

**CITY OF SANTA BARBARA
CITY COUNCIL**

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



Paul Casey
City Administrator

Ariel Pierre Calonne
City Attorney

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

**MARCH 8, 2016
AGENDA**

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

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

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

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

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

AMERICANS WITH DISABILITIES ACT: If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, please contact the City Administrator's Office at 564-5305. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

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

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the special meeting of February 17, 2016.

2. Subject: Introduction Of Ordinance For Lease Agreement With Allied Voyage, LLC, Doing Business As Ocean Aire Marine Electronics - Located At 125 Harbor Way, #7 (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 Allied Voyage, LLC, Doing Business As Ocean Aire, at an Average Initial Base Rent of \$1,200 Per Month, for the 339 Square-Foot Office Space Located at 125 Harbor Way, Suite #7, Effective April 15, 2016.

3. Subject: Agreement To Use Recycled Water For Irrigation At 706 East Haley (540.13)

Recommendation: That Council approve an Agreement to Use Recycled Water between the City of Santa Barbara and Santa Barbara Land Co., LLC, a California Limited Liability Corporation, for purchase, use, and delivery of the City's recycled water to 706 East Haley.

CONSENT CALENDAR (CONT'D)

4. Subject: Five-Year Lease Agreement With The Blue Water Hunter Dive Shop Located At 117-D Harbor Way (330.04)

Recommendation: That Council approve a five-year lease agreement with Andrew M. Taylor, a Sole Proprietor, doing business as The Blue Water Hunter, at an initial base rent of \$2,430.50 per month, for the 878 square-foot lease space located at 117-D Harbor Way.

5. Subject: Contract For Construction Of The Americans With Disabilities Act Ramp At Oak Park Pool Project (570.05)

Recommendation: That Council award a contract to Arroyo Seco Construction in their low bid amount of \$65,400 for construction of the Americans with Disabilities Act (ADA) Ramp at Oak Park Pool Project, Bid No. 3813, and authorize the Parks and Recreation Director to execute the contract and approve expenditures up to \$6,540 for any unanticipated work.

6. Subject: Extension Of The Professional Services Agreement With Garden State Fireworks For July Fourth And Parade Of Lights Fireworks Displays (570.03)

Recommendation: That Council authorize the Waterfront Director to exercise the renewal terms on the Professional Services Agreement with Garden State Fireworks for the 2016-2019 July Fourth and Parade of Lights Fireworks Displays.

7. Subject: Preferential Parking Along The South Side Of Cabrillo Boulevard For Land And Sea Tours (Land Shark) (550.08)

Recommendation: That Council approve an application for preferential parking by Land and Sea Tours until such time that Council terminates the privilege, or the applicant no longer meets the requirements of Santa Barbara Municipal Code Section 10.44.250, or Santa Barbara Municipal Code Section 10.44.250 is updated.

CONSENT CALENDAR (CONT'D)

8. Subject: Contract For Construction Of The Quarantina Street Permeable Pavers Project (530.04)

Recommendation: That Council:

- A. Award a contract with Brough Construction, Inc., waiving minor irregularities, in their low bid amount of \$1,491,943 for construction of the Low Impact Development Demonstration Streets, Sidewalks, and Alleys Project - Phase II, Bid No. 3783; and authorize the Public Works Director to execute the contract and approve expenditures up to \$149,194 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;
- B. Approve a transfer of reserves in the amount of \$461,473 from the Creeks Operating Fund to the Creeks Capital Fund; and
- C. Increase appropriations and estimated revenues by \$461,473 in the Creeks Capital Fund to cover the cost of the City's matching requirement for the Proposition 84 Grant that will be used to fund the Project.

NOTICES

- 9. The City Clerk has on Thursday, March 3, 2016, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ATTORNEY

10. Subject: Reintroduction Of Noise Ordinance Amendments (630.09)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 9.16 of the Santa Barbara Municipal Code in its Entirety Pertaining to Noise.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

11. Subject: Policy Direction For The Fiscal Year 2017 Water Rate Study (540.11)

Recommendation: That Council receive a presentation and provide direction on assumptions for the Fiscal Year 2017 Water Rate Study, specifically for the planned reserves management during continued drought conditions.

PUBLIC HEARINGS

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

12. Subject: Appeal Of Architectural Board Of Review Project Design Approval Of A New Seven-Unit Apartment Building At 1818 Castillo Street (640.07)

Recommendation: That Council:

- A. Deny the appeal of Eric and Elenor Wernicke of the Architectural Board of Review's decision to grant Project Design Approval for the proposed new seven-unit apartment building; and
- B. Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

13. Subject: Conference With City Attorney - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to decide whether to authorize the initiation of litigation (one potential case) pursuant to Government Code sections 54956.9(d)(4) and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None

ADJOURNMENT



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**SPECIAL MEETING
February 17, 2016**

CHASE PALM PARK RECREATION CENTER, 236 E. CABRILLO BLVD.

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 9:07 a.m.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

Speakers: Pete Dal Bello, Susan Lafond.

COUNCIL AND STAFF COMMUNICATIONS

Mayor Schneider noted the passing of George Gaynes and former Santa Barbara City Councilmember Rusty Fairly.

NOTICES

The City Clerk has on Thursday, February 11, 2016, 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.

WORK SESSIONS

Subject: Fiscal Year 2017 Special Budget Work Session (230.05)

Recommendation: That Council hold a special work session on the Fiscal Year 2017 financial plan.

Documents:

- February 17, 2016, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Administrator Paul Casey, Finance Director Robert Samario, City Attorney Ariel Calonne, Public Works Director Rebecca Bjork, Environmental Services Manager Matthew Fore, Waterfront Director Scott Riedman, Airport Operations Manager Tracy Lincoln.
- Members of the Public: Susan Lafond, Bonnie Raisin.

Discussion:

Finance Director Samario presented information on the following principal components of the City's budget: 1) status of the Enterprise Funds; 2) status of the General Fund, including a review of key tax revenues (sales, transient occupancy, and property taxes), expenditures by department and category, expectations for retirement costs, and a multi-year forecast; and 3) a detailed explanation of the City's capital program. City Administrator Casey reviewed a list of major work efforts currently being undertaken by Staff. All Councilmembers asked questions and provided input for the upcoming budget process.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 11:02 a.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

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Business Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For Lease Agreement With Allied Voyage, LLC, Doing Business As Ocean Aire Marine Electronics - Located At 125 Harbor Way, #7

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 Allied Voyage, LLC, Doing Business As Ocean Aire, at an Average Initial Base Rent of \$1,200 Per Month, for the 339 Square-Foot Office Space Located at 125 Harbor Way, Suite #7, Effective April 15, 2016.

DISCUSSION:

Jon Payne has operated Ocean Aire since July of 2015 when he assumed ownership of the business. The previous owner had owned and operated Ocean Aire for 29 years. The 339 square feet of commercial space is located at 125 Harbor Way Suite #7 (Attachment 1). Since assuming ownership of Ocean Aire, Mr. Payne has significantly upgraded the lease space to include new flooring, new paint, new office furniture and a state-of-the-art product display area. These improvements have significantly improved Ocean Aire's presence in the Waterfront community.

The business terms of the proposed lease are as follows:

- **Term:** Five-year initial term with one, five-year option.
- **Base Rent:** An average of \$1,200 per month.
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).
- **Use:** limited to sales and service of marine motors, electronics, rigging services, and hardware.

Ocean Aire is considered a tenant in good standing by the Department as they have no outstanding default notices on file and have been prompt with rent payments.

Council Agenda Report
Introduction Of Ordinance For Lease Agreement With Allied Voyage, LLC, Doing
Business As Ocean Aire Marine Electronics - Located At 125 Harbor Way, #7
March 8, 2016
Page 2

The Harbor Commission recommended City Council approval of the proposed lease agreement with Ocean Aire at its meeting on January 14, 2016.

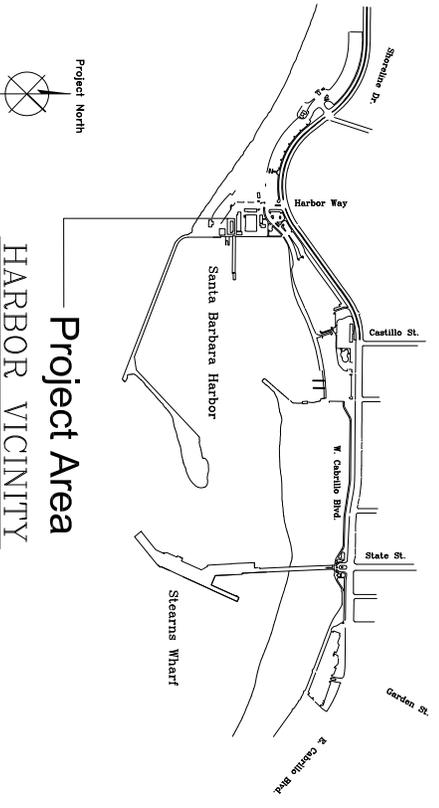
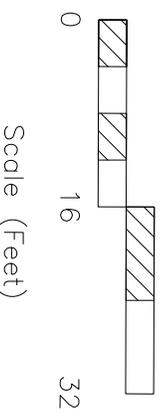
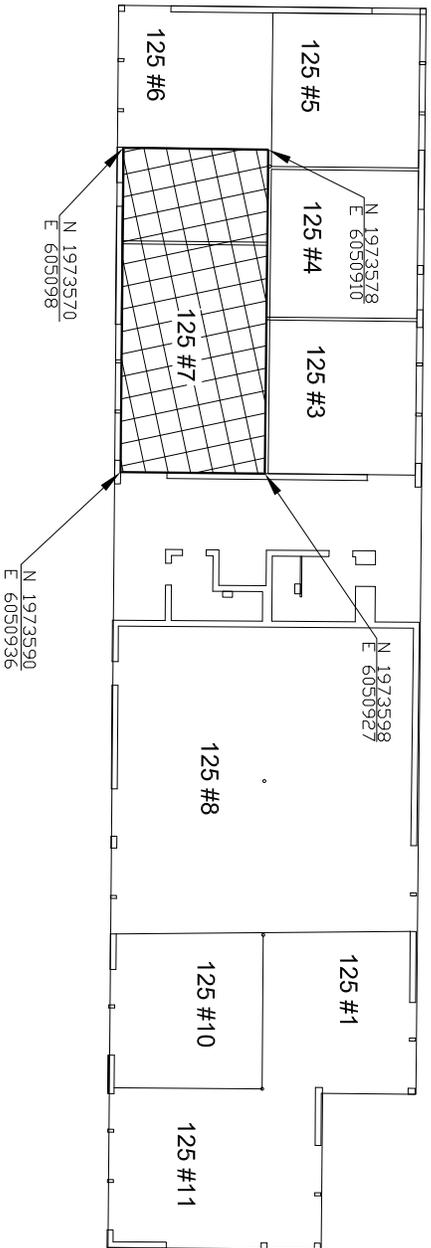
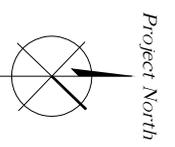
ATTACHMENT: Site Plan

PREPARED BY: Brian J. Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

**First Floor Plan
125 Harbor Way Suite 7
339 Square Feet**



Project Area
HARBOR VICINITY
NTS

REVISIONS

<p>Lease Area Exhibit A</p>		DATE:	12/3/2015	APPROVED BY:		DRAWN BY:	T. Lamber
		ADDRESS:	125 Harbor Way #7			SHEET NO.	1 of 1
		City of Santa Barbara		Waterfront Department		DRAWING NO.	
						1250-028	

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 ALLIED VOYAGE, LLC, DOING BUSINESS AS OCEAN AIRE, AT AN AVERAGE INITIAL BASE RENT OF \$1,200 PER MONTH, FOR THE 339 SQUARE-FOOT OFFICE SPACE LOCATED AT 125 HARBOR WAY, SUITE #7, EFFECTIVE APRIL 15, 2016

THE CITY 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 Lease With Allied Voyage, LLC, Doing Business As Ocean Aire, Effective April 15, 2016, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Agreement To Use Recycled Water For Irrigation At 706 East Haley

RECOMMENDATION:

That Council approve an Agreement to Use Recycled Water between the City of Santa Barbara and Santa Barbara Land Co LLC, a California Limited Liability Corporation, for purchase, use, and delivery of the City's recycled water to 706 East Haley.

