City of Carpinteria
City Council Regular Meeting Agenda
Tuesday, November 25, 2024
Council Chamber, 5775 Carpinteria Avenue, Carpinteria, CA 93013

5:30 p.m. Regular Meeting
In-Person and Virtual Participation Options

AMENDED AGENDA
REMOVED ITEM NO. 2 (Carpinteria Seal Watch Proclamation)
AMENDED TITLE/RECOMMENDATION FOR ITEM NO. 11 (Annual DIF/CIP Report)

Attendance/Viewing Options:

- Attend the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.).
- View the meeting live through the City's website (https://carpinteriaca.gov/city-hall/agendas-meetings/).
- View the meeting on Government Access Television Channel 21 (broadcast live and rebroadcast on the Wednesday and the Saturday following the meeting at 8:00 p.m. and 5:00 p.m., respectively).
- Call 669-900-9128 (and enter Webinar ID 889 0390 2262) to listen to the meeting.
- Join the City's Zoom webinar by CLICKING HERE. Alternatively, you can join the Zoom webinar by logging on to www.zoom.us, downloading the application, selecting "Join Meeting", and entering Webinar ID 889 0390 2262.
- Spanish interpretation will be available at the in-person meeting and through the City's Zoom webinar.

Public Comments

- Provide a live public comment in City Council Chambers at City Hall (5775 Carpinteria Ave.).
- Provide a live comment through the City's Zoom webinar platform (through the link provided above). To make public comments through this platform please use the "raise your hand" feature to notify staff that you would like to make a public comment during designated public comment times. Once it is your turn to provide a public comment, staff will unmute your microphone and you will be given a designated amount of time to provide your comment. At the end of your comment, staff will once again mute your microphone.
- Submit a written comment (as either a general public comment or on a specific agenda item) to be distributed to Council Members by **12:00 P.M. on the day of**

the meeting by either submitting your comment via (1) email to PublicComment@carpinteriaca.gov, or (2) the **eComment** link on the City's agenda website available at https://carpinteriaca.gov/city-hall/agendas-meetings/. Please reference the agenda item to which your comment pertains. Although written comments become part of the record, they will not be read aloud at the meeting.

Please note that the City will make every effort to make the meeting accessible virtually; however, if one of the above virtual attendance/viewing or public comment options is unavailable due to technological issues, you are invited to take advantage of one of the other participation options outlined above (including attending and providing public comment in-person in the City Council Chambers). Additional options may be made available at the meeting.

Levine Act Warning

Applicants and their agents before the City Council are subject to the campaign disclosure provisions detailed in Government Code Section 84308. No City Council Member may accept, solicit, or direct a contribution of more than $250 from any party or agent for 12 months following the date a final decision is rendered by the City. This prohibition commences when an application has been filed, or the proceeding is otherwise initiated. A party to a City proceeding—which includes both applicants and agents—shall disclose on the record of the proceeding any contribution of more than $250 made to any Council Member by the applicant or agent, during the preceding 12 months. No party to a City proceeding, or agent, shall make a contribution to a Council Member during the proceeding and for 12 months following the date a final decision is rendered by the City. Prior to rendering a decision on a City proceeding, any Council Member who received contribution of more than $250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any Council Member receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, the Council Member shall be permitted to participate in the proceeding. If you believe that these provisions apply to you or a Council Member, please inform the City Clerk at the earliest possible opportunity. Failure to do so may affect the City's ability to process your application.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COUNCILMEMBER(S) REQUEST FOR REMOTE PARTICIPATION UNDER AB 2449: The City Council may consider Councilmember(s) request to participate in the meeting

remotely under the regulations of AB 2449 by making the necessary findings and voting on whether the Councilmember(s) may participate remotely.

AGENDA MODIFICATIONS: The City Council may modify the regular agenda by tabling items, adding urgency items to the agenda, or changing the order in which items are considered. Changes to the Consent Calendar are considered at the time the Consent Calendar is considered.

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS:

1. Presentation in honor of members of the Boys & Girls Club who have achieved Gold Card status.

2. Proclamation Honoring Robitaille's Fine Candies for Its 36-Years Serving the Carpinteria Community. *(Requires approval prior to presentation of proclamation.)*

3. Proclamation Honoring The Palms Restaurant for Its Service to the Carpinteria Community. *(Requires approval prior to presentation of proclamation.)*

4. Proclamation Honoring the 60th Anniversary of the Carpinteria Valley Association. *(Requires approval prior to presentation of proclamation.)*

5. Introduction of new employee Claire Hobika, Recreation Leader.

CITY MANAGER'S REPORT

The City Manager will report to the City Council regarding various City and/or community events and/or matters of interest. There will be no City Council discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda or as otherwise specified below.

a. City Employee Updates
b. Updates on Capital Improvement Projects
c. Updates on Development Applications
d. Other City/Community Updates

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

This is a time for public comments on matters not otherwise on the agenda but within the subject matter jurisdiction of the City Council. The Mayor may establish reasonable regulations for public comment based on the time available and/or the number of persons waiting to speak. Typically, the Council's practice has been to limit each speaker to three minutes. The audio-visual system in the Council Chamber is not available for speaker use during the general Public Comment period.

The City and the City Council are not responsible for the content of statements made during the public comment period, or the factual accuracy of any such statements.

CONSENT CALENDAR: Items on the consent calendar are considered to be routine and are normally enacted by one unanimous vote of the Council. If you wish to speak on a consent calendar item please do so during the public comment period provided at the beginning of this item.

6. Approve the minutes of the special meeting held November 8, 2024 and the regular meeting held November 12, 2024.

7. Receive and file the Expenditures for the period beginning November 4, 2024 and ending November 15, 2024.

8. Receive and file the Report of Contracts Executed by the City Manager for the Period of October 8, 2024 through November 4, 2024.

9. Receive and file the Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds for October 2024.

10. Award a Construction Contract to Mark Crane's Tree, Inc. in the Total Base Bid amount of $120,000 for the Carpinteria Avenue Bridge Replacement Project – Clearing and Grubbing. *(Requires a roll call vote.)*

ADMINISTRATIVE MATTERS: NONE

PUBLIC HEARING:

11. Continuation of Public Hearing for Annual Report of the Development Impact Fee Program and Updating the Capital Improvement Plan.

    Recommendation: Open the public hearing, receive public comment, keep public hearing open, and continue the public hearing to approve and accept the Annual Report of the Development Impact Fee Program and update the Capital Improvement Plan to the December 9, 2024 Council meeting.

    Staff Presenter: John L. Ilasin, Public Works Director

    a. Staff Report
    b. Public Comment
    c. City Council Determination

12. Ordinance No. 787, an Ordinance of the City Council of the City of Carpinteria, California, Amending Chapter 15.80 (Development Impact Mitigation Fees) of Title

15 (Buildings and Construction) and Chapter 16.24 (Parks and Recreation Facilities Dedication and Fees) of Title 16 (Subdivisions) in the Carpinteria Municipal Code.

Recommendation: Approve Ordinance No. 787, as read by title only (first reading). *(Requires reading of ordinance title and a roll call vote.)*

Staff Presenter: John L. Ilasin, Public Works Director

a. Staff Report
b. Public Comment
c. City Council Determination

13. Public Hearing at the request of the City of Carpinteria to: (1) Introduce and conduct first reading of Ordinance Nos. 788, 789, 790, and 791, (Attachments A through D) making changes to Carpinteria Municipal Code, Title 14 – Zoning, by adding Chapter 14.19 – RMU Residential/Mixed Use, adding Chapter 14.51 – Objective Design Standards, and amending the City's zoning map to rezone specified sites from Industrial/Research Park ("M-RP") and Commercial Planned Development ("CPD") to Residential/Mixed Use ("RMU"); and (2) Determine that none of the conditions have occurred or exist as set forth in California Environmental Quality Act ("CEQA") Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report ("EIR") for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR (Attachment E) satisfies the environmental review requirements of CEQA.

Recommendation: (1) Approve, on first reading, Ordinances 788, 789, 790, and 791, as read by titles only; and (2) Determine that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or subsequent EIR for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR satisfies the environmental review requirements of CEQA. *(Requires reading of ordinance titles and a roll call vote.)*

Staff Presenter: Nick Bobroff, Community Development Director

a. Staff Report
b. Public Comment
c. City Council Determination

CONSIDERATION OF ANY ITEMS REMOVED FROM CONSENT CALENDAR AND/OR OTHER AGENDA ITEMS REQUESTED TO BE ADVANCED

MATTERS CONTINUED FROM PREVIOUS MEETINGS: NONE

OTHER BUSINESS:

14. Response to the 2024 Santa Barbara County Civil Grand Jury Report on "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again".

    Recommendation: (A) Review and approve staff's recommended responses to the Santa Barbara County Civil Grand Jury Report – "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again"; and (B) Authorize the City Manager to sign and transmit the City's Response to the Presiding Judge, Honorable Pauline Maxwell of the Superior Court, a copy to the current impaneled Grand Jury, and to file a copy with the City Clerk's Office.

    Staff Presenter: Ryan Kintz, Assistant City Manager

    a. Staff Report
    b. Public Comment
    c. City Council Determination

LEGISLATIVE UPDATE: The City Council will discuss local, state and/or federal legislation under consideration and decide whether to direct staff to place a matter(s) on a future City Council agenda for consideration.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Informational reports from Councilmember representatives on the committees, commissions and organizations listed below. This is also an opportunity for Councilmembers to request information from staff or seek support from fellow Councilmembers for future agenda items.

1. Appointees to Other Government Agencies

    a. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) (Solórzano/Alt. Clark)
    b. California Joint Powers Insurance Authority (CJPIA) (Clark/Alt. Alarcon)
    c. Santa Barbara County Association of Governments (SBCAG)(Clark/Alt. Nomura)
    d. Santa Barbara County Air Pollution Control District (APCD)(Clark/Alt. Nomura)
    e. Central Coast Community Energy (3CE) (Goleta/Alt. Nomura)
    f. Santa Barbara Mosquito and Vector Management District (Joe Franken)
    g. Santa Barbara Metropolitan Transit District (Solórzano)

2. Regional Committees

    a. Channel Counties Division, League of California Cities (Nomura/Alt. Alarcon)
    b. Santa Barbara Joint Affordable Housing Task Group (Alarcon & Solórzano)
    c. Santa Barbara County Elected Leaders Forum to Address Homelessness (Clark/Alt. Alarcon)
    d. South Coast Youth Safety Partnership (Solórzano/Alt. Lee)
    e. Multijurisdictional Solid Waste Task Group (Lee/Alt. Alarcon)

3. Joint and Standing Committees

    a. City Council/Economic Vitality Committee (Alarcon & Lee)
    b. City Council/Public Safety Committee (Clark & Nomura)
    c. City Council/School Board Committee (Lee and Alarcon)
    d. City Council/Utilities Committee (Lee & Nomura)
    e. City Council/First District Supervisor Committee (Lee & Solórzano)
    f. City Council Finance/Budget Committee (Alarcon & Clark)
    g. Transportation Committee (Lee & Clark)
    h. Development Review Committee (Joint Committee membership from City Council, Planning Commission and Architectural Review Board) (CC: Clark & Nomura) (PC: To Be Selected by Planning Commission) (ARB: Stein & O'Connor)
    i. General Plan and Coastal Plan Update Committee (Joint Committee membership from City Council and Planning Commission) (Lee & Clark) (PC: Benefield and Salant)
    j. Public Facility Site Acquisition/Development Committee (Clark & Nomura)
    k. Sustainability Committee (Nomura & Solórzano)

4. Ad Hoc Committees

    a. Civic/Youth Engagement Committee (Lee & Nomura)
    b. Harbor Seal Advisory Committee (Solórzano & Alarcon)

5. Appointed Representatives to Area Boards & Committees

    a. Community Media Access Center (Gary Dobbins)
    b. County Library Advisory Committee (Gail Marshall)

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

ADJOURNMENT

The next regular City Council meeting will be held December 9, 2024 at 5:30 p.m.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at (805) 755-4403 or the California Relay Service at (866) 735-2929. Notification two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

Materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office, located at 5775 Carpinteria Avenue, Carpinteria, CA 93013 or by going to the City's website at https://carpinteriaca.gov/city-hall/agendas-meetings/.

This agenda was posted on Wednesday, November 20, 2024, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Brayan Soriano

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024

Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Johann Rosales

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Erik Carreno

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Lucia Carreno

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Edgar Alexis Carrillo

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Nelly Soriano

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Mateo Garcia-Perez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Champ Hernandez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Natalie Bailon

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Jonathan Gutierrez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Roxana Gutierrez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Aiden Romero

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Olivia Cervantes

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Maela Cervantes

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024

Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Joshie Zick

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Joey Ortega

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024

Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Lucas Christensen

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024

Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Dylan Alexander Pena

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Wyatt Frazier

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Ximena Julian

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Jonathan Delgado

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Jacob Hernandez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Alexis Julian

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Axel Aguirre Hernandez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024

Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Juan Vega Gonzalez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Vanessa Julian

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024

Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Cynthia Corona

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Sara Vega Gonzalez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Render Gonzalez

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Emmanuel Quintero

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Johana Espinoza

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Berlín Vega González

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Alexander Marquez Miranda

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

Certificate of Commendation

The City Council of the City of Carpinteria presents this Certificate of Commendation to

Jonathan Espinoza

in recognition of your stellar attendance at the Carpinteria Boys & Girls Club for achieving membership into "Club 105" and Gold Card Status.

November 25, 2024
Date

Al Clark, Mayor

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA HONORING ROBITAILLE'S FINE CANDIES FOR ITS 36-YEARS SERVING THE CARPINTERIA COMMUNITY

***WHEREAS**, Robitaille's Fine Candies, a family owned and operated business most well-known for its chocolate "Presidential Inauguration Mints," and a Carpinteria staple for more than 36 years, announced that it will be closing the Linden Avenue shop on December 1, 2024; and*

***WHEREAS**, in 1985, the White House chose Robitaille's as the official mint of the 50th presidential inauguration; which at the time the store was in the Funk Zone of Santa Barbara and was a manufacturer of candy products for retailers around the world; and*

***WHEREAS**, the Robitaille family moved the candy shop to Carpinteria and opened the shop in an old hardware store on Linden Avenue on New Year's Day of 1989; and*

***WHEREAS**, for the past 36 years, the candy shop has been a staple of Carpinteria's downtown, attracting locals and tourists alike; and*

***WHEREAS**, three generations of Robitailles have run the candy shop in Carpinteria, providing sweet treats to Carpinterians and visitors over the years; and*

***NOW, THEREFORE**, the City Council of the City of Carpinteria hereby honors Robitaille's Fine Candies for its outstanding service to the Carpinteria community.*

***IN WITNESS THEREOF**, the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California to be affixed this 25th day of November, 2024.*

Al Clark, Mayor
City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA HONORING THE PALMS RESTAURANT FOR ITS SERVICE TO THE CARPINTERIA COMMUNITY

WHEREAS, when The Palms Hotel sprung up on the corner of Linden Avenue and 7th Street in 1912, it was the pride of Carpinteria*; and*

WHEREAS, *The Palms building also housed the community's first bank, Carpinteria Commercial and Savings Bank, and a post office in addition to the hotel; and*

WHEREAS, the palm trees on Linden Avenue between 7th and 7th Streets, planted in the late 1800s, are desert fan palms, sometimes called a California fan palm, in 1977, they were designate Carpinteria City Landmark No. 2*; and*

WHEREAS, *as the palm trees grew, the building underwent many changes and the popularity of motor courts forced the hotel portion of the building to give way to the dining hall; and*

WHEREAS, *for the last 70 years, the hotel turned-restaurant has operated under the three generations of the Anderson family; Augusta and Beata Anderson owned it for several years before passing it down to their son Ken Anderson and his wife Sue, in 1968; their sons, Bill and Todd Bennett, took over when their parents retired in 1990; and*

WHEREAS, *Carpinteria's oldest family-run restaurant and bar was well known for its food and drinks, in particular, its "cook your own steak"; and*

WHEREAS, *unfortunately due to the COVID-19 pandemic, the restaurant closed and was later sold; and*

WHEREAS, *many Carpinterians and visitors have fond memories of The Palms Restaurant.*

NOW, THEREFORE, *the City Council of the City of Carpinteria hereby honors The Palms Restaurant for its service to the Carpinteria community.*

IN WITNESS THEREOF, *the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California to be affixed this 25th day of November, 2024.*

_____
Al Clark, Mayor
City of Carpinteria

ATTEST:

_____
Brian C. Barrett, CMC, CPMC
City Clerk

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA HONORING THE 60TH ANNIVERSARY OF THE CARPINTERIA VALLEY ASSOCIATION

WHEREAS, *the Carpinteria Valley Association (CVA) was established in 1964, one year before the incorporation of the City of Carpinteria; and*

WHEREAS, *CVA continues in its mission to preserve and enhance the rural beauty of the Carpinteria Valley, especially its open field agriculture, and to maintain the charm of Carpinteria and Summerland as small beach towns; and*

WHEREAS, *CVA strives to accomplish this goal by providing advocacy and public education on issues related to land use, planning, and community development with an emphasis on the environment and natural resources of the Carpinteria Valley, Summerland, and the surrounding region; and*

WHEREAS, *CVA fought for more than 30 years to preserve the Carpinteria Bluffs, beginning in 1968 by opposing a proposed oil refinery, subsequently working to defeat various high-density proposals from the 1970s through the 1990s, and helping to form the Citizens for the Carpinteria Bluffs in 1998, which finally achieved its goal of public acquisition of the Bluffs; and*

WHEREAS, *CVA participated in the creation of the Carpinteria Salt Marsh Preserve, including opposing a proposed marina for the site in 1971, and assisted in the establishment of the Summerland Greenwell Preserve; and*

WHEREAS, *CVA played an important role in advocating that Santa Barbara County and the California Coastal Commission limit the expansion of greenhouses in the Carpinteria Valley and monitor the environmental impacts of their operation; and*

WHEREAS, *CVA continues its steadfast efforts to achieve the goal of the community as stated in the Carpinteria General Plan: "…to preserve the essential character of our small beach town, its family-oriented residential neighborhoods, its unique visual and natural resources and its open, rural surroundings while enhancing recreational, cultural and economic opportunities for our citizens."; and*

WHEREAS, *CVA is celebrating its 60th anniversary, and continues its efforts to preserve the natural beauty of the Carpinteria Valley and Summerland area, to educate the public about planning issues, and to motivate action and public involvement in community decision-making.*

NOW, THEREFORE, *the City Council of the City of Carpinteria hereby recognizes and commends the Carpinteria Valley Association for its outstanding contribution to the community and dedication to the residents of Carpinteria.*

IN WITNESS THEREOF, *the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California to be affixed this 25th day of November, 2024.*

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

Al Clark, Mayor
City of Carpinteria

MEMORANDUM

Council Meeting Date: **November 25, 2024**

To: Honorable Mayor and City Council

From: Michael Ramirez, City Manager

Subject: **City Manager's Report**

CITY EMPLOYEE UPDATES

Recruitments

Below is a partial list of open recruitments and status. Additional information on City job openings is available online at https://carpinteriaca.gov/city-hall/human-resources/.

- Chief Building Inspector / Plans Examiner – Full-time
  - Deadline to apply extended to December 15, 2024.
- Maintenance Worker – Two Part-time Positions
  - Position to be readvertised
- Management Assistant – Full-time
  - Pending Final Interviews – December 2, 2024.
- Parks & Facilities Attendant – Part-time
  - Pending background.
- Program Manager – Parks, Recreation, and Community Services
  - Pending Final Interviews - TBD.
- Literacy Coordinator – Part-time
  - Deadline to apply: December 1, 2024.

UPDATES ON CAPITAL IMPROVEMENT PROJECTS

None.

