

**CITY OF SANTA BARBARA
CITY COUNCIL**

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City Administrator

Sarah J. Knecht
City Attorney

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

**JANUARY 31, 2023, 2:00 PM
AGENDA**

IN-PERSON PUBLIC COMMENT: At the beginning of each meeting of the City Council, Finance Committee, or Ordinance Committee, 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. Each speaker will be given a total of 3 minutes to address the Council. Pooling of time is not allowed during general public comment. The time allotted for general public comment at the beginning of the 2:00 p.m. session is 30 minutes. Any member of the public who did not speak during the 2:00 p.m. session but who submitted a request to do so during the 2:00 p.m. 30 minute session may do so at the end of the meeting when the additional "Public Comment (If Necessary)" is announced. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REMOTE PUBLIC COMMENT: Members of the public wishing to speak must "raise their hand" in the Zoom platform by selecting the virtual hand icon when their item is called. The keyboard shortcut for this is Alt+Y for Windows and Option+Y for Macs. City staff will activate the speaker's microphone when the speaker's name is called. The speaker will then need to unmute themselves. The keyboard shortcut for this is Alt+M for Windows or Command-Shift-A for Macs.

HOW TO REMOTELY OBSERVE AND/OR SPEAK LIVE AT A MEETING

- **Web:** https://santabarbaraca.gov.zoom.us/webinar/register/WN_6qBzhd1OQ_iNFgvfSw-R0Q
(Participation via Zoom)
- **Telephone:** Dial 1-669-900-6833, Enter Webinar ID: 859 7587 0615
(press *9 to raise/lower hand; press *6 to mute/unmute)
- **Online Streaming:** Council meetings are streamed live at www.SantaBarbaraCA.gov/CAP
- **TV:** 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 8:00 a.m., and in Spanish on Sundays at 3:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.santabarbaraca.gov/citytv for rebroadcasts of Finance and Ordinance Committee meetings.

WRITTEN PUBLIC COMMENT: Public comments may also be submitted via email to Clerk@SantaBarbaraCA.gov prior to the beginning of the Council Meeting. All public comments submitted via email will be provided to City Council and will become part of the public record.

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 Chambers at City Hall.

(CONTINUED ON NEXT PAGE)

REPORTS: Copies of the reports relating to agenda items are available for review at <http://www.SantaBarbaraCA.gov/CAP>. 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") online at the City's website (<http://www.SantaBarbaraCA.gov/CAP>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are posted to the City's website as soon as reasonably feasible.

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 or raise your hand in Zoom at the time the Council considers the Consent Calendar.

SPANISH INTERPRETATION: If you need interpretation of your communications to Council from Spanish into English, please contact the City Clerk's Office at 564-5309 or by email at Clerk@SantaBarbaraCA.gov. If possible, notification of at least 48 hours will usually enable the City to make arrangements.

INTERPRETACIÓN EN ESPAÑOL: Si necesita una interpretación del español al inglés, para sus comunicaciones al Consejo, comuníquese con la Oficina del Secretario Municipal al 564-5309, o por correo electrónico a Clerk@SantaBarbaraCA.gov. Si es posible, la notificación de al menos 48 horas generalmente permitirá a la Ciudad hacer los arreglos.

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 or by email at Clerk@SantaBarbaraCA.gov. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. For those who need accessibility accommodation in using the "raise hand" function and/or registering to participate in the Zoom session, please contact the Clerk's office by 5:00 p.m. the day before the meeting for assistance. Additionally, a speaker may email Clerk@SantaBarbaraCA.gov by 5:00 p.m. the day before a meeting, stating which item they wish to speak on. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

JANUARY 31, 2023 AGENDA

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: Municipal Code Amendments Pertaining to the Santa Barbara Arts and Crafts Show [Ordinance Adoption] (570.06)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Chapter 15.08 Pertaining to the Santa Barbara Arts and Crafts Show.

2. **Subject: Authorize Execution of the Clean Water State Revolving Fund Installment Sale Agreement for the Braemar Lift Station Rehabilitation Project [Ordinance Adoption; Agreement] (540.01)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Authorizing the Execution of the Installment Sale Agreement with the State Water Resources Control Board for the Braemar Lift Station Rehabilitation Project (Project No. C-06-8602-110).

3. Subject: Amending and Updating the City's Water Efficient Landscape Standards for Water Conservation [Ordinance Introduction; Resolution] (540.05)

Recommendation: That Council:

- A. Determine that the project is exempt from the California Environmental Quality Act under State CEQA Guidelines § 15307 (protection of natural resources);
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Repealing Chapter 22.80 and Amending Sections 14.23.005, 28.80.150, and 30.185.440 of the Santa Barbara Municipal Code Relating to Water Efficient Landscape Standards; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending and Updating the City's Water Efficient Landscape Standards for Water Conservation.

4. Subject: Second Amendment to the Solar Photovoltaic Power Purchase Agreement at the Granada Garage [Ordinance Introduction; Agreement] (630.06)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Sustainability and Resilience Director to Execute a Second Amendment to the Power Purchase Agreement with SB Granada Garage Solar LLC to Increase the Energy Purchase Rates for the Renewable Energy System at the Granada Garage.

5. Subject: Downtown Organization Annual Assessment Report for 2023 and Intention to Levy [Resolution] (550.1)

Recommendation: That Council:

- A. Approve the Downtown and Old Town Business Improvement District Annual Assessment Report for 2023; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Downtown Business Improvement District and Old Town Business Improvement District Assessment Rates for 2023, at a Public Hearing to be Held on February 28, 2023, at 2:00 p.m.

6. Subject: Acceptance of Donation for the Library on the Go Program [Resolution] (570.04)

Recommendation: That Council:

- A. Accept a donation in the amount of \$25,000 from the Volentine Family Foundation for the Library on the Go Program; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Approve an Increase of Revenue and Expenditure Appropriations in Fiscal Year 2023 in the Library Department Miscellaneous Grants Fund Budget in the Amount of \$25,000 from the Volentine Family Foundation.

7. Subject: Termination of Local Emergency Declaration [Resolution] (520.02)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Terminating the Local Emergency Proclaimed by the Director of Emergency Services on January 9, 2023 and Ratified by the City Council on January 12, 2023.

8. Subject: December 31, 2022, Investment Report and December 31, 2022, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2022, Investment Report; and
- B. Accept the December 31, 2022, Fiscal Agent Report.

9. Subject: Authorization to Amend the Legal Services Agreement with Liebert Cassidy Whitmore for Special Counsel Services [Agreement] (160.03)

Recommendation: That Council authorize the City Administrator to execute an amended legal services agreement with Liebert Cassidy Whitmore to increase the not-to-exceed amount from \$35,000 to \$100,000 for special counsel services related to existing personnel matters.

10. Subject: First Amendment to Agreement for Labor Negotiations [Agreement] (440.03)

Recommendation: That Council approve and authorize the Human Resources Director to execute an amendment to the Labor Relations agreement (Santa Barbara Agreement #22300073) with the Law Firm of Liebert Cassidy Whitmore increasing the contract amount by \$23,000, for a total not to exceed \$46,000.

11. Subject: Approval of Addenda to Agreements with Tesla for Battery Energy Storage System at Cater Water Treatment Plant [Agreement] (630.06)

Recommendation: That Council authorize the Sustainability and Resilience Director to execute an addendum to each of the two agreements with Tesla, Inc., for the Cater Water Treatment Plant battery energy storage systems assigning a portion of the project’s allotted investment tax credit to Tesla, Inc. to cover increased project costs.

12. Subject: Set a Date for Public Hearing Regarding Planning Commission's Approval of a Conditional Use Permit, Development Plan and Parking Modification for 621 W Micheltorena Street (640.07)

Recommendation: That Council:

- A. Set the date of March 14, 2023, at 2:00 p.m. for hearing the appeal filed by Auto Fuels, Inc. of the Planning Commission's Approval of a Conditional Use Permit, Development Plan and Parking Modification; and
- B. Set the date of March 13, 2023, at 1:30 p.m. for a site visit to the property located at 621 W Micheltorena St.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

13. Subject: Zoning Ordinance Amendments for Accessory Dwelling Units [Ordinance Introduction] (640.09)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 30.185.040, Pertaining to Regulations for Accessory Dwelling Units; and
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Chapter 28.86, Pertaining to Regulations for Accessory Dwelling Units.

MAYOR AND COUNCIL REPORTS

14. Subject: Appointments to City Advisory Groups (140.05)

Recommendation: That Council make appointments to various City Advisory Groups.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARING

15. Subject: Appeal of the Parks and Recreation Commission's Action to Deny the Removal of the Norfolk Island Pine Located in the Front Yard Setback at 2131 Red Rose Way (570.08)

Recommendation: That Council review all relevant information pertaining to the application for removal, the Street Tree Advisory Committee's recommendation, and the Parks and Recreation Commission's vote to deny the application, and determine if any findings pursuant to Santa Barbara Municipal Code 15.24.090 fit the circumstances of the request.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY
OF SANTA BARBARA AMENDING THE MUNICIPAL
CODE BY AMENDING CHAPTER 15.08
PERTAINING TO THE SANTA BARBARA ARTS
AND CRAFTS SHOW

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

SECTION 1. Chapter 15.08 of Title 15 of the Santa Barbara Municipal Code is
amended to read as follows:

15.08.010 Arts and Crafts Show Ordinance.

This Chapter shall be known as the Arts and Crafts Show Ordinance.

15.08.020 Declaration of Policy.

The Council of the City of Santa Barbara finds and declares that the public welfare
and interest will be served by the establishment of a public arts and crafts show at an
area in a beachfront park in the City to provide, among other things, recreational and
cultural encouragement to artists and craftsmen, recreational and cultural advantages to
the public at large, and the encouragement of tourist interest and trade to the economic
benefit of the community at large.

15.08.030 Show Established.

A public arts and crafts show is hereby established and entitled the "Santa
Barbara Arts and Crafts Show."

15.08.040 Time, Dates and Location.

The Arts and Crafts Show shall ~~only~~ take place from 10:00 a.m. to dusk on the
following days:

- A. Sunday of each week;
- B. Saturday during Fiesta week;
- C. The Saturday before the second Sunday in May, to commemorate the
anniversary of the show;
- D. Saturday following Thanksgiving Day (but not Friday following Thanksgiving
Day);
- E. Saturday before each of the dates identified for City recognized observation
of the following legal holidays: Martin Luther King Jr. Day, Presidents Day, Memorial Day,
Labor Day and Christmas Day; Saturday before any July 4 falling on a Sunday, Monday,
Tuesday or Wednesday; and the Saturday after any July 4 falling on a Thursday or Friday;
and July 4 if July 4 falls on a Saturday, to commemorate Independence Day; and

F. The specific days identified for City recognized observation of New Year's Day.

G. Additional Saturdays as determined appropriate by the Parks and Recreation Director.

The Arts and Crafts Show shall only take place on Cabrillo Boulevard at the location designated by the Parks and Recreation Director.

15.08.045 Prohibition of Vending from Vehicles.

It is unlawful to stand, stop or park any vehicle, from which merchandise, food, or other items are sold or displayed or offered for sale, barter, or exchange along the south side of Cabrillo Boulevard from State Street to end of the area designated as the location of the Santa Barbara Arts and Crafts Show on any day designated under Section 15.08.040 of this Code.

15.08.050 Administration.

The Parks and Recreation Director shall administer the Arts and Crafts Show, subject to the provisions of this Chapter. The Parks and Recreation Director may delegate administrative responsibility to one or more members of the Parks and Recreation Department.

15.08.060 Advisory Committee.

A. An Arts and Crafts Show Advisory Committee shall be established to advise the Parks and Recreation Department concerning the administration of the Arts and Crafts Show. To provide for overlapping terms of office, the Parks and Recreation Director may establish terms varying in length from six months to 24 months. The Advisory Committee shall consist of five appointed members and a Parks and Recreation Department employee designated by the Parks and Recreation Director as an ex-officio, non-voting member.

B. One member shall be appointed from the community at large. Four members shall be elected by the permitted members of the Santa Barbara Arts and Crafts Show according to rules established by the Parks and Recreation Director. All members shall be residents of the City or County of Santa Barbara. In addition, the Advisory Committee may have up to six alternate members elected by the permitted members of the Santa Barbara Arts and Crafts Show, who may serve in the absence of any member.

C. The appointed Advisory Committee members shall serve a term of 24 months unless appointed for a shorter term as provided above. Members shall not serve more than two consecutive terms. Four of the six members of the Committee shall constitute a quorum for the purposes of transacting all business. The Parks and Recreation Department shall schedule the Advisory Committee to meet monthly, subject to an available quorum. Officers shall be elected annually. The ex-officio member may fully participate, but not vote, on all Committee matters.

15.08.070 Rules and Regulations.

The Parks and Recreation Director shall promulgate procedures and regulations for the administration of the Arts and Crafts Show in addition to the provisions of this Chapter, not inconsistent therewith, as are reasonably necessary to implement its objectives. In promulgating these rules and regulations, the Parks and Recreation Director shall consider any advice or suggestions made by the Advisory Committee, but shall not be bound by them.

15.08.080 Permitted Exhibits.

All works exhibited at the Arts and Crafts Show shall be individually hand produced by the exhibitors and meet the requirements set forth in the “Arts and Crafts Show Procedures and Regulations” promulgated under Section 15.08.070.

15.08.090 Free Admission of Public.

Admission of non-exhibiting members of the public to the Arts and Crafts Show shall be free.

15.08.100 Residence of Exhibitors.

All exhibitors shall be residents of the County of Santa Barbara.

15.08.110 Maximum Number of Exhibitors.

The Parks and Recreation Director shall set the maximum number of exhibitors based on recommendations from the Advisory Committee consistent with adequate display of works exhibited and the safety and convenience of pedestrian traffic within the area designated for the Arts and Crafts Show.

15.08.120 Application to Exhibit.

Any person desiring to exhibit any arts and crafts at the Arts and Crafts Show shall first submit an application to the Parks and Recreation Department. The application will be referred to the Advisory Committee for a recommendation. The committee shall recommend approval if the applicant demonstrates compliance with the requirements of Section 15.08.080. If the Advisory Committee denies an application, the applicant can appeal the denial to the Parks and Recreation Director. The decision of the Parks and Recreation Director shall be final.

15.08.130 Requirement and Payment of Fees.

A. Upon approval of the application as provided in Section 15.08.120, Parks and Recreation Department will issue a permit to exhibit upon such terms and conditions as prescribed by the Parks and Recreation Director. If permits for the maximum number of exhibitors as provided in Section 15.08.110 have already been issued and remain in effect, a permit will not be issued and the applicant shall be placed on a waiting list. Issued permits shall be displayed by exhibitor in the manner prescribed by the procedures and requirements adopted under Section 15.08.080.

B. The applicant shall pay the fees established by City Council resolution before issuance of the permit.

C. Permits may be renewed, at expiration, for additional one year periods, upon repayment of the fee provided in this Section.

15.08.140 State Board of Equalization Permits.

Prior to exhibiting any art or craft at the Arts and Crafts Show, all exhibitors shall first obtain a "Seller's Permit" from the California Department of Tax and Fee Administration. Said permit shall be displayed by exhibitor in a manner required by the Parks and Recreation Director.

15.08.150 Revocation of Permit.

Any violation of the provisions of this chapter or of the rules and regulations promulgated pursuant to this chapter shall be grounds for the suspension or revocation by the Parks and Recreation Director of the permit issued to the exhibitor without refund of the permit fee. Such action may be appealed by filing written notice with the Parks and Recreation Commission within 10 days of the decision. The Commission shall either affirm, modify, or rescind the decision of the Parks and Recreation Director and may elect to hold an informal hearing on the appeal. The decision of the Parks and Recreation Commission may be appealed to the City Council pursuant to the provisions of Section 1.30.050 of this Code.

15.08.160 Exemption from Business Tax.

Exhibitors having valid and current permits pursuant to this chapter shall be exempt from the provisions of Chapter 5.04 of this code, Business Tax, with respect to activities conducted at the Santa Barbara Arts and Crafts Show.

15.08.170 Administration by the Advisory Committee.

The Parks and Recreation Director, with the approval of the City Administrator, may delegate to the Advisory Committee, any of the administrative functions given him or her in this chapter. Any such delegation may be terminated by the Parks and Recreation Director at any time. Upon such termination, the Parks and Recreation Director shall again perform these administrative functions.

15.08.180 Penalty for Violations.

A violation of any provision of this Chapter constitutes an infraction.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE EXECUTION OF THE INSTALLMENT SALE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE BRAEMAR LIFT STATION REHABILITATION PROJECT (PROJECT NO. C-06-8602-110)

WHEREAS, the City of Santa Barbara (City) intends to construct certain capital improvement projects for the operation of the City's wastewater treatment system and to finance the construction costs through an installment sale agreement with the California State Water Resources Control Board (State Water Board);

WHEREAS, the State Water Board is authorized, and implements its authority, to provide financial assistance to the City through installment sales agreements pursuant to California Water Code Section 13475 et seq. and implementing resolutions;

WHEREAS, the Public Works Director has reviewed, has on file in the Public Works Department, and recommends approval of an installment sale agreement that will provide the funds necessary to construct the Braemar Lift Station Rehabilitation Project, with 1.75 percent interest accruing thereon, to be repaid by the City in equal annual installments from the Wastewater Fund Net System Revenues for 20 years, beginning one year after completion of construction; and

WHEREAS, the Project is categorically exempt from the California Environmental Quality Act (CEQA) under Santa Barbara Municipal Code Section 22.100.070 C and State CEQA Guidelines Section 15301 (operation, maintenance, repair of existing facilities).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

Section 1. The recitals are true and correct.

Section 2. The form of the Installment Sale Agreement, on file with the City Clerk, is approved. The Public Works Director and any such other officer or employee of the City as the Public Works Director may designate (the "Authorized Officers"), are each hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the Installment Sale Agreement in substantially the form with such changes therein as the Authorized Officer executing the same may require or approve, and as approved as to form by the City Attorney, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the principal amount of the Braemar Lift Station Rehabilitation Installment Payments shall not exceed \$7,430,411 or such higher amount as necessary for the project based upon the competitively bid construction contract price awarded after introduction of this Ordinance, and the final Installment Payments shall be payable no later than twenty years following the notice of

completion of construction of the Project, and the true interest cost of the interest on the Installment Payments shall not exceed 1.75 percent per annum.

Section 3. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out the Project and give effect to and comply with the terms and intent of this Ordinance. All actions heretofore taken by the officers, employees, and agents of the City with respect to the transactions set forth above are hereby approved, confirmed, and ratified.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Amending and Updating the City's Water Efficient Landscape Standards for Water Conservation [Ordinance Introduction; Resolution]

RECOMMENDATION: That Council:

- A. Determine that the project is exempt from the California Environmental Quality Act under State CEQA Guidelines § 15307 (protection of natural resources);
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Repealing Chapter 22.80 and Amending Sections 14.23.005, 28.80.150, and 30.185.440 of the Santa Barbara Municipal Code Relating to Water Efficient Landscape Standards; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending and Updating the City's Water Efficient Landscape Standards for Water Conservation.

EXECUTIVE SUMMARY:

The City of Santa Barbara (City) first adopted Water Efficient Landscape Standards for Water Conservation (WELS) in 1989 and the WELS were last updated in 2008. Staff has identified areas for improvement with advancements in irrigation technology, and the California State Model Water Efficient Landscape Ordinance (MWELO) was updated in 2015. The proposed updates to the WELS are at least as stringent as MWELO and continue the City's long history of landscape design polices that promote water efficient and attractive landscapes. The updates include project applicability clarifications and exceptions, expanded definitions, additional irrigation requirements, and simplified compliance pathways. At their meeting on October 20, 2022, the City's Water Commission voted to recommend the updated WELS to City Council for approval.

DISCUSSION:

Background

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Amending and Updating the City's Water Efficient Landscape Standards for Water Conservation [Ordinance Introduction; Resolution]

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The City has a long history of promoting water efficient landscape and first adopted WELS in 1989. The City's WELS provides long term community-wide water efficiency through standards on plant selection based on water use and irrigation technology while allowing flexibility in designing attractive and cost-effective landscapes. The WELS were last updated in 2008, and staff have identified areas for improvement as the scope of landscape projects has changed and irrigation technology has advanced. Additionally, the State MWELO was updated in 2015 and outlines standards for irrigation equipment and submission and compliance requirements.

All local permitting agencies are required to adopt, implement, and enforce MWELO or a local water efficient landscape ordinance that is at least as effective as MWELO. The City's WELS is more stringent than the State MWELO in two areas: landscape project applicability and low-water using plant requirements. The proposed updates continue to prioritize low-water using plants that thrive in Santa Barbara's climate, while also closely aligning with MWELO irrigation and compliance requirements.

City staff drafted the proposed updates in August 2022. To gather public feedback, the draft updates were sent out to landscape design professionals, posted publicly on the City website, and distributed to Community Development's Construction and Land Development News subscribers. City staff held a public meeting on October 6, 2022 to discuss the updates, gather feedback, and implement changes. The detailed changes to the WELS Resolution were presented to the Water Commission on October 20, 2022 and the Water Commission voted in support of the changes and recommended their adoption by City Council.

The recommended changes to the WELS Ordinance were developed in a cooperative effort between Water Resources Division and Community Development Department staff. The changes reflect the desire to provide objective thresholds clarifying when a landscape plan is required. Objective thresholds simplify the land development review process for land development applicants and City staff.

Summary of Proposed Updates

Ordinance

- The WELS are authorized in two separate places in the City Municipal Code: Section 14.23.005, "Water Efficient Landscapes," and Section 22.80.020, "Landscape Design Standards for Water Conservation." These chapters contain identical language. To increase clarity, City staff recommends the removal of Santa Barbara Municipal Code Chapter 22.80.020 and amending Section 14.23.005 with the below changes:
 - The ordinance updates to Chapter 14.23 will include revising the chapter name from "Landscape Design Standards And Recycled Water Use" to "Water Efficient Landscape Standards And Recycled Water Use" to be more descriptive and better match the State language.
 - Ordinance updates to 14.23.005 clarify that all projects subject to design review, building permit applications, and/or water service commitment

letters are subject to the WELS. This change will increase equity for all applicants and more accurately reflect the City land development review process.

- Santa Barbara Municipal Code Sections 28.80.150 (A.) and 30.185.440 (A.) relate to landscaping for two-unit residential developments in zoning-coastal and zoning-inland areas and includes a reference to Chapter 22.80, Water Conservation. Due to City staff's recommendation to remove Section 22.80.020, the reference to Chapter 22.80 should be replaced with Chapter 14.23.005.

Applicability

- As part of the cooperative effort between Water Resources and Community Development staff, objective thresholds outlining when a landscape plan is required as part of a building permit or discretionary review are proposed. New building construction greater than 500 square feet and additions greater than 500 square feet will require landscape plan submittal. These objective thresholds will simplify the landscape land development process for applicants and City staff.
- Adapted from MWELO § 490.1, several categories of projects are exempt from the WELS: ecological restoration projects, residential landscape projects with less than 500 square feet, non-income generating edible garden areas, non-residential recreation areas, existing public plant collections, cemeteries, and non-residential projects with less than 500 square feet are exempt from automatic irrigation requirements.

Definitions

- Expanded the definitions and reorganized into alphabetical order. Added several definitions from MWELO, adapted from MWELO §491.

Plant Requirements

- The City's low-water using plant requirements remain the same and an option has been added for applicants to submit MWELO calculations if they want to reach compliance in that way, adapted from MWELO, Appendix A, Sample Water Efficient Landscape Worksheet.
 - Residential properties are still required to plant at least 80% low-water using plants, or submit MWELO calculations with 0.5 average evapotranspiration adjustment factor (ETAF). This is stricter than the MWELO ETAF of 0.55.
 - Non-residential properties are still required to plant 100% low-water using plants, or submit MWELO calculations with 0.037 ETAF. This is stricter than the MWELO ETAF of 0.45.

Irrigation Requirements

- This category contains the most additions from MWELO irrigation requirements, adapted from MWELO § 492.7. The additions include:
 - Irrigation meter or sub-meter requirements,
 - Drip emitters need to be two gallons per hour or less, and

Council Agenda Report

Amending and Updating the City's Water Efficient Landscape Standards for Water Conservation [Ordinance Introduction; Resolution]

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- Projects greater than 5,000 square feet require main-line pressure regulators, manual shut off valves, explicit hydrozone requirements, flow sensors and master shutoff valves.

Submission Requirements

- Clarified the planting, irrigation, and hydrozone details that should be on each plan, adapted from MWELo § 492.6 and § 492.7.
- Clarified that all submittals need to include a completed and signed City Landscape Compliance Statement.

Final landscape Inspections

- Projects with < 5,000 square feet of new/revised irrigated area will have a Final Inspection from City staff.
- Projects with > 5,000 square feet or new/revised irrigated area will have a Final Inspection from City staff and need to comply with MWELo § 492.12 and obtain a third-party irrigation audit.

BUDGET/FINANCIAL INFORMATION:

The proposed action is anticipated to result in a similar amount of landscaping plan checks for Water Resources staff and has no financial impact to the City.

SUSTAINABILITY IMPACT:

The California State Legislature has found that the limited supply of State waters are subject to ever-increasing demands; that California's economic prosperity depends on adequate supplies of water; that State policy promotes conservation and efficient use of water; that landscapes provide recreation areas, clean the air and water, prevent erosion, offer fire protection, and replace ecosystems displaced by development; and that landscape design, installation, and maintenance can and should be water efficient. Consistent with the State MWELo, the amendments to Santa Barbara Municipal Code Section 14.23.005 (B.) continue to promote the values and benefits of landscapes while recognizing the need to use water and other resources as efficiently as possible. In addition, water conservation modeling analyses have demonstrated that application of the City's WELS is one of the most successful and cost-effective programs in curbing long-term water use patterns. All applicable landscape projects subject to the City's land development review process will be subject to designing, installing, and maintaining water efficient landscapes.

ENVIRONMENTAL REVIEW:

This ordinance and resolution are categorically exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15307 (exempts actions taken to assure the maintenance, restoration, enhancement, or protection of a natural resource where the regulatory process involves procedures for protection of the

environment). The ordinance and resolution establish water conservation requirements that assure the protection of water resources.

WATER COMMISSION RECOMMENDATION:

This item was presented to the Water Commission at its meeting on October 20, 2022, and the Commission voted 4:0:1 to recommend adoption.

PREPARED BY: Joshua Haggmark, P.E., Water Resources Manager/JS/lm

SUBMITTED BY: Clifford M. Maurer, P.E., Public Works Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY
OF SANTA BARBARA REPEALING CHAPTER 22.80
AND AMENDING SECTIONS 14.23.005, 28.80.150,
AND 30.185.440 OF THE SANTA BARBARA
MUNICIPAL CODE RELATING TO WATER
CONSERVATION AND EFFICIENT LANDSCAPE
STANDARDS

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

SECTION 1. Chapter 22.80 of the Santa Barbara Municipal Code is repealed.

SECTION 2. Section 14.23.00 Chapter 14.23, which chapter shall be titled Water
Efficient Landscaping and Recycled Water Use, of the Santa Barbara Municipal Code is
amended to read as follows:

14.23.005 Water Efficient Landscapes Standards.

A. The California State Legislature has found that the limited supply of state waters are
subject to ever increasing demands; that California's economic prosperity depends on
adequate supplies of water; that state policy promotes conservation and efficient use of
water; that landscapes provide recreation areas, clean the air and water, prevent erosion,
offer fire protection, and replace ecosystems displaced by development; and that
landscape design, installation, and maintenance can and should be water efficient.
Consistent with the legislative findings, the purpose of this section is to promote the values
and benefits of landscapes while recognizing the need to use water and other resources
as efficiently as possible; to establish a structure for designing, installing, and maintaining
water efficient landscapes, and to establish provisions for water management practices

and water waste prevention.

~~B. Each development proposal that proposes new landscaping or alterations to existing landscaping and that is subject to review by the Architectural Board of Review, the Historic Landmarks Commission, or the Single Family Design Board shall be required to comply with the City's Landscape Design Standards for Water Conservation as adopted by resolution of the City Council.~~ A landscape plan that complies with the City's Water Efficient Landscape Standards, as adopted by resolution of the City Council, must be submitted by the project applicant and approved by the City before commencement of construction of a development or redevelopment project that requires a landscape plan under any provision of the Santa Barbara Municipal Code other than this section, or when a building permit or design review approval is required for the following projects:

(1) Construction of a new building that exceeds 500 square feet;

(2) Substantial redevelopment of a building, as described in Section 30.140.200 of this Code, that exceeds 500 square feet;

(3) Addition of more than 500 square feet of floor area to an existing building;

(4) Projects where a landscape plan is required by any City design review or land use review body, including but not limited to, the Architectural Board of Review, Historic Landmarks Commission, Single Family Design Board, Staff Hearing Officer, or the Planning Commission.

C. Compliance with subdivision B of this section is required as a condition of City water service to a parcel. The City will not provide water service or provide evidence of a ability or commitment to provide water service for a parcel located outside of the City's jurisdictional limits unless the owner of the parcel agrees submits an agreement to comply

with the requirements of this section in a form satisfactory to the Public Works Director

SECTION 3. Section 28.80.150 of the Santa Barbara Municipal Code is amended to read as follows:

28.80.150 Landscaping.

A complete landscaping and irrigation plan shall be submitted to and approved by the Community Development Department prior to the issuance of building permits for a two-unit residential development. All landscape plans shall comply with the following:

A. Water conservation standards for landscaping in ~~Chapter 22.80, Water Conservation~~ Section 14.23.005 of this Code.

B. Defensible space requirements pursuant to ~~Section 8.04.020. R,~~ Section 4907 of the International Fire Code and California Fire Code as amended by Section 8.04.020 R. of this Code, “Defensible Space,” when required in the High Fire Hazard Area.

C. The limitations for vegetation removal in the Hillside Design District, pursuant to ~~Chapter 22.10 of this Code,~~ Vegetation Removal.

SECTION 4. Subdivision O of Section 30.185.440 of the Santa Barbara Municipal Code is amended to read as follows:

30.185.440 Two-Unit Residential Development.

O. **Landscape Plans.** A complete landscaping and irrigation plan shall be submitted to and approved by the Community Development Department prior to the issuance of building permits for a two-unit residential development. All landscape plans shall comply with the following:

1. City's water conservation standards in adopted under Chapter 22.80, Water Conservation Section 14.23.005 of this Code, as adopted by resolution of the City Council.

2. Defensible space requirements pursuant to ~~Section 8.04.020. R,~~ Section 4907 of the International Fire Code and California Fire Code as amended by Section 8.04.020 R. of this Code, "Defensible Space," when required in the High Fire Hazard Area.

3. The limitations for vegetation removal in the Hillside Design District, pursuant to Chapter 22.10 of this Code, ~~Vegetation Removal.~~

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING AND UPDATING THE
CITY'S WATER EFFICIENT LANDSCAPE STANDARDS
FOR WATER CONSERVATION

WHEREAS, on June 27, 1989, the City of Santa Barbara adopted the Landscape Design Standards for Water Conservation, and on August 12, 2008, the City of Santa Barbara updated the Landscape Design Standards for Water Conservation; and

WHEREAS, Adoption of the California State Model Water Efficient Ordinance and advancement in irrigation technologies since 2008 require updating the current City standards.

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

SECTION 1. Pursuant to Santa Barbara Municipal Code Section 14.23.005, the Water Efficient Landscape Standards for Water Conservation (2023 Update) attached hereto as Exhibit A are hereby adopted.

SECTION 2. Resolution Number 08-083 is repealed.



EXHIBIT A

City of Santa Barbara

DESIGN WATER EFFICIENT LANDSCAPE STANDARDS **FOR WATER CONSERVATION**

2023 Update

I. **Introduction**

It is the policy of the City of Santa Barbara to promote water conservation. Santa Barbara Municipal Code Section 14.23.005 22-80 requires the adoption of the Water Efficient Landscape Design Standards for Water Conservation (“Water Efficient Landscape Design Standards.”) These Water Efficient Landscape Design Standards are intended to promote water conservation while allowing the maximum possible flexibility in designing attractive and cost effective water-wise landscapes. The Water Efficient Landscape Design Standards were adopted by the Council of the City of Santa Barbara on June 27, 1989 as Resolution No. 89-077, and were updated on August 12, 2008 as Resolution No. 08-083

II. **Applicability**

Compliance with these Water Efficient Landscape Standards shall apply whenever a landscaping or irrigation plan is required by any Chapter or Section of the Santa Barbara Municipal Code or whenever a landscape plan or irrigation plan is required by any City design review or land use review body, including but not limited to, the Architectural Board of Review, Historic Landmarks Commission, Single Family Design Board, Staff Hearing Officer, or the Planning Commission. Compliance is also required for parcels located outside of the City’s jurisdictional limits as a condition of water service, per Santa Barbara Municipal Code Section 14.23.005.

The Water Efficient Landscape Standards do not apply to:

A. Ecological restoration projects that do not require a permanent irrigation system.

- B. Single-unit residential landscape projects with less than 500 square feet of new/revised landscaped area.
- C. Nonresidential, multi-unit, and mixed-use landscape projects with less than 500 square feet of new/revised landscaped area are exempt from the irrigation requirements if hosebibs are installed and irrigation occurs through handwatering rather than use of automatic irrigation. This exception does not apply to parking area landscaping where an irrigation plan is required pursuant to Section 30.175.080, Parking Area Landscape and Fence Standards.
- D. Residential, community and non-income generating garden areas permanently and solely dedicated to edible plants.
- E. Nonresidential recreation areas designated for active play or recreation in parks, schools, sports fields, or golf course active play areas.
- F. Existing plant collections, as part of botanical gardens and arboretums open to the public.
- G. New and revised cemetery turfgrass areas.