DISCUSSION:

Pursuant to the City's Waste Discharge Permit, the Central Coast Regional Water Quality Control Board requires that the City of Santa Barbara have a Recycled Water User Agreement with each site that uses the City's recycled water. Santa Barbara Land Co has requested to enter into a Recycled Water User Agreement with the City for a term of four years to be able to use recycled water for irrigation of landscaping at their site, located at 706-708 East Haley Street.

The development is a remodel of an old printing press building into a mixed-use commercial and residential building. The remodeled site will contain 1,300 square feet of commercial space, five residential dwelling units, and 1,950 square feet of landscaping.

If approved by Council, the Agreement will be recorded in the Official Records of the County of Santa Barbara. Staff has reviewed and recommends that Council approve the User Agreement.

SUSTAINABILITY IMPACT:

All sites using recycled water for irrigation and other approved uses offset the need for potable water. Recycled water serves an important role in the diversity of the City's water supplies and is used at over 50 sites throughout the City. The annual demand for recycled water can be as high as 1,100 acre feet - approximately one million gallons per day.

PREPARED BY: Joshua Haggmark, Water Resources Manager/MW/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Five-Year Lease Agreement With The Blue Water Hunter Dive Shop Located At 117-D Harbor Way

RECOMMENDATION:

That Council approve a five-year lease agreement with Andrew M. Taylor, a Sole Proprietor, doing business as The Blue Water Hunter, at an initial base rent of \$2,430.50 per month, for the 878 square-foot lease space located at 117-D Harbor Way.

DISCUSSION:

Mr. Andy Taylor has operated The Blue Water Hunter since late-2000 when he assumed ownership of the business through a Request for Proposals process. The 878 square feet of commercial space is located at 117-D Harbor Way (site map attached). Over the past 18 months, Mr. Taylor has significantly upgraded the lease space to include new and expanded offerings including a large variety of wetsuits, face masks, fins, and air tanks as well as comprehensive repair services. Mr. Taylor brings over 30 years of spearfishing experience to Blue Water Hunter and can assist the beginner through the expert ranks with local knowledge, trip ideas, charters and everything else one needs to have a great spearfishing and diving experience. These improvements and offerings have significantly improved The Blue Water Hunter's presence in the Waterfront community.

The business terms of the proposed lease are as follows:

- **Term:** Five-year term.
- **Base Rent:** Initial rate of \$2,430.50 per month.
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).
- **Percentage Rent:** Variable depending on type of sales activity.

The Blue Water Hunter is considered a tenant in good standing by the Department as it has no outstanding default notices on file and has been prompt with rent payments.

Council Agenda Report
Five-Year Lease Agreement With The Blue Water Hunter Dive Shop Located At 117-D
Harbor Way
March 8, 2016
Page 2

The Harbor Commission recommended City Council approval of the proposed lease agreement with The Blue Water Hunter at its meeting on February 18, 2016.

ATTACHMENT: Site Plan

PREPARED BY: Brian J. Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Department

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Administration Division, Parks and Recreation Department

SUBJECT: Contract For Construction Of The Americans With Disabilities Act Ramp At Oak Park Pool Project

RECOMMENDATION:

That Council award a contract to Arroyo Seco Construction in their low bid amount of \$65,400 for construction of the Americans with Disabilities Act (ADA) Ramp at Oak Park Pool Project, Bid No. 3813, and authorize the Parks and Recreation Director to execute the contract and approve expenditures up to \$6,540 for any unanticipated work.

DISCUSSION:

Project Description

The ADA Ramp at Oak Park Pool Project (Project) includes the construction of an accessible ramp into the existing wading pool, modifications to plumbing and drainage, installation of new concrete pool deck, and installation of an additional emergency exit gate. The Project will be completed before June 1, allowing the pool to open for summer use.

Contract Bids

Three bids were received for the subject work, as follows:

BIDDER	BID AMOUNT
1. Arroyo Seco Construction	\$65,400
2. Newton Construction	\$89,000
3. Tomar Construction	\$92,570

The low bid of \$65,400 submitted by Arroyo Seco Construction, is an acceptable bid that is responsive to and meets the requirements of the bid specifications. Staff

recommends that the bid total of \$65,400 be accepted by Council. The change order funding recommendation of \$6,540, or 10 percent, is to cover any unanticipated work not in the original scope.

BUDGET/FINANCIAL INFORMATION:

Funding for the project is included in the Pool ADA Improvement and Park Infrastructure and Safety Program accounts in the FY 2017 Parks and Recreation Department Capital Fund. The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Arroyo Seco Construction	\$65,400	\$6,540	\$71,940
TOTAL RECOMMENDED AUTHORIZATION			\$71,940

The following summarizes all design, construction, and other Project costs:

ESTIMATED TOTAL PROJECT COST

Design (by staff)	\$7,000
Consultant Engineering Services	\$6,000
Permit and Special Supplies	\$2,200
Subtotal	\$15,200
Construction Contract	\$65,400
Construction Change Order Allowance	\$6,540
Subtotal	\$71,940
Construction Material Testing Services (by Contract)	\$1,500
Construction Management/Inspection (by City staff)	\$7,300
Subtotal	\$8,800
TOTAL PROJECT COST	\$95,940

PREPARED BY: Keven Strasburg, Park Project Technician

SUBMITTED BY: Jill E. Zachary, Parks and Recreation Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Business Division, Waterfront Department

SUBJECT: Extension Of The Professional Services Agreement With Garden State Fireworks For July Fourth And Parade Of Lights Fireworks Displays

RECOMMENDATION:

That Council authorize the Waterfront Director to exercise the renewal terms on the Professional Services Agreement with Garden State Fireworks for the 2016-2019 July Fourth and Parade of Lights Fireworks Displays.

DISCUSSION:

Staff issued a Request for Proposals for a fireworks company in 2014 to provide the fireworks displays for both the annual July 4th show and the smaller Parade of Lights display each December. Garden State Fireworks was the successful bidder and provided an excellent show at the 2015 July 4th show as well as the December 2015 Parade of Lights. The Garden State proposal included the 2015 shows as well as options to extend the contract for four years, for the 2016-2019 fireworks displays. The contract extensions are at the City's sole discretion, so that exercising one option does not commit the City to any other contract extensions.

Costs for the annual July 4th and Parade of Lights shows are as follows:

2016= \$55,000 (same as 2015)
2017= \$57,750 (5% increase)
2018= \$57,750 (same as 2017)
2019= \$60,500 (5% increase)

If the City were to exercise all four options, the total cost of the 2016-2019 July 4th and Parade of Lights fireworks displays would be \$231,000, paid from the Waterfront Enterprise Fund.

BUDGET/FINANCIAL INFORMATION:

Funding for the contract in FY 2016 and 2017 is included in the Fiscal Year 2016 and 2017 Waterfront Department Operating Budget. Approval of the Fiscal Year 2018 and 2019 options will be contingent upon adequate funding in each year's budget. A copy of the agreement is available for public review in the City Clerk's Office.

ATTACHMENT: Cost Proposal

PREPARED BY: Scott Riedman, Waterfront Director

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

Cost Proposal

Total Display Cost For July 4, 2015: \$50,000.00

(See Production Proposal For Details)

Total Display Cost For December 13, 2015: \$5,000.00

(See Production Proposal For Details)

Optional Renewal Year Terms:

July 4, 2016: No Price Increase

December 2016: No Price Increase

July 4, 2017: \$52,500.00 (Reflects 5% Increase)

December 2017: \$5,250.00 (Reflects 5% Increase)

July 4, 2018: \$52,500.00

December 2018: \$5,250.00

July 4, 2019: \$55,000.00 (Reflects Additional 5%)

December 2019: \$5,500.00 (Reflects Additional 5%)

Warranty:

Garden State Fireworks, Inc. takes extreme pride in our excellent rate of fire and use of the highest quality of fireworks available.

In the event of a failure rate yielding 5% to 8% of the aerial display shells size 4" to 6" not fired, Garden State Fireworks, Inc. will discount the final cost total of the production by 4% of the total production cost.

In the event of a failure rate of 9% to 12% of the aerial display shells size 4" to 6" not fired, Garden State Fireworks, Inc. will discount the final cost total of the production by 5% of the total production cost.

In the event of a failure rate of 13% to 16% of the aerial display shells size 4" to 6" not fired, Garden State Fireworks, Inc. will discount the final cost total of the production by 7% of the total production cost.

Failure rates greater than 15% of Pyrotechnic Devices or 3" Aerial Display shells will result in an additional 2% discount.

*Any failure rates greater than the above scale will be negotiated based on fair market values of said pyrotechnics.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Preferential Parking Along The South Side Of Cabrillo Boulevard For Land And Sea Tours (Land Shark)

RECOMMENDATION:

That Council approve an application for preferential parking by Land and Sea Tours until such time that Council terminates the privilege, or the applicant no longer meets the requirements of Santa Barbara Municipal Code Section 10.44.250, or Santa Barbara Municipal Code Section 10.44.250 is updated.

DISCUSSION:

Land and Sea Tours Application

Land and Sea Tours (Land Shark) is a sightseeing bus that operates in Santa Barbara. The Land Shark has applied for preferential parking privileges along the south side of Cabrillo Boulevard, just west of Chapala Street, (Attachment 1), pursuant to Section 10.44.250 of the Santa Barbara Municipal Code (SBMC).