UPDATES ON DEVELOPMENT APPLICATIONS

Palms Restaurant Renovation Scheduled for PC Review on December 2, 2024

The proposed renovation plan for the historic Palms Restaurant building at 701 Linden Avenue is scheduled to be considered by the City's Planning Commission on December 2nd. The proposed project would restore the historic integrity of the building's exterior, remodel the ground floor restaurant space, convert the second floor into a banquet/event space, and introduce a new rooftop bar and dining area. The Planning Commission agenda, staff report and a copy of the proposed plans will be posted to the City website no later than Wednesday, November 27th at: https://carpinteriaca.gov/city-hall/agendas-meetings/

Surfliner Inn Scheduled for ARB Review on December 12, 2024

The proposed Surfliner Inn project located on a portion of the City Parking Lot #3 property at Linden Avenue and Fifth Street (499 Linden Avenue) is scheduled to be reviewed by the Architectural Review Board (ARB) on December 12, 2024. The ARB will be responsible for reviewing the project for consistency with applicable City design policies and providing a recommendation to the Planning Commission.

In preparation for the ARB meeting, story poles will be erected onsite to demonstrate the approximate size, bulk and scale of the proposed Inn project. Story poles will be erected the week of November 25th and will remain in place through the week of January 6th. During the time the story poles are up, a portion of the City Parking Lot #3 will be unavailable for public use. The west end of the parking lot, along with the sidewalks along Linden Avenue and Fifth Street, and the Amtrak platform will, however, remain open and available for the public's use throughout this time.

The ARB meeting agenda and staff report will be posted to the City website no later than Thursday, December 5th at: https://carpinteriaca.gov/city-hall/agendas-meetings/

OTHER CITY/COMMUNITY UPDATES

AgeWell & Community Library Collaboration: Frosty Fest

The Third Annual Frosty Fest is scheduled for Saturday, December 7, from 10:00 AM to 12:00 PM at the Carpinteria Community Library. This family-friendly event will feature several festive activities, including crafts, games, and the popular "Best Beanie Contest." Participants are encouraged to showcase their coziest or most creative beanies for a chance to win prizes.

AgeWell Lecture Series: "Legal Advice Q&A"

On December 18, the Legal Aid Foundation will present a "Legal Advice Q&A" session designed for seniors. This event will provide free, professional guidance on topics such as consumer protection, housing rights, healthcare, and other legal issues. The program aims to help seniors navigate common challenges and access essential legal resources.

Facility Closures

City Hall, the Community Pool, and AgeWell programs will be closed on Thursday, November 28, and Friday, November 29. The Carpinteria Community Library will be closed from Thursday, November 28, through Sunday, December 1, with regular operations resuming on Monday, December 2. These temporary closures allow our staff to enjoy the holiday period while ensuring services resume promptly afterward.

2024 Winter Protection Berm

In progress. Tentative completion date November 27, 2024. All regulatory environmental permits from the California Coastal Commission, Regional Water Quality Control Board, and U.S. Army Corps of Engineers are currently valid for the Winter Protection Berm. The purpose of the Winter Protection Berm is for protection of the Carpinteria City Beach and immediately adjacent properties, and funding is from Assessment District No. 5.

Diversity, Equity, and Inclusion (DEI)

None.

City of Carpinteria
City Council Minutes
Special Meeting
Friday, November 8, 2024

Council Chamber, 5775 Carpinteria Avenue, Carpinteria, CA 93013
Carpinteria Skate Park, east and adjacent to Carpinteria City Hall)
Carpinteria Community Library, 5141 Carpinteria Avenue, Carpinteria, CA 93013
Veterans Memorial Building, 941 Walnut Avenue, Carpinteria, CA 93013
Carpinteria Avocado Farm (at northeastern corner of Via Real and Casitas Pass Rd.)

In-Person

CALL TO ORDER

Vice Mayor Alarcon called the meeting to order at 12:51 pm.

ROLL CALL

Councilmembers present:	Councilmember Mónica Solórzano Councilmember Wade T. Nomura Vice Mayor Natalia Alarcon Mayor Al Clark (arrived at 12:54 pm)
Councilmembers absent:	Councilmember Roy Lee
Staff members present:	Michael Ramirez, City Manager Ryan Kintz, Assistant City Manager Brian C. Barrett, City Clerk John L. Ilasin, Public Works Director Jeanette Gant, Parks, Recreation & Community Services Director Aida Thau, Program Manager Eric Castro, Community Engagement Library Specialist Lieutenant Rich Brittingham with the Santa Barbara County Sheriff's Department

CITY COUNCIL BUSINESS

1. The City Council will tour the above mentioned locations with Congressman Salud Carbajal at the estimated times noted above.

Councilmembers Solórzano and Nomura and Vice Mayor Alarcon and City staff left the Council Chambers at 12:52 pm and headed to the Carpinteria Skate Park.

Mayor Clark jointed the Council at 12:54 pm in front of City Hall and the Council and staff welcomed Congressman Salud Carbajal.

The Council, Congressman Carbajal, and City staff walked to the Carpinteria Skate Park where Councilmember Nomura and Program Manager Thau spoke on the establishment of the Skate Park and Lieutenant Brittingham spoke on the benefits the Skate Park has on youth.

The Council, Congressman Carbajal, and City staff traveled by car to the Carpinteria Community Library and arrived at the Library at 1:08 pm where Community Engagement Library Specialist Castro spoke about the various programs the Library offers.

The Council, Congressman Carbajal, and City staff then walked to the Veterans Memorial Building and arrived at 1:21 pm where Parks, Recreation and Community Services Director Gant spoke about the Veterans Memorial Building.

The Council, Congressman Carbajal, and City staff traveled by car to the Carpinteria Avocado Farm and arrived at 1:43 pm. Former Parks, Recreation and Community Services Director Matt Roberts spoke about the history and vision of the Carpinteria Avocado Farm. City Clerk Barrett presented a basket of Carpinteria avocados to Congressman Carbajal. Congressman Carbajal departed from the Carpinteria Avocado Farm.

The Council and City staff returned by car and arrived at the Council Chambers at 2:11 pm. Vice Mayor Alarcon passed the gavel to Mayor Clark.

PUBLIC COMMENT WILL BE HEARD CONCERNING ONLY THE AGENDIZED ITEM FOR THIS SPECIAL MEETING WHEN THE COUNCIL RETURNS TO THE COUNCIL CHAMBER AT APPROXIMATELY 2:11 PM.

There was no public comment.

ADJOURNMENT

Mayor Clark adjourned the meeting at 2:11 pm.

_____
Al Clark, Mayor

ATTEST:

_____
Brian C. Barrett, CMC, CPMC
City Clerk

City of Carpinteria
City Council Minutes
Regular Meeting
Tuesday, November 12, 2024
Council Chamber, 5775 Carpinteria Avenue, Carpinteria, CA 93013

In-Person and Virtual

CALL TO ORDER

Mayor Clark called the meeting to order at 5:30 pm.

ROLL CALL

Councilmembers present:	Councilmember Roy Lee Councilmember Mónica J. Solórzano Councilmember Wade T. Nomura (arrived at 5:42 pm) Vice Mayor Natalia Alarcon Mayor Al Clark
Staff members present:	Michael Ramirez, City Manager Jena Shoaf Acos, on behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney of the City of Carpinteria Brian C. Barrett, City Clerk Lieutenant Rich Brittingham, Santa Barbara County Sheriff's Department Nick Bobroff, Community Development Director John L. Ilasin, Public Works Director Megan Musolf, Assistant Planner

PLEDGE OF ALLEGIANCE

Mayor Clark led those present in the salute to the flag.

COUNCILMEMBER(S) REQUEST FOR REMOTE PARTICIPATION UNDER AB 2449:

There were no Councilmember requests for remote participation under AB 2449.

AGENDA MODIFICATIONS: NONE

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS: NONE

TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE MONTHLY MEETING OF THE CARPINTERIA LIBRARY BOARD OF TRUSTEES

Mayor Clark temporarily adjourned the meeting at 5:31 pm.

RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL

Mayor Clark reconvened the meeting at 5:51 pm.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

Lieutenant Brittingham with the Santa Barbara County Sheriff's Department provided a law enforcement report for the month of October.

There was no public comment.

CITY MANAGER'S REPORT

a. City Employee Updates

   City Manager Ramirez reported on open City recruitments.

b. Updates on Capital Improvement Projects

   None.

c. Updates on Development Applications

   Community Development Director Bobroff noted that the Palms Restaurant Renovation is scheduled for Planning Commission review on December 2, 2024 and the Surfliner Inn Project is scheduled for the Architectural Review Board on December 12, 2024.

   City Manager Ramirez acknowledged that there was a public comment made at the October 28th Council meeting in regards to the Surfliner Inn Project and he would provide a further update and response to that comment at a future Council meeting.

d. Other City/Community Updates

   City Manager Ramirez announced AgeWell will hold a Community Forum on November 14th at 1 pm in the Veterans Hall Meeting Room. He said AgeWell is also launching a PEARLS group session designed to promote emotional well-being and support positive lifestyle changes and is available exclusively in Spanish starting November 12th and will be held every Tuesday from 10:30 am to noon at

the Veterans Hall Meeting Room. He noted that the construction of the winter berm is tentatively scheduled for the week of November 18th. Lastly, he provided an update on the Diversity, Equity, and Inclusion work.

There was no public comment.

PLANNING COMMISSION ACTIONS:

Community Development Director Bobroff reported on the Planning Commission Actions from its meeting of November 4, 2024.

There was no public comment.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Speakers in-person: Case Van Wingerden and Rogelio Delgado

CONSENT CALENDAR:

Councilmember Nomura recused himself from the approval of the Consent Calendar (Item No. 3 in particular) due to a perception of a potential conflict of interest as his wife Debbie Nomura is the Executive Director for the Alcazar Theater and he left the Council Chambers at 6:23 pm.

There was no public comment.

Motion by Councilmember Lee, seconded by Councilmember Solórzano, to approve the Consent Calendar Item Nos. 1 through 3. The roll call vote on the motion was as follows:

AYES:	Councilmember Lee, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES:	None
ABSENT:	Councilmember Nomura (recused)
ABSTAIN:	None

The motion carried.

1. Approve the minutes of the regular meeting held October 28, 2024.

2. Receive and file the Expenditures for the period beginning October 21, 2024 and ending November 1, 2024.

3. Approve appropriations for the Community Services Support Grant program for the current fiscal year (FY) 2024-2025 totaling $152,250. *(Requires a roll call vote.)*

Councilmember Nomura returned to the dais at 6:24 pm.

ADMINISTRATIVE MATTERS:

4. First Amendment of the Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project-Phase 4A.

   Recommendation: Authorize the City Manager to execute the First Amendment of the Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project-Phase 4A. *(Requires a roll call vote.)*

Public Works Director Ilasin presented the staff report.

There was no public comment.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to authorize the City Manager to execute the First Amendment of the Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project – Phase 4A. The roll call vote on the motion was as follows:

AYES: Councilmember Lee, Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

5. Consider canceling the regular City Council meeting for December 23, 2024.

   Recommendation: Authorize the cancelation of the regular City Council meeting on December 23, 2024.

City Clerk Barrett provided the staff report.

There was no public comment.

Motion by Vice Mayor Alarcon, seconded by Councilmember Nomura, to authorize the cancellation of the regular City Council meeting on December 23, 2024. Upon voice vote, the motion carried unanimously.

6. City Council Advisory Group Handbook, Appointment Process Policy, and Dissolution of the Standing City Council Boards, Commissions and Committees Interview Committee.

   Recommendation: Adopt Resolution No. 6346, adopting the City Council Advisory Group Handbook and Appointment Process Policy and dissolve the Standing City Council Boards, Commissions, and Committees Interview Committee.

City Clerk Barrett presented the staff report and PowerPoint presentation.

Speakers in-person: Patrick O'Connor

Councilmember Solórzano asked about including a policy in the Council Advisory Group Handbook prohibiting relatives from serving on the same Council Advisory Group. The Council was in agreement to add the prohibition of relatives from serving on the same Council Advisory Group to the Council Advisory Group Handbook.

Vice Mayor Alarcon suggested advertising open Council Advisory Groups using the A-frame signs.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to (1) adopt Resolution No. 6346, as read by title only; (2) approve the City Council Advisory Group Handbook with the addition of prohibiting immediate family members from serving on the same City Council Advisory Group (immediate family defined as legal partner, spouse, or children) and (3) dissolve the Standing City Council Boards, Commissions and Committees Interview Committee. Upon voice vote, the motion carried unanimously.

PUBLIC HEARING:

7. Hearing at the request of the City of Carpinteria to: (1) Adopt Resolution No. 6344, amending the Safety Element of the City of Carpinteria General Plan to incorporate in its entirety, the City's adopted Local Hazard Mitigation Plan ("LHMP"), pursuant to California (State) Assembly Bill ("AB") 2140; and (2) Determine that the proposed General Plan amendment is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Sec. 15061(b)(3) of the CEQA Guidelines (and Public Resources Code Sec. 21065).

   Recommendation: (1) Adopt Resolution No. 6344 (Attachment A), as read by title only, amending the Safety Element of the General Plan to incorporate the adopted Local Hazard Mitigation Plan; and (2) Determine that the proposed General Plan amendment is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Sec. 15061(b)(3) of the CEQA Guidelines and Public Resources Code Sec. 21065; and approve the proposed CEQA Notice of Exemption (Attachment D).

Community Development Director Bobroff introduced Assistant Planner Musolf who provided the staff report and PowerPoint presentation.

Mayor Clark opened the public hearing at 7:08 pm and being there was no verbal public comment, closed the public hearing at 7:08 pm.

Emails distributed: Chad Moore

Motion by Vice Mayor Alarcon, seconded by Councilmember Solórzano, to adopt Resolution No. 6344, amending the Safety Element of the General Plan to incorporate the Local Hazard Mitigation Plan as part of the Safety Element in compliance with AB 2140 and determine that this project is exempt from environmental review under CEQA pursuant to CEQA guidelines Section 15061(b)(3) and Public Resources Code Section 21065. Upon voice vote, the motion carried unanimously.

CONSIDERATION OF ANY ITEMS REMOVED FROM CONSENT CALENDAR AND/OR OTHER AGENDA ITEMS REQUESTED TO BE ADVANCED: NONE

MATTERS CONTINUED FROM PREVIOUS MEETINGS: NONE

OTHER BUSINESS:

8. Consideration of Fiscal Sponsorship Application through the Santa Barbara Foundation; Acceptance of a $35,000 Grant from La Centra-Sumerlin Foundation for Building Appraisal and Consultant Services; and Review and Approval of Scope of Services for a Request for Proposal (RFP) to Solicit Consultant Services for a Potential Community Center in Carpinteria.

   Recommendation: (1) Authorize submission of an application to the Santa Barbara Foundation for the purpose of fiscal sponsorship; (2) Authorize acceptance of a $35,000 grant from La Centra-Sumerlin Foundation to use for building appraisal and consultant services related to identification of a site for use as a community center; and (3) Review and approve scope of services for RFP. *(Requires a roll call vote.)*

City Manager Ramirez presented the staff report and PowerPoint presentation.

Speakers in-person: Rogelio Delgado and Annie Sly

Motion by Councilmember Nomura, seconded by Vice Mayor Alarcon, to approve the staff recommendation as listed. The roll call vote on the motion was as follows:

AYES: Councilmember Lee, Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark

NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

LEGISLATIVE UPDATE: NONE

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Solórzano reported on the cancellation of the BEACON meeting on November 15th.

Vice Mayor Alarcon requested an update on a future City Manager's Report regarding the City's preparation for the winter season. The Council was in agreement with Vice Mayor Alarcon's request.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

All Councilmember are expected to be in attendance at the November 25th regular meeting.

Councilmember Nomura requested an update regarding the City addressing homelessness on a future City Manager's Report. The Council was in agreement with Councilmember Nomura's request.

ADJOURNMENT

Mayor Clark adjourned the meeting at 7:42 pm.

_____
Al Clark, Mayor

ATTEST:

_____
Brian C. Barrett, CMC, CPMC
City Clerk

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning November 04, 2024 and ending November 15, 2024.

STAFF RECOMMENDATION

Receive and file Warrant Register for the period of November 04, 2024, through November 15, 2024, pursuant to Carpinteria Municipal Code 2.08.150(F).

DISCUSSION

As part of each regular City Council agenda, a list of all checks (Attachment A) disbursed since the last reporting period is presented to the City Council pursuant to C.M.C. 2.08.150(F). The report is provided for City Council and public information and serves as staff's verification that the expenditures have been reviewed and are within budgeted appropriations.

FINANCIAL CONSIDERATIONS

The warrant register is designed to communicate the City's fiscal activity since the prior reporting period and ensure expenditures are within the approved budget.

ATTACHMENTS

Attachment A: Warrant Register for the period beginning November 04, 2024, and ending November 15, 2024.

Staff contact: Brenda Robinson, Accounting Specialist
(805) 755-4442, BrendaR@carpinteriaca.gov

Signature

Staff contact: Licette Maldonado, Admin Services Dir.
(805) 755-4448, LicetteM@carpinteriaca.gov

Signature

Reviewed by: Ryan Kintz, Assistant City Manager
(805) 755-4400, ryank@carpinteriaca.gov

Signature

Reviewed by: Michael Ramirez, City Manager
(805) 755-4450, michaelr@carpinteriaca.gov

Signature

ATTACHMENT A

Warrant Register

Carpinteria, CA

Date Range: 11/04/2024 - 11/15/2024

Vendor Number / Payable #	Vendor Name / Payable Type	Payable Description	Payment Date	Payment Amount	Number
Bank Code: AP Bank-AP Bank					
Payment Type: Regular					
	ADVANTAGE TELECOM		11/07/2024	70.00	104654
164145	Invoice	NOV24 EMERGENCY PHONE LINE SERVICES			
	AL CLARK		11/07/2024	823.44	104655
INV0006473	Invoice	TRAVEL REIMBURSEMENT 2024 CJPIA MANAGEMENT FORUM			
	AMAZON CAPITAL SERVICES INC		11/07/2024	322.48	104656
174P-MT6K-1TJL	Invoice	GIFT WRAPPING PAPER FOR LIBRARY			
17JK-C7N6-CC7C	Invoice	BOOKS FOR LIBRARY			
1C13-JG9W-9W6M	Invoice	BOOKS FOR LIBRARY			
1C6F-6JGC-CKHN	Credit Memo	USB CHARGING CUBE			
1NPC-JQWY-TWYX	Invoice	BOOKS FOR LIBRARY			
1RFJ-YK71-CWQK	Invoice	BOOKS FOR LIBRARY			
1XQ3-LMWM-F93L	Invoice	BOOKS FOR LIBRARY			
	ASBURY ENVIRONMENTAL SVCS		11/07/2024	102.00	104657
I500-01130548	Invoice	DISPOSAL OF USED OIL/MIXED OILS 10/11/24			
	BLACK GOLD COOPERATIVE LIBRARY SY		11/07/2024	182.04	104658
25-487	Invoice	FY24/25 Q1 REIMBURSABLE HOOPLA & HOTSPOTS			
	CA DEPT OF JUSTICE		11/07/2024	64.00	104659
767749	Invoice	SEP24 FINGERPRINT APPLICATIONS			
	CALIFORNIA MUNICIPAL STATISTICS INC		11/07/2024	550.00	104660
24101703	Invoice	ACFR DIRECT & OVERLAPPING DEBT STATEMENT FY24			
	CANNON		11/07/2024	757.50	104661
89836	Invoice	SEP24 VENOCO PIPELINE ABANDONMENT			
89856	Invoice	SEP24 DESIGN SERVICE-700 LINDEN AVE			
	CARPINTERIA ARTS CENTER		11/07/2024	7,500.00	104662
9023	Invoice	FY24/25 TEEN MURAL & BELLAS GRANTS			
	CARPINTERIA VALLEY LUMBER CO		11/07/2024	380.86	104663
548220	Invoice	4X8 PLYWOOD, PIPE STRAPS FOR SKATE PARK			
548268	Invoice	MENDING PLATE, T PLATE FOR PARKS YARD			
548562	Invoice	SPRAY PAINT, CORNER BRACE FOR SKATE PARK			
548792	Invoice	PAINT SUPPLIES FOR PARKS DEPARTMENT			
548863	Invoice	FILE TOOL FOR CITY HALL REPAIR			
549117	Invoice	MISC. HARWARE FOR STREETS			
549206	Invoice	GRAVEL FOR EL CARRO PARK			
549226	Invoice	2X4 WOOD FOR EL CARRO PARK			
	CATALINA GUTIERREZ		11/07/2024	284.00	104664
INV0006469	Invoice	VETS HALL EVENT 8/3/24 REFUND			
	CITY OF SANTA BARBARA CD-RHMP		11/07/2024	6,250.00	104665
INV0006435	Invoice	FY24/25 Q1 RENTAL HOUSING MEDIATION SERVICES			
	COAST AUTO PARTS INC		11/07/2024	82.03	104666
783848	Invoice	BLUE DEF FOR SWEEPER 10/16/24			
	COASTAL VIEW NEWS		11/07/2024	759.00	104667
61733	Invoice	NOTICE INVITING BIDS AD 10/17/24			
61754	Invoice	NOTICE OF PUBLIC HEARING AD 10/27/24			
	COTTON SHIRES AND ASSOCIATES INC		11/07/2024	24,364.40	104668
1024132	Invoice	SEP24 2022 PAVEMENT REHAB PROJECT			
1024133	Invoice	SEP24 VIA REAL STORMWATER PROJECT			