III. **Definitions**

~~A. Design Review Body: The Architectural Board of Review, Single Family Design Board or the Historic Landmarks Commission.~~

- A. Drip Irrigation: Utilizing emitters with a flow rate less than or equal to 2 gallons per hour (GPH) when operated at 30 psi designed to dissipate pressure and discharge a small uniform flow or trickle of water at a constant discharge rate.
- B. Estimated Total Water Use (ETWU): The total water used for the landscape. The ETWU is calculated based on the plants used and irrigation method selected for the landscape area.
- C. ET Adjustment Factor (ETAF): A factor of 0.5 for residential areas and 0.37 for nonresidential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, which are two major

influences upon the amount of water that needs to be applied to the landscape.

- D. Flow Sensor: An inline device installed at the point of connection that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller or flow monitor capable of receiving flow signals and operating master valves.
- E. High Water Use Plants: Those plants that are evaluated as needing "high" (>70% ETo) amounts of irrigation water as defined and listed by Water Use Classifications of Landscape Species (WUCOLS) at <http://ucanr.edu/sites/WUCOLS>
- F. Landscaped Area: All areas where new or altered landscaping is proposed as a part of a development proposal, aside from existing non-irrigated areas designated for non-development, open spaces or existing non-irrigated native vegetation.
- G. Landscape Compliance Statement: A City of Santa Barbara issued checklist completed and signed by the Landscape Plan preparer.
- H. Landscape Plan: Design plans that include with a planting plan, an irrigation plan, (if applicable) or both, and a completed Landscape Compliance Statement.
- I. Master Valve: Automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system.
- J. Maximum Applied Water Allowance (MAWA): The upper limit of annual applied water for the established landscaped area. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance.
- K. Model Water Efficient Landscape Ordinance (MWELO): As per California Department of Water Resources, new developments and retrofitted landscape water efficiency standards are governed by MWELO
- L. Moderate to High Water Use Plants: Those plants that are evaluated as needing "moderate" (31-70% ETo or with a PF from 0.31 to 0.69) or "high" (70% or greater Eto or PF of 0.7 to 1.0) amounts of irrigation water as defined and listed by Water Use Classifications of Landscape Species (WUCOLS) at

<http://ucanr.edu/sites/WUCOLS/>

- M. Nonresidential: New or revised landscapes surrounding areas designed or permitted to be used for any nonresidential purpose, including public and semi-public uses, commercial uses, and industrial/manufacturing uses.
- N. Plant Factor: A factor, when multiplied by Eto, that estimates the amount of water needed by plants. For purposes of calculations as pertains to this resolution, the recommended plant factor for very low water use plants is 0.1, the plant factor for low water use plants is 0.3, the plant factor for moderate water use plants is 0.6, and the plant factor for high water use is plants 0.8. Plant factors are derived from the publication "Water Use Classification of Landscape Species" (WUCOLS) or the Santa Barbara WUCOLS Addendum. Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).
- O. Public Works Director: The Director of the Public Works Department or Director's staff designee.
- P. Rain Sensor: an irrigation system component which automatically shuts off and suspends the irrigation system when it rains.
- Q. Recreational Areas: Areas designated for active play, recreation or public assembly in parks, schools, sports fields, or golf course active play areas, but excluding private single-unit residential recreational areas.
- R. Reference Evapotranspiration (ETo): The amount of water in inches per year needed to keep cool season grass thriving based on the evapotranspiration which is water transpired by plants and evaporated from soil. Applicants may use an ETo value provided by City staff or Appendix A in MWELo.
- S. Residential: New or revised landscapes surrounding areas designed or permitted to be used as single-unit or multi-unit residential development, or mixed-use projects.

- T. Special Landscape Areas: Areas permanently and solely dedicated to edible plants, such as orchards and vegetable gardens, are subject to the MAWA with an ETAF not to exceed 1.0 $MAWA = (ET_o)(0.62)[(ETAF \times LA) + ((1-ETAF) * SLA)]$.
- U. Turfgrass: A groundcover surface of mowed grass, with an irrigation water need of >30% ET_o .
- V. Water Efficient Landscape Worksheet: Calculations of MAWU and ETWU using specific landscape hydrozone areas, plant factors in accordance with WUCOLS, irrigation efficiencies, ETAFs, and regional evapotranspiration rate.
- W. Water Wise Plants: Those plants that are evaluated as needing "low" (10-30% ET_o) or "very low" (<10% ET_o) amounts of irrigation water as defined and listed by Water Use Classifications of Landscape Species (WUCOLS) at <http://ucanr.edu/sites/WUCOLS/> or other sources of water wise plant water use classifications as verified by a licensed landscape architect.
- X. Weather Based Irrigation Controller: An irrigation controller that automatically adjusts the irrigation schedule based on changes in the weather.

IV. **Landscape Compliance Requirements**

Applicants proposing new or altered landscaping shall comply with each of the following requirements in the design, installation, and maintenance of the landscaped area, unless an exception is granted pursuant to Section V.

A. Landscape Plan Required:

~~Applicants shall submit a landscape plan depicting the landscaped area and all existing landscaping to remain on the lot as determined by the Community Development Department.~~

Applicants shall submit a landscape plan, and irrigation plan (if required), depicting all of the required information listed in the Plan Submittals Section VI.

B. Use of Turfgrass and Water Wise Plants:

1. ~~The landscaped area of applicable, nonresidential projects proposing exclusively commercial uses shall be designed without the use of turfgrass and with 100% water wise plants. Alternatively, applicants can submit a Water Efficient Landscape Worksheet based on an average of 0.37 ETAF.~~
2. ~~The landscaped area of applicable, residential single family residential, multi-family residential, mixed use, and institutional type projects shall be designed with at least 80% no more than 20% of the landscaped area planted in turf or plants that are not with water wise plants. Alternatively, applicants can submit a Water Efficient Landscape Worksheet based on an average of 0.5 ETAF.~~
3. ~~Turf High water use plants are is not permitted in parkways, medians or other areas within the landscaped area with any dimension of less than eight feet. Turfgrass shall not be used on slopes of 20% or greater within the landscaped area.~~
4. Selection of local native plants is encouraged. The use of invasive plant species is strongly discouraged, and may be prohibited by the City of Santa Barbara Fire Department's High Fire Hazard Area Landscape Requirements.
5. ~~Notwithstanding requirements 1 and 2 above, additional turf areas may be recommended by the design review body to the Public Works Director for approval for areas designed and used for outdoor sporting and~~

~~recreational activities.~~

C. Use of Mulch and Compost:

1. The landscaped area, except those portions of the landscaped area planted with turfgrass, groundcover, succulents or other low lying shrubs, shall be covered with mulch material to an average thickness of at least three inches throughout, except in the immediate vicinity of woody trunks or stems. Additional mulch material shall be added ~~from time to time~~ annually as necessary in order to maintain the required depth of mulch.
2. Organic mulch materials made from recycled or post-consumer products shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required if prohibited by the City of Santa Barbara Fire Department's High Fire Hazard Area Landscape Requirements.
3. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.

D. Irrigation Standards:

All new or altered automatic irrigation systems proposed as part of a development proposal shall incorporate the following requirements in their design, installation, and maintenance. If an existing-to-remain irrigation system will serve newly planted areas, it must be shown to comply or remodeled to comply substantially with the following:

1. A dedicated landscape irrigation meter or sub-meter may be required per Santa Barbara Municipal Code 14.08.180. If required, the proposed meter or sub-meter location must be provided on plans.

2. A weather based irrigation controller with a rain shutoff sensor (either internal or auxiliary) shall be required for the entire irrigation system.
3. ~~13.~~ Drip irrigation shall be provided on at least 25% of the landscaped area. Drip irrigation emitters shall be rated at two GPH or less.
4. An irrigation main-line pressure regulator and in-line pressure regulators at each valve or as part of a control valve kit, or other devices as needed, shall be installed to ensure the water pressure at each emission device is within the manufacturer's recommended operating pressure range for optimal performance.
5. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
6. Backflow prevention assemblies shall be required to protect the domestic water supply from contamination by the irrigation system per Santa Barbara Municipal Code Section 14.21.
7. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all new or altered landscapes of 5,000 square feet or larger.
8. Master shut-off valves are required on all projects with new or altered landscapes of 5,000 square feet or larger.
9. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated

~~areas, hardscapes, roadways, or structures. 1. Irrigation systems shall be designed and installed to avoid overspray and runoff. Valves shall be separated for individual hydrozones based on plant water needs and sun/shade requirements.~~

10. Valves shall be separated for individual hydrozones based on plant water needs. Individual hydrozones that mix water wise with moderate or high water use plants are not permitted, unless the higher water using plant is used for the plant factor calculations. On the landscape plan, Hydrozones shall be clearly designated and areas irrigated by each valve shall be designated to show which valve serve which hydrozone.

~~2. In the event that an automatic irrigation system is included in the landscape plan, a weather based irrigation controller with a rain shutoff sensor shall be required for the entire irrigation system.~~

11. Areas less than eight feet wide shall be irrigated with drip irrigation, subsurface irrigation or other means that produce no runoff or overspray. only with bubblers, rotating nozzles on pop-up bodies, sub-surface, or drip irrigation.

~~13. Drip irrigation shall be provided on at least 25% of the landscaped area.~~

12. All sprinklers shall have matched precipitation rates within each valve and circuit. All irrigation systems shall be designed to include optimum distribution uniformity (0.65 or higher using the protocol defined in the American Society of Agricultural and Biological Engineers/International Code Councils 802-2014, *Landscape Irrigation Sprinkler and Emission Standard*), head-to-head spacing, and setbacks from walkways and pavement.

13. Overhead irrigation shall not be permitted within a 24-inch setback of any

non-permeable surface. Allowable irrigation within the 24-inch setback from non-permeable surfaces may include drip irrigation, or other low flow non-spray technology. The 24-inch setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material.

14. Slopes greater than 25% shall not be irrigated with an irrigation system with an application rate exceeding 0.75 inches per hour.

~~6. All irrigation systems shall provide check valves at the low end of irrigation lines to prevent unwanted draining of irrigation lines.~~

~~7. Pressure regulators are required on the irrigation system, unless the Public Works Director determines a pressure regulator is not necessary.~~

E. Grading Plan Requirements:

1. Grading of a project site shall be designed to minimize soil erosion, runoff, and water waste pursuant to the City's Stormwater Management Program.

2. The City of Santa Barbara may require a grading plan whenever it is required per the California Building Code as adopted and amended in City of Santa Barbara Municipal Code Section 22.04.020.

~~The grading of the landscaped area shall be designed, conducted, and maintained in order to achieve the following goals:~~

~~1. The grading shall encourage water retention and infiltration by preserving open space and creating depressed areas/swales.~~

~~2. The grading shall mimic natural, pre-development hydrologic flow paths.~~

~~3. The grading shall maintain and/or increase the width of flow paths in order to~~

decrease flow rates.

V. **Exceptions to Water Efficient Landscape Standards**

Exceptions to these water efficient landscape design standards may be granted by the Public Works Director, or Director's staff designee, upon a finding that the exception will promote equivalent or greater water conservation than is provided for in the water efficient landscape design standards. Requests for exceptions shall be in writing and shall be submitted to City Staff and addressed to the Public Works Director. at the time the application is submitted to the design review body. If the exception request is received before final approval of a landscape plan, the applicable design review body, or discretionary land use decision-maker, may make a recommendation in the hearing minutes to the Public Works Director, or staff designee, for consideration of an exception based on plant selection.

VI. **Plan Submittals**

A. Landscape Plan:

Applicants shall provide all-relevant the following information on the landscape plan including:

1. Plant pallet with botanical names for each plant and turf species used in the project
2. WUCOLS classification for each plant species
3. percentage calculations of Total area in square feet of new/revised landscaping, including:
 - (a) Total area of water-wise plants and
 - (b) Total area of allowable areas of turf, moderate medium or high water use plants and specific requests for any exception to the requirements of these Landscape Design Standards.

4. Areas of existing landscaping to remain unaltered shall be indicated on the landscape plan.

5. _____ and/or A Water Efficient Landscape Worksheet must be reproduced on the landscape plans

6. A completed and signed Landscape Compliance Statement must be reproduced on the landscape plan

6. Identify hydrozones and label as low, moderate, or high water use

7. Identify type of mulch and application depth

8. Identify soil amendments, type, and quantity

~~Requests for exceptions must be accompanied by documentation demonstrating that the finding of equivalent or greater water conservation can be made.~~

B. Irrigation Plan:

Applicants shall demonstrate on the landscape plan or a separate irrigation plan how the site complies with all the automatic irrigation requirements as outlined in the Irrigation Standards Section D. above. Irrigation plans shall include:

1. Location and size of water meter for landscape

2. Location and size of dedicated irrigation water meter, if applicable

3. Location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain sensors, quick couplers, pressure regulators, and backflow prevention devices

4. Static water pressure at the closest fire hydrant, as determined by the City's Water Resources Dispatch Officer.

5. (Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each irrigation station

C. Landscape Compliance Statement:

The landscape plan shall include a "~~Statement of Compliance~~ Landscape Compliance Statement" reproduced on the plan in a form ~~approved~~ supplied by the City certifying that the landscape project ~~design~~ complies with the mandatory elements of these Water Efficient Landscape design Standards. The ~~Statement of Compliance~~ Landscape Compliance Statement shall be signed by the person who prepared the plans.

D. Landscape Plans Preparer:

The landscape plan shall be prepared in accordance with the provisions of the California Business and Professions Code relating to the practice of landscape architecture (Business and Professions Code § 5641 et seq.).

VII. **Determination of Conforming Installation**

~~The person who prepared the landscape plan shall inspect the installation of the plantings and any irrigation system included in the plan and shall certify in writing that the installation substantially conforms to the approved Landscape Plan. To verify that the project was installed according to plan and is in full compliance with these standards, the landscape project must pass a final landscape inspection by City Staff before a final building inspection or the certificate of occupancy is granted. In addition, for projects with a new or revised landscaped area greater than 5,000 square feet, the applicant shall comply with MWELo section 492.12 and a third party certified landscape irrigation audit is required.~~

VIII. **Compliance Verification**

Verification of compliance with the ~~Landscape Design~~ Water Efficient Landscape Standards, as applicable, shall be made by the ~~Community Development Department and the design review body~~ in accordance with the following requirements City Staff:

- ~~—(A.) No development application shall be scheduled for final review by the design review body unless the landscape plan contains all required information and a statement of compliance in accordance with Section VI above.~~
- A. During the review of discretionary applications, City Staff shall issue comments on the conceptual landscape plans before an application is determined to be complete.
- B. No building permit or approval that includes a requirement for a landscape plan shall be issued unless ~~the statement of compliance~~ all of the information required under Plan Submittals Section VI, above has been included on the final landscape plan. ~~submitted for plan check~~
- C. No building permit or approval that includes a requirement for a landscape plan shall be given a final inspection or issued a certificate of occupancy until the ~~Building Official receives a written determination of conformance~~ a final landscape inspection has been completed as required by Section VII, Determination of Conforming Installation, above.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Energy & Climate Division, Sustainability and Resilience Department

SUBJECT: Second Amendment to the Solar Photovoltaic Power Purchase Agreement at the Granada Garage [Ordinance Introduction; Agreement]

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Sustainability and Resilience Director to Execute a Second Amendment to the Power Purchase Agreement with SB Granada Garage Solar LLC to Increase the Energy Purchase Rates for the Renewable Energy System at the Granada Garage.

DISCUSSION:

In December 2019, the City entered into a Power Purchase Agreement (PPA) with SB Granada Garage Solar LLC, and doing business as Ameresco, Inc (Ameresco), to build a 550 Kilowatt (kW) solar photovoltaic (solar) system and battery energy storage system (BESS) on the roof of the City's Granada Garage.

The design review and permitting process to date has been lengthier than normal, including over two years to receive Historic Landmarks Commission approval. During this extended timeframe, project costs have been significantly impacted by the COVID-19 pandemic and ensuing supply shortages. These factors have contributed to an over fifty percent increase in project cost.

Staff has worked closely with Ameresco to control these costs and has negotiated new terms to the PPA rate that will still modestly benefit the City financially and keep Ameresco whole. Under the PPA, the contractor will develop, own, operate, and maintain the system at their own expense, and the City will purchase the electricity generated from the systems. This mechanism has been used by the City in the past and has proven an effective way to fund renewable energy projects without the outlay of significant upfront capital; it also lessens future maintenance and operations costs. The revised PPA rate will begin at \$0.19/kWh and will escalate three percent per year. Given the recent volatility and dramatic increases of electricity prices, this pricing still provides an economic benefit to the City over the term of the agreement, as well as resilience benefits.

This project will be one of the City's first microgrids, which is a system where energy is produced and stored locally so that it can self-sustain for a certain period of time. Microgrids can disconnect from the traditional grid and operate autonomously during an outage event. In this way, microgrids provide significant resilience potential by creating a hyper-local energy generation and distribution system. Additionally, this project will allow the City to develop proof-of-concept on microgrid technologies as it looks to enhance resilience at its critical facilities and throughout the community.

BUDGET/FINANCIAL INFORMATION:

The revised PPA rate will start in year 1 at \$0.19/kWh and escalate three percent per year for the 25-year term of the agreement. With rate increases anticipated from Southern California Edison and demand cost reductions, staff still expects an overall savings to the City over the 25-year term of the PPA.

As the microgrid is not expected to come online until Fiscal Year 2024, there is no budget/financial impact in the current fiscal year. For Fiscal Year 2024 and beyond, any costs related to the agreement will be included in staff's annual budget proposals.

SUSTAINABILITY IMPACT:

The deployment of renewable, carbon-free energy generation assets is in direct support of the City's 100 percent Renewable Electricity Resolution as well as its Climate Action Plan goals. Transitioning to renewable electricity will improve regional air quality and energy reliability and support the local green energy industry. This project's electrical output will be equivalent to the amount of electricity used to power over 200 Santa Barbara homes. Including a battery storage component to this project directly increases energy resilience in downtown Santa Barbara and provides proof of concept as the City looks to implement more energy resilience projects into the future.

A copy of the agreement and amendments may be requested from the Sustainability & Resilience Department for public review; please contact us at SLopezLozano@SantaBarbaraCA.gov to request a copy.

ENVIRONMENTAL REVIEW:

The PPA includes a provision that the agreement is subject to compliance with applicable environmental review provisions under the California Environmental Quality Act (CEQA) prior to City approval of project development entitlements. The City completed CEQA environmental review as part of the design review process and the project was determined to be exempt from the requirements of CEQA pursuant to PRC § 21080.35.

Council Agenda Report
Second Amendment to the Solar Photovoltaic Power Purchase Agreement at the Granada
Garage [Ordinance Introduction; Agreement]
January 31, 2023
Page 3

PREPARED BY: Alelia Parenteau, Sustainability and Resilience Director

SUBMITTED BY: Alelia Parenteau, Sustainability and Resilience Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AND AUTHORIZING THE SUSTAINABILITY AND RESILIENCE DIRECTOR TO EXECUTE A SECOND AMENDMENT TO THE POWER PURCHASE AGREEMENT WITH SB GRANADA GARAGE SOLAR LLC TO INCREASE THE ENERGY PURCHASE RATES FOR THE RENEWABLE ENERGY SYSTEM AT THE GRANADA GARAGE.

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, a Second Amendment to the power purchase agreement between the City and SB Granada Garage Solar LLC dated December 17, 2019, which amendment is on file in the Sustainability and Resilience Department, is approved and the Sustainability and Resilience Director is authorized to execute the amendment, in a form approved by the City Attorney, on behalf of the City of Santa Barbara

22.85.030 Installation of Erosion and Sediment Control Measures.

It shall be unlawful for any person to perform any grading or for any property owner to allow anyone to perform any grading on any lot within the City without installing or implementing the required erosion and sediment control measures in accordance with the approved erosion and sediment control plan.

22.85.040 Maintenance of Erosion and Sediment Control Measures.

It shall be unlawful for any person to perform any grading or for any property owner to allow anyone to perform any grading on any lot within the City without maintaining the required erosion and sediment control measures in accordance with the approved erosion and sediment control plan. No person shall be deemed to have satisfied the requirements of an approved erosion and sediment control plan until a final inspection of the work has been approved.

22.85.050 Additional Erosion and Sediment Control Measures.

The Building Official may require additional erosion and sediment control measures to be installed or implemented if an inspection of the lot demonstrates that the erosion and sediment control measures shown on the approved erosion and sediment control plan are insufficient to prevent sediment or other materials from leaving the lot or the construction activities occurring on the lot differ from those indicated on the approved erosion and sediment control plan. Any additional erosion and sediment control measures required by the Building Official shall be incorporated into the approved erosion and sediment control plan.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Downtown Organization Annual Assessment Report for 2023 and Intention to Levy [Resolution]

RECOMMENDATION: That Council:

- A. Approve the Downtown and Old Town Business Improvement District Annual Assessment Report for 2023; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Downtown Business Improvement District and Old Town Business Improvement District Assessment Rates for 2023, at a Public Hearing to be Held on February 28, 2023, at 2:00 p.m.

DISCUSSION:

The Downtown and Old Town Business Improvement Districts were formed over forty years ago to provide marketing and promotional services for downtown businesses. The merchants in both business improvement districts pay for these services through an assessment based on their business license fee, location, and type of business. The assessment revenue is collected each year by the City and then remitted to Downtown Santa Barbara, a 501 (c) 3 organization, that operates both improvement districts after merging with the Old Town Merchants Association in 2005.

The Downtown Business Improvement District serves businesses between Chapala and Anacapa Streets, from Ortega Street north to Micheltorena Street, as authorized under Municipal Code Section 4.39, which regulates Downtown Parking and Business Improvement Area charges. The Old Town Improvement District serves businesses between Chapala and Anacapa Streets, from Gutierrez Street north to Ortega Street, as authorized under Municipal Code 4.43 which regulates the Old Town Parking and Business Improvement Area charges. (Map provided in Attachment)

The City Council, as the governing body of both improvement districts, requires the preparation and adoption of an annual assessment report pursuant to the California Streets and Highway Code, Parking and Business Improvement Area Law of 1989. In accordance with state law, the City Council must approve the assessment report and adopt a resolution of intention to levy an annual assessment for the fiscal year. The report outlines the assessment to be levied and collected from January 1, 2023 to December 31, 2023 to pay for activities planned for the upcoming year with the estimated cost. The report provides the method and basis of the assessment for business owners to estimate the assessment amounts for their business.

For the calendar year of 2023, there are no proposed changes to the boundaries or assessment rates in the Downtown and Old Town Improvement Districts. Council has expressed a desire to revisit the assessment rates in previous years but given the current circumstances surrounding the COVID-19 pandemic and the turnover in types of businesses in the downtown core, staff is not recommending changes to rates at this time.

Generally, the Parking and Business Improvement Area Law of 1989 allows the Downtown Organization, acting as the districts administrator, to provide the following activities through the Business Improvement Districts:

- Promotion of public events which benefit businesses in the area,
- Furnishing of music in any public place in the area,
- Promotion of tourism with the area, and
- Activities which benefit businesses located and operating in the area.

Marketing and promotional activities of the Downtown and Old Town Improvement Districts include the State Street Promenade Market, holiday décor, 1st Thursday ArtWalk and promotion of the Downtown area by website, social media, and various marketing campaigns. This longstanding partnership between the City and downtown business community has helped promote the downtown area as a business corridor and cultural arts destination for residents and visitors.

With Council approval of the annual report, notices to levy and collect the assessment will be mailed out to all affected businesses in the districts. The notices will inform businesses of a public hearing, scheduled on February 28, 2023. At the public hearing, the City Council would confirm whether there is a lack of majority protest (opposition received from business owners who pay 50% or more of the total assessments to be levied), and adopt a resolution to assess the rates in accordance with the annual report.

BUDGET/FINANCIAL INFORMATION:

The Downtown and Old Town Business Improvement District revenues are projected to be approximately \$238,000 in business assessments to fund marketing and promotional activities for downtown businesses. On July 14, 2022, the City Council approved an annual agreement with Downtown Santa Barbara to provide \$310,000 for marketing,

promotion, and event planning services. Combined with other revenue sources, Downtown Santa Barbara has an estimated total budget of \$727,168.

ATTACHMENT: 2023 Annual Report for the Downtown Business Improvement District and the Old Town Business Improvement District

PREPARED BY: Brandon Beaudette, Senior Assistant to the City Administrator

SUBMITTED BY: Rebecca Bjork, City Administrator

APPROVED BY: City Administrator's Office



Exhibit A
Downtown Organization of Santa Barbara, Inc.
2022-2023 Annual Report for the
Downtown Business Improvement District
and the Old Town Business Improvement District

This Annual Report from the Downtown Organization of Santa Barbara, Inc. dba Downtown Santa Barbara was prepared for the Santa Barbara City Council to review for the annual reauthorization of both the Downtown Santa Barbara Business Improvement District (Downtown BID) and the Old Town Business Improvement District (OTBID). This is the fifty-seventh year of operations for the two BIDs, managed under contract by Downtown Santa Barbara, a non-profit membership organization incorporated in 1966 whose purpose is to promote and protect the vitality of downtown Santa Barbara. This report is required by Section 36533 of the California Streets and Highways Code. This report is for both BIDs, commencing January 1, 2023 and ending December 31, 2023.

EXECUTIVE SUMMARY: Downtown Santa Barbara's relationship with the City of Santa Barbara is as vital now as at any point in the organization's long history. We have a contractual relationship with the City through a Promotions contract, a financial relationship through renewal and collection of BID fees, and a personal relationship through which we collaborate on ways to strengthen downtown Santa Barbara. Over the past almost three years, Downtown Santa Barbara's board and staff have been responsive to the needs of businesses who have been faced with the challenges of the pandemic and most recently severe rain storms and flooding. Our organization's priority areas are the following: economic vitality; business retention, marketing and promotion; advocacy; activations and special events, and maintaining a clean, green, and safe downtown. Staff and committees have been reorganized based on the priority areas to promote and support businesses with the challenges of the pandemic. We have a keen focus on economic recovery and revitalization of our downtown and leveraging community relationships.

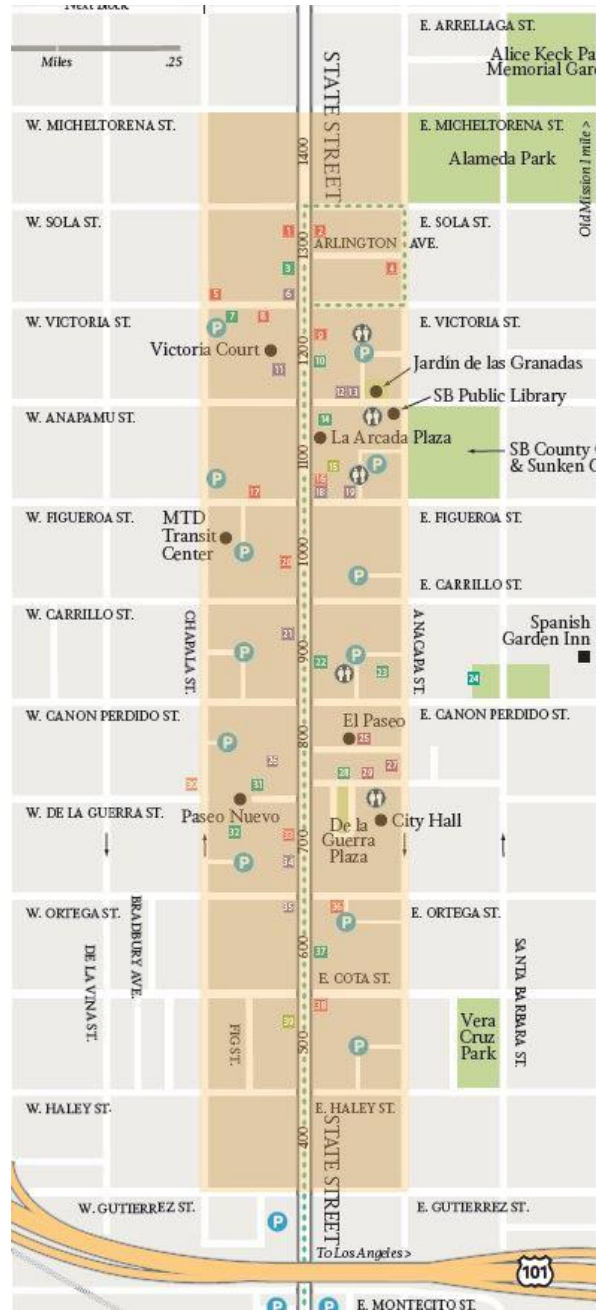
BACKGROUND: These two Downtown BIDs were established separately by ordinance, at different times and for different purposes, and therefore have slightly different formulas for their respective assessments.

MANAGEMENT SERVICES: Once the BIDs were established, the City of Santa Barbara contracted for their management and the provision of services with the Downtown Organization of Santa Barbara, Inc. The Downtown Organization then merged with the Old Town Business Association in 2004. The two BIDs have continued to operate separately in compliance with their respective ordinances. Their combined revenues support the operations and programs managed by the Downtown Santa Barbara organization, under the contract for BID services with the City of Santa Barbara.

DOWNTOWN BID BOUNDARIES: The Improvement Area is defined as follows in the original ordinance establishing the district: *The business improvement area bounded by*

Anacapa, Chapala, Micheltorena, and Cota Streets.

OLD TOWN BID BOUNDARIES: The Improvement Area is defined as follows in the original ordinance establishing the district: *The Business Improvement bounded by Anacapa, Chapala, Gutierrez and Ortega streets and businesses fronting on the area bounded by said streets and businesses fronting the intersections of said streets, except that the area north of the centerline of Ortega Street is not included.*



As required by California law, this combined Annual BID Report for the Downtown BID and the Old Town BID contains the following information:

1. Proposed Changes to the District Boundary:

There are no changes proposed to either the Downtown BID or the Old Town BID boundaries.

2. Planned Improvements and Activities for the 2022-2023:

The following Downtown Santa Barbara projects and programs are planned for 2023.

2020-2025 STRATEGIC PLAN

- 2.1 Strategic Plan – Continuously update the strategic plan and implementation plan to meet the needs of businesses in the face of recovering from the pandemic.
- 2.2 Committee Structure for DSB –Work to increase engagement of business owners and community members in the work of DSB through committee working groups.
- 2.3 Metrics for Success – Develop metrics for success for each priority area and track progress quarterly.
- 2.4 Downtown Master Planning Process - DSB will work with partners and the City to complete plan for downtown Santa Barbara and the re-envisioning of State Street.
- 2.5 Focus on Storytelling – Focus on telling the story of our changing downtown - new businesses opening, old favorites thriving, food offerings for every palate, entertainment for young and old, buildings wearing the vibrant color of SB, and events inviting locals and tourists alike to experience anew our downtown.

MARKETING, COMMUNICATIONS, AND ADVERTISING

- 2.6 Website and Communications –Continuous updating of Downtown Santa Barbara website to include business member pages, event calendars, neighborhood shopping guide, business directory, video shopping tours and more. Continue to promote and leverage the downtown website, with additional outreach to downtown businesses to build their own pages, content, and to feature and showcase the new businesses and attractions.
- 2.7 Social Media: Continue to engage customers, the general public, and business members through all social media outlets offering individualized promotion to our 35,000+ Instagram followers with an annual reach of 1.3 million (impressions/views of the content).
- 2.8 Marketing/Media Campaigns – Provide year-round leadership and management services for advertising partnerships and trade with partner organizations, media outlets, and community service venues to leverage year-round promotions and retail activities. Strong social media efforts designed to raise awareness of downtown’s history, events, and businesses. We are looking at ways to re-vamp the “Downtown Business Spotlight” for 2023 to keep it fresh and address downtown issues. The Downtown Business Spotlight series has been an interview series with downtown business owners in diverse industries

- in partnership with the Santa Barbara Independent marketed and distributed in print, *Santa Barbara Independent* e-newsletters, Downtown SB e-newsletters and social media and recorded for businesses to use as well.
- 2.9 Downtown Map & Guide – Expand visibility for more than 100,000 full color brochures, delivered year-round to hotels, destinations, cruise ship patrons, downtown events, California Visitor Center locations, and other visitor-oriented outlets.
- 2.10 Cruise Ship Volunteer Program and Visitor Outreach – Support with volunteer and staff hospitality services for cruise ship visits, in partnership with the Santa Barbara Waterfront, Visit Santa Barbara, and the South Coast Santa Barbara Chamber.
- 2.11 Marketing/Advertising for Major Festivals/Events –Provide marketing/social media support for other signature events (i.e. Solstice, Fiesta). Staging and production services on State Street in support of all community parade operations, and direct marketing to all downtown businesses.
- 2.12 Retail Promotions – Continue to expand Small Business Saturday, building on our prior success. Offer strategic retail-oriented events to drive sales and attendance at key times such as a downtown Fashion Show.