Since about 2003, the Land Shark has picked up and dropped off passengers along the south side of Cabrillo Boulevard, just east of State Street, in the Waterfront Shuttle bus stop area. This bus stop was recently closed due to construction associated with the Cabrillo Boulevard Bridge Replacement Project, and will remain closed until the project is complete in 2016. Once the project is complete, the Waterfront Shuttle stop will reopen, but will only be available for use by the Metropolitan Transit District (MTD) Waterfront Shuttle. Since the onset of bridge construction, the Land Shark has been operating under a temporary permit along the south side of Cabrillo Boulevard, just west of Chapala Street and is paying quarterly fees of approximately \$1,300 to reserve public parking spaces. The Land Shark has requested to make this space a preferential parking space to facilitate passenger loading and unloading. Pursuant to SBMC Section 10.44.250, Council approval is required in order for the Land Shark to have permanent preferential parking in this area. The Land Shark has expressed an interest in relocating to the south side of Cabrillo Boulevard, between Anacapa and Garden Streets, after

bridge construction is complete; however, any relocation will again require approval of Council and general support of affected parties.

Existing SBMC Ordinance Regarding Preferential Parking

Under SBMC Section 10.44.250, Council may grant a sightseeing bus applicant a preferential right to a parking space, up to 35 feet in length, on any City street. The applicant is required to demonstrate good and sufficient cause and operate over a regular and fixed route at least six days per week, and not less than 12 consecutive weeks at a time. The Land Shark operates daily between noon and 4:00 pm during the winter, and noon and 6:00 pm during the summer, over a fixed route. Staff agrees that preferential parking will facilitate the loading and unloading of passengers. The applicant must pay a fee of five dollars and meet the City's insurance requirements.

Historical Use of Bus Stops

Prior to July 2015, the SBMC permitted any vehicle defined as a bus (i.e. a vehicle designed for carrying 15 or more passengers) to stop at and use a bus stop, not just buses operated by the MTD. This resulted in a number of sightseeing buses using bus stops intended for MTD; the most notable being the bus stop on eastbound Cabrillo Boulevard, just east of State Street, where the Land Shark and Trolley regularly picked up and dropped off passengers. None of the sightseeing buses that used this area had a Public Works Permit for use of the public right of way. The ordinance regarding bus stops was updated in July 2015, to clarify that bus stops are for use by MTD buses only. The Santa Barbara Trolley Company subsequently requested, and was granted, preferential parking next to the visitor center in March 2015.

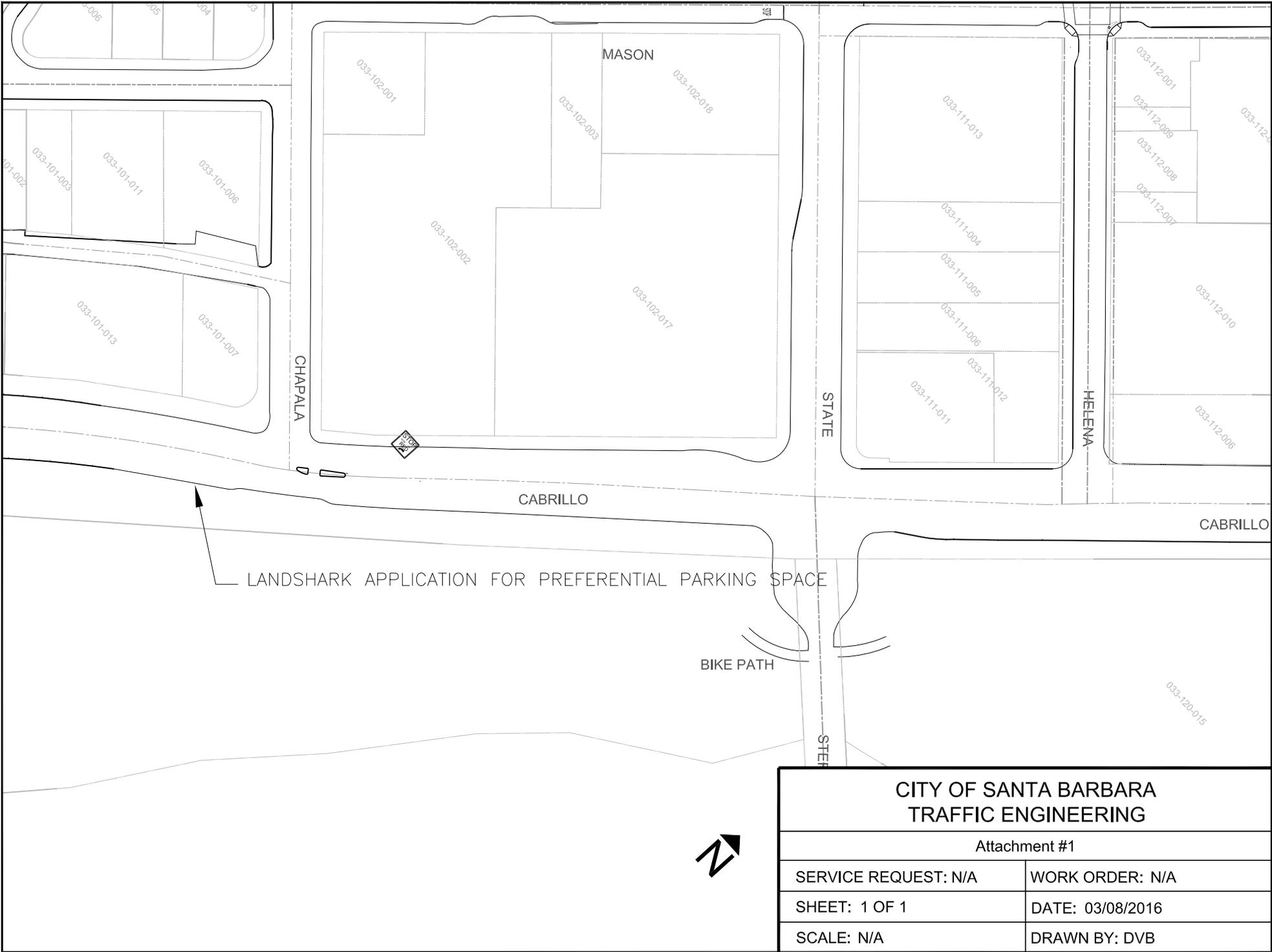
Staff recommends that the Land Shark be granted a preferential parking space, 35 feet in length, along the south side of Cabrillo Boulevard, just west of Chapala Street, until the applicant either no longer meets the requirements of SBMC 10.44.250, or SBMC 10.44.250 is updated. Council can terminate the privilege of preferential parking at any time, per SBMC 10.44.270.

ATTACHMENTS: 1. Vicinity Map of West Cabrillo Boulevard
 2. Application Letter and Insurance

PREPARED BY: Derrick Bailey, Supervising Transportation Engineer/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA TRAFFIC ENGINEERING	
Attachment #1	
SERVICE REQUEST: N/A	WORK ORDER: N/A
SHEET: 1 OF 1	DATE: 03/08/2016
SCALE: N/A	DRAWN BY: DVB



TEL 805.683.7600 FAX 805.683.7773

Land And Sea LLC

216 ARBOLEDA ROAD
SANTA BARBARA, CA 93110

CITY OF SANTA BARBARA

JAN 28 2016

ENGINEERING

January 29, 16

Dear Mayor Helene Schneider and members of City Council,

For the last 12 years, the Land Shark has conducted daily city and harbor tours departing from State Street at Stearns Wharf.

As you may know, due to the on going Cabrillo Boulevard Bridge Replacement Project, both the Land Shark and the Trolley Company's loading and unloading location was needed during the 2+ year construction process.

For the past year, the Land Shark has been loading and unloading passengers from the West Beach area, at 99 West Cabrillo Blvd., the south side of Cabrillo Blvd., just west of Chapala street, across from the Veterans Memorial Building.

Due to the fact that the bridge replacement project is expected to continue for at least another year before its completion, and the previous loading and unloading location that we used will not become available until then, I kindly request continued preferential loading, unloading and temporary parking at the current West Beach location of 99 West Cabrillo Blvd.

We currently operate seven days a week weather permitting, from 10am to 6pm.

Respectfully,

Andre Manoux

Land and Sea Tours

Name of Business

**Land and Sea LLC
DBA: Land and Sea Tours**

Contact Person

Andre Manoux

Emergency Contact

Andre Manoux

Mailing Address

**216 Arboleda Road
Santa Barbara, Ca 93110**

General Description of Business

Round trip sightseeing city and harbor tours

Preferred Location – indicate preferred block face or specific address
(applicants are advised that the reserved area may not exceed 35')

**Turn out on the southside of Cabrillo Blvd. from streetpole #2175 to
Chapala Street curb extension. (Across from 102 and 112 W. Cabrillo
Blvd.)**

Preferred days and hours of exclusive use (applicants are advised that
exclusive use is limited to hours of actual sight-seeing operation)

Everyday, 10am to 6pm

Actual Hours of Sight Seeing Operation (identify any weeks or months not
in scheduled operation during the year)

Everyday, 10am to 6pm

THIS DOCUMENT HAS A TRUE DOCUCHECK™ WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

POST IN CONSPICUOUS PLACE
NON TRANSFERABLE

**CITY OF SANTA BARBARA
BUSINESS LICENSE CERTIFICATE**

LICENSE NUMBER
52473

KEEP FOR YOUR RECORDS
BUSINESS TAX RECEIPT

DATE ISSUED
04/08/2015

TYPE OF BUSINESS
Travel or Tour Services

STATE LICENSE #

License No. **52473**
Date Pd. 04/08/2015

BUSINESS ADDRESS 216 ARBOLEDA RD

EXPIRATION
03/31/2016

1016 \$266.00
TOTAL \$266.00

OWNER LAND AND SEA LLC



BUSINESS NAME LAND AND SEA TOURS SANTA BARBARA

ATTN:
MAILING 216 ARBOLEDA RD

ADDRESS SANTA BARBARA, CA 93110-1704

CITY OF
SANTA BARBARA

THIS CERTIFICATE DOES NOT CONSTITUTE AN ENDORSEMENT OF THE BUSINESS, NOR DOES IT GRANT PERMISSION TO CONDUCT BUSINESS AT ANY PLACE PROHIBITED BY THE CITY'S ZONING ORDINANCES OR ANY OTHER FEDERAL, STATE, OR LOCAL REGULATION.
THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT



CITY OF SANTA BARBARA

JOINT COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department
Creeks Division, Parks and Recreation Department

SUBJECT: Contract For Construction Of The Quarantina Street Permeable Pavers Project

RECOMMENDATION: That Council:

- A. Award a contract with Brough Construction, Inc., waiving minor irregularities, in their low bid amount of \$1,491,943 for construction of the Low Impact Development Demonstration Streets, Sidewalks, and Alleys Project – Phase II, Bid No. 3783; and authorize the Public Works Director to execute the contract and approve expenditures up to \$149,194 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;
- B. Approve a transfer of reserves in the amount of \$461,473 from the Creeks Operating Fund to the Creeks Capital Fund; and
- C. Increase appropriations and estimated revenues by \$461,473 in the Creeks Capital Fund to cover the cost of the City's matching requirement for the Proposition 84 Grant that will be used to fund the Project.