1024134	Invoice	SEP24 PEER REVIEW 4745 CARPINTERIA AVE			
	COX BUSINESS		11/07/2024	350.84	104669
NOV24 001 3011 028030701	Invoice	NOV24 POOL & GARDEN INTERNET-PHONE SERVICE			
	DEWBERRY ENGINEERS INC.		11/07/2024	19,729.68	104670
22424550	Invoice	SEP24 CARPINTERIA AVENUE BRIDGE REPLACEMENT			
	ENCOMPASS CONSULTANT GROUP INC		11/07/2024	13,891.10	104671
05939	Invoice	SEP24 GROUNDWATER SEEPAGE PROJECT			
	FEDEX		11/07/2024	23.03	104672
8-655-18419	Invoice	SHIPPING TO SWRCB E. MAKER			
	FIRST NATIONAL BANK OF OMAHA		11/07/2024	13,200.32	104673
OCT24 0853	Invoice	CREDIT CARD PAYMENT-JG			
OCT24 0983	Invoice	CREDIT CARD PAYMENT-OUM			
OCT24 3409	Invoice	CREDIT CARD PAYMENT-JS			
OCT24 3696	Invoice	CREDIT CARD PAYMENT-LM			
OCT24 4480	Invoice	CREDIT CARD PAYMENT-NB			
OCT24 4545	Invoice	CREDIT CARD PAYMENT-BB			
OCT24 5788	Invoice	CREDIT CARD PAYMENT-RK			
OCT24 6160	Invoice	CREDIT CARD PAYMENT-JI			
OCT24 9341	Invoice	CREDIT CARD PAYMENT-MR			
OCT24 9893	Invoice	CREDIT CARD PAYMENT-JT			
	FRONTIER COMMUNICATIONS		11/07/2024	221.54	104674
NOV24 209-188-2500-061589-5	Invoice	NOV24 PHONE & INTERNET-LG TOWER			
NOV24 805-566-3374-042524-5	Invoice	NOV24 PHONE & INTERNET-BOATHOUSE			
	GOVERNMENT TAX SEMINARS LLC		11/07/2024	520.00	104675
2024 TAX WEBINAR	Invoice	DEC24 GOVERNMENT TAX WEBINAR L. MALDONADO			
	GRAINGER		11/07/2024	111.51	104676
9283896166	Invoice	SPRAY LUBRICANT, JOBBER DRILL, RUST REMOVER			
	HDL SOFTWARE LLC		11/07/2024	940.67	104677
SIN043816	Invoice	SEP24 NEW ACCOUNTS PROCESSED, STR RETURNS			
	IMPULSE ADVANCE COMMUNICATIONS		11/07/2024	1,625.44	104678
125688	Invoice	NOV24 PHONE SERVICES			
	MISSION UNIFORM SERVICE		11/07/2024	476.86	104679
522549998	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 10/14/24			
522549999	Invoice	TOWEL & MAT REPLACEMENT CITY HALL 10/14/24			
522591492	Invoice	TOWEL & MAT REPLACEMENT VETS HALL 10/21/24			
522591493	Invoice	TOWEL & MAT REPLACEMENT LIBRARY 10/21/24			
522591495	Invoice	TOWEL & MAT REPLACEMENT POOL 10/21/24			
522591496	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 10/21/24			
522591497	Invoice	TOWEL & MAT REPLACEMENT CITY HALL 10/21/24			
	OVERDRIVE INC.		11/07/2024	552.81	104680
01352CO24328979	Invoice	OCT24 EBOOKS/AUDIOBOOKS FOR LIBRARY			
01352DA24327503	Invoice	OCT24 EBOOKS/AUDIOBOOKS FOR LIBRARY			
01352DA24334680	Invoice	OCT24 EBOOKS/AUDIOBOOKS FOR LIBRARY			
	RAYVERN LIGHTING SUPPLY		11/07/2024	415.13	104681
70410-0	Invoice	24 FLUORESCENT LIGHT BULBS FOR PUBLIC WORKS SHOP			
	ROGERS ANDERSON MALODY & SCOTT		11/07/2024	5,000.00	104682
76047	Invoice	FY23/24 AUDIT SERVICES PROGRESS BILLING			
	ROTARY CLUB OF CARPINTERIA		11/07/2024	241.00	104683
20241001-8	Invoice	OCTOBER-DECEMBER 2024 MEMBERSHIP			
	SANTA BARBARA BICYCLE COALITION		11/07/2024	50,569.77	104684
1387	Invoice	FY24/25 SAFE ROUTES TO SCHOOL GRANT			
	SANTA BARBARA COUNTY TREAS/TAX C		11/07/2024	29,412.30	104685
2024-20241000173-1	Invoice	001-080-038 MONTE VISTA			
2024-20241000406-1	Invoice	001-170-018 CITY HALL			
2024-20241000436-1	Invoice	001-180-072 VIOLA FIELDS			
2024-20241001566-1	Invoice	004-105-011 LINDEN PARKING LOT			

2024-20241001661-1	Invoice	004-005-005 EL CARRO			
2024-20241002319-1	Invoice	003-261-008 CARP AVE PARKING LOT			
2024-20241002352-1	Invoice	004-047-001 SEASIDE			
2024-20241002353-1&2	Invoice	004-047-017 941 WALNUT AVE (VETS HALL)			
2024-20241002388-1	Invoice	004-047-040 COMMUNITY POOL			
2024-20241002982-1	Invoice	003-470-013 ASH AVE			
2024-20241004649-1	Invoice	004-105-016 COMMUNITY GARDEN			
	SANTA BARBARA LOCKSMITH		11/07/2024	3.53	104686
147187	Invoice	EXTRA KEYS FOR DOG BAG DISPENSERS			
	SO CA EDISON		11/07/2024	563.11	104687
OCT24 700247140684	Invoice	OCT24 ELECTRICITY-1 CARPINTERIA TC1			
OCT24 700264659490	Invoice	OCT24 ELECTRICITY-1115 LINDEN AVE B PED			
OCT24 700274833982	Invoice	OCT24 ELECTRICITY-901 CACTUS LN EV EV			
OCT24 700604790697	Invoice	OCT24 ELECTRICITY-CAPP AV/CSTS PAS 609			
OCT24 700827356389	Invoice	OCT24 ELECTRICITY-5300 CARPINTERIA AVE TC1 TC1			
	SO CAL GAS		11/07/2024	2,418.97	104688
OCT24 006 514 2700 7	Invoice	NATURAL GAS 5305 CARPINTERIA AVE (POOL)			
OCT24 014 914 3239 7	Invoice	NATURAL GAS 5103 CARPINTERIA AVE (FRIENDS OF THE L			
OCT24 016 913 9500 6	Invoice	NATURAL GAS 5775 CARPINTERIA AVE (CITY HALL)			
	STAPLES ADVANTAGE		11/07/2024	1,341.07	104689
6014827947	Invoice	2024 W-2 FORMS			
6014827948	Invoice	TONER T. ILASIN			
6014827949	Invoice	2 CASES COPY PAPER, CALENDAR			
6015585421	Invoice	TONER FOR L. MALDONADO			
	TRAFFIC TECHNOLOGIES LLC		11/07/2024	437.00	104690
48764	Invoice	RIVETS AND BOLTS FOR SIGN REPAIR			
	VILLAGE POOL SUPPLY		11/07/2024	404.33	104691
49845	Invoice	CHLORINE & ACID FOR POOL 10/15/24			
	WAXIE SANITARY SUPPLY		11/07/2024	884.67	104692
82798789	Invoice	BATH TISSUE, TOILET SEAT COVERS 10/15/24			
	WESTERN EXTERMINATOR COMPANY		11/07/2024	82.05	104693
68628225	Invoice	OCT24 PEST CONTROL AT VETS HALL 10/2/24			
	WEX BANK (76)		11/07/2024	529.84	104694
100689157	Invoice	OCT24 FUEL FOR CITY VEHICLES			
	ALL LANGUAGES INTERPRETING & TRAN		11/14/2024	2,800.00	104695
31236	Invoice	2 INTERPRETERS FOR CC MTGS SEP24			
31237	Invoice	2 INTERPRETERS FOR CC MTGS OCT24			
	AMAZON CAPITAL SERVICES INC		11/14/2024	659.21	104696
16GT-QQ6Q-1Q6C	Invoice	DISHWASHER GASKET FOR CITY HALL			
1HKK-19Q1-QKTT	Invoice	CANOPY GARAGE FOR EQUIPMENT			
1K3T-KNCG-31QL	Invoice	HANDICAP RAMP, PA SYSTEM SPEAKER FOR AGE WELL			
	BIG GREEN CLEANING COMPANY		11/14/2024	3,024.00	104697
660131	Invoice	2021/2022 FEES FOR VETS HALL			
	CALIFORNIA SOCIETY OF MUNICIPAL FI		11/14/2024	150.00	104698
300016134	Invoice	MANAGEMENT MEMBERSHIP L. MALDONADO			
	CANNON		11/14/2024	9,709.00	104699
90077	Invoice	SEP24 2022 PAVEMENT REHABILITATION			
	CARPINTERIA GROUNDWATER SUSTAIN		11/14/2024	652.04	104700
FY24/25 001-261-004	Invoice	001-261-004 EL CARRO			
FY24/25 001-291-001	Invoice	001-291-001 RINCON BLUFFS			
FY24/25 004-005-004	Invoice	004-005-004 FOOTHILL			
FY24/25 004-005-005	Invoice	004-005-005 EL CARRO			
	CARPINTERIA VALLEY LUMBER CO		11/14/2024	52.08	104701
549980	Invoice	ELECTRICAL MATERIAL FOR VETS HALL			
	CARPINTERIA VALLEY WATER DISTRICT		11/14/2024	22,553.72	104702
CARP CITY OCT24 SERVICE	Invoice	OCT24-WATER FOR MULTIPLE LOCATIONS			

	COASTAL VIEW NEWS	11/14/2024		346.00	104703
61745	Invoice	DOWNTOWN TRICK OR TREAT AD 10/27/24			
	COX BUSINESS	11/14/2024		564.42	104704
NOV24 001 3011 022093901	Invoice	NOV24 CITY HALL INTERNET-PHONE SERVICE			
NOV24 001 3011 028450702	Invoice	NOV24 VETS HALL INTERNET-PHONE SERVICE			
	ERDMAN VIDEO SYSTEMS	11/14/2024		173.00	104705
6510	Invoice	REPAIR KIT FOR BEACH CAMERA			
	ERIN MAKER	11/14/2024		528.87	104706
INV0006496	Invoice	TRAVEL REIMBURSEMENT CPESC EXAM/CASQA CONFERENCE			
	EVERSHADE EXTERIOR CLEANING SOLU	11/14/2024		13,725.00	104707
11021	Invoice	OCT24 AVOCADO FESTIVAL & TRASH RECEPTALE CLEANING			
	FRED OR DONNA LEMERE	11/14/2024		123.75	104708
INV0006497	Invoice	PROJECT CLOSE OUT PL-23-2245			
	FRONTIER COMMUNICATIONS	11/14/2024		53.48	104709
NOV24 805-566-1944-032923-5	Invoice	NOV24 PHONE & INTERNET-BEACH STORE			
	GFOA	11/14/2024		190.00	104710
0268551	Invoice	FY24/25 MEMBERSHIP L. MALDONADO			
	GRACENOTE	11/14/2024		77.92	104711
150025658	Invoice	NOV24 LISTING DISTRIBUTION SERVICES-GATV			
	JASON B JACQUET	11/14/2024		227.20	104712
INV0006498	Invoice	PROJECT CLOSE OUT PL-23-2255			
	JOY EQUIPMENT PROTECTION INC	11/14/2024		225.00	104713
4848	Invoice	SEMI ANNUAL TEST/INSPECTION HAZMAT SUPPRESSION SYS			
	JUAN O'S MOBILE REPAIR	11/14/2024		3,600.00	104714
213	Invoice	MOVE K RAILS FOR AVOCADO FESTIVAL			
	LEFTWICH ARCHAEOLOGY	11/14/2024		15,488.00	104715
103024	Invoice	VIA REAL STORMWATER PROJECT 9/6-10/11/24			
	LIN CONSULTING INC.	11/14/2024		194.56	104716
15637	Invoice	OCT24 ENGINEERING CARP & PALM AVE INTERSECTION			
	MCCORMIX CORP	11/14/2024		194.06	104717
23144	Invoice	FUEL FOR CITY VEHICLES			
	MISSION UNIFORM SERVICE	11/14/2024		193.90	104718
522638007	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 10/28/24			
522638008	Invoice	TOWEL & MAT REPLACEMENT CITY HALL 10/28/24			
	RISDON'S 76 SERVICE	11/14/2024		135.00	104719
147	Invoice	CAR WASH FOR UNIT 250 10/28/24			
2653	Invoice	CAR WASH FOR UNIT 255 10/10/24			
6602	Invoice	CAR WASH FOR UNIT 250 10/20/24			
9573	Invoice	CAR WASH FOR UNIT 255 10/27/24			
	RRM DESIGN GROUP	11/14/2024		1,667.50	104720
2911-01-0924	Invoice	SEP24 FRANKLIN CREEK TRAIL IMPROVEMENT			
	SANTA BARBARA PEST CONTROL	11/14/2024		310.00	104721
38349	Invoice	OCT24 PEST CONTROL AT VETS HALL			
38350	Invoice	OCT24 PEST CONTROL AT CITY HALL			
38351	Invoice	OCT24 PEST CONTROL AT COMMUNITY POOL			
	SANTA BARBARA SWIM CLUB	11/14/2024		1,464.50	104722
INV0006500	Invoice	NOV24 NOVICE SWIM MEET			
	SHOWSCAPES	11/14/2024		4,060.00	104723
388338095	Invoice	IRRIGATION REPAIRS VIOLA PARK 7/19/24			
388338096	Invoice	IRRIGATION REPAIRS VIOLA PARK 8/7/24			
388338097	Invoice	IRRIGATION REPAIRS VIOLA PARK 8/6/24			
388338098	Invoice	IRRIGATION REPAIRS 4934 5TH ST 9/17/24			
388338099	Invoice	IRRIGATION REPAIRS 1115 CASITAS PASS RD 9/10/24			

388338100	Invoice	IRRIGATION REPAIRS 990 CONCHA LOMA DR 9/10/24			
388338182	Invoice	IRRIGATION REPAIRS FRANKLIN PARK 10/10/24			
388338183	Invoice	IRRIGATION REPAIRS 890 LINDEN AVE 10/9/24			
388338184	Invoice	IRRIGATION REPAIRS 615 LINDEN AVE 10/9/24			
	SITEONE LANDSCAPE SUPPLY (ALL AROU		11/14/2024	224.87	104724
147191649-001	Invoice	PVC MATERIAL FOR AVOCADO FARM			
147396595-001	Invoice	POLY FILTER, SOD STAPLES EL CARRO PARK			
	SO CA EDISON		11/14/2024	10,562.70	104725
OCT24 700474689651	Invoice	OCT24 ELECTRICITY-4683 9TH ST			
OCT24 700525378417	Invoice	OCT24 ELECTRICITY-931 WALNUT ABVE & 4851 5TH ST			
SEP24 700405192484	Invoice	SEP24 ELECTRICITY-MULTIPLE LOCATIONS			
	SO CAL GAS		11/14/2024	142.22	104726
OCT24 140 914 3084 4	Invoice	NATURAL GAS 941 WALNUT AVE (VETS HALL)			
	SOLID WASTE SOLUTIONS INC		11/14/2024	2,075.25	104727
219	Invoice	OCT24 WASTEWATER PROFESSIONAL SERVICES			
	TORO ENTERPRISES INC		11/14/2024	770,962.93	104728
18213R	Invoice	SEP24 2022 PAVEMENT REHABILITATION PROJECT			
	UNDERGROUND SERVICE ALERT OF SOU		11/14/2024	284.95	104729
1020240166	Invoice	NOV24 NEW TICKET CHARGES & DATABASE MAINTENANCE			
24-251269	Invoice	NOV24 CA STATE REGULATORY FEE			
	UNITED PET CARE		11/14/2024	17.50	104730
202404920	Invoice	NOV24 PET INSURANCE PREMIUMS			
	WAXIE SANITARY SUPPLY		11/14/2024	248.73	104731
82827657	Invoice	TRASH BAGS, BATH TISSUE CITY HALL 10/29/24			
	WEST COAST ARBORISTS INC		11/14/2024	5,616.00	104732
221087	Invoice	TREE MAINTENANCE 10/1/24-10/15/24			
	WESTAIRE HEATING & CONDITIONING I		11/14/2024	1,847.66	104733
21189	Invoice	SEP24 MAINTENANCE-CITY HALL			
21190	Invoice	REPLACE 2 FAILED FAN MOTORS CITY HALL 10/28/24			
21191	Invoice	TROUBLE SHOOT A/C AT SHERIFF OFFICE 10/28/24			
	ZWORLD GIS		11/14/2024	2,977.00	104734
2024-0260	Invoice	OCT24 MAPPING/GIS SERVICES			
	MISSIONSQUARE		11/14/2024	10,102.35	104735
INV0006501	Invoice	MISSIONSQUARE Employee Contributions			
INV0006502	Invoice	Deferred Compensation Contribution-Part Time Emp			
INV0006503	Invoice	MissionSquareEmployee Contributions			
INV0006504	Invoice	MISSIONSQUARE Employee Contributions			
	SEIU LOCAL 620		11/14/2024	235.32	104736
INV0006505	Invoice	Employee Union Dues Contribution			
	CalPERS HEALTH		11/07/2024	7,896.69	DFT0003362
100000017710979	Invoice	NOV24 HEALTH PREMIUMS			
	CalPERS HEALTH		11/07/2024	56,189.57	DFT0003363
100000017710978	Invoice	NOV24 HEALTH PREMIUMS			

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Contracts Executed by the City Manager on behalf of the City for the Period of October 8, 2024 through November 4, 2024.

STAFF RECOMMENDATION

Receive and file Report of Contracts Executed by the City Manager for the Period of October 8, 2024 through November 4, 2024.

DISCUSSION

The City Manager is delegated authority by the Carpinteria Municipal Code (CMC), §2.08.150B, to execute contracts on behalf of the City in the amount of $50,000 or less. Pursuant to CMC §2.08.150C, a list of all contracts executed by the City Manager is provided for City Council information and appended to this Staff Report as Attachment A. Attachment A lists all contracts entered into on behalf of the City for goods, construction and services for the Period of October 8, 2024 through November 4, 2024.

FINANCIAL CONSIDERATIONS

All contracts entered into are within the appropriated budgeted amounts.