PROGRAMMING AND SPECIAL EVENTS

- 2.13 District and Community Promotion – Promote the various districts within our downtown. Manage year-round State Street flag display program with over 40 non-profit community partners. Develop new opportunities for entry into the program through reduced cost measures.
- 2.14 1st Thursday, ArtWalk–Year-round monthly program showcasing culture, art and music the vitality of downtown, and providing participation opportunities, marketing and promotion for retailers, galleries, wineries, and restaurants.
- 2.15 Annual Awards Breakfast – Design and produce our Annual Downtown Awards Breakfast Event: Highlighting deserving individuals and organizations in the following award categories: Business Champion of the Year, Volunteer of the Year, Citizen of the Year, Harriet Miller Youth Leadership Scholarship and Entrepreneur of the Year award.
- 2.16 Holiday Tree and Seasonal Programming –Secure sponsorship support to produce retain Holiday Tree and tree lighting ceremony, expanded marketing and social media engagement in support of holiday shopping and programming. Tuba Christmas partnership will also continue. Explore new holiday program and or the return of the holiday parade via a new route.
- 2.17 Business District Holiday Décor Program – Partner with the city to implement the holiday décor program to include lighting on all palm and street trees; seasonal décor, window display contests among the merchants.

- 2.18 Downtown Networking Meetings – Continue to host downtown networking mixers to engage business owners and community leaders and provide opportunities to increase communication.
- 2.19 State Street Promenade Market– a monthly Thursday market from 3-7:30 PM designed to promote downtown businesses and create vibrancy downtown.
- 2.20 Rock the Block: Block Parties & Seasonal Activations– Host regular seasonal programming to increase activity in the downtown to include; block parties, concerts, art exhibits, fitness classes, fashion show, and family oriented activities.

BUSINESS RETENTION, OUTREACH, INVOLVEMENT, AND ADVOCACY

- 2.21. Outreach Materials and Mailings – Weekly e-newsletter highlighting downtown happenings and downtown businesses.
- 2.22 Online Calendar of Events: Businesses can add their happenings directly to an online calendar. These are featured on our website and populates our e-newsletter and social media calendars.
- 2.23. Membership Portal: Businesses update their listings on the DSB website, and include different photos, descriptions, and contact info at any time. This is an important way to have locals and visitors and locals find downtown businesses. Tutorials and trainings offered.
- 2.24. Free Business 1 x 1 Strategy Calls by appointment are available with Downtown Santa Barbara staff and our partner organization business strategy specialists to support downtown businesses.
- 2.25. Business resources and trainings: DSB offers free webinars on current issues affecting downtown businesses as well as educational resources to grow your business and navigate these unique times in partnership with the Economic Development Collaborative, Women’s Economic Ventures and others.
- 2.26 Community Involvement and Engagement – Active participation in community, civic boards, and civic groups year-round. Provide strong representation and active involvement on other Boards and civic organizations from both staff and other board members.
- 2.27 Facilitation of Committees: Downtown Santa Barbara hosts a number of committees to support our downtown business community. They are accessible and open to all BID businesses to participate. Committees include: Marketing & Promotion, Food and Beverage, Government Relations, Safety, Property Owner / CBID meetings and other Adhoc Committees as needed.
- 2.28. Support of Downtown Events & Initiatives – Continue to work with organizers as conditions allow to promote and support downtown events and activations including: SBIFF, CycleMAYnia, the Summer Movie Series at the Santa Barbara Courthouse amongst others. Continue sponsorship of Pianos on State program and other arts programming on downtown art pads.
- 2.29 Economic Development –Further collaborative efforts with county-wide agencies to business retention, recovery, revitalization and economic

development for our region.

- 2.30 Safety & Social Services Initiatives –Serve on the SB Act steering committee to support with mitigating issues around homelessness, Facilitate business engagement as part of the State Street and Waterfront Regional Action Plan on homelessness. Collaborate with businesses, the police department, ambassadors program for outreach and education efforts to promote a safe and welcoming downtown environment.

ADMINISTRATION

- 2.31 Administrative Services – Continue to provide administrative services for all programs, services, events and marketing services provided to members.

- 2.32 Accounting Services – Continue to staff and administer all accounting, finance responsibilities for accounts payable, receivable, reports, etc.

3. Estimated Costs of BID-Related Improvements and Activities Proposed for 2023

PROJECTED BID ASSESSMENT EXPENSES for 2023

Expense Type	BID	Other	Total
Program Expenses	43000	40697	83697
Promotion Expenses	50000	75993	125993
Salaries and Benefits	70000	332478	402478
Professional Services	25000	25000	50000
General and Administrative	50000	15000	65000
	\$238,000	\$489,168	727,168

NOTE: These financial summaries are limited to the operations and overhead of Downtown Santa Barbara.

PROJECTED DOWNTOWN ORGANIZATION EARNED NON-ASSESSMENT REVENUES FOR 2023

City Promotions Funding	\$310,000
Associate Membership Dues	\$5000
Flag Admin Fees	\$19000
Programs Income	\$67,868
Map and Brochure	\$19,800
Board Contributions	\$5,000
Grants	62,500
TOTAL NON-ASSESSED INCOME	\$489,168

4. Method and Basis of Levying the Assessment Shall Continue as Follows:

The benefit assessments will be collected by the City in one installment. There are no proposed changes to the formulas or rates for the two Downtown BIDs as outlined in the original establishment of the BIDs.

Old Town BID assessment formula:

Category	Charge
Businesses located on State Street	Equal to 100% of business license. Minimum of \$100.00
Businesses not located on State Street	Equal to 75% of business license. Minimum of \$100.00
Automobile Sales and Service Businesses	Businesses in Classification "B" of Section 5.04.390 shall pay a maximum charge of \$600.00 per year
Other Businesses: Wholesale, Professional, and Real Estate business as shown in Category 5.04.400	\$100.00

Downtown BID assessment formula:

Category	Charge
Professionals	Equal to 15% of business tax paid. Minimum of \$50.00
All Others	Equal to 100% of business license.

5. Surplus Carryover from 2022:

There is not a surplus of assessment dollar funds being carried over from the FY 2022 budget; assessment dollars are spent first on services and programs to benefit the ratepayers for the BIDs before non-assessment dollars are spent.

6. Sources of Contributions From Other than Levied Assessments:

Downtown Santa Barbara generates other sources of funds and earned revenues through a variety of programs and third-party contracts for services. These include earned revenues from grants and sponsorships, a promotions contract with the city, ticket sales for events, flag administration fees, associate membership dues, advertising sales, and donations.

7. Prior Year Assessed Income Expenditures 2022

The Total Collected by the City of Santa Barbara and remitted to the Downtown Organization for 2022 for the Old Town and Downtown BID in 2022 was \$237,723.17.

The following services were provided as benefits to the ratepayers from January 2022 - December 2022.

Downtown website-

- Continually updated with event highlights, new events, shopping directory of businesses, business features via video, photos, press releases etc.
- Average 50,000 visitors per quarter.

Earned Media Features -

- Over 70 features in regional newspapers, tv stations, magazines etc.

Print Marketing -

- Produced Map & Guide. It will be distributed in Spring 2023
- Advertisement buys in various local and regional publications.
- Weekly ads in Voice Magazine and the Santa Barbara Independent
- Winter, Spring, Summer and Fall placement in California 101 Travelers Guide

Social Media -

- More than 200 businesses featured per quarter on Instagram and Facebook
- Increased Instagram following from 30,000 to 35,000 Instagram followers with an annual reach of 1.3 million (impressions/views of the content).

Video Production -

- Developed and produced numerous videos for Downtown Santa Barbara social media, website, YouTube

E-Newsletters – Weekly e-newsletters to community and businesses including business highlights, programs, events, webinars, resources and more (average of 49% open rate)

State Street Flag Program – Full year of flags with new non-profit participants

Business Outreach & Support – Business outreach, DSB Staff held hundreds of meetings with business leaders, property owners, and community leaders, educational webinars, pandemic relief and recovery efforts, business strategy sessions and more.

Business Openings, Ribbon Cuttings and Anniversary Celebrations -

Promote the opening of new businesses with local officials, present placards and commemorative certificates for business anniversaries. Conduct new business orientation meetings and presentations.

Community Outreach – provided presentations to community groups about downtown issues and opportunities

Support of downtown initiatives – provided support, marketing, programming, and staff to downtown initiatives

Market and Promote Community Events - Worked with organizers to promote and support downtown events and activations including: SBIFF, CycleMAYnia, the

Summer Movie Series at the Santa Barbara Courthouse, Pianos on State program, Brazillian Arts Day, Youth Makers Market, and other arts programming on downtown art pads.

DSB Produced Events -

- Annual Awards Ceremony (June)
- 1st Thursday ArtWalk Series, (every 1st Thursday of the month)
- Small Business Saturday (November)
- Business Networking Mixers (quarterly)
- Downtown Live Art and Wine Tour (May)
- Rock the Block: Block Party Series (Oct-December)
- Downtown Live: Concert Series (September – December)
- Holiday Tree Lighting Ceremony and 12 “Season of Cheer” Holiday Events
- State Street Promenade Market Monthly
- Business Spotlight Series: Every other week regular Interview series featuring different business owners in collaboration with the Santa Barbara Independent

Advocacy – Provided public testimony and/or comments and advocated for businesses on issues affecting downtown Santa Barbara such as homelessness, youth bicycling, outdoor dining and the future of State Street.

Convener - Monthly Board meetings with city and business leaders, Committee meetings including Marketing & Promotion, Government Relations, Safety, Food and Beverage Committee meeting, Downtown Activation & Events Meetings, Adhoc Committees as needed

Actively Participate in: Santa Barbara County Business Task Force Team, ; State Street Advisory Committee, State Street Regional Action Plan on Homelessness, Old Spanish Days Fiesta meetings; International Downtown Association; California Downtown Association; Visit Santa Barbara; Summer Solstice; De la Guerra Plaza and Farmer’s Market, Bicycle Community, AIA Advocacy Committee, Community Environmental Council programming, Arts Advisory Committee, Downtown Housing conversations, and many more.

Professional Memberships:

Member: CDA, International Downtown Association, ICSC, NAWBO

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING COUNCIL'S INTENTION TO LEVY DOWNTOWN BUSINESS IMPROVEMENT DISTRICT AND OLD TOWN BUSINESS IMPROVEMENT DISTRICT ASSESSMENT RATES FOR 2023, AT A PUBLIC HEARING TO BE HELD ON FEBRUARY 28, 2023, AT 2:00 P.M.

WHEREAS, pursuant to Section 36534 of the California Streets and Highways Code, it is the intention of the Council of the City of Santa Barbara, to conduct a public hearing to determine whether to fix and assess a 2022 Downtown Business Improvement District assessment (hereinafter referred to as Downtown BID), as established by Chapter 4.39 of the Santa Barbara Municipal Code, adopted on May 7, 1985;

WHEREAS, pursuant to Section 36534 of the California Streets and Highways Code, it is the intention of the Council of the City of Santa Barbara, to conduct a public hearing to determine whether to fix and assess a 2023 Old Town Business Improvement District assessment (hereinafter referred to as Old Town BID), as established by Chapter 4.43 of the Santa Barbara Municipal Code, adopted on June 3, 1986;

WHEREAS, upon the completion of a public hearing, it shall be the intention of the City Council to levy and collect a benefit assessment within Downtown BID and Old Town BID as described in the Fiscal Year 2023 Annual Report, Exhibit A;

WHEREAS, for Fiscal Year 2023, the improvements and activities to be provided shall consist of marketing and promotional activities for the businesses in the Downtown area.

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

SECTION 1. It is the intention of the City Council to levy and collect assessments within the Downtown Business Improvement District for the Fiscal Year of 2023 from January 1 to December 31, 2023, within boundaries established upon the enactment of Chapter 4.39 of the Santa Barbara Municipal Code on May 7, 1985. It is also the City Council's intention to confirm the method and basis of assessment as established by the City Council upon the enactment of Santa Barbara Municipal Code Chapter 4.39, and as described in the Report.

SECTION 2. It is the intention of the City Council to levy and collect assessments within the Old Town Business Improvement District for the Fiscal Year of 2023 from January 1 to December 31, 2023, within boundaries established upon the enactment of Chapter 4.43 of the Santa Barbara Municipal Code on June 3, 1986. It is also the City Council's intention to confirm the method and basis of assessment as established by the City

Council upon the enactment of Santa Barbara Municipal Code Chapter 4.43, and as described in the Report.

SECTION 3. The time and place for the public hearing to consider the intention of the City Council shall be scheduled for the 2:00 p.m. session of the Council's regularly scheduled meeting of February 28, 2023, conducted virtually and in person.

SECTION 4. Written and oral protests to the proposed 2023 Downtown BID and Old Town BID Assessments, as described in the Report, may be mailed to the City Clerk or made at the above-described public hearing provided that such protests are in the form and manner required by Sections 36524 and 36525 of the California Streets and Highways Code.

SECTION 5. The City Clerk shall give notice of the above-described public hearing by causing a copy of this resolution of intention to be published in a newspaper or general circulation in the City no less than 7 days prior to February 28, 2023 and mailing a copy of this resolution of intention to affected business owners within 7 days of the City Council's adoption of the resolution of intention to levy businesses in the area.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Administration, Library Department

SUBJECT: Acceptance of Donation for the Library on the Go Program [Resolution]

RECOMMENDATION: That Council:

- A. Accept a donation in the amount of \$25,000 from the Volentine Family Foundation for the Library on the Go Program; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Approve an Increase of Revenue and Expenditure Appropriations in Fiscal Year 2023 in the Library Department Miscellaneous Grants Fund Budget in the Amount of \$25,000 from the Volentine Family Foundation.

DISCUSSION:

The Volentine Family Foundation approved a grant application for \$25,000, submitted by the Santa Barbara Public Library Foundation on behalf of the Library Department. These funds are to be used for collection support, supplies, and operations for the Library on the Go Program.

BUDGET/FINANCIAL INFORMATION:

By accepting this donation, the Library Department will increase revenue and expenditure appropriation of \$25,000 in the Fiscal Year 2023 Library Miscellaneous Grants budget.

PREPARED BY: Kathrin Rosenberger, Administrative Analyst

SUBMITTED BY: Jessica Cadiente, Library Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING RESOLUTION NO. 22-059, ADOPTING THE BUDGET FOR FISCAL YEAR 2023, TO APPROVE AN INCREASE OF REVENUE AND EXPENDITURE APPROPRIATIONS IN FISCAL YEAR 2023 IN THE LIBRARY DEPARTMENT MISCELLANEOUS GRANTS FUND BUDGET IN THE AMOUNT OF \$25,000 FROM THE VOLENTINE FAMILY FOUNDATION

WHEREAS, in accordance with the City Charter, the City Administrator filed with the Council a proposed budget for the fiscal year beginning July 1, 2022;

WHEREAS, the City Council is required to adopt a budget before the beginning of the fiscal year on July 1, 2022;

WHEREAS, the City Charter provides that at any public meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the affirmative votes of at least a majority of the total members of the City Council; and

WHEREAS, as authorized by Resolution No. 22-059, this Resolution approves the amendment to the budget as provided herein.

NOW, THEREFORE, be it resolved by the Council of the City of Santa Barbara that in accordance with the provisions of Section 1205 of the City Charter, the budget for the fiscal year 2023, as amended by Resolution No. 22-059, is hereby amended as follows:

1. The Council accept the donation from the Volentine Family Foundation
2. The Council approves of the increase in revenue appropriation and expenditure appropriation of \$25,000 in the Fiscal Year 2023 Miscellaneous Grants Fund.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: City Administrator/Director of Emergency Services

SUBJECT: Termination of Local Emergency Declaration [Resolution]

RECOMMENDATION:

That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Terminating the Local Emergency Proclaimed by the Director of Emergency Services on January 9, 2023 and Ratified by the City Council on January 12, 2023.

DISCUSSION:

On January 9, 2023, the City Administrator, acting in the capacity of Director of Emergency Services, proclaimed a local emergency due to conditions of extreme peril to the safety of persons and property caused by storms and flooding. The City Council ratified the proclamation on January 12, 2023. The law requires the City Council to periodically review the need for continuing the local emergency and to proclaim the termination of the local emergency at the earliest possible date that the conditions warrant. The Director of Emergency Services has reported on the actions taken in response to the local emergency and has advised that it is not necessary to continue the local emergency. The City will continue to seek to recover costs and may continue to exercise authority under any federal, state, or county emergency or disaster declaration arising from or related to the storms and floods that gave rise to the City's declaration of local emergency.

PREPARED BY: Sarah J. Knecht, City Attorney

SUBMITTED BY: Sarah J. Knecht, City Attorney

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TERMINATING THE LOCAL EMERGENCY PROCLAIMED BY THE DIRECTOR OF EMERGENCY SERVICES ON JANUARY 9, 2023 AND RATIFIED BY THE CITY COUNCIL ON JANUARY 12, 2023

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

1. Conditions of extreme peril to the safety of persons and property arose within the City of Santa Barbara caused by storms and floods commencing on or about January 9, 2023.

2. The Director of Emergency Services of the City of Santa Barbara proclaimed the existence of a local emergency within the City of Santa Barbara on January 9, 2023. The declaration of local emergency was ratified by resolution of the City Council adopted on January 12, 2023.

3. The Director of Emergency Services has reported that the conditions of extreme peril necessitating the declaration of local emergency no longer exist and that the declaration of local emergency may be terminated.

4. Upon the recommendation of the Director of Emergency Services the local emergency described in this Resolution is terminated. Nothing in this Resolution shall be construed to affect the City's ability to recover costs or exercise authority under any federal, state, or county emergency or disaster declaration arising from or related to the storms and floods that gave rise to the City's declaration of local emergency.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Treasury Division, Finance Department

SUBJECT: December 31, 2022, Investment Report and December 31, 2022, Fiscal Agent Report

RECOMMENDATION: That Council:

- A. Accept the December 31, 2022, Investment Report; and
- B. Accept the December 31, 2022, Fiscal Agent Report.

DISCUSSION:

On a quarterly basis, staff submits a comprehensive report on the City’s portfolio and related activity pursuant to the City’s Annual Statement of Investment Policy. The current report covers investment activity for the three-month period of October 2022 through December 2022.

U.S. Treasury Market					
	9/30/2022	10/31/2022	11/30/2022	12/31/2022	Cumulative Change
3 Month	3.33%	4.22%	4.37%	4.42%	1.09%
6 Month	3.92%	4.57%	4.70%	4.76%	0.84%
1 Year	4.05%	4.66%	4.74%	4.73%	0.68%
2 Year	4.22%	4.51%	4.38%	4.41%	0.19%
3 Year	4.25%	4.45%	4.13%	4.22%	-0.03%
4 Year	4.16%	4.36%	3.98%	4.11%	-0.05%
5 Year	4.06%	4.27%	3.82%	3.99%	-0.07%
10 Year	3.83%	4.10%	3.68%	3.88%	0.05%
30 Year	3.79%	4.22%	3.80%	3.97%	0.18%
LAIF	1.35%	2.07%	2.07%	2.07%	0.72%

By the end of the quarter, Treasury yields had mixed moves across the yield curve, as shown in the table above, with dynamic changes ranging between -7 and +109 basis points (“bps”).

The City generally invests in securities of one to five years in duration. Within this duration, interest rates ranged from 3.99 percent to 4.73 percent for Treasury securities at the end of the quarter. On November 2 and December 14, the Federal Reserve (“Fed”) raised the federal funds rate, which in turn influences Treasury yields, bringing it to a range of 4.25 percent to

4.50 percent. Additionally, the Fed continued the Quantitative Tightening, a process whereby it reduces the liquidity in the bond markets, thus withdrawing the ample monetary accommodation introduced during the pandemic. As a reaction to the Fed signaling its resolve to counter the current high inflation, interest rates across the yield curve have moved higher. In the current interest rate environment, the City interest earnings are forecast to gradually inch higher.

Investment Activity

Issuer	Face Amount	Purchase Date	Final Maturity	Call Date	Yield To Call	Yield To Maturity
Purchases:						
U S TREASURY BILL	\$ 3,000,000	10/13/22	10/05/23	- -	4.231%	4.289%
FEDERAL FARM CREDIT BANK	3,000,000	10/19/22	10/19/26	- -	4.264%	4.264%
U S TREASURY BILL	3,000,000	11/04/22	11/02/23	- -	4.751%	4.817%
FEDERAL HOME LOAN MTG CORP	3,000,000	11/22/22	11/22/27	11/22/24	5.125%	5.125%
FEDERAL HOME LOAN BANK	3,000,000	11/29/22	11/28/23	- -	4.875%	4.875%
FEDERAL FARM CREDIT BANK	3,000,000	11/29/22	11/18/24	- -	4.650%	4.650%
FEDERAL HOME LOAN MTG CORP	3,000,000	11/30/22	08/28/24	08/28/23	5.005%	5.005%
Tot Purchases	\$ 21,000,000					
Calls:						
	\$ -					
Sales/Maturities:						
U S TREASURY NOTE	\$ 3,000,000	01/21/21	10/31/22	- -	0.118%	0.118%
FEDERAL FARM CREDIT BANK	2,000,000	06/27/19	12/12/22	- -	1.830%	1.830%
	\$ 5,000,000					
Tot Sales/Calls/Mat	\$ 5,000,000					

As shown in the Investment Activity table above, during the quarter the City invested \$15 Million in AAA-rated federal agency securities and \$6 Million in AAA-rated Treasury securities. The overall redemptions amounted to \$5 Million.

Summary of Cash and Investments

The book rate of return, or portfolio yield, measures the rate of return of actual earnings generated from the portfolio. As shown in the table to the right, during the quarter the City's book rate of return increased by 35 basis points, from 1.450 percent at September 30, 2022, to 1.796 percent at December 31, 2022.

Mo. Ended	Yield	Days to Maturity
9/30/2022	1.450%	675
10/31/2022	1.575%	663
11/30/2022	1.793%	653
12/31/2022	1.796%	618

In the second quarter of the current fiscal year, the City's realized interest earnings amounted to \$1.39 Million. The portfolio's average days to maturity decreased by 57 days from 675 to 618 days, reflecting reinvestment of maturities and calls during the quarter in the one-to-five year range in accordance with the City's Annual Statement of Investment Policy. The Annual Statement of Investment Policy requires that the average days to maturity on the portfolio not exceed 2.5 years, excluding any investments with a final maturity longer than five years that were separately authorized by Council. The average LAIF rate at which the City earned interest for funds invested was at 2.07 percent for the quarter ended December 31, 2022, an increase of 72 basis point from the previous quarter. The City's LAIF holdings at the end of

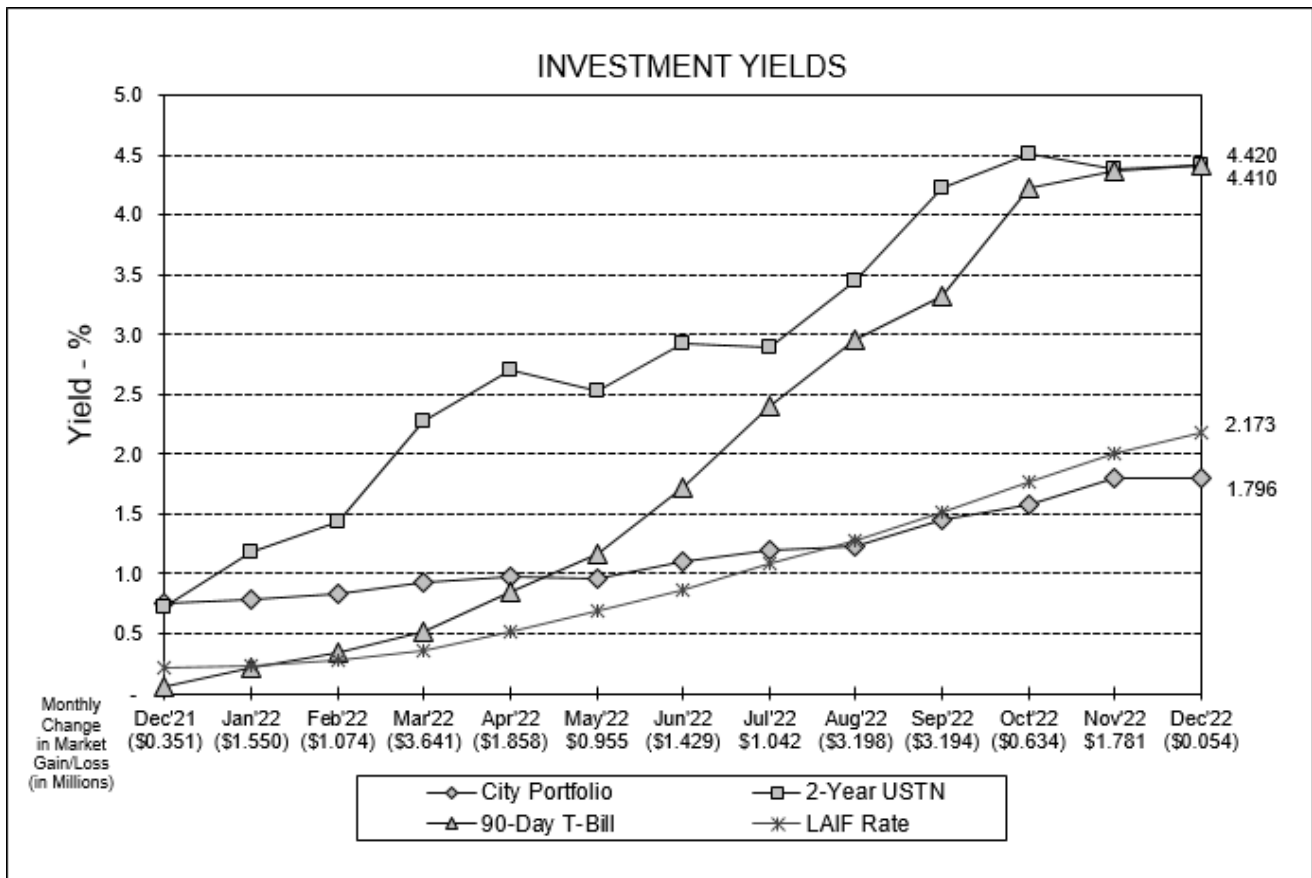
the quarter were \$60 Million.

Credit Quality on Corporate Notes

There were no changes to the credit profiles of the corporate issuers of the medium-term notes held in the portfolio (i.e., Apple Inc., Berkshire Hathaway Inc., Microsoft Inc., Toyota Motor Co.). For the quarter ending December 31, the ratings of all corporate notes remained within the City’s Investment Policy guidelines of “A” or better.

Portfolio Market Gains/Losses

As shown in the Investment Yields chart below, at the end of the quarter, the City’s portfolio yield settled below the LAIF rate, the 90-day Treasury Bill and the 2-year Treasury Note. These benchmarks serve as indicators of the City’s performance, although at times they can show more pronounced swings, either higher or lower, than the City’s portfolio, especially in volatile markets such as the current one. Trends over time that substantially deviate from these benchmarks would warrant further analysis and review.



On a quarterly basis, staff reports the five securities with the largest percentage of unrealized losses.

Issuer	Face Amount	Maturity	Book-Mkt Change \$ Gain/(Loss)	Book-Mkt Change % Gain/(Loss)
FEDERAL HOME LOAN BANK	\$2,000,000	09/28/26	-\$242,940	-12.15%
FEDERAL FARM CREDIT BANK	\$2,000,000	09/08/26	-\$238,940	-11.95%
APPLE INC	\$3,000,000	02/08/26	-\$336,792	-11.23%
FEDERAL FARM CREDIT BANK	\$2,000,000	06/15/26	-\$224,340	-11.22%
FEDERAL HOME LOAN BANK	\$3,000,000	01/28/26	-\$336,210	-11.21%

On a quarterly basis, staff also reports the five securities with the largest market declines of greater than one percent compared to the prior month's market value.

Issuer	Face Amount	Maturity	Nov-Dec Mkt Change (%)	\$ -Mkt Gain/(Loss) at 12.31.22
FEDERAL HOME LOAN MTG CORP	\$3,000,000	09/29/27	-1.25%	-\$37,440
FEDERAL FARM CREDIT BANK	\$3,000,000	10/19/26	-1.13%	-\$34,170

The Fed's removal of monetary accommodation to tame the current high inflation has prompted a sharp downside repricing across bond markets. However, because securities in the City's portfolio are held to maturity, no market losses are expected to be realized.

Additional Reporting Requirements

The following confirmations are made pursuant to California Code Sections 53600, et seq.: (1) the City's portfolio as of December 31, 2022, is in compliance with the City's Statement of Investment Policy; and (2) there are sufficient funds available to meet the City's expenditure requirements for the next six months.

Fiscal Agent Investments

In addition to reporting requirements for public agency portfolios, a description of any of the agency's investments under the management of contracted parties is also required on a quarterly basis. Attachment #2 includes bond funds as of December 31, 2022.

ATTACHMENTS: 1. December 31, 2022, Investment Report
 2. December 31, 2022, Fiscal Agent Report

PREPARED BY: Salvatore Parrilla, Finance Analyst

SUBMITTED BY: Keith DeMartini, Finance Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

CITY OF SANTA BARBARA
Activity and Interest Report
 December 31, 2022

<u>INVESTMENT ACTIVITY</u>		<u>INVESTMENT INCOME</u>	
PURCHASES OR DEPOSITS		POOLED INVESTMENTS	
		Interest Earned on Investments	\$ 506,650
		Amortization	40,285
Total	<u>\$ -</u>	Total	<u>\$ 546,935</u>
SALES, MATURITIES, CALLS OR WITHDRAWALS			
12/12 FFCB	\$ (2,000,000)		
Total	<u>\$ (2,000,000)</u>		
ACTIVITY TOTAL	<u>\$ (2,000,000)</u>	INCOME TOTAL	<u>\$ 546,935</u>

CITY OF SANTA BARBARA
Summary of Cash and Investments
December 31, 2022

ENDING BALANCE AS OF November 30, 2022

Description	Book Value	Yield to Maturity (365 days)	Percent of Portfolio	Average Days to Maturity
MUFG Union Bank NA Checking Account	\$ 19,210,182	0.750%	5.86%	1 (1)
State of California LAIF	60,000,000	2.007%	18.32%	1 (2)
Treasury Securities - Coupon	50,693,752	1.182%	15.48%	845
Treasury Discount	5,769,434	4.552%	1.76%	322
Federal Agency Issues - Coupon	160,945,608	1.941%	49.13%	909
Corporate/Medium Term Notes	14,986,733	2.185%	4.57%	526
Supranationals Obligations	15,975,932	1.321%	4.88%	936
	<u>327,581,641</u>	<u>1.793%</u>	<u>100.00%</u>	<u>653</u>
Totals and Averages	<u>\$ 327,581,641</u>	<u>1.793%</u>	<u>100.00%</u>	<u>653</u>
Total Cash and Investments	<u>\$ 327,581,641</u>			

NET CASH AND INVESTMENT ACTIVITY FOR December 2022

\$ 6,402,833

ENDING BALANCE AS OF December 31, 2022

Description	Book Value	Yield to Maturity (365 days)	Percent of Portfolio	Average Days to Maturity
MUFG Union Bank NA Checking Account	\$ 27,572,730	0.750%	8.26%	1 (1)
State of California LAIF	60,000,000	2.173%	17.96%	1 (2)
Treasury Securities - Coupon	50,703,704	1.182%	15.18%	814
Treasury Discount	5,791,578	4.552%	1.73%	291
Federal Agency Issues - Coupon	158,949,390	1.942%	47.59%	890
Corporate/Medium Term Notes	14,988,570	2.185%	4.49%	495
Supranationals Obligations	15,978,502	1.321%	4.78%	904
	<u>333,984,474</u>	<u>1.796%</u>	<u>100.00%</u>	<u>618</u>
Totals and Averages	<u>\$ 333,984,474</u>	<u>1.796%</u>	<u>100.00%</u>	<u>618</u>
Total Cash and Investments	<u>\$ 333,984,474</u>			

Note: (1) Earnings Credit Rate (ECR) is provided at the rate of 0.750% by MUFG Union Bank, N.A. to help offset banking fees.

(2) The average life of the LAIF portfolio as of December 31, 2022 is 287 days.

