Administrative Policy On Tickets And Passes (110.04)

Recommendation: That Council approve an administrative policy that governs the use and distribution of tickets and passes donated to or acquired by the City.

### Speakers:

Members of the Public: K8 Longstory (Kate Smith).

Action: Approved the recommendation (November 1, 2011, joint report from the City Administrator and City Attorney).

## NOTICES

5. The City Clerk has on Thursday, October 27, 2011, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
6. Cancellation of the regular Redevelopment Agency meeting of November 1, 2011.
7. Cancellation of the regular City Council and Redevelopment Agency meetings of November 8, 2011.

This concluded the Consent Calendar.

## **MAYOR AND COUNCIL REPORTS**

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

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to November 15, and November 22, 2011.

Documents:

November 1, 2011, report from the Assistant City Administrator/Administrative Services Director.

Speakers:

- The following applicants were interviewed:
  - Access Advisory Committee:
    - Robert Burnham
  - Civil Service Commission:
    - Alan Kasehagen
  - Community Development and Human Services Committee:
    - Veronica Loza
  - Community Events & Festivals Committee:
    - Linda Rosso
  - Downtown Parking Committee:
    - William Collyer
    - Tom Williams
  - Housing Authority Commission:
    - Victor Suhr
- Members of the Public: K8 Longstory (Kate Smith).

By consensus, the interviews were continued to November 15, 2011, at 6:00 p.m.

**COUNCIL AND STAFF COMMUNICATIONS**

Mayor Schneider discussed the possibility of placing an item on a future agenda so that the Police Chief can provide the Council with an update on the Police Department. Councilmembers Hotchkiss and House will work with the Mayor to submit the request to the City Administrator.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 3:09 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
November 8, 2011  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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The regular meeting of the City Council, scheduled for 2:00 p.m. on November 8, 2011, was cancelled by the Council on June 14, 2011.

The next regular meeting of the City Council is scheduled for November 15, 2011, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**SPECIAL MEETING  
November 14, 2011  
415 ALAN ROAD**

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## **CALL TO ORDER**

Mayor Helene Schneider called the meeting to order at 1:45 p.m.

## **ROLL CALL**

Councilmembers present: Grant House, Mayor Pro Tempore Bendy White.

Councilmembers absent: Dale Francisco, Frank Hotchkiss, Randy Rowse, Michael Self, Mayor Helene Schneider.

Staff present: Assistant City Administrator Paul Casey, City Attorney Stephen P. Wiley.

Note: While there was not a quorum of the Council in attendance, those who were present continued with the scheduled site visit.

## **PUBLIC COMMENT**

No one wished to speak.

## **NOTICES**

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

## **SITE VISIT**

**Subject: 415 Alan Road**

Recommendation: That Council make a site visit to the property located at 415 Alan Road, which is the subject of an appeal hearing scheduled for November 15, 2011, at 2:00 p.m.

(Cont'd)

**Subject: 415 Alan Road (Cont'd)**

Speakers:

Staff: Associate Planner Peter Lawson.

Discussion:

Staff provided an overview of the site and the proposed subdivision.

**ADJOURNMENT**

Mayor Pro Tempore White adjourned the meeting at 2:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

\_\_\_\_\_  
BENDY WHITE  
MAYOR PRO TEMPORE

\_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Accounting Division, Finance Department

**SUBJECT:** Fiscal Year 2012 Interim Financial Statements For The Four Months Ended October 31, 2011

**RECOMMENDATION:**

That Council accept the Fiscal Year 2012 Interim Financial Statements for the Four Months Ended October 31, 2011.

**DISCUSSION:**

The Interim Financial Statements for the Four Months Ended October 31, 2011 (33.3% 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 Four Months Ended October 31, 2011

**PREPARED BY:** Ruby Carrillo, 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 Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
<b>GENERAL FUND</b>					
Revenue	103,109,069	27,495,548	-	75,613,520	26.7%
Expenditures	103,435,734	35,292,282	2,039,892	66,103,560	36.1%
<i>Addition to / (use of) reserves</i>	<u>(326,665)</u>	<u>(7,796,734)</u>	<u>(2,039,892)</u>		
<b>WATER OPERATING FUND</b>					
Revenue	35,671,185	13,138,480	-	22,532,705	36.8%
Expenditures	43,442,910	13,315,600	3,091,249	27,036,062	37.8%
<i>Addition to / (use of) reserves</i>	<u>(7,771,725)</u>	<u>(177,120)</u>	<u>(3,091,249)</u>		
<b>WASTEWATER OPERATING FUND</b>					
Revenue	16,395,810	5,705,211	-	10,690,599	34.8%
Expenditures	17,492,788	4,854,001	1,854,808	10,783,979	38.4%
<i>Addition to / (use of) reserves</i>	<u>(1,096,978)</u>	<u>851,210</u>	<u>(1,854,808)</u>		
<b>DOWNTOWN PARKING</b>					
Revenue	7,036,049	2,518,204	-	4,517,845	35.8%
Expenditures	7,582,431	2,340,766	591,674	4,649,991	38.7%
<i>Addition to / (use of) reserves</i>	<u>(546,382)</u>	<u>177,437</u>	<u>(591,674)</u>		
<b>AIRPORT OPERATING FUND</b>					
Revenue	14,880,151	4,908,663	-	9,971,488	33.0%
Expenditures	15,553,623	4,486,702	607,916	10,459,005	32.8%
<i>Addition to / (use of) reserves</i>	<u>(673,472)</u>	<u>421,961</u>	<u>(607,916)</u>		
<b>GOLF COURSE FUND</b>					
Revenue	2,060,146	659,870	-	1,400,276	32.0%
Expenditures	2,065,870	754,292	123,334	1,188,243	42.5%
<i>Addition to / (use of) reserves</i>	<u>(5,724)</u>	<u>(94,423)</u>	<u>(123,334)</u>		
<b>INTRA-CITY SERVICE FUND</b>					
Revenue	6,119,971	2,062,170	-	4,057,801	33.7%
Expenditures	6,122,735	1,998,584	1,181,525	2,942,626	51.9%
<i>Addition to / (use of) reserves</i>	<u>(2,764)</u>	<u>63,586</u>	<u>(1,181,525)</u>		

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenditures**  
**Summary by Fund**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
<b>FLEET REPLACEMENT FUND</b>					
Revenue	2,230,083	764,661	-	1,465,422	34.3%
Expenditures	1,502,646	311,714	7,058	1,183,874	21.2%
<i>Addition to / (use of) reserves</i>	<u>727,437</u>	<u>452,947</u>	<u>(7,058)</u>		
<b>FLEET MAINTENANCE FUND</b>					
Revenue	2,530,723	831,059	-	1,699,664	32.8%
Expenditures	2,482,012	721,051	252,821	1,508,140	39.2%
<i>Addition to / (use of) reserves</i>	<u>48,711</u>	<u>110,008</u>	<u>(252,821)</u>		
<b>SELF INSURANCE TRUST FUND</b>					
Revenue	5,391,678	1,727,626	-	3,664,052	32.0%
Expenditures	9,055,327	2,878,177	267,290	5,909,860	34.7%
<i>Addition to / (use of) reserves</i>	<u>(3,663,649)</u>	<u>(1,150,551)</u>	<u>(267,290)</u>		
<b>INFORMATION SYSTEMS ICS FUND</b>					
Revenue	2,306,135	769,920	-	1,536,215	33.4%
Expenditures	2,347,350	767,396	78,140	1,501,814	36.0%
<i>Addition to / (use of) reserves</i>	<u>(41,215)</u>	<u>2,524</u>	<u>(78,140)</u>		
<b>WATERFRONT FUND</b>					
Revenue	12,203,518	4,729,865	-	7,473,653	38.8%
Expenditures	11,984,239	4,352,174	927,366	6,704,699	44.1%
<i>Addition to / (use of) reserves</i>	<u>219,279</u>	<u>377,691</u>	<u>(927,366)</u>		
<b>TOTAL FOR ALL FUNDS</b>					
Revenue	209,934,518	65,311,278	-	144,623,240	31.1%
Expenditures	223,067,667	72,072,740	11,023,073	139,971,854	37.3%
<i>Addition to / (use of) reserves</i>	<u>(13,133,149)</u>	<u>(6,761,462)</u>	<u>(11,023,073)</u>		

*\*\* It is City policy to adopt a balanced budget. In most cases, encumbrance balances exist at year-end. These encumbrance balances are obligations of each fund and must be reported at the beginning of each fiscal year. In addition, a corresponding appropriations entry must be made in order to 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 Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Remaining Balance</u>	<u>Percent Received</u>	<u>Previous YTD</u>
<b>TAXES</b>					
Sales and Use	17,949,013	4,491,005	13,458,008	25.0%	4,182,871
Property Taxes	23,063,000	1,018,568	22,044,432	4.4%	1,018,030
Utility Users Tax	7,144,500	2,434,510	4,709,990	34.1%	2,408,772
Transient Occupancy Tax	12,865,000	5,981,069	6,883,931	46.5%	5,450,402
Franchise Fees	3,593,200	1,101,278	2,491,922	30.6%	1,000,129
Business License	2,229,800	523,300	1,706,500	23.5%	518,677
Real Property Transfer Tax	410,000	133,574	276,426	32.6%	133,449
<i>Total</i>	<u>67,254,513</u>	<u>15,683,304</u>	<u>51,571,209</u>	23.3%	<u>14,712,330</u>
<b>LICENSES &amp; PERMITS</b>					
Licenses & Permits	182,900	78,004	104,896	42.6%	51,792
<i>Total</i>	<u>182,900</u>	<u>78,004</u>	<u>104,896</u>	42.6%	<u>51,792</u>
<b>FINES &amp; FORFEITURES</b>					
Parking Violations	2,403,500	880,001	1,523,499	36.6%	835,111
Library Fines	133,516	39,228	94,288	29.4%	36,106
Municipal Court Fines	180,000	51,645	128,355	28.7%	70,414
Other Fines & Forfeitures	210,000	66,638	143,363	31.7%	71,022
<i>Total</i>	<u>2,927,016</u>	<u>1,037,511</u>	<u>1,889,506</u>	35.4%	<u>1,012,654</u>
<b>USE OF MONEY &amp; PROPERTY</b>					
Investment Income	740,827	275,171	465,656	37.1%	334,889
Rents & Concessions	397,952	86,685	311,267	21.8%	145,739
<i>Total</i>	<u>1,138,779</u>	<u>361,856</u>	<u>776,923</u>	31.8%	<u>480,628</u>
<b>INTERGOVERNMENTAL</b>					
Grants	488,610	6,866	481,745	1.4%	248,160
Vehicle License Fees	200,000	198,535	1,465	99.3%	141,075
Reimbursements	14,040	1,323	12,717	9.4%	6,422
<i>Total</i>	<u>702,650</u>	<u>206,724</u>	<u>495,926</u>	29.4%	<u>395,658</u>
<b>FEES &amp; SERVICE CHARGES</b>					
Finance	860,000	275,982	584,018	32.1%	279,600
Community Development	4,525,570	1,614,241	2,911,329	35.7%	1,419,535
Recreation	2,274,257	888,396	1,385,861	39.1%	826,840
Public Safety	499,673	195,839	303,834	39.2%	146,620
Public Works	5,286,083	1,799,174	3,486,909	34.0%	1,777,083
Library	675,575	44,194	631,381	6.5%	363,612
Reimbursements	6,227,567	1,976,483	4,251,084	31.7%	1,811,061
<i>Total</i>	<u>20,348,725</u>	<u>6,794,310</u>	<u>13,554,415</u>	33.4%	<u>6,624,350</u>
<b>OTHER MISCELLANEOUS REVENUES</b>					
Miscellaneous	1,392,091	650,782	741,309	46.7%	670,064
Indirect Allocations	6,111,818	2,037,273	4,074,545	33.3%	2,173,503
Operating Transfers-In	3,050,577	645,786	2,404,791	21.2%	356,818
<i>Total</i>	<u>10,554,486</u>	<u>3,333,841</u>	<u>7,220,645</u>	31.6%	<u>3,200,386</u>
<b>TOTAL REVENUES</b>	<u>103,109,069</u>	<u>27,495,548</u>	<u>75,613,520</u>	26.7%	<u>26,477,798</u>

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
<b>GENERAL GOVERNMENT</b>						
<u>Mayor &amp; City Council</u>						
MAYOR	725,196	235,452	1,299	488,445	32.6%	
<i>Total</i>	725,196	235,452	1,299	488,445	32.6%	235,461
<u>City Attorney</u>						
CITY ATTORNEY	1,930,640	678,124	-	1,252,516	35.1%	
<i>Total</i>	1,930,640	678,124	-	1,252,516	35.1%	688,586
<u>Administration</u>						
CITY ADMINISTRATOR	1,468,399	483,998	1,299	983,102	33.0%	
CITY TV	455,110	138,940	39,380	276,791	39.2%	
<i>Total</i>	1,923,509	622,938	40,678	1,259,893	34.5%	632,429
<u>Administrative Services</u>						
CITY CLERK	435,245	147,469	18,924	268,852	38.2%	
ADMIN SVCS-ELECTIONS	300,000	42,159	196,635	61,206	79.6%	
HUMAN RESOURCES	1,197,982	376,854	24,920	796,208	33.5%	
ADMIN SVCS-EMPLOYEE DEVELOPMENT	14,447	-	-	14,447	0.0%	
<i>Total</i>	1,947,674	566,483	240,479	1,140,712	41.4%	486,239
<u>Finance</u>						
ADMINISTRATION	219,098	74,648	11,287	133,162	39.2%	
TREASURY	482,061	137,099	-	344,962	28.4%	
CASHIERING & COLLECTION	417,180	147,898	-	269,282	35.5%	
LICENSES & PERMITS	417,558	135,884	-	281,674	32.5%	
BUDGET MANAGEMENT	396,344	133,440	-	262,904	33.7%	
ACCOUNTING	478,913	168,069	32,764	278,080	41.9%	
PAYROLL	268,474	87,373	-	181,101	32.5%	
ACCOUNTS PAYABLE	207,832	71,575	-	136,257	34.4%	
CITY BILLING & CUSTOMER SERVICE	583,635	135,355	1,831	446,448	23.5%	
PURCHASING	659,344	225,910	3,208	430,226	34.7%	
CENTRAL STORES	160,010	53,333	500	106,177	33.6%	
MAIL SERVICES	102,301	34,652	500	67,149	34.4%	
<i>Total</i>	4,392,750	1,405,237	50,090	2,937,423	33.1%	1,366,964
<b>TOTAL GENERAL GOVERNMENT</b>	<b>10,919,769</b>	<b>3,508,233</b>	<b>332,546</b>	<b>7,078,990</b>	<b>35.2%</b>	<b>3,409,679</b>
<b>PUBLIC SAFETY</b>						
<u>Police</u>						
CHIEF'S STAFF	979,104	344,535	750	633,819	35.3%	
SUPPORT SERVICES	574,199	192,801	1,303	380,095	33.8%	
RECORDS	1,172,517	381,419	14,177	776,921	33.7%	
COMMUNITY SVCS	729,721	247,788	4,104	477,829	34.5%	
PROPERTY ROOM	165,159	45,086	820	119,253	27.8%	
TRNG/RECRUITMENT	405,269	182,964	31,038	191,268	52.8%	

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
<b>PUBLIC SAFETY</b>						
<u>Police</u>						
RANGE	1,184,348	392,017	47,217	745,115	37.1%	
BEAT COORDINATORS	784,859	233,131	-	551,728	29.7%	
INFORMATION TECHNOLOGY	1,275,768	483,172	57,988	734,607	42.4%	
INVESTIGATIVE DIVISION	4,582,903	1,477,142	5,555	3,100,206	32.4%	
CRIME LAB	130,163	46,955	-	83,209	36.1%	
PATROL DIVISION	14,663,551	5,008,142	171,292	9,484,117	35.3%	
TRAFFIC	1,288,412	436,225	1,100	851,087	33.9%	
SPECIAL EVENTS	772,599	647,621	-	124,978	83.8%	
TACTICAL PATROL FORCE	1,324,561	373,479	-	951,082	28.2%	
STREET SWEEPING ENFORCEMENT	294,783	100,657	-	194,126	34.1%	
NIGHT LIFE ENFORCEMENT	297,965	90,964	-	207,001	30.5%	
PARKING ENFORCEMENT	931,552	271,538	27,800	632,215	32.1%	
CCC	2,361,140	737,450	1,854	1,621,836	31.3%	
ANIMAL CONTROL	607,170	156,376	-	450,794	25.8%	
<i>Total</i>	<u>34,525,743</u>	<u>11,850,278</u>	<u>364,997</u>	<u>22,310,468</u>	35.4%	<u>11,536,718</u>
<u>Fire</u>						
ADMINISTRATION	740,779	260,870	5,080	474,830	35.9%	
EMERGENCY SERVICES AND PUBLIC ED PREVENTION	246,838	78,071	-	168,767	31.6%	
WILDLAND FIRE MITIGATION PROGRAM	1,109,296	377,431	969	730,896	34.1%	
OPERATIONS	172,505	56,187	18,518	97,800	43.3%	
ARFF	17,119,140	5,664,456	98,017	11,356,667	33.7%	
	1,698,433	607,583	-	1,090,850	35.8%	
<i>Total</i>	<u>21,086,991</u>	<u>7,044,598</u>	<u>122,584</u>	<u>13,919,810</u>	34.0%	<u>7,320,042</u>
<b>TOTAL PUBLIC SAFETY</b>	<u>55,612,734</u>	<u>18,894,875</u>	<u>487,581</u>	<u>36,230,278</u>	34.9%	<u>18,856,760</u>
<b>PUBLIC WORKS</b>						
<u>Public Works</u>						
ADMINISTRATION	868,519	272,282	13,979	582,258	33.0%	
ENGINEERING SVCS	4,357,704	1,407,681	19,699	2,930,324	32.8%	
PUBLIC RT OF WAY MGMT	1,176,628	387,026	3,830	785,772	33.2%	
ENVIRONMENTAL PROGRAMS	421,105	69,533	125,566	226,006	46.3%	
<i>Total</i>	<u>6,823,956</u>	<u>2,136,522</u>	<u>163,074</u>	<u>4,524,360</u>	33.7%	<u>2,114,315</u>
<b>TOTAL PUBLIC WORKS</b>	<u>6,823,956</u>	<u>2,136,522</u>	<u>163,074</u>	<u>4,524,360</u>	33.7%	<u>2,114,315</u>
<b>COMMUNITY SERVICES</b>						
<u>Parks &amp; Recreation</u>						
PRGM MGMT & BUS SVCS	370,912	157,716	64	213,131	42.5%	
FACILITIES	731,720	253,692	13,400	464,627	36.5%	
YOUTH ACTIVITIES	743,003	336,734	4,340	401,929	45.9%	
SR CITIZENS	717,260	227,649	47,301	442,310	38.3%	

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
<b>COMMUNITY SERVICES</b>						
<u>Parks &amp; Recreation</u>						
AQUATICS	1,040,683	534,585	45,749	460,350	55.8%	
SPORTS	423,214	141,655	14,371	267,188	36.9%	
TENNIS	224,714	74,799	-	149,915	33.3%	
NEIGHBORHOOD & OUTREACH SERV	980,833	357,616	5,559	617,658	37.0%	
ADMINISTRATION	522,889	178,742	-	344,147	34.2%	
PROJECT MANAGEMENT TEAM	222,476	81,560	-	140,916	36.7%	
BUSINESS SERVICES	299,201	82,480	3,030	213,691	28.6%	
FACILITY & PROJECT MGT	992,450	401,029	1,510	589,911	40.6%	
GROUNDS MANAGEMENT	4,119,025	1,347,565	104,425	2,667,036	35.3%	
FORESTRY	1,160,228	358,395	142,570	659,263	43.2%	
BEACH MAINTENANCE	146,160	31,342	19,115	95,703	34.5%	
<i>Total</i>	<u>12,694,768</u>	<u>4,565,560</u>	<u>401,433</u>	<u>7,727,775</u>	39.1%	<u>4,445,712</u>
<u>Library</u>						
ADMINISTRATION	420,294	127,874	-	292,420	30.4%	
PUBLIC SERVICES	1,822,641	657,894	3,950	1,160,797	36.3%	
SUPPORT SERVICES	1,782,752	461,891	115,119	1,205,742	32.4%	
<i>Total</i>	<u>4,025,687</u>	<u>1,247,659</u>	<u>119,069</u>	<u>2,658,959</u>	34.0%	<u>1,220,327</u>
<b>TOTAL COMMUNITY SERVICES</b>	<u>16,720,455</u>	<u>5,813,219</u>	<u>520,502</u>	<u>10,386,733</u>	37.9%	<u>5,666,039</u>
<b>COMMUNITY DEVELOPMENT</b>						
<u>Community Development</u>						
ADMINISTRATION	456,182	155,151	1,022	300,009	34.2%	
ECON DEV	52,667	14,735	-	37,932	28.0%	
CITY ARTS ADVISORY PROGRAM	427,260	361,237	-	66,024	84.5%	
HUMAN SVCS	855,862	207,572	481,130	167,161	80.5%	
RDA	715,653	212,014	-	503,639	29.6%	
RDA HSG DEV	611,074	194,048	-	417,026	31.8%	
LR PLANNING/STUDIES	826,558	242,739	570	583,249	29.4%	
DEV & DESIGN REVIEW	1,075,206	360,927	18,977	695,302	35.3%	
ZONING	1,245,146	374,973	4,247	865,926	30.5%	
DESIGN REV & HIST PRESERVATN	975,603	316,471	6,613	652,519	33.1%	
BLDG PERMITS	1,048,775	345,617	7,417	695,742	33.7%	
RECORDS & ARCHIVES	529,868	162,164	15,618	352,085	33.6%	
PLAN CK & COUNTER SRV	1,271,905	449,346	594	821,965	35.4%	
<i>Total</i>	<u>10,091,759</u>	<u>3,396,994</u>	<u>536,188</u>	<u>6,158,577</u>	39.0%	<u>3,002,747</u>
<b>TOTAL COMMUNITY DEVELOPMENT</b>	<u>10,091,759</u>	<u>3,396,994</u>	<u>536,188</u>	<u>6,158,577</u>	39.0%	<u>3,002,747</u>
<b>NON-DEPARTMENTAL</b>						
<u>Non-Departmental</u>						
DUES, MEMBERSHIPS, & LICENSES	22,272	1,693	-	20,579	7.6%	

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>** Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
<b>NON-DEPARTMENTAL</b>						
<u>Non-Departmental</u>						
COMMUNITY PROMOTIONS	1,536,799	893,360	-	643,439	58.1%	
SPECIAL PROJECTS	381,073	147,269	-	233,804	38.6%	
TRANSFERS OUT	43,500	14,500	-	29,000	33.3%	
DEBT SERVICE TRANSFERS	349,983	312,615	-	37,368	89.3%	
CAPITAL OUTLAY TRANSFER	519,005	173,002	-	346,003	33.3%	
APPROP. RESERVE	414,429	-	-	414,429	0.0%	
<i>Total</i>	<u>3,267,061</u>	<u>1,542,439</u>	<u>-</u>	<u>1,724,622</u>	47.2%	<u>1,503,456</u>
<b>TOTAL NON-DEPARTMENTAL</b>	<u>3,267,061</u>	<u>1,542,439</u>	<u>-</u>	<u>1,724,622</u>	47.2%	<u>1,503,456</u>
<b>TOTAL EXPENDITURES</b>	<u>103,435,734</u>	<u>35,292,282</u>	<u>2,039,892</u>	<u>66,103,560</u>	36.1%	<u>34,552,996</u>

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

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

**CITY OF SANTA BARBARA**  
**Special Revenue Funds**  
**Interim Statement of Revenues and Expenditures**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>TRAFFIC SAFETY FUND</b>					
Revenue	515,000	197,607	-	317,393	38.4%
Expenditures	515,000	197,607	-	317,393	38.4%
<i>Revenue Less Expenditures</i>	-	-	-	-	
<b>CREEK RESTORATION/WATER QUALITY IMPRVMT</b>					
Revenue	2,800,800	1,253,413	-	1,547,387	44.8%
Expenditures	3,545,725	888,135	533,640	2,123,950	40.1%
<i>Revenue Less Expenditures</i>	(744,925)	365,277	(533,640)	(576,563)	
<b>SOLID WASTE PROGRAM</b>					
Revenue	18,331,232	5,991,197	-	12,340,035	32.7%
Expenditures	19,069,668	5,858,646	618,748	12,592,274	34.0%
<i>Revenue Less Expenditures</i>	(738,436)	132,550	(618,748)	(252,239)	
<b>COMM.DEVELOPMENT BLOCK GRANT</b>					
Revenue	2,730,423	215,615	-	2,514,808	7.9%
Expenditures	2,730,423	356,427	152,216	2,221,780	18.6%
<i>Revenue Less Expenditures</i>	-	(140,812)	(152,216)	293,028	
<b>COUNTY LIBRARY</b>					
Revenue	1,858,999	136,730	-	1,722,269	7.4%
Expenditures	1,982,066	598,455	103,096	1,280,516	35.4%
<i>Revenue Less Expenditures</i>	(123,067)	(461,725)	(103,096)	441,754	
<b>STREETS FUND</b>					
Revenue	10,393,577	3,607,209	-	6,786,368	34.7%
Expenditures	14,441,889	2,926,170	2,757,178	8,758,541	39.4%
<i>Revenue Less Expenditures</i>	(4,048,312)	681,039	(2,757,178)	(1,972,173)	
<b>MEASURE A</b>					
Revenue	2,774,034	947,723	-	1,826,311	34.2%
Expenditures	3,335,145	473,550	1,671,557	1,190,038	64.3%
<i>Revenue Less Expenditures</i>	(561,111)	474,172	(1,671,557)	636,274	

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**WATER OPERATING FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Water Sales - Metered	30,700,000	11,818,004	-	18,881,996	38.5%	11,392,135
Service Charges	450,192	224,766	-	225,426	49.9%	162,682
Cater JPA Treatment Charges	2,619,000	652,441	-	1,966,559	24.9%	832,400
Investment Income	791,800	234,878	-	556,922	29.7%	382,874
Miscellaneous	604,691	39,891	-	564,800	6.6%	4,525
Operating Transfers-In	505,502	168,501	-	337,001	33.3%	-
<b>TOTAL REVENUES</b>	<u>35,671,185</u>	<u>13,138,480</u>	<u>-</u>	<u>22,532,705</u>	<u>36.8%</u>	<u>12,774,617</u>
<b>EXPENSES</b>						
Salaries & Benefits	7,649,148	2,445,322	-	5,203,826	32.0%	2,423,176
Materials, Supplies & Services	9,992,002	2,218,982	2,512,251	5,260,769	47.4%	2,503,522
Special Projects	1,438,061	162,467	172,558	1,103,037	23.3%	101,097
Water Purchases	7,723,468	2,820,787	381,693	4,520,988	41.5%	2,415,813
Debt Service	4,831,189	1,843,034	-	2,988,155	38.1%	1,772,289
Capital Outlay Transfers	11,284,416	3,761,472	-	7,522,944	33.3%	1,116,567
Equipment	195,427	49,778	1,955	143,694	26.5%	50,730
Capitalized Fixed Assets	124,200	8,126	22,793	93,281	24.9%	6,285
Other	55,000	5,632	-	49,369	10.2%	5,647
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
<b>TOTAL EXPENSES</b>	<u>43,442,910</u>	<u>13,315,600</u>	<u>3,091,249</u>	<u>27,036,062</u>	<u>37.8%</u>	<u>10,395,126</u>

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

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**WASTEWATER OPERATING FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Service Charges	14,926,192	5,170,365	-	9,755,827	34.6%	4,921,423
Fees	493,222	207,668	-	285,554	42.1%	261,188
Investment Income	267,300	76,000	-	191,300	28.4%	104,301
Public Works	10,000	15,611	-	(5,611)	156.1%	7,965
Miscellaneous	25,000	10,868	-	14,132	43.5%	9,564
Operating Transfers-In	674,096	224,699	-	449,397	33.3%	-
<b>TOTAL REVENUES</b>	<u>16,395,810</u>	<u>5,705,211</u>	<u>-</u>	<u>10,690,599</u>	<u>34.8%</u>	<u>5,304,440</u>
<b>EXPENSES</b>						
Salaries & Benefits	5,148,257	1,633,801	-	3,514,456	31.7%	1,668,375
Materials, Supplies & Services	6,020,715	1,683,946	1,833,454	2,503,315	58.4%	1,516,053
Special Projects	100,000	4,104	-	95,896	4.1%	136,976
Debt Service	1,352,213	-	-	1,352,213	0.0%	-
Capital Outlay Transfers	4,592,559	1,530,853	-	3,061,706	33.3%	2,098,500
Equipment	98,044	297	18,354	79,392	19.0%	13,898
Capitalized Fixed Assets	26,000	-	3,000	23,000	11.5%	32,548
Other	5,000	1,000	-	4,000	20.0%	1,000
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
<b>TOTAL EXPENSES</b>	<u>17,492,788</u>	<u>4,854,001</u>	<u>1,854,808</u>	<u>10,783,979</u>	<u>38.4%</u>	<u>5,467,349</u>

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

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**  
**DOWNTOWN PARKING**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Improvement Tax	840,000	380,812	-	459,188	45.3%	347,231
Parking Fees	5,662,166	1,979,616	-	3,682,550	35.0%	1,792,068
Investment Income	137,600	39,833	-	97,767	28.9%	54,675
Rents & Concessions	40,925	-	-	40,925	0.0%	-
Reimbursements	-	-	-	-	100.0%	4,598
Miscellaneous	1,500	(11)	-	1,511	-0.7%	1,109
Operating Transfers-In	353,858	117,953	-	235,905	33.3%	14,500
<b>TOTAL REVENUES</b>	<u>7,036,049</u>	<u>2,518,204</u>	<u>-</u>	<u>4,517,845</u>	<u>35.8%</u>	<u>2,214,181</u>
<b>EXPENSES</b>						
Salaries & Benefits	3,799,707	1,300,386	-	2,499,321	34.2%	1,247,096
Materials, Supplies & Services	1,842,052	520,966	222,315	1,098,770	40.4%	452,963
Special Projects	574,522	71,405	362,198	140,918	75.5%	49,195
Transfers-Out	297,121	99,040	-	198,081	33.3%	93,874
Capital Outlay Transfers	1,043,270	347,757	-	695,513	33.3%	220,000
Equipment	25,760	1,212	7,160	17,388	32.5%	4,260
<b>TOTAL EXPENSES</b>	<u>7,582,431</u>	<u>2,340,766</u>	<u>591,674</u>	<u>4,649,991</u>	<u>38.7%</u>	<u>2,067,387</u>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**  
**AIRPORT OPERATING FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Leases - Commercial / Industrial	4,171,000	1,452,365	-	2,718,635	34.8%	1,427,102
Leases - Terminal	5,183,033	1,707,744	-	3,475,289	32.9%	1,711,238
Leases - Non-Commerical Aviation	1,361,600	503,553	-	858,047	37.0%	562,052
Leases - Commerical Aviation	3,465,000	914,466	-	2,550,534	26.4%	757,492
Investment Income	214,300	63,929	-	150,371	29.8%	87,293
Miscellaneous	185,052	166,551	-	18,501	90.0%	66,522
Operating Transfers-In	300,166	100,055	-	200,111	33.3%	-
<b>TOTAL REVENUES</b>	<u>14,880,151</u>	<u>4,908,663</u>	<u>-</u>	<u>9,971,488</u>	<u>33.0%</u>	<u>4,611,699</u>
<b>EXPENSES</b>						
Salaries & Benefits	5,001,631	1,704,702	-	3,296,929	34.1%	1,608,220
Materials, Supplies & Services	6,585,640	1,914,838	536,481	4,134,321	37.2%	1,903,314
Special Projects	941,298	244,624	42,821	653,852	30.5%	175,178
Transfers-Out	44,212	14,737	-	29,475	33.3%	10,350
Debt Service	1,113,099	-	-	1,113,099	0.0%	-
Capital Outlay Transfers	1,496,334	598,209	-	898,125	40.0%	183,333
Equipment	129,276	9,592	28,614	91,070	29.6%	8,851
Appropriated Reserve	242,134	-	-	242,134	0.0%	-
<b>TOTAL EXPENSES</b>	<u>15,553,623</u>	<u>4,486,702</u>	<u>607,916</u>	<u>10,459,005</u>	<u>32.8%</u>	<u>3,889,246</u>

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

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**GOLF COURSE FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Fees & Card Sales	1,640,801	532,593	-	1,108,208	32.5%	571,594
Investment Income	9,900	3,402	-	6,498	34.4%	5,281
Rents & Concessions	302,322	89,106	-	213,216	29.5%	117,076
Miscellaneous	3,500	228	-	3,272	6.5%	2,826
Operating Transfers-In	103,623	34,541	-	69,082	33.3%	-
<b>TOTAL REVENUES</b>	<u>2,060,146</u>	<u>659,870</u>	<u>-</u>	<u>1,400,276</u>	<u>32.0%</u>	<u>696,777</u>
<b>EXPENSES</b>						
Salaries & Benefits	1,111,449	376,761	-	734,688	33.9%	375,419
Materials, Supplies & Services	547,478	185,486	118,810	243,182	55.6%	204,160
Special Projects	10,724	-	4,524	6,200	42.2%	-
Debt Service	230,294	159,507	-	70,787	69.3%	157,025
Capital Outlay Transfers	92,036	30,679	-	61,357	33.3%	23,333
Equipment	27,500	1,013	-	26,487	3.7%	-
Other	1,014	847	-	167	83.5%	847
Appropriated Reserve	45,375	-	-	45,375	0.0%	-
<b>TOTAL EXPENSES</b>	<u>2,065,870</u>	<u>754,292</u>	<u>123,334</u>	<u>1,188,243</u>	<u>42.5%</u>	<u>760,784</u>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**INTRA-CITY SERVICE FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Service charges	99,584	33,195	-	66,389	33.3%	-
Work Orders - Bldg Maint.	3,035,446	1,038,476	-	1,996,970	34.2%	1,047,622
Grants	617,472	199,354	-	418,118	32.3%	-
Service Charges	2,032,567	677,523	-	1,355,044	33.3%	577,522
Miscellaneous	-	1,988	-	(1,988)	100.0%	68
Operating Transfers-In	334,902	111,634	-	223,268	33.3%	-
<b>TOTAL REVENUES</b>	<u>6,119,971</u>	<u>2,062,170</u>	<u>-</u>	<u>4,057,801</u>	<u>33.7%</u>	<u>1,625,212</u>
<b>EXPENSES</b>						
Salaries & Benefits	3,107,626	1,035,445	-	2,072,181	33.3%	955,334
Materials, Supplies & Services	1,104,526	324,771	321,587	458,168	58.5%	280,881
Special Projects	1,320,989	375,197	669,784	276,008	79.1%	236,941
Equipment	15,000	-	-	15,000	0.0%	6,290
Capitalized Fixed Assets	574,595	263,171	190,155	121,269	78.9%	3,526
<b>TOTAL EXPENSES</b>	<u>6,122,735</u>	<u>1,998,584</u>	<u>1,181,525</u>	<u>2,942,626</u>	<u>51.9%</u>	<u>1,482,973</u>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**FLEET REPLACEMENT FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Vehicle Rental Charges	1,805,982	600,398	-	1,205,584	33.2%	597,142
Investment Income	149,700	44,471	-	105,229	29.7%	60,726
Rents & Concessions	224,401	74,800	-	149,601	33.3%	77,447
Miscellaneous	50,000	44,991	-	5,009	90.0%	19,613
<b>TOTAL REVENUES</b>	<u>2,230,083</u>	<u>764,661</u>	<u>-</u>	<u>1,465,422</u>	<u>34.3%</u>	<u>754,928</u>
<b>EXPENSES</b>						
Salaries & Benefits	158,537	55,982	-	102,555	35.3%	51,865
Materials, Supplies & Services	2,452	367	-	2,085	15.0%	331
Special Projects	300,000	-	-	300,000	0.0%	-
Capitalized Fixed Assets	1,041,657	255,365	7,058	779,234	25.2%	274,421
<b>TOTAL EXPENSES</b>	<u>1,502,646</u>	<u>311,714</u>	<u>7,058</u>	<u>1,183,874</u>	<u>21.2%</u>	<u>326,617</u>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**FLEET MAINTENANCE FUND**

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
<b>REVENUES</b>						
Vehicle Maintenance Charges	2,371,918	790,639	-	1,581,279	33.3%	789,806
Miscellaneous	60,000	7,485	-	52,515	12.5%	7,520
Operating Transfers-In	98,805	32,935	-	65,870	33.3%	-
<b>TOTAL REVENUES</b>	<b>2,530,723</b>	<b>831,059</b>	<b>-</b>	<b>1,699,664</b>	<b>32.8%</b>	<b>797,326</b>
<b>EXPENSES</b>						
Salaries & Benefits	1,147,349	402,701	-	744,648	35.1%	389,614
Materials, Supplies & Services	1,269,663	309,019	245,853	714,792	43.7%	350,554
Special Projects	60,000	9,331	6,968	43,701	27.2%	10,319
Equipment	5,000	-	-	5,000	0.0%	1,653
<b>TOTAL EXPENSES</b>	<b>2,482,012</b>	<b>721,051</b>	<b>252,821</b>	<b>1,508,140</b>	<b>39.2%</b>	<b>752,140</b>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**SELF INSURANCE TRUST FUND**

	<b>** Annual Budget</b>	<b>YTD Actual</b>	<b>Encum- brances</b>	<b>Remaining Balance</b>	<b>Percent of Budget</b>	<b>Previous YTD</b>
<b>REVENUES</b>						
Insurance Premiums	2,547,084	849,028	-	1,698,056	33.3%	861,250
Workers' Compensation Premiums	2,500,000	833,333	-	1,666,667	33.3%	881,194
OSH Charges	182,894	-	-	182,894	0.0%	-
Investment Income	161,700	43,154	-	118,546	26.7%	63,262
Reimbursements	-	-	-	-	100.0%	316
Miscellaneous	-	2,110	-	(2,110)	100.0%	230
<b>TOTAL REVENUES</b>	<b>5,391,678</b>	<b>1,727,626</b>	<b>-</b>	<b>3,664,052</b>	<b>32.0%</b>	<b>1,806,252</b>
<b>EXPENSES</b>						
Salaries & Benefits	500,761	160,518	-	340,243	32.1%	135,929
Materials, Supplies & Services	4,860,238	1,486,342	267,290	3,106,606	36.1%	1,826,646
Transfers-Out	3,694,328	1,231,317	-	2,463,011	33.3%	717,988
<b>TOTAL EXPENSES</b>	<b>9,055,327</b>	<b>2,878,177</b>	<b>267,290</b>	<b>5,909,860</b>	<b>34.7%</b>	<b>2,680,562</b>

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

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**INFORMATION SYSTEMS ICS FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Service charges	2,286,395	762,131	-	1,524,264	33.3%	762,861
Miscellaneous	-	1,209	-	(1,209)	100.0%	-
Operating Transfers-In	19,740	6,580	-	13,160	33.3%	-
<b>TOTAL REVENUES</b>	<u>2,306,135</u>	<u>769,920</u>	<u>-</u>	<u>1,536,215</u>	<u>33.4%</u>	<u>762,861</u>
<b>EXPENSES</b>						
Salaries & Benefits	1,502,407	525,503	-	976,904	35.0%	505,968
Materials, Supplies & Services	553,174	207,360	42,964	302,850	45.3%	170,020
Special Projects	3,700	2,704	2,114	(1,118)	130.2%	1,605
Equipment	276,637	31,829	33,062	211,746	23.5%	39,372
Appropriated Reserve	11,432	-	-	11,432	0.0%	-
<b>TOTAL EXPENSES</b>	<u>2,347,350</u>	<u>767,396</u>	<u>78,140</u>	<u>1,501,814</u>	<u>36.0%</u>	<u>716,965</u>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

**WATERFRONT FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Leases - Commercial	1,332,869	585,389	-	747,480	43.9%	543,956
Leases - Food Service	2,352,254	999,498	-	1,352,756	42.5%	942,936
Slip Rental Fees	3,998,521	1,322,072	-	2,676,449	33.1%	1,279,554
Visitors Fees	463,000	170,177	-	292,823	36.8%	185,310
Slip Transfer Fees	425,000	216,650	-	208,350	51.0%	150,375
Parking Revenue	1,911,450	826,210	-	1,085,240	43.2%	749,349
Wharf Parking	244,000	94,688	-	149,312	38.8%	85,602
Other Fees & Charges	380,911	133,384	-	247,527	35.0%	137,890
Investment Income	185,859	66,021	-	119,838	35.5%	82,750
Rents & Concessions	301,173	124,545	-	176,628	41.4%	123,980
Grants	-	-	-	-	100.0%	4,256
Miscellaneous	155,000	40,071	-	114,929	25.9%	38,225
Operating Transfers-In	453,481	151,160	-	302,321	33.3%	-
<b>TOTAL REVENUES</b>	<u>12,203,518</u>	<u>4,729,865</u>	<u>-</u>	<u>7,473,653</u>	<u>38.8%</u>	<u>4,324,183</u>
<b>EXPENSES</b>						
Salaries & Benefits	5,461,051	1,946,714	-	3,514,337	35.6%	1,874,517
Materials, Supplies & Services	3,457,396	1,001,275	882,366	1,573,755	54.5%	972,564
Special Projects	137,020	25,767	45,000	66,253	51.6%	25,021
Debt Service	1,776,789	1,051,353	-	725,436	59.2%	1,042,388
Capital Outlay Transfers	934,483	311,494	-	622,989	33.3%	323,120
Equipment	117,500	14,570	-	102,930	12.4%	13,366
Other	-	1,000	-	(1,000)	100.0%	1,000
Appropriated Reserve	100,000	-	-	100,000	0.0%	-
<b>TOTAL EXPENSES</b>	<u>11,984,239</u>	<u>4,352,174</u>	<u>927,366</u>	<u>6,704,699</u>	<u>44.1%</u>	<u>4,251,976</u>

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.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA AMENDING THE MUNICIPAL CODE BY  
REPEALING SECTION 14.20.160 PERTAINING TO  
SEPARATE WATER METERS

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

SECTION 1. Chapter 14.20 of Title 14 of the Santa Barbara Municipal Code is amended by repealing Section 14.20.160.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING MUNICIPAL CODE TITLE 28 BY AMENDING CHAPTER 28.50 THE "VERONICA MEADOWS SPECIFIC PLAN"

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA does hereby ordain as follows:

**SECTION ONE. Findings**

The City Council makes the following findings in accordance with the City Charter and Santa Barbara Municipal Code to amend the Veronica Meadows Specific Plan:

1. A duly noticed public hearing before the City Council was held to receive and consider public testimony regarding the proposed changes to Chapter 28.50 of the zoning ordinance.
2. An environmental impact report ("2008 Final EIR") was prepared and certified in compliance with the California Environmental Quality Act. The 2008 Final EIR certified on June 17, 2008 by the City Council (Resolution No. 08-049) is adequate to address the modifications suggested by the California Coastal Commission, and no further analysis or documentation is required under Sections 15162 or 15164 of the CEQA Guidelines. The findings adopted as part of the City Council's prior certification are hereby included as part of this action.
3. The Veronica Meadows Specific Plan meets all provisions of Article 8, Chapter 3, of Division 1 of Title 7 of the California Planning and Zoning Law (Government Code Sections 65450 through 65457).
4. The Veronica Meadows Specific Plan is consistent with the General Plan and Local Coastal Plan in that the Veronica Meadows Specific Plan creates a single-family residential zone district where specific development standards are established to cluster development, maintain a semi-rural setting, restore a section of a degraded creek and riparian corridor, and, protect the natural environment.