ATTACHMENTS

A. Report of Contracts Executed by the City Manager

Staff contact:
Brian C. Barrett, City Clerk
(805) 755-4403, brianb@carpinteriaca.gov

Signature

Reviewed by: Ryan Kintz, Assistant City Manager
(805) 755-4400; ryank@carpinteriaca.gov

Signature

ATTACHMENT A

Report of Contracts Executed by the City Manager
Period of October 8, 2024 through November 4, 2024

VENDOR	PURPOSE	AMOUNT
Standing Together To End Sexual Assault (STESA)	Community Services Support Grant for FY 2024-25	$10,000.00
Artesania para la Familia (via Friends of the Carpinteria Library umbrella 501c3)	Community Services Support Grant for FY 2024-25	$5,000.00
HopeNet of Carpinteria (via Mental Wellness Center umbrella 501c3)	Community Services Support Grant for FY 2024-25	$2,000.00
Fire Service Training Institute (FSTI) – LISTOS	Community Services Support Grant for FY 2024-25	$10,000.00
Hospice of Santa Barbara – Compassionate Care of Carpinteria	Community Services Support Grant for FY 2024-25	$12,500.00
Lynda Fairly Carpinteria Arts Center	Community Services Support Grant for FY 2024-25	$7,500.00
Girls Inc. of Carpinteria	Community Services Support Grant for FY 2024-25	$30,000.00
HELP of Carpinteria	Community Services Support Grant for FY 2024-25	$14,000.00
NGU Drone Photography	On Call Drone Services for CIP Projects	$6,000.00
MURALISM ORG	Community Services Support Grant for FY 2024-25	$6,000.00
Carpinteria Children's Project	Community Services Support Grant for FY 2024-25	$25,000.00

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds.

STAFF RECOMMENDATION

Receive and file the report.

Sample Motion: I move to receive and file the report.

BACKGROUND / DISCUSSION

The City Council of Carpinteria serves as the trustees of the City's public funds and is authorized to make investment decisions in accordance with the Prudent Investment Standard. The Prudent Investor Standard of the California Government Code Section 53600.3 states, "When investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated need of the City, that a prudent person in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City." The standard of prudence to be used by investment officials shall be applied in the context of managing the overall portfolio.

Trustees are those persons authorized to make investment decisions on behalf of a local agency. Trustees or City Investment Officials, acting in accordance with investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk changes or market price changes, provided deviations from expectations are reported on time and appropriate action is taken to control adverse developments.

The purpose of this agenda item is to provide the City Council with the required monthly Treasurer's Report (Attachment A.)

POLICY CONSISTENCY

The City is in compliance with the adopted Statement of Safekeeping and Investment of Public Funds.

FINANCIAL CONSIDERATIONS

Cash Statement: On October 31, 2024, the City held cash and cash investments as shown in Table 1 below.

Table 1

CASH ACTIVITY FOR THE MONTH:	
Cash and Investment Beginning of the Month	$ 18,710,760.65
Cash Receipts	3,491,605.98
Cash Disbursements	(4,735,936.94)
Cash and Investment End of the Month	$ 17,466,429.69

Investments:

Changes in the market value of treasury securities are inversely proportional to changes in interest rates demanded in the open market (i.e., when rates rise market values fall, when rates fall market values rise). The sensitivity of a portfolio's market value to these changes in market rates is a function of its days to maturity and its coupon rate. Securities with longer maturities and/or lower coupon rates are more sensitive to changes in market interest rates. As security matures, changes in its value become less sensitive to market rate changes.

As of October 31, 2024, the portfolio's average days to maturity was 2.14 years, the average coupon rate was 2.40%, the average yield to maturity was 4.30%, the par value was $9,750,000 and the Market Value was $9,533,515.51.

The City does not intend to sell or have any foreseeable need to sell any securities. The City's investment policy intends to hold all securities to maturity, and securities so held are redeemed at par value resulting in no net market gain or loss.

Attached for City Council review is the Treasurer's Report listing all the investments and cash activity during the month.

The City of Carpinteria will be able to meet all expenditure obligations that might reasonably be anticipated for the next six-month period from November 1, 2024 to May 1, 2025.

LEGAL

This report has been prepared in compliance with California Government Code Sections 53600 and 53646.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

Attachment A: City of Carpinteria Monthly Treasurer's Report

Staff contact:
Licette Maldonado, Administrative Services Director
licettem@carpinteriaca.gov; (805) 755-4448

Signature

Reviewed by: Ryan Kintz, Assistant City Manager
ryank@carpinteriaca.gov; (805) 755-4400

Signature

Reviewed by: Michael Ramirez, City Manager
michaelr@carpinteriaca.gov; (805) 755-4450

Signature

ATTACHMENT A

City Treasurer's Monthly Report

CITY OF CARPINTERIA TREASURER'S REPORT
For the Month Ended October 2024

CASH ACTIVITY FOR THE MONTH:

Cash and Investment Beginning of the Month	$ 18,710,760.65
Cash Receipts	3,491,605.98
Cash Disbursements	(4,735,936.94)
Cash and Investment End of the Month	$ 17,466,429.69

CASH AND INVESTMENT PORTFOLIO:

Type of Investment/Coupon/CUSIP #	Institution/Issuer	Yield to Maturity	Maturity Date	# Days to Maturity	Par Value	Market Value (1)	Book Value (2)
Demand Deposit - General Checking	Montecito Bank	N/A	N/A	N/A	240,927.21	240,927.21	240,927.21
Demand Deposit - Premier Public Money Market	Montecito Bank	N/A	11/1/2024	1	308,362.60	308,362.60	308,362.60
Demand Deposit - Section 125 Checking	Montecito Bank	N/A	N/A	N/A	7,142.92	7,142.92	7,142.92
Demand Deposit - Payroll Checking	Montecito Bank	N/A	N/A	N/A	5,000.00	5,000.00	5,000.00
Local Agency Investment Fund	State of California	0.22%	11/1/2024	1	3,292,954.22	3,292,954.22	3,292,954.22
Demand Deposit - Money Market	Charles Schwab	N/A	11/1/2024	1	4,102,632.24	4,102,632.24	4,102,632.24
Treasury Note, 2.25%, (912828G38)	U.S. Government	4.35%	11/15/2024	15	250,000.00	249,726.55	241,052.35
Treasury Note, 1.00%, (91282CDN8)	U.S. Government	0.98%	12/15/2024	45	250,000.00	248,867.18	250,079.39
Treasury Note, 1.125%, (91282CDS7)	U.S. Government	4.09%	1/15/2025	76	250,000.00	248,203.13	237,350.47
Treasury Note, 1.125%, (912828ZC7)	U.S. Government	1.29%	2/28/2025	120	250,000.00	247,187.50	248,740.00
Treasury Note, 2.625%, (9128284F4)	U.S. Government	1.30%	3/31/2025	151	250,000.00	248,085.93	260,224.61
Treasury Note, 0.25%, (912828ZT0)	U.S. Government	1.25%	5/31/2025	212	250,000.00	243,984.38	241,660.01
Treasury Note, 0.25%, (912828ZW3)	U.S. Government	1.53%	6/30/2025	242	250,000.00	243,281.25	239,598.86
Treasury Note, 0.25%, (91282CAM3)	U.S. Government	1.32%	9/30/2025	334	250,000.00	240,859.38	240,265.00
Treasury Note, 3.0%, (9128285J5)	U.S. Government	4.09%	10/31/2025	365	250,000.00	246,757.80	242,136.63
Treasury Note, 0.375%, (91282CBC4)	U.S. Government	1.20%	12/31/2025	426	250,000.00	238,945.30	241,955.00
Treasury Note, 0.375%, (91282CBC4)	U.S. Government	1.37%	12/31/2025	426	250,000.00	238,945.30	240,365.00
Treasury Note, 3.875%, (91282CGE5)	U.S. Government	3.77%	1/1/2026	427	250,000.00	248,867.18	250,641.19
Treasury Note, 1.625%, (912828P46)	U.S. Government	1.56%	2/15/2026	472	250,000.00	241,796.88	250,595.69
Treasury Note, 0.5%, (91282CBQ3)	U.S. Government	1.28%	2/25/2026	482	250,000.00	237,890.63	242,113.19
Treasury Note, 0.75%, (91282CBT7)	U.S. Government	1.28%	3/31/2026	516	250,000.00	238,125.00	244,459.30
Treasury Note, 0.75%, (91282CCF6)	U.S. Government	1.34%	5/31/2026	577	250,000.00	236,835.93	243,702.50
Treasury Note, 0.875%, (91282CCJ8)	U.S. Government	1.35%	6/30/2026	607	250,000.00	236,718.75	244,821.96
Treasury Note, 1.625%, (91282YQ7)	U.S. Government	4.00%	10/31/2026	730	250,000.00	237,968.75	227,869.30
Treasury Note, 2%, (91282U24)	U.S. Government	4.31%	11/15/2026	745	250,000.00	239,609.38	228,317.27
Treasury Note, 1.25%, (91282CDK4)	U.S. Government	1.28%	11/30/2026	760	250,000.00	235,625.00	249,602.02
Treasury Note, 1.5%, (912828Z78)	U.S. Government	3.64%	1/31/2027	822	250,000.00	235,937.50	231,040.31
Treasury Note, 2.25%, (912828V98)	U.S. Government	4.29%	2/15/2027	837	250,000.00	239,687.50	229,819.14
Treasury Note, 2.5%, (91282CEF4)	U.S. Government	3.96%	2/16/2027	838	250,000.00	240,820.30	235,031.06
Treasury Note, 2.75%, (91282CEN7)	U.S. Government	3.71%	4/30/2027	911	250,000.00	241,875.00	241,094.62

Treasury Note, 3.25%, (91282CEW7)	U.S. Government	3.70%	6/30/2027	972	250,000.00	244,492.18	245,668.13
Treasury Note, 3.125%, (91282CFH9)	U.S. Government	4.19%	8/31/2027	1034	250,000.00	243,320.30	238,232.21
Treasury Note, 4.125%, (91282CFU0)	U.S. Government	4.02%	10/31/2027	1095	250,000.00	249,960.93	250,962.10
Treasury Note, 2.25%, (9128283F5)	U.S. Government	4.01%	11/15/2027	1110	250,000.00	236,562.50	232,267.50
Treasury Note, 3.875%, (91282CGC9)	U.S. Government	4.01%	12/31/2027	1156	250,000.00	248,085.93	248,750.00
Treasury Note, 4%, (91282CGPO)	U.S. Government	3.99%	2/29/2028	1216	250,000.00	248,906.25	249,990.24
Treasury Note, 3.625%, (91282CGT2)	U.S. Government	4.15%	2/29/2028	1216	250,000.00	245,937.50	244,990.00
Treasury Note, 4%, (91282CHK0)	U.S. Government	4.14%	3/31/2028	1247	250,000.00	248,750.00	248,593.75
Treasury Note, 4.125%, (91282CHQ7)	U.S. Government	4.13%	7/31/2028	1369	250,000.00	249,687.50	249,920.00
Treasury Note, 4.375%, (91282CHX2)	U.S. Government	4.23%	8/31/2028	1400	250,000.00	251,835.93	251,445.00
Treasury Note, 4.625%, (91282CJA0)	U.S. Government	4.52%	9/30/2028	1430	250,000.00	254,140.63	251,015.00
Treasury Note, 4.875%, (91282CJF9)	U.S. Government	4.51%	10/31/2028	1461	250,000.00	256,445.30	253,583.99
Treasury Note, 4.375%, (91282CJN2)	U.S. Government	4.20%	11/30/2028	1491	250,000.00	251,914.05	251,775.00
Treasury Note, 3.75%, (91282CJR3)	U.S. Government	4.50%	12/31/2028	1522	250,000.00	246,015.63	242,177.50
Treasury Note, 4.25%, (91282CKD2)	U.S. Government	4.48%	2/28/2029	1581	250,000.00	250,859.38	247,505.21
					17,707,019.19	**17,490,534.70**	**17,466,429.69**

REPORT ON COMPLIANCE WITH STATEMENT OF SAFEKEEPING AND INVESTMENT OF PUBLIC FUNDS

The City is in compliance with the adopted Statement of Safekeeping and Investment of Public Funds.

REPORT OF ABILITY TO MEET REQUIRED EXPENDITURES FOR THE NEXT SIX MONTHS

Based upon currently budgeted revenues and expenditures, the City currently has sufficient liquid financial resources to meet anticipated expenditures during the period 11/01/24 through 5/01/25.

WEIGHTED AVERAGE MATURITY OF PORTFOLIO

As of October 31, 2024 the weighted average days to maturity of the City's investment portfolio is 2.14 years.

FOOTNOTES TO REPORT/DEFINITION OF TERMS:

(1) The market value of U.S. Goverment Securities was provided by the custodial agent, Charles Schwab.
For the Local Agency Investment Fund the market value represents the contract value.

For all other investments, the market value is equal to book value.

(2) Book value of demand deposits equals the bank balance minus outstanding checks plus deposits-in-transit.

Yield to Maturity (YTM): The percentage rate of return for the note assuming that the City holds the asset until its maturity date. It is the sum of all its remaining coupon payments.
Par Value: Equals face value of security (value of the security when it reaches maturity).
Market Value: The last price for which a security was bought or sold. In this case, the value as of the last day of the month of this report.
Book Value: The amount at which the security is carried in the City's accounting records (adjusted at year-end for GASB 40 reporting purposes).

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

A Construction Contract to Mark Crane's Tree, Inc. for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing.

STAFF RECOMMENDATION

Award a Construction Contract to Mark Crane's Tree, Inc. in the Total Base Bid amount of $120,000 for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing.

Sample Motion: I move to award a Construction Contract to Mark Crane's Tree, Inc. in the Total Base Bid amount of $120,000 for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing. *(This motion requires a roll call vote.)*

BACKGROUND

In 2010, the City secured federal-aid funding from the Highway Bridge Program (HBP) for the replacement of the Carpinteria Avenue Bridge[1] over Carpinteria Creek. The HBP is a reimbursement funding program in which 88.53 percent of participating costs are paid for with federal-aid funds and the remaining 11.47 percent is paid for by the local agency (i.e. City). The design (i.e. project approval, environmental document, and preliminary engineering), right-of-way (i.e. easement acquisitions and utility relocations), and construction phases of the project are programmed in the HBP. On August 26, 2024, the City Council received and filed the status of the Carpinteria Avenue Bridge Replacement Project and authorized the Public Works Director to advertise the Notice Inviting Bids for the clearing and grubbing work of the Carpinteria Avenue Bridge Replacement Project.

[1] Carpinteria Avenue Bridge over Carpinteria Creek was built in 1937. In accordance with federal regulations, the California Department of Transportation (Caltrans) conducts inspections for the Carpinteria Avenue Bridge. Caltrans is responsible for inspecting over 12,000 State Highway bridges and approximately 12,200 bridges owned by local agencies. The Carpinteria Avenue Bridge is one of seven vehicular bridges maintained by the City. According to a bridge inspection report prepared by Caltrans in 2012, it is structurally deficient and hydraulically insufficient because it would not allow the 100-year flood, as currently defined, to pass under it.

The purpose of this agenda matter is to allow the City Council to award a construction contract to Mark Crane's Tree, Inc. in the Total Base Bid amount of $120,000 for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing.

DISCUSSION

On November 12, 2024, only one bid was received from the following bidder:

Company Name	Total Base Bid
Mark Crane's Tree, Inc. (Ojai, CA)	$120,000

The award of the construction contract is based on the lowest total base bid which excludes additive bid items. Staff determined the lowest total base bid by Mark Crane's Tree, Inc. is responsive to the bidding requirements. See Attachment A for copy of bid. Staff also determined Mark Crane's Tree, Inc. to be a responsible bidder based on reference checks and past contracts with the City. The Construction Contract is shown as Attachment B.

Construction Schedule

The Contract Time to complete the project is 20 working days from the date of the City's Notice to Proceed. Tree removals will be outside of the nesting bird season (between February 1 and September 1).

Highway Bridge Program Funds

The total project cost of the Carpinteria Avenue Bridge Replacement Project that is currently programmed in the HBP is $17,446,850. The table below shows the summary breakdown of the cost of each project phase as shown in the HBP of the Federal Transportation Improvement Program. The table also shows the breakdown of the City and federal funding obligations, respectively, with the corresponding funding rate.

Highway Bridge Program

Phase	Cost	Federal Funds (88.53%)	City Funds (11.47%)
Design	$2,576,000.00	$2,280,532.80	$295,467.20
Right-of-Way	$870,000.00	$770,211.00	$99,789.00
Construction	$14,000,850.00	$12,394,952.51	$1,605,897.49
Total	$17,446,850.00	$15,445,696.31	$2,001,153.69
Rounded[1]	$17,446,850.00	$15,445,696.00	$2,001,154.00

[1] Federal Highway Administration rounds to the nearest dollar.

The overall construction cost is a summation of the apparent low bid (i.e. total base bid) and construction contingency. The following table summarizes the proposed revenue and expense:

Revenue	
Capital Improvement Projects Fund (includes Highway Bridge Program, Measure X, and Development Impact Fees)	$132,000
Total	$132,000

Expense	
Construction Contract (Total Base Bid)	$120,000
Construction Contract Contingency (10%)	$12,000
Total	$132,000

POLICY CONSISTENCY

The Carpinteria Avenue Bridge Replacement Project is included in the City's Capital Improvement Program/Development Impact Fee Program and is consistent with the following goals and policy statements in the Circulation Element of the General Plan and Local Coastal Plan:

- The City shall strive to improve vehicular and pedestrian overcrossings of the freeway and the various creeks while respecting their habitat value and sensitivity. (C-1b).
- Support the preservation of creeks and their corridors as open space, and maintain and restore riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities (OSC-6a).
- Protect and restore degraded creeks on City-owned land where protection and restoration does not interfere with good flood control practices (OSC-6b).

The purpose of the Circulation Element is to designate an efficient system of streets and highways that will provide adequate linkages between land uses. The Circulation Element complements the Land Use Element by contributing to the achievement of the economic, physical, and social goals of the community. Circulation and infrastructure needs are typically granted high priority in municipal capital budgets.

The project has also previously been found to be consistent with the City's Creeks Preservation Program, including Policy 2.10 and Implementation Measure 2.10.2, which promote the aquatic and riparian habitats of Carpinteria Creek for restoration through both public and private efforts.

Finally, the Carpinteria Avenue Bridge Replacement Project is currently programmed in the Fiscal Year 2024/25 Capital Improvement Program Budget.

FINANCIAL CONSIDERATIONS

No Additional Funding Requested. There is sufficient budget included in FY 2024/25.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The recommendation is consistent with the formal bidding procedures of the Uniform Construction Cost Accounting Act (Public Contract Code Section 22030 et al.).

OPTIONS

1. Award a Construction Contract to Mark Crane's Tree, Inc. in the Total Base Bid amount of $120,000 for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing.
2. The City Council could choose to not approve the recommendation and direct staff as determined appropriate. However, the project would be delayed.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Bid
Attachment B: Construction Contract for Mark Crane's Tree, Inc.

Staff contact:
John L. Ilasin, Public Works Director
(805) 880-3402; johni@carpinteriaca.gov

Signature

Reviewed by:
Licette Maldonado, Administrative Services Director
(805) 755-4448; licettem@carpinteriaca.gov

Signature

Reviewed by:
Michael Ramirez, City Manager
(805) 755-4400; michaelm@carpinteriaca.gov

Signature

ATTACHMENT A

Bid

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SECTION A3 - BID DOCUMENTS

CITY OF CARPINTERIA
CALIFORNIA

PROJECT: Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

IMPORTANT NOTICE

BID DOCUMENTS:

All bids must be accompanied by the following completed forms:

a. Contractor's Bid

b. Bid Certificates

c. Bidding Schedule

d. Bid Bond or other acceptable guaranty

e. Bidder's Statement Regarding Insurance Coverage

f. List of Subcontractors

g. Bidder's License and Experience Statement

h. Noncollusion Affidavit

Failure to complete, sign where required, and return the above bid documents with the bid may render it non-responsive.

Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing
Federal Project No. BRLS-5397(010)

Addendum No. 1

September 5, 2024

This constitutes Addendum No. 1 to the Bid Documents that were issued on August 22 and 29, 2024 by the City of Carpinteria for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing ("Project"). The Bidder shall acknowledge the receipt of this addendum on the Bid Forms where indicated. Failure to acknowledge receipt may be grounds for rejection of a Bidder's Bid.

This addendum shall be considered part of the Bid Documents for the Project as though it had been issued at the same time and shall be incorporated into the Bid Documents. In the event that the provisions of this addendum conflict with the original Bid Documents, this addendum shall control and take precedence. Bidders are notified that they shall make any necessary adjustments in their bid as a result of this addendum. It will be construed that each Bidder's Bid is submitted with full knowledge of all modifications and supplemental data specified in this addendum.