CITY OF SANTA BARBARA
Investment Portfolio
December 31, 2022

DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY RATING MOODY'S	QUALITY RATING S & P	STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
LOCAL AGENCY INVESTMENT FUNDS											
LOCAL AGENCY INVESTMENT FUND	-	-	-	-	2.173	2.173	60,000,000.00	60,000,000.00	60,000,000.00	0.00	
Subtotal, LAIF							60,000,000.00	60,000,000.00	60,000,000.00	0.00	
TREASURY SECURITIES - DISCOUNT											
U S TREASURY BILL	10/13/22	10/05/23	Aaa	AA+	4.047	4.289	3,000,000.00	2,906,588.15	2,898,630.00	(7,958.15)	
U S TREASURY BILL	11/04/22	11/02/23	Aaa	AA+	4.525	4.817	3,000,000.00	2,884,989.58	2,886,150.00	1,160.42	
Subtotal, Treasury Securities							6,000,000.00	5,791,577.73	5,784,780.00	(6,797.73)	
TREASURY SECURITIES - COUPON											
U S TREASURY NOTE	05/03/19	04/30/24	Aaa	AA+	2.250	2.342	2,000,000.00	1,997,707.15	1,936,560.00	(61,147.15)	
U S TREASURY NOTE	01/22/20	02/28/23	Aaa	AA+	1.500	1.527	2,000,000.00	1,999,916.01	1,990,820.00	(9,096.01)	
U S TREASURY NOTE	01/22/20	06/30/23	Aaa	AA+	1.375	1.534	2,000,000.00	1,998,476.10	1,968,520.00	(29,956.10)	
U S TREASURY NOTE	01/12/21	09/15/23	Aaa	AA+	0.125	0.185	3,000,000.00	2,998,734.83	2,905,890.00	(92,844.83)	
U S TREASURY NOTE	02/12/21	07/31/25	Aaa	AA+	0.250	0.380	3,000,000.00	2,990,044.53	2,707,140.00	(282,904.53)	
U S TREASURY NOTE	06/02/21	05/31/25	Aaa	AA+	0.250	0.553	2,000,000.00	1,985,562.93	1,815,620.00	(169,942.93)	
U S TREASURY NOTE	06/02/21	12/31/25	Aaa	AA+	0.375	0.700	2,000,000.00	1,980,867.48	1,787,420.00	(193,447.48)	
U S TREASURY NOTE	09/03/21	06/30/25	Aaa	AA+	0.250	0.575	2,000,000.00	1,983,991.43	1,811,800.00	(172,191.43)	
U S TREASURY NOTE	09/24/21	04/30/25	Aaa	AA+	0.375	0.663	2,000,000.00	1,986,759.18	1,825,320.00	(161,439.18)	
U S TREASURY NOTE	09/24/21	05/31/26	Aaa	AA+	0.750	0.878	2,000,000.00	1,991,461.07	1,783,680.00	(207,781.07)	
U S TREASURY NOTE	09/24/21	07/31/26	Aaa	AA+	0.625	0.900	2,000,000.00	1,980,775.29	1,767,260.00	(213,515.29)	
U S TREASURY NOTE	10/08/21	08/31/26	Aaa	AA+	0.750	1.004	2,000,000.00	1,981,876.57	1,770,860.00	(211,016.57)	
U S TREASURY NOTE	10/08/21	09/30/26	Aaa	AA+	0.875	1.015	2,000,000.00	1,989,771.04	1,775,860.00	(213,911.04)	
U S TREASURY NOTE	01/18/22	04/15/24	Aaa	AA+	0.375	1.040	3,000,000.00	2,974,693.43	2,838,750.00	(135,943.43)	
U S TREASURY NOTE	01/12/22	04/30/26	Aaa	AA+	0.750	1.450	3,000,000.00	2,932,483.87	2,681,850.00	(250,633.87)	
U S TREASURY NOTE	01/18/22	01/15/25	Aaa	AA+	1.125	1.210	3,000,000.00	2,994,907.02	2,807,460.00	(187,447.02)	
U S TREASURY NOTE	01/31/22	01/31/24	Aaa	AA+	0.875	1.145	3,000,000.00	2,991,358.36	2,878,470.00	(112,888.36)	
U S TREASURY NOTE	02/28/22	02/29/24	Aaa	AA+	1.500	1.548	2,000,000.00	1,998,912.45	1,927,820.00	(71,092.45)	
U S TREASURY NOTE	02/28/22	11/30/26	Aaa	AA+	1.625	1.863	2,000,000.00	1,982,250.68	1,823,820.00	(158,430.68)	
U S TREASURY NOTE	03/15/22	03/15/25	Aaa	AA+	1.750	1.827	3,000,000.00	2,995,074.96	2,834,760.00	(160,314.96)	
U S TREASURY NOTE	03/17/22	05/31/24	Aaa	AA+	2.000	2.006	2,000,000.00	1,999,819.46	1,926,960.00	(72,859.46)	
U S TREASURY NOTE	03/17/22	12/31/26	Aaa	AA+	1.750	2.170	2,000,000.00	1,968,260.43	1,831,020.00	(137,240.43)	
Subtotal, Treasury Securities							51,000,000.00	50,703,704.27	47,397,660.00	(3,306,044.27)	
FEDERAL AGENCY ISSUES - COUPON											
FED AGRICULTURAL MTG CORP	05/09/19	04/03/23	-	-	2.360	2.371	2,000,000.00	1,999,947.58	1,990,600.00	(9,347.58)	
FED AGRICULTURAL MTG CORP	02/12/20	02/12/24	-	-	1.390	1.480	2,000,000.00	1,998,056.26	1,925,560.00	(72,496.26)	
FED AGRICULTURAL MTG CORP	03/02/21	09/22/25	-	-	0.480	0.480	3,000,000.00	3,000,000.00	2,690,100.00	(309,900.00)	Callable 09/22/23, Q
FED AGRICULTURAL MTG CORP	06/09/22	08/20/24	-	-	2.910	2.911	3,000,000.00	3,000,000.00	2,906,370.00	(93,630.00)	Callable 06/09/23, Q
FEDERAL FARM CREDIT BANK	01/31/19	10/23/23	Aaa	AA+	2.650	2.670	2,000,000.00	1,999,704.91	1,967,080.00	(32,624.91)	
FEDERAL FARM CREDIT BANK	06/15/21	06/15/26	Aaa	AA+	0.900	0.900	2,000,000.00	2,000,000.00	1,775,660.00	(224,340.00)	Callable, P
FEDERAL FARM CREDIT BANK	05/06/21	05/06/25	Aaa	AA+	0.710	0.710	2,000,000.00	2,000,000.00	1,826,580.00	(173,420.00)	Callable, P
FEDERAL FARM CREDIT BANK	09/08/21	09/08/26	Aaa	AA+	0.870	0.870	2,000,000.00	2,000,000.00	1,761,060.00	(238,940.00)	Callable, P
FEDERAL FARM CREDIT BANK	12/16/21	07/02/24	Aaa	AA+	0.570	0.873	3,000,000.00	2,986,534.06	2,813,190.00	(173,344.06)	Callable, P
FEDERAL FARM CREDIT BANK	12/23/21	06/23/25	Aaa	AA+	1.170	1.170	3,000,000.00	3,000,000.00	2,760,150.00	(239,850.00)	Callable, P
FEDERAL FARM CREDIT BANK	12/22/21	06/22/26	Aaa	AA+	1.390	1.390	3,000,000.00	3,000,000.00	2,707,530.00	(292,470.00)	Callable, P
FEDERAL FARM CREDIT BANK	01/27/22	01/26/27	Aaa	AA+	1.780	1.780	3,000,000.00	3,000,000.00	2,714,850.00	(285,150.00)	Callable 01/26/23, P
FEDERAL FARM CREDIT BANK	02/16/22	02/16/27	Aaa	AA+	2.180	2.180	3,000,000.00	3,000,000.00	2,743,770.00	(256,230.00)	Callable 02/16/24, P

CITY OF SANTA BARBARA

Investment Portfolio

December 31, 2022

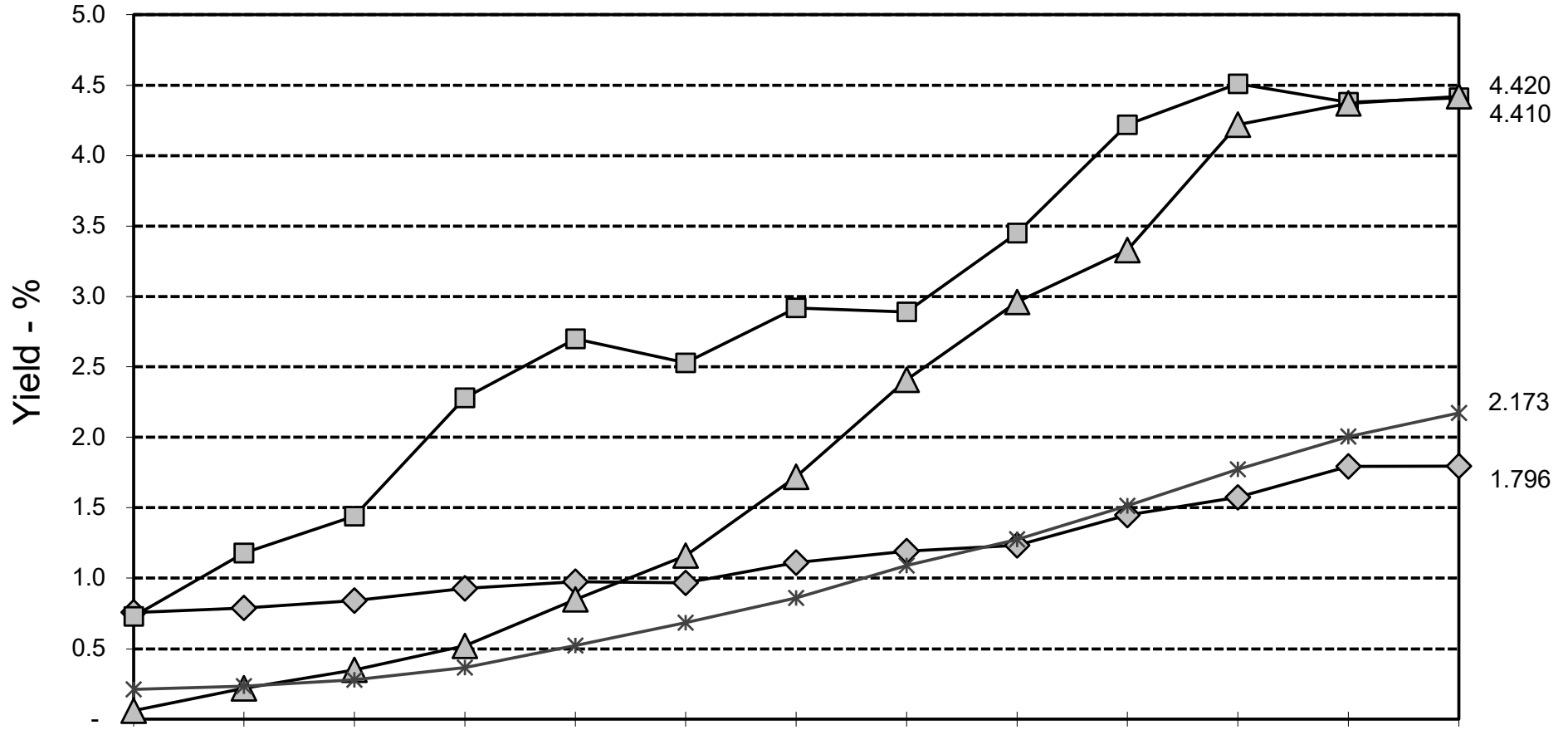
DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY RATING MOODY'S	S & P	STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
FEDERAL FARM CREDIT BANK	08/30/22	02/25/26	Aaa	AA+	3.320	3.470	3,000,000.00	2,986,746.16	2,919,990.00	(66,756.16)	
FEDERAL FARM CREDIT BANK	05/26/22	05/26/26	Aaa	AA+	3.375	3.375	3,000,000.00	3,000,000.00	2,874,390.00	(125,610.00)	Callable 05/26/23, P
FEDERAL FARM CREDIT BANK	09/20/22	10/17/23	Aaa	AA+	4.125	4.089	3,000,000.00	3,000,000.00	2,982,570.00	(17,430.00)	
FEDERAL FARM CREDIT BANK	10/19/22	10/19/26	Aaa	AA+	4.250	4.264	3,000,000.00	2,998,575.00	2,979,840.00	(18,735.00)	
FEDERAL FARM CREDIT BANK	11/29/22	11/18/24	Aaa	AA+	4.500	4.650	3,000,000.00	2,991,979.13	2,996,280.00	4,300.87	
FEDERAL HOME LOAN BANK	01/28/21	01/28/26	Aaa	AA+	0.580	0.580	3,000,000.00	3,000,000.00	2,863,790.00	(336,210.00)	Callable 01/28/23, Q
FEDERAL HOME LOAN BANK	01/28/21	01/28/26	Aaa	AA+	0.700	0.610	3,000,000.00	3,000,000.00	2,699,310.00	(300,690.00)	
FEDERAL HOME LOAN BANK	01/28/21	01/28/26	Aaa	AA+	0.750	0.650	3,000,000.00	3,000,000.00	2,703,570.00	(296,430.00)	
FEDERAL HOME LOAN BANK	02/25/21	11/25/25	Aaa	AA+	0.500	0.500	3,000,000.00	3,000,000.00	2,673,180.00	(326,820.00)	Callable 02/25/23, A
FEDERAL HOME LOAN BANK	03/16/21	03/16/26	Aaa	AA+	0.500	0.798	2,000,000.00	2,000,000.00	1,784,420.00	(215,580.00)	Callable 03/16/23, Q - S/U
FEDERAL HOME LOAN BANK	05/20/21	05/20/26	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	1,782,900.00	(217,100.00)	Callable 02/20/23, Q
FEDERAL HOME LOAN BANK	05/26/21	12/26/25	Aaa	AA+	0.900	0.900	3,000,000.00	3,000,000.00	2,698,380.00	(301,620.00)	Callable 02/26/23, Q
FEDERAL HOME LOAN BANK	05/26/21	11/26/24	Aaa	AA+	0.550	0.550	2,000,000.00	2,000,000.00	1,845,880.00	(154,120.00)	Callable 02/26/23, Q
FEDERAL HOME LOAN BANK	06/10/21	06/10/25	Aaa	AA+	0.690	0.690	2,000,000.00	2,000,000.00	1,817,840.00	(182,160.00)	Callable 03/10/23, Q
FEDERAL HOME LOAN BANK	06/10/21	06/10/26	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	1,779,660.00	(220,340.00)	Callable 03/10/23, Q
FEDERAL HOME LOAN BANK	06/28/21	03/28/25	Aaa	AA+	0.600	0.600	2,000,000.00	2,000,000.00	1,826,340.00	(173,660.00)	Callable 03/28/23, Q
FEDERAL HOME LOAN BANK	09/23/21	10/23/24	Aaa	AA+	0.470	0.470	2,000,000.00	2,000,000.00	1,849,300.00	(150,700.00)	Callable 03/23/23, Q
FEDERAL HOME LOAN BANK	09/28/21	03/28/25	Aaa	AA+	0.600	0.600	2,000,000.00	2,000,000.00	1,826,340.00	(173,660.00)	Callable 03/28/23, Q
FEDERAL HOME LOAN BANK	09/28/21	09/28/26	Aaa	AA+	0.900	0.900	2,000,000.00	2,000,000.00	1,757,060.00	(242,940.00)	Callable 03/28/23, Q
FEDERAL HOME LOAN BANK	10/28/21	10/28/26	Aaa	AA+	1.250	1.125	2,000,000.00	2,000,000.00	1,778,420.00	(221,580.00)	
FEDERAL HOME LOAN BANK	12/28/21	06/28/24	Aaa	AA+	0.920	0.920	3,000,000.00	3,000,000.00	2,827,110.00	(172,890.00)	Callable 03/28/23, Q
FEDERAL HOME LOAN BANK	12/28/21	02/28/25	Aaa	AA+	1.125	1.125	3,000,000.00	3,000,000.00	2,778,510.00	(221,490.00)	Callable 03/28/23, Q
FEDERAL HOME LOAN BANK	12/29/21	12/29/23	Aaa	AA+	0.700	0.700	3,000,000.00	3,000,000.00	2,876,490.00	(123,510.00)	Callable, P
FEDERAL HOME LOAN BANK	12/30/21	12/30/24	Aaa	AA+	1.000	1.000	3,000,000.00	3,000,000.00	2,791,680.00	(208,320.00)	Callable, P
FEDERAL HOME LOAN BANK	01/26/22	01/26/27	Aaa	AA+	1.125	1.788	3,000,000.00	3,000,000.00	2,721,810.00	(278,190.00)	Callable 01/26/24, 1x - S/U
FEDERAL HOME LOAN BANK	02/28/22	05/28/24	Aaa	AA+	1.450	1.450	3,000,000.00	3,000,000.00	2,856,900.00	(143,100.00)	Callable 02/28/23, 1x
FEDERAL HOME LOAN BANK	03/29/22	03/29/27	Aaa	AA+	2.375	2.375	3,000,000.00	3,000,000.00	2,752,680.00	(247,320.00)	Callable 03/29/23, Q
FEDERAL HOME LOAN BANK	04/21/22	04/21/26	Aaa	AAA	3.000	3.000	2,000,000.00	2,000,000.00	1,938,640.00	(61,360.00)	Callable 04/21/23, A
FEDERAL HOME LOAN BANK	04/25/22	04/25/25	Aaa	AA+	2.750	2.750	2,000,000.00	2,000,000.00	1,915,420.00	(84,580.00)	Callable 04/25/23, 1x
FEDERAL HOME LOAN BANK	09/20/22	07/20/23	Aaa	AA+	3.500	3.590	3,000,000.00	2,998,607.00	2,994,690.00	(3,917.00)	
FEDERAL HOME LOAN BANK	11/29/22	11/28/23	Aaa	AA+	4.875	4.875	3,000,000.00	3,000,000.00	3,004,350.00	4,350.00	
FEDERAL HOME LOAN MTG CORP	11/25/20	11/25/25	Aaa	AA+	0.625	0.625	3,000,000.00	3,000,000.00	2,685,210.00	(314,790.00)	Callable on 11/25/23, A
FEDERAL HOME LOAN MTG CORP	11/24/20	11/24/23	Aaa	AA+	0.320	0.320	3,000,000.00	3,000,000.00	2,877,690.00	(122,310.00)	Callable 02/24/23, Q
FEDERAL HOME LOAN MTG CORP	09/09/20	12/09/24	Aaa	AA+	0.500	0.500	3,000,000.00	3,000,000.00	2,766,540.00	(233,460.00)	Callable 03/09/23, Q
FEDERAL HOME LOAN MTG CORP	06/22/22	03/22/24	Aaa	AA+	2.750	2.738	4,000,000.00	4,000,000.00	3,907,840.00	(92,160.00)	Callable 06/22/23, 1x
FEDERAL HOME LOAN MTG CORP	06/23/22	06/23/27	Aaa	AA+	3.500	3.500	3,000,000.00	3,000,000.00	2,898,990.00	(101,010.00)	Callable 03/23/23, Q
FEDERAL HOME LOAN MTG CORP	06/28/22	06/28/24	Aaa	AA+	3.050	3.050	4,000,000.00	4,000,000.00	3,910,120.00	(89,880.00)	Callable 03/28/23, Q
FEDERAL HOME LOAN MTG CORP	09/29/22	09/29/27	Aaa	AA+	4.750	4.750	3,000,000.00	3,000,000.00	2,964,720.00	(35,280.00)	Callable 09/29/23, Q
FEDERAL HOME LOAN MTG CORP	09/19/22	09/19/24	Aaa	AA+	3.700	3.700	3,000,000.00	3,000,000.00	2,960,880.00	(39,120.00)	Callable 09/19/23, 1x
FEDERAL HOME LOAN MTG CORP	09/08/22	06/19/23	Aaa	AA+	2.750	3.532	3,000,000.00	2,989,239.51	2,974,680.00	(14,559.51)	
FEDERAL HOME LOAN MTG CORP	11/22/22	11/22/27	Aaa	AA+	5.125	5.125	3,000,000.00	3,000,000.00	3,024,060.00	24,060.00	Callable 11/22/24, 1x
FEDERAL HOME LOAN MTG CORP	11/30/22	08/28/24	Aaa	AA+	5.000	5.005	3,000,000.00	3,000,000.00	2,999,700.00	(300.00)	Callable 08/28/23, 1x
FEDERAL NATL MORTGAGE ASSN	08/17/20	08/17/23	Aaa	AA+	0.310	0.310	3,000,000.00	3,000,000.00	2,917,230.00	(82,770.00)	Callable 02/17/2023, Q
FEDERAL NATL MORTGAGE ASSN	08/26/20	08/26/25	Aaa	AA+	0.600	0.600	4,000,000.00	4,000,000.00	3,607,320.00	(392,680.00)	Callable 02/26/23, Q
FEDERAL NATL MORTGAGE ASSN	11/17/20	05/17/24	Aaa	AA+	0.375	0.375	3,000,000.00	3,000,000.00	2,818,950.00	(181,050.00)	Callable on 02/17/2023, Q
Subtotal, Federal Agencies							159,000,000.00	158,949,389.61	149,594,170.00	(9,355,219.61)	

CITY OF SANTA BARBARA
Investment Portfolio
December 31, 2022

DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY RATING MOODY'S	S & P	STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
SUPRANATIONAL OBLIGATIONS											
INTERNATIONAL BANK FOR RECONST	01/22/21	10/28/25	Aaa	AAA	0.500	0.500	3,000,000.00	3,000,000.00	2,695,140.00	(304,860.00)	
INTERNATIONAL BANK FOR RECONST	09/09/22	09/09/27	Aaa	AAA	4.000	4.000	3,000,000.00	3,000,000.00	2,907,600.00	(92,400.00)	Callable 09/09/2024, A
INTERNATIONAL FINANCE CORP	02/22/21	08/22/24	Aaa	AAA	0.250	0.255	3,000,000.00	2,999,760.79	2,785,470.00	(214,290.79)	
INTERNATIONAL FINANCE CORP	03/23/21	03/23/26	Aaa	AAA	0.750	0.805	2,000,000.00	1,996,514.00	1,779,760.00	(216,754.00)	
INTERNATIONAL FINANCE CORP	06/03/21	07/16/25	Aaa	AAA	0.375	0.621	2,000,000.00	1,987,660.15	1,808,480.00	(179,180.15)	
INTERNATIONAL FINANCE CORP	03/14/22	03/20/23	Aaa	AAA	0.500	1.334	3,000,000.00	2,994,567.13	2,975,700.00	(18,867.13)	
Subtotal, Supranationals							16,000,000.00	15,978,502.07	14,952,150.00	(1,026,352.07)	
CORPORATE/MEDIUM TERM NOTES											
APPLE INC	04/23/19	05/03/23	Aaa	AA+	2.400	2.718	2,000,000.00	1,997,970.59	1,984,000.00	(13,970.59)	
APPLE INC	09/11/19	09/11/24	Aaa	AA+	1.800	1.903	2,000,000.00	1,996,685.67	1,903,840.00	(92,845.67)	
APPLE INC	02/17/21	02/08/26	Aaa	AA+	0.700	0.705	3,000,000.00	2,999,532.24	2,662,740.00	(336,792.24)	
BERKSHIRE HATHAWAY INC	04/05/18	03/15/23	Aa2	AA	2.750	3.016	2,000,000.00	1,998,990.61	1,991,440.00	(7,550.61)	
MICROSOFT CORP	05/23/19	08/08/23	Aaa	AAA	2.000	2.535	2,000,000.00	1,993,912.54	1,968,320.00	(25,592.54)	
TOYOTA MOTOR CREDIT	07/27/18	07/20/23	A1	A	3.419	3.392	2,000,000.00	2,000,270.81	1,984,400.00	(15,870.81)	
TOYOTA MOTOR CREDIT	03/16/20	02/13/25	A1	A	1.800	1.770	2,000,000.00	2,001,207.47	1,879,360.00	(121,847.47)	
Subtotal, Corporate Securities							15,000,000.00	14,988,569.93	14,374,100.00	(614,469.93)	
CHECKING ACCOUNT											
MUFG UNION BANK NA CHKNG ACCNT	-	-	-	-	0.750	0.750	27,572,730.14	27,572,730.14	27,572,730.14	0.00	
Subtotal, Checking Account							27,572,730.14	27,572,730.14	27,572,730.14	0.00	
TOTALS							334,572,730.14	333,984,473.75	319,675,590.14	(14,308,883.61)	

Market values have been obtained from the City's safekeeping agent, MUFG Union Bank, N.A. - The Private Bank (UBTPB).

INVESTMENT YIELDS



Monthly Change in Market Gain/Loss (in Millions)

Month	Monthly Change in Market Gain/Loss (in Millions)
Dec'21	(\$0.351)
Jan'22	(\$1.550)
Feb'22	(\$1.074)
Mar'22	(\$3.641)
Apr'22	(\$1.858)
May'22	\$0.955
Jun'22	(\$1.429)
Jul'22	\$1.042
Aug'22	(\$3.198)
Sep'22	(\$3.194)
Oct'22	(\$0.634)
Nov'22	\$1.781
Dec'22	(\$0.054)



ATTACHMENT 2

**CITY OF SANTA BARBARA
Fiscal Agent Investments
December 31, 2022**

	CASH & CASH EQUIVALENTS Book & Market	Guaranteed Investment Contracts (GIC) Book & Market	US GOVT & AGENCIES		TOTALS	
			Book	Market	Book	Market
BOND FUNDS						
<i>RESERVE FUNDS</i>						
2011 Water - Safe Drinking Water State Loan	1,699,687.26	-	-	-	1,699,687.26	1,699,687.26
2013 Water - Refunding COPS	676,565.72	428,069.44	-	-	1,104,635.16	1,104,635.16
2016 Sewer - Refunding Bonds	0.10	-	-	-	0.10	0.10
2019 Airport - Refunding Bonds	0.91	-	-	-	0.91	0.91
2014 Waterfront - Refunding Bonds	10,100.33	581,455.74	-	-	591,556.07	591,556.07
<i>Subtotal, Reserve Funds</i>	<u>2,386,354.32</u>	<u>1,009,525.18</u>	-	-	<u>3,395,879.50</u>	<u>3,395,879.50</u>
TOTAL FISCAL AGENT INVESTMENTS	<u>2,386,354.32</u>	<u>1,009,525.18</u>	<u>-</u>	<u>-</u>	<u>3,395,879.50</u>	<u>3,395,879.50</u>

Notes:

- (1) Cash & cash equivalents include money market funds.
- (2) Market values have been obtained from the following trustees: US Bank



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Authorization to Amend the Legal Services Agreement with Liebert Cassidy Whitmore for Special Counsel Services [Agreement]

RECOMMENDATION:

That Council authorize the City Administrator to execute an amended legal services agreement with Liebert Cassidy Whitmore to increase the not-to-exceed amount from \$35,000 to \$100,000 for special counsel services related to existing personnel matters.

DISCUSSION:

The City Attorney's office is unable to provide the required legal resources associated with defending several personnel matters. The staff from the City Attorney's Office will provide legal guidance for the Liebert Cassidy Whitmore firm. Risk Management staff will handle the contract administration and financial oversight. The City Attorney's Office and the Risk Management team routinely collaborate to effectively defend the City in similar types of legal matters.

BUDGETARY IMPACTS:

The cost for legal support and related costs for this case will be paid from the Self-Insurance Fund (SIF) using the existing expenditure appropriations established in Fiscal Year 2023. The SIF maintains adequate expenditure appropriation in FY2023 to cover the expected costs anticipated under this contract for services. Staff will monitor expenditure appropriations and actual expenses throughout the fiscal year and may propose additional expenditure appropriation using SIF available reserves as necessary.

SUBMITTED BY: Mark W. Howard, Risk Manager

APPROVED BY: Keith DeMartini, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Human Resources Department

SUBJECT: First Amendment to Agreement for Labor Negotiations [Agreement]

RECOMMENDATION:

That Council approve and authorize the Human Resources Director to execute an amendment to the Labor Relations agreement (Santa Barbara Agreement #22300073) with the Law Firm of Liebert Cassidy Whitmore increasing the contract amount by \$23,000, for a total not to exceed \$46,000.

DISCUSSION:

Due to complex and constantly changing state and federal labor laws and court rulings, specialized legal services are needed during labor negotiations with the City's employee bargaining groups to ensure that negotiated memorandums of understanding are valid and binding on the parties concerned. Attorneys from Liebert Cassidy Whitmore have satisfactorily performed these services for the City of Santa Barbara, and for numerous other public agencies throughout California, for decades.

The Fiscal Year 2023 budget included funding for Liebert attorney services during negotiations for the agreements that were recently negotiated. An increase in the contract with Liebert in the amount of \$23,000 is necessary to cover Liebert's services related to a Fair Labor Standards Act (FLSA) audit of pay practices and any assistance related to negotiations.

A copy of the agreement can be obtained by emailing HR@santabarbaraca.gov

BUDGET/FINANCIAL INFORMATION:

The increase of \$23,000 to the contract will lead to a total contract amount of \$46,000, requiring Council approval. There is sufficient expenditure appropriation in the Human Resources Fiscal Year 2023 budget to cover this cost.

PREPARED BY: Sam Ramirez, Labor Relations Manager

SUBMITTED BY: Wendy Levy, Human Resources Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Energy and Climate Division, Sustainability & Resilience Department

SUBJECT: Approval of Addenda to Agreements with Tesla for Battery Energy Storage System at Cater Water Treatment Plant [Agreement]

RECOMMENDATION:

That Council authorize the Sustainability and Resilience Director to execute an addendum to each of the two agreements with Tesla, Inc., for the Cater Water Treatment Plant battery energy storage systems assigning a portion of the project's allotted investment tax credit to Tesla, Inc. to cover increased project costs.

DISCUSSION:

In January 2021, the City entered into a purchase agreement with Tesla, Inc. (Tesla) to install a 280kW battery energy storage system (BESS) to provide backup power to two of the largest electrical loads at Cater Water Treatment Plant—the South Coast Conduit Pump Station and the Cater Cross Tie Pump Station. The project recently received its building permits and is ready to begin construction. However, in the time since the City executed the original purchase agreement several factors have changed, impacting project costs. The global pandemic and drastic supply shortages have caused the project costs to increase substantially. Fortunately, the recently passed Inflation Reduction Act (IRA) now allows municipal governments to take advantage of the Investment Tax Credit (ITC) for renewable energy systems which will provide some additional funding for the project.

The City has negotiated with Tesla and agreed to assign them ninety percent of the ITC allocation for the project, while retaining the remaining ten percent. There is still a net benefit to the City in this arrangement because, prior to the IRA being signed into law, the City, as a tax-exempt entity, was not eligible to receive the ITC. New IRA rules allow the City to apply for and receive a financial credit equivalent to thirty percent of the project cost. This arrangement would assign \$904,283 to Tesla and \$100,502 to the City.

In addition to providing a backup power benefit, the battery system will also allow Cater to load shift, charging the battery using grid power when electricity is cheapest and discharging the battery during peak times, when electricity is most expensive. The ability to load shift will provide an estimated \$790,000 in energy savings to the City over the

projected 20-year life of the batteries. Moreover, the BESS will provide a primary source of backup power to the pump stations, which currently rely on a diesel-fueled generator.

BUDGET/FINANCIAL INFORMATION:

The projected combined ITC allocation for the two battery projects is \$1,004,785. The City will assign 90% of the credit or \$904,283 and the City will retain the remaining 10% or \$100,502.

As the approval of the ITC and the start of the BESS is unlikely in Fiscal Year 2023, staff is not requesting additional revenue appropriations at this time. Staff will recommend Council revise the revenue appropriations related to this project once the ITC is approved.

SUSTAINABILITY AND RESILIENCE IMPACT:

The City's Strategic Energy Plan, adopted in 2018, prioritizes reliable and resilient energy systems within the City. Adding no-emission backup technologies at critical facilities supports the City's goals of maintaining a resilient electrical system and achieving carbon neutrality. Additionally, this project will provide proof of concept for other agencies that are similarly looking to improve resilience of their cities' essential services.

A copy of the agreements and addenda may be requested from the Sustainability & Resilience Department for public review; please contact us at SLopezLozano@SantaBarbaraCA.gov to request a copy.

ENVIRONMENTAL REVIEW:

The recommended addenda relates to financial arrangements for an approved project. Approval of the addenda is not an action subject to CEQA.

PREPARED BY: Alelia Parenteau, Sustainability & Resilience Director

SUBMITTED BY: Alelia Parenteau, Sustainability & Resilience Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Zoning Ordinance Amendments for Accessory Dwelling Units
[Ordinance Introduction]

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 30.185.040, Pertaining to Regulations for Accessory Dwelling Units; and
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Chapter 28.86, Pertaining to Regulations for Accessory Dwelling Units.

EXECUTIVE SUMMARY:

New state legislation intended to increase production of Accessory Dwelling Units (ADUs) necessitates updating the City's zoning regulations. Assembly Bill (AB) 2221 and Senate Bill (SB) 897, which both take effect on January 1, 2023, include numerous changes to the state ADU laws. The changes proposed by the new state laws include an increase to the maximum building height limit and a number of technical changes intended to make ADUs easier to build.

In addition to amendments required for compliance with State Law, staff is recommending several changes to further facilitate production of ADUs, consistent with the City's Draft 2023–2031 Housing Element program recommendations regarding conversion of commercial portions of mixed-use buildings to ADUs and construction of two ADUs (double-ADUs) on existing multi-unit properties.

DISCUSSION:

Amendments are proposed for both the Inland Zoning Ordinance and Coastal Zoning Ordinance. After adoption by City Council, the Title 28 amendments would be submitted to the California Coastal Commission as a stand-alone Local Coastal Program amendment.

The proposed amendments fall into three categories:

- **Local Standards.** New or changed content intended to facilitate the production of ADUs and consistent with the City's Draft 2023–2031 Housing Element. These changes are discussed below and summarized in Table 1.
- **State Requirements.** New or changed content necessitated by Senate Bill (SB) 897 and Assembly Bill (AB) 2221, effective January 1, 2023. Please refer to Attachment 2.
- **Clean-Up Items.** Minor changes to wording, formatting, or location within the Ordinance for clarification. May include minor content change for ease of use, provided that changes maintain the intent of the previously adopted ordinances. Please refer to Attachment 1.

The Planning Commission reviewed the proposed amendments on November 17, 2022, and the Ordinance committee reviewed the proposed amendments on December 6, 2022. Both hearing bodies forwarded a recommendation to City Council for adoption.