## **SECTION TWO. Zoning Code Amendment**

Chapter 28.50 of Title 28 of the Santa Barbara Municipal Code is hereby amended to read as follows:

### **Section 28.50.005. Legislative Intent.**

It is the purpose of the SP-9 Zone to establish a single-family residence district where specific development standards are established to cluster development, maintain a semi-rural setting, restore a section of degraded creek and riparian corridor, and protect the natural environment.

### **Section 28.50.030. Uses Permitted.**

The uses permitted in the SP-9 Zone as depicted on revised Map A (attached as an Exhibit to the Chapter) shall be as follows:

A. Area 1 – Residential Development: Uses permitted in Area 1 (as depicted on revised Map A) are:

1. A single residential unit occupying a single lot.
2. Uses, buildings, and structures typically allowed by the City incidental, accessory and subordinate to the permitted residential uses.
3. A Home Occupation.
4. A State-licensed Small Family Day Care Home.
5. A State-licensed Large Family Day Care Home, subject to the provisions in Chapter 28.93 of this Title.
6. State authorized, licensed or certified use to the extent such a use is required by state Law.
7. Creek stabilization, habitat restoration, and related maintenance.
8. Private open space including, but not limited to, patios, decks, and yards for the private use of the residents of individual homes.
9. Common open space and passive recreational areas.
10. Public trails as approved by the City.
11. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.
12. Utilities, storm drain system, flood control projects or other infrastructures as approved by the City.
13. Roads and driveways to access residential development.
14. The use of glass or plexiglass material for fencing or perimeter walls is prohibited including, but not limited to, on all residential properties.

B. Area 2 – Creek Buffer & Limited Activity Zone: For areas outside the Coastal Zone, uses permitted in Area 2 – Creek Buffer and Limited Activity Zone are as identified in Subsection A of this Section 28.50.030. For areas within the Coastal Zone, uses permitted in Area 2 – Creek Buffer and Limited Activity Zone (as depicted on revised Map A) are:

1. A public access trail for pedestrian, equestrian, and bicycle (and other non-motorized modes of transportation) use, approximately five (5) feet in width, constructed of permeable material, and which provides improved public access to Arroyo Burro Beach Park. The location of the public access trail shall be generally located as depicted on Map B. The final design and location of the public access trail, fence and gazebo/kiosk shall be reviewed and approved by a City-approved biologist. Interpretive signage shall be placed along the public access trail that describes the entry road to Veronica Springs and other historical elements of the site. In addition, a small educational gazebo/kiosk with a 100 sq. ft. or less footprint may be permitted near the terminus of Alan Road. The public access trail and gazebo/kiosk shall be recorded as dedicated easements and maintained by the developer and subsequent homeowners in perpetuity. The use of glass or plexiglass material for fencing is prohibited including, but not limited to, any fencing located adjacent to the public access trail. Fencing shall be visually permeable to provide views and an aesthetic enjoyment of the creek environment while also allowing for free passage of wildlife.

2. A multi-use public access way for bicyclists, wheelchairs, strollers, equestrians, limited vehicular access to each residential lot from the nearest public street outside the Coastal Zone, and a Fire Department turnaround. The location of the multi-use public access way shall be as depicted on Map B. The access way shall be no more than sixteen (16) feet in width and shall be constructed of permeable material. To mitigate for the loss of an adequate development buffer from the riparian habitat on site, construction of the multi-use access way within the Coastal Zone may only occur within the “Creek Buffer and Limited Activity Zone” provided that upland and riparian habitat areas on site are restored for all areas disturbed as a result of road/access way construction, pursuant to the Creek Habitat Plans described in Section 28.50.092 and the Upland Restoration Plan described in Section 28.50.094, and there are recorded agreements ensuring that this restoration is maintained by the permit applicant, or its successor, in perpetuity. The multi-use public access way shall be recorded as dedicated easements and maintained by the permit applicant, or its successor, in perpetuity. The use of glass or plexiglass material for fencing is prohibited including, but not limited to, fencing located adjacent to the multi-use public access way. Fencing shall be visibly permeable to provide views and an aesthetic enjoyment of the creek environment while also allowing for free passage of wildlife.

3. Relocated water, sewer and other utility lines, as provided in Section 28.50.092.A to be located below the surface of the multi-use public access way described in paragraph 2 of this Subsection B.

4. The gazebo/kiosk structure as required by the Environmental Impact Report as mitigation for potentially significant impacts to cultural resources.

5. Common open space and passive recreational areas with improvements limited to landscaping in accordance with Section 28.50.094 (Arroyo Burro Creek Upland Restoration Plan) within the Coastal Zone and in addition, roads, sidewalks and utilities are allowable uses for areas located outside the Coastal Zone.

6. Uses permitted under Subsection C of this Section 28.50.030.

C. Area 3 – Creek Buffer: For areas outside the Coastal Zone, uses permitted in Area 3 – Creek Buffer are as identified in Subsection A of this Section 28.50.030. For areas within the Coastal Zone, uses permitted in Area 3 – Creek Buffer (as depicted on revised Map A) are:

1. The public access trail described in Subsection B.1 of Section 28.50.030. Fencing between the trail and creek shall be installed, as provided in Section 28.50.140. The use of glass or plexiglass material for fencing or perimeter walls is prohibited located adjacent to the public access trail. Fencing shall be visibly permeable to provide views and an aesthetic enjoyment of the creek environment while also allowing for free passage of wildlife..

2. Creek stabilization, habitat restoration and related maintenance in accordance with Section 28.50.092 (Arroyo Burro Creek Restoration and Stabilization Plan; Veronica Meadows Riparian Habitat Enhancement Plan; Creek and Riparian Habitat Management Plan).

3. Improvements related to implementation of the provisions of Section 28.50.098 (Water Quality).

4. Common open space and passive recreational areas.

D. Area 4 – Open Space: Area 4 (as depicted on revised Map A) shall be maintained in its natural state to preserve the steep slopes from erosion or landslide, preserve the creek environment, and maintain the scenic quality of the area. Uses permitted in Area 4 are the following:

1. Public trails along the Arroyo Burro Creek corridor.

2. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.

3. Subsurface utilities, flood control projects or other infrastructure as approved by the City.

**Section 28.50.035. Uses Permitted Upon the Granting of a Conditional Use Permit.**

The uses allowed by conditional use permit shall be as provided in Chapter 28.94 of this Title. However, no development is permitted in Area 4 under any circumstances.

**Section 28.50.040. City Conditions, Restrictions and Modifications.**

In connection with any development approval required to be issued by the City, the City may impose such appropriate and reasonable conditions and restrictions as it may deem necessary for the protection of property in the neighborhood or in the interest of public health, safety and welfare in order to carry out the purposes and intent of this Chapter. While the provisions of Chapter 28.92 (Variances, Modifications and Zone Changes) shall be applicable within this zone, it is the intent of this Specific Plan that no variance, modification, or other approval shall be granted that would result in a number of residential units within the area encompassed by Areas 1, 2 and 3 that exceeds the maximum number of residential dwelling units originally specified in Section 28.50.085 and that Area 4 shall be permanently maintained in its natural state.

**Section 28.50.42. Owner Covenants, Conditions and Restrictions**

A. Preparation, review, and implementation of landscaping plans for the project shall include provisions for the control of invasive plant species to address the potential impacts of non-native plants colonizing adjacent native habitats. Covenants, Conditions and Restrictions shall be recorded specifying that landscaping for individual housing lots shall not include any exotic invasive plant species. The Covenants, Conditions and Restrictions shall be binding on each parcel, shall run with the land, and shall be included or incorporated by reference in every deed transferring a parcel.

B. The Covenants, Conditions and Restrictions shall assign the responsibility for long-term maintenance and monitoring of the restored habitat areas, public access trail, and multi-use public access way to the homeowners association.

C. The seller of any parcel in the SP-9 zone shall provide, in connection with the sale of a parcel, a homeowner information packet that explains the sensitivity of the restored creek and upland habitat areas onsite and the limits on public trail access within or adjacent to such areas, the prohibition on landscaping that includes exotic invasive plant species, and the limits on exterior residential lighting. The Covenants, Conditions and Restrictions shall include the same explanation and restrictions.

**Section 28.50.045. Prohibition of Shiny Roofing and Siding.**

The materials used for roofing and siding on any building shall be of a non-reflective nature and any shiny, mirror-like or glossy metallic finish for such materials is prohibited.

**Section 28.50.047. Lighting.**

A. Streets and Common Areas. The lowest output lighting permissible shall be used on all streets and common areas in the SP-9 Zone. All street and common lighting shall be shielded and directed to the ground so that stray light effects are minimized, and to avoid direct illumination of the riparian corridor, except as needed for public safety. Decorative lights shall not be directed into

trees within the riparian restoration area. Only ground mounted or bollard type lights shall be used along the Multi-Use Public Access Way within the Coastal Zone. Lights shall not be permitted within 50 feet of the top of creek bank or the outer edge of the riparian canopy, whichever is greater.

B. Exterior Residential Lighting. To prevent nighttime glare, any exterior residential lighting shall be of low intensity, low glare design, and be hooded to direct light downward and prevent spill over onto adjacent parcels and the riparian corridor. All light fixtures shall be shielded so that neither the lamp nor the related reflective interior surface is visible from any of the observation points identified in the Veronica Meadows Specific Plan Final EIR. All light poles, fixtures, and hoods shall be dark colored (non-reflective). Security lighting shall be shielded so as not to create glare when viewed from the observation points. The light poles and fixtures shall not be obtrusive to travelers along Las Positas Road, the Alan Road neighborhood, or the public open space areas.

**Section 28.50.050. Building Height.**

No building in this zone shall exceed a height of thirty feet (30') nor exceed the height limitation imposed for the protection and enhancement of solar access by Chapter 28.11 of this Title.

**Section 28.50.060. Setback and Open Yard Requirements.**

A. Front Setback. Each lot shall provide a front setback of not less than twenty feet (20'), except as permitted by Section 28.50.065.

B. Interior Setbacks. Each lot shall provide interior setbacks of not less than six feet (6'), except as permitted by Section 28.50.065.

C. Rear Yard Setbacks. Each lot shall provide a rear setback of not less than six feet (6'), except that those lots abutting the open space drainage (identified as Lot 31 in Figure 4-7 of the 2008 Final Revised EIR) may be permitted to have a zero setback.

D. Open Yard:

1. Minimum Size: One area of 1,250 square feet
2. Minimum Dimensions: 20 feet by 10 feet
3. Maximum Slope: None
4. Location and Configuration:

a. Open yard may consist of any combination of ground level areas such as: patios, ground floor decks, pathways, landscaped areas, natural areas, flat areas, or hillsides, so long as the overall size and dimensions of the open yard meet the requirements described in Section 28.50.060.D.1 and 2 above, and is not located in any of the following areas:

- (1) A portion of the front yard; or

(2) Any areas designed for use by motor vehicles, including but not limited to driveways and parking areas; or

(3) On decks, patios, terraces or similar, where the average height above grade is greater than 36". Average height shall be calculated by measuring the height of each corner of the deck, adding those heights together, and dividing by the number of corners.

b. If the open yard is provided on a slope greater than 20%, the open yard shall contain a flat area as follows:

- (1) Minimum size: 160 square feet
- (2) Minimum dimensions: 10 feet by 10 feet
- (3) Maximum slope: 2%

(4) The flat area may be provided at grade, or on decks pursuant to Section 28.50.060.D.4.a.

c. Lots with multiple frontages shall have a primary front yard designated by the property owner, and agreed to in writing by the Community Development Director. All other front yards shall be designated as secondary front yards. Ground level open yard may be provided in the secondary front yard, up to ten feet (10') from the front property line, provided that it is unobstructed and meets all other requirements.

d. On lots of less than 7,000 square feet and with an average slope of 20% or less:

(1) The open yard may be provided in one area, or in separate areas of not less than 400 square feet each (minimum dimensions of 20 feet by 10 feet required), and

(2) Up to 850 square feet of the open yard may be provided in the remaining front yard, provided that it is unobstructed and meets the minimum dimensions required.

E. Coastal Zone. All residential lots (including all private property boundaries/lot lines) and residential development (including, but not limited to, perimeter walls and fencing of residential lots) in the Coastal Zone, except for the multi-use public access way and related driveway access improvements as provided in Subsection B of Section 28.50.030, shall be set back a minimum of one hundred (100) feet from the top of the bank of Arroyo Burro Creek or the outer edge of the riparian canopy, whichever is further from the creek center line, as identified in Map B. Restoration, erosion control, and public access improvements may be allowed in areas less than one hundred (100) feet from the top of the bank of Arroyo Burro Creek or the outer edge of the riparian canopy, provided these improvements are designed in a manner that minimizes adverse impacts to the adjacent riparian habitat area to the maximum extent feasible.

**Section 28.50.065. Reduction in Setback Requirements.**

A. Front Setback Reduction. The required front setback may be reduced to 15 feet when:

1. The lot is less than 7,000 square feet and the required parking is provided in a detached garage in the rear yard; or
2. The lot is a triangular lot of less than 7,000 square feet; or
3. The subject lot abuts a private street.

B. Attached Main Buildings. Main buildings may be constructed on an interior property line, when attached to another main building on an adjacent property, as follows:

1. The buildings are attached by not less than eight feet (8') in length of one of the walls or roof, or not less than one hundred percent (100%) of any wall less than eight feet (8') in length; and
2. Said configuration shall be allowed for no more than four (4) lots within the zone, resulting in no more than two buildings containing two dwelling units.

C. Accessory Buildings. Interior setbacks are not required for detached accessory buildings, screened trash areas or attached porte cocheres not exceeding 14 feet wide by 18 feet long where three of the four sides are open, as approved by the City's Single Family Design Board.

**Section 28.50.070. Distance Between Buildings.**

No main building shall be closer than twenty feet (20') to any other main building on the same lot.

**Section 28.50.080. Lot Area and Frontage Requirements.**

Each single-family dwelling with its accessory buildings hereafter erected shall be located upon a lot having the following:

- A. A net area, excluding street rights of way and other publicly dedicated improvements, of not less than 5,000 square feet, provided that a minimum average net lot area of 7,000 square feet shall be provided for all residentially developed lots.
- B. Not less than 60 feet of frontage on a public or private street, except as the Planning Commission or City Council may allow by subdivision map approval at the Alan Road cul-de-sac, or by Modification.

**Section 28.50.085. Allowable Density of Development.**

The maximum number of residential units in this zone shall be twenty three (23). However, if at least two affordable units are provided, the maximum number of residential units in this zone may be increased to twenty five (25) units.

**Section 28.50.090. Open Space and Landscaping.**

Not less than 50 percent (50%) of the gross acreage of Areas 1, 2 and 3 shall be common open space devoted to planting, walkways, natural drainage features (e.g., bioswales, retention basins), riparian corridor, public agency access and passive recreational areas.

**Section 28.50.092. Arroyo Burro Creek Restoration and Stabilization Plan; Veronica Meadows Riparian Habitat Enhancement Plan; Creek and Riparian Habitat Management Plan.**

New residential development on this site shall incorporate the Arroyo Burro Creek Restoration and Stabilization Plan; the Veronica Meadows Riparian Habitat Enhancement Plan; and the Creek and Riparian Habitat Management Plan with approximately 5.7 acres of restoration and enhancement area (approximately 2.96 acres in the Coastal Zone and 2.81 acres outside the Coastal Zone). Prior to submission of a Final Map for subdivision of the property for purposes of a residential development in the SP-9 Zone, the applicant shall prepare and submit to the City Community Development Department and Public Works Department for review and approval the following plans: (i) Arroyo Burro Creek Restoration and Stabilization Plan, (ii) Veronica Meadows Riparian Habitat Enhancement Plan, and (iii) Creek and Riparian Habitat Management Plan. These three Plans are referred to herein as the "Creek Habitat Plans." The Creek Habitat Plans shall be prepared by a qualified professional approved by the City and shall be subject to an independent review by a City-selected environmental engineering firm with experience in creek restoration. These Creek Habitat Plans and the Arroyo Burro Creek Upland Restoration Plan, identified in Section 28.50.094 shall provide for restoration and enhancement. No bridge crossings shall be permitted over Arroyo Burro Creek within the Coastal Zone. The Creek Habitat Plans shall include, and/or be consistent with, the following elements/criteria:

A. Removal of all water, sewer and other utility lines from "Area 3 – Creek Buffer" and replacement of those utility lines beneath a street, driveway or other location that facilitates access for repair and maintenance, which location shall be within "Area 1 – Residential Development" or "Area 2 – Creek Buffer & Limited Activity Zone."

B. Removal of non-native and invasive plants and a maintenance program designed to prevent the reintroduction of those non-native and invasive plants. The Plan shall incorporate applicable elements of the City's Integrated Pest Management (IPM) Plan (as it is revised and updated in the future) in order to minimize the use of pesticides and herbicides for landscape maintenance to the extent feasible. The Plans shall include measures to monitor and remove the amount and extent of non-native invasive plants, particularly ensuring ongoing control of the aggressive giant reed; maintain the riparian plantings in good health; contingency plans for replacement planting; and a prohibition of irrigation systems or the use of herbicides or fertilizer within the drip line of any oak tree.

The Plans shall also include measures to monitor and manage public access to prevent adverse impacts to riparian and aquatic habitats in the creek from public uses.

C. A provision stating that no native vegetation removal shall occur within 100' of the top of creek bank or the edge of the riparian canopy, whichever is further from the creek centerline, as determined by a qualified biologist, except as authorized by the Creek Habitat Plans.

D. These plans shall include: restoration objectives for each habitat type and location; detailed schedule of tasks and milestones for site preparation, planting, and maintenance; plans identifying grading and soil preparation, slope stabilization and erosion control; description of specific habitat types to be restored, species list, abundance of each habitat type, planting densities and propagation methodologies; plans identifying boundaries of habitat type to be restored with acreages and densities; description of plant material sources from the South Coast of Santa Barbara; performance criteria; irrigation methods to ensure planting success; weed and pest management; fire hazard requirements; measures to monitor and manage public access to and along the creek to prevent adverse impacts to riparian and aquatic habitats in the creek and along the buffer from public use; and a maintenance and monitoring program to ensure success within 5 years or until the performance criteria are achieved.

#### **Section 28.50.094. Arroyo Burro Creek Upland Restoration Plan.**

New residential development on this site shall incorporate the Arroyo Burro Creek Upland Restoration Plan with approximately 9.12 acres of restoration (approximately 3.73 acres in the Coastal Zone and 5.4 acres outside the Coastal Zone). Prior to submission of a Final Map for subdivision of the property for purposes of a residential development in the SP-9 Zone, the owner shall prepare and submit to the City Community Development Department and Public Works Department for review and approval the Veronica Meadows Upland Restoration Plan. This Plan is referred to herein as the "Upland Restoration Plan." The Upland Restoration Plan shall be prepared by a qualified professional approved by the City and shall be subject to an independent review by a City-selected environmental engineering firm with experience in upland restoration. The Upland Restoration Plan shall include Restoration measures consistent with the conceptual plan for the Upland Restoration Plan and Exhibit prepared by Althouse and Meade, Inc., dated February 3, 2010. The Upland Restoration Plan shall also include measures to monitor and manage public access to prevent adverse impacts to the restored upland from public uses.

The plan shall include restoration objectives for each habitat type and location; detailed schedule of tasks and milestones for site preparation, planting, and maintenance; plans identifying grading and soil preparation, slope stabilization and erosion control; description of specific habitat types to be restored, species list, abundance of each habitat type, planting densities and propagation methodologies; plans identifying boundaries of habitat type to be restored with acreages and densities; description of plant material sources from the South

Coast of Santa Barbara; performance criteria; irrigation methods to ensure planting success; weed and pest management; fire hazard requirements; measures to monitor and manage public access to and along the creek to prevent adverse impacts to the upland restoration area and along the creek buffer from public use; native vegetation shall include plant species with low fuel loads, low lying strategic space consistent with Santa Barbara City Fire Department requirements in vicinity of proposed residential development, and a maintenance and monitoring program to ensure success within 5 years or until the performance criteria are achieved.

#### **Section 28.50.095. Street Requirements.**

In order to maintain a semi-rural ambiance, and where necessary to preserve natural terrain features or open space, the Planning Commission or City Council may grant exceptions to City street design standards as may be deemed necessary to assure that the intent of this Chapter is observed, that adequate public parking is provided, and the public welfare and safety secured.

#### **Section 28.50.098. Water Quality.**

A. In order to maintain, preserve, enhance and restore the biological productivity and water quality of Arroyo Burro Creek, during project grading and construction, an Interim Erosion Control and Construction Best Management Practices plan shall be prepared by licensed civil engineer or qualified water quality professional. The consulting civil engineer/water quality professional shall certify in writing that the Interim Erosion Control and Construction Best Management Practices (BMPs) plan is in conformance with the following requirements:

##### Erosion Control Plan

1. Construction Phase Erosion/Sedimentation Control. Development within the SP-9 Zone shall include a detailed Erosion/Sedimentation Control Plan ("Plan") that meets the City's standards. The Plan shall incorporate all feasible Best Management Practices (BMPs) to reduce erosion from construction activities, to prevent sediment in storm water discharges, and to minimize non-storm water pollutants at the project site to the maximum extent possible.

2. The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the plan and on-site with fencing or survey flags.

3. Include a narrative report describing all temporary run-off and erosion control measures to be used during construction.

4. The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.

5. The plan shall specify that should grading take place during the rainy season (November 1 – March 31), the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps); temporary drains and swales; sand bag barriers; silt fencing; stabilize any stockpiled fill with geofabric covers or other appropriate cover; install geotextiles or mats on all cut or fill slopes; and close and stabilize open trenches as soon as possible.

6. The erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site, unless removed to an appropriate, approved dumping location either outside of the Coastal Zone or within the Coastal Zone to a site permitted to receive fill.

7. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

#### Construction Best Management Practices

8. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.

9. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers. The 100 foot buffer along Arroyo Burro Creek shall be delineated by a temporary fence during construction to prevent construction equipment and materials from being placed within the buffer, except for activities related to permitted uses within the 100 foot buffer zone, including approved creek and buffer restoration and enhancement activities.

10. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.

11. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.

12. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.

13. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.

14. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the Coastal Zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.

15. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.

16. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.

17. The discharge of any hazardous materials into any receiving waters shall be prohibited.

18. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.

19. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity

20. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

**B. Storm Water Management Plan.** In order to maintain, preserve, enhance and restore the long term biological productivity and water quality of Arroyo Burro Creek, development within the SP-9 Zone shall include a Storm Water Management Plan, including supporting calculations, shall be prepared by a qualified civil engineer or qualified licensed professional, and shall incorporate Best Management Practices (BMPs) including site design and source control measures designed to control pollutants and minimize the volume and velocity of storm water and dry weather runoff leaving the developed site.

In addition to the specifications above, the consulting civil engineer or qualified licensed professional shall certify in writing that the final Drainage and Runoff Control Plan is in substantial conformance with the following minimum requirements:

1. The storm water treatment system shall convey and treat storm water in accordance with the City's requirements and supplemented as necessary, with the design standards for detention basins and bioswales contained in Santa Barbara County's Storm Water Management Plan. The site plan and architectural design shall be modified during final design to include, to the extent practicable, storm water management design elements, also known as low impact design features. Examples include: roof drainage that is direct to infiltration trenches or bioswales; driveways constructed of permeable materials, pavers or strip pavement for tires only; openings in curbs to provide opportunities for infiltration in adjacent grassy swales along the roads; use of permeable surfaces instead of concrete in roadway ribbon gutters; and small depressions in front yards to collect roadside runoff for infiltration.

2. BMPs should consist of site design elements and/or landscape based features or systems that serve to maintain site permeability, avoid directly connected impervious area and/or retain, infiltrate, or filter runoff from rooftops, driveways and other hardscape areas on site, where feasible. Examples of such features include but are not limited to porous pavement, pavers, rain gardens, vegetated swales, infiltration trenches, cisterns.

3. Landscaping materials shall consist primarily of native or other low-maintenance plant selections which have low water and chemical treatment demands. An efficient irrigation system designed based on hydrozones and utilizing drip emitters or micro-sprays or other efficient design should be utilized for any landscaping requiring water application.

4. All slopes should be stabilized in accordance with provisions contained in the Landscaping and/or Erosion and Sediment Control Conditions for this City and or Coastal Development Permit.

5. Runoff shall be conveyed off site in a non-erosive manner. Energy dissipating measures shall be installed at the terminus of outflow drains.

6. For projects located on a hillside, slope, or which may otherwise be prone to instability, final drainage plans should be approved by the project consulting geotechnical engineer.

7. Should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or new coastal development permit or city permit is required to authorize such work.

The final Drainage and Runoff Control Plan shall be in conformance with the site/development plans approved by the City of Santa Barbara Community Development Director. Any changes to the City approved site/development

plans required by the consulting civil engineer, or qualified licensed professional or engineering geologist shall be reported to the Community Development Director. No changes to the City approved final site/development plans shall occur without an amendment to the city and or coastal development permit, unless the Community Development Director determines that no amendment is required.

C. **Water Quality Management Plan.** Development within the SP-9 Zone shall include preparation and implementation by the homeowners association of a water quality management plan for all open space maintained by the association which plan shall incorporate the principles, methods and approach of the City's Integrated Pest Management (IPM) Plan (as it is revised and updated from time to time) in order to minimize the use of pesticides and herbicides for landscape maintenance to the extent feasible. The plan shall also include trash cans, a mechanism for disposing of trash collected in association-managed areas, informational signage and mutt mitts along the pedestrian path and the multi-use path.

#### **Section 28.50.100. Off-street Parking.**

Off-street parking shall be provided as required in Chapter 28.90 of this Title.

#### **Section 28.50.105. Garages and Accessory Buildings.**

- A. Detached accessory buildings shall not exceed two (2) stories or thirty feet (30') in height.
- B. Accessory buildings, excluding garages, shall not have a total aggregate square footage in excess of 500 square feet.
- C. Garages shall not have a total aggregate square footage in excess of 600 square feet.

#### **Section 28.50.110. Home Size and Development Restrictions.**

- A. Notwithstanding any other provision of this Code, residential structures in this zone, except as provided by Section 28.50.110.B below, shall not exceed a total net square footage of 3,800 square feet, excluding garages and accessory structures.
- B. Notwithstanding any other provision of this Code, residential structures in this zone located within approximately 130 feet of the southern boundary of the Specific Plan Area shall not exceed a total net square footage of 2,500 square feet, excluding garages and accessory structures. Home size in this area shall be massed and designed to provide an appropriate transition to existing adjacent homes along Alan Road as determined appropriate by the Single Family Design Board.
- C. All residential structures shall be located within the "Grading and Landscaping" envelope shown on the Conceptual Site Plan exhibit as approved by the City in connection with the subdivision of this real property.

D. All residential lots (including all private property boundaries/lot lines) and residential structures (including, but not limited to, perimeter walls and fencing of residential lots) shall be located a minimum of one-hundred feet (100') from the top of creek bank or the outer edge of the canopy of riparian vegetation, whichever is the greater distance, and as identified in Map B.

E. For the purposes of this Chapter, the term “net square footage” shall be defined and calculated in the manner which the term “Net Floor Area of a Building” is used and calculated pursuant to Section 28.15.083.B of this Title.

**Section 28.50.115. Architectural Control.**

All development within the SP-9 Zone shall be subject to the review and approval of the Single Family Design Board for consistency with the City’s Single Family Design Guidelines; however, home sizes shall not be subject to height or size limitations beyond those identified in Sections 28.50.050, 28.50.105 and 28.50.110, and no Floor Area Ratio maximums shall apply to the homes initially constructed within Areas 1, 2 and 3, but shall apply thereafter. The grades of individual lots and roads shall blend with the natural topography of the site, minimize site grading, and balance on-site earthwork to the maximum extent feasible. Where the Single Family Design Guidelines conflict with this Chapter, this Chapter shall govern proposed development, with emphasis on the Legislative Intent of the Zone (Section 28.50.005).

**Section 28.50.120. Exemption from SBMC Chapter 28.43.**

Development within the SP-9 Zone shall be exempt from the Inclusionary Housing requirements of SBMC Chapter 28.43 – the “City of Santa Barbara Inclusionary Housing Ordinance.”

**Section 28.50.130. Affordable Housing Provision.**

If Affordable Housing units are provided, the lots on which they are located shall be no less than 3,000 square feet in size. Said lots and associated development shall comply with the provisions of this Zone in all other aspects, unless said provisions are reduced through a Modification, pursuant to Chapter 28.92 of this Title.

**Section 28.50.140. Fencing.**

Low-profile post and rail or stanchion posts strung with cable fencing shall be provided along the east side of the public access trail between the trail and the top of creek bank to limit access to the top of the creek bank or to sensitive habitat areas. The use of glass or plexiglass material for fencing is prohibited. The fencing shall be visually permeable to provide views and an aesthetic enjoyment of the creek environment, allow free passage of wildlife, and shall be approved by the Community Development Director after being reviewed for comments only by the Single Family Design Board. Fencing abutting the open space drainage (identified as Lot 31 in Figure 4-7 of the Final Revised EIR) shall

be open. All other fencing shall be subject to the provisions of Section 28.87.170 of this Title.

**Section 28.50.150. Area Maps.**

A. Map A. The revised map attached hereto as Exhibit A (dated as of 09-22-2010) and labeled "Map A: Veronica Meadows Specific Plan Area (SP-9)" is hereby approved and incorporated in this Chapter by this reference.

B. Map B. The map attached hereto as Exhibit B (dated as of 07-12-2010) and labeled "Map B: Veronica Meadows Revised Site Plan (July 2010)" is hereby incorporated into this Chapter by this reference.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Transportation Division, Public Works Department

**SUBJECT:** Approval Of An Amendment To The Metropolitan Transit District Agreement

**RECOMMENDATION:** That Council:

- A. Approve an amendment to the Agreement with the Metropolitan Transit District (MTD), in the amount of \$205,000, for transit assistance, for the Coastal Express Limited commuter bus; and
- B. Increase appropriations and estimated revenues in the Streets Fund by \$205,000 to fund a pass-through payment to the MTD from mitigation funds paid to the City by Caltrans.

**DISCUSSION:**

On September 19, 2007, the City entered into a Cooperative Agreement with Caltrans and the Santa Barbara County Association of Governments (SBCAG) for the Highway 101 Operational Improvements between Milpas Street and Cabrillo Boulevard. In this agreement, Caltrans is required to give the City funds to offset the impacts the freeway construction would have on transit service in the area. The Metropolitan Transit District (MTD) and SBCAG are proposing to use the funds to subsidize a new Coastal Express Limited commuter bus that connects Santa Barbara and Goleta to the Ventura area with four trips daily. This new transit service enhances the current Coastal Express Limited by providing a more direct route with fewer stops. The goal of the enhanced bus service is to reduce traffic congestion in the Highway 101 corridor, particularly while it is under construction over the next few years.

The Caltrans funds can only be used to enhance transit on the Highway 101 corridor to the south of the City and will be used to fund the new Coastal Express Limited commuter service. These funds will be passed through to MTD by amending the City's Transit Assistance Agreement with MTD.

**PREPARED BY:** Browning Allen, Transportation Manager/ks

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Planning Division, Community Development Department

**SUBJECT:** Introduction Of An Ordinance And Resolutions For The Annexation Of 455 And 457 North Hope Avenue

**RECOMMENDATION:** That Council:

- A. Consider the Planning Commission's recommendation to initiate the annexation of properties located at 455 and 457 North Hope Avenue;
- B. Make the environmental findings contained in the Council Agenda Report;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Zoning Upon Annexation of Assessor's Parcel Numbers 057-191-011 and 057-191-014 Located at 455 North Hope Avenue and Assessor's Parcel Number 057-170-012 Located at 457 North Hope Avenue in the Hope Neighborhood;
- D. Adopt, by a reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting Initiation of Proceedings for a Reorganization of Boundaries, Annexation to the City of Santa Barbara, Detachment from the Santa Barbara County Fire Protection District, Santa Barbara Sheriff's Office (CSA 32) and Goleta Water District for Certain Real Property Presently Located at 455 North Hope Avenue (Assessor's Parcel Numbers 057-191-011 and 057-191-014) and Located at 457 North Hope Avenue (Assessor's Parcel Number 057-170-012); and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Assessor's Parcel Numbers 057-191-011 and 057-191-014 Located at 455 North Hope Avenue and Assessor's Parcel Number 057-170-012 Located at 457 North Hope Avenue, Which will be Annexed to the City of Santa Barbara.

## **EXECUTIVE SUMMARY:**

The project site includes three parcels, comprised of a vacant parcel addressed as 457 North Hope Avenue, along with a parcel that is developed as a driveway and parcel developed with a single family residence that is served by the driveway parcel, both addressed as 455 North Hope Avenue. In addition to the request for a rezone, a General

Plan Amendment and annexation, the 457 North Hope Avenue lot included a request for a Tentative Subdivision Map and a Street Frontage Modification, which was approved by the Planning Commission on March 3, 2011. The 455 North Hope parcels do not include any development requests. The owner of these two parcels waived the right to protest annexation of these lots at the time their home was connected to City sewer<sup>1</sup> in 1989, following a septic failure. Because of this agreement, the LAFCO Executive Director encouraged the inclusion of these properties in the proposed annexation of 457 North Hope Avenue.

The annexation request complies with the City Council Resolution 96-118, which requires that the subject parcels that are within the City's Sphere of Influence and are adjacent to the existing City boundaries be annexed. The project site is located within the Hope Neighborhood, which is described in the Land Use Element as being bounded by the City limits to the west and north, Arroyo Burro Creek to the east and Via Lucero to the south and is comprised mainly of single-family residences. The project site is located within one of the four unincorporated areas identified in the Land Use Element for annexation, which states that, "All available means of gaining support of the residents of these areas for annexation should be utilized". Therefore, Staff recommends that the subject project site be annexed to the City; be given a Zoning Designation of One-Family Residence/Special District, E-3/S-D-2 (7,500 s.f. minimum), and be given a General Plan Designation of Residential, 5 units per acre, consistent with the surrounding neighborhood located within the City.

## **DISCUSSION:**

### Background

On June 4, 2009, the Planning Commission initiated the annexation of the subject parcel addressed as 457 North Hope Avenue by a vote of 4-0 (Attachment 1 - Resolution No. 023-09). The initiation also included the two adjacent parcels at 455 North Hope Avenue, owned by the Andersen Trust. One parcel is developed as a driveway and is located along the entire length of the southern lot line of 457 Hope Avenue. This driveway serves one single-family residence, located on the other parcel subject to the annexation. The applicant attempted to include this driveway as part of an access road for the proposed subdivision, but was not able to reach an agreement with the adjacent owner regarding the use of the driveway.

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<sup>1</sup> In addition, 455 Hope Avenue receives City water. However, technically the lot is still being served by the Goleta District. Each month Goleta Water District bills this parcel, then Goleta Water District reconciles the water usage with the City. Once the Annexation is completed, the City will take over the existing water meter with no physical change to the water main, lateral or meter.

*Project Approval by Planning Commission:*

On October 6, 2011, the Planning Commission approved a Tentative Subdivision Map and a Street Frontage Modification on the project site located at 457 North Hope Avenue, contingent upon approval of a Reorganization that includes four separate Changes of Organization (annexation to the City of Santa Barbara, and detachments from CSA 32 (Unincorporated Law Enforcement), County Fire and Goleta Water District), a General Plan Amendment and a Zoning Ordinance Amendment to establish the site's zoning designation. (Attachment 3 – Resolution 020-011)

The 457 North Hope Avenue project consists of a nine-lot subdivision of a 2.96-acre vacant parcel, currently located within the County of Santa Barbara's jurisdiction, and is described in further detail in the Planning Commission staff report dated September 29, 2011 (Attachment 2). The proposed lots would range in size from 10,387 to 13,419 square feet and average approximately 11,471 square feet.

No development of the individual lots is currently proposed, but construction of infrastructure to serve all of the lots is part of the project. Infrastructure would include a new cul-de-sac public road and all utilities to serve each of the nine lots. Future development of the parcels would be single-family homes, which would be reviewed individually through design review and building permit review. Based upon the proposed zoning and lot size, it can be assumed that development could be up to 30 feet in height and an approximately 4,000 square feet in size (includes garage and habitable. The requests for the Tentative Subdivision Map and Street Frontage Modification were approved by a vote of 4-2 (Bartlett and Jordan – no).

*Issues*

The request for the Tentative Subdivision Map and the Street Frontage Modification did not receive unanimous approval because of two concerns: The first concern was the size of the parcels relative to the surround neighborhood lots. The second concern was the front lot line of one parcel would be less than the minimum requirement due to the cul-de-sac curve. At the hearing neither staff nor the applicant had sufficient information to alleviate these concerns. Since the hearing was held, staff researched the size and configuration of the parcels within the neighborhood and found that the proposed lots' size would be in the middle of the range of all lots within a 300 foot radius.

Included as Attachment 4, is a list of 79 parcels within a 300 foot radius of the project site. Based upon an average size of 11,471 net square feet, the proposed lots would be approximately in the mid-range of the existing surrounding parcels. There are also factors unique to the project site that causes some of the parcels to be larger. One of the subject parcels exceeds an average slope of 10% and must comply with the Slope Density requirements of the Municipal Code and be at least 11,250 square feet. Another

parcel is corner lot and includes a detention basin which captures runoff from part of the proposed public road. Finally, an eight foot wide easement in favor of the City is located along 8 out of 9 parcels. The onsite easements are included in the net lot area calculation and reduce the developable area of the parcels. Therefore, based upon a review of the surrounding 79 parcels and the onsite constraints of most of the parcels, the net square footage of each of the proposed parcels is consistent with the neighborhood.