This addendum includes the following changes:

SPECIFICATIONS:

Item No. 1

Part and Page No.	Section A4 – Contract Documents; Contract
Location and Description of Change	

REMOVE the following paragraph:

ARTICLE VI: CONTRACT TIMES

The Work shall be completed within 60 calendar days from the commencement date stated in the Notice to Proceed.

REPLACE with the following paragraph:

ARTICLE VI: CONTRACT TIMES

The Work shall be completed within 20 working days from the commencement date stated in the Notice to Proceed.

Item No. 3

Part and Page No.	Section A4 – Contract Documents; Federal Contract Provisions

Location and Description of Change

REMOVE the following paragraph:

7. Beginning of Work, Time of Completion and Liquidated Damages

   The Contractor shall begin work within 15 calendar days after the issuance of the Notice to Proceed.

   This work shall be diligently prosecuted to completion before the expiration of 45 working days beginning on the fifteenth calendar day after the date shown on the Notice to Proceed.

   The Contractor shall pay to the Agency the sum of $2,800 per day, for each and every calendar days' delay in finishing the work in excess of the number of working days prescribed above.

REPLACE with the following paragraph:

7. Beginning of Work, Time of Completion and Liquidated Damages

   The Contractor shall begin work within 15 calendar days after the issuance of the Notice to Proceed.

   This work shall be diligently prosecuted to completion before the expiration of 20 working days beginning on the fifteenth calendar day after the date shown on the Notice to Proceed.

   The Contractor shall pay to the Agency the sum of $2,800 per day, for each and every calendar days' delay in finishing the work in excess of the number of working days prescribed above.

Item No. 4

Part and Page No.	Appendix

Location and Description of Change

ADD the attached pages:

Exhibit 9-I: DLA DBE Confirmation
Exhibit 12-B: Bidder's List of Subcontractor (DBE and Non-DBE) - Part 1
Exhibit 12-B: Bidder's List of Subcontractor (DBE and Non-DBE) - Part 2
Equal Employment Opportunity Certification
Debarment and Suspension Certification
Non-Lobbying Certification for Federal-Aid Contracts
Disclosure of Lobbying Activities

Approved by

John L. Ilasin, P.E.
Public Works Director/City Engineer

--END--

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

DLA DBE CONFIRMATION

DOT LAPM 9-I (NEW 01/2023)

FEDERAL PROJECT NUMBER

NAME OF DBE BUSINESS
Mark Cranes Tree Inc

NAME OF DBE REPRESENTATIVE
Mark Crane

DBE CERTIFICATION NUMBER

NAME OF BIDDER
Mark Cranes Tree Inc

NAME OF PRIME CONTRACTOR IF DIFFERENT FROM THE BIDDER

NAME OF REPRESENTATIVE OF PRIME CONTRACTOR
Mark Crane.

DATE

Bid Item Number	Item of work and description of services to be subcontracted or materials to be provided [1]	Amount ($)

[1] If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

DBE firms can use this form as a written confirmation or use an equivalent form. Written confirmation must be submitted no later than 4 pm on the 5th day of bid opening.

Hauling some debris will be subcontracted

Total $120,000

As an authorized representative of a certified disadvantaged business enterprise, I confirm if the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the DBE Commitment form.

I certify under penalty of perjury that the foregoing is true and correct.

Mark Crane

Signature of DBE's Authorized Representative

Mark Crane

Printed Name of DBE's Authorized Representative

President

Title of DBE's Authorized Representative

11-11-24

Date

ADA Notice This document is available in alternative accessible formats. For more information, please contact the Forms Management Unit at (279) 234-2284, TTY 711, in writing at Forms Management Unit, 1120 N Street, MS-89, Sacramento, CA 95814, or by email at Forms.Management.Unit@dot.ca.gov.

Exhibit 12-B: Bidder's List of Subcontractor (DBE and Non-DBE) - Part 1

As of March 1, 2015 Contractors (and sub-contractors) wishing to bid on public works contracts must be registered with the State Division of Industrial Relations and certified to bid on Public Works contracts. Please register at https://www.dir.ca.gov/Public-Works/Contractor-Registration.html. The local agency will verify registration of all contractors and subcontractors on public works projects at bid and thereafter annually to assure that yearly registration is maintained throughout the life of the project.

In accordance with Title 49, Section 26.11 of the Code of Federal Regulations, and Section 4104 of the Public Contract Code of the State of California, as amended, the following information is required for each sub-contractor who will perform work amounting to more than one half of one percent (0.5%) of the Total Base Bid or $10,000 (whichever is greater).

Photocopy this form for additional firms.

FEDERAL PROJECT NUMBER:

Subcontractor Name & Location	Line Item & Description	Subcontract Amount	Percentage of Bid Item Subcontracted	Contractor License Number / DIR Reg Number	DBE (Y/N)	DBE Cert Number	Annual Gross Receipts
NAME City, State	N/A						< $1 million < $5 million < $10 million < $15 million Age of Firm in years
NAME City, State							< $1 million < $5 million < $10 million < $15 million Age of Firm in years
NAME City, State							< $1 million < $5 million < $10 million < $15 million Age of Firm in years
NAME City, State							< $1 million < $5 million < $10 million < $15 million Age of Firm in years
NAME City, State							< $1 million < $5 million < $10 million < $15 million Age of Firm in years
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NAME City, State							< $1 million < $5 million < $10 million < $15 million Age of Firm in years
NAME City, State							< $1 million < $5 million < $10 million < $15 million Age of Firm in years

Distribution – Original: Local Agency File; Copy: DLAE w/Award Package

Exhibit 12-B: Bidder's List of Subcontractor (DBE and Non-DBE) - Part 2

In accordance with Title 49, Section 26 of the Code of Federal Regulations, the Bidder shall list all subcontractors who provided a quote or bid but **were not selected** to participate as a subcontractor on this project.

Photocopy this form for additional firms.

FEDERAL PROJECT NUMBER:

Subcontractor Name & Location	Line Item & Description	Subcontract Amount	Percentage of Bid Item Subcontracted	Contractor License Number / DIR Reg Number	DBE (Y/N)	DBE Cert Number	Annual Gross Receipts
NAME City, State	N/A						☐ < $1 million ☐ < $5 million ☐ < $10 million ☐ < $15 million Age of Firm in years
NAME City, State							☐ < $1 million ☐ < $5 million ☐ < $10 million ☐ < $15 million Age of Firm in years
NAME City, State							☐ < $1 million ☐ < $5 million ☐ < $10 million ☐ < $15 million Age of Firm in years
NAME City, State							☐ < $1 million ☐ < $5 million ☐ < $10 million ☐ < $15 million Age of Firm in years
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NAME City, State							☐ < $1 million ☐ < $5 million ☐ < $10 million ☐ < $15 million Age of Firm in years
NAME City, State							☐ < $1 million ☐ < $5 million ☐ < $10 million ☐ < $15 million Age of Firm in years

Distribution – Original: Local Agency File; Copy: DLAE w/Award Package

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The bidder Mall Cranes Tree Inc, proposed subcontractor N/A, hereby certifies that he has ___, has not X, participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, where required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filling requirements.

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of $10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

DEBARMENT AND SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

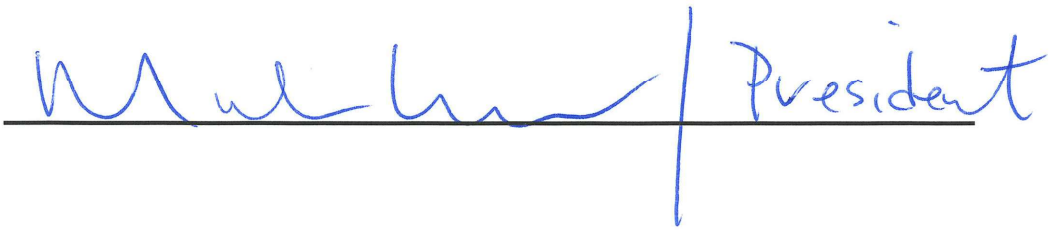
The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions.
The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.



NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

(l) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed $100,000 and that all such subrecipients shall certify and disclose accordingly.

DISCLOSURE OF LOBBYING ACTIVITIES

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

1. Type of Federal Action:
- ☐ a. contract
- ☐ b. grant
- c. cooperative agreement
- d. loan
- e. loan guarantee
- f. loan insurance

2. Status of Federal Action:
- ☐ a. bid/offer/application
- b. initial award
- c. post-award

3. Report Type:
- ☐ a. initial
- b. material change

For Material Change Only:
year _____ quarter _____
date of last report _____

4. Name and Address of Reporting Entity

☐ Prime ☐ Subawardee
Tier _____ , if known

Congressional District, if known

5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:

Congressional District, if known

6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, if applicable _____

8. Federal Action Number, if known:

9. Award Amount, if known:

10. a. Name and Address of Lobby Entity
(If individual, last name, first name, MI)

b. Individuals Performing Services (including address if different from No. 10a)
(last name, first name, MI)

(attach Continuation Sheet(s) if necessary)

11. Amount of Payment (check all that apply)
$_____ ☐ actual ☐ planned

12. Form of Payment (check all that apply):
- ☐ a. cash
- ☐ b. in-kind; specify: nature _____
  value _____

13. Type of Payment (check all that apply)
- ☐ a. retainer
- ☐ b. one-time fee
- ☐ c. commission
- ☐ d. contingent fee
- ☐ e deferred
- ☐ f. other, specify _____

14. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11:

(attach Continuation Sheet(s) if necessary)

15. Continuation Sheet(s) attached: **Yes** ☐ **No** ☐

16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature: Mark Crane
Print Name: Mark Crane
Title: President
Telephone No.: 805-685-7330 Date: 4-11-19

Authorized for Local Reproduction
Standard Form - LLL

Federal Use Only:

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of covered Federal action or a material change to previous filing pursuant to title 31 U.S.C. section 1352. The filing of a form is required for such payment or agreement to make payment to lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with a covered Federal action. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee" then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identification in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract grant. or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influenced the covered Federal action.
    (b) Enter the full names of the individual(s) performing services and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box. Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box. Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with Federal officials. Identify the Federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
15. Check whether or not a continuation sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

SF-LLL-Instructions Rev. 06-04-90«ENDIF»

CONTRACTOR'S BID

PROJECT: Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

November 9 ,20 24

The undersigned, as Bidder, declares that it has examined all of the Contract Documents contained in the above referenced Project and Bid, and that it shall contract with the City on the form of contract provided therewith to do everything necessary for the fulfillment of this contract at the price and on the terms and conditions therein contained.

The following are included and are to be considered as forming a part of this bid: (1) Bidding Schedule, (2) Bid Certificate, (3) Bidder's License and Experience Statements, (4) List of Subcontractors, (5) Noncollusion Affidavit, and (6) Bidders Statement Regarding Insurance Coverage. We acknowledge that addenda numbers 1 to — have been delivered to us and have been examined as part of the contract documents.

Attached is a Bid Bond duly completed by a guaranty company authorized to carry on business in the State of California in the amount of at least 10% of the total amount of our Bid, or alternatively there is attached a certified or cashier's check payable to the City, in the amount of at least 10% of the total amount of our Bid.

If our Bid is accepted, we agree to sign the contract form and to furnish the performance bond and the material and labor bond (each to be 100% of the bid amount) and the required evidences of insurance within ten (10) calendar days after receiving written notice of the award of contract.

We further agree if our Bid is accepted and a contract for the performance of the work is entered into with the City, to so plan the work and to prosecute it with such diligence that all of the work shall be completed within the time stipulated in Section C (General Provisions Modifications) Modifications to Standard Specifications, Section 6 (paragraph 6-7.1.1).

Bidders Mailing Address:

P.O. Box 983
Goleta CA 93116

Mark Crane's Tree Inc.
(Name of Bidder)

Authorized Signature
(If Company is a Corporation, provide corporate resolution per Information for Bidders paragraph A2.05)

California
State of Incorporation/Formation (if entity)

President
Title

BID CERTIFICATE
(if Corporation)

STATE OF California)
) SS:
COUNTY OF Ventura)

I CERTIFY that a meeting of the Board of Directors of Mark Cranes Tree Inc, a corporation existing under the laws of the State of California, held on November 9, 2024, the following resolution was duly passed and adopted:

"RESOLVED, that Mark Crane, as Mark Cranes Tree Inc President of the Corporation, be and is authorized to execute the Bid dated November 9, 2024 to the City of Carpinteria and that its execution of the Bid, attested by the Secretary of the Corporation, and with the Corporate Seal affixed, shall be the official act and deed of this Corporation."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the corporation this 9, day of November, 2024

Kim Crane
Secretary

(SEAL)

BID CERTIFICATE
(if Partnership)

STATE OF)
) SS:
COUNTY OF)

I CERTIFY that a meeting of the Partners of _____
_____,
a partnership existing under the laws of the State of _____, held on _____, 20___,
the following resolution was duly passed and adopted:

"RESOLVED, that _____, as
_____ of the Partnership, be and is authorized to
execute the Bid dated _____, 20___, to the City of Carpinteria and that its execution thereof,
attested by the _____ shall be the official act and deed of this Partnership."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand this _____, day of _____, 20___.

_____
Partner

(SEAL)

BID CERTIFICATE
(if Joint Venture)

STATE OF)
) SS:
COUNTY OF)

I CERTIFY that a meeting of the Principals of the _____
_____,
a joint venture existing under the laws of the State of _____, held on _____, 20___,
the following resolution was duly passed and adopted:

"RESOLVED, that _____, as
_____ of the Joint Venture, be and is authorized to
execute the Bid dated _____, 20___, to the City of Carpinteria and that its execution thereof,
attested by the _____ shall be the official act and deed of this Joint
Venture."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand this _____, day of _____, 20___.

_____
Managing Partner

(SEAL)

BIDDING SCHEDULE

PROJECT: Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

The cost of all labor, material and equipment necessary for the completion of the work itemized, even though not shown or specified, shall be included in the unit price for the various items shown herein. The Owner reserves the right to increase or decrease the quantity of any item or omit items as may be necessary, and the same shall in no way affect or make void the contract, except that appropriate additions or deductions from the contract total price will be made at the stipulated unit price.

The Owner reserves the right to reject any and all bids, to waive any informality in a bid, and to make awards in the interest of the Owner.

The Contractor shall perform an independent take off of the plans and bid accordingly. Quantities listed in the Bid Schedule is intended only as a guide for the Contractor as to the anticipated order of magnitude of work. The Contractor will be reimbursed for the quantity of items required by the Contract Documents and shown on the plans to neat line and grade or as actually installed.

The Contractor will not be reimbursed for work performed for its convenience, or as required to adapt to field conditions, or work outside of that required by the Contract Documents.

The cost of all labor, material and equipment necessary for the completion of the work itemized under this schedule, even though not shown or specified, shall be included in the unit price for the various items shown herein.

Item No.	Item Description	Unit	Quantity	Unit Price	Total Price
1	Clearing and Grubbing	LS	1	$ 120,000	$ 120,000
				TOTAL BID	$ 120,000

Total Bid (in words) One hundred and twenty thousand dollars

The award of bid will be based in part on the lowest Bidding Schedule total. The specific unit prices shall govern if there is a mathematical discrepancy in the figures. The Contractor shall notify the Engineer prior to construction, of any difference between estimated quantities and actual quantities.

The Owner reserves the right to increase or decrease the quantity of any item or omit items as may be deemed necessary due to budget limitations or constraints, and the same shall in no way affect or make void the contract, except that appropriate additions or deductions from the contract total price will be made at the stipulated unit price.

Mark Cranes Tree Inc.
Company Name of Bidder

Authorized Signature

BID BOND (10%)

PROJECT: Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

KNOW ALL BY THESE PRESENTS, that we, the undersigned, _____ _____ as Principal, and _____ as Surety, are hereby held and firmly bound unto THE CITY OF CARPINTERIA (hereinafter called "Owner") in the penal sum of _____ _____ for the payment of which well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns. Signed this _____ day of _____, 20_____.

The condition of the above obligation is such that whereas the Principal has submitted to THE CITY OF CARPINTERIA a certain bid made a part of this bond to enter into a contract in writing, for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

NOW, THEREFORE,

(a) If said Bid shall be rejected; or in the alternate,

(b) If said Bid shall be accepted and the Principal shall, within the time and in the manner required in the "Notice Inviting Bids" and "Information for Bidders," execute and deliver a contract in the Form of the Agreement bound within the Contract Documents (properly completed in accordance with such Bid), shall furnish a bond for its faithful performance of such contract and for the payment of all persons performing labor or furnishing materials in connection with such contract, shall furnish the required certificates of insurance and endorsements and shall in all other respects perform the agreement created by the acceptance of such Bid;

then this obligation shall be void, otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims under this bond shall, in no event, exceed the penal amount of this obligation as stated.

The Surety, for value received, stipulates and agrees that the obligations of such Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and such Surety waives notice of any such extension. In the event suit is brought upon this bond by Owner and Owner prevails, Principal and Surety shall pay all costs incurred by Owner in such suit, including reasonable attorneys' fees and costs to be fixed by the court.

IN WITNESS WHEREOF, the Principal and the Surety have set their hands and seals, and such of them as are corporations have caused their corporate seals to be affixed and these presents to be signed by their proper officers, the day and year first set forth above.

_____	_____
Principal	Surety
By: _____	By: _____
SEAL	

BIDDER'S STATEMENT REGARDING
INSURANCE COVERAGE

PROJECT: Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

Bidder hereby certifies that it has reviewed the insurance coverage requirements in the Contract Documents. Should it be awarded the contract for the Project, Bidder further certifies that it can meet all the Contract Documents requirements for insurance including insurance coverage of its subcontractors.

Mark Cranes Tree Inc
Bidder

By Mark Crane

President
Title

11-10-24
Dated

LIST OF SUBCONTRACTORS

Section 4101 of the Public Contract Code requires the Bidder to list below the name and the location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent (.5%) of the prime contractor's total bid. The Bidder shall also list below the portion of the Work which will be done by each subcontractor under this Contract. The Bidder shall list only one subcontractor for each portion as is defined by the Bidder in its Bid. The Bidder shall perform not less than forty percent (40 %) of the Work with its own forces (i.e., without subcontracting). The forty percent requirement shall be understood to refer to the portion of the Work, the value of which totals not less than forty percent of the Contract Price. Failure to comply with this requirement will render the Bid non-responsive and may cause its rejection.

Work to be Performed	Subcontractor's License Number	Subcontractor's DIR Number	Percent of Total Bid	Subcontractor's Name & Address
	N/A			

Note: Attach additional sheets if required.

BIDDER'S LICENSE AND EXPERIENCE STATEMENT

The Bidder shall furnish the following information. Failure to comply with this requirement will render the bid informal and may cause its rejection. Additional sheets may be attached if necessary. Should the contract be awarded to the Bidder, then the legal address described below shall be used for all communications and notices with the Bidder.

Bidder hereby certifies that it has reviewed the insurance coverage requirements specified in the Contract Documents. Should it be awarded the contract for the work, Bidder further certifies that it can meet all the Contract Documents requirements for insurance including insurance coverage of its subcontractors.

(1) Address: 16034 Maricopa Hwy
Ojai CA 93023

(2) Type of Firm: Individual _____ Partnership _____ Corporation X

(3) Telephone: 805-705-0170

Facsimile: _____

(4) Bidder's License:

Primary Class:	C61/049
License No:	857315
Expiration Date:	11-30-25
DIR No:	1000015699

The Bidder is required to hold a valid Class A contractor's license at the time of bid, when the Contract is awarded, and for the duration of the Contract.

Supplemental classifications held, if any: _____

(5) Names and titles of all members of the firm:

Mark Crane	President
Kim Crane	Treasurer

(6) Number of years a contractor in construction work of this type: 30 years

(7) Five comparable projects recently constructed by Bidder:
(Bidder shall also include its subcontractor's experience for all types of work covered by its bid. Additional sheets may be used.)