The discussion in this report focuses on the proposed amendments to the local standards with new or changed content, and on the state requirements that amend the maximum height for ADUs. All of the other changes are considered minor and are discussed in the attachments included with this report.

ADUs and the 2023 Draft Housing Element

Although the City has approved a growing number of ADUs, property owners have expressed interest in increasing the allowed number of ADUs on properties with existing multi-unit development.

The City will conduct outreach to evaluate and implement procedural changes to assist ADU applicants and develop additional guidance to support residents who are seeking City ADU approvals. In addition, the City will research and collaborate with community organizations and nonprofits who are interested in offering ADUs as deed-restricted affordable housing and look for ways to implement a pilot program with incentives for property owners to provide ADUs as deed-restricted housing or housing choice vouchers for low-income seniors, students, and other community members in need of affordable housing.

Types of Accessory Dwelling Units Allowed

The City allows three different types of ADUs: Standard ADUs, Special ADUs, and Junior ADUs. An ADU is defined as an attached or a detached residential unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residential unit. ADUs are allowed in any zone that allows residential use on a lot developed or proposed to be developed with one or more residential unit(s). Current standards for each category of ADU is provided below.

Standard ADUs:

- Only one ADU allowed per lot
- May be attached to, or located within, the proposed or existing primary unit, including attached garages, or an accessory structure
- 850 to 1,200 square-feet, if detached
- Maximum 50 percent of existing primary unit floor area, if attached
- Height must match existing height, or 17 feet, whichever is greater. In some cases, up to 30 feet in height is allowed if constructed over a garage.

Special ADUs:

- One or more may be allowed on a lot
- Must be a new or detached unit or conversion of existing floor area
- Maximum 800 square-feet, if detached
- Maximum height is 16 feet
- On single-unit lots, one detached new unit, plus one Junior ADU is allowed
- On multi-unit lots, may convert non-livable areas up to 25% of existing units; or two detached ADUs.
- Only one ADU allowed on lots within the Extreme Foothill and Foothill High Fire Areas

Junior ADUs:

- A unit within the walls of an existing or proposed home
- 500 square-foot maximum
- Owner Occupied
- Have its own bathroom or share a bathroom
- Exterior entrance

Recommendation of Local Standards Changes

A summary of amendments proposed to local standards is included below in Table 1. State Law (Gov. Code, §65852.2) allows local jurisdictions to impose certain standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, and maximum size of a unit. Although the majority of the City's ADU regulations are mandated by State Law, City staff included for discussion some local standards that are unique to our community. The proposed amendments to

local standards are informed from five years of reviewing permit applications for ADUs and staff observations of minor improvements intended to help remove barriers to ADU construction and development.

Open Yard Reduction. The current ADU Ordinance allows an ADU to encroach into the minimum open yard area for single-unit and two-unit residential development. The ordinance allows this same open yard reduction for an ADU built over a new 500-square-foot garage.

Staff has received requests from ADU applicants for an additional open yard reduction for a small utility area that serves the primary residence. However, if there is not enough open yard area, the only way to accommodate a small utility area is through a zoning modification. Staff proposes allowing a small 150-square-foot addition to encroach into the open yard area, along with a new ADU built over a two-car garage, to reduce the number of projects that need to request a zoning modification.

Greater Flexibility for Double-ADUs. Under the current rules, if the owner of a multi-unit development wants to build two new ADUs, the double-ADU must either be new construction, or the lot must be currently developed with eight existing dwelling units. This is because the law only allows 25 percent of the existing number of units to be converted from existing floor area. Staff is recommending an amendment to the local standards for a double-ADU to allow up to two ADUs—instead of one—to be converted from existing floor area. This will facilitate the conversion of an existing garage or basement to two ADUs rather than requiring the garage be demolished to build new construction.

Convert Upper-Floor Commercial Areas to ADUs. State law allows residential floor area to be converted to ADUs—but it does not allow commercial floor area such as retail or office to be converted. Amendments to the City’s local ordinance would allow upper-floor commercial spaces to be converted to ADUs and provide more flexibility and adaptive reuse of existing buildings. Allowing upper-floor commercial spaces to be converted to ADUs promotes mixed-use development while providing more flexibility and the adaptive reuse of existing buildings. Staff recommends only the upper-floor areas, not the ground floor commercial spaces, be allowed to convert to an ADU to support and maintain mixed-use development along commercial corridors and activation on the street.

LOCAL STANDARDS
Open Yard Reduction for ADU Over Detached Garage – Revised the open yard encroachments to allow an additional 150-square-foot area for a staircase or laundry/storage.
Converted Non-Livable Space – Allows up to two – rather than just <i>one</i> – special ADUs on lots with existing multi-unit development to be converted from existing non-livable floor area (garage, basement etc.).
Configuration – Two-Unit, Multi-Unit or Mixed-Use Lots – Allows existing upper-floor <i>commercial</i> floor area in a mixed-use development – rather than just floor area of an existing <i>residential</i> structure – to be converted to one or more special ADUs.

Maximum Height and Bedrooms – In response to the state-mandated height increase from 16 feet to 18 feet, newly constructed special ADUs may not exceed a maximum of one story.

Summary of ADU Building Height Changes

A significant change made to the state ADU law pertains to maximum building height. The City's current ADU height regulations are less restrictive than state law for standard ADUs and are the same as state law for special ADUs. The City's proposed amendments attempt to balance the concerns of the community to ensure ADUs are compatible with existing residential development while incorporating the state-mandated changes intended to facilitate new housing construction.

Local agencies must allow ADUs taller than 16 feet in the following circumstances:

- If located within a half-mile of a major transit stop or high-quality transit corridor, a detached ADU on a lot with a single-unit or multi-unit dwelling may be up to 18 feet in height by right, and up to two feet taller (for a maximum of 20 feet) if necessary to match the roof pitch to the main house.
- If a detached ADU is on a lot with an existing or proposed multi-story, multi-unit dwelling, the ADU may be up to 18 feet in height (again, by right), regardless of how close it is to transit.
- An attached ADU may be up to 25 feet in height or as tall as the primary dwelling, whichever is lower; however, a city may still limit the ADU to two stories.

Staff recommends increasing the maximum height for a standard detached ADU from 17 to 18 feet and for a special detached ADU from 16 to 18 feet to be consistent with state law. Allowing an 18-foot height maximum for standard and special ADUs regardless of the ADU's proximity to a major transit stop or high-quality transit corridor, or location on a lot developed with a multi-unit development, creates a uniform measure that is easier to implement and understand. Since a significant portion of the City is located within a half-mile of a major transit stop or high-quality transit corridor, staff recommends the height increase be applied citywide.

Due to the state-mandated height increase from 16 feet to 18 feet, staff also recommends not allowing newly constructed special ADUs to exceed a maximum of one story citywide. This recommendation is made to limit the density/intensity of ADUs in fire prone neighborhoods whose residents often must evacuate on narrow, winding roads in emergencies.

The proposed amendments to ADU building height are shown in Table 2 below. The changes from existing are shown as underlined text.

Table 2: Amendments to ADU Building Height	
CURRENT HEIGHT	PROPOSED HEIGHT
Standard ADU	Standard ADU
The greater of: <ul style="list-style-type: none"> • Height of the primary residential unit; or • Number of stories of the primary residential unit; or 17 feet; or <ul style="list-style-type: none"> • If ADU is over a garage—maximum height or number of stories allowed in the zone; or • With discretionary approval—maximum height or number of stories allowed in the zone 	The greater of: <ul style="list-style-type: none"> • Height of the primary residential unit; or • Number of stories of the primary residential unit; or • <u>18 feet; with an additional two feet in height if necessary to match the roof pitch and height of the primary residential unit;</u> or • <u>25 feet for an attached unit;</u> or • If the ADU is over a garage—maximum height or number of stories allowed in the zone; or • With discretionary approval—maximum height or number of stories allowed in the zone
Special ADU	Special ADU
<ul style="list-style-type: none"> • 16 feet 	<ul style="list-style-type: none"> • <u>18 feet; with an additional two feet in height if necessary to match the roof pitch and height of the primary residential unit; and maximum one-story</u>

NEXT STEPS:

Title 30 amendments are effective 30 days after adoption by City Council. For applicants who have submitted an ADU application but have not yet been issued a building permit by the effective date of the new ordinance, staff recommends a 60-day time limit from the effective date of the new ordinance for applicants to choose to either continue ADU application review under state law regulations or to apply the new regulations.

The Title 28 amendments are not effective until after certification by the California Coastal Commission (CCC). Following adoption, Title 28 amendments will be submitted as a Local Coastal Program Amendment to the CCC. CCC staff will review the submittal and determine if it is a minor (*de minimis*) amendment or requires a public hearing. As required by state law, the adopted Title 30 and Title 28 amendments will also be submitted to the Department of Housing and Community Development for review within 60 days of adoption.

ENVIRONMENTAL REVIEW:

Under California Public Resources Code Section 21080.17, the California Environmental Quality Act (CEQA) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Section 65252.2 and 65852.22 of the Government Code, which is the state Accessory Dwelling Unit law.

BUDGET/FINANCIAL IMPACT:

The recommended action does not have a budgetary/financial impact on the City.

ATTACHMENTS:

1. Proposed Title 30 and Title 28 Clean-Up Items
2. Proposed Title 30 and Title 28 State Requirements

PREPARED BY: Jillian Ferguson, Assistant Planner

SUBMITTED BY: Elias Isaacson, Community Development Director

APPROVED BY: City Administrator's Office

Summary of Accessory Dwelling Unit (ADU) Ordinance Amendments

CLEAN-UP ITEMS

High Fire - Corrected terminology for High Fire Hazard Areas.	Throughout
Parking Terminology - Unified garage and parking terminology.	Throughout
Rental Terms - Clarifies that rental terms (30+ days) applies to both primary and accessory units	SBMC §30.185.040.D.4 / §28.86.035.D
Coastal Discretionary Approval - Removed reference to “ministerial approval” in the Coastal Zone because most ADUs require discretionary approval of a Coastal Development Permit per updated guidance from Coastal Commission.	Inland N/A / SBMC §28.86.080.A.3
Residential Elements - Deleted “fire-rated door” – not required on JADUs	SBMC §30.185.040.F.4 / §28.86.050.C
Unit Configuration - Designates the primary residential unit when there are multiple units or attached units	SBMC §30.185.040.C & K / §28.86.030.C.2 & §28.86.085
High Fire Hazard Area Parking - Simplified parking exemption for studio units – replaces the ambiguous statement “one per unit or bedroom, whichever is less”	SBMC §30.185.040.K.5 / Coastal Zone N/A
Development Standards for Special ADUs - Corrected error to allow both newly constructed <i>and converted</i> detached special ADUs to be combined with JADUs	SBMC §30.185.040.L.2.d / §28.86.090.B.4
Change in Occupancy - Clarifies Certificate of Occupancy/Final Inspection may not occur on ADU until after Certificate of Occupancy/Final Inspection for primary unit occurs	SBMC §30.185.040.M.4.b / §28.86.100.E.2

Summary of Accessory Dwelling Unit (ADU) Ordinance Amendments

STATE REQUIREMENTS

<p>Building Permit Required - Building permit clarifications: ADU not considered a change in occupancy; City must provide written corrections when an ADU application is disapproved; limits the City from disapproving an ADU due to unrelated pre-existing violations.</p>	<p>SBMC §30.185.040.M.1 & 2 & 3 / §28.86.100.B & C & D</p>
<p>Fire Sprinklers - The construction of an ADU does not require fire sprinklers in the primary residential unit.</p>	<p>SBMC §30.185.040.F.4 / §28.86.050.D</p>
<p>Maximum Height - Building height maximum altered from 16 feet (special ADUs) and 17 feet (standard ADUs) to 18 feet.</p>	<p>SBMC §30.185.040.H.7 / §28.86.060.G and throughout. See Table 2 in staff report for clarification on height changes.</p>
<p>Development Standards - Revised the “state-exempt” ADU description to eliminate the 16-foot height maximum and allow front setback reductions.</p>	<p>SBMC §30.185.040.G.1.d & §30.185.040.L.6/ §28.86.055.A.4 & §28.86.090.F</p>
<p>Objective Design Standards - Clarified language regarding screening and design style to be objective.</p>	<p>SBMC §30.185.040.H.8 & 9/ §28.86.060.H & I</p>
<p>Combined Permits - Allows a demolition permit for a garage to be combined with a permit for a new ADU.</p>	<p>SBMC §30.185.040.M.4/ §28.86.100.E.1</p>
<p>Posted Sign - Eliminates a “posted sign” requirement for the demolition of a detached garage that is to be replaced with an ADU, unless the property is located within an architecturally and historically significant historic district.</p>	<p>SBMC §30.185.040.M.6/ §28.86.100.G.4</p>

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING THE SANTA BARBARA
MUNICIPAL CODE BY AMENDING SECTION 30.185.040,
PERTAINING TO REGULATIONS FOR ACCESSORY
DWELLING UNITS

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

SECTION 1. Section 30.185.040 of Chapter 30.185 of Title 30 of the Santa
Barbara Municipal Code is amended to read as follows:

30.185.040 Accessory Dwelling Units.

Accessory dwelling units and junior accessory dwelling units shall be located,
developed, and occupied subject to the following provisions:

A. Purpose. The purpose of this Section is to:

1. Expand opportunities in the City to create additional housing to suit the
spectrum of individual lifestyles and space needs, allow more efficient use of existing
housing stock and public infrastructure, and provide a range of housing opportunities.

2. Allow accessory dwelling units or junior accessory dwelling units as an
accessory use to a primary residential unit, consistent with California Government
Code Section 65852.2 or 65852.22, as applicable.

3. Promote accessory dwelling units or junior accessory dwelling units
with high-quality designs that are compatible with the surrounding neighborhood, historic

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resources, and historic districts; preserve the City's visual resources; promote long-term sustainability; and contribute to a desirable living environment.

B. Definitions. For the purposes of this Section, the following words and phrases shall have the following meanings:

1. Accessory Dwelling Unit. An attached or a detached residential unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residential unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and be located on the same parcel that the primary residential unit is or will be situated. An accessory dwelling unit can also be an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, or a manufactured home, as defined in Section 18007 of the Health and Safety Code. The following categories of accessory dwelling units are subject to specific development standards:

a. Special Accessory Dwelling Unit. These are specific types of smaller accessory dwelling units and junior accessory dwelling units with certain size, height, and setback standards described in subsection L, Development Standards for Special Accessory Dwelling Units. Special accessory dwelling units allow for more than one accessory dwelling unit on a lot.

b. Standard Accessory Dwelling Unit. These are typically larger accessory dwelling units with size, height, and setback standards generally described in

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subsection G, Development Standards for Standard Accessory Dwelling Units. Standard accessory dwelling units do not allow for more than one accessory dwelling unit on a lot.

~~An accessory dwelling unit also includes the following:~~

~~_____ a. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.~~

~~_____ b. A manufactured home, as defined in Section 18007 of the Health and Safety Code.~~

2. Efficiency Kitchen. A kitchen that includes at a minimum:

a. Appliances for cooking food and refrigeration, either built-in or countertop.

b. A sink for food preparation greater than 12 inches by 12 inches, excluding the sink located in the bathroom.

c. A food preparation counter.

3. Existing Floor Area. A legally permitted building constructed on the site with a final inspection or certificate of occupancy as of the date of application submittal, that conforms to current zoning standards or is legal nonconforming as to current zoning standards.

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4. Junior Accessory Dwelling Unit. A unit that is no more than 500 square feet in size and contained entirely within the structure of an existing or proposed single residential unit. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing or proposed single residential unit and includes an efficiency kitchen.

5. Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

6. Primary Residential Unit. The existing or proposed residential unit on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted. The primary residential unit shall comprise one of the residential housing types described in Section 30.295.020.A (i.e., single-unit residential, two-unit residential, multi-unit residential) or mixed-use development.

7. Principal Place of Residence. The residence where a property owner actually lives for the greater part of time, or the place where the property owner remains when not called elsewhere for some special or temporary purpose and to which the property owner returns frequently and periodically, as from work or vacation. There may be only one “principal place of residence,” and where more than one residence is maintained or owned, the burden shall be on the property owner to show that the primary residential unit, or accessory dwelling unit, or junior accessory dwelling unit is the property owner’s principal place of residence as evidenced by qualifying for the homeowner’s tax exemption, voter registration, vehicle registration, or similar methods that demonstrate

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owner-occupancy. If multiple persons own the property as tenants in common or some other form of common ownership, a person or persons representing at least 50% of the ownership interest in the property shall reside on the property and maintain the property as a principal place of residence. Any person or persons who qualify for the homeowner's tax exemption under the California State Board of Equalization rules, may qualify as an owner occupant.

C. Where Permitted.

1. Accessory Dwelling Unit. An accessory dwelling unit may be permitted in any zone that allows residential use, located on a lot developed or proposed to be developed with one or more residential units, except as prohibited below.

2. Junior Accessory Dwelling Unit. A junior accessory dwelling unit may be permitted in any zone that allows residential use and shall be located on a lot developed with an existing or proposed single residential unit.

3. Prohibited Locations. No standard accessory dwelling unit shall be permitted on a lot located within the Foothill or Extreme Foothill High Fire Hazard Areas (Very High Fire Hazard Severity Zone) ~~(Extreme Foothill and Foothill)~~, or as may be subsequently retitled in the future as the "Very High Fire Hazard Severity Zone," as defined in the City's Community Wildfire Protection Plan adopted by City Council.

a. Exception for Special Accessory Dwelling Units. Accessory dwelling units permitted in accordance with all the configuration, standards, and special

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procedures outlined in subsection L. Development Standards for Special Accessory Dwelling Units, may be permitted on any lot, including lots located within ~~any~~ the Foothill or Extreme Foothill High Fire Hazard Areas (Very High Fire Hazard Severity Zone) (Extreme Foothill and Foothill), or ~~as may be subsequently retitled in the future as the “Very High Fire Hazard Severity Zone,” as defined in the City’s Community Wildfire Protection Plan adopted by City Council,~~ if the lot is zoned to allow for residential use and contains an existing or proposed primary residential unit.

D. Unit Configuration.

1. Only one accessory dwelling unit or junior accessory dwelling unit shall be permitted on a lot in addition to the primary residential unit in the configuration set forth in subsections D.2 and 3, below. However, multiple accessory units may be permitted in accordance with all the configuration, standards, and special procedures outlined in subsection L, Development Standards for Special Accessory Dwelling Units.

2. An accessory dwelling unit may be permitted in the following configurations:

a. Incorporated entirely within an existing or proposed primary residential unit;

b. Incorporated entirely within an existing accessory building, including garages, located on the same lot as the primary residential unit;

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c. Attached to or increasing the size of an existing primary residential unit or accessory building located on the same lot as the primary residential unit; or

d. Detached from and located on the same lot as the existing or proposed primary residential unit. An accessory dwelling unit that is attached to another detached accessory building, but not the primary residential unit, or is attached by a breezeway or porch, is considered detached.

3. A junior accessory dwelling unit must be incorporated entirely within the existing floor area of an existing or proposed single residential unit or attached garage.

4. One primary residential unit shall be designated and maintained on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted. In the case when multiple residential units are existing or proposed on a lot, there shall be only one primary residential unit. When an accessory dwelling unit is to be attached to a residential unit, the residential unit the accessory dwelling unit is attached to shall be the designated primary residential unit.

E. **Sale, Rental, and Occupancy Terms.** All accessory dwelling units and junior accessory dwelling units shall be subject to the following sale, rental, and occupancy terms:

1. ***Not to Be Sold Separately.*** An accessory dwelling unit or junior accessory dwelling unit shall not be sold separately from the primary residential unit.

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2. **Rental Terms.** ~~The accessory dwelling unit or junior accessory dwelling unit may be rented separately from the primary residential unit; however, if rented, rental terms for the primary residential unit, accessory dwelling unit, or junior accessory dwelling unit shall not be less than 31 consecutive days, nor shall rental terms allow termination of the tenancy prior to the expiration of at least one 31-day period occupancy by the same tenant.~~

3. **Owner Occupancy.** The following types of projects are subject to an owner occupancy requirement:

a. All lots developed with junior accessory dwelling units; except that owner occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

b. Any accessory dwelling unit located in an RS zone submitted on or after January 1, 2025, unless otherwise prohibited by State law, or upon repeal of Government Code Section 65852.2 (a)(6 8)(B) removing the state-imposed prohibition of an owner occupancy requirement, whichever occurs first.

4. **Owner's Unit.** If owner occupancy is required, the property owner shall reside in and maintain either the primary residential unit or the accessory dwelling unit/junior accessory dwelling unit, as the property owner's principal place of residence ("owner's unit"). Owners of lots developed with an accessory dwelling unit/junior accessory dwelling unit shall live on the lot as long as the lot is developed with an accessory dwelling unit/junior accessory dwelling unit. Owners may re-designate the

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primary residential unit or the accessory dwelling unit/junior accessory dwelling unit as the owner's unit upon written notice to the Community Development Director and written approval of the re-designation by the Community Development Director, which approval shall not be denied unreasonably. If owner occupancy is required, ~~the~~ the property owner shall not rent or lease both the primary residential unit and the accessory dwelling unit/junior accessory dwelling unit simultaneously.

5. ***Hardship Waiver.*** If owner occupancy is required, in the event of a hardship, such as the death or disability of the property owner, job transfer, or similar significant personal situation which prevents the property owner from occupying one of the units as the owner's unit, a property owner or estate representative may apply for a temporary waiver of the owner-occupation requirement for a specific time period to allow the owner's unit to be occupied by a non-property owner pending disposition of the property through probate or non-probate transfer to a new owner, or the cessation of the circumstances preventing the property owner from occupying the owner's unit on the property. The Community Development Director shall review applications for a hardship waiver. Any such waiver shall specify the period of time for which it is granted, provided that no such waiver may be granted for a period longer than three years.

6. ***Removal of Recorded Owner Occupancy Requirement.*** With the exception of owner occupancy covenants required to permit a junior accessory dwelling unit, the Community Development Director will, in a form acceptable to the City Attorney, release an owner occupancy requirement recorded against the property prior to ~~adoption~~ of this ordinance January 1, 2020, upon the request of the property owner. No other

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covenants required pursuant to this section, and contained in the agreement recorded against the property, shall be released.

F. **Required Features.** Each accessory dwelling unit and junior accessory dwelling unit shall contain, at a minimum, the following features:

1. **Residential Elements.** Permanent provisions for separate residential occupancy must be provided as follows within the contiguous livable floor space of the accessory dwelling unit or junior accessory dwelling unit and must be independent from the primary residential unit:

a. A kitchen, consisting of a sink, cooking appliance, and refrigeration facilities. A junior accessory dwelling unit may utilize an efficiency kitchen.

b. A bathroom consisting of a toilet, sink, and bathtub or shower. A junior accessory dwelling unit may share sanitation facilities with the existing or proposed single residential unit.

c. A separate living room.

d. A separate sleeping room, except in studio residential units, where a living room is considered a sleeping room.

2. **Minimum Floor Area.** Notwithstanding the dwelling unit minimum described in Section 30.140.150, Residential Unit, the minimum floor area for a newly constructed accessory dwelling unit is as follows:

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- a. *Efficiency Unit:* 150 square feet.
- b. *Studio Unit:* 220 square feet.
- c. *All Other Units:* 400 square feet.

Such usable floor area shall be exclusive of open porches, garages, basements, cellars, and unfinished attics. The minimum floor area for accessory dwelling units that are created by converting existing structures is 150 square feet and must meet the definition of an efficiency unit.

3. ***Exterior Access.*** Exterior access to the unit, that is independent from the primary residential unit, must be provided. An interior connection consisting of one ~~fire-rated~~ lockable door between the primary residential unit and an accessory dwelling unit or junior accessory dwelling unit may be provided.

4. ***Fire Sprinklers.*** Fire sprinklers are required only if they are required for the primary residential unit. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary residential unit.

5. ***Permanent Foundation.*** Attached and detached units shall be constructed with an approved permanent foundation.

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6. **Property Addresses.** Addresses identifying all residential units on the lot, with minimum three- and one-half-inch numbers plainly visible from the street or road fronting the property shall be provided.

7. **Public Sewer.** Accessory dwelling units and junior accessory dwelling units shall be connected to a public sewer. If public sewer connection is not available, approval of a new or expanded onsite wastewater treatment system shall be required in accordance with the procedures from the Code of the County of Santa Barbara California prior to issuance of a building permit.

8. **Water Meter.** Accessory dwelling units shall comply with the water metering requirements of Title 14, Section 14.08.150 E.

9. **Passageway.** No passageway is required in conjunction with the construction of an accessory dwelling unit or junior accessory dwelling unit.

G. **Development Standards for Standard Accessory Dwelling Units.**

1. **Development Standards Generally.** The development standards listed in this Section apply to standard accessory dwelling units and junior accessory dwelling units, except for those units permitted in accordance with all the configuration, standards, and special procedures outlined in Subsection L, Development Standards for Special Accessory Dwelling Units.

a. The reductions and exceptions to the development standards normally applicable to residential development allowed in this Section are for the express

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purpose of promoting the development and maintenance of an accessory dwelling unit on the lot. If for any reason the accessory dwelling unit is not maintained on the lot in conformance with this Section, the lot shall be brought into compliance with all of the requirements for the residential development, or with the legal nonconforming condition of the lot prior to the development of the accessory dwelling unit, including, but not limited to, the requirements for open yard, setbacks, and covered parking.

b. Except as otherwise specified in this Subsection, projects developed in accordance with this Section shall otherwise comply with the development standards applicable to an attached or detached accessory building for the housing type and the base zone in which the lot is located.

c. One primary residential unit shall be designated on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted.

d. ~~Notwithstanding the size limit of an attached accessory dwelling unit based on a percentage of the proposed or existing primary unit, or lot coverage, floor area ratio, open yard, and minimum lot size standards for an attached or detached accessory dwelling unit, an 800-square-foot, 16-foot high attached or detached accessory dwelling unit may be constructed in compliance with all other development standards for standard accessory dwelling units. A maximum 800-square-foot attached or detached standard accessory dwelling unit with four-foot interior setbacks may be constructed in compliance with all other development standards for standard accessory dwelling units, notwithstanding size based on a percentage of the~~

proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setback, and minimum lot size.

2. **Maximum Floor Area.** The maximum floor area for a standard accessory dwelling unit and junior accessory dwelling unit is as follows:

a. *Attached Accessory Dwelling Unit.* An accessory dwelling unit that is attached to, and increasing the size of, the primary residential unit shall not exceed 50% of the living area of the existing primary residential unit.

b. *Converted Accessory Dwelling Unit.* An accessory dwelling unit that is incorporated entirely within an existing primary residential unit, or within an existing accessory building, is not limited in size except that it shall not exceed the footprint of the existing structure.

c. *Detached Accessory Dwelling Unit.* An accessory dwelling unit that is detached from the primary residential unit and may or may not be attached to another detached accessory building, including detached garages, shall not exceed the following maximum floor area based on lot size and number of bedrooms:

(1) Lots up to 14,999 square feet and developed with one-bedroom or studio units: 850 square feet.

(2) Lots up to 14,999 square feet and developed with two or more-bedroom units: 1,000 square feet.

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(3) Lots 15,000 square feet or larger: 1,200 square feet.

d. *Junior Accessory Dwelling Unit.* The maximum floor area of a junior accessory dwelling unit shall be 500 square feet.

3. ***Building Separation.*** The minimum separation between the primary residential unit and a detached accessory dwelling unit shall be five feet.

4. ***Open Yard.*** No open yard areas are required for accessory dwelling units or junior accessory dwelling units. ~~The minimum area, dimensions, and location of the required open yard pursuant to Section 30.140.140.C, Open Yards, for the existing or proposed primary residential unit on lots developed with single-unit or two-unit residential, may be reduced as follows in order to construct a standard accessory dwelling unit pursuant to this subsection, or to construct an accessory dwelling unit proposed over a new or reconstructed maximum 500 square foot garage, provided all other open yard requirements are met: A new standard accessory dwelling unit may encroach into the open yard required pursuant to Section 30.140.140.C, Open Yards, for the existing or proposed primary residential unit on lots developed with single-unit or two-unit residential, provided all other open yard requirements are met, and the following minimum area and dimensions are provided:~~

a. *Minimum Area.*

(1) Lots less than 6,000 square feet: 500 square feet.

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(2) Lots 6,000 up to 7,999 square feet: 800 square feet.

(3) Lots 8,000 square feet up to 9,999 square feet: 1,000 square feet.

(4) Lots 10,000 square feet or greater: 1,250 square feet.

b. *Minimum Dimensions.* 15 feet long and 15 feet wide.

c. *Location in Driveways and Turnarounds.* Notwithstanding Section 30.140.140.E.6.a, Vehicle Areas, the required open yard may be located in driveways and turnarounds, but not parking areas, in order to allow the construction of a new accessory dwelling unit.

d. *Accessory Dwelling Unit Over A Detached Garage:* A standard accessory dwelling unit constructed entirely over a new or reconstructed detached garage may also encroach into the required open yard as described above, provided that the area of the garage does not exceed a maximum of 500 square feet, plus up to 150 square feet may be allowed for other uses such as an enclosed stairway, storage, workshop, or laundry area, which may be used for either unit. Garage and accessory areas shall comply with all other development standards, such as setbacks and maximum floor area, applicable to a detached accessory building for the housing type and the base zone in which the lot is located.

5. **Setbacks.** The following setbacks shall apply to new and converted standard accessory dwelling units approved pursuant to this Subsection:

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a. *New Construction.* Newly constructed accessory dwelling units shall comply with the following setback standards:

(1) Front Setback: Meet the minimum front setback for residential structures in the zone, unless further limited by Subsection H.8, Front Yard Location, below.

(2) Interior Setback: Four feet.

b. *Conversion.* No setback is required to convert the existing, legally permitted, floor area of a main or accessory building to an accessory dwelling unit. Improvements to existing nonconforming buildings, including conforming additions, are allowed pursuant to Chapter 30.165, Nonconforming Structures, Site Development, and Uses.

c. *Substantial Redevelopment.* No setback is required when an existing main or accessory building is substantially redeveloped and converted to an accessory dwelling unit, provided that the new building is reconstructed in the same location and with the same dimensions and floor area as the existing building.

(1) Exception for Small Conforming Additions. One small 150-square-foot conforming first floor addition may be permitted on a substantially redeveloped and converted nonconforming accessory building.

d. *New Construction Combined with Replacement of a Nonconforming Garage.* The construction of an accessory dwelling unit may be combined

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with the demolition and replacement of a nonconforming detached garage if all of the following requirements are met:

(1) The new garage is reconstructed in the same location and with the same dimensions as the existing garage; or

(2) The new garage is enlarged or altered in size only as necessary to provide the same number of parking spaces and to meet the dimension requirements of the City of Santa Barbara Access and Parking Design Standards, but located no closer to the property line as the existing garage; and

(3) The accessory dwelling unit is constructed above or attached to the reconstructed garage; and

(4) Any additions, which may include ~~the~~ accessory dwelling unit ~~and~~ or any additions to the garage for other structures or uses shall conform with current setbacks and other development standards of this Title;

(5) The new structure shall comply with all applicable height and building story limitations, and all other development standards are met.

e. *Setback Encroachments.* Setback encroachments allowed pursuant to Section 30.140.090, Encroachments into Setbacks and Open Yards, may be permitted for accessory dwelling units or junior accessory dwelling units.

H. **Architectural Review.** All accessory dwelling units or junior accessory dwelling units shall be subject to the following architectural design criteria as applicable to either new construction or exterior alterations, which shall be reviewed ministerially by the Community Development Director. For purposes of this Section, portions of a building or site considered to be the accessory dwelling unit shall include all of the contiguous interior livable floor area of the accessory dwelling unit and any exterior alterations directly attached to, and integral to, the livable floor area of the accessory dwelling unit.

1. **Prohibition of Shiny Roofing and Siding.** New roofing and siding materials that are shiny, mirror-like, or of a glossy metallic finish are prohibited.

2. **Roof Tile.** Where a new clay tile roof is proposed, the use of two-piece terra cotta (Mission “C-tile”) roof is required and “S-tile” is prohibited, unless necessary to match the S-tile roof materials of the existing primary residential unit.

3. **Skylights.** New skylights shall have flat glass panels. “Bubble” or dome type skylights are not allowed.

4. **Glass Guardrails.** New glass guardrails are not allowed, unless necessary to match the glass guardrails of the existing primary residential unit.

5. **Garage Conversion.** If a garage is converted to an accessory dwelling unit, the garage door opening shall be replaced with exterior wall coverings, or residential windows and doors, to match the existing exterior garage wall covering and detailing.

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6. **Grading.** No more than 250 cubic yards of grading (i.e., cut and/or fill under the main accessory dwelling unit building footprint and outside the main building footprint to accommodate the accessory dwelling unit) is proposed in the Hillside Design District or on lots in other parts of the City with a slope of 15% or greater.

7. **Height.** Building heights shall not exceed the maximum height or number of stories allowed for a detached or attached accessory building in the zone and are limited in accordance with Section 30.140.170, Solar Access Height Limitations. In addition, tThe construction of an accessory dwelling unit shall not exceed the following, whichever is greater:

- a. Height of the primary residential unit; or
- b. Number of stories of the primary residential unit; or
- c. 178 feet for a detached standard or special accessory dwelling unit; an additional two feet in height is allowed if necessary to match the roof pitch and height of the primary residential unit; or
- d. 25 feet for an attached standard accessory dwelling unit; or
- e. Up to the maximum height allowed in the zone for a standard accessory dwelling unit constructed entirely over a new or reconstructed detached garage, that meets all of the criteria in Subsection 30.185.040.G.4.d, above.