DISCUSSION:

Project Description

The Low Impact Development Demonstration Streets, Sidewalks, and Alleys Project – Phase II (Project) consists of installing over 45,000 square feet of permeable concrete pavers in the sidewalks and roadway of Quarantina Street, from Canon Perdido Street to Ortega Street. The Project is designed to capture and treat the volume of storm water generated from a 1-inch, 24-hour storm event. Phase I of the Project was constructed in the summer of 2015, under a separate contract, and consisted of installing over 23,000 square feet of permeable concrete pavers in the sidewalks around Alice Keck Park Memorial Gardens and the Parks and Recreation Department's service road at Plaza de Vera Cruz. The Project will be used as an example of a Best Management Practice that

meets the City's Storm Water Management Program requirements, and can be installed almost anywhere there is existing hardscape.

Contract Bids

A total of six (6) bids were received for the subject work, ranging as follows:

	BIDDER	BID AMOUNT
1.	Brough Construction Inc. Arroyo Grande, CA	\$1,491,943.00
2.	Shaw Contracting Carpinteria, CA	\$1,508,620.00
3.	R. Burke Construction San Luis Obispo, CA	\$1,550,365.00
4.	Whitaker Construction Group Paso Robles, CA	\$1,660,000.00
5.	Red Hawk Services Perris, CA	\$1,728,593.75
6.	Granite Construction Santa Barbara, CA	\$1,968,017.00

The low bid of \$1,491,943.00, submitted by Brough Construction, Inc., is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$149,194, or ten percent, is typical for this type of work and size of project.

Community Outreach

Public Works and Creeks Division staff have notified the property owners and residents near the Project locations of the upcoming construction via mailers and in-person meetings. The contractor will be responsible for the final notice via door hangers, 72 hours prior to construction. The Project will also be described in a press release and on the City's website. During construction, temporary construction signs detailing the Project's design and benefits will be posted at the sites. Upon Project completion, a television segment will be prepared and aired on City TV, and permanent interpretive signs will be posted at each site.

BUDGET/FINANCIAL INFORMATION:

The City was awarded Proposition 84 Storm Water Grant Program funding in the amount of \$2,307,010 for the Project costs of both phases. There was a minimum 20

percent local match required as part of this grant application. On November 4, 2014, Council adopted Ordinance No. 5674, approving and ratifying the Proposition 84 grant agreement.

Based on the total project cost of \$1,186,790 for design and construction of Phase I, the remaining \$1,535,551 of grant funds and \$461,473 of matching funds from Creeks Operating Fund reserves will be used to fund Phase II of the Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Contractor	\$1,491,943	\$149,194	\$1,641,137
TOTAL RECOMMENDED AUTHORIZATION			\$1,641,137

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.*

	PROP 84	CITY SHARE	TOTAL
City Design Cost	\$0	\$58,324	\$58,324
City Survey Costs	\$0	\$6,000	\$6,000
<i>Design Subtotal</i>	\$0	\$64,324	\$64,324
Construction Contract	\$1,491,943	\$0	\$1,491,943
Construction Change Order Allowance	\$11,705	\$137,489	\$149,194
<i>Subtotal</i>	\$1,503,648	\$137,489	\$1,641,137
Construction Management/Inspection (by City Staff)	\$0	\$235,000	\$235,000
Material Testing	\$31,903	\$0	\$31,903
Labor Compliance	\$0	\$24,660	\$24,660
<i>Subtotal</i>	\$31,903	\$259,660	\$291,563
<i>Construction Subtotal</i>	\$1,535,551	\$397,149	\$1,932,700
TOTAL PROJECT COST	\$1,535,551	\$461,473	\$1,997,024

SUSTAINABILITY IMPACT:

Storm water and urban runoff from impervious surfaces are a major source of surface water quality degradation. Infiltrating polluted runoff provides passive treatment at the source, which enhances watersheds and beaches, reduces damaging peak storm water flows, recharges groundwater, and requires no power consumption for operation.

PREPARED BY: John Ewasiuk, Principal Civil Engineer/LY/sk
Cameron Benson, Creek Restoration/Water Quality
Improvement Manager

SUBMITTED BY: Rebecca J. Bjork, Public Works Director
Jill Zachary, Parks and Recreation Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Reintroduction Of Noise Ordinance Amendments

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 9.16 of the Santa Barbara Municipal Code in its Entirety Pertaining to Noise.

DISCUSSION:

On February 9, 2016, Council introduced the above-referenced Noise Ordinance with a change reducing the penalty for a criminal violation from a misdemeanor to an infraction. After the meeting, upon further review, we discovered a second section addressing misdemeanor penalties which the Council did not address.

The second section relates to enhanced penalties for continuing violations. On February 9, 2016, it read as follows:

D. CONTINUED VIOLATIONS. Once a violation of any provision of this Chapter has been verified by a zoning enforcement or police department staff, the owner(s) of the property where the violation occurred may be subject to administrative action or **MISDEMEANOR** citation for allowing a subsequent violation of this Chapter to occur on the property within nine (9) months after the date of a previous violation, provided the property owner has received notification from the City of the previous violation and at least fourteen (14) days have passed since the date the notification was mailed to the property owner(s).

Because Council did not specifically address this continuing violation language, we have set this matter as a reintroduction of the ordinance rather than a second reading.

We have assumed that Council intended to change this section to an infraction penalty as well, and have revised the attached ordinance to read as follows:

D. CONTINUED VIOLATIONS. Once a violation of any provision of this Chapter has been verified by a zoning enforcement or police department staff, the owner(s) of the property where the violation occurred may be subject to administrative action or **INFRACTION** citation for allowing a subsequent violation of this Chapter to occur on the property within nine (9) months after the date of a previous violation, provided the property owner has received notification from the City of the previous violation and at least fourteen (14) days have passed since the date the notification was mailed to the property owner(s).

If we have not made the right assumption about the Council's intention, Council may change the continuing violation penalty back to a misdemeanor during this reintroduction.

PREPARED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: City Administrator's Office

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING CHAPTER 9.16 OF THE
SANTA BARBARA MUNICIPAL CODE IN ITS ENTIRETY
PERTAINING TO NOISE

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

SECTION 1. Findings and Intent. It is hereby declared to be the policy of the City of Santa Barbara to minimize the exposure of residents to the harmful physiological and psychological effects of excessive noise. It is the express intent of the City Council to control the level of noise in a manner which promotes commerce, the use, value and enjoyment of property, sleep and repose, and the quality of the environment. The City Council finds that the occurrence of loud or disturbing noises in the City of Santa Barbara constitutes an immediate and ongoing threat to the public health, safety, and welfare of the residents of the City. As a matter of legislative determination and public policy, the provisions, regulations and prohibitions of this ordinance are in pursuit of and for the purpose of securing and promoting the public health, safety, and welfare and the peace and quiet of the City of Santa Barbara and its residents. Moreover, the City Council finds that this ordinance is in furtherance of, and consistent with, the Santa Barbara General Plan, including specifically Noise Policy ER31.

SECTION 2. Chapter 9.16 of Title 9 of the Santa Barbara Municipal Code is amended in its entirety to read as follows:

9.16.010 Generally.

A. CAUSING ANNOYANCE, DISCOMFORT OR DISTURBING THE PEACE.

~~-Excessive or Unreasonable Noise.~~ It is shall be unlawful for any person to make, cause or suffer or permit to be made or caused, upon any premises owned, occupied or controlled by him said person in the City, any ~~unnecessary~~ noises or sounds which cause are physically annoying annoyance or discomfort to persons of ordinary sensitiveness sensitivity or ~~which are so harsh or so prolonged or unnatural or unusual in their use, time or place as to occasion physical discomfort to the inhabitants of the City, or any number thereof~~ which disturb the peace and quiet of any neighborhood.

B. FACTORS USED IN DETERMINING WHETHER A VIOLATION HAS OCCURRED. The factors which shall be considered by the City in determining whether to issue a citation for a violation and whether a violation of this Section has occurred shall include, but not be limited to, the following:

1. The volume of the noise, music, or related sound;
2. The intensity of the noise, music, or related sound;
3. The duration, continuousness or repetitive nature of the noise, music, or related sound;
4. ~~Whether the nature of the noise, music, or related sound is unusual for the area in which it occurs;~~
- 5~~4~~. Whether the origin of the noise, music, or related sound is natural or unnatural to the area in which it occurs;
- 6~~5~~. The volume and intensity of the background noise or sound, if any;

~~76.~~ The proximity of the noise, music, or related sound to residential sleeping facilities or to overnight accommodations, such as hotels and motels;

~~87.~~ The proximity to offices, places of business or other areas where work is known to be carried on, of the noise, music, or related sound;

~~98.~~ The nature and zoning of the area within which the noise, music, or related sound emanates;

~~109.~~ The time of day or night the noise, music, or related sound occurs and the relationship of this time to the normal activities of the area in which it occurs and in relation to the other factors listed in this subsection;

~~11.~~ The duration of the noise, music, or related sound;

~~102.~~ Whether the noise, music, or related sound is recurrent, intermittent, or constant;

~~113.~~ Whether the noise, music, or related sound is produced by a commercial or a noncommercial activity;

~~124.~~ Whether the person or business responsible for the noise, music, or related sound has been previously recently warned that complaints have been received about the noise, music, or related sound and such person or business has failed to reduce it to an appropriate level.

9.16.020 Noise Disturbance Prohibited.

No person shall make, continue or cause to be made or continued, or permit or allow to be made or continued, any noise disturbance in such a manner as to be plainly audible by a person of ordinary sensitivity at a distance of fifty (50) feet from the noise source; provided, nothing in this section shall be construed to prohibit any noise which

does not penetrate beyond the boundaries of the noise source's own premises or does not constitute an unreasonable disturbance to people lawfully on those premises.

9.16.030 Specific Conduct Prohibited.

A. The following subsections set forth specific conduct which shall be unlawful:

1. Radios, Television Sets, Musical Instruments and Similar

Devices. Operating, playing or permitting the operation or playing of any radio, television set, ~~phonograph~~ music player, drum, musical instrument, or similar device which produces or reproduces sound between the hours of ten (10) P.M. and seven (7) A.M. in such a manner as to create a noise disturbance audible by a person of ordinary sensitivity across a residential or commercial real property line.

2. Loudspeakers and Amplified Sound. Using or operating for any purpose any loudspeaker, loudspeaker system or similar device between the hours of ten (10) P.M. and seven (7) A.M. ~~ten p.m. and seven a.m.~~ in such a manner that the sound creates a noise disturbance audible by a person of ordinary sensitivity across a residential real property line.

3. Animals and Birds. Keeping, maintaining or possessing or harboring any animal or bird which frequently or for long duration, howls, barks, meows, squawks or makes other sounds which create a noise disturbance audible by a person of ordinary sensitivity across a residential or commercial real property line.