PROJECT NO. 1

Owner Name:	CUT & Clean
Contact Name:	Jasmine Hernandez
Contact Address:	
Telephone:	805-407-3776
Contract Amount:	$750,000
Date Started:	1-1-21
Date Completed:	On going
Design Engineer:	
Contact Name:	
Contact Address:	

Telephone:

Construction Manager:
Contact Name:
Contact Address:
Telephone:

PROJECT NO. 2

Owner Name: Rancho OSO
Contact Name: Chris
Contact Address:

Telephone: 805-683-5687
Contract Amount: $700,000
Date Started: 1-1-21
Date Completed: on going

Design Engineer:
Contact Name:
Contact Address:

Telephone:
Construction Manager:
Contact Name:
Contact Address:

Telephone:

PROJECT NO. 3

Owner Name: UCSB
Contact Name: Matt O. Carroll
Contact Address:

Telephone: 805-777-5931
Contract Amount: $300,003
Date Started: 1-1-20.
Date Completed: on going

Design Engineer:
Contact Name:
Contact Address:

Telephone:

Construction Manager:
Contact Name:
Contact Address:

Telephone:

PROJECT NO. 4

Owner Name: City of Goleta Parks
Contact Name: George Thomson
Contact Address:

Telephone: 805-705-2587
Contract Amount: $300,000
Date Started: 1-2-22
Date Completed: Ongoing
Design Engineer:
Contact Name:
Contact Address:

Telephone:
Construction Manager:
Contact Name:
Contact Address:

Telephone:

PROJECT NO. 5

Owner Name: County of Santa Barbara
Contact Name: William Ortega
Contact Address:

Telephone: 805-681-5697
Contract Amount:
Date Started:
Date Completed:

Design Engineer:
Contact Name:
Contact Address:

Telephone:

Construction Manager:
Contact Name:
Contact Address:

Telephone:

(8) List of References

The following information should contain persons or entities familiar with the Bidder's Work. All five references shall be provided and all information listed must be completed:

1. Name of Agency: City of Goleta Parks
Agency Address and Telephone

Contact Person: George Thomson
Type of Construction Project: Eucalyptus removals
Contract Amount: $300,000

2. Name of Agency: County of Santa Barbara
Agency Address and Telephone
805-636-6557
Contact Person: William Ortega
Type of Construction Project: Tree removal & prune

Contract Amount: _____

3. Name of Agency: UCSB
Agency Address and Telephone _____

Contact Person: Matt O Cavroll
Type of Construction Project: Eucalyptus removals.
Contract Amount: $700,000

4. Name of Agency: City of Ojai
Agency Address and Telephone _____

Contact Person: Joseph Padilla
Type of Construction Project: Tree removal tprune.
Contract Amount: $500,000.00

5. Name of Agency: Cut & Clean
Agency Address and Telephone _____

Contact Person: Jasmine Hernandez
Type of Construction Project: Eucalyptus removals.
Contract Amount: $700,000

(9) Date and person who inspected site of the proposed work for your firm:

Name: Jeff Denier, Mark Crane.
Date: 11-4-24

(10) The Bidder represents that it has personally examined the site, carefully read the Contract Documents and satisfied itself as to its ability to perform the work for the project, including all attending difficulties.

(11) The Bidder acknowledges by affixing its signature hereto, that it is aware of any and all representations made herein, which are made under the penalty of perjury.

Name of Bidder: Mark Cranes Tree Inc.
Signature of Bidder: _____
Print Name and Title: Mark Crane / President

NONCOLLUSION AFFIDAVIT
(TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID)

STATE OF)
) SS:
COUNTY OF)

_____, being first duly sworn, deposes and says that he or she is _____ of _____, the party making the foregoing bid, that the bid is not made in the interest of, or on the behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

Dated: 11-10-24

Bidder: Mark Cuaner Tree Inc

By: _____
(Signature)

Title: President

Subscribed and sworn to before me this 10th day of November, 2024

_____
Notary Public

(SEAL)

CNA SURETY

PO Box 5077 Sioux Falls SD 57117-5077

1-800-331-6053
Fax 1-605-335-0357
www.cnasurety.com
uwservices@cnasurety.com

DATE: November 7th, 2024 AGENT CODE: 04-30093

ATTENTION: CANDICE VIRGINIA ALEXANDER Number of Pages: 3

RE: Bond 67254601 . Mark Crane's Tree Inc.

Carpinteria Avenue Bridge Replacement Project - Clearing and Grubbing
10%

Contract Amount: $ 120,000.00
Company Code: 0601

Thank you for placing this business with CNA Surety.

Please execute the requested bond(s) by using the documents sent with this fax/email. Sign the bond(s) and attach a gold colored seal from your Western Surety Company kit to each bond issued.

****Please advise us of the bid results as soon as they are available. Please complete and fax/email us the following:

Contract Price: $_____
Contract Date: _____
Next two lowest bidders: $_____
$
Was the principal the low bidder? ☐ Yes ☐ No
Do you need approval for the Performance and Payment bond at this time? ☐ Yes ☐ No

Please check your supply of gold seals periodically to ensure you have an adequate amount. To reorder gold seals, simply visit **cnasurety.com** and click on the "Order Supplies Here" icon under the Broker/Agent Services section.

**IMPORTANT NOTICE AND REMINDER: Approval of the requested Bid Bond is NOT an approval of any final or other bonds that may be requested by this principal. Further, the Bid Bond approval is limited to the contract amount approved by the underwriter. If the anticipated bid exceeds this amount, you must contact the underwriter at 800-331-6053 to inquire about specific approval before filing the bid. Failure to receive approval could result in declination of any subsequent performance and payment bond(s) requested. Furthermore, we reserve the right to decline any bond for any reason per the terms of the General Indemnity Agreement, and shall not be liable to the principal or any person or entity for such declination.

Business Services

BID BOND (10%) Bond No. 67254601

PROJECT: Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

KNOW ALL BY THESE PRESENTS, that we, the undersigned, Mark Crane's Tree Inc. as Principal, and WESTERN SURETY COMPANY as Surety, are hereby held and firmly bound unto THE CITY OF CARPINTERIA (hereinafter called "Owner") in the penal sum of Ten Percent of Amount Bid (10%) for the payment of which well and truly to be made, we jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns. Signed this 5th day of November, 2024.

The condition of the above obligation is such that whereas the Principal has submitted to THE CITY OF CARPINTERIA a certain bid made a part of this bond to enter into a contract in writing, for the Carpinteria Avenue Bridge Replacement Project- Clearing and Grubbing

NOW, THEREFORE,

(a) If said Bid shall be rejected; or in the alternate,

(b) If said Bid shall be accepted and the Principal shall, within the time and in the manner required in the "Notice Inviting Bids" and "Information for Bidders," execute and deliver a contract in the Form of the Agreement bound within the Contract Documents (properly completed in accordance with such Bid), shall furnish a bond for its faithful performance of such contract and for the payment of all persons performing labor or furnishing materials in connection with such contract, shall furnish the required certificates of insurance and endorsements and shall in all other respects perform the agreement created by the acceptance of such Bid:

then this obligation shall be void, otherwise the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims under this bond shall, in no event, exceed the penal amount of this obligation as stated.

The Surety, for value received, stipulates and agrees that the obligations of such Surety and its bond shall be in no way impaired or affected by any extension of the time within which the Owner may accept such Bid; and such Surety waives notice of any such extension. In the event suit is brought upon this bond by Owner and Owner prevails, Principal and Surety shall pay all costs incurred by Owner in such suit, including reasonable attorneys' fees and costs to be fixed by the court.

IN WITNESS WHEREOF, the Principal and the Surety have set their hands and seals, and such of them as are corporations have caused their corporate seals to be affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Mark Crane's Tree Inc.
Principal

By: _____

SEAL

WESTERN SURETY COMPANY
Surety

By: _____
CANDICE VIRGINIA ALEXANDER
Attorney-in-Fact

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 67254601

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint CANDICE VIRGINIA ALEXANDER

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Mark Crane's Tree Inc.

Obligee: CITY OF CARPINTERIA

Amount: $1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

If Bond No. 67254601 is not issued on or before midnight of February 5th, 2025, all authority conferred in this Power of Attorney shall expire and terminate.

In Witness Whereof, Western Surety Company has caused these presents to be signed by its Vice President, Larry Kasten, and its corporate seal to be affixed this 5th day of November, 2024.

WESTERN SURETY COMPANY

Larry Kasten, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 5th day of November, in the year 2024, before me, a notary public, personally appeared Larry Kasten, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

S. GREEN
NOTARY PUBLIC
SOUTH DAKOTA

Notary Public - South Dakota

My Commission Expires February 12, 2027

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 5th day of November, 2024.

WESTERN SURETY COMPANY

Larry Kasten, Vice President

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.

Form F5306-5-2023

ATTACHMENT B

Construction Contract for Mark Crane's Tree, Inc.

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CONTRACT

PROJECT: Carpinteria Avenue Bridge Clearing and Grubbing Project

AMOUNT OF CONTRACT: $120,000.00

THIS AGREEMENT, made and entered into this 25th day of November, 2024, by and between the City of Carpinteria (hereinafter referred to as "Owner") and Mark Crane Trees Inc., hereinafter referred to as "Contractor".

IN CONSIDERATION OF THE MUTUAL PROMISES, COVENANTS AND CONDITIONS SET FORTH BELOW, THE PARTIES AGREE as follows:

ARTICLE I: GENERAL

Contractor agrees to perform and complete in a workmanlike manner all work required under the Bidding Schedule of Owner's Contract Documents entitled Carpinteria Avenue Bridge Clearing and Grubbing Project and in accordance with its Specifications and Drawings, to furnish at its own expense all labor, materials, equipment, tools, transportation, and services necessary therefor, except such materials, equipment and services as may be stipulated in the Specifications to be furnished by Owner, and to do everything required by the Agreement and the Contract Documents, for the sum of One Hundred Hundred Twenty Thousand Dollars and Zero Cents ($120,000.00).

ARTICLE II: PAYMENT

For furnishing all said labor, materials, equipment, tools, and services, furnishing and removing all plant, temporary structures, tools, and equipment, and doing everything required by this Agreement, the said Specifications, Drawings and other Contract Documents; for all loss and damages arising out of the nature of the work,, or from the action of the elements, or from any unforeseen difficulties which may arise during the prosecution of the work until its acceptance by said Owner, and for all risks of every description connected with the work; for all expenses resulting from the suspension or discontinuance of work, except as are expressly stipulated in the Contract Documents to be borne by Owner and for completing the work in accordance with the requirements of the Contract Documents Owner will pay, and said Contractor shall receive, in full compensation therefor, the above named price.

ARTICLE III: CONSIDERATION

Contractor agrees to perform the work according to the terms of this Agreement for the abovementioned price and owner agrees to pay Contractor at the time, in the manner, and upon the conditions stipulated in the Contract Documents. Owner and Contractor, for themselves, their heirs, executors, administrators, successors, and assigns, do hereby agree to the full performance of the covenants contained in this Agreement and in the Contract Document.

ARTICLE IV: WAGES

The general prevailing rates of per diem wages and general prevailing rate for holiday and overtime work in the locality in which the work is to be performed have been determined by the Owner. Said general prevailing rates of per diem wages are incorporated and made a part of this Agreement. The Contractor agrees that it, or any subcontractor under it, will pay not less than the foregoing specified prevailing rates of wages to all workmen employed in the execution of the Contract.

Any contractor who is awarded a public works project and intends to use a craft or classification not shown on the general prevailing wage determinations, may be required to pay the wage rate of that craft or classification most closely related to it as shown in the general determinations effective at the time of the call for bids.

ARTICLE V: HOURS AND WORKING CONDITIONS

The Owner is a public entity in the State of California and is subject to the provisions of the Government Code and the Labor Code of the State. It is stipulated and agreed that all provisions of law applicable to public contracts are a part of this contract to the same extent as though set forth this Agreement and will be complied with by the Contractor.

ARTICLE VI: CONTRACT TIMES

The Work shall be completed within 120 working days from the commencement date stated in the Notice to Proceed.

ARTICLE VII: LIQUIDATED DAMAGES

Owner and the Contractor recognize that time is of the essence of this Agreement and that the Owner will suffer financial loss if the Work is not completed within the time specified in Article 2, plus any extensions thereof allowed in accordance with the terms of the Contract Documents. The parties also recognize that the amount of Owner's actual damages in the event of such delays are impractical and infeasible to determine at this time. Accordingly, the Owner and the Contractor agree that as liquidated damages for delay (but not as a penalty), the Contractor shall pay the Owner $700 for each day that expires after the time specified in Article 2, plus any extensions, until actual completion of the Work. The payment of liquidated damages pursuant to this Article is for the limited purpose of compensating Owner for the costs and expenses associated with the delay in receiving the benefits and use of the Work and not for other damages that may be incurred by the Owner. The Contractor's responsibility for or payment of liquidated damages shall not in any way preclude the Owner from pursuing any of its other remedies under the Contract Documents or Laws for the Contractor's failure to complete the Work in a timely manner or otherwise satisfy its obligations as required by the Contract Documents.

ARTICLE VIII: ASSIGNMENT

No assignment by a party to this Agreement of any rights under or interests in the Contract Documents will be binding on another party without the written consent of the party sought to be bound; and specifically but without limitation monies that may become due and monies that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

Owner and Contractor each binds itself, its successors, assigns and legal representatives to the other party, its successors, assigns and legal representatives in respect of all covenants, agreements and obligations contained in the Contract Documents.

ARTICLE IX: COMPONENTS OF AGREEMENT

The Notice Inviting Bids, Information for Bidders, Contractor's Bid, Bid Certificates, Bidding Schedule (2 sheets), Bid Bond or other acceptable guaranty, Bidder's Statement Regarding Insurance coverage, List of Subcontractors, Bidders License and Experience Statement, Noncollusion Affidavit, Agreement Certificates, Material and Labor bond, Performance Bond, Certificate of Compliance, Worker's Compensation Certificate, Notice of Award, Acknowledgment of Notice of Award, Insurance Endorsements, Sole Proprietor Statement, Escrow Agreement for Security Deposits in Lieu of Retention, Notice to Proceed, Closeout Agreement and Release of Claims, Insurance Specifications for Construction Contracts**,** Labor Provisions, General Provision Modifications (incorporating Provisions, Standard Specifications for Public Works Construction (latest edition), as modified), Special Provisions**,** Statutory Provisions, Specifications, Drawings and all Addenda issued by the Owner with respect to the foregoing prior to the opening of bids, are hereby incorporated in and made part of this Agreement.

IN WITNESS WHEREOF, this contract has been executed on the day and year first above written.

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein Hyatt Farber Schreck, LLP Acting as City Attorney of the City of Carpinteria

APPROVED AS TO CONTENT:

John L. Ilasin, P.E.
City Engineer

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

BUSINESS TAX COMPLIANCE

Licette Maldonado
Business Tax and Permit Inspector

OWNER
City of Carpinteria, a Municipal Corporation

By _____
Al Clark, Mayor

CONTRACTOR, Mark Crane Trees Inc.

By _____

Mark Crane
President

AGREEMENT CERTIFICATE
(if Corporation)

STATE OF)
) SS:
COUNTY OF)

I CERTIFY that at a meeting of the Board of Directors of _____
_____,
a corporation existing under the laws of the State of_____, held on _____,
20_____, the following resolution was duly passed and adopted:

"RESOLVED, that _____ , as
_____ President
of the Corporation, be and is authorized to execute the Agreement dated _____, 20___, between the City of Carpinteria and this corporation and that its execution, attested by the Secretary of the Corporation, and with the Corporate Seal affixed, shall be the official act and deed of this Corporation."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the corporation this _____, day of , 20_____.

_____
Secretary

(SEAL)

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Continuation of Public Hearing for Annual Report of the Development Impact Fee Program and Updating the Capital Improvement Plan.

STAFF RECOMMENDATION

Open the public hearing, receive public comment, keep public hearing open, and continue the public hearing to approve and accept the Annual Report of the Development Impact Fee Program and update the Capital Improvement Plan to the December 9, 2024 Council meeting.

Sample Motion: I move to continue the public hearing to approve and accept the Annual Report of the Development Impact Fee Program and update the Capital Improvement Plan to the December 9, 2024 Council meeting

BACKGROUND/DISCUSSION

The public hearing notice for this agenda matter was published in the Coastal View News on November 14 and 21, 2024. Since the public hearing was noticed, but the Annual Report of the Development Impact Fee Program and Update of the Capital Improvement Plan is not ready at this time, staff requests the City Council open the public hearing tonight, receive and public comment, and keep the public hearing open and continue the matter to the regular meeting of December 9, 2024.

Staff contact:
Brian C. Barrett, City Clerk
(805) 755-4403; brianb@carpinteriaca.gov

Signature

Reviewed by:
John L. Ilasin, Public Works Director
(805) 880-3402; johni@carpinteriaca.gov

Signature

Reviewed by:
Ryan Kintz, Assistant City Manager
(805) 755-4400; ryank@carpinteriaca.gov

Signature

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Ordinance No. 787, an Ordinance of the City Council of the City of Carpinteria, California, Amending Chapter 15.80 (Development Impact Mitigation Fees) of Title 15 (Buildings and Construction) and Chapter 16.24 (Parks and Recreation Facilities Dedication and Fees) of Title 16 (Subdivisions) in the Carpinteria Municipal Code.

STAFF RECOMMENDATION

Approve Ordinance No. 787, as read by title only (first reading).

Sample Motion: I move to approve Ordinance No. 787, waive further reading, introduce as read by title only, and continue for adoption to December 9, 2024.

(Requires reading of ordinance title and a roll call vote.)

BACKGROUND

The Mitigation Fee Act, as amended, (also known as Assembly Bill 1600) allows for local agencies to collect fees from developers and apply the revenue to public improvement projects that are needed to serve new development projects. In order to mitigate the impacts on public improvements and facilities due to new development or redevelopment, the City established a Development Impact Fee (DIF) Program through adoption of City Council Ordinance No. 500, codified in Carpinteria Municipal Code Chapter 15.80. The City's DIF Program was established pursuant to the authority granted to cities through the Mitigation Fee Act. Public improvement projects, also known as capital projects, are described in the City's 2022 Capital Improvement Plan (CIP) as adopted by City Council Resolution No. 6153. The public improvements projects of the 2022 CIP are entirely or partially necessary due to impacts on public improvements and facilities created by new development projects. The amount of each DIF is based on a nexus study which determines the "fair share" of each public improvement project cost that is attributable to new development projects.

On December 11, 2023, the City Council adopted Resolution No. 6278, approving the 2023 Development Impact Fee Study Update; Resolution No. 6279, establishing the

Development Impact Fee Program; and Resolution No. 6280, approving and setting the amount of Quimby fees.

The purpose of this agenda matter is for the City Council to consider and approve Ordinance No. 787, amending Chapter 15.80 of Title 15 and Chapter 16.24 of Title 16 in the Carpinteria Municipal Code.

DISCUSSION

Ordinance No. 787, as shown as Attachment A, proposes to specifically amend Sections 15.80.050 (Automatic annual adjustment),15.80.160 (Review), and 16.24.080 (Standards and formula for fees in lieu of land dedication and adjustment thereof) as follows in strikethrough and bold text, respectively:

15.80.050 - Automatic annual adjustment.

~~A. Each fee imposed pursuant to sections 15.80.030B and 15.80.030D of this chapter shall be adjusted automatically on July 1st of each fiscal year, beginning on July 1, 1994, by the percentage change in the median price of a single family house in Santa Barbara County, South Coast as determined by the City, calculated from Sales Report data provided by the Santa Barbara County Assessor's Office for the twelve (12) month time period ending March 31 prior to the July 1 adjustment date. "Santa Barbara County, South Coast" shall be defined as those areas included within the boundaries of the following eleven (11) United States Postal Service ZIP codes: 93117, 93III, 93110, 93109, 93105, 93106,93101, 93103, 93108, 93067 and 93013.~~

~~B~~**A**. Each fee imposed pursuant to sections 15.80.030~~A, 15.80.030C, and 15.80.030E~~ of this chapter shall be adjusted automatically on July 1st of each fiscal year, beginning on July 1, ~~1994~~ **2025**, by a percentage equal to the ~~change in the California Department of Transportation Price Index for Selected Highway Construction Items~~ **Construction Cost Index published by Engineering News Record for the preceding** twelve (12) ~~month time period ending March 31 prior to the July 1 adjustment date~~ **months**.