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~~This height limitation is not applicable to an accessory dwelling unit constructed above a garage, however, in no event shall the resulting building exceed the maximum height or number of stories allowed for a detached or attached accessory building in the zone.~~

8. ***Front Yard Location.*** The construction of a new detached accessory dwelling unit located in the front yard shall be subject to all of the following:

a. The new accessory dwelling unit must be located a minimum of 20 feet back from all front lot lines or meet the minimum front setback for the zone in which the lot is located, whichever is greater.

b. Unless constructed entirely over an existing, new, or reconstructed detached garage that meets all of the criteria in Subsection 30.185.040.G.4.d, above, the new unit shall be:

(1) No more than one-story; and

(2) Less than 178 feet in height; an additional two feet in height is allowed if necessary to match the roof pitch and height of the primary residential unit; and

(3) ~~Screened from the street by topography, location, or landscape, in a manner designed to blend into the surrounding architecture or landscape,~~ so as to minimize visibility of the accessory dwelling unit to the casual observer as viewed from the street.

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9. ***Design Style.*** New detached or attached accessory dwelling units ~~shall be compatible with the design of the primary residential unit regarding style, fenestration, materials, colors, and details~~ shall be constructed using the same architectural style, roof pitch, exterior building materials, colors, and finishes as the primary unit if the accessory dwelling unit meets any of the following:

a. Attached to, or if any portion of the accessory dwelling unit is located within 20 feet of, the primary residential unit;

b. Located in the Hillside Design District and 20% or greater average slope;

c. Two or more stories tall, or 178 feet or taller in building height;

d. Located on a site on which there is a historical resource as follows:

(1) Listed on the National Register of Historic Places or the California Register of Historic Resources;

(2) Designated as a City of Santa Barbara Landmark or Structure of Merit; or

(3) Located in a designated historic district.

e. Located in the front yard.

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10. **Privacy Standards.** The construction of an accessory dwelling unit where any portion of the proposed construction is either: two or more stories tall or 178 feet or taller in building height, shall comply with the following:

a. Upper story unenclosed landings, decks, and balconies greater than 20 square feet, that face or overlook the adjoining property, shall be located a minimum of 15 feet from the interior lot lines.

b. Upper story unenclosed landings, decks, and balconies, that do not face or overlook the adjoining property due to orientation or topography, may be located at the minimum interior setback line if an architectural screening element such as enclosing walls, trellises, awnings, or perimeter planters with a five-foot minimum height is incorporated into the unenclosed landing, deck, or balcony.

c. Upper story windows that face or overlook the adjoining property, located within 15 feet of the interior lot lines, shall be installed a minimum of 42 inches above finish floor.

11. **Exceptions.** Discretionary applications for design review may be requested in the following circumstances:

a. An applicant may propose an accessory dwelling unit that does not meet these design criteria subject to approval by the Single Family Design Board, Architectural Board of Review, or Historic Landmarks Commission, as appropriate.

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b. Discretionary design review may be required for any exterior alterations to the project site or main buildings that are not an integral part of the accessory dwelling unit but are proposed in conjunction with the accessory dwelling unit, if required pursuant to Chapter ~~22.68, 22.69, or 28.86~~ 30.220 of this Code.

I. **Protection for Historic Resources.** No accessory dwelling unit or junior accessory dwelling unit shall be permitted if the proposal would cause a substantial adverse change in the significance of a historical resource listed on the National Register of Historic Places or the California Register of Historical Resources, designated as a City of Santa Barbara Landmark or Structure of Merit, or located in a designated historic district. The Community Development Director shall make this determination by reviewing the proposal for compliance with appropriate Secretary of Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.

J. **Parking Standards.** No automobile parking spaces are required for accessory dwelling units or junior accessory dwelling units. The required parking for the existing residential units on site may be reduced or replaced as follows to construct an accessory dwelling unit:

1. **No Replacement Parking Required.** When an existing garage, carport, or other covered parking structure is converted to an accessory dwelling unit or demolished in order to construct an accessory dwelling unit, those off-street parking spaces for the existing residential unit are not required to be replaced.

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2. ***Optional Parking Standards.*** If optional new or replacement parking spaces are proposed for either the primary residential unit or the accessory dwelling unit, those spaces may be provided as covered, uncovered, in a mechanical lift, or in a tandem configuration pursuant to Subsection J.2.f below. The new or replacement spaces shall meet all of the following:

a. Covered parking shall meet the development standards applicable to the primary residential unit within the zone in which the lot is located.

b. All parking spaces must meet the minimum dimensions and development standards consistent with the City Parking Access and Design Standards and Section 30.175.090, Parking Area Design and Development Standards.

c. In order to maintain visibility for adjacent driveways and intersections, uncovered parking spaces shall comply with Section 30.140.230, Visibility at Driveways and Intersections.

d. New or Rreplacement uncovered parking spaces may be allowed in a front or interior setback, provided all uncovered parking spaces are contained within the area of an existing paved driveway and no increase to paved areas occurs in the setbacks.

e. New uncovered parking spaces that are not ~~replacement parking spaces~~ within an existing paved driveway, as described above, may be located in a new paved area three feet from any interior lot line, provided a minimum of three feet

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in width of planting area is provided for the length of the paved parking area along the interior lot line, if the paved parking area is parallel to the interior lot line.

f. Tandem parking configuration shall meet all the following:

(1) No more than two automobiles shall be placed one behind the other.

(2) Both automobile parking spaces parked in tandem shall be assigned to the same residential unit. ~~Tandem parking shall not create any traffic safety issues.~~

(3) Vertical or stackable tandem parking, provided by means of mechanical lifts, is subject to approval by the Public Works Director. Mechanical lifts shall be fully enclosed within a structure and shall require a recorded maintenance agreement, pursuant to Chapter 30.260, Recorded Agreements.

(4) Tandem parking in multi-unit and commercial zones is subject to approval by the Public Works Director. ~~Tandem parking shall not create traffic safety issues.~~

(5) Tandem parking shall not create traffic safety issues as determined by the Public Works Director.

K. **High Fire Hazard Area Standards.** All accessory dwelling units or junior accessory dwelling units located in any High Fire Hazard Area including the Coastal,

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Coastal Interior, Foothill and Extreme Foothill Areas, as defined in the City's Community Wildfire Protection Plan or as may be subsequently retitled in the future as a ("High" or "Very High Fire Hazard Severity Zone") as defined in the Community Wildfire Protection Plan adopted by City Council, shall comply with the following standards as applicable to new construction or parking:

1. **No Tandem Parking.** No parking space shall be developed in a tandem configuration.

2. **High Fire Construction.** The accessory dwelling unit shall be designed to meet high fire construction standards adopted or enforced by the City, as determined by the Chief Building Official or the Fire Code Official.

3. **No Variance or Modification.** No variance or modification to any Fire Code requirements or high fire construction standards shall be permitted.

4. **Defensible Space.** The site must meet defensible space requirements, pursuant to Chapter 8.04 of this Code, prior to occupancy and those requirements must be maintained.

5. **Parking.** No parking is required for studio units; One covered or uncovered automobile parking space per unit or bedroom, whichever is less is required for all other accessory dwelling units, unless the unit is exempt from parking per one of the exceptions outlined below. Parking spaces shall meeting all of the same parking

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standards required for the primary residential unit as described in Subsection J.2, Parking Standards, shall be required for an accessory dwelling unit.

a. ***Parking Exceptions for Certain Accessory Dwelling***

Units. Automobile parking is not required for an accessory dwelling unit, in any of the following instances:

(1) The accessory dwelling unit is located within a walking distance of one-half mile of a public transit stop, such as a bus stop or train station.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district. For purposes of this provision, El Pueblo Viejo Landmark District, Brinkerhoff Avenue Landmark District, Riviera Campus Historic District, and the El Encanto Hotel Historic District, constitute architecturally and historically significant historic districts within the City and any district hereafter created deemed to be architecturally and historically significant.

(3) The accessory dwelling unit is contained entirely within the permitted floor area of the existing primary residential unit or an existing accessory building.

(4) When on-street parking permits are required but not offered to the occupant(s) of the accessory dwelling unit.

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(5) When there is a “carshare vehicle” as defined in Chapter 10.73 of this Code, located within a walking distance of 500 feet of the accessory dwelling unit.

L. Development Standards for Special Accessory Dwelling Units.

1. ***Development Standards Generally.*** The development standards listed in this Section apply to specific types of small accessory dwelling units and junior accessory dwelling units with certain size, height, and setback standards that, if followed, allow for an accessory dwelling unit to be permitted on lots in a Fire Hazard Area, or more than one accessory dwelling unit on a lot, and allows additional reductions and exceptions to development standards for open yard and maximum floor area. Applications utilizing the special standards described in this Section may not utilize the less restrictive configuration, size, and height standards allowed under another Section to achieve a larger unit or more than one unit.

a. Any reductions and exceptions in this Section are for the express purpose of promoting the development and maintenance of a special accessory dwelling unit or junior accessory dwelling unit on the lot. If for any reason the special accessory dwelling unit or junior accessory dwelling unit is no longer maintained on the lot, the lot shall be brought into compliance with all of the requirements for the remaining residential development, or with the legal nonconforming condition of the lot prior to the development of the accessory dwelling unit or junior accessory dwelling unit.

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b. Except as otherwise specified in this Section, projects developed in accordance with this Chapter shall otherwise comply with the development standards applicable to the housing type and base zone in which the lot is located.

~~c. One primary residential unit shall be designated on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted. In the case when multiple residential units are existing on a lot, there shall be only one primary residential unit.~~

2. ***Configuration – Single Unit Lots.*** A lot developed with only one existing or proposed single-unit residence, may permit one of the following types of special accessory dwelling units:

a. *Converted Portion of Main Building.* Only one accessory dwelling unit or junior accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed livable floor area of the existing or proposed primary residential unit; or

b. *Converted Accessory Building.* Only one accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed floor area of a garage or other accessory building on the same lot as the primary residential unit, plus one 150-square-foot conforming first floor addition, if the expansion is limited to accommodating ingress and egress; or

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c. *One Unit – New Construction.* One newly constructed accessory dwelling unit, detached from any other main or accessory building; or

d. *Two Units – Combination.* One junior accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed livable floor area of the existing or proposed primary residential unit, plus one newly constructed or converted special accessory dwelling unit, ~~detached from any other main or accessory building.~~

3. ***Configuration – Two-Unit ~~or~~, Multi-Unit, or Mixed-Use Lots.*** A lot developed with two or more existing or proposed residential units, or one or more existing or proposed residential units in a mixed-use development, may permit one of the following types of special accessory dwelling units:

a. *Converted Non-Livable Space.* ~~At least one~~ Up to two accessory dwelling units, ~~and or~~ up to 25% of the existing number of residential units on a lot, whichever is greater, may be converted on a lot if contained entirely within portions of existing, legally permitted, fully enclosed floor area of a residential or mixed-use structure, or detached accessory structure, that is not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, upper-floor commercial areas, attached or detached carports, or garages; or

b. *Two Units – New Construction.* No more than two newly constructed accessory dwelling units, detached from the main or accessory building.

c. Two Unit – Combination. One accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed non-livable floor area of a residential or mixed-use structure, or detached accessory structure; plus, one newly constructed accessory dwelling unit, detached from any other main or accessory building.

4. **Maximum Floor Area.**

a. *Detached Accessory Dwelling Unit.* The maximum floor area of any detached, new construction, special accessory dwelling unit approved pursuant to this Subsection is 800 square feet.

b. *Converted Accessory Dwelling Unit.* An accessory dwelling unit that is incorporated entirely within portions of existing floor area, approved pursuant to this Subsection, is not limited in size.

c. *Junior Accessory Dwelling Unit.* The maximum floor area of a junior accessory dwelling unit shall not exceed 500 square feet.

5. **Maximum Height – Detached Accessory Dwelling Unit.** The maximum building height of a detached, new construction, special accessory dwelling unit approved pursuant to this Subsection is ~~16 feet.~~ 18 feet and one story; an additional two feet in height is allowed if necessary to match the roof pitch and height of the primary residential unit.

6. ***Exempt from Other Size and Location Limitations.*** A special accessory dwelling unit or junior accessory dwelling unit ~~approved pursuant to in compliance with~~ this Subsection is exempt from ~~any other size or location~~ limitations in this title. based on a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open yard, front setback, and minimum lot size.

~~7. ***Exempt from Open Yard.*** No open yard is required for a special accessory dwelling unit or junior accessory dwelling unit approved pursuant to this subsection. Open yard for any existing residential units on a lot may be reduced or eliminated entirely in order to permit a special accessory dwelling unit meeting all the standards and criteria in this subsection.~~

M. **Building Permit Required.** All accessory dwelling units and junior accessory dwelling units shall comply with applicable state and local building codes and shall require approval of a building permit.

~~1. ***Combined Permits.*** An accessory dwelling unit or junior accessory dwelling unit permit shall not be combined with a permit for other proposed construction on the site unrelated to the accessory dwelling unit or junior accessory dwelling unit. If a permit application for an accessory dwelling unit or junior accessory dwelling unit is submitted at the same time as a permit application for a new single-unit dwelling, review of the permit for the accessory dwelling unit or junior accessory dwelling unit application shall be delayed until the permit for the single-unit dwelling has been approved.~~

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1. **Change in Occupancy.** The construction of an accessory dwelling unit shall not constitute a Group R occupancy change, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the Building Official finds that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. This clause does not apply when changing the occupancy code of a space that was unhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use.

2. **Review of Applications.** Applications for a permit to create an accessory dwelling unit or junior accessory dwelling unit shall be processed pursuant to Chapter 30.205, Common Procedures, and the specific requirements of this Section. The City shall ministerially approve or disapprove a complete building permit application for an accessory dwelling unit or junior accessory dwelling unit in compliance with time periods established by state law. If the City disapproves an application for an accessory dwelling unit or junior accessory dwelling unit, the City shall return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

3. **Pre-Existing Violations.** The City shall not disapprove an application to create an accessory dwelling unit or junior accessory dwelling unit solely due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are unrelated to the construction of the accessory dwelling unit or junior accessory dwelling unit. However, any approvals granted under this Section shall not constitute authorization

for continuation of the violation, or waiver of or estoppel against any future enforcement action.

4. **Combined Permits.** An accessory dwelling unit or junior accessory dwelling unit permit shall not be combined with a permit for other proposed construction on the site unrelated to the accessory dwelling unit or junior accessory dwelling unit; except that:

a. Demolition permits for a detached garage that is to be replaced with an accessory dwelling unit may be reviewed with the application for the accessory dwelling unit and issued at the same time; and

b. A permit application for an accessory dwelling unit or junior accessory dwelling unit may be submitted at the same time as a permit application for a new primary residential unit; however, approval of the permit for the accessory dwelling unit or junior accessory dwelling unit application shall be delayed until the permit for the primary residential unit has been approved and issued. A certificate of occupancy/final inspection for an accessory dwelling unit shall not be issued before a certificate of occupancy/final inspection is issued for the primary residential unit.

25. **Modifications and Minor Zoning Exceptions for Accessory Dwelling Units or Junior Accessory Dwelling Units.** An accessory dwelling unit or junior accessory dwelling unit that is not in compliance with the development standards of this Section may be granted a modification or minor zoning exception if all the required

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findings can be met, pursuant to the procedures outlined in Chapter 30.250, Modifications, or Chapter 30.245, Minor Zoning Exceptions.

36. Posted Sign. Within five calendar days after submitting an initial building permit application to the City, the property owner shall install a public notice in the form of a posted sign on the property in a manner deemed acceptable by the Community Development Director, as follows: ~~The sign shall remain posted until a building permit is issued, or the application expires or is withdrawn. At the time of application submittal, the applicant shall sign an affidavit stating that he or she will post the required sign per this subsection. The validity of the permit shall not be affected by the failure of any property owner, resident, or neighborhood or community organization to receive this notice.~~

a. The sign shall remain posted until a building permit is issued, or the application expires or is withdrawn.

b. At the time of application submittal, the applicant shall sign an affidavit stating that the required sign will be posted per this Subsection.

c. The validity of the permit shall not be affected by the failure of any property owner, resident, or neighborhood or community organization to receive this notice.

d. The requirement for a posted sign does not apply to a project that only includes the demolition of a detached garage that is to be replaced with an

accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

N. **Recorded Agreement.** Before obtaining a building permit for an accessory dwelling unit or junior accessory dwelling unit, the property owner shall execute an agreement, pursuant to Chapter 30.260, Recorded Agreements, containing a reference to the deed under which the property was acquired by the present owner which outlines the requirements regarding the sale, rental, and owner occupancy of lots developed with accessory dwelling units and junior accessory dwelling units as specified in Subsection E of this Section.

O. **Residential Density.** An accessory dwelling unit or junior accessory dwelling unit is a residential use that is consistent with the existing General Plan designations and zoning for lots within the allowable residential zones. Any accessory dwelling unit or junior accessory dwelling unit permitted pursuant to this Section does not exceed the allowable density for the lot upon which the accessory dwelling unit or junior accessory dwelling unit is located.

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING THE SANTA BARBARA
MUNICIPAL CODE BY AMENDING CHAPTER 28.86,
PERTAINING TO REGULATIONS FOR ACCESSORY
DWELLING UNITS

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

SECTION 1. Chapter 28.86 of Title 28 of the Santa Barbara Municipal Code is
amended to read as follows:

28.86.010 Purpose. The purpose of this Chapter is to:

A. Expand opportunities in the City to create additional housing to suit the
spectrum of individual lifestyles and space needs, allow more efficient use of existing
housing stock and public infrastructure, and provide a range of housing opportunities.

B. Allow accessory dwelling units or junior accessory dwelling units as an
accessory use to a primary residential unit, consistent with California Government
Code Section 65852.2 or 65852.22 and the California Coastal Act, as applicable.

C. Promote accessory dwelling units or junior accessory dwelling units with
high-quality designs that are compatible with the surrounding neighborhood, historic
resources, and historic districts; preserve the City's coastal resources; promote long-term
sustainability; and contribute to a desirable living environment.

28.86.020 Definitions.

As used in this Chapter, the following words and phrases shall have the following meanings:

A. **ACCESSORY DWELLING UNIT.** An attached or a detached residential unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residential unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and be located on the same parcel that the primary residential unit is or will be situated. An accessory dwelling unit can also be an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, or a manufactured home, as defined in Section 18007 of the Health and Safety Code. The following categories of accessory dwelling units are subject to specific development standards:

1. **Special Accessory Dwelling Unit.** These are specific types of smaller accessory dwelling units and junior accessory dwelling units with certain size, height, and setback standards described in Section 28.86.090, Development Standards for Special Accessory Dwelling Units. Special accessory dwelling units allow for more than one accessory dwelling unit on a lot.

2. **Standard Accessory Dwelling Unit.** These are typically larger accessory dwelling units with size, height, and setback standards generally described in Section 28.86.055, Development Standards for Standard Accessory Dwelling Units.

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Standard accessory dwelling units do not allow for more than one accessory dwelling unit on a lot.

~~An accessory dwelling unit also includes the following:~~

~~_____ a. An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.~~

~~_____ b. A manufactured home, as defined in Section 18007 of the Health and Safety Code.~~

B. CARSHARE VEHICLE. A motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization which provides hourly or daily car sharing service to its members.

C. EFFICIENCY KITCHEN. A kitchen that includes at a minimum:

1. Appliances for cooking food and refrigeration, either built-in or countertop.
2. A sink for food preparation greater than 12 inches by 12 inches, excluding the sink located in the bathroom.
3. A food preparation counter.

D. EXISTING FLOOR AREA. A legally permitted building constructed on the site with a final inspection or certificate of occupancy as of the date of application

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submittal, that conforms to current zoning standards or is legal nonconforming as to current zoning standards.

E. JUNIOR ACCESSORY DWELLING UNIT. A unit that is no more than 500 square feet in size and contained entirely within the existing floor area of an existing or proposed single residential unit. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing or proposed single residential unit and includes an efficiency kitchen.

F. PASSAGEWAY. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

G. PRIMARY RESIDENTIAL UNIT. The existing or proposed residential unit on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted. The primary residential unit shall comprise one unit in either a single residential unit, two-residential unit, multiple residential unit, or mixed use development (as those terms are defined in Section 28.04.020 of this Title).

H. PRINCIPAL PLACE OF RESIDENCE. The residence where a property owner actually lives for the greater part of time, or the place where the property owner remains when not called elsewhere for some special or temporary purpose and to which the property owner returns frequently and periodically, as from work or vacation. There may be only one "principal place of residence," and where more than one residence is maintained or owned, the burden shall be on the property owner to show that the primary

residential unit, or accessory dwelling unit, or junior accessory dwelling unit is the property owner's principal place of residence as evidenced by qualifying for the homeowner's tax exemption, voter registration, vehicle registration, or similar methods that demonstrate owner-occupancy. If multiple persons own the property as tenants in common or some other form of common ownership, a person or persons representing at least 50% of the ownership interest in the property shall reside on the property and maintain the property as a principal place of residence. Any person or persons who qualify for the homeowner's tax exemption under the California State Board of Equalization rules, may qualify as an owner occupant.

28.86.030 Where Permitted.

A. ACCESSORY DWELLING UNIT. An accessory dwelling unit may be permitted in any zone that allows residential use, located on a lot developed or proposed to be developed with one or more residential units, except as prohibited below.

B. JUNIOR ACCESSORY DWELLING UNIT. A junior accessory dwelling unit may be permitted in any zone that allows residential use, and shall be located on a lot developed with an existing or proposed single residential unit.

C. PROHIBITED LOCATIONS.

1. No accessory dwelling unit shall be permitted in a location that would conflict with the coastal resource protection policies of the City's Coastal Land Use Plan.

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2. No accessory dwelling unit shall be permitted on a lot located within the Foothill or Extreme Foothill High Fire Hazard Area (~~Extreme Foothill and Foothill~~) or as ~~subsequently amended for consistency with state-level~~ (Very High Fire Hazard Severity Zone) ~~mapping terminology~~ as defined in the City's Community Wildfire Protection Plan adopted by City Council.

a. Exception for Special Accessory Dwelling Units. Accessory dwelling units permitted in accordance with all the configuration, standards, and special procedures outlined in Section 28.86.090, Development Standards for Special Accessory Dwelling Units, may be permitted on any lot, including lots located within ~~any High Fire Hazard Area~~ (the Foothill and Extreme Foothill High Fire Hazard Areas) or as ~~subsequently amended for consistency with state-level~~ (Very High Fire Hazard Severity Zone) ~~mapping terminology~~ as defined in the City's Community Wildfire Protection Plan ~~adopted by City Council~~, if the lot is zoned to allow for residential use and contains an existing or proposed primary residential unit.

28.86.035 Unit Configuration.

A. Only one accessory dwelling unit or junior accessory dwelling unit shall be permitted on a lot in addition to the primary residential unit, pursuant to this Chapter. However, multiple accessory dwelling units may be permitted in accordance with all the configuration, standards, and special procedures outlined in Section 28.86.090, Development Standards for Special Accessory Dwelling Units.

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- B. An accessory dwelling unit may be permitted in the following configurations:
1. Incorporated entirely within an existing or proposed primary residential unit.
 2. Incorporated entirely within an existing accessory building, including garages, located on the same lot as the primary residential unit.
 3. Attached to or increasing the size of an existing primary residential unit or accessory building located on the same lot as the primary residential unit.
 4. Detached from and located on the same lot as the existing or proposed primary residential unit. An accessory dwelling unit that is attached to another detached accessory building, but not the primary residential unit, or is attached by a breezeway or porch, is considered detached.
- C. A junior accessory dwelling unit must be incorporated entirely within the existing floor area of an existing or proposed single residential unit or attached garage.
- D. One primary residential unit shall be designated and maintained on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted. In the case when multiple residential units are existing or proposed on a lot, there shall be only one primary residential unit. When an accessory dwelling unit is to be attached to a residential unit, the residential unit the accessory dwelling unit is attached to shall be the designated primary residential unit.

28.86.040 Sale, Rental, and Occupancy Terms.

All accessory dwelling units and junior accessory dwelling units shall be subject to the following sale, rental, and occupancy terms:

A. NOT TO BE SOLD SEPARATELY. An accessory dwelling unit or junior accessory unit shall not be sold separately from the primary residential unit.

B. RENTAL TERMS. ~~The accessory dwelling unit or junior accessory dwelling unit may be rented; however, if rented, rental terms for the primary residential unit, accessory dwelling unit, or junior accessory dwelling unit shall not be less than 31 consecutive days, nor shall rental terms allow termination of the tenancy prior to the expiration of at least one 31-day period occupancy by the same tenant.~~

C. OWNER OCCUPANCY. The following types of projects are subject to an owner occupancy requirement:

1. All lots developed with junior accessory dwelling units; except that owner occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

2. Any accessory dwelling unit located in a One-Family Residence Zone submitted on or after January 1, 2025, unless otherwise prohibited by state law, or upon repeal of Government Code Section 65852.2 (a)(6 8)(B) removing the state-imposed prohibition of an owner occupancy requirement, whichever occurs first.

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D. OWNER'S UNIT. If owner occupancy is required in accordance with Subsection C, Owner Occupancy, the property owner shall reside in and maintain either the primary residential unit or the accessory dwelling unit/junior accessory dwelling unit as the property owner's principal place of residence ("owner's unit"). Owners of lots developed with an accessory dwelling unit/junior accessory dwelling unit shall live on the lot as long as the lot is developed with an accessory dwelling unit/junior accessory dwelling unit. Owners may re-designate the primary residential unit or the accessory dwelling unit/junior accessory dwelling unit as the owner's unit upon written notice to the Community Development Director and written approval of the re-designation by the Community Development Director, which approval shall not be denied unreasonably. If owner occupancy is required, ~~the~~ the property owner shall not rent or lease both the primary residential unit and the accessory dwelling unit/junior accessory dwelling unit simultaneously.

E. HARDSHIP WAIVER. If owner occupancy is required in accordance with Subsection C, Owner Occupancy, in the event of a hardship, such as the death or disability of the property owner, job transfer, or similar significant personal situation which prevents the property owner from occupying the owner's unit, a property owner or estate representative may apply for a temporary waiver of the owner-occupation requirement for a specific time period to allow the owner's unit to be occupied by a non-property owner pending disposition of the property through probate or non-probate transfer to a new owner, or the cessation of the circumstances preventing the property owner from occupying the owner's unit on the property. The Community Development Director shall

review applications for a hardship waiver. Any such waiver shall specify the period of time for which it is granted, provided that no such waiver may be granted for a period longer than three years.

F. REMOVAL OF RECORDED OWNER OCCUPANCY REQUIREMENT. With the exception of owner occupancy covenants required to permit a junior accessory dwelling unit, the Community Development Director will, in a form acceptable to the City Attorney, release an owner occupancy requirement recorded against the property prior to ~~adoption of the ordinance codified in this chapter, January 1, 2020,~~ upon the request of the property owner. No other covenants required pursuant to this Section, and contained in the agreement recorded against the property, shall be released.

28.86.050 Required Features.

Each accessory dwelling unit and junior accessory dwelling unit shall contain, at a minimum, the following features:

A. RESIDENTIAL ELEMENTS. Permanent provisions for separate residential occupancy must be provided as follows within the contiguous livable floor space of the accessory dwelling unit or junior accessory dwelling unit and must be independent from the primary residential unit:

1. A kitchen, consisting of a sink, cooking appliances, and refrigeration facilities. A junior accessory dwelling unit may utilize an efficiency kitchen.

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2. A bathroom consisting of a toilet, sink, and bathtub or shower. A junior accessory dwelling unit may share sanitation facilities with the existing or proposed single residential unit.

3. A separate living room.

4. A separate sleeping room, except in studio residential units, where a living room is considered a sleeping room.

B. MINIMUM FLOOR AREA. Notwithstanding the dwelling unit minimum described in Section 28.87.150, Dwelling and Other Occupancies, the minimum floor area for a newly constructed accessory dwelling unit is as follows:

1. Efficiency Unit: 150 square feet.

2. Studio Unit: 220 square feet.

3. All Other Units: 400 square feet.

Such usable floor area shall be exclusive of open porches, garages, basements, cellars, and unfinished attics. The minimum floor area for accessory dwelling units that are created by converting existing structures is 150 square feet and must meet the definition of an efficiency unit.

C. EXTERIOR ACCESS. Exterior access to the unit, that is independent from the primary residential unit, must be provided. An interior connection consisting of one

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~~fire-rated~~ lockable door between the primary residential unit and an accessory dwelling unit or junior accessory dwelling unit may be provided.

D. FIRE SPRINKLERS. Fire sprinklers are required only if they are required for the primary residential unit. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary residential unit.

E. PERMANENT FOUNDATION. Attached and detached units shall be constructed with an approved permanent foundation.

F. PROPERTY ADDRESSES. Addresses identifying all residential units on the lot, with minimum three- and one-half-inch numbers plainly visible from the street or road fronting the property shall be provided.

G. PUBLIC SEWER. Accessory dwelling units and junior accessory dwelling units shall be connected to a public sewer. If public sewer connection is not available, approval of a new or expanded onsite wastewater treatment system shall be required in accordance with the procedures from the Code of the County of Santa Barbara California prior to issuance of a building permit.

H. WATER METER. Accessory dwelling units shall comply with the water metering requirements of Title 14, Section 14.08.150.E.

I. PASSAGEWAY. No passageway is required in conjunction with the construction of an accessory dwelling unit or junior accessory dwelling unit.

28.86.055 Development Standards for Standard Accessory Dwelling Units.

A. DEVELOPMENT STANDARDS GENERALLY. The development standards listed in this Section apply to standard accessory dwelling units and junior accessory dwelling units, except for those units permitted in accordance with all the configuration, standards, and special procedures outlined in Section 28.86.090, Development Standards for Special Accessory Dwelling Units.

1. The reductions and exceptions to the development standards normally applicable to residential development allowed in this Section are for the express purpose of promoting the development and maintenance of an accessory dwelling unit on the lot. If for any reason the accessory dwelling unit is not maintained on the lot in conformance with this Section, the lot shall be brought into compliance with all of the requirements for the residential development, or with the legal nonconforming condition of the lot prior to the development of the accessory dwelling unit, including, but not limited to, the requirements for open yard, setbacks, and covered parking.

2. Except as otherwise specified in this Section, projects developed in accordance with this Chapter shall otherwise comply with the development standards applicable to an attached or detached accessory building for the housing type and base zone in which the lot is located.

3. One primary residential unit shall be designated on a lot on which an accessory dwelling unit or junior accessory dwelling unit is permitted.

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4. ~~Notwithstanding the size limit of an attached accessory dwelling unit based on a percentage of the proposed or existing primary unit, or lot coverage, floor area ratio, open yard, and minimum lot size standards for an attached or detached accessory dwelling unit, an 800-square-foot, 16-foot high attached or detached accessory dwelling unit may be constructed in compliance with all other development standards for standard accessory dwelling units. A maximum 800-square-foot attached or detached standard accessory dwelling unit with four-foot interior setbacks may be constructed in compliance with all other development standards for standard accessory dwelling units, notwithstanding size based on a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setback, and minimum lot size.~~

B. MAXIMUM FLOOR AREA. The maximum floor area for a standard accessory dwelling unit and junior accessory dwelling unit is as follows:

1. Attached Accessory Dwelling Unit. An accessory dwelling unit that is attached to, and increasing the size of, the primary residential unit shall not exceed 50% of the living area of the existing primary residential unit.

2. Converted Accessory Dwelling Unit. An accessory dwelling unit that is incorporated entirely within an existing primary residential unit, or within an existing accessory building, is not limited in size.

3. Detached Accessory Dwelling Unit. An accessory dwelling unit that is detached from the primary residential unit and may or may not be attached to another

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detached accessory building, including detached garages, shall not exceed the following maximum floor area based on lot size and number of bedrooms:

- a. Lots up to 14,999 square feet:
 - (1) One-bedroom or studio units: 850 square feet.
 - (2) Two or more-bedroom units: 1,000 square feet.
- b. Lots 15,000 square feet or larger: 1,200 square feet.

4. Junior Accessory Dwelling Unit. The maximum floor area of a junior accessory dwelling unit shall not exceed 500 square feet.

C. RELATIONSHIP TO OTHER FLOOR AREA LIMITATIONS. The floor area of an accessory dwelling unit or junior accessory dwelling unit is included in any other floor area limitation in this title that is applicable to an attached or detached accessory building for the housing type and in the base zone in which the lot is located.

1. Exception. The floor area of a detached accessory dwelling unit shall be excluded from the aggregate maximum floor area allowed for other detached accessory buildings, such as work or storage sheds, pursuant to Section 28.87.160 of this title.

D. BUILDING SEPARATION. The minimum separation between the primary residential unit and a detached accessory dwelling unit shall be five feet.