B. EXCLUSIONS.

1. Amplification of sound by a person as part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased

to the County, provided the County has adopted or approved a sound control plan for the property which is applicable to the event or activity.

2. Amplification of sound by a person as a part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased to the County of Santa Barbara and for which property the County has not developed a sound control plan.

3. Amplification of sound by a person as part of an activity or event sponsored or approved by the City of Santa Barbara on property owned by or leased to the City of Santa Barbara.

4. Amplification of sound by a person as part of an activity or event sponsored by or approved by a nursery school or day care, elementary school, secondary school or college or university on property owned by or leased to the educational institution.

5. Amplification of sound by a person as part of an activity or event sponsored by or approved by a public entity on property owned by or leased to the public entity.

9.16.015040 Construction Work at Night Prohibited.

It shall be unlawful for any person, between the hours of 8:00 ~~p.m.~~P.M. of any day and 7:00 ~~a.m.~~A.M. of the following day to erect, construct, demolish, excavate for, alter or repair any building or structure ~~if the noise level created thereby is in excess of the ambient noise level by 5 dBA at the nearest property line of a property used for residential purposes unless a special permit therefor has been applied for and granted by the Chief of Building and Zoning Official.~~ In granting such special permit, the Chief of

Building and Zoning Official shall consider if construction noise in the vicinity of the proposed work site would be less objectionable at night than during daytime because of different population levels or different neighboring activities, if obstruction and interference with traffic, particularly on streets of major importance, would be less objectionable at night than during daytime, if the kind of work to be performed emits noises at such a low level as to not cause significant disturbance in the vicinity of the work site, if the neighborhood of the proposed work site is primarily residential in character wherein sleep could be disturbed, if great economic hardship would occur if the work were spread over a longer time, if the work will abate or prevent hazard to life or property, if the proposed night work is in the general public interest; and he shall prescribe such conditions, working times, types of construction equipment to be used, and permissible noise emissions, as he deems to be required in the public interest. This section shall not be applicable to activities of public or private utilities when restoring utility service following a public calamity or when doing work required to protect persons or property from an imminent exposure to danger.

9.16.0250 Leaf Blowers - Restriction on Use.

A. DEFINITIONS.

1. ~~LEAF BLOWER~~ Leaf Blower. Any device used, designed or operated to produce a current of air by fuel, electricity or other means to push, propel or blow cuttings, refuse or debris.

2. ~~NOISE LEVEL STANDARDS~~ Noise Level Standards.

Measured in accordance with those standards developed under the supervision of the American National Standards Institute's (ANSI) "Committee for Sound Level Labeling

Standard for Hand Held and Back Pack Gasoline Engine Powered Blowers" presently adopted as ANSI B-175.2-1990 with the maximum noise level of 65 decibels.

B. PROHIBITION IN RESIDENTIAL ZONES.

It is unlawful for any person to operate a leaf blower within two hundred ~~and~~ fifty feet (250') of any residential zone, as that term is defined in Title 28 of this Code, before 9:00 ~~a.m.~~ A.M. or after 5:00 ~~p.m.~~ P.M. Monday through Saturday or at any time on Sundays or national holidays, provided that the City Parks and Recreation Department employees shall be allowed to use leaf blowers between the hours of 7:00 ~~a.m.~~ A.M. and 9:00 ~~a.m.~~ A.M. Monday through Saturday when cleaning parking lots adjacent to the City's Beachfront parks.

C. CLEAN-UP OF DEBRIS.

It is unlawful for any person operating any type of leaf blower to blow cuttings, refuse or debris onto a neighboring property or into a street or gutter. It is also unlawful for any person operating any leaf blower to fail to properly dispose of accumulated debris, leaves, or refuse in a sealed trash or refuse container.

D. PHASE-OUT OF CERTAIN LEAF BLOWERS.

1. **Existing Leaf Blowers.** The use of leaf blowers which are not manufactured to meet or exceed the Noise Level Standards is prohibited in all areas of the City under all circumstances, after October 9, 1997.

2. **Sale of New Leaf Blowers.** It is unlawful to sell or offer for sale within the City of Santa Barbara leaf blowers which are not manufactured to meet or exceed the Noise Level Standards of 65 decibels.

E. CERTIFICATION.

Owners and operators will present equipment to the City Parks and Recreation Director or his designee, with an application and reasonable fee, for noise testing according to ANSI testing criteria in the Noise Level Standards. Leaf Blowers which generate 65 decibels or less according to the test will be issued a certification sticker, which is valid for one year following the date of testing. The use of a leaf blower, without a current and valid certification sticker affixed to it, within the City after July 1, 1998 is an infraction. All sound level measurements described in this section shall be taken with a Sound Level Meter.

F. GUIDELINES FOR THE PROPER USE OF LEAF BLOWERS.

The City Parks and Recreation Director is hereby authorized and directed to adopt guidelines for the proper use of leaf blowers which guidelines shall promote the safe and efficient use of leaf blowers, while also mitigating, to the extent possible, the noise and nuisance effects of leaf blowers. The Finance Department is hereby directed to provide a copy of this ordinance and the leaf blower guidelines to each person obtaining a City business license for the operating of a gardening or landscaping maintenance service or business within the City. The operator of every business establishment selling leaf blowers within the City of Santa Barbara shall post in a conspicuous location and shall distribute to all purchasers a copy of this ordinance and the guidelines.

9.16.02460 Use of Gasoline Powered Leaf Blowers Prohibited.

Measure D97, adopted November 4, 1997, provides: In order to secure and promote the public health, comfort, safety and welfare, and to protect the rights of its citizens to privacy and freedom from nuisance, it is the purpose of this ordinance to

prohibit unnecessary, excessive and annoying noises at levels which are detrimental to the health and welfare of the community, and to minimize airborne dust and pollen.

It shall be unlawful for any person within the City to use or operate any portable machine powered with a gasoline engine, or gasoline powered generator, to blow leaves, dirt, and other debris off sidewalks, driveways, lawns, or other surfaces.

9.16.0250070 Regulation of Noise Affecting Parcels Zoned or Used for Residential Purposes.

A. HOURS OF OPERATION. Hours of operation on property zoned for agricultural use and used for planting, grading, vegetation removal, harvesting, sorting, cleaning, packing, shipping, and pesticide application shall be limited to 7:00 A.M. to 7:00 P.M. Monday through Saturday. Hours of operation for the above-stated activities shall be limited to 8:00 A.M. to 7:00 P.M. on Sunday and holidays.

B. MOTOR VEHICLE HORNS AND SIGNALING DEVICES. The following acts and the causing thereof are declared to be in violation of this ordinance:

1. The sounding of any horn or other auditory signaling device on or in any motor vehicle on any public right-of-way or public space except as a warning of danger as provided in Section 27000 of the California Vehicle Code.

2. The sounding of any horn or other auditory signaling device which produces a sound level in excess of 60 dB(A) at a distance of 200 feet.

3. Exception. Emergency vehicles may be equipped with and use auditory signaling devices that do not comply with the requirements of this section.

~~B.~~ **C. MECHANICAL EQUIPMENT.** Mechanical equipment other than vehicles and equipment which is operated by electricity obtained from an electricity utility

company shall not be used outside before 8:00 A.M. or after 7:00 P.M. on Saturday, Sunday or holidays or before 7:00 A.M. or after 7:00 P.M. Monday through Friday.

C.—D. NOISE LIMITATIONS. All mechanical equipment other than vehicles (including heating, ventilation, and air conditioning systems) shall be insulated. Sound at the property line of any adjacent parcel used or zoned for residential, institutional, or park purposes shall not exceed sixty A-weighted decibels using the Community Noise Equivalent Level (60 dB(A) CNEL). All wind machines are prohibited in the City.

~~9.16.030 Sonic Booms Declared Public Nuisance.~~

~~Flights of manned and piloted aircraft over and in the vicinity of the City so as to cause loud, sudden and intense "sonic booms" in the City constitute a public nuisance.~~

~~9.16.040 Creating Sonic Boom Unlawful.~~

~~It is unlawful to pilot any aircraft over and in the vicinity of the City at supersonic speeds so as to cause loud, sudden and intense "sonic boom" impacts in the City.~~

~~9.16.050~~080 Sound Amplification.

No person shall amplify sound using sound amplifying equipment contrary to any of the following:

 ~~A.(a)~~ The only amplified sound permitted shall be either music or the human voice or both.

 ~~B.(b)~~ Sound emanating from any public park or place shall not be amplified above the ambient noise level so as to be audible within any hospital, rest home, convalescent hospital, or church while services therein are being conducted.

~~_____ C.(e)~~ The volume of amplified sound shall not exceed ~~the noise levels set forth herein~~ 60dB(A) when measured outdoors at or beyond the property line of the property from which the sound emanates.

~~Time Period~~

~~10 p.m. - 7 a.m.~~

~~7 a.m. - 10 p.m.~~

~~Maximum Noise Level~~

~~50 dBA~~

~~60 dBA~~

~~_____ D.(d)~~ The volume of amplified sound inside a structure shall not exceed 45dB(A) ~~the noise levels set forth herein~~ when measured inside a building used for residential purposes. This maximum noise level shall not apply to the dwelling unit from which the sound is emanating.

~~Time Period~~

~~10 p.m. - 7 a.m.~~

~~7 a.m. - 10 p.m.~~

~~Maximum Noise Level~~

~~40 dBA~~

~~45 dBA~~

~~_____ E.(e)~~ The limits set forth above shall not apply to the following:

~~_____ 1.(1)~~ Amplification of sound by a person as part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased

to the County, provided the County has adopted or approved a sound control plan for the property which is applicable to the event or activity.

2.(2) Amplification of sound by a person as a part of an event or activity sponsored or approved by the County of Santa Barbara on property owned by or leased to the County of Santa Barbara and for which property the County has not developed a sound control plan.

3.(3) Amplification of sound by a person as part of an activity or event sponsored or approved by the City of Santa Barbara on property owned by or leased to the City of Santa Barbara.

4.(4) Amplification of sound by a person as part of an activity or event sponsored by or approved by a nursery school, elementary school, secondary school or college or university on property owned by or leased to said educational institution.

5.(5) Amplification of sound by a person as part of an activity or event sponsored by or approved by a public entity on property owned by or leased to said public entity.

9.16.060090 Definitions.

Unless the context otherwise clearly requires, technical words and phrases used in this chapter are defined as follows:

A.(A) SOUND AMPLIFYING EQUIPMENT. "Sound amplifying equipment" shall mean any machine or device for the amplification of the human voice, music, or any other sound. "Sound amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. "Sound amplifying equipment" as used in this chapter, shall not include

warning devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes and shall not include communication equipment used by public or private utilities when restoring utility service following a public calamity or when doing work required to protect persons or property from an imminent exposure to danger.