~~C~~**B**. These automatic adjustments shall not apply to fees which are based on variable factors which result in automatic adjustments or those which specifically indicate otherwise.

15.80.160 - Review

A. Except for the first year this chapter is in effect, no later than one hundred eighty days following the end of each fiscal year the city manager shall prepare a report for the council identifying the balance of fees in the various

funds established pursuant to Section15.80.070, the facilities constructed, and the facilities to be constructed. In preparing the reports, the city manager shall adjust the estimated costs of the public improvements ~~by a percentage equal to the change in the California Department of Transportation Price Index for Selected Highway Construction Items for the twelve-month time period ending March 31 prior to the July 1 adjustment date~~ **in accordance with Section 15.80.050**.

B. At a noticed public hearing, the council shall review estimated costs of the capital improvements described in the reports, and the continued need for these improvements. The council may revise the development impact fees to include additional projects not previously foreseen as being needed; and such revisions shall comply with Government Code Section 66001.

C. The report prepared by the city manager and its review by the council, as well as any findings thereon, shall be subject to the provisions of California Government Code Section 66006, to the extent applicable (the sections being controlling in the event of any applicable conflict).

D. The cost of the public improvements established pursuant to this chapter may be more specifically set and revised periodically by resolution of the council, with the ordinance codified in this chapter being considered as enabling and directive in this regard.

16.24.080 - Standards and formula for fees in lieu of land dedication and adjustment thereof.

A. When a parkland fee is to be paid in lieu of land dedication, the subdivider shall pay fees as set forth in the schedule of fees established by council resolution.

B. The council shall from time to time, through resolution, determine the current fees in lieu of land dedication. Such fee shall be equal to value of the dedication that would otherwise be required by Section 16.24.060, which amount is the median fair market value per acre of land suitable for park and recreational purpose found in the city.

C. Each fee imposed by this chapter shall be adjusted automatically on July 1st of each fiscal year ~~by a percentage equal to the change in the median price of a single family house in Santa Barbara County, South Coast as determined by the city, calculated from sales report data provided by the Santa Barbara County Assessor's Office for the twelve-month time period ending March 31 prior to the July 1 adjustment date. "Santa Barbara County, South Coast" shall be defined as those areas included within the boundaries of the following eleven United States Postal Service ZIP codes: 93117, 93111, 93110, 93109, 93105, 93106, 93101, 93103, 93108, 93067~~

~~and 93013.D.The fees charged for parkland acquisition pursuant to this chapter may be more specifically set and revised periodically by resolution of the council, with the ordinance codified in this chapter being considered as enabling and directive in this regard~~ **in accordance with Section 15.80.050**.

Changing Cost Index for Inflationary Adjustments

Ordinance No. 500[1] initially established the automatic annual adjustment based on the cost index as published by Engineering News Record (ENR). Ordinance No. 627[2], amended Chapter 15.80 by changing said automatic annual adjustment basis to the California Department of Transportation Highway Construction Cost Index (Caltrans Cost Index). At the time of Ordinance No. 627, then staff apparently determined the Caltrans Cost Index was "a more accurate tool to update the cost of constructing public improvements since it reflects construction costs on a statewide rather than national basis." Today's staff does not know how this reasoning was determined, but it is common construction-industry practice to use a 20-city average cost index, especially of that as published by ENR. Similar to the Consumer Price Index for a hypothetical market basket of goods, the ENR cost index is also a measure of the average change over time in the prices paid for a hypothetical construction package of goods in the construction industry as follows:

- ✓ Labor component- common and skilled
- ✓ Materials component- 25 hundredweight (100 pounds) of fabricated standard structural steel at the 20-city average price, 1.128 tons of bulk portland cement priced locally, and 1,088 board feet of 2x4 lumber priced locally

The term, "20-city," as used by ENR means the following twenty (20) major U.S. cities in alphabetical order:

Atlanta
Baltimore
Birmingham
Boston
Chicago
Cincinnati
Cleveland
Dallas
Denver
Detroit
Kansas City
Los Angeles

[1] Adopted by City Council on February 14, 1994.

[2] Adopted by City Council on January 28, 2008.

Minneapolis
New Orleans
New York
Philadelphia
Pittsburgh
St. Louis
San Francisco
Seattle

ENR positions price reporters to cover said cities in checking for prices locally. The prices are quoted from the same suppliers each month. ENR then computes its latest cost indexes from these prices and local union wage rates.

The use of a local cost index, such as the Caltrans Cost Index albeit as a state cost index, is more susceptible to price spikes. That is, a local cost index is susceptible to substantial increase and decrease which, in turn, affects the collection amounts of development impact fees, especially for the following DIF categories:

- General Government Facilities
- Highways and Bridges
- Storm Drain Facilities
- Traffic Control Facilities
- Streets and Thoroughfares
- Park and Recreation Facilities
- Aquatic Facilities
- Parking Facilities

The Caltrans Cost Index is published by Caltrans and was/is intended for the exclusive use of Caltrans in cost estimation purposes for state transportation facilities.

With the Caltrans Cost Index, staff noticed some past, automatic annual adjustments of development impact fees lower than that was initially determined by the nexus study of 2017[3], which was prior to the recently adopted nexus study of 2023 (i.e. 2023 Development Impact Fee Study Update). For example, the following table shows a comparison of the Highways and Bridges DIF that used the Caltrans Cost Index from 2017 to 2022 for the land use category of Single Family:

Highways and Bridges Development Impact Fee

Land Use	2017[a]	2018[b]	2019[c]	2020[d]	2021[e]	2022[f]
Single Family	$7,674.00	$7,244.26	$6,932.75	$7,777.86	$6,984.51	$7,249.93

Notes:
a. Resolution No. 5750 adopted by the City Council on September 25, 2017.
b. Resolution No. 5849 adopted by the City Council on December 10, 2018.
c. Resolution No. 5930 adopted by the City Council on December 9, 2019.
d. Resolution No. 6011 adopted by the City Council on October 26, 2020.

[3] Resolution No. 5749 adopted by the City Council on September 25, 2017.

e. Resolution No. 6077 adopted by the City Council on November 22, 2021.
f. Resolution No. 6177 adopted by the City Council on November 28, 2022.

Whereas, the ENR cost index provides a smoother and historically upward cost trend and would be more consistent with the City's actual annual increases in costs. For example, the following table shows a comparison of the ENR cost index of Construction Cost Index (CCI) within the relatively same time frame from November 2017 to November 2022:

ENR Cost Index

ENR Cost Index	Nov 2017	Nov 2018	Nov 2019	Nov 2020	Nov 2021	Nov 2022
CCI[1]	10870	11184	11381	11579	12467	13174.98

Notes:
1. CCI is typically applicable for where labor costs are a high proportion of total costs.

As shown in the example, the ENR cost index increased year to year.

The CCI can be used for infrastructure (e.g. the DIF categories of Highways and Bridges, Storm Drain Facilities, Traffic Control Facilities, Streets and Thoroughfares, and Parking Facilities), buildings (e.g. the DIF categories of General Government Facilities), and parks (e.g. the DIF categories of Park and Recreation Facilities and Aquatic Facilities). Further, the automatic annual adjustment of the Fire Protection Mitigation Fees is based on the ENR cost index. Therefore, staff recommends for the City Council to consider and approve Ordinance No. 787 for the aforementioned amendments to Chapter 15.80 and Chapter 16.24 to reestablish or revert to the automatic annual adjustment based on the ENR cost index for the reasons above.

Harmonizing Inflationary Increase Methodologies

In 2009, Ordinance No. 640[4] revised the inflationary adjustment provisions applicable to development impact fees, as established pursuant to sections 15.80.030B and 15.80.030D, and Quimby fees, as established pursuant to Section 16.24.020, from the Caltrans Cost Index to the current formula based on the percentage change in the median price of a single-family home in Santa Barbara County. The Open Space DIF and Quimby fees are determined based upon the costs for acquiring real estate. At the time, staff believed the "costs of acquiring real estate are more appropriately adjusted annually by an index calculated to track changes in local real estate values." However, differing inflationary increase standards can increase administrative burden and opportunity for error. Additionally, Senate Bill 330 (SB 330) requires any inflationary adjustments to development impact fees be based on an independently published cost index following submission of a preliminary application for certain housing projects[5]. Updating sections 15.80.050A and 16.24.080C to utilize the applicable ENR cost index for inflationary adjustments would increase transparency and predictability and reduce the possibility of errors in charging development impact fees to SB 330 projects. Therefore, staff

[4] Adopted by City Council on October 12, 2009.
[5] California Government Code § 65589.5(o)(2)(A)

recommends for harmonizing the inflationary increase methodology across development impact fees and Quimby fees.

POLICY CONSISTENCY

Adoption of Ordinance No. 787 is exempt from the provisions of the California Environmental Quality Act pursuant to 14 Cal. Code of Regulations § 15273.

FINANCIAL CONSIDERATIONS

There is no cost in approving Ordinance No. 787.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The recommendation is consistent with the Mitigation Fee Act. If the revisions to the Carpinteria Municipal Code are adopted as proposed, Resolutions No. 6278 and 6280 setting the DIF and Quimby fee rates could be readopted to clarify the revised Chapters 15.80 and 16.24 apply to inflationary increases of development impact fees and Quimby fees.

OPTIONS

1. Approve Ordinance No. 787, waive further reading, introduce as read by title only, and continue for adoption to December 9, 2024. (Staff recommendation)
2. The City Council could choose to not approve the recommendation and direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Ordinance No. 787

Staff contact:
John L. Ilasin, Public Works Director
(805) 880-3402; johni@carpinteriaca.gov

Signature

Reviewed by:
Licette Maldonado, Administrative Services Director
(805) 755-4448; licettem@carpinteriaca.gov

Signature

Reviewed by:
Michael Ramirez, City Manager
(805) 755-4450; michaelr@carpinteriaca.gov

Signature

ATTACHMENT A

Ordinance No. 787

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ORDINANCE NO. 787

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, AMENDING CHAPTER 15.80 (DEVELOPMENT IMPACT MITIGATION FEES) OF TITLE 15 (BUILDINGS AND CONSTRUCTION) AND CHAPTER 16.24 (PARKS AND RECREATION FACILITIES DEDICATION AND FEES) OF TITLE 16 (SUBDIVISIONS) IN THE CARPINTERIA MUNICIPAL CODE

WHEREAS, the City of Carpinteria ("City") pursuant to its police powers has the authority to enact laws which promote the public health, safety and general welfare of its residents; and

WHEREAS, the imposition of development impact fees and implementation of a capital improvements plan are preferred methods to promote and protect the public health, safety, and welfare by ensuring that new development bears a proportionate share of the cost of public facilities and service improvements necessary to accommodate such development; and

WHEREAS, on February 14, 1994, the City Council adopted Ordinance No. 500 establishing Chapter 15.80 (Development Impact Mitigation Fees) of the Carpinteria Municipal Code; and

WHEREAS, on January 28, 2008, the City Council adopted Ordinance No. 627 changing Sections 15.80.050 (Automatic annual adjustment) and 15.80.160 (Review); and

WHEREAS, the Construction Cost Index as published by Engineering News Record reflects a more accurate, reliable, and consistent cost index than the California Department of Transportation Highway Construction Cost Index; and

WHEREAS, on October 12, 2009, the City Council adopted Ordinance No. 640 changing Sections 15.80.050 (Automatic annual adjustment) and 16.24.080 (Standards and formula for fees in lieu of land dedication and adjustment thereof) to base inflationary increases on the change in the median price of a single-family home in Santa Barbara County; and

WHEREAS, basing inflationary increases on an independently published cost index increases transparency and predictability; and

WHEREAS, Government Code section 65589.5(o)(2)(A) requires inflationary adjustments after submission of a preliminary application for SB 330 projects to be based on an independently published cost index; and

WHEREAS, basing inflationary adjustments on the same index for all development impact fees and Quimby fees may increase administrative efficiency and reduce opportunity for billing errors.

THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. AMENDMENT TO CHAPTER 15.80 (DEVELOPMENT IMPACT MITIGATION FEES) OF TITLE 15 (BUILDING AND CONSTRUCTION) AND CHAPTER 16.24 (PARKS AND RECREATION FACILITIES DEDICATION AND FEES) OF TITLE 16 (SUBDIVISIONS) IN THE CARPINTERIA MUNICIPAL CODE

Sections 15.80.050 (Automatic annual adjustment) and 15.80.160 (Review) are amended as follows:

15.80.050 - Automatic annual adjustment.

A. Each fee imposed pursuant to sections 15.80.030of this chapter shall be adjusted automatically on July 1st of each fiscal year, beginning on July 1, 2025, by a percentage equal to the Construction Cost Index as published by Engineering News Record for the preceding twelve (12) months.

B. These automatic adjustments shall not apply to fees which are based on variable factors which result in automatic adjustments or those which specifically indicate otherwise.

15.80.160 - Review

A. Except for the first year this chapter is in effect, no later than one hundred eighty days following the end of each fiscal year the city manager shall prepare a report for the council identifying the balance of fees in the various funds established pursuant to Section15.80.070, the facilities constructed, and the facilities to be constructed. In preparing the reports, the city manager shall adjust the estimated costs of the public improvements in accordance with Section 15.80.050.

B. At a noticed public hearing, the council shall review estimated costs of the capital improvements described in the reports, and the continued need for these improvements. The council may revise the development impact fees to include additional projects not previously foreseen as being needed; and such revisions shall comply with Government Code Section 66001.

C. The report prepared by the city manager and its review by the council, as well as any findings thereon, shall be subject to the provisions of California Government Code Section 66006, to the extent applicable (the sections being controlling in the event of any applicable conflict).

Section 16.24.080 (Parks and recreation facilities dedication and fees) is amended as follows:

16.24.080 - Standards and formula for fees in lieu of land dedication and adjustment thereof.

A. When a parkland fee is to be paid in lieu of land dedication, the subdivider shall pay fees as set forth in the schedule of fees established by council resolution.

B. The council shall from time to time, through resolution, determine the current fees in lieu of land dedication. Such fee shall be equal to value of the dedication that would otherwise be required by Section 16.24.060, which amount is the median fair market value per acre of land suitable for park and recreational purpose found in the city.

C. Each fee imposed by this chapter shall be adjusted automatically on July 1st of each fiscal year in accordance with Section 15.80.050.

SECTION 3. EFFECTIVE DATE

This Ordinance shall be in full force and effect thirty (30) days following a second reading of the Ordinance; and before the expiration of fifteen (15) days following passage, this Ordinance shall be published once with the names of the members of the City Council voting for and against the same in the Coastal View News, a newspaper of general circulation, published in the City of Carpinteria.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 5. CEQA EXEMPTION

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15060(c)(3) (this activity is not a "project" as defined in Section 15378) and 15060(c)(2) (this activity will not result in a direct or reasonably foreseeable change in the environment).

SECTION 6. LIMITED EFFECT

Except as explicitly provided herein, all other provisions of Carpinteria Municipal Code Chapter 15.80 (Development Impact Mitigation Fees) of Title 15 (Buildings and Construction) and Chapter 16.24 (Parks and Recreation Facilities Dedication and Fees) of Title 16 (Subdivisions) shall remain unchanged and in full force and effect.

PASSED, APPROVED AND ADOPTED on December 9, 2024, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

_____
Mayor, City of Carpinteria

ATTEST:

_____
Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on December 9, 2024.

_____
Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

_____
Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Public Hearing at the request of the City of Carpinteria to:

1. Introduce and conduct first reading of Ordinance Nos. 788, 789, 790, and 791, (Attachments A through D) making changes to Carpinteria Municipal Code, Title 14- Zoning, by adding Chapter 14.19- RMU Residential/Mixed Use, adding Chapter 14.51- Objective Design Standards, and amending the City's zoning map to rezone specified sites from Industrial/Research Park ("M-RP") and Commercial Planned Development ("CPD") to Residential/Mixed Use ("RMU"); and

2. Determine that none of the conditions have occurred or exist as set forth in California Environmental Quality Act ("CEQA") Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report ("EIR") for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR (Attachment E) satisfies the environmental review requirements of CEQA.

STAFF RECOMMENDATION

Staff recommends City Council take the following actions:

1. Approve, on first reading, Ordinances 788, 789, 790, and 791, as read by titles only; and

2. Determine that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or subsequent EIR for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR satisfies the environmental review requirements of CEQA.

Sample motion: I move to approve on first reading, Ordinances 788, 789, 790, and 791, as read by titles only; and find that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or subsequent EIR for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR satisfies the environmental review requirements of CEQA. *(This motion requires reading of ordinance titles and a roll call vote.)*

BACKGROUND

Housing Element Overview

The Housing Element is a required component of the City's General Plan that identifies and plans for existing and projected housing needs within the eight-year planning cycle. Under State law (Gov. Code § 65580 et seq.), all cities are required to plan for housing to accommodate population growth and existing housing problems such as overcrowding and high housing cost. State law recognizes that most housing is built by private developers, not cities. However, cities are required to adopt policies, plans, and development regulations to encourage a variety of housing types that are affordable for persons at all income levels. The Regional Housing Needs Assessment ("RHNA") is the process by which each jurisdiction's share of new housing needs is determined.

For Santa Barbara County jurisdictions, the 6th Cycle RHNA process was completed in 2021. Based on the RHNA, the City of Carpinteria ("City") must plan to accommodate a total of 901 additional housing units of varying income levels during this eight-year cycle (2023-2031). On January 22, 2024, the City Council adopted the current Housing Element[1], which outlines how the RHNA allocation can be achieved during this cycle through a variety of methods (e.g., pending project applications, underutilized sites, accessory dwelling units, and rezoning of candidate opportunity sites).

Housing Element Certification

The State Legislature has delegated authority to the California Department of Housing and Community Development ("HCD") to review Housing Elements and certify their substantial compliance with State law. A finding of Housing Element substantial compliance by HCD is referred to as "certification" of the Housing Element.

If a local government's Housing Element is not certified, or if it is de-certified during the cycle for non-compliance with State law, the jurisdiction faces the possibility of litigation, which could result in the loss of land use discretion, ineligibility for housing grants, and other penalties. For example, some local agencies have received project applications submitted under the "Builder's Remedy" provisions of the Housing Accountability Act (Gov. Code § 65589.5), which may allow developers to avoid compliance with the local agencies' general plan and zoning requirements in certain circumstances.

City of Carpinteria Compliance with State Housing Element Law

To date, the City's 6th Cycle 2023-2031 Housing Element Update has not been certified by HCD. Although the City submitted a substantially compliant Housing Element to HCD on January 23, 2024, the State was not able to certify it due to the exceedance of statutory deadlines.

[1] https://carpinteriaca.gov/city-hall/community-development/planning/housing-element-update/

Pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), since the City did not adopt a compliant Housing Element by the statutory deadline, it was required to implement Program 1 (Adequate Sites to Accommodate Regional Housing Needs) within one year from the statutory deadline of February 15, 2023. Therefore, as further explained in HCD's letter[2] dated March 21, 2024, the Housing Element cannot be certified until the City completes the necessary rezones to accommodate the RHNA shortfall under Program 1.

DISCUSSION

Housing Element Program 1 – Adequate Sites to Accommodate Regional Housing Needs

Required Zoning Amendments to Accommodate the RHNA

A description of Program 1 (Adequate Sites to Accommodate Regional Housing Needs) is provided beginning on page 6 of the City's adopted Housing Element, with additional detailed information about the City's residential land inventory described in Appendix B of the Element. These documents explain the breakdown by income of the required 901 RHNA units, including 418 units for lower-income households (286 very-low income and 132 low-income households, respectively), 135 units for moderate-income households, and 348 units for above-moderate-income households.[3] As shown in the land inventory analysis in Appendix B, the City can already accommodate 126 lower-income units and all of the moderate, and above-moderate units based on pending projects, underutilized sites (i.e., existing zoning), and anticipated accessory dwelling units (Table 1).