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E. OPEN YARD. No open yard areas are required for accessory dwelling units or junior accessory dwelling units. ~~The minimum area, dimensions, and location of the required open yard pursuant to Sections 28.15.060.C and 28.18.060.C of this title for the existing or proposed primary residential unit may be reduced to the area identified below in order to construct a standard accessory dwelling unit, or to construct an accessory dwelling unit proposed over a new or substantially redeveloped maximum 500 square foot garage or other conforming accessory structure, in the One-Family and Two-Family Residence Zones, provided all other open yard requirements are met:~~ A new standard accessory dwelling unit may encroach into the required open yard, pursuant to Sections 28.15.060.C and 28.18.060.C of this title, for the existing or proposed primary residential unit on lots developed with single-unit or two-unit residential, provided all other open yard requirements are met, and the following minimum area and dimensions are provided:

1. Minimum Area.

- a. Lots less than 6,000 square feet: 500 square feet.
- b. Lots 6,000 up to 7,999 square feet: 800 square feet.
- c. Lots 8,000 square feet up to 9,999 square feet: 1,000 square feet.
- d. Lots 10,000 square feet or greater: 1,250 square feet.

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2. Minimum Dimensions. 15 feet long and 15 feet wide.

3. Location in Driveways and Turnarounds. Notwithstanding Section 28.15.060.C.1.c.ii Setback and Open Yard Requirements of this title, the required open yard may be located in driveways and turnarounds, but not required parking areas, in order to allow the construction of a new accessory dwelling unit.

4. Accessory Dwelling Unit Over A Detached Garage. A standard accessory dwelling unit constructed entirely over a new or reconstructed detached garage may also encroach into the required open yard as described above, provided that the area of the garage does not exceed a maximum of 500 square feet, plus up to 150 square feet may be allowed for other uses such as an enclosed stairway, storage, workshop, or laundry area, which may be used for either unit. Garage and accessory areas shall comply with all other development standards, such as setbacks and maximum floor area, applicable to a detached accessory building for the housing type and the base zone in which the lot is located.

F. SETBACKS. The following setbacks shall apply to new and converted standard accessory dwelling units approved pursuant to this Section:

1. New Construction. Newly constructed accessory dwelling units shall comply with the following setback standards:

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a. Front Setback: Meet the minimum front setback for residential structures in the zone, unless further limited by Section 28.86.060.H, Front Yard Location, below.

b. Interior Setback: Four feet.

2. Converted. No setback is required to convert the existing, legally permitted, floor area of a main or accessory building to an accessory dwelling unit. Improvements to existing nonconforming buildings, including conforming additions, are allowed pursuant to Section 28.87.030.D, Nonconforming Buildings of this title and the policies of the City's Coastal Land Use Plan.

3. Demolished and Converted. No setback is required when an existing main or accessory building is demolished or substantially redeveloped and converted to an accessory dwelling unit, provided that the new building is reconstructed in the same location and with the same dimensions and floor area as the existing building.

a. Exception for Small Conforming Additions. One small 150-square-foot conforming first floor addition may be permitted on a substantially redeveloped and converted nonconforming accessory building.

4. New Construction Combined with Replacement of a Nonconforming Garage. The construction of an accessory dwelling unit may be combined with the demolition and replacement of a nonconforming detached garage if all of the following requirements are met:

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a. The new garage is reconstructed in the same location and with the same dimensions as the existing garage; or

b. The new garage is enlarged or altered in size only as necessary to provide the same number of parking spaces and to meet the dimension requirements of the City of Santa Barbara Access and Parking Design Standards, but located no closer to the property line as the existing garage; and

c. The accessory dwelling unit is constructed above or attached to the reconstructed garage; and

d. Any additions, which may include ~~the~~ the accessory dwelling unit and or any additions to the garage for other structures or uses, shall conform with current setbacks and other development standards of this Title; and

e. The new structure shall comply with all applicable height and building story limitations, and all other development standards are met.

5. Encroachments. Encroachments allowed pursuant to Section 28.87.062, Setback, Open Yard, Common Outdoor Living Space, and Distance Between Main Buildings Encroachments, may be permitted for accessory dwelling units or junior accessory dwelling units. However, no setback encroachment shall be located closer than three feet from any property line, except roof eaves, which may be located as close as two feet from any property line.

28.86.060 Architectural Review.

All accessory dwelling units or junior accessory dwelling units shall be subject to the following architectural design criteria as applicable to either new construction or exterior alterations, which shall be reviewed ministerially by the Community Development Director. For purposes of this Section, portions of a building or site considered to be the accessory dwelling unit shall include all of the contiguous interior livable floor area of the accessory dwelling unit and any exterior alterations directly attached to, and integral to, the livable floor area of the accessory dwelling unit.

A. PROHIBITION OF SHINY ROOFING AND SIDING. New roofing and siding materials that are shiny, mirror-like, or of a glossy metallic finish are prohibited.

B. ROOF TILE. Where a new clay tile roof is proposed, the use of two-piece terra cotta (Mission "C-tile") roof is required and "S-tile" is prohibited, unless necessary to match the S-tile roof materials of the existing primary residential unit.

C. SKYLIGHTS. New skylights shall have flat glass panels. "Bubble" or dome type skylights are not allowed.

D. GLASS GUARDRAILS. New glass guardrails are not allowed, unless necessary to match the glass guardrails of the existing primary residential unit.

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E. GARAGE CONVERSION. If a garage is converted to an accessory dwelling unit, the garage door opening shall be replaced with exterior wall coverings, or residential windows or doors, to match the existing exterior garage wall covering and detailing.

F. GRADING. No more than 250 cubic yards of grading (i.e., cut or fill under the main accessory dwelling unit building footprint and outside the main building footprint to accommodate the accessory dwelling unit) is proposed in the Hillside Design District or on lots in other parts of the City with a slope of 15% or greater.

G. HEIGHT. Building heights shall not exceed the maximum height or number of stories allowed for a detached or attached accessory building in the zone and are limited in accordance with Section 30.140.170, Solar Access Height Limitations. In addition, tThe construction of an accessory dwelling unit shall not exceed the following, whichever is greater:

1. Height of the primary residential unit; or
2. Number of stories of the primary residential unit; or
3. 178 feet for a detached standard or special accessory dwelling unit; an additional two feet in height is allowed if necessary to match the roof pitch and height of the primary residential unit; or
4. 25 feet for an attached standard accessory dwelling unit; or

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5. Up to the maximum height allowed in the zone for a standard accessory dwelling unit constructed entirely over a new or reconstructed detached garage, that meets all of the criteria in Subsection 28.86.055.E,4, above.

~~This height limitation is not applicable to an accessory dwelling unit constructed above a garage; however, in no event shall the resulting building exceed the maximum height or number of stories allowed for a detached or attached accessory building in the zone.~~

H. FRONT YARD LOCATION. The construction of a new detached accessory dwelling unit located in the front yard shall be subject to all of the following:

1. The new accessory dwelling unit must be located a minimum of 20 feet back from all front lot lines, or meet the minimum front setback for the zone in which the lot is located, whichever is greater.

2. Unless constructed entirely over a new or reconstructed detached garage that meets all of the criteria in Subsection 28.86.055.E,4, above, the new unit shall be:

a. No more than one-story and less than 178 feet in height; an additional two feet in height is allowed if necessary to match the roof pitch and height of the primary residential unit; and

b. ~~Screened from the street by topography, location, or landscape, in a manner designed to blend into the surrounding architecture or landscape, so as to~~

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minimize visibility of the accessory dwelling unit to the casual observer as viewed from the street.

I. DESIGN STYLE. New detached or attached accessory dwelling units ~~shall be compatible with the design of the primary residential unit regarding style, fenestration, materials, colors, and details~~ shall be constructed using the same architectural style, roof pitch, exterior building materials, colors, and finishes as the primary unit if the accessory dwelling unit meets any of the following:

1. Attached to, or if any portion of the accessory dwelling unit is located within 20 feet of, the primary residential unit;
2. Located in the Hillside Design District and 20% or greater average slope;
3. Two or more stories tall, or 178 feet or taller in building height;
4. Located in the front yard.
5. Located on a site on which there is a historical resource as follows:
 - a. Listed on the National Register of Historic Places or the California Register of Historic Resources;
 - b. Designated as a City of Santa Barbara Landmark or Structure of Merit; or

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c. Located in a designated historic district.

J. PRIVACY STANDARDS. The construction of an accessory dwelling unit where any portion of the proposed construction is either: two or more stories tall or 178 feet or taller in building height, shall comply with the following:

1. Upper story unenclosed landings, decks, and balconies greater than 20 square feet, that face or overlook the adjoining property, shall be located a minimum of 15 feet from the interior lot lines.

2. Upper story unenclosed landings, decks, and balconies, that do not face or overlook the adjoining property due to orientation or topography, may be located at the minimum interior setback line if an architectural screening element such as enclosing walls, trellises, awnings, or perimeter planters with a five-foot minimum height is incorporated into the unenclosed landing, deck, or balcony.

3. Upper story windows that face or overlook the adjoining property, located within 15 feet of the interior lot lines, shall be installed a minimum of 42 inches above finish floor.

K. EXCEPTIONS. Discretionary applications for design review may be requested in the following circumstances:

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1. An applicant may propose an accessory dwelling unit that does not meet these ministerial design criteria subject to approval by the Single Family Design Board, Architectural Board of Review, or Historic Landmarks Commission, as appropriate.

2. Discretionary design review may be required for any exterior alterations to the project site or main buildings that are not an integral part of the accessory dwelling unit, but are proposed in conjunction with the accessory dwelling unit, if required pursuant to Chapter ~~22.22, 22.68, or 22.69~~ 30.220 of this Code.

28.86.070 Protection for Historic Resources.

No accessory dwelling unit or junior accessory dwelling unit shall be permitted if the proposal would cause a substantial adverse change in the significance of a historical resource that is listed on the National Register of Historic Places or the California Register of Historical Resources, designated as a City of Santa Barbara Landmark or Structure of Merit, or located in a designated historic district. The Community Development Director shall make this determination by reviewing the proposal for compliance with appropriate Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

28.86.080 Parking Standards.

Consistent with the requirements of the City's Coastal Land Use Plan Policies, sufficient off-street parking must be provided for any new development and substantial

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redevelopment so as to avoid significant adverse impacts to public access to the shoreline and coastal recreation areas. Automobile parking, therefore, must be provided consistent with the Zoning Ordinance for lots developed with accessory dwelling units or junior accessory dwelling units located in the coastal zone, as follows:

A. PRIMARY RESIDENTIAL UNIT. Automobile parking for the primary residential unit shall be provided in compliance with Chapter 28.90, except as provided below.

1. Special Procedures for Conversion or Demolition of Existing Covered Parking to an Accessory Dwelling Unit. When an existing garage, carport, or other covered parking structure is converted to an accessory dwelling unit or junior accessory dwelling unit or demolished in conjunction with the construction of an accessory dwelling unit, the required covered parking spaces that are displaced by the conversion or demolition shall be replaced on the same lot as the primary residential unit in order to satisfy the automobile parking requirement of the existing residential unit. ~~The replacement spaces may be covered, uncovered, in a mechanical lift, or in a tandem configuration. The replacement spaces shall meet all of the following:~~

2. Parking Standards. If optional new or replacement parking spaces are proposed for either the primary residential unit or the accessory dwelling unit, those spaces may be provided as covered, uncovered, in a mechanical lift, or in a tandem configuration. The new or replacement spaces shall meet all of the following:

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a. Covered parking shall meet the development standards applicable to a residential unit within the zone in which the lot is located.

b. All parking spaces must meet the minimum dimensions and development standards consistent with the City of Santa Barbara Access and Parking Design Standards and Section 28.90.045.

c. In order to maintain visibility for adjacent driveways and intersections, uncovered parking spaces shall not obstruct the sightlines required for the safe operation of motor vehicles, as determined by the Public Works Director.

d. ~~Required~~ New or replacement uncovered parking spaces may be allowed in a front or interior setback, provided the uncovered parking space is contained within the area of an existing paved driveway and no increase to paved areas occurs in the setbacks.

e. New uncovered parking spaces that are not within an existing paved driveway, as described above, may be located in a new paved area three feet from any interior lot line, provided a minimum of three feet in width of planting area is provided for the length of the paved parking area along the interior lot line, if the paved parking area is parallel to the interior lot line.

~~e. No more than two automobiles shall be placed one behind the other. Tandem parking shall not create any traffic safety issues.~~

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f. Tandem parking configuration shall meet all the following:

(1) No more than two automobiles shall be placed one behind the other.

f.(2) Both automobile parking spaces parked in tandem shall be assigned to the same residential unit.

(3) Vertical or stackable tandem parking, provided by means of mechanical lifts, is subject to approval by the Public Works Director. Mechanical lifts shall be fully enclosed within a structure and shall require a recorded maintenance agreement.

g. (4) Tandem parking in multi-unit and commercial zones is subject to approval by the Public Works Director.

(5) Tandem parking shall not create traffic safety issues, as determined by the Public Works Director.

~~h. Vertical or stackable tandem parking, provided by means of mechanical lifts, is subject to approval by the Public Works Director. Mechanical lifts shall be fully enclosed within a structure and shall require a recorded maintenance agreement.~~

~~2.3. Nonconforming Conditions. If the accessory dwelling unit or junior accessory dwelling unit is developed in accordance with all the requirements of this Chapter, and is eligible for ministerial approval, the provision in Section 29.90.001.B,~~

Existing Parking Space, that requires nonconforming parking to be brought up to current standards if an enlargement of more than 50% of the existing net floor area is proposed, shall not apply if the new floor area consists solely of a new accessory dwelling unit.

B. JUNIOR ACCESSORY DWELLING UNITS. No automobile parking is required for junior accessory dwelling units, since they are not anticipated to increase parking demand generated by the development.

C. NO PARKING REQUIRED FOR CERTAIN ACCESSORY DWELLING UNITS. The following types of accessory dwelling units are not anticipated to increase parking demand generated by the development and therefore automobile parking is not required for the accessory dwelling unit if it meets all of the following criteria:

1. Outside Key Public Access Areas. The accessory dwelling unit is not located in a key public access parking area (West Beach, Lower State, and East Beach Component Areas) as delineated in Figure 3.1-2 of the Coastal Land Use Plan; and

2. On a Lot Developed with a Single Residential Unit. The accessory dwelling unit is located on a lot developed, or proposed to be developed with, only one single residential unit on the lot; and

3. Measures to Reduce Demand. The accessory dwelling unit meets at least one of the following measures that will sufficiently reduce the demand for off-street parking:

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a. The accessory dwelling unit is located within a walking distance of one-half mile of a public transit stop, such as a bus stop or train station; or

b. The accessory dwelling unit is located within an architecturally and historically significant historic district. For purposes of this provision, El Pueblo Viejo Landmark District constitutes an architecturally and historically significant historic district and any district hereafter created deemed to be architecturally and historically significant; or

c. The accessory dwelling unit is contained entirely within the permitted floor area of the existing primary residential unit or an existing accessory building; or

d. When on-street parking permits are required but not offered to the occupants of the accessory dwelling unit; or

e. When there is a carshare vehicle located within a walking distance of 500 feet of the accessory dwelling unit.

D. ALL OTHER UNITS. All other accessory dwelling units shall provide a minimum of one uncovered automobile parking space meeting all of the same parking standards required for the primary residential unit as described in Subsection A, above.

~~E. OPTIONAL PARKING SPACES. If new parking spaces are proposed, but are not required, for either the primary residential unit or the accessory dwelling unit, those~~

~~optional parking spaces shall comply with the development standards applicable to a residential unit within the zone in which the lot is located. Uncovered parking spaces may be located three feet from any interior lot line, provided a minimum of three feet in width of planting area is provided for the length of the paved parking area along the interior lot line.~~

28.86.085 Fire Hazard Area Standards.

All accessory dwelling units or junior accessory dwelling units located in any High Fire Hazard Area including the Coastal, Coastal Interior, Foothill and Extreme Foothill Areas, as defined in the City's Community Wildfire Protection Plan ~~or as may be subsequently retitled in the future as a ("High" or "Very High Fire Hazard Severity Zone") as defined in the Community Wildfire Protection Plan adopted by City Council,~~ shall comply with the following standards as applicable to new construction or parking:

A. NO TANDEM PARKING. No parking space shall be developed in a tandem configuration.

B. HIGH FIRE CONSTRUCTION. The accessory dwelling unit shall be designed to meet high fire construction standards adopted or enforced by the City, as determined by the Chief Building Official or the Fire Code Official.

C. NO VARIANCE OR MODIFICATIONS. No variance or modification to any Fire Code requirements or high fire construction standards shall be permitted.

D. DEFENSIBLE SPACE. The site must meet defensible space requirements, pursuant to Chapter 8.04 of this Code and the policies of the Coastal Land Use Plan, prior to occupancy and those requirements must be maintained.

28.86.090 Development Standards for Special Accessory Dwelling Units.

A. DEVELOPMENT STANDARDS GENERALLY. The development standards listed in this Section apply to specific types of small accessory dwelling units and junior accessory dwelling units with certain size, height, and setback standards that, if followed, allow for an accessory dwelling unit to be permitted on lots in a Fire Hazard Area, or more than one accessory dwelling unit on a lot, and allows additional reductions and exceptions to development standards for open yard and maximum floor area. Applications utilizing the special standards described in this Section may not utilize the less restrictive configuration, size, and height standards allowed under another Section to achieve a larger unit or more than one unit.

1. Any reductions and exceptions in this Section are for the express purpose of promoting the development and maintenance of a special accessory dwelling unit or junior accessory dwelling unit on the lot. If for any reason the accessory dwelling unit or junior accessory dwelling unit is no longer maintained on the lot, the lot shall be brought into compliance with all of the requirements for the remaining residential development, or with the legal nonconforming condition of the lot prior to the development of the accessory dwelling unit or junior accessory dwelling unit.

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2. Except as otherwise specified in this Section, projects developed in accordance with this Chapter shall otherwise comply with the development standards applicable to the housing type and base zone in which the lot is located.

B. CONFIGURATION – SINGLE RESIDENTIAL UNIT LOTS. A lot developed with only one existing or proposed single residential unit, may permit one of the following types of special accessory dwelling units:

1. Converted Portion of Main Building. Only one accessory dwelling unit or junior accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed livable floor area of the existing or proposed primary residential unit; or

2. Converted Accessory Building. Only one accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed floor area of a garage or other accessory building on the same lot as the primary residential unit, plus one 150-square-foot conforming first floor addition, if the expansion is limited to accommodating ingress and egress; or

3. One Unit – New Construction. One newly constructed accessory dwelling unit, detached from any other main or accessory building; or

4. Two Units – Combination. One junior accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed livable floor area of the existing or proposed primary residential unit, plus one newly constructed or converted special accessory dwelling unit, ~~detached from any other main or accessory building.~~

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C. CONFIGURATION – TWO-UNIT, MULTI-UNIT, OR MIXED-USE LOTS. A lot developed with two or more existing or proposed residential units, or one or more existing or proposed residential units in a mixed-use development, may permit one of the following types of special accessory dwelling units:

1. Converted Non-Livable Space. ~~At least one~~ Up to two accessory dwelling units, ~~and or~~ up to 25% of the existing number of residential units on a lot, whichever is greater, may be converted on a lot if contained entirely within portions of existing, legally permitted, fully enclosed floor area of a residential or mixed-use structure, or detached accessory structure, that is not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, upper-floor commercial areas, attached or detached carports, or garages; or

2. Two Units – New Construction. No more than two newly constructed accessory dwelling units, detached from any other main or accessory building.

3. Two Unit – Combination. One accessory dwelling unit contained entirely within the existing, legally permitted, fully enclosed non-livable floor area of a residential or mixed-use structure, or detached accessory structure; plus, one newly constructed accessory dwelling unit, detached from any other main or accessory building.

D. MAXIMUM FLOOR AREA.

1. Detached Accessory Dwelling Unit. The maximum floor area of any detached, new construction, special accessory dwelling unit, approved pursuant to this Section, is 800 square feet.

2. Converted Accessory Dwelling Unit. An accessory dwelling unit that is incorporated entirely within portions of existing floor area, approved pursuant to this Section, is not limited in size.

3. Junior Accessory Dwelling Unit. The maximum floor area of a junior accessory dwelling unit shall not exceed 500 square feet.

E. MAXIMUM HEIGHT – DETACHED ACCESSORY DWELLING UNIT. The maximum building height of a detached, new construction, special accessory dwelling unit approved pursuant to this Section is ~~16 feet.~~ 18 feet and one story; an additional two feet in height is allowed if necessary to match the roof pitch and height of the primary residential unit.

F. EXEMPT FROM OTHER SIZE AND LOCATION LIMITATIONS. A special accessory dwelling unit or junior accessory dwelling unit ~~approved pursuant to in compliance with~~ this Section is exempt from any other size or location limitations, based on a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open yard, front setback, and minimum lot size. ~~including, but not limited to, the aggregate maximum floor area allowed for detached accessory buildings pursuant~~

~~to Section 28.87.160 of this title, or the Maximum Net Floor Area (Floor to Lot Area Ratio) for One-Family Residence Zones per Section 28.15.083 of this title, or the provision in Section 28.90.001.B, Existing Parking Space, that requires nonconforming parking to be brought up to current standards if an enlargement of more than 50% of the existing net floor area is proposed.~~

~~G. EXEMPT FROM OPEN YARD. No open yard is required for a special accessory dwelling unit or junior accessory dwelling unit approved pursuant to this section. Open yard for any existing residential units on a lot may be reduced or eliminated entirely in order to permit a special accessory dwelling unit meeting all the standards and criteria in this section.~~

28.86.100 Permits and Processing.

All accessory dwelling units and junior accessory dwelling units shall comply with applicable state and local building codes and shall require approval of Coastal Development Permit and a building permit if required. The City shall ministerially approve or disapprove a complete building permit application for an accessory dwelling unit or junior accessory dwelling unit in compliance with time periods established by State law, following any applicable discretionary coastal permit approvals.

~~A. COMBINED PERMITS. An accessory dwelling unit or junior accessory dwelling unit permit shall not be combined with a permit for other proposed construction on the site unrelated to the accessory dwelling unit or junior accessory dwelling unit. If a permit~~

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~~application for an accessory dwelling unit or junior accessory dwelling unit is submitted at the same time as a permit application for a new single-unit dwelling, review of the permit for the accessory dwelling unit or junior accessory dwelling unit application shall be delayed until the permit for the single-unit dwelling has been approved.~~

B. CHANGE IN OCCUPANCY. The construction of an accessory dwelling unit shall not constitute a Group R occupancy change, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the Building Official finds that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. This clause does not apply when changing the occupancy code of a space that was unhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use.

C. REVIEW OF APPLICATIONS. Applications for a permit to create an accessory dwelling unit or junior accessory dwelling unit shall be processed pursuant to Chapter 30.205, Common Procedures, and the specific requirements of this Section. The City shall ministerially approve or disapprove a complete building permit application for an accessory dwelling unit or junior accessory dwelling unit in compliance with time periods established by state law. If the City disapproves an application for an accessory dwelling unit or junior accessory dwelling unit, the City shall return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

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D. PRE-EXISTING VIOLATIONS. The City shall not disapprove an application to create an accessory dwelling unit or junior accessory dwelling unit solely due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are unrelated to the construction of the accessory dwelling unit or junior accessory dwelling unit. However, any approvals granted under this Section shall not constitute authorization for continuation of the violation, or waiver of or estoppel against any future enforcement action.

E. COMBINED PERMITS. An accessory dwelling unit or junior accessory dwelling unit permit shall not be combined with a permit for other proposed construction on the site unrelated to the accessory dwelling unit or junior accessory dwelling unit; except that:

1. Demolition permits for a detached garage that is to be replaced with an accessory dwelling unit may be reviewed with the application for the accessory dwelling unit and issued at the same time; and

2. A permit application for an accessory dwelling unit or junior accessory dwelling unit may be submitted at the same time as a permit application for a new primary residential unit; however, approval of the permit for the accessory dwelling unit or junior accessory dwelling unit application shall be delayed until the permit for the primary residential unit has been approved and issued. A certificate of occupancy/final

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inspection for an accessory dwelling unit shall not be issued before a certificate of occupancy/final inspection is issued for the primary residential unit.

———BF. MODIFICATIONS. An accessory dwelling unit or junior accessory dwelling unit that is not in compliance with the development standards of this Chapter may be granted a modification if all the required findings can be met, pursuant to the procedures outlined in Section 28.92.110, Modifications, of this title.

———CG. POSTED SIGN. Within five calendar days after submitting an initial permit application to the City, the property owner shall install a public notice in the form of a posted sign on the property in a manner deemed acceptable by the Community Development Director., as follows: The sign shall remain posted until a building permit is issued, or the application expires or is withdrawn. At the time of application submittal, the applicant shall sign an affidavit stating that he or she will post the required sign per this subsection. The validity of the permit shall not be affected by the failure of any property owner, resident, or neighborhood or community organization to receive this notice.

1. The sign shall remain posted until a building permit is issued, or the application expires or is withdrawn.

2. At the time of application submittal, the applicant shall sign an affidavit stating that the required sign will be posted per this Subsection.

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3. The validity of the permit shall not be affected by the failure of any property owner, resident, or neighborhood or community organization to receive this notice.

4. The requirement for a posted sign does not apply to a project that only includes the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

~~_____DH.~~ RECORDED AGREEMENT. Before obtaining a building permit for an accessory dwelling unit or junior accessory dwelling unit, the property owner shall execute an agreement, containing a reference to the deed under which the property was acquired by the present owner which outlines the requirements regarding the sale, rental, and owner occupancy of lots developed with accessory dwelling units and junior accessory dwelling units as specified in Section 28.86.040 of this Chapter.

~~_____EI.~~ RESIDENTIAL DENSITY. An accessory dwelling unit or junior accessory dwelling unit is a residential use that is consistent with the existing Coastal Land Use Plan designation and zoning for lots within the allowable residential zones. Any accessory dwelling unit or junior accessory dwelling unit permitted pursuant to this Section does not exceed the allowable density for the lot upon which the accessory dwelling unit or junior accessory dwelling unit is located.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: City Clerk's Office, City Administrator's Office

SUBJECT: Appointments to City Advisory Groups

RECOMMENDATION:

That Council make appointments to various City Advisory Groups.

DISCUSSION:

For this special recruitment cycle, there are three positions available for appointment to various City advisory groups. On January 24, 2023, the Council interviewed applicants for these positions.

The Guidelines for the City of Santa Barbara Advisory Groups, Resolution No. 13-006, states that applicants are required to appear for an interview before the City Council. The names of applicants failing to appear for an interview are removed from the list of persons eligible for appointment. Attached is a list of applicants eligible for appointment.

The appointments to the advisory groups will be effective February 1, 2023.

ATTACHMENT: List of Eligible Applicants

PREPARED BY: Niko Lopez, Deputy City Clerk

SUBMITTED BY: Sarah Gorman, MMC, City Clerk Services Manager

APPROVED BY: City Administrator's Office

HISTORIC LANDMARKS COMMISSION

- One vacancy.
- Term Expiration: December 31, 2026
- Qualifications/Category: City or non-City resident who is a licensed landscape architect.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Notes
<i>Licensed landscape architect (1)</i>	Charles McClure	n/a	County Resident

HOUSING AUTHORITY COMMISSION

- One vacancy.
- Term Expiration: June 30, 2026
- Qualifications/Category: Qualified elector of the City
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Notes
<i>Qualified elector of the City (1)</i>	Lisandra Carlos	n/a	

PLANNING COMMISSION

- One vacancy.
- Term Expiration: December 31, 2023
- Qualifications/Categories: Appointees must be qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Notes
<i>Qualified elector of the City (1)</i>	Donald DeLuccio	n/a	
	Sara Wylder	n/a	



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: January 31, 2023

TO: Mayor and Councilmembers

FROM: Parks Division, Parks and Recreation Department

SUBJECT: Appeal of the Parks and Recreation Commission's Action to Deny the Removal of the Norfolk Island Pine Located in the Front Yard Setback at 2131 Red Rose Way

RECOMMENDATION:

That Council review all relevant information pertaining to the application for removal, the Street Tree Advisory Committee's recommendation, and the Parks and Recreation Commission's vote to deny the application, and determine if any findings pursuant to Santa Barbara Municipal Code 15.24.090 fit the circumstances of the request.

EXECUTIVE SUMMARY:

Ms. Allie Joyce, owner of property located at 2131 Red Rose Way, is appealing the Parks and Recreation Commission's (Commission) decision to deny the removal of an Araucaria heterophylla, Norfolk Island Pine, located within the front setback of the property. On October 6, 2022, the Street Tree Advisory Committee (STAC) voted (3/0) to recommend that the Commission approve the removal on the condition the applicant plant a replacement tree. On October 26, 2022, the Commission voted (3/2) to deny the request. Ms. Joyce filed a timely appeal as authorized by Santa Barbara Municipal Code (SBMC) Section 15.24.100.

DISCUSSION:

Tree Removal Application

The Parks and Recreation Department (Department) received an application for the removal of the Araucaria heterophylla, Norfolk Island Pine, (Tree) located within the front setback of property located at 2131 Red Rose Way as required by SBMC Section 15.24.040 (Attachment 1). The property is zoned RS-7.5 with a front yard setback of 20 feet. The basis for the applicant's request was that the Tree poses safety issues to their family, home, and their neighbor's property. The applicant expressed concerns with the

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Appeal of the Parks and Recreation Commission's Action to Deny the Removal of the Norfolk Island Pine Located in the Front Yard Setback at 2131 Red Rose Way

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possibility of the Tree falling over and/or losing limbs. The applicant raised additional concern regarding the Tree's large fruit (4-5 in. long and 5-6 in. in diameter) and fears that they, too, could fall from the Tree, causing damage to property or injury to persons.

Tree Removal Application Review Process

SBMC Section 15.24.020 generally prohibits removal of setback trees without a permit. The permit process for removal of a setback tree is established by SBMC Section 15.24.040. An application is reviewed by the STAC, which provides a recommendation to the Commission based on the considerations stated in SBMC Section 15.24.080. These considerations include:

- Whether such tree is designated as an historic or specimen tree;
- The potential size of the tree in relation to the the lot or building site and the size of the proposed or existing improvements;
- The number and size of other trees which would remain upon the building site after the requested removal;
- The number and location of adjacent trees on City property and the possibility of maintaining desirable tree density in the area through additional planting on City property;
- Any beneficial effects upon adjacent trees to be expected from the proposed removal;
- Whether the tree sought to be removed was planted by or with the permission of the applicant or the applicant's co-tenant at the time such tree was planted;
- The condition and structure of the tree and the potential for proper tree growth and development of the tree canopy.

Street Tree Advisory Committee Review

The STAC reviewed the tree removal application at its October 6, 2022 regular meeting. They reviewed materials submitted by the applicant and conducted a needed site visit. During review, the STAC noted the Tree was in good health and well maintained and reviewed the issues brought forward by the applicant. During evaluation, the STAC discussed the applicant's concerns regarding fruit production, noting an abundance of large young fruit throughout the Tree's canopy. They discussed the Tree's fruiting habit and how best to manage the fruit production. After review, the STAC determined the fruit production was too challenging to manage and that removal and replacement made practical sense.

The STAC voted (3/0) to recommend that the Commission approve the removal on the condition the applicant plant a replacement tree as reflected on their application (Attachment 2). The applicant was present during the meeting and provided comments during review of the item.

Parks and Recreation Commission Review

Council Agenda Report

Appeal of the Parks and Recreation Commission's Action to Deny the Removal of the Norfolk Island Pine Located in the Front Yard Setback at 2131 Red Rose Way

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After the STAC makes its recommendation, the application is presented to the Commission. In addition to the considerations specified in SBMC Section 15.24.080, the Commission must make one or more of the following findings under SBMC Section 12.24.090 before approving or conditionally approving a tree removal:

- That principles of good forest management will be best served by the proposed removal;
- That a reasonable and practical development of the property on which the tree is located requires removal of the tree or trees whose removal is sought;
- That the character of the immediate neighborhood with respect to forestation will not be materially affected by the proposed removal;
- That the topography of the building site renders removal desirable;
- That regard for the safety of persons or property dictates the removal.

The Commission reviewed the application and STAC recommendation at its regular meeting of October 26, 2022 (Attachment 3). The Commission also heard testimony from the applicant. During the meeting, the Commission discussed the reasons listed on the application for removal and paid specific attention to the fruiting issue brought up by the applicant. Members of the Commission had concerns that the fruiting challenges were not significant enough to satisfy a finding for removal, noting debris is typically never a valid criterion for removal. Additional discussion focused on a previous tree removal appeal at this address from the prior property owner, with Commissioners commenting that the previous appeal, initial application, and testimony from the appellant did not mention fruiting as a criterion for tree removal.

After review, the Commission voted (3/2) to deny the tree removal application, stating that at this time no findings pursuant to SBMC 15.24.090 fit the circumstances of the request (Attachment 4).

Appeal of the Parks and Recreation Commission's Decision

The Commission's decision was timely appealed to the City Council as authorized by SBMC Section 15.25.100 (Attachment 5).

Appeal Issues

It is the appellant's position that the Tree poses threat to the safety and livelihood of persons and property surrounding the Tree and that the Tree should be removed to alleviate the appellant of the liability as the Tree owner.

Previous City Council Action at 2131 Red Rose Way

During the regular meeting of July 16, 2019, the City Council reviewed materials and heard testimony from the property owner appealing the Commission's decision on April 24, 2019, to deny the request for the removal of the Norfolk Island Pine (Tree) at 2131

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Red Rose Way. The previous applicant also pursued removal due to stated concerns with the Tree failing and harming someone. During the City Council appeal, fire concerns were also stated as rationale to support the Tree's removal. No other reasons were listed as criteria for removal at that time. Council voted (6/1) to deny the appeal and uphold the Commission's decision.