The proposed zoning for the project site is Single-Family Residential E-3/SD-2 and the street frontage requirement for this zone district is a minimum of 60 feet. As proposed, the street frontage for Parcel 8 would be reduced from 60 feet to 38 feet. Typically most parcels along the bulb of cul-de-sacs are wedge shaped, and have shorter street frontages. As shown in Attachment 5, a nearby subdivision, also zone E-3, includes four parcels with street frontage of between 38 and 40 feet because they are located on a cul-de-sac bulb. Proposed Parcel 8 is configured similar to a flag lot with a 38 foot wide leg that expands into a square-shaped lot. This configuration would cause the development to be set further away from the street than the required front setback, which would break up the massing between the adjacent development.

### Project request

#### *Annexation*

Because all three parcels are within the County jurisdiction, the project includes a request that Council initiate a "Reorganization" that includes four separate "Changes of Organization" included in one proceeding. These Changes of Organizations are as follows: Annexation to the City of Santa Barbara, Detachment from the Santa Barbara County Fire Protection District, Detachment from County Service Area No. 32 (Unincorporated Law Enforcement) and Detachment from the Goleta Water District. City Council Resolution 96-118 establishes procedures for reviewing applications for annexation of territory to the City of Santa Barbara. This resolution limits the acceptance of applications requesting the initiation of annexations to parcels that are within the City's Sphere of Influence and are adjacent to the existing City boundaries.

The application complies with the procedures and requirements established in Resolution 96-118. The project site is located within one of the four unincorporated areas identified in the Land Use Element for annexation. All four of these areas are islands of unincorporated land surrounded by the City. The Land Use Element states that these unincorporated areas are essentially a part of the City, and most of these areas use some or all City services.

### *Zoning and General Plan Amendments*

The proposal is a request to introduce and subsequently adopt by Ordinance to re-zone, upon annexation, the project parcels addressed as 455 and 457 North Hope Avenue, as well as adoption of a General Plan Amendment for all three parcels. The parcels' current County Comprehensive Plan designations are Residential 4.7 units/acre, and are zoned Residential, 8,000 square feet minimum (8-R-1).

A City General Plan designation of Residential (5 units/acre) and City Zoning designation of One-Family Residence/Special District E-3/S-D-2 (7,500 square feet minimum) is proposed. The proposed General Plan and Zone designations would be consistent with the surrounding neighborhood. Future development of 457 North Hope Avenue that would be allowed under the proposed zoning would be consistent with the neighboring development. The S-D-2 overlay designation that is a part of the zoning request is commonly known as the Upper State Street Area. The development standards for the Upper State Street Area mainly apply to the commercially zoned parcels.

### Procedures

Under the City's Charter Section 1507, amendments to the City's General Plan and Zoning Ordinance require a minimum of five affirmative votes of the City Council, and findings that the amendments comply with the City's policy of living within our resources. Rezones are carried out by Ordinance, and General Plan Amendments are adopted by Resolution.

### Environmental Review

A Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act (CEQA). Project impacts were a mix of either no impacts or less than significant. There are no required mitigations for the project, in part because there were no sensitive resources on site and because current City ordinances would address any potentially adverse project related impacts such as noise, lighting, and aesthetics from the development and grading. However, recommended mitigations are included in the Negative Declaration to further reduce the adverse but less than significant impacts related to air quality (short-term) geophysical conditions, noise, and short-term transportation. These recommended mitigations were included as conditions. The Planning Commission adopted the Negative Declaration by a vote of 6-0.

Pursuant to CEQA, the City Council must consider the Final Mitigated Negative Declaration and any comments received and determine prior to approving the project that there is no substantial evidence that the project would have a significant effect on the environment.

### Next Steps

If the annexation is approved by Council, the proposed Zoning Ordinance Amendment will return to Council for adoption. Following action by the Council, the City has the option to negotiate the tax exchange with the County, prior to City staff transmitting the application for the annexation to LAFCO, or during the LAFCO application process. The tax exchange agreement will determine the portion of the property tax paid on the property that will be allocated to the City. In either case, a resolution providing for a negotiated exchange of property tax revenues will be prepared for Council approval. Following LAFCO consideration and approval of these actions, LAFCO will transmit a Certificate of Completion to the County Recorder and a Statement of Boundary Change to the State Board of Equalization.

### **BUDGET/FINANCIAL INFORMATION:**

#### Property Tax

State law governing annexations requires that the City and the County negotiate a tax exchange agreement. The tax exchange agreement determines what portion of the property tax paid on the property will be allocated to the City. The property tax exchange agreement between the City and County will be prepared either before the application is submitted to LAFCO or during the application process. The tax exchange agreement will be negotiated and subsequently, a resolution providing for a negotiated exchange of property tax revenues will be prepared for Council approval

#### Annexation Buy-in Fees

Chapter 4.04 of the Municipal Code (Annexation and Charges) requires owners of annexed property to pay an annexation "buy-in" fee for potential units to be developed on the property. The annexation fee amount is set by City Council Resolution based on the value of municipal improvements and the acreage of land in the City. The applicant shall pay the annexation "buy-in" fee, which is based exclusively on the number of potential dwelling units that may be constructed upon the annexed real property, prior to the recordation of the Final Map for the subdivision.

### **RECOMMENDATION:**

The project is consistent with the current annexation requirements in that the parcel is located within the City's Sphere of Influence and adjacent to City boundaries. The proposed Zoning and General Plan designations can be found consistent with the pattern of development of the existing neighborhood. Therefore, staff recommends that Council make the environmental findings below, consent to the reorganization, including the General Plan and Zoning Map, adopt the resolutions, and introduce and subsequently adopt the ordinance.

*California Environmental Quality Act (CEQA) Findings:*

1. The City Council has read and considered the Final Negative Declaration together with comments received during the public review process. In this agency's independent judgment and analysis and on the basis of the record before the City Council, there is no substantial evidence that the project will have a significant effect on the environment.
2. The custodian of the environmental documents and record of the proceedings upon which this decision is based is the Environmental Analyst for the City of Santa Barbara Planning Division located at 630 Garden Street.

**NOTE:** The documents, listed below, have been separately delivered to the City Council with a cover memo, dated November 30, 2011, for their review as part of the Council reading file and are available for public review in the City Clerk's Office, the Planning Division offices at 630 Garden Street and on the City Website

[http://www.santabarbaraca.gov/Resident/Environmental Documents/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/)):

- Final Negative Declaration dated September 27, 2011
- Project Plans

**ATTACHMENTS:**

1. Planning Commission Resolution 023-09, dated June 4, 2009
2. Planning Commission Staff Report, dated October 6, 2011
3. Planning Commission Resolution 020-011, dated October 6, 2011
4. Lot Size Survey of Surrounding Parcels with Map
5. Typical Street Frontage Dimension of Cul-de-Sacs

**PREPARED BY:** Peter Lawson, Associate Planner

**SUBMITTED BY:** Paul Casey, Assistant City Administrator

**APPROVED BY:** City Administrator's Office



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

**RESOLUTION NO. 023-09**

**455, 457, 459 N. HOPE AVENUE**

**RECOMMENDATION FOR INITIATION OF ANNEXATION**

**JUNE 4, 2009**

**APPLICATION OF TRUDI CAREY, AGENT FOR GIARDINI DI CIPRIANI, LLC, 455, 457, 459 N. HOPE AVENUE, APNs 057-170-012, 057-191-011 & -014, COUNTY ZONING: 8-R-1 (SINGLE FAMILY RESIDENTIAL WITH A MINIMUM LOT SIZE OF 8,000 SQUARE FEET PER UNIT), COUNTY GENERAL PLAN DESIGNATION: RESIDENTIAL, 4.6 UNITS PER ACRE (MST2006-00564)**

The City received a request from Trudi Carey of The Carey Group, Inc., agent for property owner Giardini di Cipriani, LLC, for initiation of annexation of the 2.92 acre lot known as 457 and 459 N. Hope Ave. (APN 057-170-012). Upon annexation, the owner intends to subdivide the property into nine residential lots. In addition, due to previously-imposed conditions on the adjoining property to the south, staff requests initiation of annexation of the 0.25 acre lot known as 455 N. Hope Ave. (APN 057-191-011) and the 0.14 acre driveway lot (APN 057-191-014) serving the residence at 455 N. Hope Ave. These two lots are owned by the Anderson Family Revocable Trust, and no improvements are proposed as this time. The three subject lots are located within the City's Sphere of Influence, and adjoin parcels already in the City. At this time, the discretionary action required for the project is **Initiation of Annexation** (SBMC Chapter 28.96).

**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 annexation, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 30, 2009
2. Site Plans
3. Correspondence received against annexation:
  - a. Paula Westbury, Santa Barbara, CA

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

Initiated Annexation of the parcels indicated in the Staff Report, with a General Plan designation of residential with 5 units/per acre and Zoning designations of E-3 and SD-2.

This motion was passed and adopted on the 4th day of June, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 3 (Larson, Jacobs, White)

PLANNING COMMISSION RESOLUTION No.023 –09  
455, 457, 459 N. HOPE AVENUE  
JUNE 4, 2009  
PAGE 2

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

\_\_\_\_\_  
Date

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



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** September 29, 2011  
**AGENDA DATE:** October 6, 2011  
**PROJECT ADDRESS:** 457 N Hope Avenue (MST2006-00564)

**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *AK*  
 Peter Lawson, Associate Planner *PL*

### I. PROJECT DESCRIPTION

The project consists of a nine-lot subdivision of a 2.96-acre vacant parcel, currently located within the County of Santa Barbara's jurisdiction. As part of the project, the site would be annexed to the City of Santa Barbara. A General Plan designation of Residential (5 units/acre) and Zoning designation of One-Family Residence E-3/S-D-2 (7,500 square feet minimum) is proposed. No development of the individual lots is currently proposed, but construction of infrastructure to serve all of the lots is part of the project. Infrastructure would include a new cul-de-sac road, which would be dedicated as a public road, and all utilities to serve each of the nine lots. Future development of the parcels would be single-family homes. Future development of homes would be reviewed individually through design review and building permit review. Based upon the proposed lot size, it can be assumed that development could be up to 30 feet in height and an approximately 4,000 square feet in size (includes garage, habitable space and hardscape).

### II. REQUIRED APPLICATIONS

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

1. General Plan Amendment to change the land use designation of project site from the Santa Barbara County Land Use Designation of Residential, Res 4.6 units per acre to City General Plan Designation of Residential, 5 units per acre, (SBMC §28.07);
2. Zoning Map Amendment to rezone the site from the Santa Barbara County zoning designation of Single-Family Residential 8-R-1 to the City Zoning designation of One-Family Residence/Special District E-3/S-D-2 (7,500 s.f. minimum) (SBMC, §28.92.020);
3. Detachment from County Fire Protection District and Goleta Water District;
4. Annexation of the property from Santa Barbara County to the City of Santa Barbara;

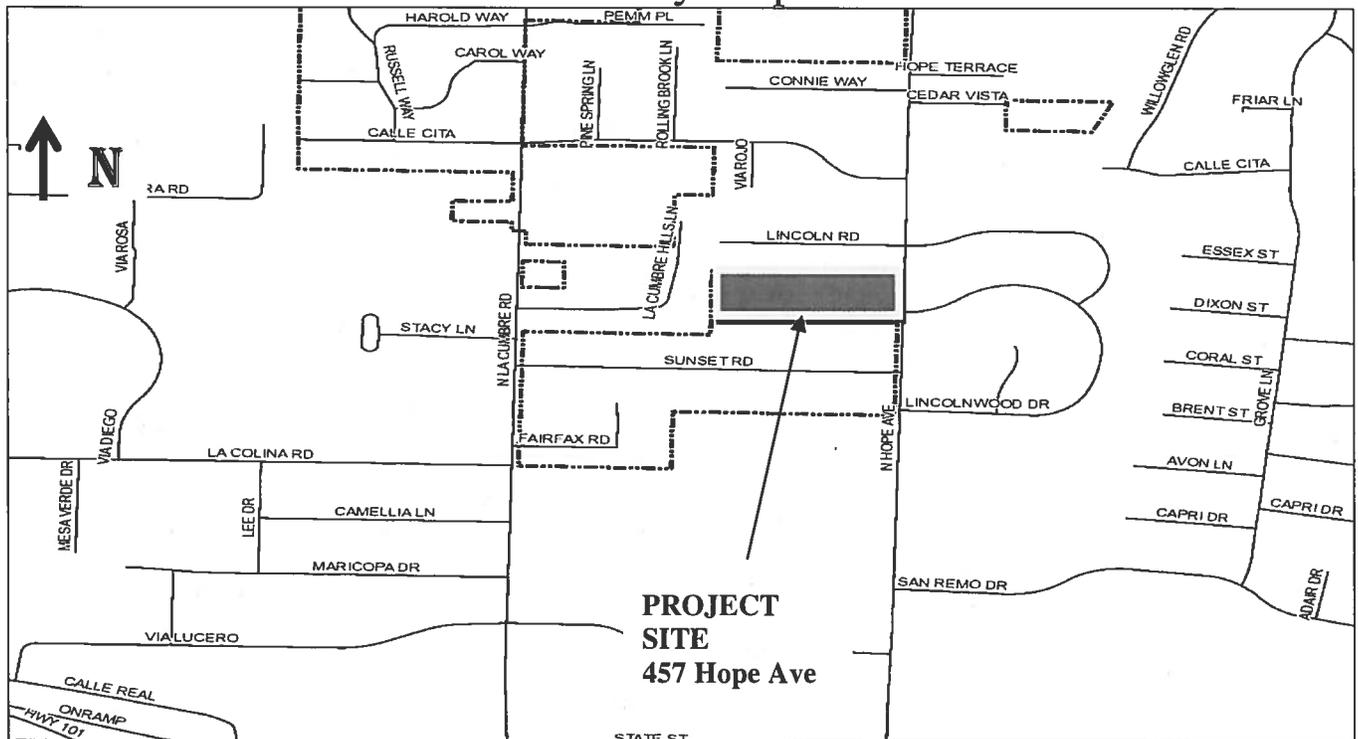
Actions by the Planning Commission, contingent upon approval of the actions listed above:

5. A Modification to reduce the required street frontage of proposed Lot number 8 from 60 feet to 38 feet (SBMC §28.92.026.A) and;
6. A Tentative Subdivision Map to allow the division of one parcel (1) into nine (9) lots (SBMC 27.07)

**III. RECOMMENDATION**

City staff is supportive of the proposed nine-lot subdivision. With City Council approval of the requested annexation, rezone and accompanying General Plan land use designation amendment, the project would conform to the City's Zoning and Building Ordinances and policies of the General Plan. The project would result in a net gain of nine residential units in the City's housing stock, and the density of the proposed subdivision would be compatible with the surrounding neighborhood. Future development of the lots would be subject to review by the Single Family Design Board to ensure compatibility with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission recommend to the City Council the approval of the reorganization (annexation to the City and detachment from County Fire Protection District and Goleta Water District), the re-zone and the General Plan amendment, and approve the Modification and Tentative Subdivision Map, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.

**Vicinity Map**



**APPLICATION DEEMED COMPLETE:**

November 23, 2010

**IV. BACKGROUND INFORMATION**

The project site is currently located within the County of Santa Barbara and was previously developed with three single-family residences. Approximately eighteen months ago, all structures on the project site were demolished with permits issued by County of Santa Barbara. Except for the driveway, the site is vacant. On June 4, 2009, the Planning Commission considered a request by the applicant to initiate annexation of the parcel. The Commission initiated the annexation by a 4-0 vote (Commissioners Larson, Jacobs, and White were absent).

**V. SITE INFORMATION**

Applicant/Property Owner: Giardini Di Cipriani, LLC, c/o The Carey Group	
Parcel Number: 057-170-012	Lot Area: 2.96 acres
General Plan (County): Residential 4.7 units/acre	Zoning (County): Residential 8-R-1 (8,000 s.f.)
Existing Use: Vacant	Topography: Rolling 5 – 11%
Adjacent Land Uses:	
North – Residential (City)	East – Residential (City)
South – Residential (City)	West – Residential (PUD) (City)

**VI. ZONING ORDINANCE CONSISTENCY & PROJECT STATISTICS**

Lot	Slope	Required Lot Area	Proposed Project Lot Area (Net) ***	Street Frontage	
				Req	Proposed Project
1	5.27%	7,500 sf	13,419	60'	85.7'
2	4.71%	7,500 sf	11,268	60'	71.7'
3	6.41%	7,500 sf	11,290	60'	71.7'
4	7.58%	7,500 sf	11,313	60'	71.7'
5	8.76%	7,500 sf	11,335	60'	71.7'
6	9.67%	7,500 sf	11,311	60'	72.8'
7	9.87%	7,500 sf	10,387	60'	75.0'
8	11.06%	11,250 sf (1.5 X 7,500)*	11,252	60'	38.0'**
9	6.18%	7,500 sf	11,661	60'	108.2'
<b>Average</b>	7.72	7,500 sf	11,471	60'	74.06
<b>Total</b>			103,236		

\*For lots with slopes that are 10% to 20%, a factor of 1.5 is multiplied by the required lot area.

\*\*A modification for a reduced street frontage is being requested for Lot 8.

\*\*\* The net lot area does not include the proposed public improvements (i.e. new right-of-way and Hope Ave sidewalk improvements)

The proposed project would comply with the requirements of the proposed zoning of One-Family Residence E-3/S-D-2, with the exception of proposed Lot 8, which does not satisfy the required street frontage dimension of 60 feet. Lot 8 is located at the end of the cul-de-sac in the proposed new public street, which results in a smaller street frontage. However, this parcel is

consistent with all other requirements of the Municipal Code and adequate access can be provided. Future residential development of the lots will be reviewed for consistency with the Municipal Code at the time they are proposed. The parcel sizes are greater than what is required in the E-3 Zone District and would result in a density of 3.8 units/acre after the public improvements are netted out of the total lot area.

In addition to the E-3 Zone District requirements, the project site is also subject to the S-D-2 Overlay (Upper State Street Area). The development standards for the S-D-2 shall not be less restrictive than the underlying zone district, and for this particular overlay, those standards are mainly focused on commercial development and for reducing traffic impacts on State Street. When the S-D-2 development standards are compared to the E-3 development standards, the E-3 development standards are more restrictive. Therefore, if future development of the lots is consistent with the E-3 Zone District, then the development would be consistent with the S-D-2 overlay.

## **VII. ISSUES**

### **A. DESIGN REVIEW**

This project was reviewed by the Single Family Design Board (SFDB) on October 11, 2010 (meeting minutes are attached as Exhibit D). The SFDB was supportive of the layout of the proposed lots, and the project was continued indefinitely pending outcome of environmental review and Planning Commission decision. The Board encouraged the applicant to reduce the height of any retaining walls on proposed Lot 8, which is now reflected in the current plans.

### **B. PUBLIC ROAD DESIGN**

The proposed project includes development of a cul-de-sac road that would provide access to all nine parcels, and would be dedicated to the City. Through the evolution of the project design, the location of the road was changed from its initial location along the southern property line to the current proposed location along the northern property line. Staff first recommended that the road remain in the southern location, which would allow it to be approximately opposite Lincoln Drive, and potentially combined with a ten-foot wide driveway immediately south of the project property. The adjacent driveway serves one single-family residence and extends the entire length of the project site property line. The applicant approached the adjacent landowner with the idea of combining their driveway with the proposed public road, but ultimately they were not able to come to an agreement.

Because the merger of the adjacent driveway with the project road was no longer an option, the new cul-de-sac entrance would be immediately adjacent to the driveway entrance, which would create a conflict. Additionally, without merging the driveway, the proposed new public road would not be directly opposite Lincolnwood Drive. The location of the new public road along the northern property line began to make more sense because of these two issues and, in addition, a City utility easement is located along the northern property line. As part of the project, the applicant would provide a landscaped buffer of approximately ten feet between the northern lot line and the edge of the new right-of-way. A new City sewer main will be installed

in the centerline of the new public road. The properties to the north of the project site will be provided the opportunity to connect to the new main if they wish.

The cul-de-sac at the end of the proposed new public road has been determined by the Fire Department and Engineering Division to be adequate for emergency vehicle turn around. However, as is typical with a cul-de-sac, Lot 8 would have a reduced street frontage. A Modification is being requested for this parcel and is discussed previously in this staff report. Sidewalk, parking and parkways would be provided on the south side of the proposed new public road, adjacent to where future development would be located, consistent with the Pedestrian Master Plan.

### **C. COMPLIANCE WITH THE GENERAL PLAN**

A discussion of General Plan compliance can also be found in the draft Negative Declaration.

#### **Land Use Element**

The project site is located within the Hope Neighborhood, which is described in the Land Use Element as being bounded by the City limits to the west and north, Arroyo Burro Creek to the east and Via Lucero to the south. The Hope Neighborhood is comprised mainly of single-family residences, then transitions into a mix of multi-family and single-family residents further south in the Via Lucero area. The project site is currently located within the County of Santa Barbara and is zoned Single-Family Residential 8-R-1, (8,000 square feet minimum), with a General Plan Land Use Plan designation of Residential and a density of 4.6 units per acre. The project site is surrounded by City properties to the north, east and west.

The proposed General Plan Designation of Residential (5 units/acre) and the zoning designation of One-Family Residential E-3/S-D-2 (7,500 square feet minimum) would be similar to the existing County designation. The proposed parcels are the same size or larger than the surrounding parcels and the future development would be residential, which is consistent with the neighborhood. The actual density of the project is approximately 3.8 units/acre, which is lower than what would be allowed under the proposed General Plan designation.

The project site is located within one of the four unincorporated areas identified in the Land Use Element for annexation. All four of these areas are islands of unincorporated land surrounded by the City. The Land Use Element states that these unincorporated areas are essentially a part of the City, and most of these areas use some or all City services. Finally, the Land Uses Element states that, "All available means of gaining support of the residents of these areas for annexation should be utilized." Therefore, the proposed annexation and future residential development would be consistent with the Land Use Element.

#### **Housing Element**

The proposed project would be consistent with the Housing Element. While development is not associated with the Tentative Subdivision Map, the layout of the subdivision is compatible with the neighborhood, consistent with Goals and Policies to preserve existing neighborhood. The subdivision includes a cul-de-sac road, which would serve the development only and not cause an increase of vehicular speed or traffic in an established neighborhood. The average size of the

proposed parcels is approximately 11,471 square feet, which is consistent with the established neighborhood size of between 8,000 – 15,000 square feet. Because affordable housing is not proposed, the project is conditioned to provide inclusionary housing in-lieu fees for each parcel. Future development of the project site would be reviewed by the Single Family Design Board, and would require compliance with the Neighborhood Preservation Ordinance (NPO).

### **Circulation Element**

The proposed project would be consistent with the Circulation Element. A new public road with a cul-de-sac would be constructed and dedicated to the City. Sidewalks and parkways would be provided along one side of the road, providing pedestrian access to and from Hope Avenue. The sidewalk along Hope Avenue would be widened, consistent with the recommendations of the Pedestrian Master Plan.

### **Other Elements**

Finally, the project would be consistent with the Conservation, Noise, and Seismic & Safety Elements. The proposed subdivision and any future development would be infill within an established residential neighborhood. The project site is not a scenic open area or on a hillside. Construction and grading on the site would be required to comply with the appropriate regulations for hours of operation. The future residential development, as allowed under the proposed General Plan and Zone designations, would be compatible with the surrounding residential use. All future development would be designed and constructed consistent with the appropriate building codes, and would address any expansive soils or seismic issues. Therefore, the proposed project would be in compliance with the General Plan.

## **D. ENVIRONMENTAL REVIEW**

Environmental review of the proposed project has been conducted pursuant to the California Environmental Quality Act (CEQA) and related Guidelines. An Initial Study and Negative Declaration (Attachment F) was prepared to evaluate the project's potential impacts on the physical environment. The Negative Declaration was prepared for the project because the project includes an Annexation, General Plan Amendment and a Rezone. The project is a "dry lot" subdivision on a parcel surrounded by a developed residential neighborhood, with no resources on site, and no impacted intersections within the neighborhood.

Impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geophysical Conditions, Hazards, Noise, Population and Housing, Public Services, Recreation, Transportation/Circulation, and Water Environment were all a mix of either no impacts or less than significant. There are no required mitigations for the project. Current City ordinances would address any potentially adverse project related impacts such as noise, lighting, and aesthetics from the development and grading. However, recommended mitigations are included in the Negative Declaration to further reduce the adverse but less than significant impacts related to air quality (short-term) geophysical conditions, noise, and short-term transportation. Therefore, based upon the existing physical setting of the project and the existing residential development in the surrounding neighborhood, the proposed subdivision and any future

residential development of each of the new lots would result in either no impacts or less than significant impacts.

### **VIII. BASIS FOR RECOMMENDATIONS TO CITY COUNCIL**

Staff recommends that the Planning Commission recommend to the City Council the annexation, General Plan Amendment and Rezone for the following reasons:

#### **A. ANNEXATION**

The proposed annexation is appropriate since the project site is identified in the Land Use Element as an area that should be annexed to the City. The project site is surrounded on three sides by property currently within the City's jurisdiction, City maintained roads serve the site and some City services are provided to the site. Finally, a City public utility easement for a sewer main is located along the northern side of the lot and that utility easement would remain within the proposed public road right-of-way.

#### **B. GENERAL PLAN AMENDMENTS**

The proposed General Plan designation of 5 units per acre is consistent with the existing, surrounding neighborhood's City General Plan designation. The average size of each lot is approximately 11,400 square feet, which is greater than that required under a General Plan designation of 5 units/acre. This designation would be consistent and compatible with the development and land uses in this neighborhood, which are comprised of lots of 9,000 to 12,000 square feet.

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

The proposed rezone from Santa Barbara County residential zoning to the City residential zoning designation of One-Family Residence E-3/S-D-2 (7,500 s.f. minimum) is consistent with the surrounding neighborhood zoning. This residential zoning designation would also be consistent with the proposed General Plan designation of Residential, 5 units per acre, and would be consistent with the General Plan text discussion of development in the Hope Avenue area. This uses allowed under this designation would also be consistent and compatible with adjacent and nearby development, land uses and zoning designations.

### **IX. FINDINGS**

The Planning Commission finds the following:

#### **A. FINAL NEGATIVE DECLARATION ADOPTION**

1. The Planning Commission has considered the proposed Final Negative Declaration, dated September 27, 2011, for the 457 North Hope Project (MST2006-00564), and comments received during the public review process prior to making a recommendation on the project.

2. The Final Negative Declaration has been prepared in compliance with California Environmental Quality Act requirements, and constitutes adequate environmental analysis of the project.
3. In the Planning Commission's independent judgment and analysis based on the whole record (including the initial study and comments received), there is no substantial evidence that the Project will have a significant effect on the environment. The Final Negative Declaration, dated September 27, 2011, is hereby adopted.
4. Recommended mitigation measures identified in the Negative Declaration that would further reduce all less than significant impacts have been included in the project or made a condition of approval.
5. The location and custodian of documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, CA 93101.
6. The California Department of Fish and Game (DFG) is a Trustee Agency with oversight over fish and wildlife resources of the State. The DFG collects a fee from project proponents of all projects potentially affecting fish and wildlife, to defray the cost of managing and protecting resources. The project is subject to the DFG fee, and a condition of approval has been included, which requires the applicant to pay the fee within five days of project approval.

**B. MODIFICATION**

The proposed project includes a Modification request to reduce the required street frontage of proposed Lot 8 from 60 feet to 38 feet. Because of its location at the curve of the cul-de-sac, Lot 8's street frontage would be shortened, and the lot would be shaped similar to a flag lot. The interior of the lot is rectangular (99' X 98') and the overall size is over 11,000 square feet, which would provide adequate room for development without need for any further Modifications. Therefore, due to the location of this lot, and because there is adequate room on the lot to provide access and development consistent with the Municipal Code, this Modification is consistent with the purpose and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement.

**C. THE TENTATIVE MAP (SBMC §27.07.100)**

With the approval of the requested Street Frontage Modification for Lot 8, the Tentative Subdivision map is consistent with the General Plan, as described in Section V.C. Development of the houses is not proposed at this time; however, the layout of the proposed subdivision is consistent with the applicable General Plan and Zoning requirements. The site is physically suitable for the proposed development, as there are no physical constraints, such as steep slopes, extensive vegetation or watercourses, that would prevent future development or require exceptions from the Municipal Code. The

site is physically suitable for the proposed density of development, because it is relatively flat (except for Lot 8), and the proposed density of development of 3.8 units per acre is less than the density allowable under the proposed General Plan designation (5 units per acre). The design of the project will not cause substantial environmental damage because a grading plan was provided that demonstrates drainage being conveyed in a manner consistent with adopted regulations and guidelines. The design of the development is not likely to cause public health problems, as the future development would be single-family residences, consistent with the surrounding neighborhood. Finally, the design of the development will not conflict with any public easements; the existing sewer easement at the northern property line will be relocated to the centerline of the new public street. The project includes the development and dedication of a new public street and improvements to the sidewalk along Hope Avenue.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated September 27, 2011
- D. Planning Commission Minutes (Initiation Hearing) dated June 4, 2009
- E. Single Family Design Board (SFDB) Minutes dated October 11, 2010
- F. Final Negative Declaration available on the City website:  
[http://www.santabarbaraca.gov/Resident/Environmental\\_Documents/](http://www.santabarbaraca.gov/Resident/Environmental_Documents/)

## PLANNING COMMISSION CONDITIONS OF APPROVAL

457 N. HOPE AVENUE

TENTATIVE SUBDIVISION MAP, ANNEXATION, GENERAL PLAN AMENDMENT, REZONE AND A STREET FRONTAGE  
MODIFICATION

October 6, 2011

- I. In consideration of the project approval granted by the Planning Commission and for the benefit of the owners and occupants of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:
- A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:
1. Pay Fish and Game fee immediately upon project approval. Delays in payment will result in delays in filing the required Notice of Determination.
  2. Obtain all additional land use approvals. Refer to condition B "Approval Contingent upon Annexation, Adoption of General Plan Amendment and Rezone." After all City approvals are obtained, submit Annexation Map to LAFCO, provide City staff with a copy of *Certificate of Completion & LAFCO Resolution*, pay Annexation Buy-In fees to City Public Works for public infrastructure prior to recordation of Final Map.
  3. Obtain all required design review approvals.
  4. Pay Land Development Team Recovery Fee.
  5. Make application and obtain City Council approval of the Final Map and Agreements and record said documents.
  6. Permits following recordation of Final Map.
    - a. Make application and obtain a Building Permit (BLD) for construction of approved development.
    - b. Make application and obtain a Public Works Permit (PBW) for all required public improvements, and an Encroachment Permit for private drainage system in the public Right of Way.
- Details on implementation of these steps are provided throughout the conditions of approval.
- B. **Approval Contingent Upon Annexation, Adoption of General Plan, and Rezone.** Planning Commission approval of the proposed subdivision is contingent upon approval of the Annexation, Zoning Ordinance and General Plan Amendment by the City Council and completion of that annexation by the Local Agency Formation Commission.
- C. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development

Director and Public Works Director, recorded in the Office of the County Recorder concurrent with the Final Map, and shall include the following:

1. **Approved Development.** A nine lot subdivision of a 2.92 acre vacant parcel, currently located within the County of Santa Barbara's jurisdiction. The site would be annexed to the City of Santa Barbara and would be given a General Plan designation of Residential (5units/acre) and Zoning designation of Residential (E-3 - 7,500 square feet/lot). No structural development of the individual lots is proposed, but infrastructure serving all of the lots would be either constructed or bonded. The infrastructure includes, but is not limited to, new water lines, sewer lines, a public road and drainage improvements, which are shown on the Tentative Subdivision Map and signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
2. **Future Residential Development.** All future development on the property shall be subject to the following conditions:
  - a. All future construction shall comply with the applicable conditions of approval contained in Sections F. "Requirements Prior To Permit Issuance," G. "Construction Implementation Requirements," and H. "Prior to Certificate of Occupancy" of the Planning Commission resolution.
3. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
4. **Private Drainage.** The Owner shall also provide drainage easements across the newly created lots to facilitate drainage.
5. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).
6. **Landscape Plan Compliance.** The Homeowner(s) shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the Homeowner(s) are responsible for its immediate replacement.
7. **Storm Water Pollution Control and Drainage Systems Maintenance.** Homeowner(s) shall maintain the common drainage system and storm water pollution control devices as shown on the approved Tentative Map intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc. ) in a functioning state as outlined in the private CC&R's (and in accordance with the Operations and

Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual).

- a. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Home Owner(s) shall be responsible for any necessary repairs to the system and restoration of the eroded area.
  - b. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work.
  - c. The Homeowner(s) are responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
  - d. Drainage from individual detention basins on each lot, as depicted on the Tentative Map, shall not be impeded by neighboring parcels.
8. **Required Private Covenants (CC&R's).** The Owner shall record in the official records of Santa Barbara County private covenants or a similar agreement which, among other things, shall provide for all of the following:
- a. **Common Landscape Area Maintenance.** The Homeowners shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB) for the areas located between the northern property line and the new public right-of-way road easement, the detention basin within the center of the cul-de-sac and the detention basin located on Lot No. 1.
  - b. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
9. **Pesticide or Fertilizer Usage Near Drainage Facilities.** The use of pesticides or fertilizer shall be prohibited within the detention basin area located in the cul-de-sac, which drains directly into an offsite concrete V-ditch that leads to a natural water course as outlined in Municipal Code §16.15.
- D. **Public Works Submittal Prior to Final Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Final Map and prior to the issuance of any permits for the project:
1. **Final Map.** The Owner shall submit to the Public Works Department for approval, a Final Map prepared by a licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the *City Survey Control Ordinance*.

2. **Dedications.** Public Easements, as shown on the approved Tentative Subdivision Map and described as follows, subject to approval of the easement scope and location by the Public Works Department:
  - a. A 23-foot wide easement for all street purposes along Hope Avenue in order to establish a 60-foot wide public right-of-way.
  - b. Dedicate a new public road to the City of Santa Barbara shown on the Tentative Map as *Whiterose Lane* with a 40-foot wide public right-of-way, abutting to the existing City sewer easement along the northerly property line. The 40-foot wide easement shall accommodate a sidewalk and parkway along the southern side of Whiterose Lane, curbs, gutter, travel lanes and an area along the northern side of Whiterose Lane to accommodate “no parking” signs.
  - c. The existing sewer easement along the northern property line shall be reduced from ten (10) feet to eight (8) feet in width.
3. **Private Agreement to Extend Private Sewer Laterals from Individual Properties Located to the North of the Subject Subdivision** Developer shall advise the owners of the seven (7) existing homes to the north of the project site (counting from east to west, starting at Hope Avenue) of the opportunity to connect to the proposed sewer main on the project site at the owners’ cost. During construction of the proposed sewer main, Developer shall accommodate the connection of private sewer laterals from any interested owners. Developer shall execute and record any documentation necessary to enable the connection and future use and maintenance of such private laterals. Developer’s obligation to facilitate such connections shall cease upon construction of the proposed public road on the project site.
4. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner’s signature.
5. **Required Private Covenants.** The Owner shall submit a copy of the draft private covenants, reciprocal easement agreement, or similar private agreements required for the project, concurrently with the Final Map.
6. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water Management Plan (treatment, rate and volume). The Owner shall submit drainage calculations, and worksheets from the Storm Water BMP Guidance Manual for Post Construction Practices prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City’s Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be

employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.

- a. The Homeowner(s) shall maintain the private drainage system and storm water pollution control methods in a functioning state.

7. **New Public Road (“Whiterose Lane”) Improvements.** The Owner shall submit separate C-1 public improvement plans to the Public Works counter for construction of public improvements along the interior property frontage for the proposed new public road identified as Whiterose Lane on the Tentative Map. Public Works C-1 plans shall be submitted separately from plans submitted for Building Permits, and shall be prepared by a civil engineer registered in the State of California. As determined by the Public Works Department, the improvements shall include the following according to City standard details, ADAAG (*ADA Guidelines for the public R/W*), the 1975 *Interim Design and Improvements Standards*, the most current publication of the *Greenbook*, and current Municipal Codes:

- a. *Construct to Greenbook standards:* (N) asphalt concrete pavement on aggregate base for a 28-foot paved roadway measured from curb to curb. *Construct to City standards:* 6-inch high curb and gutter on both sides of the new road, 5-foot wide sidewalk and 4-foot wide parkway on the southerly side only of Whiterose Lane, supply and install new street trees of which the species, number and sizes of trees shall be determined by the *City Arborist* and the Street Tree Advisory Committee. Construct nine (9) residential driveway aprons to new lots modified to meet Title 24 requirements, construct 2 single-directional access ramps at entrance to Whiterose Lane, supply and install (N) street name sign, supply & install (N) stop sign at southerly exit lane, a stop bar, and a minimum of three (3) No Parking signs on the northerly side of the new road behind curb.
- b. Construct (N) 8-inch sewer main at centerline of Whiterose Lane and connect (N) main to (E) sewer main along northerly property line through an easement on proposed lot 9 as shown on the Tentative Map. Construct three (3) (N) sewer manholes, and construct nine (9) (N) sewer laterals to proposed lots behind the sidewalk as a part of construction of the (N) sewer main.
- c. Construct (N) 8-inch Ductile Iron water main & appurtenances including installation of two (2) new residential fire hydrants, nine (9) new 2-inch water service lines, one to each new lot, and connect (N) water main to City water main in Hope Avenue.
- d. Submit a Final hydrology report for installation of public & private drainage pipe. Construct three (3) (N) drop inlets with gutter depressions, and

provide storm drain stenciling on (N) drop inlets. In addition, each lot shall submit separate hydrology calculations depicting how the 100-year storm event will be retained as recommended in the Preliminary Hydrology Report prepared by MAC Designs dated 10-12-10. The public improvement plans shall indicate the 100-year overland escape routes.

- e. Supply and install three (3) - Type B residential Dome Style City standard street lights (*one 70 watt at mid-block, one 70 watt at end of cu-de-sac & one 200 watt at the intersection of new road & Hope Ave*), with final location to be determined by the Public Works Department. Show underground conduit and point of connection for new street lights on civil plans. Contractor shall coordinate with Edison and the Public Works Inspector to energize new lights.
  - f. Preserve and/or reset survey monuments and contractor stamps (*if any*), and provide adequate positive drainage from site. Any work in the public right-of-way requires a separate Public Works Permit.
8. **Hope Avenue Public Improvements.** The Owner shall submit C-1 public improvement plans to the Public Works counter for construction of public improvements along the property frontage along Hope Avenue. Public Works C-1 plans shall be submitted separately from plans submitted for a Building Permit, and shall be combined on same plans as the separate C-1's for *Whiterose Lane*. As determined by the Public Works Department, the improvements shall include the following to City standards:
- a. Construct (N): Concrete cross gutter across entrance of Whiterose Lane in Hope Avenue right-of-way, 6-foot wide sidewalk and 4-foot parkway along entire property frontage, +/- 20 LF curb and gutter, a minimum of two (2) Alhambra A470 curb drain outlets, slurry seal to the centerline of the Hope Avenue along entire subject property frontage, *and* slurry seal a minimum of 20 feet beyond the limits of all trenching. Submit a Final hydrology report with determination of sizes for new curb drain outlets.
  - b. Supply and install new street trees of which the species, number and sizes of trees shall be determined by the *City Arborist* and the *Street Tree Advisory Committee*.
  - c. Preserve and/or reset survey monuments and contractor stamps (*if any*), and provide adequate positive drainage from site. Any work in the public right-of-way requires a separate Public Works Permit.
9. **Land Development Agreement (to Secure Public Improvements).** The Owner shall submit an executed *Land Development Agreements*, prepared by the Engineering Division. Owner shall submit an Engineer's Estimate, wet signed, and stamped by a civil engineer registered in the State of California, and shall submit securities for construction of improvements prior to execution of the Agreement.

10. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements requires an Encroachment Permit. The Owner shall obtain a separate Encroachment Permit for private drainage improvements located in the cul-de-sac of the (N) public right-of-way and all private drainage facilities shall be maintained by the private Home Owner's Association.
  11. **Inclusionary Housing Fee.** Submit evidence that the Owner has paid the required inclusionary housing fee of \$15,500/lot to the Community Development Department.
- E. **Design Review.** The project, including public improvements, is subject to the review and approval of the Single Family Design Board (SFDB). SFDB shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Subdivision Design Review.** The subdivision grading plan, including, but not limited to any landform alterations, public improvements, private/common improvements, and landscaping, shall be subject to the review and approval of the SFDB prior to recordation of the Map.
- F. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any Permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
    - a. **Approved Public Improvement Plans.** Public Improvement Plans as identified in condition D.6 “(Whiterose Lane) Public Improvements” and D.7 “Hope Avenue Public Improvements” shall be submitted to the Public Works Department for review and approval. Upon acceptance of completed public improvement plans, a Building permit may be issued if the Owner has submitted securities for the public improvements and executed the *Land Development Agreement*.
    - b. **Haul Routes Require Separate Permit.** Apply for a Public Works Permit to establish the haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more, entering or exiting the site. The Haul Routes shall be approved by the Transportation Manager. (T-1)
    - c. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways. (T-2)

- d. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation Manager. (T-3)

2. **Community Development Department.**

- a. **Recordation of Final Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation of the map and agreements to the Community Development Department prior to issuance of building permits for individual parcels.
- b. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section E “Design Review,” and all elements/specifications shall be implemented on-site.
- c. **Geotechnical Studies.** All recommendations contained in the foundation report prepared by Coast Valley Testing, Inc (August 21, 2009) shall be implemented. These recommendations shall include, but are not limited to requirements for inspections of excavated areas during vegetation clearing, grubbing prior to grading, grading, and review of design of foundations. Scarification and wetting of recompacted areas to receive fill. Also, requirements for asphalt concrete flatwork, and concrete hardscape shall be followed. Grading and foundation plans shall be reviewed by a Geotechnical Engineer and Engineering Geologist to ensure compliance with the recommendations in the Coast Valley Testing, Inc. studies and comply with the findings of any additional subsurface exploration. Compliance shall be demonstrated on plans submitted for grading and building permits and subject to City Building and Safety Division review and approval.
- d. **Conditions on Plans/Signatures.** The final Planning Commission or City Council Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor name, contractor telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
2. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Contractor, site rules and Conditions of Approval pertaining to construction activities, and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. (N-1).
3. **Temporary Traffic Control Plan.** A Temporary Traffic Control (TTC) plan shall be submitted to the Public Works counter, as specified in the DRAFT *City of Santa Barbara Traffic Control Guidelines*, and the 2006 California MUTCD. Traffic Control Plans are subject to approval by the Public Works Director and the City’s Traffic Engineer.
4. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m., excluding the following holidays:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.(N-2)

5. **Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. (N-3)
6. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit. (T-4)
7. **Construction Dust Control** – Throughout grading and other ground disturbance, the following conditions shall be followed:
  - a. **Construction Dust Control - Watering.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to achieve minimum soil moisture of 12% to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include

- wetting down such areas every three hours. Increased watering frequency will be required whenever the wind speed exceeds 15 mph. (AQ-1)
- b. **Construction Dust Control – Tarping.** Trucks transporting fill material to and from the site shall be covered from the point of origin and maintain a freeboard height of 12 inches. (AQ-2)
  - c. **Construction Dust Control – Gravel Pads.** Gravel pads shall be installed to reduce mud/dirt track out from unpaved truck exit routes. (AQ-3)
  - d. **Construction Dust Control – Minimize Disturbed Area/Speed.** Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less. (AQ-4)
  - e. **Construction Dust Control – Disturbed Area Treatment.** After clearing, grading, earth moving, excavation, or demolition is completed, the entire area of disturbed soil shall be treated to prevent wind erosion. This may be accomplished by: (AQ-5)
    - (1) Seeding and watering until grass cover is grown;
    - (2) Spreading soil binders;
    - (3) Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
    - (4) Other methods approved in advance by the Air Pollution Control District.
  - f. **Construction Dust Control – Surfacing.** All surfaces for roadways, driveways, sidewalks, etc., shall be laid as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. (AQ-6)
  - g. **Stockpiling.** If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist by applying water at a rate of 1.4 gallons per hour per square yard, or treated with soil binders to prevent dust generation. Apply cover when wind events are declared. (AQ-7)
  - h. **Construction Dust Control – Project Environmental Coordinator (PEC).** The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure. (AQ-8)

- i. **Engine Size.** The engine size of construction equipment shall be the minimum practical size. (AQ-9)
- j. **Equipment Numbers.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. (AQ-10)
- k. **Equipment Maintenance.** Construction equipment shall be maintained to meet the manufacturer's specifications. (AQ-11)
- l. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment, if feasible. (AQ-12)
- m. **Diesel Catalytic Converters.** Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available. (AQ-13)
- n. **Diesel Replacements.** Diesel powered equipment shall be replaced by electric equipment whenever feasible. (AQ-14)
- o. **Idling Limitation.** All commercial diesel vehicles are subject to Title 13, Section 2485 and 2449 of the California Code of Regulations, limiting engine idling times. Idling of heavy-duty diesel trucks and diesel fueled or alternative diesel fueled off-road compression ignition vehicle during loading and unloading shall be limited to five minutes; auxiliary power units shall be used whenever possible. (AQ-15)
- p. **Worker Trips.** Construction worker trips shall be minimized by requiring carpooling and by providing for lunch onsite. (AQ-16)
- q. **Asbestos & Lead-Containing Materials.** Pursuant to APCD Rule 1001, the applicant is required to complete and submit an APCD Asbestos Demolition and Renovation Compliance Checklist at least 10 working days prior to commencing any alterations of the buildings. Any abatement or removal of asbestos and lead -containing materials must be performed in accordance with applicable federal, State, and local regulations. Permits shall be obtained for the Air Pollution Control District prior commencement of demolition of the structures containing asbestos and/or lead. Disposal of material containing asbestos and/or lead shall be in sent to appropriate land fills that are certified to accept this material. (AQ-17)
- r. **Portable diesel equipment** - All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program or shall obtain an APCD permit. (AQ-18)
- s. **Mobile construction equipment** - Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, Section 2449), the purpose of which is to reduce

diesel particulate matter (PM) and criteria pollutant emission from in-use (existing) off-road diesel-fueled vehicles. The current requirements include idling limits of 5 minutes, labeling of vehicles with ARB-issued equipment identification numbers, reporting to ARB, and vehicle sales disclosures. For more information, please refer to the CARB website at [www.arb.ca.gov/msprog/ordiesel/ordiesel.htm](http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm). (AQ-19)

8. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

- H. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
  1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to

the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

2. **Complete Public Improvements.** Complete public improvements, as shown in the separate public improvement plans, including utility service undergrounding required by Municipal Code 27.028.025, .
3. **Cross-Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist if irrigation meters, pools, spas or solar panels are installed on any of the individual lots.
4. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.
5. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that the private CC&Rs required in Section C “Recorded Conditions Agreement” have been recorded.
6. **Evidence of Detention Basins and Northerly Landscape Strip Maintenance Agreement Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that maintenance of the detention basins and the landscape strip are recorded in an *Agreement for Shared Maintenance* or private CC&R’s required in Section F.2 “Requirements Prior to Permit Issuance”

I. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
2. **Approval Limitations.**
  - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
  - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
  - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

3. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fees required are \$2,044.00 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination cannot be filed and the project approval is not operative, vested, or final. The fee shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game. Please note that a filing fee of \$50.00 is also required to be submitted with the Fish and game fee in the form of a separate check payable to the County of Santa Barbara.
4. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid prior to issuance of any building permit or recordation of the Map, whichever comes first.
5. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors (“City’s Agents”) from any third party legal challenge to the City Council’s denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively “Claims”). Applicant/Owner further agrees to indemnify and hold harmless the City and the City’s Agents from any award of attorney fees or court costs made in connection with any Claim.

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

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

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

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

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



# THE CAREY GROUP, INC.

ARCHITECTURE / PLANNING / CONSTRUCTION ADMINISTRATION

5325 Calle Real Santa Barbara, CA 93111 (805) 964-7000 Fax (805) 964-7022

September 27, 2011

The Honorable Planning Commission  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, Ca 93101

Reference: Application Letter  
455, 457 & 459 N. Hope Avenue, Santa Barbara, CA 93111  
APN: 057-170-12

Dear Commissioners,

## **Request**

The Carey Group, Inc. as agent for the owner Giardini di Cipriani, LLC is pleased to submit plans and engineering studies for the annexation and subdivision of the 2.9 acre (126,149 sf) site on Hope Avenue to be subdivided into nine (9) single family residential parcels. The applicant is seeking a Tentative Map.

There are no homes proposed at this time.

On May 21, 2010 your Commission approved Initiation of the project for Annexation. It now begins its next step in the planning process, which is requesting your approval of a General Plan Designation, Zoning upon Annexation, Detachment from Santa Barbara County Fire and Goleta Water District, a Modification to the Standard Public Street Width and a Street Frontage Modification for one of the nine lots (proposed Parcel 8, a flag lot).

## **Pre- application Reviews**

The project has had extensive review prior to coming to the Planning Commission:

- 1) Pre-application Review Team (PRT), November 27, 2006
- 2) Informal Department Planning Review, March 10, 2009
- 3) LAFCO Meeting with City, March 29, 2009
- 4) Staff Report to Planning Commission, April 30, 2009
- 5) Planning Commission, Initiation to Annex, May 21, 2010
- 6) Traffic Review, July 13, 2010.
- 7) Development Application Review Submittal, August 3, 2010
- 8) Development Application Review, Comments #1, August 31, 2010
- 9) DART Meeting, September 7, 2010
- 10) Single Family Design Review Board, October 4, 2010
- 11) Development Application Review Comments #2, November 23, 2010
- 12) Application Deemed Complete, November 23, 2010
- 13) Draft Negative Declaration, July 13, 2011

SB 553322 v1:007712.0005

**EXHIBIT C**

14) Initial Study, July 15, 2011

15) Public Works and Planning Review Meeting with Applicant prior to Planning Commission, August 15, 2011

All of the comments from the written DART reviews have been addressed and are shown on the submitted plans.

The applicant has also provided informal reviews of the proposed subdivision plans at neighborhood meetings and to individuals who live adjacent to or near the site. Six separate neighbor mailers from the applicant have gone out requesting input or questions. At this time, the applicant knows of no neighbors who are opposed to the subdivision of the property. Two neighbors have expressed concerns regarding the proposed designs adjoining their individual properties.

### **Project Goals/Discussion**

The site is a long, narrow, infill site (194' x 643') surrounded by single family homes on three sides and Hope Avenue to the east. It is presently located in the County of Santa Barbara. The parcel is located within the City's sphere of influence, and adjoins parcels located in the City on three sides.

Because it has been a goal of the City to annex the remaining County pieces in the upper Hope area, annexing the site is in keeping with the City's' planning goals.

The current City zoning for the site, E-3 allows for development of 14.5 dwelling units; however, taking into account the design criteria for a new public street, minimum lot widths, FAR calculations, maximum slope density, and site drainage, the site compatibility allows for the proposed development of nine (9) single family parcels. The applicant believes that subdividing the property into nine parcels is consistent with the surrounding neighborhood. To the north the property adjoins nine (9) parcels on Lincoln Road (City) and to the south there are six (6) larger parcels on Sunset Road (County). In addition, in 1962 when the sewer connections were installed on the north side of the site, nine (9) future sewer wyes were installed on the property for the site's future development into nine parcels.

Based on Traffic Department input, the project's proposed access road has been located close to the northern boundary of the property. The proposed road's width, on-street parking of one space per parcel, cul de sac radius, cul de sac planter, and a sidewalk on one side of the street are provided consistent with Traffic Department input and Fire Department standards. Nine (9) on-street spaces are shown, although not required. The applicant has been conditioned, as a part of the proposed project, to install a new sewer line beneath the center of the proposed new street.

The topography of the site rises from Hope Avenue, crowning about mid-site and rolling downward in the back at the far west. In addition, the property slopes to the south on the eastern portion and to the north on the western portion. At the direction of Public Works, a drainage easement to the west has been obtained and a hydrology report and preliminary grading plans have been completed. Lots 1-4 will drain to Hope Avenue and Lots 5-9 will drain to the existing concrete v-ditch located on the neighboring property west of the site. Two proposed open retention basins and private onsite or below grade storage devices will also be utilized. A concrete v-ditch will be added at the west and south side of Parcel 9.

There are no plans to remove significant vegetation.

**Other Planning Items:**

**Neighboring Anderson Parcels to the South (APN: 057-191-014 and 057-191-021)**

The adjoining neighbor to the south of the parcel was contacted per staff's request. The owners, Mr. and Mrs. Anderson, do not desire to give up their private driveway, merge their parcels, or be annexed to the City.

**Drainage Easement to La Cumbre Hills V ditch (west property line)**

As the site currently drains to the west by sheet flow, Public Works requested and the applicant obtained an easement to capture the current runoff and drain it by pipe into La Cumbre Hills drainage v-ditch to the West. The granting of this easement was approved by the landowner and the La Cumbre Hills Homeowner Association who has an easement to maintain the v-ditch for the Homeowner Association.

**Lighting** - Two street lights have been shown on the drawings per Public Works' request. One will be located at Hope Avenue at the public sidewalk and the second low wattage pole light near the proposed new cul de sac. Both fixtures are City lights and are called out on the site plan and civil drawings. The neighbors and applicant are requesting the use of City light C-08, a "pedestrian light" with a fluted 14' pole, at the new cul de sac, as it is more in keeping with the neighborhood character. The standard street Light B-08 is shown at Hope Avenue.

After the project was "Deemed Complete", Public Works requested a condition for the addition of a third street light and that all three lights now be the City Standard Street Light B-08 not the shorter City Standard Pedestrian Light C-08 at the proposed new street per the neighbors request which was previously approved in the DART letter of completeness. We request Planning Commission input on the street lights.

**Proposed action:**

The applicant requests: 1) Annexation of the site, located in the unincorporated area of Santa Barbara County, into the City of Santa Barbara, 2) Detachment from County Fire Protection District and Goleta Water District, 3) A General Plan Amendment, 4) A Zoning Map Amendment, 5) Tentative Subdivision Map for the nine lot subdivision, 6) A Street Frontage Modification and 7) A Modification to the standard street width 8) Approval of the street lights as shown on the drawings.

We look forward to working with the City on this project.

Sincerely,

  
Trudi G. Carey

**Submitted to Staff with the Application Package for your reference:**

- 1) Soils Report
- 2) Traffic Study
- 3) Hydrology Study
- 4) Arborist Report
- 5) Historical Report
- 6) Grading and Drainage Plans (10 copies folded)

- 7) Grading and Drainage Plan reductions (8 ½ x 11)
- 8) Tentative Map (10 copies folded)
- 9) Tentative Map reduction (8 ½ x 11)
- 10) Architectural Site Plans (10 copies folded)
- 11) Site photos
- 12) PRT letter with responses
- 13) Staff review meeting notes with responses
- 14) Traffic email 7/13/10
- 15) Initiation to Annexation Minutes of Approval and Staff report
- 16) Preliminary Title Report (two copies)
- 17) Light Fixture Cut Sheet
- 19) La Cumbre Hills Lane Recorded Map showing v-ditch, proposed v-ditch and pipe
- 20) Utility letters:
  - a) Water and Sewer
  - b) Gas
  - c) Electricity
  - d) Cable
  - e) Telephone
- 21) Hazardous Waste Form
- 22) La Cumbre Hills Easement
- 23) DART Application Checklist
- 24) Project Plan Requirement Checklist

**B. APPLICATION OF TRUDI CAREY, AGENT FOR GIARDINI DI CIPRIANI, LLC, 455, 457, 459 N. HOPE AVENUE, APNs 057-170-012, 057-191-011 & -014, COUNTY ZONING: 8-R-1 (SINGLE FAMILY RESIDENTIAL WITH A MINIMUM LOT SIZE OF 8,000 SQUARE FEET PER UNIT), COUNTY GENERAL PLAN DESIGNATION: RESIDENTIAL, 4.6 UNITS PER ACRE (MST2006-00564) Continued from May 21, 2009.**

The City received a request from Trudi Carey of The Carey Group, Inc., agent for property owner Giardini di Cipriani, LLC, for initiation of annexation of the 2.92 acre lot known as 457 and 459 N. Hope Ave. (APN 057-170-012). Upon annexation, the owner intends to subdivide the property into nine residential lots. In addition, due to previously-imposed conditions on the adjoining property to the south, staff requests initiation of annexation of the 0.25 acre lot known as 455 N. Hope Ave. (APN 057-191-011) and the 0.14 acre driveway lot (APN 057-191-014) serving the residence at 455 N. Hope Ave. These two lots are owned by the Anderson Family Revocable Trust, and no improvements are proposed as this time. The three subject lots are located within the City's Sphere of Influence, and adjoin parcels already in the City. At this time, the discretionary action required for the project is **Initiation of Annexation** (SBMC Chapter 28.96).

Case Planner: Daniel Gullett, Associate Planner  
Email: DGullett@SantaBarbaraCA.gov

Daniel Gullett, Associate Planner, gave the Staff presentation.

Trudi Carey gave the applicant presentation.

Chair Thompson opened the public hearing at 6:00 P.M., and with no one wishing to speak, closed the hearing.

Regarding water use, Ms. Carey responded that the project uses city water and has city water meters. It also uses the city sewer system.

Staff answered additional Planning Commission questions about the detachment as related to the Goleta Water District.

The Commissioners made the following comments:

1. Commissioner Jostes appreciated that the rural nature has been kept. Would like to see building envelopes include in the subdivision next time the project comes before the Planning Commission.
2. Commissioner Bartlett supported the annexation but is concerned that connectivity is not achieved and creates a dead-end cul-de-sac street without connections for pedestrians and vehicles. Concerned that the project results in too few but large lots and is inconsistent with pattern of the neighborhood.

Would like to see a subdivision that has more lots that are smaller with homes that are more affordable. Likes the narrower street widths and supports the one sidewalk.

3. Commissioners Lodge and Thompson agree with looking at smaller lots and smaller houses that are affordable by design when the project returns. Commissioner Lodge was concerned with the narrowness of the smaller street.
4. The consensus of the Commission supported the annexation of the property to the city.
5. Commissioner Thompson prefers a city street, as long as the city agrees to support the street.
6. Commissioner Jostes suggested that the applicant return to the Planning Commission for a concept review for an alternative subdivision plan that is more responsive to the Planning Commission's comments.

**MOTION: Jostes/Lodge**

**Assigned Resolution No. 023-09**

Recommended Initiation of Annexation of the parcels indicated in the Staff Report, with a General Plan designation as residential with 5 units/per acre.

Ms. Carey explained how the lot sizes were determined, accounting for slope density, as well as drainage issues that were addressed with the determination.

Staff responded to the Commission's inquiry on the availability of Planned Unit Development (PUD) or Planned Residence Development (PRD) zoning designations that would provide the applicant more flexibility with the site location by stating that they are both available. The PRD would be individual lots that would come with a Conditional Use Permit. The PUD would be a zone.

This motion carried by the following vote:

Ayes: 4 Noes: 0 Abstain: 0 Absent: 3 (Larson, Jacobs, White)

Chair Thompson announced the ten calendar day appeal period.

Chair Thompson called a dinner break at 6:17 P.M and reconvened the meeting at 7:00 P.M.

**CONCEPT REVIEW - NEW ITEM****4. \*COUNTY PROPERTY (455, 457, 459 Hope Ave)****\*COUNTY Zone**

Assessor's Parcel Number: 057-170-012  
 Application Number: MST2006-00564  
 Owner: Giardini Di Cipriani, LLC  
 Architect: Trudi Carey

(Proposal to create 9 lots for new single-family residences on a 2.92 acre vacant lot currently in the County of Santa Barbara. Due to the utilities being serviced by the City of Santa Barbara and the property being located within the City's sphere of influence, it will be required to be annexed. Because of the annexation, the project will include a General Plan Amendment and a Rezone. A new public road along the northern lot line will provide access to the parcels. No development of the individual lots is proposed with the subdivision.)

**(Comments only; project requires Environmental Assessment and Planning Commission review of a General Plan Amendment and rezoning.)**

(4:39)

Present: Trudi Carey, Applicant/Architect; and Michael Cassese, Civil Engineer.

Staff announced that the project was incorrectly noticed for the Architectural Board of Review (ABR) for October 4, 2010, and was postponed one week to the Single Family Design Board (SFDB), which is the appropriate governing Design Review Board.

Staff provided the Board members with a copy of section 3.3 of the Single Family Board Design Guidelines regarding subdivision grading plans, and read into the record a memo from the case planner, Peter Lawson, Associate Planner.

Public comment opened at 4:55 p.m. As no one wished to speak, public comment was closed.

An opposition letter from Paula Westbury was acknowledged by the Board.

&lt;V/02:13:53&gt;

**Motion: Continued indefinitely to the Planning Commission for return to Full Board with comments:**

- 1) The Board appreciates the thorough design and presentation of the project.
- 2) The Board would prefer a pedestrian scale light fixture at the cul-de-sac, rather than the taller auto style light fixture.
- 3) The Board defers to the case planner to evaluate the grading quantities prior to recording of the individual lots, and if grading is to occur that disturbs the existing vegetation, that a hydro-seed plan be reviewed and approved by the SFDB.
- 4) Study the possibility of a larger parkway along White Rose Lane; a 5-foot parkway and a 4-foot sidewalk was suggested.

Action: Woolery/Miller, 6/0/0. Motion carried. (Zimmerman absent).

**ADJOURNMENT:** The Full Board meeting was adjourned at 5:15 p.m.



## **City of Santa Barbara California**

**Exhibit F: the Final Negative Declaration (FND) for 457 N. Hope Avenue dated September 27, 2011 is being distributed separately and is available for review at:**

- **Community Development – Planning Division**  
630 Garden Street, Second floor  
Santa Barbara, CA 93101  
Between the hours of 8:30 A.M. and 4:30 P.M.
- **Public Library – Main Branch**  
40 E. Anapamu Street  
Santa Barbara, CA 93101  
During hours of operation
- **Online at [www.SantaBarbaraCA.gov/EIR](http://www.SantaBarbaraCA.gov/EIR)**



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 020-11

457 N. HOPE AVENUE

TENTATIVE SUBDIVISION MAP, ANNEXATION, GENERAL PLAN AMENDMENT,  
REZONE AND A STREET FRONTAGE MODIFICATION

OCTOBER 6, 2011

**APPLICATION OF TRUDI CAREY AGENT FOR GIARDINI DI CIPRIANI, LLC, 457 N HOPE AVENUE, APN 057-170-012, RES 4.6 (COUNTY) ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL (COUNTY) (MST2006-00564)**

The project consists of a nine-lot subdivision of a 2.96-acre vacant parcel, currently located within the County of Santa Barbara's jurisdiction. As part of the project, the site would be annexed to the City of Santa Barbara. A General Plan designation of Residential (5 units/acre) and Zoning designation of One-Family Residence E-3/S-D-2 (7,500 square feet minimum) is proposed. No development of the individual lots is currently proposed, but construction of infrastructure to serve all of the lots is part of the project. Infrastructure would include a new cul-de-sac road, which would be dedicated as a public road, and all utilities to serve each of the nine lots. Future development of the parcels would be single-family homes. Future development of homes would be reviewed individually through design review and building permit review. Based upon the proposed lot size, it can be assumed that development could be up to 30 feet in height and an approximately 4,000 square feet in size (includes garage, habitable space and hardscape).

The discretionary applications required for this project are:

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

1. General Plan Amendment to change the land use designation of project site from the Santa Barbara County Land Use Designation of Residential, Res 4.6 units per acre to City General Plan Designation of Residential, 5 units per acre, (SBMC §28.07);
2. Zoning Map Amendment to rezone the site from the Santa Barbara County zoning designation of Single-Family Residential 8-R-1 to the City Zoning designation of One-Family Residence/Special District E-3/S-D-2 (7,500 s.f. minimum) (SBMC, §28.92.020);
3. Detachment from County Service Area (CSA) No. 32 (Unincorporated Law Enforcement), Santa Barbara County Fire District, and Goleta Water District;
4. Annexation of the property from Santa Barbara County to the City of Santa Barbara;

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

5. A Modification to reduce the required street frontage of proposed Lot number 8 from 60 feet to 38 feet (SBMC §28.92.026.A);
6. A Tentative Subdivision Map to allow the division of one parcel (1) into nine (9) lots (SBMC 27.07);

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

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

**WHEREAS**, 3 people appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 29, 2011.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Lauren Saltman, via email
  - b. Jeff Devine, via email
  - c. Dan Dawson, via email
  - d. Ross Harris, via email
  - e. Dave Scott, via email
  - f. Judy Rattray, via email
  - g. Susan Rodriguez, via email
  - h. Diane Johnson, via email
  - i. Connie Townsend, via email
  - j. John and Ruth Rowe, via email
4. Correspondence received in opposition to the project or with concerns:
  - a. Laurie Shea, via email
  - b. Paula Westbury, Santa Barbara, CA
  - c. Chris and Marilee Bell, via email

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

- I. Recommended to City Council the Detachments, Annexation, General Plan Amendment and the Zoning Map amendment as outlined in the Staff Report of September 29, 2011.

This motion was passed and adopted on the 6th day of October, 2011 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jacobs); and

- II. Directed to Public Works that the height of the light poles shall be 14 feet.

This motion was passed and adopted on the 6th day of October, 2011 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jacobs); and

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

A. **Final Negative Declaration Adoption**

1. The Planning Commission has considered the proposed Final Negative Declaration, dated September 27, 2011, for the 457 North Hope Project (MST2006-00564), and comments received during the public review process prior to making a recommendation on the project.
2. The Final Negative Declaration has been prepared in compliance with California Environmental Quality Act requirements, and constitutes adequate environmental analysis of the project.
3. In the Planning Commission's independent judgment and analysis based on the whole record (including the initial study and comments received), there is no substantial evidence that the Project will have a significant effect on the environment. The Final Negative Declaration, dated September 27, 2011, is hereby adopted.
4. Recommended mitigation measures identified in the Negative Declaration that would further reduce all less than significant impacts have been included in the project or made a condition of approval.
5. The location and custodian of documents or other material which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, CA 93101.
6. The California Department of Fish and Game (DFG) is a Trustee Agency with oversight over fish and wildlife resources of the State. The DFG collects a fee from project proponents of all projects potentially affecting fish and wildlife, to defray the cost of managing and protecting resources. The project is subject to the DFG fee, and a condition of approval has been included, which requires the applicant to pay the fee within five days of project approval.

This motion to certify the Final Negative Declaration was passed and adopted on the 6th day of October, 2011 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jacobs)

B. **Modification**

The proposed project includes a Modification request to reduce the required street frontage of proposed Lot 8 from 60 feet to 38 feet. Because of its location at the curve of the cul-de-sac, Lot 8's street frontage would be shortened, and the lot would be shaped similar to a flag lot. The interior of the lot is rectangular (99' X 98') and the overall size is over 11,000 square feet, which would provide adequate room for development without need for any further Modifications. Therefore, due to the location of this lot, and because there is adequate room on the lot to provide access and development consistent with the Municipal Code, this Modification is consistent with the purpose and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement.

C. **The Tentative Map (SBMC §27.07.100)**

With the approval of the requested Street Frontage Modification for Lot 8, the Tentative Subdivision map is consistent with the General Plan, as described in Section V.C. Development of the houses is not proposed at this time; however, the layout of the proposed subdivision is consistent with the applicable General Plan and Zoning requirements. The site is physically suitable for the proposed development, as there are no physical constraints, such as steep slopes, extensive vegetation or watercourses, that would prevent future development or require exceptions from the Municipal Code. The site is physically suitable for the proposed density of development, because it is relatively flat (except for Lot 8), and the proposed density of development of 3.8 units per acre is less than the density allowable under the proposed General Plan designation (5 units per acre). The design of the project will not cause substantial environmental damage because a grading plan was provided that demonstrates drainage being conveyed in a manner consistent with adopted regulations and guidelines. The design of the development is not likely to cause public health problems, as the future development would be single-family residences, consistent with the surrounding neighborhood. Finally, the design of the development will not conflict with any public easements; the existing sewer easement at the northern property line will be relocated to the centerline of the new public street. The project includes the development and dedication of a new public street and improvements to the sidewalk along Hope Avenue.

IV. Said approval is subject to the following conditions:

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

1. Pay Fish and Game fee immediately upon project approval. Delays in payment will result in delays in filing the required Notice of Determination.
2. Obtain all additional land use approvals. Refer to condition B "Approval Contingent upon Annexation, Adoption of General Plan Amendment and Rezone." After all City approvals are obtained, submit Annexation Map to LAFCO, provide City staff with a copy of *Certificate of Completion & LAFCO Resolution*, pay Annexation Buy-In fees to City Public Works for public infrastructure prior to recordation of Final Map.
3. Obtain all required design review approvals.
4. Pay Land Development Team Recovery Fee.
5. Make application and obtain City Council approval of the Final Map and Agreements and record said documents.
6. Permits following recordation of Final Map.
  - a. Make application and obtain a Building Permit (BLD) for construction of approved development.
  - b. Make application and obtain a Public Works Permit (PBW) for all required public improvements, and an Encroachment Permit for private drainage system in the public Right of Way.

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

- B. **Approval Contingent Upon Annexation, Adoption of General Plan, and Rezone.** Planning Commission approval of the proposed subdivision is contingent upon approval of the Annexation, Zoning Ordinance and General Plan Amendment by the City Council and completion of that annexation by the Local Agency Formation Commission.
- C. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder concurrent with the Final Map, and shall include the following:
1. **Approved Development.** A nine lot subdivision of a 2.92 acre vacant parcel, currently located within the County of Santa Barbara's jurisdiction. The site would be annexed to the City of Santa Barbara and would be given a General Plan designation of Residential (5units/acre) and Zoning designation of Residential (E-3 - 7,500 square feet/lot). No structural development of the individual lots is proposed, but infrastructure serving all of the lots would be either constructed or bonded. The infrastructure includes, but is not limited to, new water lines, sewer lines, a public road and drainage improvements, which are shown on the Tentative Subdivision Map and signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
  2. **Future Residential Development.** All future development on the property shall be subject to the following conditions:
    - a. All future construction shall comply with the applicable conditions of approval contained in Sections F. "Requirements Prior To Permit Issuance," G. "Construction Implementation Requirements," and H. "Prior to Certificate of Occupancy" of the Planning Commission resolution.
  3. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
  4. **Private Drainage.** The Owner shall also provide drainage easements across the newly created lots to facilitate drainage.
  5. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).
  6. **Landscape Plan Compliance.** The Homeowner(s) shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the Homeowner(s) are responsible for its immediate replacement.
  7. **Storm Water Pollution Control and Drainage Systems Maintenance.** Homeowner(s) shall maintain the common drainage system and storm water pollution control devices as shown on the approved Tentative Map intended to intercept siltation and other potential

pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc. ) in a functioning state as outlined in the private CC&R's (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual).

- a. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Home Owner(s) shall be responsible for any necessary repairs to the system and restoration of the eroded area.
  - b. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work.
  - c. The Homeowner(s) are responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
  - d. Drainage from individual detention basins on each lot, as depicted on the Tentative Map, shall not be impeded by neighboring parcels.
8. **Required Private Covenants (CC&R's).** The Owner shall record in the official records of Santa Barbara County private covenants or a similar agreement which, among other things, shall provide for all of the following:
- a. **Common Landscape Area Maintenance.** The Homeowners shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB) for the areas located between the northern property line and the new public right-of-way road easement, the detention basin within the center of the cul-de-sac and the detention basin located on Lot No. 1.
  - b. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
9. **Pesticide or Fertilizer Usage Near Drainage Facilities.** The use of pesticides or fertilizer shall be prohibited within the detention basin area located in the cul-de-sac, which drains directly into an offsite concrete V-ditch that leads to a natural water course as outlined in Municipal Code §16.15.
- D. **Public Works Submittal Prior to Final Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Final Map and prior to the issuance of any permits for the project:
1. **Final Map.** The Owner shall submit to the Public Works Department for approval, a Final Map prepared by a licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the City *Survey Control Ordinance*.

2. **Dedications.** Public Easements, as shown on the approved Tentative Subdivision Map and described as follows, subject to approval of the easement scope and location by the Public Works Department:
  - a. A 23-foot wide easement for all street purposes along Hope Avenue in order to establish a 60-foot wide public right-of-way.
  - b. Dedicate a new public road to the City of Santa Barbara shown on the Tentative Map as *Whiterose Lane* with a 40-foot wide public right-of-way, abutting to the existing City sewer easement along the northerly property line. The 40-foot wide easement shall accommodate a sidewalk and parkway along the southern side of Whiterose Lane, curbs, gutter, travel lanes and an area along the northern side of Whiterose Lane to accommodate “no parking” signs.
  - c. The existing sewer easement along the northern property line shall be reduced from ten (10) feet to eight (8) feet in width.
3. **Private Agreement to Extend Private Sewer Laterals from Individual Properties Located to the North of the Subject Subdivision** Developer shall advise the owners of the seven (7) existing homes to the north of the project site (counting from east to west, starting at Hope Avenue) of the opportunity to connect to the proposed sewer main on the project site at the owners’ cost. During construction of the proposed sewer main, Developer shall accommodate the connection of private sewer laterals from any interested owners. Developer shall execute and record any documentation necessary to enable the connection and future use and maintenance of such private laterals. Developer’s obligation to facilitate such connections shall cease upon construction of the proposed public road on the project site.
4. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner’s signature.
5. **Required Private Covenants.** The Owner shall submit a copy of the draft private covenants, reciprocal easement agreement, or similar private agreements required for the project, concurrently with the Final Map.
6. **Drainage and Water Quality.** The project is required to comply with Tier 3 of the Storm Water Management Plan (treatment, rate and volume). The Owner shall submit drainage calculations, and worksheets from the Storm Water BMP Guidance Manual for Post Construction Practices prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City’s Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.

- a. The Homeowner(s) shall maintain the private drainage system and storm water pollution control methods in a functioning state.
7. **New Public Road (“Whiterose Lane”) Improvements.** The Owner shall submit separate C-1 public improvement plans to the Public Works counter for construction of public improvements along the interior property frontage for the proposed new public road identified as *Whiterose Lane* on the Tentative Map. Public Works C-1 plans shall be submitted separately from plans submitted for Building Permits, and shall be prepared by a civil engineer registered in the State of California. As determined by the Public Works Department, the improvements shall include the following according to City standard details, ADAAG (*ADA Guidelines for the public R/W*), the 1975 *Interim Design and Improvements Standards*, the most current publication of the *Greenbook*, and current Municipal Codes:
- a. *Construct to Greenbook standards:* (N) asphalt concrete pavement on aggregate base for a 28-foot paved roadway measured from curb to curb. *Construct to City standards:* 6-inch high curb and gutter on both sides of the new road, 5-foot wide sidewalk and 4-foot wide parkway on the southerly side only of *Whiterose Lane*, supply and install new street trees of which the species, number and sizes of trees shall be determined by the *City Arborist* and the Street Tree Advisory Committee. Construct nine (9) residential driveway aprons to new lots modified to meet Title 24 requirements, construct 2 single-directional access ramps at entrance to *Whiterose Lane*, supply and install (N) street name sign, supply & install (N) stop sign at southerly exit lane, a stop bar, and a minimum of three (3) No Parking signs on the northerly side of the new road behind curb.
  - b. Construct (N) 8-inch sewer main at centerline of *Whiterose Lane* and connect (N) main to (E) sewer main along northerly property line through an easement on proposed lot 9 as shown on the Tentative Map. Construct three (3) (N) sewer manholes, and construct nine (9) (N) sewer laterals to proposed lots behind the sidewalk as a part of construction of the (N) sewer main.
  - c. Construct (N) 8-inch Ductile Iron water main & appurtenances including installation of two (2) new residential fire hydrants, nine (9) new 2-inch water service lines, one to each new lot, and connect (N) water main to City water main in Hope Avenue.
  - d. Submit a Final hydrology report for installation of public & private drainage pipe. Construct three (3) (N) drop inlets with gutter depressions, and provide storm drain stenciling on (N) drop inlets. In addition, each lot shall submit separate hydrology calculations depicting how the 100-year storm event will be retained as recommended in the Preliminary Hydrology Report prepared by MAC Designs dated 10-12-10. The public improvement plans shall indicate the 100-year overland escape routes.
  - e. Supply and install three (3) - Type B residential Dome Style City standard street lights (*one 70 watt at mid-block, one 70 watt at end of cu-de-sac & one 200 watt at the intersection of new road & Hope Ave*), with final location to be determined by the Public Works Department. Show underground conduit and point of

connection for new street lights on civil plans. Contractor shall coordinate with Edison and the Public Works Inspector to energize new lights.

- f. Preserve and/or reset survey monuments and contractor stamps (*if any*), and provide adequate positive drainage from site. Any work in the public right-of-way requires a separate Public Works Permit.
8. **Hope Avenue Public Improvements.** The Owner shall submit C-1 public improvement plans to the Public Works counter for construction of public improvements along the property frontage along Hope Avenue. Public Works C-1 plans shall be submitted separately from plans submitted for a Building Permit, and shall be combined on same plans as the separate C-1's for *Whiterose Lane*. As determined by the Public Works Department, the improvements shall include the following to City standards:
- a. Construct (N): Concrete cross gutter across entrance of Whiterose Lane in Hope Avenue right-of-way, 6-foot wide sidewalk and 4-foot parkway along entire property frontage, +/- 20 LF curb and gutter, a minimum of two (2) Alhambra A470 curb drain outlets, slurry seal to the centerline of the Hope Avenue along entire subject property frontage, *and* slurry seal a minimum of 20 feet beyond the limits of all trenching. Submit a Final hydrology report with determination of sizes for new curb drain outlets.
  - b. Supply and install new street trees of which the species, number and sizes of trees shall be determined by the *City Arborist* and the *Street Tree Advisory Committee*.
  - c. Preserve and/or reset survey monuments and contractor stamps (*if any*), and provide adequate positive drainage from site. Any work in the public right-of-way requires a separate Public Works Permit.
9. **Land Development Agreement (to Secure Public Improvements).** The Owner shall submit an executed *Land Development Agreements*, prepared by the Engineering Division. Owner shall submit an Engineer's Estimate, wet signed, and stamped by a civil engineer registered in the State of California, and shall submit securities for construction of improvements prior to execution of the Agreement.
10. **Encroachment Permits.** Any encroachment or other permits from the City or other jurisdictions (State, Flood Control, County, etc.) for the construction of improvements (including any required appurtenances) within their rights of way or easements requires an Encroachment Permit. The Owner shall obtain a separate Encroachment Permit for private drainage improvements located in the cul-de-sac of the (N) public right-of-way and all private drainage facilities shall be maintained by the private Home Owner's Association.
11. **Inclusionary Housing Fee.** Submit evidence that the Owner has paid the required inclusionary housing fee of \$15,500/lot to the Community Development Department.

- E. **Design Review.** The project, including public improvements, is subject to the review and approval of the Single Family Design Board (SFDB). SFDB shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Subdivision Design Review.** The subdivision grading plan, including, but not limited to any landform alterations, public improvements, private/common improvements, and landscaping, shall be subject to the review and approval of the SFDB prior to recordation of the Map.
- F. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any Permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
    - a. **Approved Public Improvement Plans.** Public Improvement Plans as identified in condition D.6 “(*Whiterose Lane*) Public Improvements” and D.7 “(*Hope Avenue Public Improvements*)” shall be submitted to the Public Works Department for review and approval. Upon acceptance of completed public improvement plans, a Building permit may be issued if the Owner has submitted securities for the public improvements and executed the *Land Development Agreement*.
    - b. **Haul Routes Require Separate Permit.** Apply for a Public Works Permit to establish the haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more, entering or exiting the site. The Haul Routes shall be approved by the Transportation Manager. (T-1)
    - c. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways. (T-2)
    - d. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation Manager. (T-3)
  2. **Community Development Department.**
    - a. **Recordation of Final Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation of the map and agreements to the Community Development Department prior to issuance of building permits for individual parcels.
    - b. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section E “Design Review,” and all elements/specifications shall be implemented on-site.
    - c. **Geotechnical Studies.** All recommendations contained in the foundation report prepared by Coast Valley Testing, Inc (August 21, 2009) shall be implemented.

These recommendations shall include, but are not limited to requirements for inspections of excavated areas during vegetation clearing, grubbing prior to grading, grading, and review of design of foundations. Scarification and wetting of recompacted areas to receive fill. Also, requirements for asphalt concrete flatwork, and concrete hardscape shall be followed. Grading and foundation plans shall be reviewed by a Geotechnical Engineer and Engineering Geologist to ensure compliance with the recommendations in the Coast Valley Testing, Inc. studies and comply with the findings of any additional subsurface exploration. Compliance shall be demonstrated on plans submitted for grading and building permits and subject to City Building and Safety Division review and approval.

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

Signed:

	Date
Property Owner	

	Date	License No.
Contractor		

	Date	License No.
Architect		

	Date	License No.
Engineer		

- G. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

- 1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor name, contractor telephone number, work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
- 2. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Contractor, site rules and Conditions of Approval pertaining to construction activities, and any additional information that will

assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. (N-1).