~~B.(B)~~ **AMBIENT NOISE.** "Ambient noise" is the all-encompassing noise associated with a given environment, being usually composed of sounds from many sources near and far. For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of five (5) minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made.

C. NOISE DISTURBANCE. "Noise disturbance" shall mean any sound which (a) endangers or injures the safety or health of human beings or animals, or (b) annoys or disturbs reasonable persons of normal sensitivities, or (c) endangers or injures personal or real property, or (d) violates the factors set forth in Section 9.16.010 of this Chapter. Compliance with the quantitative standards as listed in this Chapter shall constitute elimination of a noise disturbance.

~~D.(G)~~ **DECIBEL.** "Decibel" (dB) shall mean an intensity unit which denotes the ratio between two (2) quantities which are proportional to power; the number of decibels corresponding to the ratio is ten (10) times the common logarithm of this ratio.

~~E.(D)~~ **SOUND LEVEL.** "Sound level" (noise level) in decibels is the value of a sound measurement using the "A" weighting network of a sound level meter. Slow

response of the sound level meter needle shall be used except where the sound is impulsive or rapidly varying in nature in which case fast response shall be used.

~~F.(E)~~ **PERSON**. "Person" shall mean a person, firm, association, co-partnership, joint venture, corporation, or any entity, public or private in nature.

~~G.(F)~~ **SOUND LEVEL METER**. "Sound level meter" shall mean an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels which satisfies the pertinent requirements in American National Standards Institute's specification S1.4 4974 2014 or the most recent revision thereof for type S-2A general purpose sound level meters.

~~H.(G)~~ **SUPPLEMENTARY DEFINITIONS OF TECHNICAL TERMS**. Definitions of technical terms not defined herein shall be obtained from the American National Standards Institute's Acoustical Terminology S1-1-~~1974~~ 1994 or the most recent revision thereof.

9.16.070100 Measurement Methods.

~~(a)~~A. Any decibel measurement made pursuant to the provisions of this Chapter shall be based on a reference sound pressure of twenty (20) micronewtons per square meter (0.0002 microbar) as measured with a sound level meter using the "A" weighting, and using the slow meter response.

~~(b)~~B. Unless otherwise provided, outdoor measurements shall be taken with the microphone located at any point on the property line of the noise source, but no closer than five (5) feet from any wall or vertical obstruction and three (3) to five (5) feet above ground level whenever possible.

~~(e)~~C. Unless otherwise provided, indoor measurements shall be taken inside the structure with the microphone located at any point as follows: (1) no less than three (3) feet above floor level; (2) no less than five (5) feet from any wall or vertical obstruction; and (3) not under common possession and control with the building or portion of the building from which the sound is emanating.

9.16.110 Enforcement.

A. PRIMA FACIE VIOLATION. Any noise exceeding the noise level limits in Section 9.16.080, or the prohibited actions as provided in Sections 9.16.010, 9.16.020 and 9.16.030, shall be deemed to be prima facie evidence of a violation of the provisions of this Chapter.

B. VIOLATIONS. Any violation of the provisions of this Chapter shall be an infraction or be subject to administrative code enforcement pursuant to Chapter 1.25 of this code. Each hour such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

C. ABATEMENT ORDERS.

1. In lieu of issuing a notice of violation as provided for in subsection B of this section, the zoning enforcement or police department staff responsible for enforcement of any provision of this Chapter may issue an order requiring abatement of a sound source alleged to be in violation, within a reasonable time period and according to guidelines which the police department may prescribe.

2. No complaint or further action shall be taken in the event that the cause of the violation has been removed, the condition abated or fully corrected within the time period specified in the written notice.

D. CONTINUED VIOLATIONS. Once a violation of any provision of this Chapter has been verified by a zoning enforcement or police department staff, the owner(s) of the property where the violation occurred may be subject to administrative action or **infraction** citation for allowing a subsequent violation of this Chapter to occur on the property within nine (9) months after the date of a previous violation, provided the property owner has received notification from the City of the previous violation and at least fourteen (14) days have passed since the date the notification was mailed to the property owner(s).

9.16.090120 Violations - Additional Remedies - Injunctions.

As an additional remedy, the operation or maintenance of any sound amplifying equipment, device, instrument, vehicle, or machinery in violation of any provision of this Chapter, which operation or maintenance causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health or peace of residents in the area, shall be deemed and is declared to be, a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Policy Direction For The Fiscal Year 2017 Water Rate Study

RECOMMENDATION:

That Council receive a presentation and provide direction on assumptions for the Fiscal Year 2017 Water Rate Study, specifically for the planned reserves management during continued drought conditions.

DISCUSSION:

On November 24, 2015, Council authorized the Public Works Director to execute a City Professional Services contract with Raftelis Financial Consultants, Inc. (Raftelis), in the amount of \$50,221 for the development of the Fiscal Year 2017 Water Rate Study (Study), and authorized the Public Works Director to approve expenditures of up to \$12,555 for extra services that may result from necessary changes in the scope of work.

The Study is being developed in preparation for continued drought conditions. The proposed Fiscal Year 2017 water rates will be structured to continue incentivizing reduction in customer water use to ensure that planned demand reductions are achieved. After the typical rainy season is over this spring, the water supply outlook and conservation target will be re-assessed. It is anticipated that the conservation target will increase, should dry conditions persist. Water rates are preliminarily being designed based on current conservation levels. If the water supply conditions improve, water rates can be adjusted accordingly prior to adoption.

Continued drought conditions could result in additional drought related expenses for supplemental water purchases, conveyance of State Water through Lake Cachuma, and extended full-production operation of the desalination facility. The financial plan is being developed with the assumption that these drought related costs will be necessary through Fiscal Year 2018. If the water supply condition improves, water rates can be adjusted accordingly prior to adoption.

Reserve Management Scenarios

As of June 2015, reserve balances were approximately \$17.5 million (including \$5 million from the Rate Stabilization Fund). Current projections show no use of reserves in Fiscal Year 2016, which is a much better financial outlook than the original adopted Fiscal Year 2016 budget showing about \$6.4 million use of reserves. The difference is based on reduced expenditures in budgeted groundwater projects (\$2.7 million) and additional revenue from grants/reimbursements (\$3.5 million). With these updates, the projected reserve balance on June 30, 2016 is \$17.3 million. Under adopted reserve policies, the Water Fund Policy reserves should total approximately \$18.3 million in Fiscal Year 2016. Therefore, reserves are anticipated to be close to policy at the end of Fiscal Year 2016.

Two reserve management scenarios are being proposed for discussion:

Scenario 1 – No Use of Reserves, and Short-Term Reserve Recovery: The first scenario assumes no use of any reserves to meet projected expenses for the four-year financial period starting in Fiscal Year 2016. This scenario assumes that all projected expenses will be met entirely with revenues recovered from water rates, and the water rates would generate revenue to restore the reserve balance to policy levels within a one-year period.

Scenario 2 – Some Use of Reserves, and Longer-Term Reserve Recovery: In this scenario, reserves are used for one-time drought expenses, and the reserve balance is planned to return to policy targets over a three-year period.

Preliminary results show that the projected increase in revenue requirements range between 11-22 percent for Fiscal Year 2017, depending on reserve management; however, the analysis continues to be refined.

Given the volatility in water demands and supply conditions, staff does not recommend water rate planning that assumes a drop of reserves below Council policy. Staff recommends the first scenario, in which rate planning is developed with the assumption that total reserve funds remain equal to or above Council policy.

Debt Service Coverage Requirements

The Water Fund is the dedicated source of revenue for the Series 2013 Water Revenue Refunded Certificates of Participation, the Central Coast Water Authority (CCWA) Water Supply Agreement for costs associated with the State Water Project, two State Revolving Fund (“SRF”) loans for the Cater Treatment Plant (2010 and 2002) and, as of Fiscal Year 2016, the SRF loan for the reactivation of the Desalination Plant. With the exception of the 2002 Cater SRF loan which is subordinate debt, all other Water Fund debt are parity debt obligations. All of the parity debt obligations contain a covenant which requires that the City at all times fix, prescribe and collect rates, fees and charges for the Water Service that are reasonably fair and nondiscriminatory and which will be at least sufficient to yield net water revenues during each fiscal year equal to 125% of the debt service of that fiscal year. The debt coverage ratio is calculated by dividing the net operating revenue by the

total debt service. For Fiscal Year 2015, the Water Fund debt coverage ratio for parity debt obligations was 110% and for the subordinate debt obligation the ratio was 0.76%. The debt coverage ratio fell short of the requirement as a result of lower revenues than projected (due to lower water usage). The Fiscal Year 2015 debt coverage ratios will be disclosed to the City's lenders as part of the City's required continuing disclosures.

For development of Fiscal Year 2016 water rates, and going forward, the rate model assumptions were changed to recognize an increased level of customer conservation which should offset the revenue reduction.

PREPARED BY: Joshua Haggmark, Water Resources Manager/KD/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of Architectural Board Of Review Project Design Approval Of A New Seven-Unit Apartment Building At 1818 Castillo Street

RECOMMENDATION: That Council:

- A. Deny the appeal of Eric and Elenor Wernicke of the Architectural Board of Review's decision to grant Project Design Approval for the proposed new seven-unit apartment building; and
- B. Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

DISCUSSION:

Project Description

The project site is located in the Oak Park neighborhood and is situated on a 12,656 square foot lot, with a land use designation of Medium-High Density Residential (15-27 dwelling units/acre) and a zoning classification of R-4, Hotel-Motel-Multiple Residential Zone. The proposal includes the demolition of an existing single-family home, a studio apartment, detached garage, and two sheds, and construction of a two-unit, two-story duplex and a 5-unit, two- and three-story residential apartment building under the Average Unit-size Density (AUD) Incentive Program. The project will result in seven units comprised of 2 two-bedroom units and 5 three-bedroom units, totaling 6,609 square feet. The proposed density for the project is 25 dwelling units per acre with an average unit size of 944 square feet. Eight uncovered surface parking spaces, including one accessible parking space, are provided for the project. The project site plans are included as Attachment 1.

Background

The current appeal is the second appeal filed for a project on this site. A different project previously approved by the Architectural Board of Review (ABR) was appealed and heard by Council in July 2015. At that appeal hearing, Council upheld the appeal and referred the project to the Planning Commission to provide comments to the ABR on the following

specific design issues: compatibility of the project with the neighborhood, potential to reduce the number of bathrooms per unit, and provide additional parking. After Planning Commission review, the project was to return to the ABR for further review and action (see Council Minutes, Attachment 2). Rather than further pursue the first project, the applicant elected to withdraw the original application and file a new application with a revised design.

The ABR reviewed the revised project at a noticed concept hearing on November 9, 2015. Staff believes that the ABR was attentive to Council's direction and considered the original basis for concerns regarding the compatibility and appropriateness of the three-story project within the neighborhood. At the November 2015 hearing, the ABR determined that the revised design was an improvement to the building massing because the parking garages were replaced with surface parking and two separate buildings were proposed to help reduce the overall length of the building. The provision of uncovered surface parking at the center of the site also addresses a previous concern expressed by a neighbor that garages might be used for purposes other than car storage. The applicant followed Council's direction to redesign the project by reducing the number of bathrooms from 19 to 12, improving the parking design configuration, and providing one additional parking space.