RECOMMENDATION:

In consideration of the tree removal application at 2131 Red Rose Way, the Parks and Recreation Commission considered all relevant information and took into account all considerations and findings for removal pursuant to SBMC sections 15.24.080 and 15.24.090 described above.

The Parks and Recreation Department recommends that Council review all relevant information pertaining to the application, the STAC recommendation, and the Commission's decision to deny the application and determine if any findings pursuant to SBMC 15.24.090 fit the circumstances of the applicant's request.

ATTACHMENTS:

1. Tree Removal Application, received September 9, 2022
2. Street Tree Advisory Committee Meeting Minutes, October 6, 2022
3. Parks and Recreation Commission Report, October 26, 2022
4. Parks and Recreation Commission Meeting Minutes, October 26, 2022
5. Appeal letter and attachments, received November 4, 2022

PREPARED BY: Nathan Slack, Urban Forest Superintendent

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

APPROVED BY: City Administrator's Office

Tree Removal Application

APPLICANT/OWNER DETAILS

Joyce	Chris	
YOUR LAST NAME	YOUR FIRST NAME	
OWNER'S FULL NAME (IF YOU ARE NOT THE OWNER)		
2131 Red Rose Way		
YOUR MAILING ADDRESS		
Santa Barbara	CA	93109
CITY	STATE	ZIP CODE
(805) 340-2868	cjoyce@anacapabuilders.com	
DAYTIME PHONE	EMAIL ADDRESS	

TREE INFORMATION

TYPE OF TREE: **SETBACK TREE(S)** **STREET TREE(S)**

1	2131 Red Rose Way
NUMBER OF TREES	LOCATION OF TREE(S) – please be sure to indicate the property address where the trees are located

Norfolk Island Pine Tree
SPECIES OF TREE(S), IF KNOWN

REASONS FOR REMOVAL (TELL US WHY YOU WANT TO REMOVE THE TREE[S]). PLEASE INCLUDE:

- Whether or not the removal application is associated with new development or redevelopment of property
- Status of development application, including whether the project is scheduled for review by the Single Family Design Board, Architectural Board of Review, or Historic Landmarks Commission
- Whether or not the tree is a designated Specimen or Historic Tree or located on a property with a designated Historic Landmark

If you feel you need more space to outline the goals of your request, please feel free to attach a supplemental letter when you submit this form.

This is not associated with new development project, and Yes, this tree is Historic.

I am formally requesting the city of Santa Barbara to allow me to remove the large Norfolk Island Pine Tree from my front yard.

I feel it is an extreme safety concern for my family, home, neighbors, & neighbors' homes.

This tree sways heavily during storms and windy days. If this large tree were to collapse it would certainly cause catastrophic damage to my home and/or nearby homes.

Will you please grant me permission to remove the Norfolk Island Pine tree from my front yard at my own expense?

Thank You for your time and consideration on this important matter.

WILL YOU REPLACE THE TREE(S)? YES NO

IF YES, WHAT WILL YOU REPLACE THE TREE(S) WITH?

I would like to replace the tree with a similar younger/smaller tree. I would be open to your suggestion on the tree replacement.

eSigned via SeamlessDocs.com

Christopher Joyce

Key: ba7815c861f23f094d6327c0c93ba2e2

APPLICATION FEE

The application fee is \$75; we accept cash, check, or credit card. If paying by credit card, staff will contact you to arrange payment.

PLEASE PROVIDE THE FOLLOWING SUPPLEMENTAL INFORMATION:

1. Photo of tree(s) proposed for removal
2. Development plan/landscape plan

REMOVAL APPLICATION REVIEW

SETBACK TREES

Chapter 15.24 of the City of Santa Barbara Municipal Code establishes protections for privately owned trees. Protected trees include designated Specimen and Historic trees, trees located in the front zoning setback of a parcel, trees located in commercial parking lots, and trees identified on an approved plan. This chapter requires that a property owner apply for a permit to remove or to significantly prune a tree.

Whenever a property owner desires to remove a designated Specimen or Historic tree or a tree located in the zoning setback from the street (setback tree), the applicant shall apply to the Parks and Recreation Department for a removal permit. **Setback tree removal applications are first reviewed by the Street Tree Advisory Committee. A site visit, by the Street Tree Advisory Committee, is included as part of the review process. The Street Tree Advisory Committee makes recommendations to the Parks and Recreation Commission. The review process takes up to 60 days.** Both the Street Tree Advisory Committee and the Parks and Recreation Commission consider tree applications during regularly scheduled public meetings. **If the removal request is approved, the full cost of tree removal and replacement, if required, shall be borne by the applicant.**

Applications to remove trees located in the El Pueblo Viejo Landmark District, Brinkerhoff Avenue Landmark District, commercial parking lots, or on an approved plan are processed by the Community Development Department.

STREET TREES

Chapter 15.20 of the City of Santa Barbara Municipal Code establishes the permitting requirements for the planting, maintenance and removal of any tree within the parkway strip of any street right-of-way or public area. All trees within a parkway strip are planted and maintained according to the Master Street Tree Plan adopted by the City Council and under the authority of the Parks and Recreation Department. A written permit is required for any person to plant, prune, trim, perform maintenance on, or remove any tree planted in a parkway strip, tree well, public area or street right-of-way.

Tree Planting/Pruning: Tree Planting/Pruning applications can be submitted in the form of a letter request to be reviewed and approved by the Urban Forest Superintendent or Parks and Recreation Director. The request shall include clearly, by diagram or plot plan and photograph(s), the location and identity of the tree or trees sought to be planted, or maintained; the name and address of the applicant; name and license number of the contractor that will perform the work; and, any other relevant information.

Tree Removal: Street Tree removal applications are reviewed by the Street Tree Advisory Committee. The Street Tree Advisory Committee makes recommendations to the Parks and Recreation Commission. The review process takes up to 60 days. If the tree is found to be in good condition and the removal request is granted solely for the convenience of the applicant, the full cost of such removal and replacement shall be borne by the applicant. If the removal is determined necessary due to the condition of the tree, the City will assume the responsibility for all removal and replacement costs. Tree removal will be scheduled according to other pending priorities.

APPEAL PROCESS

If the Parks and Recreation Commission denies a tree removal application, the Commission’s decision can be appealed to the Santa Barbara City Council and a written notice thereof must be filed within 10 days of the Commission’s action. The appeal notice can be either hand delivered to the Clerk’s Office at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, or mailed to the City Clerk at P.O. Box 1990, Santa Barbara, CA 93102-1990. An appeal processing fee is required in the amount of \$105, as currently set per City Council resolution.

REMOVAL OF A SETBACK OR STREET TREE WITHOUT A PERMIT

In December 2009, the City Council established the following fine schedule associated with the removal of a setback tree without a permit.

Action without, or in violation of, a permit	Trunk diameter from 4” up to 12”	Trunk diameter over 12” and up to 24”	Trunk diameter over 24”
Tree Removal	Up to \$1,000	Up to \$3,000	Up to \$5,000

FOR MORE INFORMATION

Nathan Slack

Urban Forest Superintendent
Parks and Recreation Department
City of Santa Barbara
(805) 897-2692 or (805) 564-5592
NSlack@SantaBarbaraCA.gov



CITY OF SANTA BARBARA PARKS AND RECREATION DEPARTMENT



**CITY OF SANTA BARBARA
PARKS AND RECREATION DEPARTMENT**

**Street Tree Advisory Committee
REGULAR MEETING
Thursday, October 6, 2022
8:30 AM**

Regular Meeting Minutes

1. CALL TO ORDER 8:36 AM
2. ROLL CALL
Members present: Duke McPherson, Anthony DeMola, and Bruce Reed
Parks and Recreation staff present: Nathan Slack, Brett Volpi, and Patricia Herrera
Members of the public: Jianhua Chen, Courtney Jane Miller, Chris and Allie Joyce, Ricardo Frustockl, and Angel Diosdado
3. PUBLIC COMMENT
None
4. APPROVAL OF MINUTES
A. Regular Meeting Minutes, September 1, 2022

Motion: Member McPherson moved, seconded by Member Reed to approve the September 1, 2022, Regular Meeting Minutes, passed.

Vote: 3/0.

5. CHANGES TO THE AGENDA
Take Red Rose Way first, followed by 200 N. La Cumbre Road, 1212 Punta Gorda Street, and then in order of agenda.
6. MEMBER AND STAFF COMMUNICATION
A. Mr. Slack advised STAC of Parks and Recreation Commission actions.
7. NEW BUSINESS

STREET TREES

1. 1212 Hutash Street – *Archontophoenix cunninghamiana*, King Palm – Sandra Lugo

The Committee recommends (3/0) that the Commission approve removal on the condition the applicant replace with a new designated street tree.

Motion: Member Reed moved, seconded by Member McPherson to recommend that the Commission approve removal on the condition the applicant replace with a designated street tree, passed.

Vote: 3/0.

2. 106 San Rafael Avenue – *Ficus benjamina*, Weeping Fig – Dawn McGrew

The Committee recommends (3/0) that the Commission deny the removal.

Motion: Member Reed moved, seconded by Member DeMola to recommend that the Commission deny the removal, passed.

Vote: 3/0.

3. 745 Dolores Drive – *Ficus microcarpa*, Indian Laurel Fig – Andrew Sheppard

The Committee recommends (3/0) that the Commission deny the removal.

Motion: Member DeMola moved, seconded by Member Reed to recommend that the Commission deny the removal, passed.

Vote: 3/0.

SETBACK TREES

1. 2131 Red Rose Way – *Araucaria heterophylla*, Norfolk Island Pine – Chris Joyce

The Committee recommends (3/0) that the Commission approve the removal on the condition the applicant plant a replacement tree as reflected on their application.

Motion: Member McPherson moved, seconded by Member DeMola to recommend that the Commission approve the removal on the condition the applicant plant a replacement tree as reflected on their application, passed.

Vote: 2/1. Member Reed opposed.

2. 917 Alphonse Street – *Robinia pseudoacacia*, Black Locust – Veronica Wynn

The Committee recommends (2/1) that the Commission approve the removal on the condition the applicant replace with two new trees as proposed on their application.

Motion: Member Reed moved, seconded by Member DeMola to recommend that the Commission approve removal on the condition the applicant replace with two new trees as proposed on their application, passed.

Vote: 2/1. Member McPherson opposed.

3. 1212 Punta Gorda Street – *Cedrus deodara*, Deodar Cedar – Ricardo Frustockl

The Committee recommends (3/0) that the Commission deny the removal without prejudice, to allow the applicant to provide additional information that illustrates why the tree cannot be retained.

Motion: Member Reed moved, seconded by Member McPherson to recommend that the Commission deny the removal without prejudice, to allow the applicant to provide additional information that illustrates why the tree cannot be retained, passed.

Vote: 3/0.

4. 211 Via Sevilla – *Ficus microcarpa*, Indian Laurel Fig – Gail Gorton

The Committee recommends (2/1) that the Commission approve the removal.

Motion: Member DeMola moved, seconded by Member Reed to recommend that the Commission approve the removal, passed.

Vote: 2/1. Member McPherson opposed.

5. 200 N. La Cumbre Road – (5) *Cupaniopsis anacardioides*, Carrot Wood, (1) *Afrocarpus falcatus*, Fern Pine and (2) *Jacaranda mimosifolia*, Jacaranda – Jianhua Chen

The Committee recommends (3/0) that the Commission approve the removals on the condition the applicant plant the replacements as proposed on their application.

Motion: Member Reed moved, seconded by Member McPherson to recommend that the Commission approve the removals on the condition the applicant plant the replacements as proposed on their application, passed.

Vote: 3/0.

8. STREET TREE MASTER PLAN
 1. 500 – 700 blocks of N. Voluntario Street – request for species designation change – staff

The Committee recommends (3/0) that the Commission approve *Acacia podalyriifolia*, Pearl Acacia, *Tristaniopsis laurina*, Water Gum and *Acacia baileyana*, Bayley Acacia as designations for the 500 – 700 blocks of N. Voluntario Street.

Motion: Member DeMola moved, seconded by Member Reed to recommend that the Commission approve *Acacia podalyriifolia*, Pearl Acacia, *Tristaniopsis laurina*, Water Gum and *Acacia baileyana*, Bayley Acacia as designations for the 500 -700 blocks of N. Voluntario Street, passed.

Vote: 3/0.

9. OLD BUSINESS

The meeting was adjourned at 12:13 P.M.

Respectfully submitted,
Nathan Slack, Urban Forest Superintendent

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Nathan Slack at 564-5433. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.



CITY OF SANTA BARBARA
PARKS AND RECREATION COMMISSION REPORT

AGENDA DATE: October 26, 2022
TO: Parks and Recreation Commission
FROM: Parks Division, Parks and Recreation Department
SUBJECT: Street Tree Advisory Committee Recommendations

RECOMMENDATION: That the Commission:

A. Conditionally approve the following street tree removal request:

1. 1226 Hutash Street – *Archontophoenix cunninghamiana*, King Palm – Sandra Lugo

The Committee evaluated the King Palm, noting it was in good health. Members commented that the tree was located directly under overhead utility lines. Due to the tree's placement, a sub-contractor for the utility provider is pruning the tree frequently to control its growth. During discussion, they evaluated the distance of the palm to the overhead utility lines and determined it would be a considerable amount of time until the tree would be subject to removal due to conflicts with the lines. After review, the Committee concluded it made practical sense to allow the applicant to remove the tree and plant a new designated street tree, stating the palm provided little value due to the frequent pruning.

The Committee recommends (3/0) that the Commission approve removal on the condition the applicant replace with a new designated street tree.

B. Deny the following street tree removal requests:

1. 106 San Rafael Avenue – *Ficus benjamina*, Weeping Fig – Dawn McGrew

The Committee evaluated the Weeping Fig, commenting that the tree was in great health. During evaluation of the tree, they determined that the tree had displaced the sidewalk. Upon further review, members determined sidewalk repair without the need for tree removal was feasible. Additionally, the Committee commented that, Weeping Fig is not necessarily a great street tree species, but the fact that it is performing well and providing benefits to the community warrants its retention.

The Committee recommends (3/0) that the Commission deny the removal.

2. 745 Dolores Drive – *Ficus microcarpa*, Indian Laurel Fig – Andrew Sheppard

The Committee assessed the Indian Laurel Fig, noting it was in great health and a nice example of the species. Members noted the sidewalk was recently patched using asphalt to alleviate existing displacements. During discussion, there was consensus amongst the members that sidewalk repair without the need for tree removal was feasible. Brief discussion took place regarding the applicant's concerns relating to their private sewer lateral. The Committee reiterated the longstanding approach towards private sewer laterals and street tree removal, stating that in almost all cases repairs do not require tree removal. Further, members commented the applicant stated on their application that repairs to the sewer lateral had already occurred. There was no evidence of structural damage provided.

The Committee recommends (3/0) that the Commission deny the removal.

C. Approve the following setback tree removal request:

1. 211 Via Sevilla – *Ficus microcarpa*, Indian Laurel Fig – Gail Gorton

During the February 23, 2022, regular Parks and Recreation Commission, a previous application was submitted for tree removal. The Commission voted to deny the removal without prejudice, consistent with the Street Tree Advisory Committee's recommendation.

The Committee evaluated the Indian Laurel Fig, stating it was in good health, but was causing noticeable damage to the surrounding private hardscape and minor damage to the sidewalk. Members discussed at length the challenges the tree posed for the property owner, noting that even if repairs to the hardscape took place, there was a high probability displacement would continue, requiring additional repairs and costs. After extensive review, the Committee determined it made practical sense to recommend approval of the removal. As part of this discussion, the Committee evaluated options for replacement, agreeing that there was no suitable place for a replacement tree on the property. Additionally, members commented that the street had extensive canopy cover, and while the subject tree was large, its removal would not have a material impact on the street.

The Committee recommends (2/1) that the Commission approve the removal.

The Committee determined that pursuant to SBMC 15.24.090 C, that the character of the immediate neighborhood with respect to forestation will not be materially affected by the removal.

D. Conditionally approve the following setback tree removal requests:

1. 200 N. La Cumbre Road – (5) *Cupaniopsis anacardioides*, Carrot Wood, (1) *Afrocarpus falcatus*, Fern Pine, and (2) *Jacaranda mimosifolia*, Jacaranda – Jianhua Chen

The Committee evaluated the trees proposed for removal, noting they were all in fair shape and reasonably maintained. While on site, members reviewed the plans for the proposed affordable housing project. They commented that the removals of the trees constituted a reasonable development of the property and noted that the proposed replacements occurring within the public right of way and on the property significantly offset the existing trees.

The Committee recommends (3/0) that the Commission approve the removals on the condition the applicant plant the replacements as proposed on their application.

2. 2131 Red Rose Way – *Araucaria heterophylla*, Norfolk Island Pine – Chris Joyce

The Committee assessed the Norfolk Island Pine, noting it was in good health and well maintained. Focus quickly shifted to the abundance of young maturing fruit scattered throughout the tree's canopy, which was the applicant's primary concern. Members discussed the applicant's concerns regarding fruit production, remarking that this species is capable of producing very large cone like fruit that can mature to 3-4" wide by 3.5-4.5" in height on female trees, whereas male trees produce much smaller cones. Extensive discussion took place between the members as they discussed the challenges the persistent large fruit posed for both the property owners, neighbors, and those in the public right of way. After review, members determined the fruit production was too challenging to manage and that removal and replacement made practical sense.

The Committee recommends (3/0) that the Commission approve the removal on the condition the applicant plant a replacement tree as reflected on their application.

The Committee determined that pursuant to SBMC 15.24.090 E, the Commission could make the finding that regard for safety of persons or property dictates removal.

3. 917 Alphonse Street – *Robinia pseudoacacia*, Black Locust – Veronica Wynn

The Committee reviewed the Black Locust located within the front setback, noting the tree was in fair to poor health. They commented that the tree had recently appeared to defoliate, but was now producing new growth. Discussion regarding causes for the defoliation took place, with members remarking it likely had to do with a general decline in the tree's overall health. During evaluation of the tree,

they determined it was in a state of decline and that it made practical sense to allow the applicant to remove the tree and plant the two new trees as proposed on their application.

The Committee recommends (2/1) that the Commission approve the removal on the condition the applicant replace with two new trees as proposed on their application.

The Committee determined that pursuant to SBMC 15.24.090 A, the Commission could make the finding that principles of good forest management will be best served by the proposed removal.

E. Deny the following setback tree removal requests:

1. 1212 Punta Gorda Street – *Cedrus deodara*, Deodar Cedar – Ricardo Frustockl

The Committee evaluated the Deodar Cedar, noting the tree was in good health and reasonably maintained. The applicant expressed a desire to remove the tree to allow for the installation of a larger mobile home unit on the lot. Members assessed the feasibility of retaining the tree while allowing for the installation of the larger unit. After review, they concluded that it appeared to be possible to save the tree, but that it was difficult to make an accurate determination since there were no plans provided that would illustrate how the tree prevents installation of the larger unit. The Committee commented that the removal of the tree to allow a larger unit to be installed made practical sense, but it would require more evidence before a finding could be identified that would support removal of the tree.

The Committee recommends (3/0) that the Commission deny the removal without prejudice, to allow the applicant to provide additional information that illustrates why the tree cannot be retained.

F. Approve the following change to the Street Tree Master Plan:

1. 500-700 blocks of N. Voluntario Street – request for species designation change – Staff

Staff is requesting a change to the existing street tree designation for the 500-700 blocks of North Voluntario Street. The request is due in part to a conditional replacement from a recent tree removal application located at 714 North Voluntario Street, where two Queen Palms were approved for removal on the condition two new designated street tree species were planted.

The existing designation for the 500-700 blocks of North Voluntario Street is *Abizia julibrissin*, Silk Tree, a species that has shown a high level of susceptibility to the Invasive Shot Hole Borer. This pest, which spreads a fungal pathogen, leads to a

relatively quick death of the tree once established. This pest/disease complex is currently present on the street. Due to the pest related issues, staff determined it did not make practical sense to plant any more of this particular species.

The applicant requested to plant *Acacia podalyriifolia*, Pearl Acacia, which is currently a species that does not exist in our inventory nor as a designated species for use. Staff evaluated the feasibility of incorporating this species. After review, it was determined that Pearl Acacia was a species of merit and would be a nice introduction as a new street tree designation.

While staff determined that Pearl Acacia was suitable for use, it can often be difficult to locate, and our limited experience with the tree as a street tree warranted additional evaluation for other species to designate. Staff evaluated the parkway width, potential above and underground infrastructure conflicts, and compatibility with the Pearl Acacia. Staff presented two additional species for designation, *Tristaniopsis lauriana*, Water Gum, and *Acacia baileyana*, Bailey Acacia, for use on the 500-700 blocks of North Voluntario Street.

The Committee reviewed the new proposed species designation changes and concluded they would be good selections for use.

The Committee recommends (3/0) that the Commission approve *Acacia podalyriifolia*, Pearl Acacia, *Tristaniopsis laurina*, Water Gum and *Acacia baileyana*, Bayley Acacia, as designations for the 500-700 blocks of N. Voluntario Street.

- ATTACHMENTS:**
1. 1226 Hutash Street
 2. 106 San Rafael Avenue
 3. 745 Dolores Drive
 4. 211 Via Sevilla
 5. 200 N. La Cumbre Road
 6. 2131 Red Rose Way
 7. 917 Alphonse Street
 8. 1212 Punta Gorda Street
 9. 500-700 blocks of N. Voluntario Street

PREPARED BY: Nathan Slack, Urban Forest Superintendent

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



**CITY OF SANTA BARBARA
PARKS AND RECREATION DEPARTMENT**

PARKS AND RECREATION COMMISSION MINUTES

**REGULAR MEETING
Wednesday, October 26, 2022
Council Chamber, 735 Anacapa Street**

CALL TO ORDER

Chair Kathy McGill called the meeting to order at 4:02 pm.

ROLL CALL

Commissioners and Staff Present

Chair Kathy McGill
Vice Chair Evelyn Feck
Commissioner Sebastian Aldana
Commissioner Nichol Clark
Commissioner Beebe Longstreet
Assistant Parks and Recreation Director Jazmin LeBlanc
Urban Forest Superintendent Nathan Slack
Administrative Assistant Rose Nevarez

Commissioners Absent

Commissioner Jacob Lesner-Buxton
Commissioner Robin Unander-LaBerge

GENERAL BUSINESS

- A. Changes to the Agenda – None
- B. Written Public Comment – None
- C. Public Comment – None
- D. Youth Council Report

Youth Council Member Tiago Eckstein reported the Youth Council participated in a beach cleanup at Hendry's Beach during Santa Barbara Creek Week, submitted an application to the Fund for Santa Barbara Youth Making Change grant to lead a series of workshops on community issues, and compiled useful links to November election materials and resources and shared them on Instagram to encourage people to vote in the election. They are preparing to participate in Trunk or Treat on Oct 28 at the Spencer Adams parking lot in collaboration with the SB Police Activities League and will receive a presentation on tobacco prevention from SB County.

The Commission received the report and their questions were answered.

E. Commissioner Committee Assignment Reports

Commissioner Longstreet attended and reported on the Golf Advisory Committee meeting.

Chair McGill attended and reported on the De La Guerra Plaza Revitalization Design Advisory Committee Arts and Culture Subcommittee meeting.

F. Commission And Staff Communications

CEREMONIAL ITEMS

1. Subject: Employee Recognition – Service Award Pins

Assistant Parks and Recreation Director Jazmin LeBlanc recognized Ricardo Venegas, Neighborhood Outreach Services Coordinator, for 25 years of service.

CONSENT ITEMS

2. Subject: Summary of Council Actions – For Information (Attachment)

3. Subject: Minutes – For Action (Attachment)

Recommendation: That the Commission waive the reading and approve the minutes of the Regular Meeting of September 28, 2022.

Motion:

Commissioner Longstreet / Aldana to waive the reading and approve the minutes of the Regular Meeting of September 22, 2022.

Vote:

Unanimous voice vote (5/0)

STREET TREE ADVISORY COMMITTEE ITEMS

Any action of the Parks and Recreation Commission made pursuant to Municipal Code Chapter 15.20, Tree Planting and Maintenance or 15.24, Preservation of Trees, may be appealed to the City Council within ten days, pursuant to provisions of Section 1.30.050 of the Municipal Code.

4. Subject: Street Tree Advisory Committee Recommendations – For Action (Attachments)

Documents:

- Staff Report dated October 26, 2022
- Staff PowerPoint presented by Staff

Speakers:

- Urban Forest Superintendent Nathan Slack
- Public Speaker Dawn McGrew (Item 4.B.1.)
- Public Speaker Andrew Sheppard (Item 4.B.2.)
- Public Speaker Analise Dulien (Item 4.D.2.)
- Public Speaker Ashley Farrell (Item 4.D.2.)
- Public Speaker Todd Yuba (Item 4.D.2.)
- Public Speaker Chris Joyce (Item 4.D.2.)

Recommendation: That the Commission:

A. Conditionally approve the following street tree removal request:

1. 1226 Hutash Street – *Archontophoenix cunninghamiana*, King Palm – Sandra Lugo

The Commission received the report, their questions were answered, and the following action was taken:

Motion:

Commissioner Longstreet / Clark to concur with the Street Tree Advisory Committee recommendation and approve the removal on the condition the applicant replace with a new designated street tree.

Vote:

Unanimous voice vote (5/0)

B. Deny the following street tree removal requests:

1. 106 San Rafael Avenue – *Ficus benjamina*, Weeping Fig – Dawn McGrew

The Commission received the report, listened to testimony, their questions were answered, and the following action was taken:

Motion:

Commissioner Clark / Feck to concur with the Street Tree Advisory Committee recommendation and deny the removal.

Vote:

Majority voice vote (4/1) (Nay: Aldana)

2. 745 Dolores Drive – *Ficus microcarpa*, Indian Laurel Fig – Andrew Sheppard

The Commission received the report, listened to testimony, their questions were answered, and the following action was taken:

Motion:

Commissioner Aldana / Longstreet to concur with the Street Tree Advisory Committee recommendation and deny the removal without prejudice.

Revised Motion:

Commissioner Aldana / Longstreet to concur with the Street Tree Advisory Committee recommendation and deny the removal.

Vote:

Unanimous voice vote (5/0)

C. Approve the following setback tree removal request:

1. 211 Via Sevilla – *Ficus microcarpa*, Indian Laurel Fig – Gail Gorton

The Commission received the report, their questions were answered, and the following action was taken:

Motion:

Commissioner Longstreet / Aldana to concur with the Street Tree Advisory Committee recommendation and approve the removal, as pursuant to SBMC 15.24.090, the character of the immediate neighborhood with respect to forestation will not be materially affected by the removal.

Vote:

Unanimous voice vote (5/0)

D. Conditionally approve the following setback tree removal request:

1. 200 N. La Cumbre Road – (5) *Cupaniopsis anacardioides*, Carrot Wood, (1) *Afrocarpus falcatus*, Fern Pine, and (2) *Jacaranda mimosifolia*, Jacaranda – Jianhua Chen

The Commission received the report, their questions were answered, and the following action was taken:

Motion:

Commissioner Longstreet / Clark to concur with the Street Tree Advisory Committee recommendation and approve the removals on the condition replacement trees as proposed on the application are planted, as pursuant to SBMC 15.24.090, a reasonable and practical development of the property on which the trees are located requires their removal.

Vote:
Unanimous voice vote (5/0)

2. 2131 Red Rose Way – *Araucaria heterophylla*, Norfolk Island Pine – Chris Joyce

The Commission received the report, listened to testimony, their questions were answered, and the following action was taken:

Motion:
Commissioner McGill / Longstreet to deny the removal.

Revised Motion:
Commissioner McGill / Longstreet to deny the removal without prejudice.

Vote:
Majority voice vote (3/2) (Nay: Aldana/Feck)

3. 917 Alphonse Street – *Robinia pseudoacacia*, Black Locust – Veronica Wynn

The Commission received the report, their questions were answered, and the following action was taken:

Motion:
Commissioner Longstreet / Clark to concur with the Street Tree Advisory Committee recommendation and approve the removal on the condition they be replaced with two new trees as proposed on the application, as pursuant to SBMC 15.24.090, principles of good forest management will be best served by the removal.

Vote:
Unanimous voice vote (5/0)

E. Deny the following setback tree removal request:

1. 1212 Punta Gorda Street – *Cedrus deodara*, Deodar Cedar – Ricardo Frustockl

The Commission received the report, their questions were answered, and the following action was taken:

Motion:
Commissioner Aldana / Feck to concur with the Street Tree Advisory Committee recommendation and deny the removal without prejudice.

Vote:
Unanimous voice vote (5/0)

F. Approve the following change to the Street Tree Master Plan:

1. 500-700 blocks of N. Voluntario Street – request for species designation change – Staff

The Commission received the report, their questions were answered, and the following action was taken:

Motion:

Commissioner Longstreet / McGill to concur with the Street Tree Advisory Committee recommendation and approve Pearl Acacia, Water Gum, and Bailey Acacia as designations for the 500-700 blocks of N. Voluntario Street.

Vote:

Unanimous voice vote (5/0)

ADMINISTRATIVE AND STAFF REPORTS

5. Subject: Director's Report – For Information (Attachment)

Documents:

-Staff Report dated October 26, 2022

Speaker:

- Assistant Parks and Recreation Director Jazmin LeBlanc

Recommendation: That the Commission receive a presentation on the status of the various Parks and Recreation Department initiatives and activities.

Assistant Parks and Recreation Director Jazmin LeBlanc reported the Department's Santa Barbara Arts Alliance Program received a Creating Community Award of Excellence, the annual Adapted Thanksgiving Luncheon will take place on November 23 at the Westside Community Center, and on future tentative Commission agenda items.

The Commissioners received the report and their questions were answered.

6. Subject: Urban Forestry Program – Work Plan Goals and Objectives for Fiscal Year 2023 – For Information (Attachment)

Documents:

-Staff Report dated October 26, 2022

-Staff PowerPoint presented by Staff

Speaker:

-Urban Forest Superintendent Nathan Slack

Recommendation: That the Commission receive a presentation from staff on the Parks and Recreation Department's programs and services, including sources of funding, expenditure analysis, and other operational topics.

Urban Forest Superintendent Nathan Slack gave background and an overview of the Urban Forest Management Plan. He then described the four key objectives selected by Urban Forestry staff as work plan goals for Fiscal Year 2023 and specific action items within each objective, which are in addition to normal tree maintenance activities.

The Commissioners received the report, and their questions were answered.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

At 6:12 pm, with no further business to be addressed by the Commission, the meeting was adjourned.

Respectfully submitted,

Jazmin LeBlanc,
Assistant Parks and Recreation Director



City of Santa Barbara

Parks and Recreation Department

www.sbparksandrecreation.com

www.SantaBarbaraCA.gov

RECEIVED

October 27, 2022

NOV - 4 2022

Administration

Tel: 805.564.5431

Fax: 805.564.5480

Chris Joyce

cjoyce@anacapabuilders.com

CITY CLERK'S OFFICE
SANTA BARBARA, CA

Parks Division Office

Tel: 805.564.5433

Fax: 805.897.2524

Subject: *Araucaria heterophylla*, Norfolk Island Pine at 2131 Red Rose Way

Recreation Division

Office

Tel: 805.564.5418

Fax: 805.564.5480

Dear Mr. Joyce:

Your request for removal of an *Araucaria heterophylla*, Norfolk Island Pine was presented at the Parks and Recreation Commission meeting on October 26, 2022. After an evaluation and discussion of the request, the Parks and Recreation Commissioners voted to deny the removal without prejudice.

Creeks Division Office

Tel: 805.897.2658

Fax: 805.897.2626

Permits for this work are only valid for sixty (60) days, (SBMC15.20.120). Please contact Nathan Slack at 564-5592 to request a permit to proceed with the removal. Please note permits are not available until after the 10 day appeal period has passed.

620 Laguna St.

PO Box 1990

Santa Barbara, CA

93102-1990

Should you desire to appeal the Parks and Recreation Commission action denying your tree removal request to the City Council, a written notice thereof must be filed within 10 days of the Commission action. The appeal notice can be either hand delivered to the Clerk's office at City Hall, or mailed to the City Clerk at P.O. Box 1990, Santa Barbara, CA 93102-1990. An appeal processing fee may apply, and must be submitted with your written notice. Please contact the City Clerk's office at 564-5309 if you have any questions regarding the written notice or applicable fees. Please call me if you have questions about this Commission action.

Golf Course

Tel: 805.564.5547

Fax: 805.897.2644

3500 McCaw Ave.

PO Box 1990

Santa Barbara, CA

93102-1990

Please kindly remove the notice posted on this tree.

Sincerely,

Neighborhood and

Outreach Services

Tele: 805.897.2560

Fax: 805.963.7569

423 W. Victoria St.

P.O. Box 1990

Santa Barbara, CA

93102-1990

Nathan Slack
Urban Forest Superintendent
805-564-5592

Subject: Araucaria heterophylla, Norfolk Island Pine at 2131 Red Rose Way

To Whom it May Concern,

This notice is notifying the City Council that my husband (Chris Joyce) and I would like to appeal the Parks and Recreation Commission's action of denying the removal of our tree.

Please let me know what our next steps will be to move forward.

Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Allie Joyce".

11/4/22

Allie Joyce
(805) 340-2868
2131 Red Rose Way
Santa Barbara, CA
93109