3. **Temporary Traffic Control Plan.** A Temporary Traffic Control (TTC) plan shall be submitted to the Public Works counter, as specified in the DRAFT *City of Santa Barbara Traffic Control Guidelines*, and the 2006 California MUTCD. Traffic Control Plans are subject to approval by the Public Works Director and the City's Traffic Engineer.
4. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m., excluding the following holidays:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.(N-2)

5. **Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices. (N-3)
6. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit. (T-4)
7. **Construction Dust Control** – Throughout grading and other ground disturbance, the following conditions shall be followed:
  - a. **Construction Dust Control - Watering.** During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to

achieve minimum soil moisture of 12% to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas every three hours. Increased watering frequency will be required whenever the wind speed exceeds 15 mph. (AQ-1)

- b. **Construction Dust Control – Tarping.** Trucks transporting fill material to and from the site shall be covered from the point of origin and maintain a freeboard height of 12 inches. (AQ-2)
- c. **Construction Dust Control – Gravel Pads.** Gravel pads shall be installed to reduce mud/dirt track out from unpaved truck exit routes. (AQ-3)
- d. **Construction Dust Control – Minimize Disturbed Area/Speed.** Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less. (AQ-4)
- e. **Construction Dust Control – Disturbed Area Treatment.** After clearing, grading, earth moving, excavation, or demolition is completed, the entire area of disturbed soil shall be treated to prevent wind erosion. This may be accomplished by: (AQ-5)
  - (1) Seeding and watering until grass cover is grown;
  - (2) Spreading soil binders;
  - (3) Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
  - (4) Other methods approved in advance by the Air Pollution Control District.
- f. **Construction Dust Control – Surfacing.** All surfaces for roadways, driveways, sidewalks, etc., shall be laid as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. (AQ-6)
- g. **Stockpiling.** If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist by applying water at a rate of 1.4 gallons per hour per square yard, or treated with soil binders to prevent dust generation. Apply cover when wind events are declared. (AQ-7)
- h. **Construction Dust Control – Project Environmental Coordinator (PEC).** The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to

land use clearance for map recordation and land use clearance for finish grading for the structure. (AQ-8)

- i. **Engine Size.** The engine size of construction equipment shall be the minimum practical size. (AQ-9)
- j. **Equipment Numbers.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. (AQ-10)
- k. **Equipment Maintenance.** Construction equipment shall be maintained to meet the manufacturer's specifications. (AQ-11)
- l. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment, if feasible. (AQ-12)
- m. **Diesel Catalytic Converters.** Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available. (AQ-13)
- n. **Diesel Replacements.** Diesel powered equipment shall be replaced by electric equipment whenever feasible. (AQ-14)
- o. **Idling Limitation.** All commercial diesel vehicles are subject to Title 13, Section 2485 and 2449 of the California Code of Regulations, limiting engine idling times. Idling of heavy-duty diesel trucks and diesel fueled or alternative diesel fueled off-road compression ignition vehicle during loading and unloading shall be limited to five minutes; auxiliary power units shall be used whenever possible. (AQ-15)
- p. **Worker Trips.** Construction worker trips shall be minimized by requiring carpooling and by providing for lunch onsite. (AQ-16)
- q. **Asbestos & Lead-Containing Materials.** Pursuant to APCD Rule 1001, the applicant is required to complete and submit an APCD Asbestos Demolition and Renovation Compliance Checklist at least 10 working days prior to commencing any alterations of the buildings. Any abatement or removal of asbestos and lead - containing materials must be performed in accordance with applicable federal, State, and local regulations. Permits shall be obtained for the Air Pollution Control District prior commencement of demolition of the structures containing asbestos and/or lead. Disposal of material containing asbestos and/or lead shall be sent to appropriate land fills that are certified to accept this material. (AQ-17)
- r. **Portable diesel equipment** - All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program or shall obtain an APCD permit. (AQ-18)
- s. **Mobile construction equipment** - Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, Section 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emission from in-use (existing) off-road diesel-

fueled vehicles. The current requirements include idling limits of 5 minutes, labeling of vehicles with ARB-issued equipment identification numbers, reporting to ARB, and vehicle sales disclosures. For more information, please refer to the CARB website at [www.arb.ca.gov/msprog/ordiesel/ordiesel.htm](http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm). (AQ-19)

8. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

- H. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
  2. **Complete Public Improvements.** Complete public improvements, as shown in the separate public improvement plans, including utility service undergrounding required by Municipal Code 27.028.025, .

3. **Cross-Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist if irrigation meters, pools, spas or solar panels are installed on any of the individual lots.
4. **Manholes.** Raise all sewer and water manholes on easement to final finished grade.
5. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that the private CC&Rs required in Section C "Recorded Conditions Agreement" have been recorded.
6. **Evidence of Detention Basins and Northerly Landscape Strip Maintenance Agreement Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that maintenance of the detention basins and the landscape strip are recorded in an *Agreement for Shared Maintenance* or private CC&R's required in Section F.2 "Requirements Prior to Permit Issuance"

I. **General Conditions.**

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
2. **Approval Limitations.**
  - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
  - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
  - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
3. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fees required are \$2,044.00 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination cannot be filed and the project approval is not operative, vested, or final. The fee shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game. Please note that a filing fee of \$50.00 is also required to be submitted with the Fish and game fee in the form of a separate check payable to the County of Santa Barbara.

4. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid prior to issuance of any building permit or recordation of the Map, whichever comes first.
5. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

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

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

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

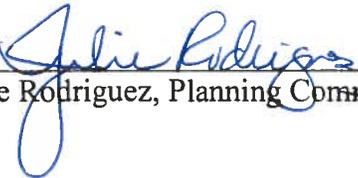
**NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):**

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

This motion was passed and adopted on the 6th day of October, 2011 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 2 (Bartlett, Jordan) ABSTAIN: 0 ABSENT: 1 (Jacobs)

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

  
\_\_\_\_\_  
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.**

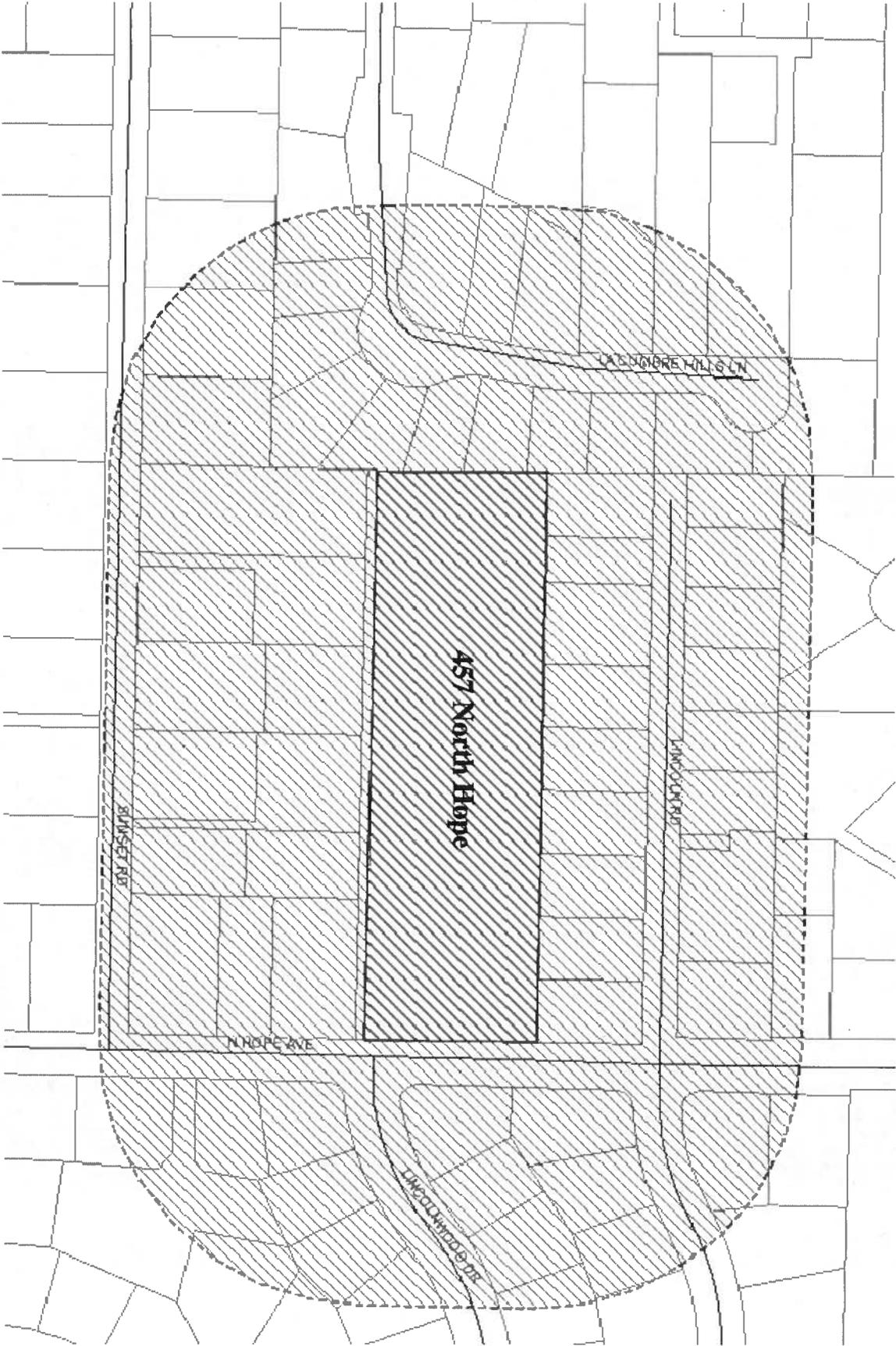
## SURROUNDING PARCELS SIZE AND PROJECT PARCELS SIZE

APN	Lot Square Footage	Address	Acreage
057-170-006	30,188.90	506 N LA CUMBRE RD	0.69
053-430-064	27,899.96	408 N HOPE AVE	0.65
057-191-008	25,612.46	3844 SUNSET RD	0.59
057-170-008	20,914.59	504 N LA CUMBRE RD	0.48
057-143-012	20,745.69	3813 CALLE CITA	0.48
057-170-052	18,722.00	3810 LA CUMBRE HILLS LN	0.43
057-191-017	15,841.17	3804 SUNSET RD	0.36
057-191-022	15,244.49	449 N HOPE AVE	0.35
057-170-048	15,068.67	3839 LA CUMBRE HILLS LN	0.35
057-170-030	14,738.27	3810 LINCOLN RD	0.34
057-191-005	14,600.03	3870 SUNSET RD	0.34
057-191-006	14,600.02	3860 SUNSET RD	0.34
057-191-007	14,599.96	3850 SUNSET RD	0.34
057-191-012	14,599.94	3830 SUNSET RD	0.34
057-191-009	14,467.14	3840 SUNSET RD	0.33
057-170-051	14,394.06	3826 LA CUMBRE HILLS LN	0.33
057-191-021	14,376.57	3820 SUNSET RD	0.33
057-191-020	13,799.89	3822 SUNSET RD	0.32
053-430-065	13,624.65	410 N HOPE AVE	0.32
<b>Lot 1</b>	<b>13,419.00</b>	<b>PROJECT SITE</b>	<b>0.31</b>
057-143-005	13,248.90	521 VIA ROJO	0.3
057-170-038	13,035.52	3815 LA CUMBRE HILLS LN	0.3
057-170-059	12,592.64	496 N LA CUMBRE RD	0.29
057-170-060	12,449.73	3834 LA CUMBRE LN	0.29
057-143-006	12,351.30	522 VIA ROJO	0.28
057-143-007	12,219.53	524 VIA ROJO	0.28
053-430-002	11,719.70	3772 LINCOLN RD	0.27
<b>Lot 9</b>	<b>11,661.00</b>	<b>PROJECT SITE</b>	<b>0.27</b>
<b>Lot 5</b>	<b>11,335.00</b>	<b>PROJECT SITE</b>	<b>0.26</b>
<b>Lot 4</b>	<b>11,313.00</b>	<b>PROJECT SITE</b>	<b>0.26</b>
<b>Lot 6</b>	<b>11,311.00</b>	<b>PROJECT SITE</b>	<b>0.26</b>
<b>Lot 3</b>	<b>11,290.00</b>	<b>PROJECT SITE</b>	<b>0.26</b>
<b>Lot 2</b>	<b>11,268.00</b>	<b>PROJECT SITE</b>	<b>0.26</b>
<b>Lot 8</b>	<b>11,252.00</b>	<b>PROJECT SITE</b>	<b>0.26</b>
053-430-001	11,234.18	438 N HOPE AVE	0.26
057-191-010	11,147.71	3838 SUNSET RD	0.26
057-191-011	11,015.04	455 N HOPE AVE	0.25
053-430-048	10,941.86	406 N HOPE AVE	0.25
053-430-003	10,926.42	3768 LINCOLN RD	0.25
057-170-019	10,852.54	3831 LINCOLN RD	0.25
053-430-009	10,443.67	426 N HOPE AVE	0.24
<b>Lot 7</b>	<b>10,387.00</b>	<b>PROJECT SITE</b>	<b>0.24</b>
053-430-046	10,244.82	421 LINCOLNWOOD PL	0.24
057-170-049	10,031.28	3830 LA CUMBRE HILLS LN	0.23

## SURROUNDING PARCELS SIZE AND PROJECT PARCELS SIZE

APN	Lot Square Footage	Address	Acreage
053-430-025	9,961.70	3778 LINCOLNWOOD DR	0.23
057-170-041	9,921.58	3823 LA CUMBRE HILLS LN	0.23
057-191-018	9,549.68	3818 SUNSET RD	0.22
057-191-015	9,548.86	3816 SUNSET RD	0.22
057-191-023	9,508.93	445 HOPE AVE	0.22
057-170-031	9,253.67	3802 LINCOLN RD	0.23
057-143-017	9,123.72	549 N HOPE AVE	0.26
053-430-026	8,966.65	3779 LINCOLNWOOD DR	0.21
053-430-012	8,802.81	3765 LINCOLN RD	0.2
057-170-021	8,644.69	3845 LINCOLN RD	0.2
057-170-050	8,630.46	3828 LA CUMBRE HILLS LN	0.2
053-430-010	8,611.69	3773 LINCOLN RD	0.2
057-170-047	8,603.04	3835 LA CUMBRE HILLS LN	0.2
057-170-018	8,549.29	3829 LINCOLN RD	0.2
057-170-017	8,543.95	3825 LINCOLN RD	0.2
053-430-028	8,499.63	3771 LINCOLNWOOD DR	0.2
053-430-022	8,498.43	3766 LINCOLNWOOD DR	0.2
057-170-015	8,493.70	3811 LINCOLN RD	0.19
053-430-023	8,450.75	3770 LINCOLNWOOD DR	0.19
057-170-013	8,435.61	3801 LINCOLN RD	0.19
057-170-016	8,380.50	3817 LINCOLN RD	0.19
053-430-047	8,314.69	412 N HOPE AVE	0.19
057-170-014	8,310.49	3805 LINCOLN RD	0.19
053-430-027	8,257.70	3775 LINCOLNWOOD DR	0.19
053-430-011	8,030.81	3769 LINCOLN RD	0.18
053-430-029	7,814.11	3767 LINCOLNWOOD DR	0.18
057-170-026	7,622.55	3824 LINCOLN RD	0.17
053-430-024	7,598.40	3774 LINCOLNWOOD DR	0.17
057-170-028	7,582.58	3820 LINCOLN RD	0.17
057-170-024	7,396.40	3840 LINCOLN RD	0.17
057-170-025	7,391.58	3832 LINCOLN RD	0.17
057-170-027	7,345.55	3822 LINCOLN RD	0.17
057-170-042	7,309.51	3825 LA CUMBRE HILLS LN	0.17
057-170-040	6,858.63	3821 LA CUMBRE HILLS LN	0.16
057-170-044	6,727.37	3829 LA CUMBRE HILLS LN	0.15
057-170-046	6,632.79	3833 LA CUMBRE HILLS LN	0.15
057-170-023	6,582.92	3844 LINCOLN RD	0.15
057-170-043	6,512.63	3827 LA CUMBRE HILLS LN	0.15
057-191-014	6,430.74		0.15
057-170-039	6,339.17	3817 LA CUMBRE HILLS LN	0.15
057-170-045	6,234.48	3831 LA CUMBRE HILLS LN	0.14
057-170-020	6,222.20	3839 LINCOLN RD	0.14
057-143-016	5,657.59	549 N HOPE AVE	0.13
057-170-029	856.88		0.02

Map of Parcels Selected with 300 Foot Radius of 457 N Hope





ORDINANCE NO. \_\_\_\_\_

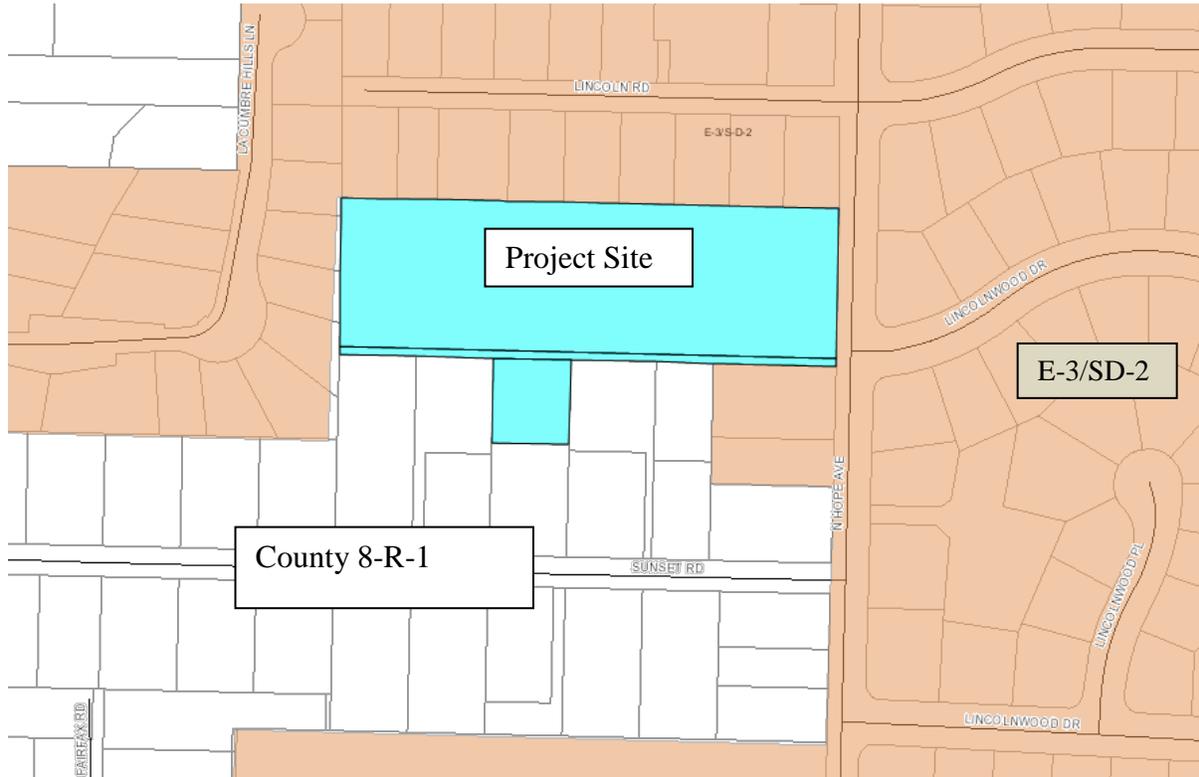
AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 28.12 (ZONE MAP) OF TITLE 28 OF THE MUNICIPAL CODE PERTAINING TO THE ZONING UPON ANNEXATION OF ASSESSOR'S PARCEL NUMBERS 057-191-011 AND 057-191-014 LOCATED AT 455 NORTH HOPE AVENUE AND ASSESSOR'S PARCEL NUMBER 057-170-012 LOCATED AT 457 NORTH HOPE AVENUE IN THE HOPE NEIGHBORHOOD

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

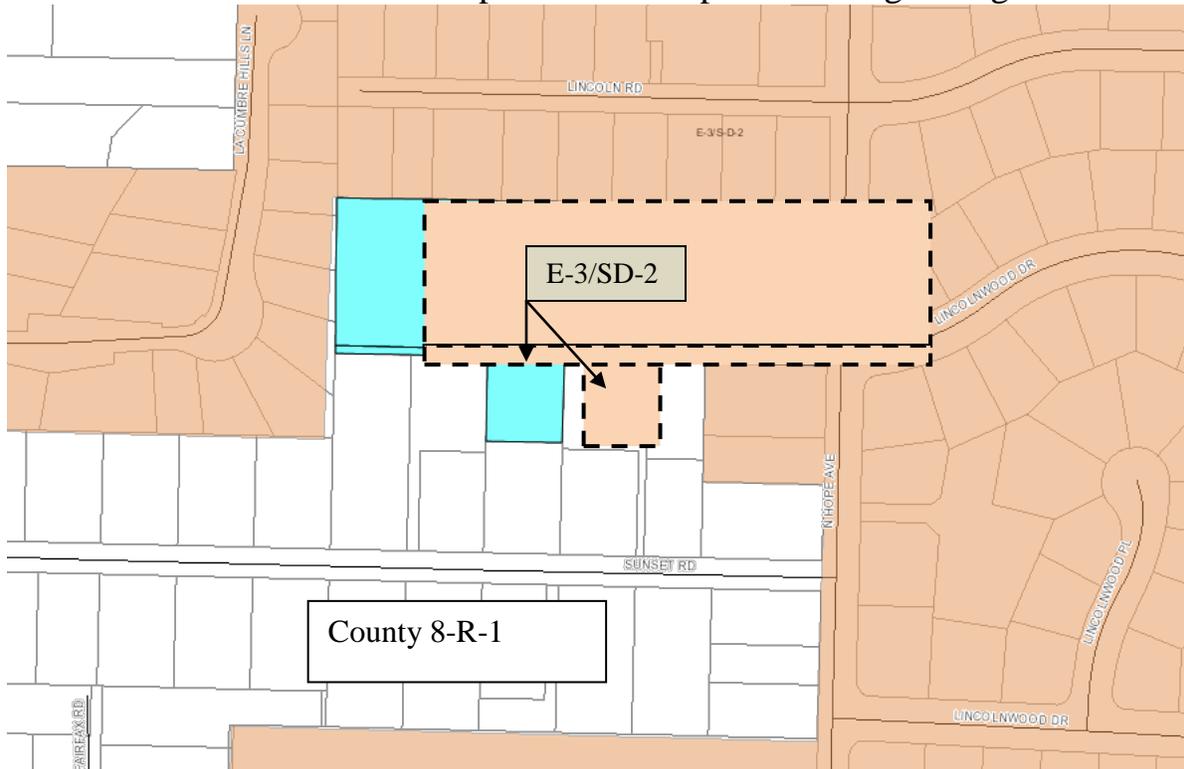
Upon annexation of the subject property, Sectional Zone Map SC01 of Chapter 28.12 (Zone Map) of the Santa Barbara Municipal Code is hereby amended to designate Assessor's Parcel Numbers 057-191-011, 057-191-014, and 057-171-01, totaling approximately 3.17 acres, located at 455 and 457 North Hope Avenue, and depicted in the attached Exhibit A, as E-3/S-D-2, Single Family Residence/Special District Two (Upper State Street Area) Zone.

**EXHIBIT A**

**455 & 457 North Hope Current Zoning**



**455 & 457 North Hope Avenue Proposed Zoning Change**



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA REQUESTING INITIATION OF PROCEEDINGS FOR A REORGANIZATION OF BOUNDARIES, ANNEXATION TO THE CITY OF SANTA BARBARA, DETACHMENT FROM THE SANTA BARBARA COUNTY FIRE PROTECTION DISTRICT, SANTA BARBARA SHERIFF'S OFFICE (CSA 32) AND GOLETA WATER DISTRICT FOR CERTAIN REAL PROPERTY PRESENTLY LOCATED AT 455 NORTH HOPE AVENUE (ASSESSOR'S PARCEL NUMBERS 057-191-011 AND 057-191-014) AND LOCATED AT 457 NORTH HOPE AVENUE (ASSESSOR'S PARCEL NUMBER 057-170-012)

WHEREAS, the City accepted an application from Giardini Di Cipriani, LLC, owners of 457 North Hope Avenue, in order to process a request for: 1. Annexation of the subject property from the unincorporated area of Santa Barbara County to the City of Santa Barbara; 2. A General Plan Amendment Upon Annexation to add the property to the City's General Plan Map; 3. A Zoning Map Amendment Upon Annexation; 4. Tentative Subdivision Map; and 5. Street Frontage Modification;

WHEREAS, due to previously-imposed conditions on the adjoining property to the south, staff requests initiation of annexation of the 0.25 acre lot known as 455 North Hope Avenue (APN 057-191-011) and the 0.14 acre driveway lot (APN 057-191-014) serving the residence at 455 North Hope Avenue to be included with the applicant's request. These two lots are owned by the Anderson Family Revocable Trust;

WHEREAS, the proposed reorganization has been reviewed and recommended for approval by the Planning Commission with respect to environmental and planning matters;

WHEREAS, the City Council has read and considered the Final Negative Declaration for the project together with comments received during the public review process and in its independent judgment and analysis and on the basis of the record before it, determined that there is no substantial evidence that the project will have a significant effect on the environment; and

WHEREAS, the City desires to initiate a proceeding for the adjustment of boundaries specified herein.

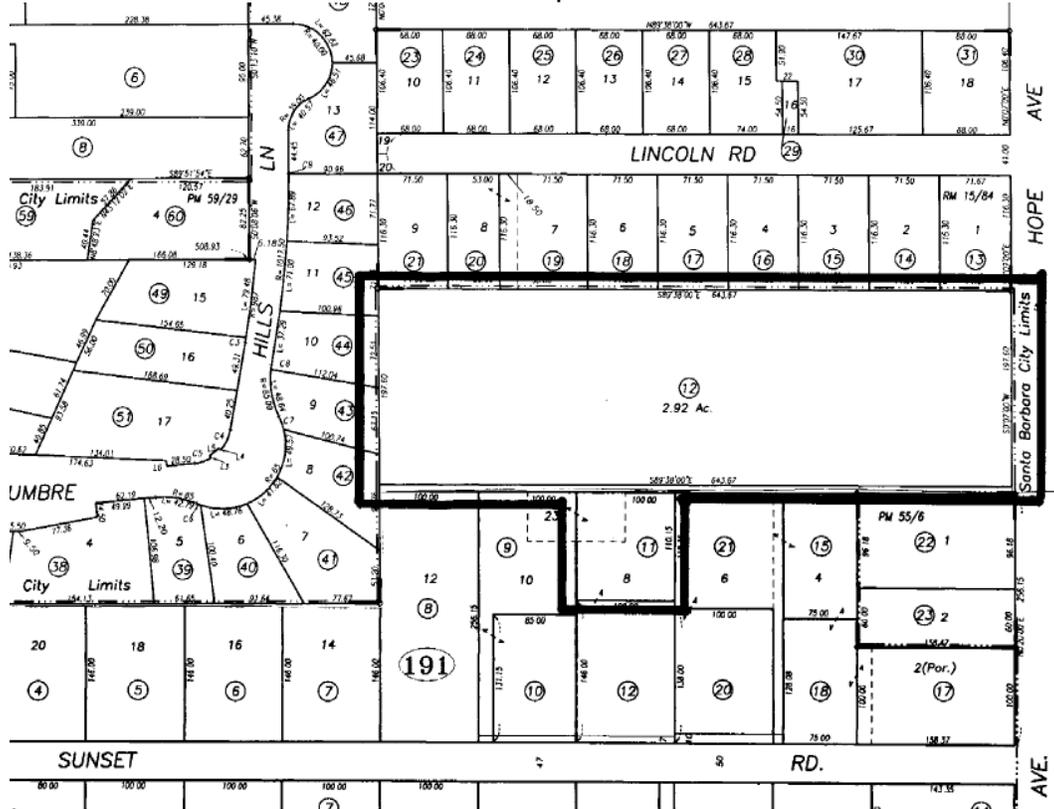
NOW, THEREFORE, the City Council does hereby resolve and order as follows:

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code.
2. This proposal is a reorganization and consists of the following changes of organization:
  - a. Annexation to the City of Santa Barbara;
  - b. Detachment from County Service Area No. 32 (Unincorporated Law Enforcement);
  - c. Detachment from the Santa Barbara County Fire Protection District; and,
  - d. Detachment from the Goleta Water District
3. A map of the affected territory are set forth in Exhibit A attached hereto and by reference incorporated herein.
4. It is desired that the proposal be subject to the following term and condition:

The affected territory will be subject to the existing general bonded indebtedness of the City of Santa Barbara.
5. Upon annexation to the City, the annexed area will be designated on the General Plan as Residential, Five Dwelling Units per Acre.
6. Upon annexation to the City, the annexed area will be zoned E-3/S-D-2, One-Family Residence Zone/Special District Two (Upper State Street Area).
7. Upon annexation to the City, the annexed area will not be part of the Hillside Design District, consistent with the surrounding City lots.
8. The reason for the proposal is to provide services to the subject property in a manner considered in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County.
9. The proceeding is subject to the terms and conditions approved by the Local Agency Formation Commission.
10. The regular County assessment roll will be utilized.

11. Consent is given to the waiver of conducting authority proceedings, with the condition that LAFCO does not subject completion of this annexation to the initiation or completion of annexations of than those listed in this Resolution.
12. The City Clerk is directed to transmit two (2) certified copies of this resolution to the Santa Barbara Local Agency Formation Commission.

Exhibit A  
455 & 457 North Hope Avenue Annexation



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE GENERAL PLAN MAP OF THE CITY OF SANTA BARBARA PERTAINING TO ASSESSOR'S PARCEL NUMBERS 057-191-011 AND 057-191-014 LOCATED AT 455 NORTH HOPE AVENUE AND ASSESSOR'S PARCEL NUMBER 057-170-012 LOCATED AT 457 NORTH HOPE AVENUE, WHICH WILL BE ANNEXED TO THE CITY OF SANTA BARBARA

WHEREAS, the City accepted an application from Giardini Di Cipriani, LLC, owners of 457 North Hope Avenue, in order to process a request for: 1. Annexation of the subject property from the unincorporated area of Santa Barbara County to the City of Santa Barbara; 2. A General Plan Amendment Upon Annexation to add the property to the City's General Plan Map; 3. A Zoning Map Amendment Upon Annexation; 4. Tentative Subdivision Map; and 5. Street Frontage Modification;

WHEREAS, due to previously-imposed conditions on the adjoining property to the south, staff requests initiation of annexation of the 0.25 acre lot known as 455 North Hope Avenue (APN 057-191-011) and the 0.14 acre driveway lot (APN 057-191-014) serving the residence at 455 North Hope Avenue to be included with the applicant's request. These two lots are owned by the Anderson Family Revocable Trust;

WHEREAS, on June 4, 2009, the Planning Commission held a duly noticed public hearing to consider the proposed reorganization for the parcels addressed as 457 and 455 North Hope Avenue with respect to environmental and planning matters and initiated the annexation by a vote of 4-0;

WHEREAS, on October 6, 2011, the Planning Commission held a duly noticed public hearing to consider the proposed development request for the project at 457 North Hope Avenue, along with the reorganization, with respect to environmental and planning matters and approved the development request 4-2 (Bartlett and Jordan) and approved the Final Negative Declaration 6-0;

WHEREAS, on December 6, 2011, the City Council has conducted a duly noticed public hearing concerning the requested Annexation, pursuant to the provisions of Chapter 3, Title 7 of the Government Code of the State of California;

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

WHEREAS, the City Council has read and considered the Final Negative Declaration for the project together with comments received during the public review process and in its independent judgment and analysis and on the basis of the record before it, determined that there is no substantial evidence that the project will have a significant effect on the environment;

WHEREAS, the City Council has reviewed and considered all materials and exhibits in the current record relative to this amendment, including, the project, and all staff reports. At the close of the public hearing, the City Council, on a \_\_\_\_\_ vote, initiated the annexation, and forwarded the request to the Local Agency Formation Commission (LAFCO) for their review; and

WHEREAS, the documents or other materials which constitute the record of the proceedings upon which this decision is based are on file at the City of Santa Barbara Planning Division, located at 630 Garden Street.

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

Upon annexation of the subject real property, the General Plan map of the City of Santa Barbara is amended by designating Assessor's Parcel Numbers 057-191-011, 057-191-014 and 057-170-012 as Residential, Five (5) Dwelling Units per Acre.



Agenda Item No. \_\_\_\_\_

File Code No. 330.04

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Business Division, Waterfront Department

**SUBJECT:** Introduction Of Ordinance For A Lease Agreement With Sushi Go Go

### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Kyung and Sarah Wang, Doing Business as Sushi Go Go, for the Restaurant Located at 119-B Harbor Way, Effective January 13, 2012.

### **DISCUSSION:**

Mr. and Mrs. Wang have operated Sushi Go Go since assuming the lease through a lease assignment process in September 2006. The current lease expired on November 30, 2011. The use of the site is limited to the retail and wholesale sales of seafood, fish, fish products, smoked fish, Asian food items, sushi, and ice cream. The sale of beer and wine for on-site consumption is also permitted.

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

- Five years with one five-year option;
- Base rent of \$633 per month (\$3.20 p.s.f.), subject to annual CPI increases; and
- Percentage rent 11.4% of gross sales, or base rent, whichever is greater.

All business terms of the lease remain unchanged. Mr. and Mrs. Wang are considered by the Department to be tenants in good standing as they have been prompt with rental payments and have no lease compliance problems on file. The Harbor Commission recommended approval of the lease agreement at the November 17, 2011, meeting.

**ATTACHMENT:** Site Plan

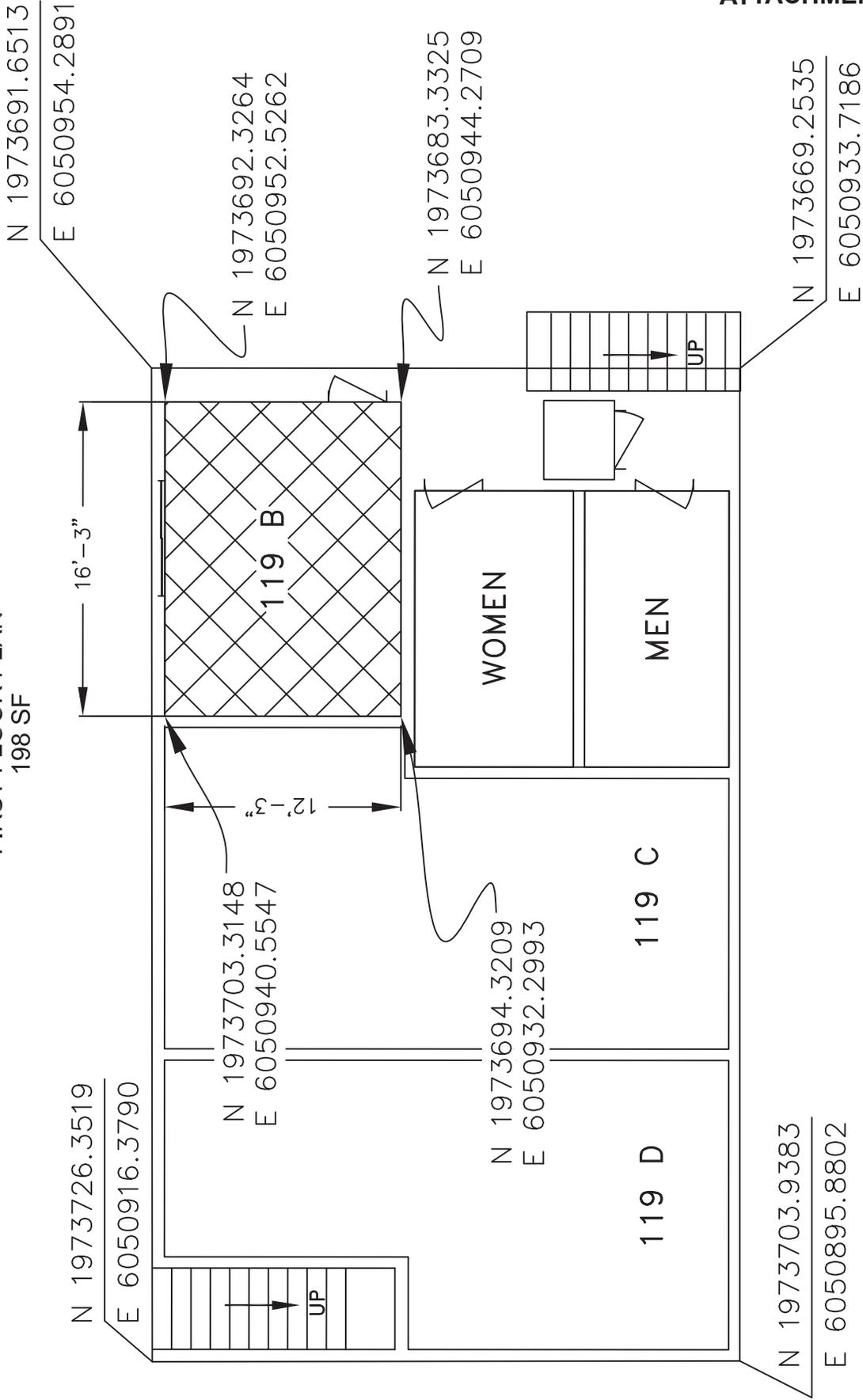
**PREPARED BY:** Scott Riedman, Waterfront Director

**APPROVED BY:** City Administrator's Office

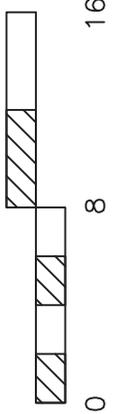
**BROPHY BROS. BUILDING**  
**119-B HARBOR WAY**

SUSHI GO GO - LESSEE  
 FIRST FLOOR PLAN  
 198 SF

**ATTACHMENT**



Project North



Scale (Feet)

<b>REVISIONS</b>		<b>Sushi Go-Go</b>	
T. Remeika 1/28/01		<b>Exhibit "A"</b>	
DATE	BY	APPROVED BY	ISSUED BY
	1-1		T. Geasch
	5/13/98	119-B HARBOR WAY	1190-020
		City of Santa Barbara	
		Waterfront Department	
		SHEET NO.	
		2 of 2	

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE AGREEMENT WITH ONE FIVE-YEAR OPTION WITH KYUNG AND SARAH WANG, DOING BUSINESS AS SUSHI GO GO, FOR THE RESTAURANT LOCATED AT 119-B HARBOR WAY, EFFECTIVE JANUARY 13, 2012

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara approving a five-year lease with one five-year option with Kyung and Sarah Wang, doing business as Sushi Go Go, for the restaurant located at 119-B Harbor Way, effective January 13, 2012, is hereby approved.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Business Division, Waterfront Department

**SUBJECT:** Lease Agreement With Stearns Wharf, Inc., Doing Business As Old Wharf Trading Company

### RECOMMENDATION:

That Council approve a five-year lease agreement with Stearns Wharf, Inc., doing business as Old Wharf Trading Company, at an average base rent of \$12,463 per month or 10% of gross sales, whichever is greater, for a 2,369 square foot retail space located at 217-A, B and D Stearns Wharf.

### DISCUSSION:

Patrick Hartmann has operated Old Wharf Trading Company and Topside via his corporation Stearns Wharf, Inc., since assuming the two leases through a lease assignment process in April 2006. The two lease spaces adjoin each other on the ground floor of the Old Wharf building at 217 Stearns Wharf (Attachment 1). The current leases commenced in February 2007 and will expire on November 30, 2016.

Since acquiring the leases, Mr. Hartmann made various improvements including removing the wall between Old Wharf Trading Company and Topside, improving customer flow between the businesses and essentially merging the two businesses into one.

Since there are two separate leases governing what has effectively become one lease area, separate revenue reporting and percentage rent tracking became more complicated. Mr. Hartmann requested to merge the two leases into one, which will simplify tracking for the tenant and for Waterfront staff.

All business terms of the lease remain unchanged:

- Five-year remaining term (November 30, 2016);
- Average base rent of \$12,463 per month (\$5.26 p.s.f.), subject to annual CPI increases;
- Base rent is allocated seasonally (Attachment 2); and
- Percentage rent 10% of gross sales or the base rent, whichever is greater.

Patrick Hartmann is considered by the Department to be a tenant in good standing as he has been prompt with rental payments, is an active member of the Stearns Wharf Business Association, and has no lease compliance problems on file. The Harbor Commission recommended approval of the lease agreement at the November 17, 2011, meeting.