On January 4, 2016, the ABR reviewed the revised project again and found the design and layout to be very successful and an improvement to the previous project. After considering public comment, the ABR reviewed the required Project Compatibility Criteria Analysis and granted the Project Design Approval on a 4/0/0 vote. The ABR meeting minutes are provided as Attachment 3.

The ABR approval was subsequently appealed on January 14, 2016 by Eric and Elenor Wernicke, neighbors living on West Pedregosa Street. The appellants were not involved with the original appeal. Their stated concerns with the revised project primarily relate to potential parking impacts in the neighborhood. The appellants suggest that the project be revised to require a minimum of 12 parking spaces, include tandem parking spaces, and that parking studies be conducted to determine if additional on-street parking can be provided in the area. The appeal letter is provided as Attachment 4.

APPEAL ISSUE - PARKING

The appellants argue that the project will have negative on-street parking impacts due to insufficient parking provided for the proposed development. The appellants further assert that 8 parking spaces for 19 bedrooms does not meet the actual needs of the neighborhood and that the project should provide a minimum of 12 spaces, and include tandem parking spaces. Furthermore, the appellants believe the City should conduct parking studies to determine if additional on-street parking spaces can be provided in the area.

Parking Requirements: The AUD Program requires a minimum of one parking space per residential unit and no guest parking. Adoption of the AUD Program in July 2013 carried out a key program directed by the 2011 General Plan to facilitate the construction of smaller housing units by allowing increased density and development standard incentives, including reduced setbacks, open space, and parking requirements.

As part of the General Plan Update process, the City Council discussed and acknowledged that on-street parking might be impacted in some neighborhoods by the reduced parking requirements of the AUD program; however, it was considered a tradeoff in order to produce more housing. Council also recently voted not to revisit the AUD program until some units in the High Density or Priority Overlay areas are constructed and occupied, and directed staff to continue to monitor these AUD developments during the initial program period.

While the former variable density program would have required two parking spaces per unit, for a total of 14 spaces, and one guest parking space, the current AUD program parking standard requires a minimum of seven parking spaces and no guest parking for this project. Therefore, the proposed project meets the parking requirement of the Municipal Code.

Tandem Parking: The appellants suggest that tandem parking be included in the project to increase the number of on-site parking spaces. Transportation staff does not support the use of tandem parking for this project because maneuvering tandem-parked vehicles is inconvenient and difficult to coordinate between separate households, thus rendering it problematic as a parking solution. Also, due to the narrow width of the site, it would be difficult to accommodate tandem parking and the necessary maneuvering area.

Parking Studies: The appellants request that a parking study be conducted to determine if on-street parking supply can be increased by reducing red painted curbs. Public Works staff often receives requests such as this and evaluates them based on safety considerations (e.g., site distance visibility); however, studies are generally not undertaken in direct response to a proposed development project. Council may also request that Public Works staff conduct a study to determine if additional on-street parking supply can be increased.

RECOMMENDATION:

Staff believes the new application and revised project design was properly reviewed and carefully considered by the ABR, particularly in light of previous direction from City Council on the original project design. Therefore, staff recommends that Council deny the appeal and uphold the ABR's decision to grant Project Design Approval to the new seven-unit apartment building and direct staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

NOTE: The project plans were separately delivered to the City Council for review and are available for public review in the City Clerk's Office.

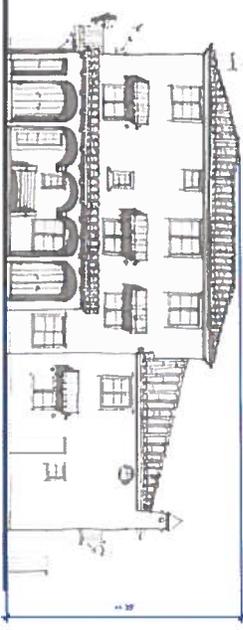
ATTACHMENT(S):

1. Proposed site plan, floor plans, and elevations
2. City Council Minutes, July 21, 2015
3. ABR Minutes, November 9, 2015, January 4, 2016
4. Appellants' letter dated January 14, 2016

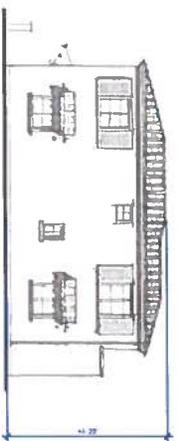
PREPARED BY: Irma Unzueta, Project Planner

SUBMITTED BY: George Buell, Community Development Director

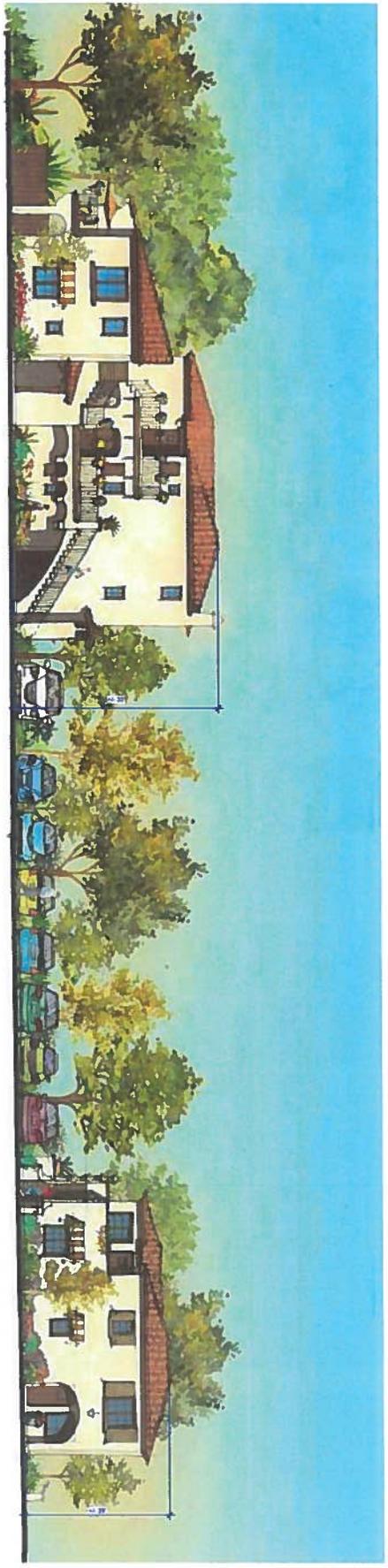
APPROVED BY: City Administrator's Office



2 South Elevation
1/8" = 1'-0"



1 South Elevation Front Building
1/8" = 1'-0"



3 North Elevation
1/8" = 1'-0"

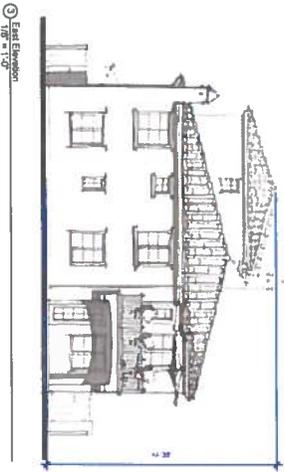


101 E. Rippenwey St., Suite 1
 761.488.8000 FAX: 761.503.8334
 www.mmspeightgroup.com

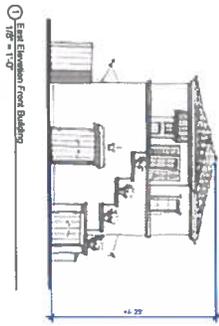
1818 Castillo St. Apartments
 1818 Castillo St.

Exterior Elevations

A.2a
 11/30/2015



3 East Elevation
10' = 1'-0"



1 East Elevation Front Building
10' = 1'-0"



4 West Elevation
10' = 1'-0"



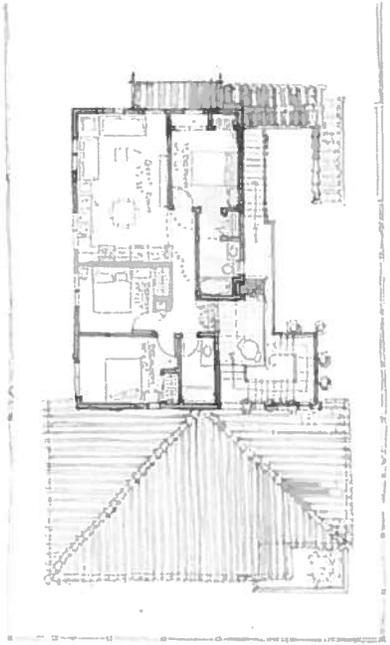
2 StreetView Elevation
10' = 1'-0"



10 E Figueroa St., Suite 1
Santa Ana, CA 92701
Tel: 714.266.9434
www.rrmdesign.com

1818 Castillo St. Apartments
1818 Castillo St.

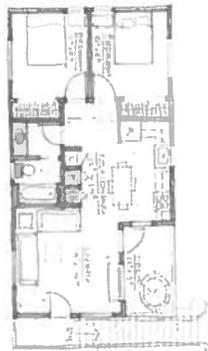
Exterior Elevations



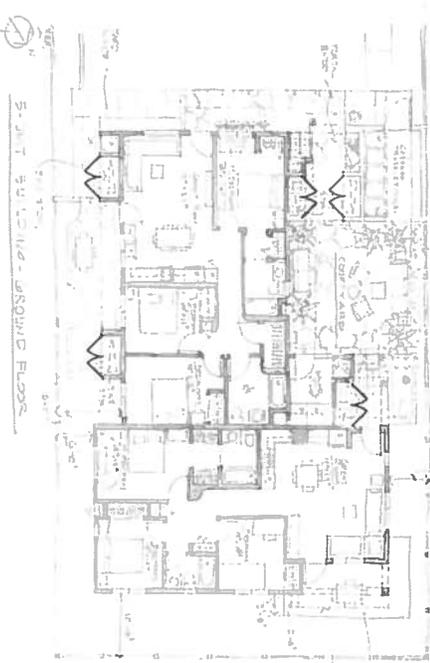
③ Suite Building - Level 3
TIF = 1.0



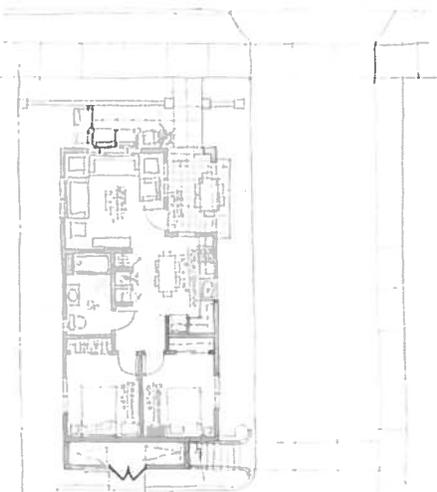
② Suite Building - Level 2
TIF = 1.0



③ Front Building - Level 2
TIF = 1.0



① Suite Building - Level 1
TIF = 1.0



② Front Building - Level 1
TIF = 1.0



101 E. Figueroa St., Suite 1
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1818 Castillo St. Apartments

1818 Castillo St.

Floor Plans

A.3

11/30/2015

CITY COUNCIL MINUTES – JULY 21, 2015

PUBLIC HEARINGS

23. Subject: Appeal Of Architectural Board Of Review Project Design Approval Of A New Seven-Unit Apartment Building At 1818 Castillo Street (640.07)

Recommendation: That Council

A. Deny the appeal of Brian Barnwell of the Architectural Board of Review's decision to grant Project Design Approval for the proposed new seven-unit apartment building; and
B. Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

Documents:

- July 21, 2015, report from the Community Development Director.