**ATTACHMENT:**     1. Site Plan  
                      2. Seasonal Rent Allocation

**PREPARED BY:** Scott Riedman, Waterfront Director

**APPROVED BY:** City Administrator's Office



**Base Rent Schedule**

**Stearns Wharf Inc.  
d.b.a. Old Wharf Trading Company**

**Annual Base Rent \$149,553.30**

**Average Monthly Base Rent \$12,462.78**

**Allocation Schedule of Base Rent:**

January	\$8,670.75	5.83%
February	\$8,670.75	5.83%
March	\$8,670.75	5.83%
April	\$12,769.15	8.33%
May	\$16,132.25	10.83%
June	\$16,132.25	10.83%
July	\$16,132.25	10.83%
August	\$16,132.25	10.83%
September	\$16,132.25	10.83%
October	\$12,769.15	8.33%
November	\$8,670.75	5.83%
December	\$8,670.75	5.83%
	<b>\$149,553.30</b>	<b>100.00%</b>



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Contract For Final Design For The Punta Gorda Street Bridge

**RECOMMENDATION:** That Council

- A. Authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$120,000 for final design services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$12,000 for extra services that may result from necessary changes in the scope of work;
- B. Reprogram \$25,000 of existing appropriations in the Measure D Fund for drainage improvements to this Project; and
- C. Reprogram \$75,000 of existing surplus appropriations in the Measure D Fund for the Haley/De la Vina Street Bridge Project to this Project.

### **DISCUSSION:**

#### **BACKGROUND**

City staff has been working on a plan to reduce neighborhood flooding, like that experienced in 1995, by incrementally widening Sycamore Creek just upstream from Highway 101. This is especially important given the potentially large increase in runoff due to the effects of the Tea Fire in the Sycamore Canyon watershed.

Caltrans is currently constructing the Highway 101 Widening Project from Milpas Street to Hot Springs Road. This project includes a recently completed new bridge, which will approximately triple the flood-carrying capacity of Sycamore Creek under Highway 101. In order to fully utilize the increased capacity, Sycamore Creek must be widened.

On January 13, 2009, Council authorized a contract with Penfield and Smith (P&S) to prepare a study and conceptual design options for Sycamore Creek between the Union Pacific Railroad Bridge and approximately 100 feet upstream of Indio Muerto Street.

On February 23, 2010, Council authorized P&S to complete final design services for the creek channel between Highway 101 and Punta Gorda Street, as well as preliminary design services for the Punta Gorda Street Bridge.

On August 26, 2011, the City received notification from the California Department of Housing and Community Development/Division of Financial Assistance of a conditional commitment of Disaster Recovery Initiative (DRI) grant funds in the total amount of \$2,662,525 for only the construction phases of the channel widening between Highway 101 and Punta Gorda Street and the Punta Gorda Street Bridge Replacement Project (Project).

## PROJECT DESCRIPTION

This Project consists of replacing the Punta Gorda Street Bridge and constructing the adjacent channel improvements. The existing bridge restricts the flow of Sycamore Creek during heavy runoff events and will be widened to increase its flood carrying capacity. The work includes planting native vegetation along the creek and along the top of the creek banks.

## DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Drake Haglan and Associates (Drake Haglan) in the amount of \$120,000 for final design of the Punta Gorda Street Bridge. Drake Haglan has expertise in bridge design and is experienced in this type of work.

## FUNDING

Construction funding for the Project and channel widening will come largely from DRI funds, with a match of City funds as noted in the table below. Design costs to date have come from the Streets Fund. Additional funds totaling \$100,000 are needed to complete the Punta Gorda Street Bridge final design. These funds will come from Measure D funds previously appropriated for similar drainage and bridge work as stated in Recommendations B and C. No additional appropriations are required at this time.

The following summarizes all estimated total costs for the channel widening and the bridge replacement:

**ESTIMATED TOTAL PROJECT COST**

	<b>DRI Share</b>	<b>City Share</b>	<b>Total</b>
Conceptual Design (by Contract)	\$0	\$47,031	\$47,031
Channel Final Design and Bridge Preliminary Design (by Contract)	\$0	\$234,320	\$234,320
Bridge Final Design (This Contract)	\$0	\$132,000	\$132,000
Other Design Costs – City staff, Environmental Assessments, etc.)	\$0	\$150,000	\$150,000
<b>Subtotal</b>	<b>\$0</b>	<b>\$563,351</b>	<b>\$563,351</b>
Estimated Construction Contract w/Change Order Allowance	\$2,381,800	\$59,700	\$2,441,500
Estimated Construction Management/Inspection (by Contract or City)	\$280,725	\$85,500	\$366,225
<b>Subtotal</b>	<b>\$2,662,525</b>	<b>\$145,200</b>	<b>\$2,807,725</b>
<b>TOTAL PROJECT COST</b>	<b>\$2,662,525</b>	<b>\$708,551</b>	<b>\$3,371,076</b>

With the reprogramming of funds per Recommendations B and C there will be sufficient funds in the Streets Fund to cover these costs.

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/BD/sk

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



Agenda Item No. \_\_\_\_\_

File Code No. 530.04

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Contract For Construction For The Westside Community Development Block Grant Sidewalk Infill And Access Ramp Project

**RECOMMENDATION:** That Council:

- A. Award a contract with Mendez Concrete, Inc., waiving minor irregularities, in their low bid amount of \$190,280.50 for construction of the Westside Community Development Block Grant Sidewalk Infill and Access Ramp Project, Bid No. 3642; and
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$30,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

**DISCUSSION:**

### PROJECT DESCRIPTION

The work consists of constructing new sidewalk, curb and gutter, and access ramps along the east side of the 1200 block of Gillespie Street, the south side of the 600 block of Sola Street, and at the intersection of Chino and Sola Streets. The installation of new planted parkways and street trees is also included in this Westside Community Development Block Grant (CDBG) Sidewalk Infill and Access Ramp Project (Project). The three locations chosen for the Project were identified as high priorities on City sidewalk infill and access ramp prioritization lists. The City has applied for and received CDBG funding, allowing for the completion of these important pedestrian connections within the Westside neighborhood.

## CONTRACT BIDS

A total of twelve bids were received for the subject work, ranging as follows:

	<b>BIDDER</b>	<b>BID AMOUNT</b>
1.	Mendez Concrete, Inc. Santa Paula, CA	\$190,280.50*
2.	Aguilera Brothers, Inc. Santa Paula, CA	\$191,026.60
3.	Lash Construction, Inc. Santa Barbara, CA	\$209,815.00
4.	Toro Enterprises, Inc. Oxnard, CA	\$215,038.00
5.	Shaw Contracting, Inc. Carpinteria, CA	\$222,885.00
6.	Acacia Erosion Control Santa Barbara, CA	\$224,798.50
7.	DOD Construction, Ltd. Bakersfield, CA	\$233,050.00
8.	JJ Fisher Construction, Inc. Arroyo Grande, CA	\$238,646.00
9.	Berry General Engineering Ventura, CA	\$239,410.00
10.	Granite Construction Watsonville, CA	\$243,336.00
11.	V. Lopez Jr. & Sons, Inc. Santa Maria, CA	\$256,453.00
12.	John Madonna Construction, Co. Inc. San Luis Obispo, CA	\$502,015.00*

\*corrected bid total

The low bid of \$190,280.50, submitted by Mendez Concrete, Inc., is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$30,000, or 15%, is typical for this type of work and size of project.

### CONSTRUCTION PHASE CONTRACT SERVICES

As part of this Project, the Public Works Director will also execute a Professional Services Contract with Pacific Materials Laboratory in the amount of \$3,836 for material testing services.

### COMMUNITY OUTREACH

During the Project's design phase, community outreach was done in order to coordinate with and solicit input from the property owners immediately adjacent to the sidewalk infill portions of the Project. In late November, staff again notified the property owners and residents located near the Project locations, via mailers. Prior to construction, the contractor will be responsible for the final notice, given via door hangers 72 hours prior to construction.

### FUNDING

This Project is funded by CDBG and Measure A funds. The CDBG amount of \$205,086 is for construction only. Measure A funding will be used to cover the remaining construction costs and City staff time. There are sufficient funds in the CDBG Fund and Streets Fund to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

#### CONSTRUCTION CONTRACT FUNDING SUMMARY

	<b>Basic Contract</b>	<b>Change Funds</b>	<b>Total</b>
Mendez Concrete, Inc.	\$190,280.50	\$30,000	\$220,280.50
Pacific Materials Laboratory	\$3,486.00	\$350	\$3,836.00
<b>TOTAL RECOMMENDED AUTHORIZATION</b>			<b>\$224,116.50</b>

The following summarizes all Project design costs, construction contract funding, and other Project costs:

**ESTIMATED TOTAL PROJECT COST**

	<b>CDBG Share</b>	<b>City Share</b>	<b>Total</b>
City Staff Costs – Surveying and Design	\$0.00	\$28,000.00	\$28,000.00
<b>Subtotal</b>	<b>\$0.00</b>	<b>\$28,000.00</b>	<b>\$28,000.00</b>
Construction Contract	\$190,280.50	\$0.0	\$190,280.50
Construction Change Order Allowance	\$14,805.50	\$15,194.50	\$30,000.00
<b>Subtotal</b>	<b>\$205,086.00</b>	<b>\$15,194.50</b>	<b>\$220,280.50</b>
Other Construction Costs (testing, etc.)	\$0.00	\$3,836.00	\$3,836.00
Construction Management/Inspection (by City Staff)	\$0.00	\$40,000.00	\$40,000.00
<b>Subtotal</b>	<b>\$0.00</b>	<b>\$43,836.00</b>	<b>\$43,836.00</b>
<b>TOTAL PROJECT COST</b>	<b>\$205,086.00</b>	<b>\$87,030.50</b>	<b>\$292,116.50</b>

**SUSTAINABILITY IMPACT:**

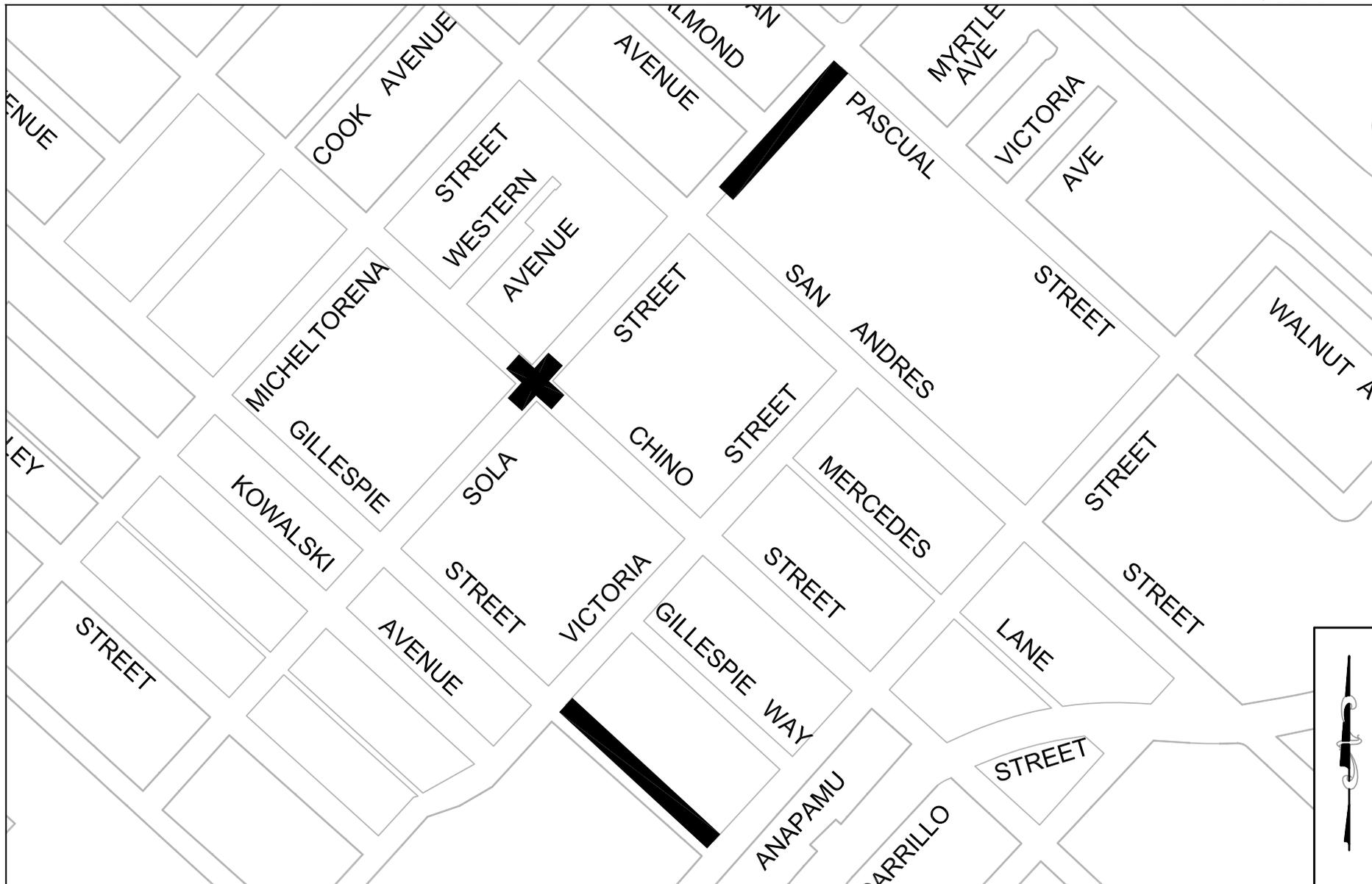
The Project will improve safety and accessibility for pedestrians within the Westside neighborhood and therefore, will contribute to the City's sustainability goals by encouraging more people to walk along these corridors, reducing energy consumption and air pollution.

**ATTACHMENT:** Westside CDBG Sidewalk Infill and Access Ramp Project Location Map

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/MR/sk

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# PROJECT LOCATION MAP

## WESTSIDE CDBG SIDEWALK INFILL AND ACCES RAMP

DESIGN	MR
DRAWN	MR
CHECKED	BD
DATE	12/6/11
N.T.S.	



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Facilities Division, Waterfront Department  
Engineering Division, Public Works Department

**SUBJECT:** Contract For Construction For The Launch Ramp Boating Trails Project

**RECOMMENDATION:** That Council:

- A. Award a contract with Shaw Contracting, Inc., in their low bid amount of \$375,625 for construction of the Launch Ramp Boating Trails Project, Bid No. 3633;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$38,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- C. Authorize the Public Works Director to execute a contract with Moffatt & Nichol Engineers, Inc., in the amount of \$12,000 for construction support services, and approve expenditures of up to \$1,200 for extra services of Moffatt & Nichol Engineers, Inc., that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a contract with Fugro Consultants, Inc., in the amount of \$3,830 for construction testing services, and approve expenditures of up to \$383 for extra services of Fugro Consultants, Inc., that may result from necessary changes in the scope of work.

### DISCUSSION:

#### PROJECT DESCRIPTION

The work for the Launch Ramp Boating Trails Project (Project) consists of removing existing concrete on the easternmost portion of the harbor launch ramp, replacing it with new concrete, and adding a boarding float. This area of the launch ramp was built in the 1960's and has deteriorated to a point where it is not usable for launching motorized watercraft. The remaining area in the launch ramp facility, including two boarding floats, was constructed in 2001, and is in good condition. The deteriorated area has been coned off to prevent use by motorized watercraft and has become the launching area for kayaks, sailboats, rowing shells, and other non-motorized watercraft. These vessels are hand launched, and the deteriorated, uneven surface can be slippery and a trip hazard.

## CONTRACT BIDS

A total of six bids were received for the subject work, ranging as follows:

	<b>BIDDER</b>	<b>BID AMOUNT</b>
1.	Shaw Contracting, Inc. Carpinteria, CA	\$375,625.00
2.	Associated Pacific Constructors Morro Bay, CA	\$396,000.00
3.	Whitaker Construction Group Paso Robles, CA	\$435,500.00
4.	MAM Design Sacramento, CA	\$463,112.00
5.	Peter Lapidus Construction Carpinteria, CA	\$485,674.34
6.	John S. Meek Company Gardena, CA	\$597,918.00*

\*corrected amount based on bid items

The low bid of \$375,625, submitted by Shaw Contracting, Inc., is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$38,000, or 10%, is typical for this type of work and size of project.

## CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Moffatt & Nichol Engineers, Inc., in the amount of \$13,200 for construction support services. Moffatt & Nichol Engineers, Inc., was selected to design the Project via a request for proposals process and is experienced in this type of work.

Staff recommends that Council authorize the Public Works Director to execute a contract with Fugro Consultants, Inc., in the amount of \$4,213 for construction testing services. Fugro Consultants, Inc., is on the City's Prequalified Engineering Services list and is experienced in this type of work.

COMMUNITY OUTREACH

This Project was reviewed and approved by the Harbor Commission as part of the Waterfront's Capital Improvement Program. The Waterfront Department met with, and has received the support of several stakeholders that include local canoe clubs, youth sailing organizations, and many individual kayakers, rowers and paddlers, along with the general boating public who use the launch ramp on a regular basis.

FUNDING

In 2009, the Waterfront Department applied for, and has subsequently received, a grant in the amount of \$450,000 from the Department of Boating and Waterways to rehabilitate the deteriorated area of the launch ramp and provide a low freeboard boarding float for use by non-motorized watercraft. This grant will improve the safety of the area for users and will reduce the conflict between non-motorized vessels and larger trailer boats. Council authorized the Waterfront Director to accept the grant on February 10, 2010. The grant was accepted on November 23, 2010, and funds were appropriated with the Fiscal Year 2012 budget. There are sufficient funds in the Waterfront Capital Fund to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

**CONSTRUCTION CONTRACT FUNDING SUMMARY**

	<b>Basic Contract</b>	<b>Change Funds</b>	<b>Total</b>
Shaw Contracting, Inc.	\$375,625	\$38,000	\$413,625
Moffatt & Nichol Engineers, Inc.	\$12,000	\$1,200	\$13,200
Fugro Consultants, Inc.	\$3,830	\$383	\$4,213
<b>TOTAL RECOMMENDED AUTHORIZATION</b>			<b>\$431,038</b>

The following summarizes all Project design costs, construction contract funding, and other Project costs:

**ESTIMATED TOTAL PROJECT COST**

*\*Cents have been rounded to the nearest dollar in this table.*

Design (by Contract)	\$45,600
City Staff Costs	\$20,000
<b>Subtotal</b>	<b>\$65,600</b>
Construction Contract	\$375,625
Construction Change Order Allowance	\$38,000
<b>Subtotal</b>	<b>\$413,625</b>
Other Construction Costs (testing, etc.)	\$4,213
Design Support during Construction (by Contract)	\$13,200
Construction Management/Inspection (by City Staff)	\$22,000
<b>Subtotal</b>	<b>\$39,413</b>
<b>TOTAL PROJECT COST</b>	<b>\$518,638</b>

**SUSTAINABILITY IMPACT:**

This Project requires the recycling of concrete and asphalt materials.

**PREPARED BY:** Joshua Haggmark, Principal Civil Engineer/LS/mj  
 Karl Treiberg, Waterfront Facilities Manager

**SUBMITTED BY:** Scott Riedman, Waterfront Director  
 Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Purchase Order For Installation And Monitoring Of Inclinometers In The Conejo Slide Area

### **RECOMMENDATION:**

That Council find it to be in the City's best interest to waive the formal bidding process in accordance with Section 4.52.020 (K) of the Santa Barbara Municipal Code and issue a Purchase Order in the amount of \$63,500 to Cotton, Shires and Associates for the installation and monitoring of inclinometers in the Conejo Slide Area, and authorize the Public Works Director to approve expenditures of up to \$6,350 for extra services of Cotton, Shires and Associates that may result from necessary changes in the scope of work.

### **DISCUSSION:**

As a result of continued movement of Slide Mass C in the Conejo Slide Area, the City has hired Penfield & Smith to prepare conceptual designs for potential short-term and long-term roadway improvements at several locations within the Slide Area. Penfield & Smith has hired a sub-consultant, Cotton, Shires and Associates, Inc., (CSA), a geotechnical consulting engineering firm that specializes in landslides and soil stability, to assist with this effort.

CSA has recommended that three inclinometers be installed within the Conejo Slide Area, which will be used to gather detailed data about the Slide Mass's characteristics, including the depth, rate, and direction of movement. This data will then be used for developing recommendations and conceptual designs for potential long-term repairs. The data will also provide valuable slide monitoring capabilities during and after implementation of short-term repairs within the area. To maximize the value of the inclinometers, they will be installed at the beginning of the rainy season and monitored throughout the rainy season.

Council Agenda Report

Purchase Order For Installation And Monitoring Of Inclinometers In The Conejo Slide Area

December 6, 2011

Page 2

It is crucial to the success of this type of analysis that the same firm that uses the inclinometer data for developing recommendations and conceptual designs also perform the inclinometer installation and data collection. This consistency ensures that the firm developing the recommendations is confident in the method of inclinometer installation and monitoring. For this reason, staff believes it is in the City's best interest to issue a Purchase Order to CSA for this work, which constitutes "services involving peculiar ability" under subsection (K) of Santa Barbara Municipal Code section 4.52.020 – pertaining to the City's Purchasing Ordinance.

**BUDGET/FINANCIAL INFORMATION:**

There are sufficient funds in the Streets Fund to cover the \$69,850 cost of the services to be provided by Cotton, Shires and Associates.

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/AS/kts

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Administration Division, Parks and Recreation Department

**SUBJECT:** Fiscal Year 2012 Capital Improvement Program Funding For The Andrée Clark Bird Refuge Vegetation Maintenance And Restoration Project And The Shoreline Park Safety Improvement Project

**RECOMMENDATION:** That Council:

- A. Allocate \$236,900 from the Park Restroom Renovation Capital Improvement Program (CIP) Project to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project in the Capital Outlay Fund; and
- B. Transfer \$146,452 from the General Fund to the Capital Outlay Fund, funded from an increase in estimated revenues, and appropriate \$49,452 to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project and \$97,000 to the Shoreline Park Safety Improvement Project.

### EXECUTIVE SUMMARY:

The Parks and Recreation Department (Department) Fiscal Year 2012 CIP includes two key capital improvement projects: the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project (Bird Refuge Project) and the Shoreline Park Safety Improvement Project (Shoreline Park Project). Initial CIP appropriations of \$117,000 for the Bird Refuge Project and \$100,000 for the Shoreline Park Project were intended to support project technical studies, design and permitting. The Department also has a Santa Barbara County Coastal Resource Enhancement Fund (CREF) Grant of \$40,000 for the Shoreline Park Project.

Final design and permitting for both projects will be complete in December 2011, and construction can be scheduled for winter and spring 2012. The Department has prepared final total cost estimates for both projects. The total cost of the Bird Refuge Project is \$403,352, and the total cost of the Shoreline Park Project is \$237,000. An additional \$383,352 is needed to fund both projects. The Department is requesting that Council fully fund both projects with an allocation of \$236,900 currently budgeted in the Capital Outlay Fund for the Park Restroom Renovation Program, and a transfer of \$146,452 from the General Fund funded from an increase in Transient Occupancy Tax estimated revenues.

## **DISCUSSION:**

### Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project

The purpose of the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project (Bird Refuge Project) is to restore water flow and conveyance for the purpose of reducing mosquito production and potential for flooding. Current conditions in the Bird Refuge support high summer populations of mosquitoes and a corresponding increased threat of West Nile Virus. During significant storm events, flooding can occur on Old Coast Highway, Highway 101 and Cabrillo Boulevard. In addition, poor water quality and lack of conveyance contribute to algal blooms that cause water discoloration and noxious odors.

The project will remove approximately 0.93 acres of emergent vegetation, including 0.86 acres from the Bird Refuge and 0.07 acres from man-made culverts, and maintain those areas over a five-year period. The project also includes restoration of 0.86 acres of wetland and wildlife habitat. Restoration is required by the various permitting agencies to offset the habitat that is removed. Removal of the vegetation will facilitate access for the Santa Barbara Vector Control District's mosquito abatement program. New vegetation will be planted in areas that are less likely to encourage mosquito breeding.

The Bird Refuge Project requires a Coastal Development Permit (CDP) from both the City Planning Commission and the California Coastal Commission as well as permits from the California Department of Fish and Game, Regional Water Quality Control Board, and the U.S. Army Corps of Engineers. The Department has completed all of its permit applications and the Planning Commission approved the CDP on November 10, 2011. The Department anticipates receiving all other project permits in December. Vegetation removal must occur between January and mid-February to avoid the bird nesting season. Habitat restoration will occur in fall 2012 and winter 2013.

### Shoreline Park Safety Improvement Project

The purpose of the Shoreline Park Safety Improvement Project (Shoreline Park Project) is to install permanent improvements required as a result of the 2008 landslide and to respond to safety concerns at MacGillivray Point and throughout the park. The Shoreline Park Project consists of seven components: 1) sidewalk and fencing replacement around the landslide area; 2) fencing replacement and repair in other areas of the park where fencing is in disrepair; 3) new fencing installation to restrict access at MacGillivray Point; 4) bluff-top re-vegetation at the landslide area; 5) relocation of two park benches from MacGillivray Point to locations adjacent to the new sidewalk at the landslide area; 6) replacement of the original park pole lights; and 7) replacement of coastal interpretive signs.

The Shoreline Park Project requires a Coastal Development Permit (CDP) from the City Planning Commission. The project is scheduled for review by the Planning Commission on December 1, 2011. After the CDP is approved, the Department will prepare the project for building permits and construction bidding. Project construction would begin in late April, after the wet weather season is over.

### **BUDGET/FINANCIAL INFORMATION:**

Initial CIP appropriations of \$117,000 for the Bird Refuge Project and \$100,000 for the Shoreline Park Project were intended to support project technical studies, design and permitting. The Department also has a Santa Barbara County Coastal Resource Enhancement Fund (CREF) Grant of \$40,000 for the Shoreline Park Project, bringing the total funds available to \$257,000.

The Department has prepared final total cost estimates for both projects. The total cost of the Bird Refuge Project is \$403,352, and the total cost of the Shoreline Park Project is \$237,000, for a combined total \$640,352. An additional \$383,352 is needed (\$640,352 - \$257,000) to fund both projects. The Department is requesting that Council fully fund both projects with an allocation of \$236,900 from the Fiscal Year 2012 Park Restroom Renovation Program, and an increase in the Parks and Recreation CIP revenue of \$146,452. Of the total \$146,452, staff requests that Council appropriate \$49,452 to the Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project, and \$97,000 to the Shoreline Park Safety Improvement Project.

The Parks and Recreation Department Fiscal Year 2012 Capital Improvement Program includes \$236,000 for the Park Restroom Renovation Program. Although the funds in the Park Restroom Renovation account were intended for the renovation of the Main Restroom at Oak Park, the Department acquired grant funds to complete the project. Renovation of the Main Oak Park Restroom was complete in late Fiscal Year 2011.

### Andrée Clark Bird Refuge Vegetation Maintenance and Restoration Project

The total estimated project cost for the Bird Refuge Project is \$403,352, which includes project design, permitting, construction, and monitoring/maintenance for five years. Funding for the project to date includes \$117,000 in appropriated Parks and Recreation CIP funds. With Council allocation of \$236,900 from the Parks Restroom Renovation Project and an additional appropriation of \$49,452, the project will be fully funded.

<b>Funding Source</b>	<b>Amount</b>
Bird Refuge CIP Account	\$117,000
Allocation from Park Restroom CIP Account	\$236,900
Additional Appropriation	\$49,452
<b>Total</b>	<b>\$403,352</b>

Shoreline Park Safety Improvement Project

The total estimated cost for the Shoreline Park Project is \$237,000, which includes project design, permitting, and construction. Funding for the project includes \$100,000 in appropriated Parks and Recreation CIP funds and \$40,000 in Santa Barbara County Coastal Resource Enhancement Fund (CREF) grant funds. With Council allocation of an additional \$97,000, the project will be fully funded.

<b>Funding Source</b>	<b>Amount</b>
Shoreline Park CIP Account	\$100,000
Santa Barbara County CREF Grant	\$40,000
Additional Appropriation	\$97,000
<b>Total</b>	<b>\$237,000</b>

**SUSTAINABILITY IMPACT:**

Shoreline Park provides almost one mile of ocean views and public coastal access. The Andrée Clark Bird Refuge provides habitat for over 200 species of birds and other wildlife. Improvements to Shoreline Park and the Andrée Clark Bird Refuge will enhance coastal bluff and wetland environments, increase public safety, and preserve public park resources.

**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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Administration Division, Parks and Recreation Department

**SUBJECT:** Santa Barbara Beautiful Funds For The Urban Forest Program

### **RECOMMENDATION:**

That Council accept a contribution from Santa Barbara Beautiful in the amount of \$30,000 and increase estimated revenues and appropriations in the Parks and Recreation Miscellaneous Grants Fund for the Upper State Street and Oleandar Tree Replacement Projects.

### **DISCUSSION:**

Formed in 1965, Santa Barbara Beautiful has a long history of providing support for the City's Parks and Forestry Programs. In addition to providing funds to purchase new street trees, in 2002 Santa Barbara Beautiful began to contribute funds in support of the Young Tree Care Program. The Parks and Recreation Department (Department) and Santa Barbara Beautiful also collaborate in the celebration of Arbor Day at local elementary schools and other special projects.

In Fiscal Year 2011 the Department identified two special street tree projects that could be funded with the Santa Barbara Beautiful contribution. These include planting of new street trees on Upper State Street and the replacement of diseased oleanders that were removed throughout the City.

#### Upper State Street Trees

The Street Tree Advisory Committee and the Parks and Recreation Commission recently developed and approved recommendations for eleven new street tree designations for Upper State Street. New street trees are designated to replace existing Ficus trees as they decline as well as to fill existing empty tree wells. There are currently twenty open spaces for new trees that will be planted in winter 2012. It is anticipated that over the next five to ten years, an additional 22 trees will be planted to replace Ficus trees. Santa Barbara Beautiful funds will be used to plant and maintain the trees for a three-year period.

### Oleander Replacement Trees

In 2010, all 310 Oleander street trees were evaluated for presence of Oleander Leaf Scorch (*Xyllela fastidiosa*) disease. The disease can infect and eventually kill many species of plants. The inspection revealed that 53 of the 310 Oleander street trees were infected with the disease. In order to reduce the chances the disease would spread, the 53 infected trees were removed in March 2011.

The Street Tree Advisory Committee and the Parks and Recreation Commission recently reviewed the streets in the Street Tree Master Plan with Oleanders as the designated tree. Four new street tree designations were established with species that are not susceptible to the disease. The scope of this project is to replant trees in the locations where the Oleanders were removed. Santa Barbara Beautiful funds will be used to plant and maintain these trees for a three-year period. Planting will occur during winter 2012 to take advantage of the winter rains.

### **BUDGET/FINANCIAL INFORMATION:**

The funding from Santa Barbara Beautiful will cover the cost of purchasing, installing and maintaining the newly planted trees. It is estimated the trees, materials and installation will cost \$24,500. Remaining funds will support maintenance over the three years. After three years, the trees will be well established and included in the Forestry Program's regular maintenance program.

### **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. Scheduled tree removal and replacement are essential tools for the maintenance of a healthy and diverse urban forest.

**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



# CITY OF SANTA BARBARA

## REDEVELOPMENT AGENCY BOARD AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Redevelopment Agency Board

**FROM:** Accounting Division, Finance Department

**SUBJECT:** Redevelopment Agency Fiscal Year 2012 Interim Financial Statements For The Four Months Ended October 31, 2011

**RECOMMENDATION:**

That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2012 Interim Financial Statements for the Four Months Ended October 31, 2011.

**DISCUSSION:**

The interim financial statements for the four months ended October 31, 2011 (33.3% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the Redevelopment Agency's General, Housing, and Capital Projects Funds.

**ATTACHMENT:** Redevelopment Agency Interim Financial Statements for the Four Months Ended October 31, 2011

**SUBMITTED BY:** Robert Samario, Fiscal Officer

**APPROVED BY:** City Administrator's Office

REDEVELOPMENT AGENCY  
OF THE  
CITY OF SANTA BARBARA

INTERIM FINANCIAL STATEMENTS  
FISCAL YEAR 2012  
FOR THE FOUR MONTHS  
ENDED OCTOBER 31, 2011

REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA

General Fund

Interim Statement of Revenues, Expenditures and Encumbrances  
For the Four Months Ended October 31, 2011 (33% of Fiscal Year)

	<u>Annual Budget</u>	<u>Year-to-date Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>Revenues:</b>					
Incremental Property Taxes	\$ 16,203,700	\$ 2,422,141	\$ -	\$ 13,781,559	14.95%
Investment Income	200,000	101,563	-	98,437	50.78%
Overnight Accommodation Mitigation Fee	1,500	385	-	1,115	0.00%
Rents	72,000	-	-	72,000	0.00%
<b>Total Revenues</b>	<u>16,477,200</u>	<u>2,524,089</u>	<u>-</u>	<u>13,953,111</u>	<u>15.32%</u>
Use of Fund Balance	1,339,020	446,362	-	-	33.33%
<b>Total Sources</b>	<u>\$ 17,816,220</u>	<u>\$ 2,970,451</u>	<u>\$ -</u>	<u>\$ 13,953,111</u>	<u>16.67%</u>
<b>Expenditures:</b>					
Material, Supplies & Services:					
Office Supplies & Expense	\$ 2,000	\$ 693	\$ -	\$ 1,307	34.65%
Mapping, Drafting & Presentation	250	-	-	250	0.00%
Janitorial & Hshld Supplies	100	-	-	100	0.00%
Minor Tools	100	-	-	100	0.00%
Special Supplies & Expenses	4,000	1,226	-	2,774	30.65%
Building Materials	100	-	-	100	0.00%
Equipment Repair	1,000	1,109	-	(109)	110.90%
Professional Services - Contract	787,354	211,974	2,560	572,820	27.25%
Legal Services	162,250	55,244	-	107,006	34.05%
Engineering Services	20,000	2,750	-	17,250	13.75%
Non-Contractual Services	12,000	390	-	11,610	3.25%
Meeting & Travel	7,500	360	-	7,140	4.80%
Mileage Reimbursement	300	-	-	300	0.00%
Dues, Memberships, & Licenses	16,000	13,262	-	2,738	82.89%
Publications	1,000	94	-	906	9.40%
Training	7,500	693	-	6,807	9.24%
Advertising	1,000	-	-	1,000	0.00%
Printing and Binding	1,000	102	-	898	10.20%
Postage/Delivery	1,000	765	-	235	76.50%
Vehicle Fuel	1,300	241	-	1,059	18.54%
<b>Total Supplies &amp; Services</b>	<u>1,025,754</u>	<u>288,903</u>	<u>2,560</u>	<u>734,291</u>	<u>28.41%</u>
Allocated Costs:					
Desktop Maint Replacement	20,435	6,812	-	13,623	33.33%
GIS Allocations	4,754	1,585	-	3,169	33.34%
Building Maintenance	1,650	550	-	1,100	33.33%
Planned Maintenance Program	3,984	1,328	-	2,656	33.33%
Vehicle Replacement	721	240	-	481	33.29%
Vehicle Maintenance	241	80	-	161	33.20%
Telephone	2,061	687	-	1,374	33.33%
Custodial	3,443	1,148	-	2,295	33.34%
Communications	2,878	959	-	1,919	33.32%
Property Insurance	5,095	1,698	-	3,397	33.33%
Allocated Facilities Rent	6,313	2,104	-	4,209	33.33%
Overhead Allocation	579,719	193,240	-	386,479	33.33%
<b>Total Allocated Costs</b>	<u>631,294</u>	<u>210,431</u>	<u>-</u>	<u>420,863</u>	<u>33.33%</u>
Special Projects	1,342,744	272,087	26,215	1,044,442	22.22%
Transfers	13,691,942	3,209,025	-	10,482,917	23.44%
Grants	1,036,986	-	28,011	1,008,975	2.70%
Equipment	6,000	211	-	5,789	3.52%
Fiscal Agent Charges	11,500	3,284	-	8,216	28.56%
Appropriated Reserve	70,000	-	-	70,000	0.00%
<b>Total Expenditures</b>	<u>\$ 17,816,220</u>	<u>\$ 3,983,941</u>	<u>\$ 56,786</u>	<u>\$ 13,775,493</u>	<u>22.68%</u>

**REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA**  
**Housing Fund**  
**Interim Statement of Revenues, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	<u>Annual Budget</u>	<u>Year-to-date Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>Revenues:</b>					
Incremental Property Taxes	\$ 4,050,900	\$ 605,535	\$ -	\$ 3,445,365	14.95%
Investment Income	60,000	43,410	-	16,590	72.35%
Interest Loans	200,000	177,450	-	22,550	88.73%
Miscellaneous	2,000	-	-	2,000	0.00%
<b>Total Revenues</b>	<u>4,312,900</u>	<u>826,395</u>	<u>-</u>	<u>3,486,505</u>	<u>19.16%</u>
Use of Fund Balance	6,691,050	2,230,350	-	-	33.33%
<b>Total Sources</b>	<u>\$ 11,003,950</u>	<u>\$ 3,056,745</u>	<u>\$ -</u>	<u>\$ 3,486,505</u>	<u>27.78%</u>
<b>Expenditures:</b>					
Material, Supplies & Services:					
Office Supplies & Expense	\$ 1,800	\$ 442	\$ -	\$ 1,358	24.56%
Special Supplies & Expenses	1,000	125	-	875	12.50%
Equipment Repair	500	1,109	-	(609)	221.80%
Professional Services - Contract	713,018	215,856	-	497,162	30.27%
Non-Contractual Services	2,000	744	-	1,256	37.20%
Meeting & Travel	1,000	1,745	-	(745)	174.50%
Dues, Memberships, & Licenses	1,500	50	-	1,450	3.33%
Training	2,000	-	-	2,000	0.00%
Printing and Binding	-	102	-	(102)	100.00%
Postage/Delivery	600	679	-	(79)	113.17%
<b>Total Supplies &amp; Services</b>	<u>723,418</u>	<u>220,852</u>	<u>-</u>	<u>502,566</u>	<u>30.53%</u>
Allocated Costs:					
Desktop Maintenance Replacement	6,780	2,260	-	4,520	33.33%
GIS Allocations	3,170	1,057	-	2,113	33.34%
Building Maintenance	1,650	550	-	1,100	33.33%
Planned Maintenance Program	4,058	1,353	-	2,705	33.34%
Vehicle Replacement	482	161	-	321	33.40%
Vehicle Maintenance	96	32	-	64	33.33%
Telephone	1,030	343	-	687	33.30%
Custodial	3,507	1,169	-	2,338	33.33%
Communications	1,151	384	-	767	33.36%
Allocated Facilities Rent	6,432	2,144	-	4,288	33.33%
Overhead Allocation	111,359	37,120	-	74,239	33.33%
<b>Total Allocated Costs</b>	<u>139,715</u>	<u>46,573</u>	<u>-</u>	<u>93,142</u>	<u>33.33%</u>
Transfers	5,330	1,777	-	3,553	33.34%
Equipment	2,500	-	-	2,500	0.00%
Housing Activity	9,418,922	2,346,283	-	7,072,639	24.91%
Principal	490,000	490,000	-	-	100.00%
Interest	142,765	75,058	-	67,707	52.57%
Fiscal Agent Charges	1,300	1,265	-	35	97.31%
Appropriated Reserve	80,000	-	-	80,000	0.00%
<b>Total Expenditures</b>	<u>\$ 11,003,950</u>	<u>\$ 3,181,808</u>	<u>\$ -</u>	<u>\$ 7,822,142</u>	<u>28.92%</u>

**REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA**  
**Capital Projects Fund**  
**Interim Statement of Revenues, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	<u>Annual Budget</u>	<u>Year-to-date Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>Revenues:</b>					
Transfers-In	\$ 6,133,868	\$ 2,044,623	\$ -	\$ 4,089,245	33.33%
<b>Total Revenues</b>	6,133,868	2,044,623	-	4,089,245	33.33%
Use of Fund Balance	10,576,325	3,525,543	-	7,050,782	33.33%
<b>Total Sources</b>	<u>\$ 16,710,193</u>	<u>\$ 5,570,166</u>	<u>\$ -</u>	<u>\$ 11,140,027</u>	33.33%
<b>Expenditures:</b>					
<b>Capital Outlay:</b>					
<b>Finished</b>					
Phase II - E Cabrillo Sidewalks	\$ 54,688	\$ 23,699	\$ 47,444	\$ (16,455)	130.09%
Fire Station #1 EOC	1,721	-	-	1,721	0.00%
Fire Station #1 Remodel	7,179	7,147	-	32	99.55%
Soil Remediation - 125 State St	2,380	263	2,380	(263)	111.05%
<b>Construction Phase</b>					
Chase Palm Park Light/Electric	536,489	30,847	220,724	284,918	46.89%
Chase Palm Park Playground Replcmt	200,000	-	-	200,000	0.00%
DP Structure (9,10) Const. Imprvmt	1,258,440	8,088	916,343	334,009	73.46%
Lower West Downtown Street Lighting	726,512	17,910	590,556	118,046	83.75%
<b>Design Phase</b>					
Plaza Del Mar Restroom Renovation	204,046	3,393	150,000	50,653	75.18%
Pershing Park Restroom Renovation	115,041	5	100,000	15,036	86.93%
Parking Lot Capital Improvements	179,890	35,830	300	143,760	20.08%
Library Plaza Renovation	68,478	44,523	23,955	-	100.00%
<b>Planning Phase</b>					
Panhandling Edu. & Alt. Giving	16,429	9,469	6,960	-	100.00%
PD Locker Room Upgrade	6,989,173	81,556	390,814	6,516,803	6.76%
PD Annex Lease Cost	152,580	96,547	-	56,033	63.28%
925 De La Vina Rental Costs	81,432	100,219	-	(18,787)	123.07%
RDA Project Contingency Account	5,821,247	-	-	5,821,247	0.00%
Cabrillo Pav Arts Ctr Assessment St	248,898	2,450	249,930	(3,482)	101.40%
State St Pedestrian Amenities Pilot	45,570	-	2,060	43,510	4.52%
<b>Total Expenditures</b>	<u>\$ 16,710,193</u>	<u>\$ 461,946</u>	<u>\$ 2,701,466</u>	<u>\$ 13,546,781</u>	18.93%

**REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA**  
**RDA Bonds - Series 2001A**  
**Interim Statement of Revenues, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	<u>Annual Budget</u>	<u>Year-to-date Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>Revenues:</b>					
Investment Income	\$ -	\$ 79	\$ -	\$ (79)	100.00%
Transfers-In	-	703,093	-	(703,093)	100.00%
<b>Total Revenues</b>	-	703,172	-	(703,172)	100.00%
Use of Fund Balance	1,968,801	656,286	-	1,312,515	33.33%
<b>Total Sources</b>	<u>\$ 1,968,801</u>	<u>\$ 1,359,458</u>	<u>\$ -</u>	<u>\$ 609,343</u>	69.05%
<b>Expenditures:</b>					
Interest	\$ -	\$ 703,093	\$ -	(703,093)	100.00%
Principal	-	-	-	-	
<b>Total Non-Capital Expenditures</b>	-	703,093	-	(703,093)	100.00%
<b>Capital Outlay:</b>					
<b>Finished</b>					
Brinkerhoff Lighting	\$ 4,100	\$ 727	\$ 4,100	\$ (727)	117.73%
<b>Design Phase</b>					
Mission Creek Flood Control @ Depot	1,964,701	-	-	1,964,701	0.00%
<b>Total Expenditures</b>	<u>\$ 1,968,801</u>	<u>\$ 703,820</u>	<u>\$ 4,100</u>	<u>\$ 1,260,881</u>	35.96%

**REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA**  
**RDA Bonds - Series 2003A**  
**Interim Statement of Revenues, Expenditures and Encumbrances**  
**For the Four Months Ended October 31, 2011 (33% of Fiscal Year)**

	<u>Annual Budget</u>	<u>Year-to-date Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>Revenues:</b>					
Investment Income	\$ -	\$ 386	\$ -	\$ (386)	100.00%
Transfers-In	-	447,040	-	(447,040)	100.00%
<b>Total Revenues</b>	-	447,426	-	(447,426)	100.00%
Use of Fund Balance	11,180,538	3,726,953	-	7,453,585	33.33%
<b>Total Sources</b>	<u>\$ 11,180,538</u>	<u>\$ 4,174,379</u>	<u>\$ -</u>	<u>\$ 7,006,159</u>	37.34%
<b>Expenditures:</b>					
Interest	\$ -	\$ 447,040	\$ -	\$ (447,040)	100.00%
Principal	-	-	-	-	
<b>Total Non-Capital Expenditures</b>	-	447,040	-	(447,040)	100.00%
<b>Capital Outlay:</b>					
<b>Finished</b>					
West Beach Pedestrian Improvements	\$ 180,893	\$ 7,463	\$ 88,215	\$ 85,215	52.89%
Westside Center Park Improvement	-	515	261	(776)	100.00%
West Downtown Improvement	288,259	-	-	288,259	0.00%
<b>Construction Phase</b>					
Helena Parking Lot Development	360,892	122,813	224,369	13,710	96.20%
Fire Department Administration	2,787,872	1,044,275	971,346	772,251	72.30%
DP Structure #2, 9, 10 Improvements	22,719	-	14,259	8,460	62.76%
Carrillo Rec Ctr Restoration	1,562,008	74,701	170,067	1,317,240	15.67%
<b>Design Phase</b>					
Plaza De La Guerra Infrastructure	2,158,039	30,817	57,297	2,069,925	4.08%
Chase Palm Park Restroom Renovation	185,687	-	-	185,687	0.00%
Library Plaza Renovation	97,244	2,477	83,223	11,544	88.13%
Artist Workspace	524,692	-	-	524,692	0.00%
<b>Planning Phase</b>					
Mission Creek Flood Control @ Depot	535,299	-	-	535,299	0.00%
Mission Creek Flood Control - Park Development	727,086	-	-	727,086	0.00%
Chase Palm Park Wisteria Arbor	835,000	-	-	835,000	0.00%
<b>On-Hold Status</b>					
Visitor Center Condo Purchase	500,000	-	-	500,000	0.00%
Lower State Street Sidewalks	335,000	-	-	335,000	0.00%
Downtown Sidewalks	79,848	120	-	79,728	0.15%
<b>Total Expenditures</b>	<u>\$ 11,180,538</u>	<u>\$ 1,730,221</u>	<u>\$ 1,609,037</u>	<u>\$ 7,841,280</u>	29.87%



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Housing and Redevelopment Division, Community Development Department

**SUBJECT:** Rental Housing Mediation Task Force Update

**RECOMMENDATION:** That Council:

- A. Receive a status report on the Rental Housing Mediation Task Force Program; and
- B. Increase estimated revenues and appropriations by \$37,450 in the Community Development Department's Rental Housing Mediation Task Force Program in recognition of funding secured from the City of Goleta in the amount of \$17,000, a Homeless Prevention and Rapid Re-Housing Program (HPRP) grant in the amount of \$15,250 and donations in the amount of \$5,200.

### **BACKGROUND:**

The Rental Housing Mediation Task Force (RHMTF) has been in operation since 1976. The RHMTF program helps to resolve tenant and landlord rental housing disputes out of court by providing information, staff consultation on landlord-tenant rights and responsibilities and mediation (both telephone mediations and face-to-face formal mediations) services. Program staff also provides support and training to a 15-member Task Force.

Historically, the RHMTF program has been funded primarily by Community Development Block Grant (CDBG) administrative funds which the City of Santa Barbara receives from the U.S. Department of Housing and Urban Development. CDBG funds are regulated under Title 24 CFR Part 570 and include strict mandates regarding how the funds can be used. The City of Santa Barbara receives an annual entitlement of CDBG funds and they must be allocated as follows:

- No more than 20% for CDBG administrative costs
- No more than 15% for public services
- Remainder for capital projects

Unfortunately, there has been a steady decline of CDBG entitlement funds since 1996, as well as a decline in CDBG program income, which has resulted in less CDBG administrative funding available. For the past several years staff has been looking for funding mechanisms that would preserve the RHMTF and its continued tradition of services to landlords and tenants. Funding mechanisms that have been pursued include: additional grant opportunities (City Human Services Funding; a three-year Homeless Prevention Rapid Re-Housing Program Grant); the establishment of a donation link on the RHMTF website, financial support from the City of Santa Barbara Housing Authority and the Santa Barbara Rental Property Association; and the establishment of a fee on the Residential Rental Property Business License. While staff has been successful in receiving some new funding for the program, an adequate sustainable funding source has not been identified.

In Fiscal Year 2012, the RHMTF program also entered into service contracts with the following jurisdictions to serve their residents: City of Carpinteria - \$8,000; City of Goleta - \$17,000; and the County of Santa Barbara - \$25,000. These funds are used to hire additional part-time hourly staff to help with the increased workload required to service these jurisdictions.

#### **DISCUSSION:**

May 2, 2011 Budget Hearing: Due to a substantial reduction in program income for the Rental Housing Mediation Task Force program, staff was required to submit a reduced and balanced budget that minimized impacts to the already stressed General Fund. Staff presented a balanced RHMTF budget for Fiscal Year 2012 which resulted in a proposal to reduce services to fit within the program's budget constraints. The services proposed included the provision of information by one full-time employee, the elimination of telephone mediations and staff consultations, and the provision that the RHMTF meet on an as-needed basis and be available for large scale mediation services only.

Members of the RHMTF and members of the public requested that Council provide them with the opportunity to keep the program functioning at full service.

June 2, 2011 Budget Hearing: Recognizing the importance of the program to the community and to keep the program functioning at its current level, Council authorized the one-time appropriation of \$36,578 for a six month period (July – December 2011). During these six months, the Task Force members were asked to pursue a number of options in an effort to develop a long-term sustainable funding source for the RHMTF. These options included: Researching grant and funding opportunities; Researching Sliding Scale Fee Recovery options; Researching volunteer opportunities to assist staff in the operation of the RHMTF; Researching opportunities for Task Force members to train themselves and other members; Researching possible changes to RHMTF by-laws; and, Researching the idea of RHMTF transitioning into a stand-alone non-profit (501c3) entity. Council also provisionally allocated as an appropriated reserve an additional \$36,577 to fund the RHMTF an additional six months (January –June 2012) pending a successful review of their efforts after the first six months.

The Task Force consists of a group of very dedicated citizens who volunteer their time to assist renters and landlords in a variety of capacities. They have taken Council's charge very seriously and have formed a number of subcommittees which have been meeting on a weekly basis in an effort to pursue these options. Rental Housing Mediation Task Force members have provided a summary of their efforts (Attachment 1) and will present the results of their initial six-month efforts to pursue sustainable funding sources for the program at the Council meeting.

**BUDGET/FINANCIAL INFORMATION:**

Subsequent to Council's adoption of the Fiscal Year 2012, the RHMTF has received the following funding: City of Goleta (\$17,000); regular monthly billings of the HPRP grant (\$15,250 estimated for the year); grant funding from the City of Santa Barbara Housing Authority (\$5,000); and miscellaneous donations (approximately \$200). In addition, the program had a one-time budgetary carryover from Fiscal Year 2011 (\$11,551). Due to the above budget adjustments, the RHMTF program will be able to provide the full range of RHMTF services and not require the additional \$36,577 from the City's General Fund Appropriated Reserve for the final six months of Fiscal Year 2012 (see Attachment 2).

However, preliminary projections for Fiscal Year 2013 indicate that the RHMTF program will again face significant funding challenges. Attachment 3 reflects a shortfall of \$76,760 to keep the current services and Attachment 4 reflects a shortfall of \$56,760 to provide information only (and limited large-scale mediations). This funding shortfall will be addressed as part of the Fiscal Year 2013 budget process.

- ATTACHMENTS:**
1. RHMTF Memorandum to Mayor and Council dated 11/18/2011
  2. RHMTF Budget Fiscal Year 2012
  3. RHMTF Budget Challenge Fiscal Year 2013 (Current Services)
  4. RHMTF Budget Challenge Fiscal Year 2013 (Information Only)

PREPARED BY: Brian J. Bosse, Housing and Redevelopment Manager

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

November 18, 2011

Dear Madame Mayor and Honorable Members of the Santa Barbara City Council,

At the Santa Barbara City Council meetings held May 2, 2011 and June 2, 2011 the Santa Barbara City Council gave the Rental Housing Mediation RHMTF Advisory Group (RHMTF) a directive to explore several potential cost saving measures. These were as follows:

- Grants: Identify possible grants to augment the decrease in CDBG monies that have historically funded the Rental Housing Mediation RHMTF
- Explore the possibility of a Sliding Scale Fee for mediation services rendered in the City of Santa Barbara
- Volunteers: Determine how they could be utilized
- Mediation Training: Find ways for the mediators to conduct and organize their own training materials and exercises
- Explore the possibility of transforming the RHMTF into a 501c3 non-profit organization from its current status as a City supported volunteer Advisory Group and mediation service by partnering with an existing non-profit
- By-Laws: Amend to meet changing and future program needs and requirement

Following the City Council's June 2<sup>nd</sup> meeting, the RHMTF formed sub-committees (grant writing/fund raising, training, advocacy and by-laws) at the June 9<sup>th</sup> Special Meeting to explore cost saving measures to the program. These committees strived to meet weekly. Over the course of five subsequent monthly full board meetings, the sub-committees reported their findings. The RHMTF conducted ongoing discussions on the topics. Once adequately informed, the RHMTF Advisory Group made various motions to finalize the results of their hard work and research and voted on their position at the October 6, 2011 Advisory Group meeting. These resolutions were as follows:

***Grants: Identify possible grants to augment the decrease in CDBG monies that have historically funded the Rental Housing Mediation RHMTF***

Faced with the prospect of elimination for lack of program funding, it was easy for the RHMTF to determine early on in the process that seeking grant dollars was to be a prime objective. As a result, a Grant Writing Sub-Committee was formed at the July 7, 2011 RHMTF meeting. This committee has since made great efforts. It has researched dozens of grant opportunities, written a common grant application that could be accepted by local granting organizations, and has submitted applications to some and has begun the process in others.

The committee is also actively researching how it might leverage the Community Reinvestment Act, which requires financial institutions, banks, to establish charitable goals. The committee members have organized meetings with foundation representatives, productively researched the grantor resources made available, attended

grant writing workshops, and continue to look for grant opportunities as well as actively pursue donations for the program.

#### Outcome and Timing

The process of grant writing, submittal and receipt of funds will take some time to bear fruit. It is the belief of the RHMTF that it is very unlikely to find one foundation willing to grant the lion's share of the program's funding requirement. While the niche served by the RHMTF falls into the purview of many foundations targeting the prevention of homelessness and health and human services, the RHMTF is not a capital project or a one-time funding need, which the larger foundations generally seek to champion. The committee has gathered a sense that Foundation Grants, if any, are most likely to come in the form of smaller amounts, say, \$200 to 5,000 per grant. Often these may only be one time only grants.

It is the RHMTF's belief that a shortfall of funding for the program will remain long term if grant monies were to be the only reliable source of funding. It is therefore our goal to be made whole by monies from the city's general fund on an annual basis. We hope the Santa Barbara City Council will view our ongoing efforts to augment city funding as a new and demanding charge placed upon the RHMTF. The work will take time, perhaps several years, to fully bloom. Our goal will be to make the RHMTF's demand on the general fund as limited as possible; however, we will need to rely on the city's readiness to continually support the important work of the program which has successfully served our community for the past 35 years.

#### ***Explore the possibility of a Sliding Scale Fee for mediation services rendered in the City of Santa Barbara***

After much research conducted on the subject of Sliding Scale Fee, the RHMTF voted to not institute a sliding scale fee for mediation services rendered in the City of Santa Barbara.

The City of Santa Barbara Resolution Number 89-057 addresses sliding scale fees for face-to-face mediation services conducted within the City of Santa Barbara. It states that, "the City of Santa Barbara operates a Rental Housing Mediation Task Force for the purpose of assisting landlords and tenants in resolving disputes." There shall be no mediation fee for parties in which the property is located within the City of Santa Barbara. Parties who request mediation for properties located outside of the City of Santa Barbara shall be charged a fee based on a sliding scale reflecting the client's income and ability to pay with a maximum charge of \$75.00. Please note that, at the present time, the RHMTF contracts with municipalities outside of the City of Santa Barbara currently do not include face-to-face mediations.

Given that the average number of face-to-face Task Force conducted mediations is approximately 12 per year, the RHMTF determined that the amount of revenue to be gained by applying the sliding scale fee to mediations within the City of Santa Barbara is negligible, and would likely be less valuable than the work required determining and collecting the fee. Furthermore, a majority of the tenants who have engaged in past face-to-face mediations are considered very low to low income, and would therefore be unlikely to afford even the minimal charge for services. Finally, introducing a system of fee collection into the already fragile process of bringing two very disagreeable parties

together to resolve their dispute would likely be yet another reason for one or both of the parties to resist mediation. The sliding scale fee therefore will not meaningfully contribute to RHMTF funding, but would be detrimental to the process overall.

***Volunteers: Determine how they could be utilized***

Given the limited resources of the RHMTF paid staff, the Advisory Group determined that training volunteers from the community at large would be a greater burden for staff than is the work said volunteers would be expected to complete. Accepting or returning cold calls from disputing, disgruntled individuals is no slim task. Individuals faced with the threat of eviction can be and often are scared, confused, nervous, and even suicidal. Often, individuals may be disabled or elderly, thereby requiring special assistance. This work must be handled by trained professionals. The RHMTF determined that a rotating, loose collective of volunteers would not fit the bill and could in fact be a liability for the program. However, it was also determined that within the Advisory Group itself were highly qualified individuals with mediation certificates, masters in dispute resolution, law degrees and professionals. The issue then became, would the appointed volunteer Advisory Group mediators be able to assist in the program's office on a regular basis in addition to the work that they already do for the program, hold down their paid jobs, provide for their families and maintain their already busy schedules, and supplant part-time hourly staff. After much discussion and debate it was decided that it would not be feasible. The board passed a motion to create scheduled times during City business hours, as determined by the Senior Rental Housing Mediation Specialist, in which the Advisory Group mediators could voluntarily work in the office. Their function would be to take or follow-up on incoming calls from the public for information and mediation and serve as a form of relief or enhancement to the current level of program staffing.

It was also determined that assisting in the office would serve multiple purposes. Advisory Group mediators would help contribute to the daily function of the RHMTF, and the exercise of fielding public inquires would also serve as mediator training towards the required 25 hours needed for the Advisory Group mediators to receive their City of Santa Barbara, Rental Housing Mediation Task Force Mediator Certificate.

**Mediation Training: Find ways for the mediators to conduct and organize their own training materials and exercises**

The idea of the mediation training committee was to see how mediators could take over some of the training programs to relieve staff. While it was determined that the Task Force had the knowledge to assist with training, and that it was good to have the mediators involved in training, the experience, expertise and resources of the Senior Rental Housing Mediation Specialist were too vast and deep to not utilize. A motion was passed that in order to mitigate program costs, with the idea not to supplant staff, mediators would collaborate with staff to present and create training materials.

***Explore the possibility of transforming the RHMTF into a 501c3 non-profit organization from its current status as a City supported volunteer board and service by partnering with an existing non-profit***

After careful consideration, the RHMTF unanimously passed a motion to not transform itself into a 501c3 non-profit organization. Firstly, removing the RHMTF from under the city's umbrella would greatly increase the overall cost of the program's annual funding

needs, mainly by forcing the staff and Advisory Group to find rented office and meeting space, purchase basic office supplies and equipment for daily functions. Most importantly, ending the Advisory Group's crucial standing as a city function, which essentially grants us the credibility, neutrality, and authority required to successfully conduct mediations, would substantially damage the RHMTF's reach.

Additionally, the program could not determine what advantage it would gain by becoming a non-profit. Currently, the RHMTF enjoys a relationship with 2<sup>nd</sup> Story Associates, that, by virtue of its own 501c3, can accept charitable, tax deductible donations from the public on behalf of the RHMTF. Since the RHMTF relies on the city for the public perception of its authority and neutrality, and because the RHMTF already enjoys funding directed through an existing 501c3, the Advisory Group sees no need or benefit to itself become a 501c3.

***By-Laws: Amend to meet changing and future program needs and requirement***

The issue of removing Advisory Group term limitations and the amendment to the RHMTF By-Laws is in process. City staff can work with the City Attorney and the Task Force to make changes proposed by the Task Force.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Dullum". The signature is stylized with large, flowing loops.

Justin Dullum  
Chair  
Rental Housing Mediation Task Force

## ATTACHMENT 2

### Rental Housing Mediation Program Budget Fiscal Year 2012 Funding Projection

<b>FY12 Budget</b>			
	City Only 1 F/T + 1 P/T	Other Jurisdictions 2 P/T	Total
<b><u>Revenues</u></b>			
General Fund Transfer	36,578		36,578
Grants/Other Jurisdictions			
City of SB CDBG	39,179		39,179
City of SB Human Services	22,000		22,000
City of Carpinteria		8,000	8,000
County of SB		25,000	25,000
<b><u>Revenues Received After Budget Adoption:</u></b>			
Grants/Other Jurisdictions			
City of Goleta		17,000	17,000
Housing Authority	5,000		5,000
Home Prevention Rapid Rehousing Program	15,250		15,250
Donations	200		200
Carryover from FY11	11,551		11,551
<b>Total Revenues</b>	<b>\$129,758</b>	<b>\$50,000</b>	<b>\$179,758</b>
<b><u>Expenditures</u></b>			
Salaries			
Rental Housing Mediation Specialist	70,787		70,787
Hourly Aides/Specialists	17,898	48,224	66,122
Payroll Taxes & Benefits	32,790		32,790
Materials	3,808	1,200	5,008
Allocated Costs	4,475	576	5,051
<b>Total Expenditures</b>	<b>\$129,758</b>	<b>\$50,000</b>	<b>\$179,758</b>
<b>Difference</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

# ATTACHMENT 3

## Rental Housing Mediation Program Budget Fiscal Year 2013 Funding Challenges

<b>FY13 Budget - Current Service (Information, Staff Consultation &amp; Mediation)</b>			
	City Only 1 F/T + 1 P/T	Other Jurisdictions 2 P/T	Total
<b><u>Revenue</u></b>			
General Fund Transfer	-		-
Grants/Other Jurisdictions			
City of SB CDBG	33,300		33,300
City of SB Human Services	19,800		19,800
City of Carpinteria		8,000	8,000
County of SB		25,000	25,000
City of Goleta		17,000	17,000
Home Prevention Rapid Rehousing Program	2,000		2,000
<b>Total Revenues</b>	<b>\$55,100</b>	<b>\$50,000</b>	<b>\$105,100</b>
<b><u>Expenditures</u></b>			
Salaries			
Rental Housing Mediation Specialist	70,787		70,787
Hourly Aides/Specialists	20,000	48,224	68,224
Payroll Taxes & Benefits	32,790		32,790
Materials	3,808	1,200	5,008
Allocated Costs	4,475	576	5,051
<b>Total Expenditures</b>	<b>\$131,860</b>	<b>\$50,000</b>	<b>\$181,860</b>
<b>Difference</b>	<b>(\$76,760)</b>	<b>\$0</b>	<b>(\$76,760)</b>

\* Estimate based upon a 15% reduction. CDBG Admin may also be reduced by 50%.

\*\* Estimate based upon a 10% reduction in available Human Services Funds.

\*\*\* Estimate based upon remaining two months of grant.

# ATTACHMENT 4

## Rental Housing Mediation Program Budget Fiscal Year 2013 Funding Challenges

<b>FY13 Budget - Information Only (and large-scale mediations)</b>			
	City Only 1 F/T	Other Jurisdictions 2 P/T	Total
<u>Revenue</u>			
General Fund Transfer	-		-
Grants/Other Jurisdictions			
City of SB CDBG	33,300		33,300
City of SB Human Services	19,800		19,800
City of Carpinteria		8,000	8,000
County of SB		25,000	25,000
City of Goleta		17,000	17,000
Home Prevention Rapid Rehousing Program	2,000		2,000
	-		-
	-		-
<b>Total Revenues</b>	<b>\$55,100</b>	<b>\$50,000</b>	<b>\$105,100</b>
<u>Expenditures</u>			
Salaries			
Rental Housing Mediation Specialist	70,787		70,787
Hourly Aides/Specialists		48,224	48,224
Payroll Taxes & Benefits	32,790		32,790
Materials	3,808	1,200	5,008
Allocated Costs	4,475	576	5,051
<b>Total Expenditures</b>	<b>\$111,860</b>	<b>\$50,000</b>	<b>\$161,860</b>
<b>Difference</b>	<b>(\$56,760)</b>	<b>\$0</b>	<b>(\$56,760)</b>

\* Estimate based upon a 15% reduction. CDBG Admin may also be reduced by 50%.

\*\* Estimate based upon a 10% reduction in available Human Services Funds.

\*\*\* Estimate based upon remaining two months of grant.



Agenda Item No. \_\_\_\_\_

File Code No. **520.04**

# **CITY OF SANTA BARBARA**

## **COUNCIL AGENDA REPORT**

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Chief's Staff, Police Department

**SUBJECT:** Police Department Update

**RECOMMENDATION:**

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

**DISCUSSION:**

As requested by the Mayor and City Council, beginning on December 6, 2011, Police Chief Cam Sanchez will give an oral presentation to Council regarding the status of the Police Department and its operations. This presentation will be part of a series of updates and will occur on a periodic basis.

**PREPARED BY:** Chief Sanchez, Police Chief

**SUBMITTED BY:** Cam Sanchez, Chief of Police

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011  
**TO:** Mayor and Councilmembers  
**FROM:** Planning Division, Community Development Department  
**SUBJECT:** Proposed Designation Of Three Landmarks: Granada Tower State Street Façade At 1214 State Street, Moreton Bay Fig Tree At 320 W. Pueblo Street, And 105 Ontare Hills Lane

**RECOMMENDATION:** That Council:

- A. Hold a public hearing;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Granada Tower State Street Façade, its Two-Foot Wraparound, and its Roof Form at 1214 State Street (Assessor's Parcel Numbers 039-183-050, 039-183-051, 039-183-052) a City Landmark;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Moreton Bay Fig Tree (*Ficus macrophylla*) at 320 W. Pueblo Street (Assessor's Parcel Number 025-100-001) a City Landmark; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Frederick H. Booth House and Garage at 105 Ontare Hills Lane (Assessor's Parcel Number 055-160-060) a City Landmark.

**DISCUSSION:**

Section 22.22.050 of the "Historic Structures" chapter of the Municipal Code provides authority to the Historic Landmarks Commission (HLC) to adopt resolutions to forward recommendations to City Council regarding Landmark designations.

On June 22, 2011, three Landmark designations were scheduled for public hearings. Only one designation was adopted at this hearing. The designation hearing was postponed for Ontare Hills Lane and the hearing for the Granada Façade was continued. The HLC adopted Resolution No. 2011-03 to recommend to City Council that it designate the Moreton Bay Fig Tree (*Ficus macrophylla*) at 320 W. Pueblo Street a City Landmark. It was determined by an Environmental Impact Report that this tree at Cottage Hospital is historically significant and should be preserved, and the property owner agreed to such designation in accordance with the conditions of approval for development on site.

At its next HLC meeting on July 6, 2011, the HLC considered changes to the scope of façade designation and adopted Resolution No. 2011-02 to recommend to City Council that it designate the Granada Tower State Street façade at 1214 State Street a City Landmark. The property owner submitted written permission that the façade be preserved with this designation.

HLC did not consider the 105 Ontare Hills Road designation until two months later due to a request from the property owner to delay the initial public hearing. The designation item returned to the HLC on August 31, 2011. It was determined in two Historic Structures/Sites Reports previously accepted by the Commission in 2005 that the Ontare Hills Lane house qualifies for historic landmark designation. Public testimony was also heard on objections from the current property owner regarding the designation, (see HLC minutes, Attachment 4). The prior property owner (Wynpac) agreed to the designation as a condition of approval with the subdivision of the property. The HLC adopted Resolution No. 2011-01 to recommend to City Council that it designate the Frederick H. Booth House and garage at 105 Ontare Hills Lane a City Landmark.

The City Environmental Analyst issued separate Categorical Exemptions under the provisions of Article 19, Section 15308 of the California Environmental Quality Act for the proposed designation of Granada Tower State Street façade, the Moreton Bay Fig Tree, and the Frederick H. Booth House.

#### **SIGNIFICANCE CRITERIA:**

The HLC found that the Granada Tower State Street façade meets the following City Landmark criteria listed in Section 22.22.040, subsection A through K, of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation;
- D. Its exemplification as the best remaining architectural type in its 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;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

The HLC found that the Moreton Bay Fig Tree (*Ficus macrophylla*) meets the following City Landmark criteria listed in Section 22.22.040, subsection A through K, of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation; and
- B. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

The HLC found that the Frederick H. Booth House and garage meet the following City Landmark criteria in Section 22.22.040, subsection A through K, of the Municipal Code:

- B. Its character, interest, or value as a significant part of the heritage 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;
- 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; and
- I. Its unique location of singular physical characteristic representing an established and familiar visual feature of a neighborhood.

#### **CONCLUSION AND RECOMMENDATION:**

It is staff's recommendation that there is sufficient evidence on record that supports the designation for all three properties (see Attachments 1, 2 & 3). The current property owner of the Frederick H. Booth house at 105 Ontare Hills Lane has raised objection to the landmark designation, however, a Historic Structures Report was prepared for his proposal to alter the adobe house. The report was prepared in December 2005 for Mr. Smyth, which was accepted by the HLC, clearly indicated that the structures "possessed sufficient historic, cultural and architectural significance to qualify for designation as a City Landmark" (see Attachment 5). It is Staff's position that the HLC understood the objections raised over the designation and still chose to unanimously vote to forward the Landmark designation to Council. Although it has been the HLC's policy to obtain consent from the property owner for the landmark designation, there is no ordinance provision that requires permission from the property owner.

The HLC and Staff recommend to City Council that it adopt resolutions to designate the Granada Tower State Street façade at 1214 State Street, the Moreton Bay Fig Tree (*Ficus macrophylla*) at 320 W. Pueblo Street, and the Frederick H. Booth House at 105 Ontare Hills Lane as City Landmarks, called the Granada Tower State Street Façade, the Moreton Bay Fig Tree, and the Frederick H. Booth House, respectively.

#### **ATTACHMENTS:**

1. Historic Landmarks Commission Staff Report and Resolution 2011-02 for Landmark Designation for the Granada Tower State Street façade, APNs 039-183-050, -051, -052.
2. Historic Landmarks Commission Landmark Designation Staff Report and Resolution No. 2011-03 for the Moreton Bay Fig Tree, APN 025-100-001.

Council Agenda Report

Proposed Designation Of Three Landmarks: Granada Tower State Street Façade At 1214 State Street, Moreton Bay Fig Tree At 320 W. Pueblo Street, And 105 Ontare Hills Lane  
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3. Historic Landmarks Commission Landmark Designation Staff Report and Resolution No. 2011-01 for the Frederick H. Booth House, APN 055-160-060.
4. HLC Minutes for 105 Ontare Hills Lane and 1156 N. Ontare Road
5. Excerpt from December 2005 Historic Structures Report for property at 1156 N. Ontare Rd/ 105 Ontare Hills Lane and Letter from Theodore H. Smyth, Jr. dated August 29, 2011

**PREPARED BY:** Jaime Limón, Senior Planner II

**SUBMITTED BY:** Paul Casey, Community Development Director

**APPROVED BY:** City Administrator's Office



# City of Santa Barbara California

## HISTORIC LANDMARKS COMMISSION STAFF REPORT

**REPORT DATE:** June 16, 2011  
**AGENDA DATE:** June 22, 2011  
**PROJECT ADDRESS:** 1214 State Street, Granada Tower (State Street Façade)  
 Landmark Designation Public Hearing  
**TO:** Historic Landmarks Commission  
**FROM:** Planning Division, (805) 564-5470  
 Jake Jacobus, City Urban Historian

### I. PROPERTY DESCRIPTION

The Granada Tower was completed in 1924 and is most notable for being Santa Barbara's only skyscraper (elevator building above eight stories in height). The Granada was designed by architect A. B. Rosenthal a prolific, but not noteworthy, commercial designer in Los Angeles. Edward L. Mayberry, Jr., an architect and engineer well known for a variety of quality buildings and bridges built in Los Angeles was the project engineer. Locally, Mayberry worked with G. W. Smith on such notable buildings as the Daily News Building and the new Lobero Theater. The structure was built by contractor Charles M. Urton who constructed many of Santa Barbara's buildings during the 1920s.





## **II. BACKGROUND**

One year before the Granada Tower was designed, the City's Community Arts Association's Plans and Planting Committee, under the guidance of Pearl Chase and Bernhard Hoffmann proposed a number of zoning and building code regulations to implement a new vision of Santa Barbara as a romantic "City in Spain". They originally proposed to limit building heights to six-stories. The building's massive size and Spanish Renaissance detailing make it unique in Santa Barbara and it continues to stir emotions among the City's residents today. The building starkly contrasts with the rural Andalusian Spanish style chosen by the Community Arts Association as the unifying architectural style for Santa Barbara's new Hispanic look.

The theatre portion of the structure and rear portion of the tower do not qualify for historic designation because of the expansion of the theatre's stage fly and significant alterations to the rear of the tower. Although the marquee is not original to the building; its design is based on historic photographs of the cir. 1924 original and was approved by the Historic Landmarks Commission thus it is included in the designation of the tower façade. Additionally, the full height of the first fifteen (2) feet of the north and south sidewalls (wraparound) are part of the designation, including the hip roof form.

A Historic Structures Report prepared by Preservation Planning Associates dated March 10, 2004, and approved by the Historic Landmarks Commission on March 17, 2004, has determined that the Granada Tower State Street façade qualifies for historic designation and meets the following City Landmark criteria listed in Section 22.22.040 of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation;
- D. Its exemplification as the best remaining architectural type in its 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;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

## **III. RECOMMENDATION**

Staff recommends that the Historic Landmarks Commission adopt Resolution 2011-01 and forward the Landmark designation request to City Council for consideration. Although the building was part of a \$52 million rehabilitation project, the State St. façade retains enough architectural integrity to qualify.



**CITY OF SANTA BARBARA  
HISTORIC LANDMARKS COMMISSION**

**RESOLUTION RECOMMENDING THAT CITY COUNCIL  
HOLD A PUBLIC HEARING TO CONSIDER  
LANDMARK DESIGNATION OF  
THE GRANADA BUILDING STATE STREET FAÇADE AT  
1214 STATE STREET, ASSESSOR'S PARCEL NUMBERS  
039-183-050, 039-183-051, 039-183-052**

**RESOLUTION 2011-02**

**JULY 6, 2011**

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance; and

WHEREAS, the property owner of the building listed in the title of this document has agreed to have the State Street façade of their building, the façade's two foot wraparound at each corner, and its roof form designated a City Landmark in accordance with the conditions of approval enumerated in Planning Commission Resolution No. 049-04; and

WHEREAS, historic research in the form of an Historic Structures Report prepared by Preservation Planning Associates dated March 10, 2004 and approved by the Historic Landmarks Commission on March 17, 2004 has determined that the Granada Building State Street façade located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052, qualifies for historic designation under City of Santa Barbara Master Environmental Assessment criteria; and

WHEREAS, on May 25, 2011, the Historic Landmarks Commission adopted a Resolution of Intention No. 2011-02 to hold a public hearing to begin the landmark designation process for the Granada Building State Street façade located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052; and

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution dated November 10, 1998), staff has determined that designation of the Granada Building (State Street façade) located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052, as a City Landmark is a Categorical Exemption; and

WHEREAS, the Historic Landmarks Commission held a public hearing on June 22, 2011, during which hearing comments were invited on the proposed designation and the Historic Landmarks Commission defined "State Street façade" for the purpose of this designation as being all the original circa 1924 terracotta architectural details and the beige brickwork, including where it wraps around both corners of the building and extends for a distance of two feet, and included the building's roof form in such designation but excluded the new marquee, new ground floor storefront, and new theater entrance doors, which are not historic and are not included in the historic designation; and

WHEREAS, the Historic Landmarks Commission determined that, while maintenance and minor modifications are permissible, the character-defining features of the State Street façade must be maintained, and proposed exterior alterations to the façade are subject to Historic Landmarks Commission Review; and

WHEREAS, in summary, the Historic Landmarks Commission finds that the Granada Building (State Street façade) located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052, meets the following City Landmark criteria (A through K) listed in Section 22.22.040 of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation;
- D. Its exemplification as the best remaining architectural type in its 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;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Historic Landmarks Commission of the City of Santa Barbara hereby recommends to the City Council that it designate the Granada Building State Street façade located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052, a City Landmark, and make findings based on the historic and cultural significance of facts presented in the Historic Structures Report prepared by Preservation Planning Associates dated March 10, 2004, and accepted by the Historic Landmarks Commission on March 17, 2004.

**HISTORIC LANDMARKS COMMISSION  
CITY OF SANTA BARBARA**

**Adopted: July 6, 2011**



# City of Santa Barbara California

## HISTORIC LANDMARKS COMMISSION STAFF REPORT

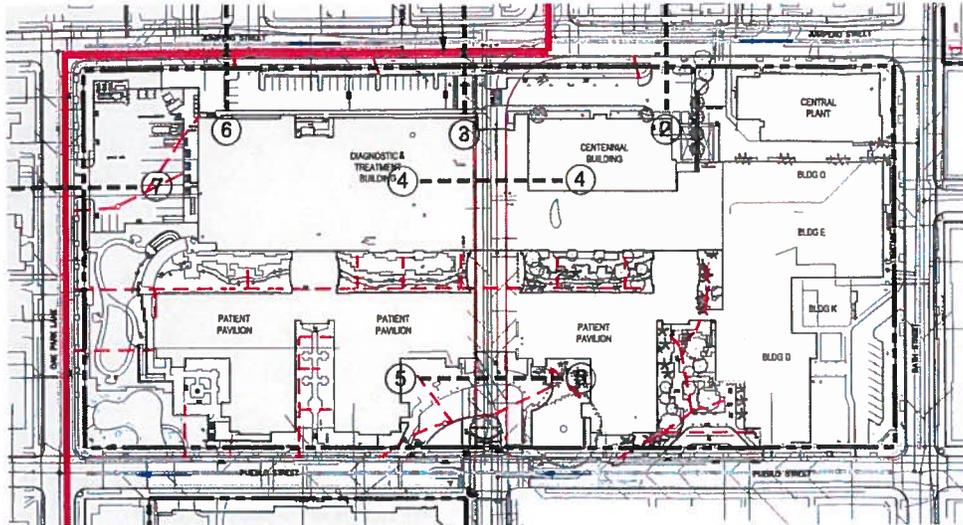
**REPORT DATE:** July 28, 2011  
**AGENDA DATE:** August 3, 2011  
**PROJECT ADDRESS:** 320 West Pueblo Street, Moreton Bay Fig Tree, *Ficus macrophylla*  
Landmark Designation Public Hearing  
**TO:** Historic Landmarks Commission  
**FROM:** Planning Division, (805) 564-5470  
Jake Jacobus, City Urban Historian

### I. PROPERTY DESCRIPTION

Santa Barbara Cottage Hospital is currently undergoing a significant expansion including seismic compliance and modernization of the facility. It was determined by the Environmental Impact Report that the Moreton Bay Fig Tree, *Ficus macrophylla*, is historically significant and should be preserved on the site. The new structure under construction adjacent to the tree was designed with a recessed section to avoid the need to remove the landmark-worthy tree. This tree is sited where hospital-related neighborhood functions are held. On the date of this photograph, there was a blood drive under way and the tree sheltered the check-in line and served as a shady waiting area for blood donors.



Moreton Bay Fig Tree, *Ficus macrophylla*



## **II. BACKGROUND**

By the 1880s Santa Barbara had established itself as a nationally known fashionable health resort with a mild year-round climate. At this time, it was still a small town with around 3,500 permanent residents and no medical facilities. In 1888, Mary A. Ashley rallied a group of 50 women to work on raising funds for the construction of a hospital in Santa Barbara. The concept that they were proposing was to create a campus consisting of a series of small individual cottages, each housing a separate department, hence the name "Cottage Hospital." They were unable to raise the full amount of the cost and ended up constructing a single building to house the hospital. Although the cottage concept never materialized, they kept the cozy sounding name Cottage Hospital. The hospital opened in December of 1891. As the city continued to grow, so did the hospital facility. The Moreton Bay Fig Tree is believed to have been planted in 1919 at the end of the second expansion period of the facility which had begun in 1913. It also appears that this tree is the last remaining element of the original landscaping.

A Historic Structures Report prepared by San Buenaventura Research Associates dated November, 2002, determined that the tree qualifies for designation as a City Landmark. Staff has determined that the tree meets the following criteria listed in Section 22.22.040 of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation;
- B. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

## **III. RECOMMENDATION**

Staff recommends that the Historic Landmarks Commission adopt Resolution 2011-03 and forward the Landmark designation request to City Council for consideration. Staff further recommends that the HLC motion include a recommendation that Council place this tree on the City Parks Department Historic Trees List.