(Cont'd)7/21/2015 Santa Barbara City Council Minutes Page 11

Documents: (Cont'd)

- July 14, 2015 Letter from Melissa Lolley.
- July 16, 2015 Letter from JoAnn Nasta.
- July 16, 2015 Letter from Marie Schnyer.
- July 16, 2015 Email/Letter from Brian Barnwell.
- July 20, 2015 Letter from Melissa.
- July 20, 2015 Letter from JoAnn Nasta.
- July 21, 2015 Letter from Brian Barnwell.
- July 21, 2015 Letter from Jon Kechejian.
- PowerPoint presentation prepared and made by Staff.

Public Comment Opened:

6:06 p.m.

Speakers:

- Staff: Associate Planner Suzanne Riegler, Project Planner Irma Unzueta, Supervising Transportation Planner Steve Foley.
- Architectural Board of Review: Member Amy Tripp.
- Applicant: Randy Douglas, DB Partners, LLC.
- Appellant: Brian Barnwell.
- Members of the Public: Pam Lasker; Rick (last name not stated); Richard Handler; Mark Edwards; Kay Hoffman; Suzanne Smith; Enid Sterling; Sharon Foster.

Public Comment Closed:

6:20 p.m.

Motion:

Councilmembers White/Francisco to uphold the appeal and refer to Planning Commission to specifically comment on the compatibility with the neighborhood, reduction of the number of bathrooms per unit, and additional parking and return to Architectural Board of Review for further review.

Vote:

Majority voice vote (Noes: Councilmember Murillo).

ARCHITECTURAL BOARD OF REVIEW MINUTES

1818 CASTILLO STREET (MST2015-00500)

R – NEW MULTI-FAMILY

Proposal to demolish an existing single-family home, studio apartment, detached garage, and two sheds, and construct a two-unit, two-story duplex and a 5-unit two- and partial three-story residential apartment building under the Average Unit Size Density Incentive Program. The project will result in seven units comprising two, 2-bedroom units and five, 3-bedroom units, totaling 6,609 square feet. This 12,656 square foot parcel is designated as Medium High density with a maximum average density allowed of 945 square feet per unit. The average unit size for this project will be 944 square feet. There will be eight uncovered parking spaces including one accessible parking space between the two proposed buildings along the southerly property line.

November 9, 2015

(Comments only; requires Environmental Assessment.)

Actual time: 6:23 p.m.

Present: Detlev Peikert, Architect and Lisa Plowman, Planning Manager for Peikert & RRM Design Group; and Mark Edwards, Agent for the Owner.

Public comment opened at 6:33 p.m.

- 1) Pamela Lasker, (submitted letter) opposition; expressed concern regarding parking density and neighborhood compatibility; requested a reduced the number of units and proposed height of the building.
- 2) Richard Handler, (neighbor) opposition; requested story poles and expressed concern regarding parking density and requested the proposed third story element be eliminated.
- 3) Stephen Harper, opposition; expressed concern regarding parking density, traffic congestion, and the proposed height of the project.
- 4) Rick Lang, opposition; expressed concern regarding setting a precedent for three-story structures in the neighborhood, and neighborhood compatibility.
- 5) John Campilio, opposition; expressed concern regarding parking density.

Emailed letters of expressed concern from Pamela Lasker & John Smith, Jim Turner, and Cynthia Ellestad were acknowledged.

And an email of support from Greg Christman was acknowledged.

Public comment closed at 6:44 p.m.

Motion: Continued four weeks to the December 7, 2015 Full Board meeting with comments:

- 1) Return with a landscape plan and a color board.
- 2) Provide a lighting plan including details.
- 3) Provide a site drainage plan including details.

- 4) Return with utility details.
- 5) Provide a diagram that shows the south elevation and similar two- to three-story structures and massing in the neighborhood area.

Action: Wittausch/Poole, 4/0/0. Motion carried. (Hopkins stepped down, Miller/Cung absent).

Board comments: The project is vastly improved. One Board member requested the Applicant study ways to enhance the courtyard experience for residents.

January 4, 2016

(Action may be taken if sufficient information is provided. Project requires an environmental finding for a CEQA Guidelines Section 15183 Exemption - Projects Consistent with the General Plan. Project was last reviewed on November 9, 2015.)

Actual time: 6:13 p.m.

Present: Detlev Peikert, Architect; and Lisa Plowman, Architects.

Public comment opened at 6:45 p.m.

- 1) Brian Barnwell commented that he prefers craftsman architecture and carport parking instead of a third story, and requested consideration of adding tandem parking.
- 2) Rick Lang, (submitted letter) opposition; spoke of concerns regarding the proposed parking and density issues.
- 3) Kathleen Hoffman (submitted letter & photos), opposition; spoke of concerns regarding the proposed parking and density issues in the neighborhood, and lack neighborhood compatibility and story poles.
- 4) Pamela Lasker, (submitted letter) opposition; spoke of concerns regarding the height of the proposed building, and lack of story poles or Board requested 3D rendering, and neighborhood compatibility.
- 5) Eric Werniche, opposition; spoke of concerns regarding lack of neighborhood compatibility for most AUD projects, and requested a policy or guideline that would incorporate City statistics and data, and requested a beneficial parking survey for the neighborhood. He also encouraged tandem parking as a possible solution to increase available parking and relieve parking density in the area.
- 6) Suzanne Smith, opposition; spoke of concerns regarding blocked natural light, additional noise activity, and garbage, increased on-street parking density, and increased short-term vacation rentals in the area.

Emails of concern from Pam Lasker & John Smith, Kemble White, and Frederick (Rick) Lang were acknowledged.

Public comment closed at 7:00 p.m.

Motion: Project Design Approval and continued indefinitely to Full Board with comments:

- 1) The Board has reviewed the proposed project and the Compatibility Analysis criteria (SBMC 22.22.145.B. and 22.68.045.B.) were generally met as follows:
 - a. **Compliance with City Charter and Municipal Code; General Consistency with Design Guidelines:** The Board made the finding that the proposed development project's design complies with all City Regulations and is consistent with ABR Design Guidelines.
 - b. **Compatible with Architectural Character of City and Neighborhood.** The proposed design of the proposed development is compatible with the distinctive architectural character of the Santa Barbara and of the particular neighborhood surrounding the project.
 - c. **Appropriate size, mass, bulk, height, and scale.** The proposed development's size, mass, bulk, height, and scale are appropriate for its neighborhood.
 - d. **Sensitive to Adjacent Landmarks and Historic Resources.** (This criteria was not applicable to the proposed project).
 - e. **Public View of the Ocean or Mountains.** The design of the proposed project responds appropriately to established scenic public vistas.
 - f. **Appropriate Amount of Open Space and Landscaping.** The project's design provides an appropriate amount of open space and landscaping.
- 2) The following finding was later read into the record: "The ABR finds that the project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and CEQA Certificate of Determination on file for this project."

Action: Cung/Tripp, 5/0/0. Motion carried. (Moore/Wittausch absent).

The ten-day appeal period was announced.

Eric & Elenor Wernicke
 407 W. Pedregosa #2
 Santa Barbara, CA 93101

RECEIVED

2016 JAN 14 PM 4:00

CITY OF SANTA BARBARA
CITY CLERK'S OFFICE

December 21, 2015

Re: Project Design Review of 1818 Castillo St

To Whom It May Concern:

We are writing to express our opposition to the lack of parking provided for the proposed development of 1818 Castillo St under the new AUD project.

This project allocates 8 parking spaces for 19 bedrooms, this is not enough. It does not fulfill the actual needs of the neighborhood.

Prior to the AUD, at least 16+ spaces would have been required. According to actual data from the city's General Plan Update, the following minimum is necessary:

		Projected Percentage Needed	Actual Needs
7 Units			
Cars Per Unit	0	6%	0
	1	29%	2.03
	2	48%	6.72
	3	14%	2.94
	4	1%	0.28
	5	2%	0.7
Number of spaces actually needed >>			12.67

Guidelines for implementing AUD projects should include an interpretation of the ordinance. For example:

- The definition of a "Unit" should have an interpretation as to the number of acceptable bedrooms per unit so as not to exacerbate the loosening of parking restrictions.
- According to the Housing Element Implementation (H17.1), tandem spaces, additional maneuvers, and stackable parking devices should be considered.
- If tandem parking could be included at minimal costs, it should be required.
- A general study of neighborhood parking requirements for the neighborhood being impacted should be required before approving designs.

If the neighbors in the community are being asked to subsidize the development with parking spaces they have become accustomed to, the city itself should also offer parking subsidies in the form of reducing red-painted-curbs where appropriate. Often times, the red-painted-curbs may extend past their actual intended requirement. A general neighborhood parking study may reveal this. Scrapping off unnecessary paint would be a cost effective way of allocating more on street parking.

While we understand the loosening of parking restrictions is intended to spur development, we believe the pendulum may have swung too far in the direction of leniency without considering the actual neighborhood impact.

We are asking the Architectural Board of Review and the Planning Commission carefully review the needs of the existing neighborhood before altering it in a way that may not be easily undone.

We feel this can best be accomplished by providing useful interpretations and guidelines of the AUD ordinance (as opposed to trying to undo the many positive aspects of the AUD ordinance as a whole). Essentially we are asking for a natural check and balance.

Please take steps to ensure a more reasonable approach to parking is adopted for the project at 1818 Castillo. We suggest:

- 12 spaces minimum
- Utilize tandem spaces where possible
- Conduct a neighborhood parking study to see if additional on-street parking can be resurrected.

With kindest regards,

Eric Wernicke

(805) 453-2361



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 8, 2016
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Conference with City Attorney – Anticipated Litigation

RECOMMENDATION:

That Council hold a closed session to decide whether to authorize the initiation of litigation (one potential case) pursuant to Government Code sections 54956.9(d)(4) and take appropriate action as needed.

SCHEDULING: Duration, 15 minutes; anytime
REPORT: None
SUBMITTED BY: Ariel Calonne, City Attorney
APPROVED BY: City Administrator's Office