**CITY OF SANTA BARBARA  
HISTORIC LANDMARKS COMMISSION**

**RESOLUTION RECOMMENDING THAT CITY COUNCIL  
HOLD A PUBLIC HEARING TO CONSIDER  
LANDMARK DESIGNATION OF  
THE MORETON BAY FIG TREE AT  
320 WEST PUEBLO STREET  
ASSESSOR'S PARCEL NO. 025-100-001**

**RESOLUTION 2011-03**

**JUNE 22, 2011**

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance; and

WHEREAS, the property owner of the Moreton Bay Fig Tree located at 320 West Pueblo Street (Cottage Hospital) has agreed to have the tree designated as a City Landmark in accordance with the recommended mitigation measures enumerated in the Environmental Impact Report for the Santa Barbara Cottage Hospital Seismic Compliance and Modernization Plan prepared by LSA Associates, Inc. and dated March 2005; and

WHEREAS, historic research in the form of an Historic Structures Report prepared by San Buenaventura Research Associates dated November, 2002, and incorporated into the EIR document, has determined that the Moreton Bay Fig Tree at 320 West Pueblo Street (Cottage Hospital), Assessor's Parcel No. 025-100-001, qualifies for historic designation under City of Santa Barbara Master Environmental Assessment criteria; and

WHEREAS, the Historic Landmarks Commission determined that, while maintenance and minor trimming of the tree is permissible, the ambiance and character of the landscape area within five (5) feet of the drip-edge of the tree must be maintained and proposed deviations from this condition are subject to Historic Landmarks Commission Review; and

WHEREAS, on May 25, 2011, the Historic Landmarks Commission adopted a Resolution of Intention No. 2011-03 to hold a public hearing to begin the landmark designation process for the Moreton Bay Fig Tree at 320 West Pueblo Street (Cottage Hospital), Assessor's Parcel No. 025-102-001; and

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution dated November 10, 1998), staff has determined that designation of Moreton Bay Fig Tree at 320 West Pueblo Street (Cottage Hospital), Assessor's Parcel No. 025-100-001, as a City Landmark is a Categorical Exemption; and

WHEREAS, the Historic Landmarks Commission held a public hearing on June 22, 2005, during which hearing comments were invited on the proposed designation; and

WHEREAS, the public hearing was noticed in the Santa Barbara Daily Sound on June 10, 2011 and individual mailed notice was sent via the US Postal Service to adjacent property owners and registered interested parties on June 9, 2011; and

WHEREAS, in summary, the Historic Landmarks Commission finds that Moreton Bay Fig Tree at 320 West Pueblo Street (Cottage Hospital), Assessor's Parcel No. 025-100-001, meets the following City Landmark criteria (A through K) listed in Section 22.22.040 of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Historic Landmarks Commission of the City of Santa Barbara hereby recommends to the City Council that it designate the Moreton Bay Fig Tree at 320 West Pueblo Street (Santa Barbara Cottage Hospital), Assessor's Parcel No. 025-100-001, a City Landmark, and makes the findings based on the historic and cultural significance of the facts presented in the Historic Structures Report prepared by San Buenaventura Research Associates dated November, 2002, and incorporated into the Environmental Impact Report, Santa Barbara Cottage hospital Seismic Compliance and Modernization Plan prepared by LSA Associates, Inc.

**HISTORIC LANDMARKS COMMISSION  
CITY OF SANTA BARBARA**

**Adopted: June 22, 2011**

S U Z A N N E  E L L E D G E  
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

31 May 2007

Historic Landmarks Commission  
c/o Mr. Jake Jacobus  
City of Santa Barbara Planning Division  
630 Garden Street  
Santa Barbara, CA 93101

**RE: Landmark Designation Request – Santa Barbara Cottage Hospital Moreton Bay Fig Tree**

On behalf of Santa Barbara Cottage Hospital (SBCH), we are requesting the initiation of the landmark designation process for the Moreton Bay fig tree located at the northeast corner of Pueblo and Castillo Streets. Condition C.20 of Resolution 020-05 approving the Santa Barbara Cottage Hospital Reconstruction project requires that SBCH initiate this process. Enclosed with this letter is a reduced site plan (Attachment A) and a photograph of the tree (Attachment B).

If there are any questions regarding this request, please contact me at 805.966.2758 x21.

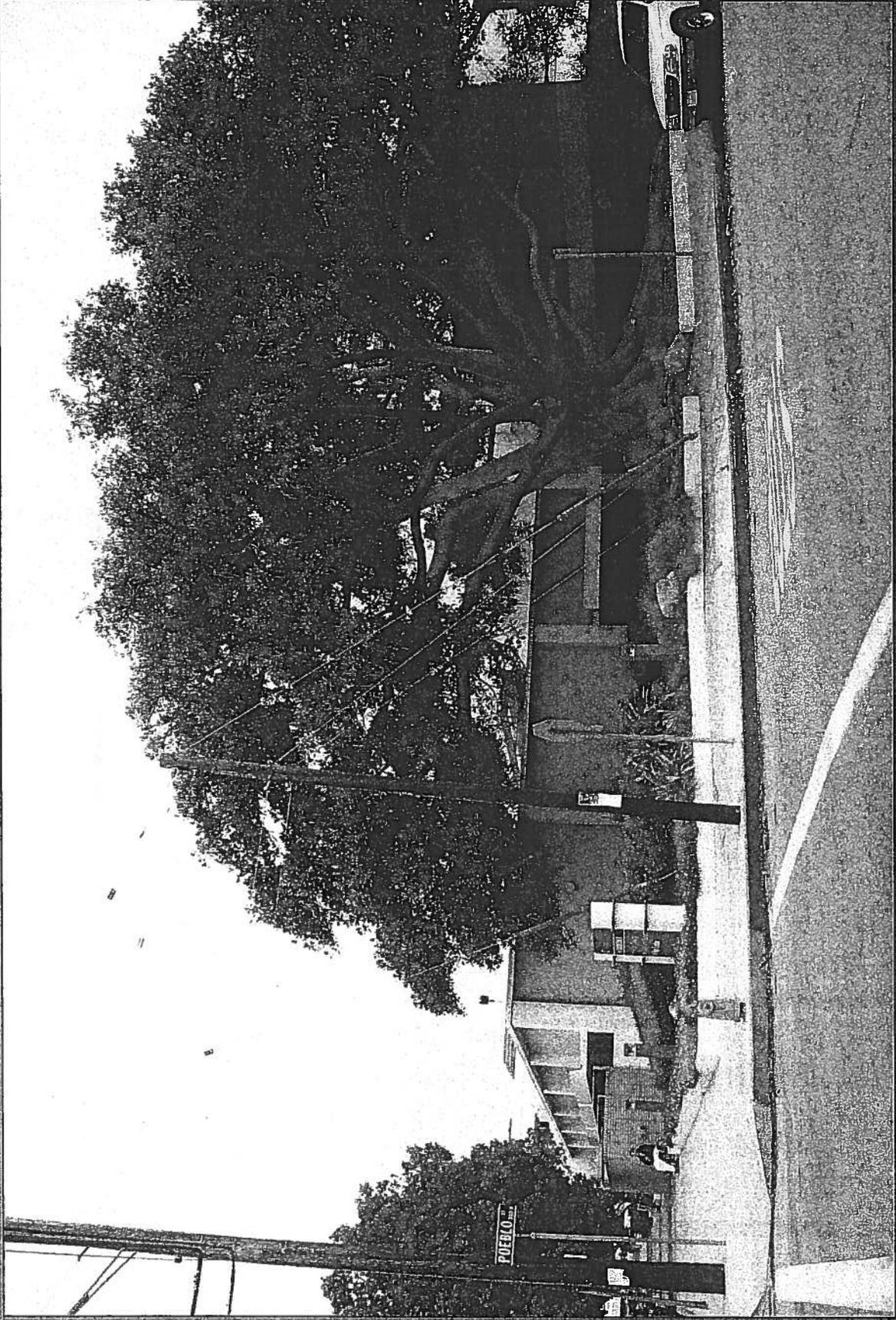
Sincerely,  
**SUZANNE ELLEDGE**  
*PLANNING & PERMITTING SERVICES, INC.*



Isaac Romero  
Associate Planner

S:\Cottage Hospital MP\Moreton Bay Fig Landmark Designation\LETTER - Moreton Bay Fig Tree Landmark Designation Request - SBCH - J Jacobus - 5 31 2007.doc





Attachment B: View of Moreton Bay Fig Tree looking north across Pueblo Street from the southeast corner of Pueblo & Castillo



# City of Santa Barbara California

## HISTORIC LANDMARKS COMMISSION STAFF REPORT

**REPORT DATE:** August 25, 2011  
**AGENDA DATE:** August 31, 2011  
**PROJECT ADDRESS:** 105 Ontare Hills Lane, Frederick H. Booth House  
Landmark Designation Public Hearing  
**TO:** Historic Landmarks Commission  
**FROM:** Planning Division, (805) 564-5470  
Jake Jacobus, City Urban Historian

### I. PROPERTY DESCRIPTION

The sprawling, single-story, 5,000 square-foot Frederick H. Booth House was constructed in the Mexican period adobe style, often referred to as the Mexican Hacienda style, in 1939. The north elevation main façade resembles the historic cir. 1825 Gonzalez Ramirez Adobe, while the rear elevation exhibits classic hacienda form, being “U” shaped with a covered porch wrapping the central courtyard. Adding to the authentic look, the house was built using traditional adobe block with a two-piece terracotta tile roof. In keeping with early adobe construction, the lighter wood structure of the incised porch is covered with wood shakes rather than the tile found over the massive adobe walls.



## **II. BACKGROUND**

In 2005, the Planning Commission approved a project for a nine lot subdivision of the original 14.4 acres (Resolution No. 032-05) and placed a Condition of Approval that the property owner allow the Frederick H. Booth House be designated a City Landmark.

The adobe house and garage is one of the City's few examples of the hacienda style, a subtype of the more popular Spanish Colonial Revival architectural style. The house has had few alterations and maintains its character-defining features. Although the original 14.4 acre site has been subdivided, the house sits comfortably on 5.88 acres and retains its ranch-like feeling. The newly-created lots are at least one acre in size, which helps maintain the overall rural setting of the subdivision.

Elizabeth Booth attributes the design of the house to her mother, Cornelia Ann Booth. Though there is no attribution on the drawings, it is possible that Alexander Bertrand Harmer assisted Cornelia, or possibly designed the house, as he was responsible for other buildings that the Booths built on the site. Harmer, a self-trained architectural designer, was the son of the noted regional painter Alexander Francis Harmer. During the early 1920's, Harmer worked with noted architects Wallace Neff and then Garrett Van Pelt Jr., before establishing a successful independent practice as a residential designer.

A Historic Structures Report prepared by Post/Hazeltine Associates dated February 22, 2005, and approved by the Historic Landmarks Commission on March 2, 2005, has determined that the subject building qualifies for historic designation and meets the following City Landmark criteria listed in Section 22.22.040 of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage 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;
- 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; and
- I. Its unique location of singular physical characteristic representing an established and familiar visual feature of a neighborhood.

## **III. RECOMMENDATION**

Staff recommends that the Historic Landmarks Commission adopt Resolution 2011-01 and forward the Landmark designation request to City Council for consideration.



**Photo update 2011**



**CITY OF SANTA BARBARA  
HISTORIC LANDMARKS COMMISSION**

**RESOLUTION RECOMMENDING THAT CITY COUNCIL  
HOLD A PUBLIC HEARING TO CONSIDER  
LANDMARK DESIGNATION OF  
THE FREDERICK H. BOOTH HOUSE AND GARAGE AT  
105 ONTARE HILLS LANE  
ASSESSOR'S PARCEL NO. 055-160-060**

**RESOLUTION 2011-01**

**AUGUST 31, 2011**

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance;

WHEREAS, the property owner of the buildings listed in the title of this document has agreed to have the adobe residence and garage designated a City Landmark in accordance with the conditions of approval in Planning Commission Resolution No. 032-05 for a Tentative Subdivision Map to allow the division of one parcel into nine lots;

WHEREAS, historic research in the form of an Historic Structures Report prepared by Post/Hazeltine Associates dated February 22, 2005, and approved by the Historic Landmarks Commission on March 2, 2005, has determined that the adobe Frederick H. Booth House and garage, located at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-060, are eligible for designation as a City of Santa Barbara Landmark, and for listing in the California Register of Historic Resources, as well as in the National Register of Historic Places, at the local level, under City of Santa Barbara Master Environmental Assessment criteria;

WHEREAS, the Historic Landmarks Commission determined that, while maintenance and minor modifications are permissible, the ambiance and character of the landscape area within five (5) feet of the house and garage must be maintained, and proposed exterior alterations are subject to Historic Landmarks Commission review;

WHEREAS, on August 3, 2011, the Historic Landmarks Commission adopted a Resolution of Intention No. 2011-01 to hold a public hearing to begin the landmark designation process for the Frederick H. Booth House and garage located at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-060;

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution dated November 10, 1998), staff has determined

that designation of the Frederick H. Booth House and garage located at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-060, as a City Landmark is a Categorical Exemption;

WHEREAS, the Historic Landmarks Commission held a public hearing on August 31, 2011, during which hearing comments were invited on the proposed designation;

WHEREAS, the public hearing was noticed in the Santa Barbara Daily Sound on August 19, 2011, and individual mailed notice was sent via the US Postal Service to adjacent property owners and registered interested parties on August 18, 2011; and

WHEREAS, in summary, the Historic Landmarks Commission finds that the Frederick H. Booth House and garage located at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-060, meets the following City Landmark criteria (A through K) listed in Section 22.22.040 of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage 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;
- 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; and
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Historic Landmarks Commission of the City of Santa Barbara hereby recommends to the City Council that it designate the Frederick H. Booth House and garage located at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-060, a City Landmark, and make findings based on the historic and cultural significance of facts presented in the Historic Structures Report prepared by Post/Hazeltine Associates dated February 22, 2005, and approved by the Historic Landmarks Commission on March 2, 2005.

**HISTORIC LANDMARKS COMMISSION  
CITY OF SANTA BARBARA**

**Adopted: August 31, 2011**



HISTORIC LANDMARK COMMISSION  
CASE SUMMARY

**MST2011-00367**

R-LANDMARK DESIG 105 ONTARE HILLS LN

Page: 1

**Project Description:**

Proposal to Landmark adobe house

**Activities:**

**9/21/2011**                      **HLC-FYI/Research**

*The HSSRs that "concluded that two existing buildings on the property, the adobe house and the detached garage, were determined to be eligible for designation as a City of Santa Barbara Landmark, and for listing in the California Register of Historic Resources, as well as in the National Register of Historic Places, at the local level" are recorded under the MST2004-00196.-1156 N. ONTARE RD .*

**8/31/2011**                      **HLC-Miscellaneous Action**

*(Public Hearing to consider adoption of a resolution to recommend to City Council that the structure known as "Frederick H. Booth House" (formerly known as 1156 North Ontare Road) be designated as a City Landmark.)*

*(1:47)*

*Present: Jaime Limón, Senior Planner/Design Review Supervisor*

*Public comment was opened at 1:52 p.m.*

*A letter in opposition from Theodore H. Smyth Jr., Owner, was acknowledged.*

*John Woodward, former resident of the site, opposed due to modifications to the property and qualifying criteria not being met.*

*Theodore Smyth, Owner, opposed due to lack of historic significance, the use of concrete in the construction, lack of qualifying criteria, and restrictions on the property if landmarked.*

*Public comment was closed at 2:04 p.m.*

**Activities:**

*Mr. Smyth noted that he did not have the opportunity to express his opposition to the Planning Commission condition of approval in April 2005 [that the HLC recommend landmark designation] since he was not the property owner at that time. Mr. Limón responded that the Historic Structures/Sites Report dated December 5, 2005\*, was "prepared for Tad [Theodore] Smyth." Mr. Smyth was the owner at the time the report was accepted with mitigation measures by the Historic Landmarks Commission.*

*Motion: To adopt Resolution 2011-01 and forward the Landmark designation request of the Frederick H. Booth House located at 105 Ontare Hills Lane to City Council for consideration.*

*Action: LaVoie/Sharpe, 6/0/0. Motion carried. (Shallanberger absent.)*

*\*The report reiterated the conclusion that "the two existing buildings on the property, the adobe house and the detached garage, were determined to be eligible for designation as a City of Santa Barbara Landmark, and for listing in the California Register of Historic Resources, as well as in the National Register of Historic Places, at the local level."*

**8/3/2011****HLC-Miscellaneous Action**

*(The Commission is requested to adopt a resolution of intention to hold a Public Hearing on August 31, 2011, to consider recommending to City Council that the Frederick H. Booth House located at 105 Ontare Hills Lane (formerly known as 1156 North Ontare Road) be designated as a City Landmark.)*

*(Item was postponed from June 22, 2011.)*

*(1:58)*

*Present: Michael Berman, City Project Planner/Environmental Analyst*

*Staff comment: Michael Berman, Project Planner, stated that there are areas of the site identified in the Historic Resources/Sites Report as significant historic resources and should be included in the request for designation.*

*Public comment opened at 2:04 p.m.*

*Kellam de Forest, local resident, commented on the advantages on Landmark designation and expressed support for designation of this building.*

*Public comment closed at 2:05 p.m.*

*Motion: To adopt Resolution 2011-01 as an intention to hold a Public Hearing on August 31, 2011, to consider recommending to City Council that the Frederick H. Booth House located at 105 Ontare Hills Lane be designated as a City Landmark, including the adobe house, detached garage, significant features, and identified boundaries found in the Historic Structures Report accepted by the Commission December 14, 2005, as determined to be eligible for designation as a City of Santa Barbara Landmark.*  
*Action: Shallanberger/Boucher, 7/0/0. (Drury absent.) Motion carried.*



HISTORIC LANDMARK COMMISSION  
CASE SUMMARY

**MST2004-00196**

PRT-PRD 9 UNITS

1156 N ONTARE RD

Page: 1

**Project Description:**

Proposal to subdivide an existing 14.77-acre lot into nine lots through a Planned Residential Development (PRD), and construct a new public road, curb, and gutter, and private driveway.

**Activities:**

**12/14/2005**                      ***HLC-Historic Structures Report***

*(Review of Historic Structures/Sites Report prepared by Post/Hazeltine Associates.)*

**4/26/2005**                      ***HLC-Correspondence/Contact***

*The Planning Commission has made the following Condition of Approval.*

**COMMUNITY DEVELOPMENT DEPARTMENT SUBMITTAL PRIOR TO FINAL MAP**

**RECORDATION:** *The Owner shall submit the following or evidence of completion of the following to the Community Development Department for review and approval prior to the recordation of the Final Map for the project.*

**HISTORIC DESIGNATION:** *The Owner shall apply for, and not oppose, a recommendation by the Historic Landmarks Commission to the City Council for the designation of the existing adobe residence and garage as a City Landmark and the existing residential cottage as a Structure of Merit.*

**3/2/2005**                      ***HLC-Historic Structures Report***

*(Continued review of Historic Structures/Sites Report by Post/Hazeltine Associates.)*

*(2:06)*

*Kim Schizas, Agent, present.*

*Staff Comment: Jake Jacobus, Urban Historian, stated that Staff has reviewed the report and agrees with its conclusions and recommendations made in the revised draft.*

*Staff Comment: Renee Brooke, Associate Planner, confirmed Mr. La Voie's comment that a hearing can*

**Project Description:**

Proposal to subdivide an existing 14.77-acre lot into nine lots through a Planned Residential Development (PRD), and construct a new public road, curb, and gutter, and private driveway.

**Activities:**

*be requested to set in motion the designation of the adobe house and garage as City Landmarks and the cottage as a Structure of Merit.*

*Motion: The Commission accepts the report as submitted with the following conditions: 1) Request the process begin to designate the adobe house and garage as City Landmarks, and the cottage as a Structure of Merit. 3) The Designation Subcommittee is to take immediate steps to work with the property owner, Staff, and Post/Hazeltine Associates to secure nomination and a designation resolution. 4) The Historic Landmarks Commission will send a letter of recommendation to the Architectural Board of Review and the Planning Commission, to include as a condition of approval, the request that the new housing in the subdivision be designed and built in a manner that will not create any potential adverse impact on the identified resources.*

*Action: Murray/La Voie, 7/0/1. Spann opposed.*

**3/2/2005**

***HLC-Hist. Struc. Rpt Accepted***

**2/16/2005**

***HLC-Historic Structures Report***

*(Review of Historic Structures Report prepared by Post/Hazeltine Associates.)*

*(1:47)*

*Tim Hazeltine, Preparer, present.*

*Staff Comment: Jake Jacobus, Urban Historian, stated that Staff has reviewed the report and agrees with its conclusions and recommendations. Mr. Jacobus also stated that there is a recommended mitigation measure in the report to be considered by the Historic Landmarks Commission. In addition, Mr. Jacobus explained that to designate the building as a Structure of Merit, there needs to be a request made by the Commission, a civilian, or a property owner and that it would be preferable to have the owner's approval before proceeding.*

*Staff Comment: Renee Brooke, Case Planner, stated that Staff is recommending a condition that all future homes on this project site go to the Architectural Board of Review for design review and approval.*

*Motion: Continued two weeks with the following comments: 1) Rebuild the existing pylons at the location of the new private road entrance. 2) Seriously consider the Historic Landmarks Commission as the review body for the review of the new dwelling units to assure that they are compatible with the historically significant adobe. 3) Reconsider page 1, third paragraph, to state "it is the intent of the owner to". 4) Replace "Lion Ranch" with "Alder Tree" on page 10, second paragraph. 5) Change page 13, first paragraph, to reflect what characterizes the "Hacienda Style" from the "Hispanic Colonial Revival."*

**Project Description:**

Proposal to subdivide an existing 14.77-acre lot into nine lots through a Planned Residential Development (PRD), and construct a new public road, curb, and gutter, and private driveway.

**Activities:**

*6) Change the wording from "photo-document the gates prior to their removal" to "the existing design be recreated with as much salvage material as possible." 7) Change the following on page 31, 8.4.4: "Recommended mitigation measure" to "required mitigation measures"; "should reference" to "shall reference" and add the language regarding the project being conditioned to the Architectural Board of Review.*

*Action: La Voie/Hsu, 7/0/0.*

**1/31/2005**

***HLC-Resubmittal Received***

*Draft Historic Structures Report (3 copies) submitted for staff review - No fees paid for draft review.*

HLC P.B. 12/14/05

Approved - w/ one exception

1) Remove adobe wall from the plan. (may be reconsidered

**HISTORIC STRUCTURES** at a future date.

**REPORT**

for  
**105 Ontare Hills Ln.**

**Remodel of House and Landscaping  
at ~~1156 North Ontare Road~~**

**(APN 055-160-028)**

Prepared for:

**Tad Smyth  
1156 Ontare Road  
Santa Barbara, CA**

By  
**POST/HAZELTINE ASSOCIATES  
2607 Orella Street  
Santa Barbara, CA 93105  
(805) 682-5751  
(email: pampost@earthlink.net)**

**RECEIVED**

DEC 07 2005

**CITY OF SANTA BARBARA  
PLANNING DIVISION**

December 5, 2005

## 1.0 INTRODUCTION

This Historic Structures Report is for a property at 1156 North Ontare Road, in Santa Barbara, California (APN 055-160-028) (Figures 1 & 2). Existing improvements on the property include a Spanish Colonial Revival (hacienda) style adobe house and a detached garage (Figure 3). The applicant proposes a number of alterations to the house and its immediate setting. This study was prepared by *Post/Hazeltine Associates* and fulfills the requirements outlined in the City of Santa Barbara Master Environmental Assessment (MEA). Pamela Post, Ph. D and Timothy Hazeltine wrote the report. A list of resources and repositories consulted in the preparation of this document is contained in Section 9 of this report. Unless otherwise indicated, photographs of the house and grounds were taken on December 15, 2004.

The house, garage, and the surrounding 5.88-acre parcel were the focus of a previous Historic Resources Report (HSR) prepared by *Post/Hazeltine Associates* (Post/Hazeltine Associates, February 22, 2005). The study determined that the house at 1156 North Ontare Road met the following criteria that would make it eligible for listing as a historic resource:

### **Eligibility for Listing as a City of Santa Barbara Landmark or Structure of Merit**

The HSR determined that the house and its garage possessed sufficient historic, cultural and architectural significance to qualify for designation as a City of Santa Barbara Landmark under the following criteria:

- (a) Its character, interest or value as a significant part of the heritage of the City, the State or Nation;*
- (d) Its exemplification of a particular architectural style or way of life important to the City, the State or the Nation; and;*
- (g) Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials or craftsmanship;*
- (i) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;*

The study also determined that the house and garage met the following Additional Criteria:

- 6. Any structure, site, or object that conveys an important sense of time and place, or contributes to the overall visual character of a neighborhood or district.*

## **Potential Eligibility for Nomination to the California Register of Historical Resources**

The HSR determined that the house and its garage possessed sufficient historic, cultural and architectural significance to qualify for nomination to the California Register of Historical Resources under the following criteria:

*Criterion 3c: Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value*

## **Potential Eligibility for Nomination to the National Register of Historical Resources**

The HSR determined that the house and its garage possessed sufficient historic, cultural and architectural significance to qualify for nomination to the National Register of Historic Places under the following criterion:

*(b) That embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;*

This study will assess the potential impacts of a proposed project on the house at 1156 North Ontare Road. The study will also determine the potential eligibility of the house for placement on the State of California register of Historical Resources and for nomination to the National Register of Historic Places. If the property is determined to be a potentially significant historic resource the report will assess the effect of the proposed project on the resource. If necessary, potential mitigation measures to reduce the effect of the project on the resource will be offered.

## **2.0 PROJECT DESCRIPTION**

The applicant proposes to add an approximately 150 square-foot one-story addition to the southeast corner of the existing house. The applicant also proposes to construct a detached one-story cabana/storage building at the south end of the existing motor court. In addition, a comprehensive re-landscaping scheme for the grounds is proposed, including the construction of a pool and spa off of the south elevation and a walled entrance court to be located adjacent to the north elevation.

## **3.0 PREVIOUS STUDIES**

On February 22, 2005, *Post/Hazeltine Associates* completed a Historic Resources Report for a proposed subdivision of a 14.42-acre parcel at 1156 Ontare Road. The applicant proposed to subdivide the property into seven parcels. The existing parcel included the following improvements: a one-story adobe house, with a detached garage (built in 1939, architect unknown); a board-and-batten style cottage (built in 1939,

designer, A. B. Harmer); and a horse stall (built in the 1980s). The report assessed the eligibility of the property for listing as a historic resource at the city, state, and national level. The adobe house and garage were found eligible for listing under the following criteria:

### **Eligibility for listing as a City of Santa Barbara Landmark or Structure of Merit**

The HSR determined that the adobe house and the detached garage possessed sufficient historic, cultural, and architectural significance to qualify for designation as a City of Santa Barbara Landmark under the following criteria:

- (c) Its character, interest or value as a significant part of the heritage of the City, the State or Nation;*
- (e) Its exemplification of a particular architectural style or way of life important to the City, the State or the Nation; and;*
- (h) Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials or craftsmanship;*
- (i) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;*

The study also determined that the adobe house and garage met the following Additional Criteria:

- 6. Any structure, site, or object that conveys an important sense of time and place, or contributes to the overall visual character of a neighborhood or district.*

### **Potential Eligibility for nomination to the California Register of Historical Resources**

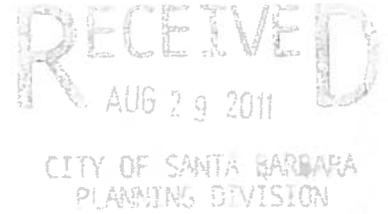
*Criterion 3c: Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value*

### **Potential Eligibility for Nomination to the National Register of Historical Resources**

*Criterion C: That embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;*

The City of Santa Barbara Historic Landmarks Commission reviewed both the historic resources report and the subsequent addendum prepared by Post/Hazeltine Associates. The commission accepted the report with an expanded series of mitigation measures.

THEODORE H. SMYTH, JR.  
PO Box 30328  
SANTA BARBARA, CALIFORNIA 93130



August 29, 2011

Mr. Jamie Limón, Senior Planner  
City of Santa Barbara  
Planning Division  
630 Garden Street  
Santa Barbara, CA 93101

Re: 105 Ontare Hills Lane, APN 055-160-060

Mr. Limón & Members of the Historic Landmarks Commission,

I am the owner of the property at 105 Ontare Hills Lane and I have received the Notice To Hold A Public Hearing To Consider Recommending To The City Council That A Resource Be Designated As A City Landmark By The Historic Landmarks Commission Of The City Of Santa Barbara.

I would like to object and do not consent to the Historic Landmarks Commission recommendation that this property be designated as a city landmark. I have reviewed the criteria necessary for such a recommendation; consulted with experts in historic preservation and it is my belief that it does not sufficiently qualify by these criteria nor warrant the designation as a landmark.

I have reviewed the City of Santa Barbara Municipal Code, specifically, sec. 22.22.040 Criteria for Designation of Landmarks and Structures of Merit and I have the following objections;

- A. There is no record of this house being of a significant part of the heritage of the City, the State or the Nation.
- B. There is no record of any significant historic event taking place on this site.
- C. There is no identification with any person who has significantly contributed to the culture and development of the City, the State, or the Nation.
- D. The house is constructed using, concrete, tile, wood, stone and adobe veneer in a hacienda/ranch style, as are hundreds of similar homes in the area not designated as landmarks.

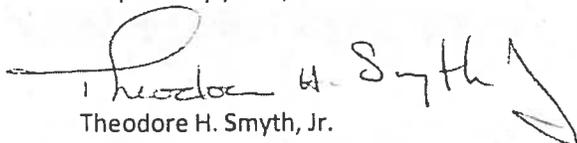
- E. The neighborhood consists primarily of a variety of 1960's/1970's tract homes built in ranch style architecture on properties ranging from ¼ acre to 40 acre parcels. There is little to no uniformity within the neighborhood or any particular architectural style.
- F. The property was designed and built by a general contractor and his brother in 1939, R.M. Ortega. There is no record of their work having significantly influenced the heritage of the City, the State, or the Nation.
- G. The elements demonstrating outstanding attention to architectural design, detail, materials or craftsmanship make it an attractive, well-built house, not a historical landmark.
- H. There is no relationship between this house and any other historical landmark.
- I. The house has been located on a 15 acre property hardly in view of other homes or passing cars on North Ontare Road. As said before, it bears little or no representation to the surrounding neighborhood.
- J. There is no record of important archaeological interest.
- K. This is a private home that has no relationship with the well-being of the people of the City, State, or Nation.

In addition, the house has been significantly modified from its original design.

In summary, the home at 105 Ontare Hills Lane (formerly 1156 North Ontare Road) is an attractive, well-built house, constructed in 1939 by a general contractor and his brother who signed the plans as the engineer. It is not particularly old (72 years) by Santa Barbara standards. It was never of historical importance for the public in any way; was not the residence of an important city figure, the site of a historical event, nor the creation of a famous architect. Until recently it has hardly been visible from the street, having been surrounded by approximately 15 acres of trees and hillside.

I urge you to deny this recommendation.

Respectfully yours,

  
Theodore H. Smyth, Jr.

RECORDING REQUESTED BY )  
AND WHEN RECORDED MAIL TO: )  
  
City of Santa Barbara )  
City Clerk )  
P O Box 1990 )  
Santa Barbara, CA 93102-1990 )

No fee per GOVT CODE §27383

Space above line for Recorder's Use

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DESIGNATING THE GRANADA TOWER STATE STREET FAÇADE, ITS TWO FOOT WRAPAROUND, AND ITS ROOF FORM AT 1214 STATE STREET (ASSESSOR'S PARCEL NUMBERS 039-183-050, 039-183-051, 039-183-052) A CITY LANDMARK

WHEREAS, historic research in the form of an Historic Structures Report prepared by Preservation Planning Associates dated March 10, 2004, and approved by the Historic Landmarks Commission on March 17, 2004, has determined that the Granada Building State Street façade, its two foot wraparound, and its roof form, located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052, qualifies for historic designation under City of Santa Barbara Master Environmental Assessment criteria;

WHEREAS, the property owner of the building listed in the title of this document has agreed to have the State Street façade, its two foot wraparound, and the roof form of their building designated a City Landmark in accordance with the conditions of approval enumerated in Planning Commission Resolution No. 049-04;

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance;

WHEREAS, a written report on the Granada Building at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052, was received by the Historic Landmarks Commission staff;

WHEREAS, on May 25, 2011, the Historic Landmarks Commission adopted a Resolution of Intention No. 2011-02 to hold a public hearing to begin the landmark designation process for the Granada Building State Street façade, its two foot wraparound, and its roof form, located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052;

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution dated November 10, 1998), staff has determined that designation of the Granada Building State Street façade located at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052 as a City Landmark qualifies for a Categorical Exemption;

WHEREAS, the Historic Landmarks Commission held a public hearing on June 22, 2011, during which hearing comments were invited on the proposed designation and the Historic Landmarks Commission defined "State Street façade" for the purpose of this designation as being all the original circa 1924 terracotta architectural details and the beige brickwork, including where it wraps around both corners of the building and extends for a distance of two feet, and included the building's roof form in such designation but excluded the new marquee, new ground floor storefront, and new theater entrance doors, which are not historic and are not included in the historic designation;

WHEREAS, the Historic Landmarks Commission determined that, while maintenance and minor modifications are permissible, the character-defining features of the State Street façade must be maintained, and proposed exterior alterations to the façade are subject to Historic Landmarks Commission review; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a Landmark any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission.

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

1. The Granada Tower State Street façade, its two foot wraparound at both corners, and its roof form at 1214 State Street, Assessor's Parcel Nos. 039-183-050, 039-183-051, and 039-183-052, is designated a City Landmark.
2. The City Council finds that the subject property meets the following criteria listed in Section 22.22.040, subsections A through K, of the Municipal Code:

- A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation;
  - D. Its exemplification as the best remaining architectural type in its 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; and
  - I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.
3. The City Clerk shall cause this resolution, upon adoption, to be recorded in the Office of the Recorder of the County of Santa Barbara pursuant to Santa Barbara Municipal Code Section 22.22.055.

RECORDING REQUESTED BY )  
AND WHEN RECORDED MAIL TO: )  
 )  
City of Santa Barbara )  
City Clerk )  
P O Box 1990 )  
Santa Barbara, CA 93102-1990 )  
 )

No fee per GOVT CODE §27383

Space above line for Recorder's Use

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF SANTA BARBARA DESIGNATING THE  
MORETON BAY FIG TREE (*FICUS  
MACROPHYLLA*) AT 320 W. PUEBLO STREET  
(ASSESSOR'S PARCEL NUMBER 025-100-001) A  
CITY LANDMARK

WHEREAS, historic research in the form of an Historic Structures Report prepared by San Buenaventura Research Associates dated November 2002 has determined that the tree qualifies for designation as a City Landmark;

WHEREAS, historic research associated with the preparation of an Environmental Impact Report has determined that the Moreton Bay Fig Tree (*Ficus Macrophylla*) located at 320 W. Pueblo Street, Assessor's Parcel No. 025-100-001 qualifies for historic designation under City of Santa Barbara Master Environmental Assessment criteria;

WHEREAS, the property owner of the tree listed in the title of this document has agreed to have it designated a City Landmark in accordance with the conditions of approval for development on site;

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance;

WHEREAS, on May 25, 2011, the Historic Landmarks Commission adopted a Resolution of Intention No. 2011-03 to hold a public hearing to begin the landmark designation process for the Moreton Bay Fig Tree (*Ficus Macrophylla*) at 320 W. Pueblo Street, Assessor's Parcel No. 025-100-001;

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution dated November 10, 1998), staff has determined that designation of the Moreton Bay

Fig Tree (*Ficus Macrophylla*) at 320 W. Pueblo Street, Assessor's Parcel No. 025-100-001 as a City Landmark is a Categorical Exemption;

WHEREAS, the Historic Landmarks Commission held a public hearing on June 22, 2011, during which meeting comments were invited on the proposed designation and the Historic Landmarks Commission recommended that Council also place this tree on the City Parks Department Landmark, Historic, and Specimen Trees list; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a Landmark any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission.

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

1. The Moreton Bay Fig Tree (*Ficus Macrophylla*) at 320 W. Pueblo Street, Assessor's Parcel No. 025-100-001, is designated a City Landmark.
2. The City Council finds that the subject property meets the following criteria listed in Section 22.22.040, subsections A through K, of the Municipal Code:
  - A. Its character, interest, or value as a significant part of the heritage of the City, the State, or the Nation;
  - B. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.
3. The City Clerk shall cause this resolution, upon adoption, to be recorded in the Office of the Recorder of the County of Santa Barbara pursuant to Santa Barbara Municipal Code Section 22.22.055.

RECORDING REQUESTED BY )  
AND WHEN RECORDED MAIL TO: )  
  
City of Santa Barbara )  
City Clerk )  
P O Box 1990 )  
Santa Barbara, CA 93102-1990 )

No fee per GOVT CODE §27383

Space above line for Recorder's Use

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF SANTA BARBARA DESIGNATING THE  
FREDERICK H. BOOTH HOUSE AND GARAGE AT  
105 ONTARE HILLS LANE (ASSESSOR'S PARCEL  
NUMBER 055-160-060) A CITY LANDMARK

WHEREAS, historic research in the form of an Historic Structures Report prepared by Post/Hazeltine Associates dated February 22, 2005 and approved by the Historic Landmarks Commission on March 2, 2005, has determined that the subject buildings qualify for historic designation as a City of Santa Barbara Landmark, for listing in the California Register of Historic Resources, as well as in the National Register of Historic Places, at the local level, under City of Santa Barbara Master Environmental Assessment criteria;

WHEREAS, the boundaries of the City Santa Barbara Landmark designation shall include a five foot perimeter boundary around the Frederick H. Booth house and garage:

WHEREAS, the property owner of the buildings listed in the title of this document has agreed to have them designated a City Landmark in accordance with the conditions of approval found in Planning Commission Resolution No. 032-05 for a Tentative Subdivision Map to allow the division of one parcel into nine;

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance;

WHEREAS, on August 3, 2011, the Historic Landmarks Commission adopted a Resolution of Intention No. 2011-01 to hold a public hearing to begin the landmark designation process for the Frederick H. Booth House and garage at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-060 which was formerly known as 1156 N. Ontare Road;

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution dated November 10, 1998), staff has determined that designation of the Frederick H. Booth house and garage at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-028 as a City Landmark is a Categorical Exemption;

WHEREAS, the Historic Landmarks Commission held a public hearing on August 31, 2011, during which hearing comments were invited on the proposed designation; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a Landmark any structure, natural feature, site or area having historic, architectural, archaeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission.

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

1. The Frederick H. Booth House and garage at 105 Ontare Hills Lane, Assessor's Parcel No. 055-160-028, is designated a City Landmark.
2. The City Council finds that the subject property meets the following criteria listed in Section 22.22.040, subsections A through K, of the Municipal Code:
  - A. Its character, interest, or value as a significant part of the heritage 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;
  - 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; and
  - I. Its unique location of singular physical characteristic representing an established and familiar visual feature of a neighborhood.
3. The City Council finds that the subject property meetings the following Additional Criterion listed in Chapter 2.3 (Section 5) of the Master Environmental Assessment:
  - 6.) Any structure, site, or object that conveys an important sense of time and place, or contributes to the overall visual character of a neighborhood or district.
4. The City Clerk shall cause this resolution, upon adoption, to be recorded in the Office of the Recorder of the County of Santa Barbara pursuant to Santa Barbara Municipal Code Section 22.22.055.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011  
**TO:** Mayor and Councilmembers  
**FROM:** City Attorney's Office  
**SUBJECT:** Conference With Legal Counsel – Pending Litigation

**RECOMMENDATION:**

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

The pending litigation is:

*Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara, Santa Barbara Superior Court Case No. 1342979.*

*Ruben Barajas and Pamela Barajas as trustees for the Ruben and Pamela Barajas Living Trust, v. City of Santa Barbara, Santa Barbara Superior Court Case No. 1383054.*

**SCHEDULING:** Duration, 15 minutes; anytime

**REPORT:** None anticipated

**SUBMITTED BY:** Stephen P. Wiley, City Attorney

**APPROVED BY:** City Administrator's Office



Agenda Item No. \_\_\_\_\_

File Code No. 160.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 6, 2011

**TO:** Mayor and Councilmembers

**FROM:** Real Property Division, Public Works Department

**SUBJECT:** Conference With Real Property Negotiators - Acquisition Of Easements, Conejo Road Sewer Replacement Project

**RECOMMENDATION:**

That Council hold a closed session pursuant to the authority of Government Code §54956.8 in order to provide direction to the City Public Works Director regarding the possible City acquisition of certain non-exclusive subsurface easements concerning the real properties known as 523 and 515 Conejo Road.

**Property:** 523 Conejo Road, APN 019-062-008  
515 Conejo Road, APN 019-062-009

**City Negotiator:** City Public Works Director and the City Attorney's office.

**Negotiating Party:** Dennis Guinaugh (523 Conejo Road) and Ron and Elizabeth Faoro (515 Conejo Road)

**Under Negotiation:** Price, terms of subsurface easement acquisitions.

**SCHEDULING:** Duration, 15 minutes; anytime

**REPORT:** None anticipated

**PREPARED BY:** Pat Kelly, Assistant P.W. Manager/City Engineer/DI/cc

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office