Table 1. Land Inventory Summary (taken from Table B-1 of the Housing Element)

	Income Category				Total
	Very Low	Low	Mod	Above	
RHNA 2023-2031	286	132	135	348	901
Completed, Approved & Pending Projects (Table B-3)	-	3	-	259[4]	262
Net Remaining RHNA	415		135	89	639
Vacant Sites (Table B-4)	-		10	5	15
Underutilized R Overlay Sites (Table B-5)	56		47	-	103
Other Underutilized Sites (Table B-6)	-		153	153	306
ADUs	67		7	38	112
Surplus (Shortfall)	(292)		82	107	(103)

[2] Available here: https://carpinteriaca.gov/wp-content/uploads/2024/09/sbb-carpinteria-adopted-out-032124.pdf

[3] HCD sets the income limits for the various affordable housing categories annually based on federal and state law. The income limits for 2024 are available here: https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2024.pdf.

[4] This total includes the estimated units for the Lagunitas Mixed-Used pending project, Candidate Opportunity Site #5, which is recommended to be rezoned (see description below). As explained further below, the rezoning of Candidate Opportunity Site #5 would provide the property owner with additional flexibility should the currently pending Lagunitas Mixed-Use project not proceed.

Since the City can currently only accommodate 126 out of the 418 required lower-income housing units, there is a resulting RHNA shortfall of 292 potential lower-income units. Therefore, implementation of Program 1 requires the rezoning of enough area to accommodate 292 lower-income units plus a reasonable buffer. HCD expects a minimum buffer of 15 percent. At a proposed density of 20 dwelling units per acre, the land area to be rezoned under Program 1 must be equal to, or greater than, 16.8 acres (14.6 acres to cover the shortfall and 2.2 acres to cover the 15 percent buffer).

As further described in Program 1, City staff envisioned using a Residential Overlay District for the proposed rezones such that the underlying zone of the land (e.g., commercial, industrial, etc.) would remain but would have an overlay applied to allow for the option of high-density, residential-only development. However, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city's reliance on a zoning overlay that allowed both a higher density and a lower density development option did not satisfy Housing Element Law. Accordingly, the implementation of Program 1 now requires the complete change of zoning districts on sufficient property to cover the RHNA shortfall.

Additional aspects of Housing Element Program 1 that must be factored into the zoning amendments include:

- Density Minimums: Government Code Section 65583.2(c)(3) requires that the City apply a minimum residential density of at least 20 units per acre to all rezone sites that are used to accommodate the City's RHNA for lower-income units.

- Number of Units: Government Code Section 65583.2(h) and Program 1 requires that rezone sites permit at least 16 units per site.

- Ministerial Permitting: Government Code Section 65583.2(h) and Program 1 require that the City permit "use-by-right" owner-occupied and rental multifamily housing projects that provide at least 20 percent of the units as affordable to lower-income households. As defined in Government Code Section 65583.2(i), "use by right" means that the housing project is not subject to discretionary review or approval, or environmental review under CEQA.

- Development Standards: As part of the zoning amendments, the City must also ensure that the densities can be achieved and that standards do not pose unreasonable constraints on the cost and supply of housing. Moreover, the development standards applied to the rezone sites must be "objective" (i.e., standards that involve no personal or subjective judgement by a public official) such that ministerial and streamlined permitting can be accomplished.

- Predominantly Residential/Mixed-Use Development: Government Code Section 65583.2(h) and Program 1 also require that either: (1) at least 50 percent of the lower income housing need be accommodated on residential-only sites; or (2) all the lower income housing needs may be accommodated on mixed-use sites if those

sites allow for (a) 100 percent residential use and (b) require that residential use occupy 50 percent or more of the total floor area of the mixed-use project. As discussed further below, staff's and Planning Commission's recommendation implements option (2).

Identified Candidate Opportunity Sites

In the recently adopted Housing Element, 19 sites (each site is made up of one or more legal parcels) were identified as "Candidate Opportunity Sites" (also referred to as the "Sites" throughout this report) that may be suitable for rezoning to cover the RHNA shortfall. These Candidate Opportunity Sites are described in Appendix B of the Housing Element (see Table B-6, Figures B-2a and B-2b[5], and in the site profiles Figure B-4[6]).

An additional site, known as Site #5, located at 6380 Via Real, was identified as a "pending project" in the final Housing Element because an application was in process for the Lagunitas Mixed-Use Project on the subject property. However, the applicants for that project have stalled on processing their current application.[7] Therefore, Site #5 is now recommended for consideration in the proposed Sites to be rezoned. A list of all 20 Candidate Opportunity Sites is provided in Table 2 below.

Table 2 – List of 20 Candidate Opportunity Sites (Site #17 was removed[8])

Site #	Location	Current General Plan Land Use Category	GPA Required
1	Via Real	Agriculture (AG) & Open Space Recreation (OSR)	Yes
2	5800 Via Real	Agriculture (AG)	Yes
3	1000 Bega Way	Research & Development Industrial (RDI)	No
4	6250 Via Real	Research & Development Industrial (RDI)	No
5	6380 Via Real	Research & Development Industrial (RDI)	No
6	Cindy Ln; Mark Ave; Rose Ln	Research & Development Industrial (RDI)	No
7	Cindy Ln; Via Real	Research & Development Industrial (RDI)	No
8	Mark Ave; Cindy Ln	Research & Development Industrial (RDI)	No
9	Cindy Ln	Research & Development Industrial (RDI)	No
10	5320 Carpinteria Ave	General Commercial (GC)	No
11	5437 Carpinteria Ave	General Commercial (GC)	No
12	Eugenia Pl	General Commercial (GC)	No
13	Eugenia Pl	General Commercial (GC)	No
14	Eugenia Pl	General Commercial (GC)	No
15	Carpinteria Ave	General Commercial (GC)	No

[5] Available here: https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Final-Readopted-Version.pdf
[6] Available here: https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Site-Profiles-Final-Readopted-Version_Reduced.pdf
[7] The applicant, however, may resume processing of their current application based on the zoning currently in effect for the site in accordance with State law.
[8] Site #17 was removed because a development application was processed that made the site a pending project rather than a Candidate Opportunity Site for rezoning.

16	Carpinteria Ave	General Commercial (GC)	No
18	Holly Av; Carpinteria Ave	General Commercial (GC)	No
19	6th St; Walnut St	General Industrial (GI) & General Commercial (GC)	Yes
20	Palm Ave	General Commercial (GC)	No
21	Carpinteria Ave	Research & Development Industrial (RDI)	No

Phased Approach to Rezones

If the City still had ample time to implement Program 1, staff would recommend a wholistic approach to analyzing all 20 of the sites listed in Table 2. However, since it is in the City's best interest to have a certified Housing Element as quickly as possible, staff outlined a two-phased approach to the City Council at a public hearing[9] on May 28, 2024 (Item 12). The Zoning Amendments proposed for the City Council's consideration today is the first phase. Any Candidate Opportunity sites not selected by City Council in this first phase will be included for consideration in the City of Carpinteria General Plan Update that is currently in process. In particular, the three Candidate Opportunity Sites that would require a General Plan Amendment ("GPA"), as noted in Table 2 above, must be deferred to the second phase to be considered with the comprehensive General Plan Update. Maps depicting all 20 Candidate Opportunity Sites, as recommended for Phase 1 and Phase 2, are provided in Figures 1, 2 and 3 in Attachment F. For reference, the existing zoning map of the City is provided in Figure 4 of Attachment F.

Proposed Project – Housing Element Zoning Amendments

The proposed Project for the City Council's consideration has three main components: (A) a new Residential / Mixed Use Zoning District, (B) a new set of Objective Design Standards that would apply to any developments in the new Residential / Mixed Use Zoning District, and (C) the rezoning of select Candidate Opportunity Sites to Residential / Mixed Use.

A. Proposed Residential / Mixed Use Zoning District

Attachment A is proposed Ordinance No. 788 for a new Residential / Mixed Use ("RMU") zone district that would enable the City to achieve the Housing Element Program 1 goals. The RMU zone would be applied to select properties in the General Commercial ("GC") or the Research & Development Industrial ("RDI") land use categories described in the City's General Plan/Coastal Land Use Plan ("GP/CLUP"). Under the new RMU zone district, future development or re-development of the selected sites would be required to include multi-family housing and may be residential-only or mixed-use. Permitted uses would include:

- Multifamily residential development and mixed uses at a density of 20 (minimum) to 25 (maximum) dwelling units per acre;

[9] Available here: https://carpinteria.granicus.com/player/clip/1449?view_id=2&redirect=true

- Parking and accessory uses (e.g., storage, laundry facilities, private open space, public open space, bike racks, etc.);
- For sites in the GC Land Use Category: the option to have commercial uses, except for sites fronting on Linden and Carpinteria Avenues within the downtown "T" (based on Community Design Element Subarea 2a) which must include a commercial use on the ground floor fronting the avenue;
- For sites in the RDI Land Use Category: the option to have offices and/or research, development, and laboratory uses.

The RMU zone would allow for ministerial (use by right) permitting if at least 20 percent of the residential units proposed are designated for lower-income households (see Table 3 below). Any commercial or office component of a mixed-use development that provides the minimum 20 percent lower-income units could also be permitted ministerially if the proposed uses are consistent with those listed under "development plan approval" in the Commercial Planned Development District (in GC) or the Industrial/Research Park District (in RDI).

Table 3. Review Types in the Proposed RMU Zone District

Ministerial Review	Streamlined Review
• For mixed-use and residential-only projects restricting at least 20% of units to lower-income residents (people with incomes 80% or below the Area Median Income) • No public hearings required • Staff may not exercise discretion in project review—i.e., review limited to conformance with Objective Design Standards and other objective regulations in zone district • Permit is not appealable (except to Coastal Commission in the appeals jurisdiction) • Project receives an administrative Coastal Development Permit ("CDP")	• For mixed-use and residential-only projects with less than 20% of units restricted to lower-income residents • Will go to Architectural Review Board and Planning Commission hearings but can only be "measured against" Objective Design Standards and other objective regulations in zone district • Project is appealable • Project receives Development Plan ("DP") and CDP approval

Development projects in the RMU zone would be required to adhere to the Objective Design Standards (described under "B" below and shown in Attachment B) in order to facilitate streamlined or ministerial permitting. In addition, the proposed RMU Zone includes its own set of unique development standards which establish allowed density, setbacks, building coverage, building height, etc. as summarized in Table 4 below.

Table 4. Proposed Development Standards in the RMU Zone District.

Density	20 (minimum) to 25 (maximum) dwelling units/acre. Applies to both residential-only and mixed-use developments.
Setbacks	5 feet minimum from all property lines. *Exception for sites fronting Via Real*: 15 ft min. front setback, 5 ft min. other sides.

Distance between buildings	10 ft minimum.
Building coverage	75% maximum
Height	35 ft. maximum
Parking	Lower-income dwelling units: Studio and one-bedroom units: one parking space per unit. Two-bedroom or larger units: 1.5 parking spaces per unit. Four-bedroom or larger units: 2.5 parking spaces per unit. All other dwelling units: Studio and one-bedroom units: one parking space per unit. Two-bedroom or larger units: two parking spaces per unit. Four-bedroom or larger units: 2.5 parking spaces per unit.
Common or public open space	20% minimum. A maximum of 50% of the required open space may be provided on rooftops or upper-story decks.
Fence height	In the front setback, may not exceed 4 ft.
Mixed-use requirement	For mixed-use developments, at least 80 percent of the ground floor frontage facing the primary street shall be designated for commercial uses and at least 50 percent of the gross floor area shall be designated for residential use. Sites with frontage on Linden and Carpinteria Avenues within the downtown "T" (based on Community Design Element Subarea 2a boundary) shall be limited to mixed-use (commercial and residential) development.

B. Proposed Objective Design Standards

Attachment B is proposed Ordinance No. 789 setting forth new Objective Design Standards ("ODS") that would apply to development projects in the RMU zone. The proposed Standards were updated after receiving input from the Architectural Review Board (ARB) at a public hearing[10] on October 17, 2024 (Agenda Item 2). A copy of the Minutes from the October 17th ARB meeting is included as Attachment G.

The ODS are organized into sections by design topic. Importantly, language in the section "Building Form, Massing, and Articulation" describes the general shape a building must take, including variation on building facades and rooflines, floor height, and step backs, and reduced massing for upper floors. The section "Site Design" describes how different areas and elements of a development (e.g. siting of commercial in mixed-use developments, driveways, pedestrian pathways, loading areas, etc.) connect to or are buffered from one another. The remaining sections address additional components like placement of building entrances, landscaping, bicycle parking, and allowed exterior materials.

Notable changes that were made based on input from the public and the ARB members include:

- Changed the required roofline variation to occur every 30 feet rather than every 50 feet;

[10] Available here: https://carpinteria.granicus.com/player/clip/1527?view_id=2&redirect=true

- Increased the required number of 5-gallon plants per 1,000 square feet from 10 to 20;
- Remove BBQ grills from allowed amenities in common/public open spaces; and
- Allow garages to accommodate tandem parking.

The ARB also requested that staff find a way to prohibit trees with invasive root systems that would damage sidewalks and other infrastructure. Staff is working on a tree list to use in the implementation of the ODS. The changes recommended by the ARB members are incorporated into Ordinance 789 in Attachment B.

C. First Phase Rezones

Although there are 20 Candidate Opportunity Sites for potential rezoning under Program 1, not all of the sites need to be rezoned in order to accommodate the RHNA shortfall of 292 lower-income units. As noted above under the description of Program 1, the land area to be rezoned must be equal to, or greater than, 16.8 acres (14.6 acres to cover the shortfall and 2.2 acres to cover the 15 percent buffer). With this in mind, staff recommends that nine sites be rezoned in this first phase in order to meet, and slightly exceed, the minimum acreage needed for Housing Element certification. The nine recommended sites are summarized in Table 5 below and depicted in Figures 1, 2 and 3 as "Phase 1" in Attachment F.

Table 5. Staff Recommended Sites for First Phase of Rezones

Priority	Site #	Location	Acres	Lower Income Units*	Moderate Income Units*
High	Site 10	5320 Carpinteria Ave	1.08	21	0
High	Site 11	5437 Carpinteria Ave	1.98	25	0
High	Site 15	4602 et al Carpinteria Ave	2.45	40	8
High	Site 18	Holly and Carpinteria Ave	1.47	22	6
Medium	Site 12	1145 et al Eugenia Place	4.66	92	0
Medium	Site 13	1101 & 1135 Eugenia Place	0.80	16	0
Medium	Site 14	1065 et al Eugenia Place	1.88	19	16
Neutral	Site 7	1001 Mark, Cindy, and Via Real	5.51	110	0
		Subtotal	**19.83**	**345**	**30**
Neutral	Site 5	6380 Via Real	8.63	169	0
		Overall Total	**28.46**	**514**	**30**

*Assumes 20 dwelling units per acre

These nine sites are recommended, not only because they would provide enough capacity to meet the RHNA, but also because they meet certain siting criteria making them optimal for medium-density residential developments with lower-income units. The following are common characteristics of all nine sites:

- Already developed and allow residential, commercial or light industrial uses
- Negligible environmental constraints
- Close proximity to transit

- Close proximity to amenities (grocery stores, schools, recreation, employment)

Sites 10, 11, 15, and 18 are labeled as "High" priority because they take access from Carpinteria Avenue and are generally close to the City's Downtown "T" District. Sites 12-14 are labeled as "Medium" priority because although they are proximal to the downtown area, they are set back from Carpinteria Avenue and are comprised of multiple smaller parcels with different owners.

Unfortunately, the "High" and "Medium" priority sites only add up to 14.99 acres. Thus, Site 7 is also included because it is a relatively small site (5.51 acres) that fronts on a main arterial street, Via Real, adjacent to a pending residential project (see Figures 1-3 in Attachment F).

Finally, staff and the Planning Commission recommend including Site 5 as an extra property for rezone in this first phase. As noted earlier in this staff report, Site 5 was categorized as a "pending project" in the final adopted Housing Element. It had been removed from the candidate site list in the land inventory when an application for the Lagunitas Mixed-Use Project was formally submitted to the City. For reference, that proposal was conceptually reviewed by a joint meeting of the City Council, Planning Commission, and Architectural Review Board on June 18, 2024 (Item 1). More recently, however, this application appears to have stalled and the property is pending new ownership. In the absence of an active project application, it is worth reconsidering the property as a potential rezone site for the new RMU zone district. Based on the early evaluations and site profiles, Site 5 met most of the criteria (developable land, proximity to transit, proximity to amenities, single ownership, etc.) to be considered a suitable site for rezoning to higher-density residential.

Although Site 5 would potentially accommodate over 50 percent of the City's RHNA shortfall, it should not be relied upon to meet the minimum rezone acreage for Housing Element certification at this time. The applicant could resume processing the pending project in the coming months, thereby resulting in a net RHNA deficit during HCD's certification review. Even so, its inclusion in this phase could help the City stay ahead of any "no net loss" implications[11] until the second phase of rezones is considered as part of the General Plan Update.

Based on public input and/or deliberations, the City Council may make changes to the set of Candidate Opportunity Sites selected for Phase 1. The primary goal for this phase is to rezone at least 16.8 acres that would potentially yield capacity for 336 lower income units (shortfall plus 15 percent buffer). Attachments C and D are Ordinances 790 and 791 setting forth the rezoning of the recommended Phase-1 sites listed in Table 5.

[11] No Net Loss Law (Gov. Code § 65863) requires that the City maintain sufficient sites to accommodate any unmet RHNA throughout the eight-year planning period. If one of the sites rezoned in Phase 1 is entitled/developed but does not provide the expected number of lower-income units, then the City may need to rezone additional area to demonstrate there are sufficient sites available to cover the remaining RHNA shortfall. The proposed 15 percent buffer further helps the City comply with No Net Loss Law.

D. Sites Not Recommended for Phase 1 Rezones

Staff and Planning Commission recommend that the remaining eleven Candidate Opportunity Sites, as shown in Table 6 below, be deferred to future consideration as part of the General Plan Update. This will allow more time for property owner input, site analysis, and public outreach. Sites 1, 2, and 19, in particular, should be deferred to the future General Plan Update process since a change to RMU zoning would need to be preceded by a change to these sites' current Land Use Designation to avoid vertical inconsistency between zoning and land use designations. Such changes to the City's Land Use Map would require a GPA.

Sites 3, 4, 6, 8, 9, 16, 20, and 21 are also recommended by staff and Planning Commission for Phase 2. Brief explanations for this recommendation are noted in Table 6. The City Council may, however, choose to rezone them to the new RMU zone as part of Phase 1 either in addition to the Sites in Table 5 or to replace selected Sites in Table 5.

Table 6. Sites Recommended for Phase 2 (to be considered at a later date)

Site #	Location	Acres	Lower Income Units	Moderate Income Units	Notes
Site 3	1000-1010 Bega Way	9.68	175	0	Good location/site but currently manufacturing uses with no property owner interest.
Site 4	6250 Via Real	8.47	166	0	Good location/site but currently Extra Space Storage with no property owner interest.
Site 6	Cindy Ln, Mark Ave, and Rose Ln	10.58	210	0	Set back from Via Real with multiple RDI uses.
Site 8	Mark Ave, Cindy Ln, and Via Real	10.02	199	0	Good location/site that is partially underutilized.
Site 9	Cindy Lane	4.49	89	0	Vacant site that may have environmental constraints.
Site 16	4621, 4631, 4643 Carpinteria Ave	0.67	0	9	Planning Commission removed from Phase1 based on property owner input. This site would only count as "moderate" income units.
Site 20	592, 586, 510 Palm Ave	0.77	0	11	Good location/site but would not count toward low-income RHNA shortfall.
Site 21	6155 Carpinteria Ave	6.31	126	0	Bluffs location with environmental constraints, but has property owner interest for multi-family housing with affordable units.
Site 1	Via Real	15.81	316	0	GPA Required
Site 2	5800 Via Real	16.74	242	0	GPA Required
Site 19	5201 6th & 546 Walnut	3.29	65	0	GPA Required

Rezoning some or all of the remaining Candidate Opportunity Sites during Phase 2 might become necessary to avoid future de-certification of the City's Housing Element. For example, if one of the sites rezoned in Phase 1 is entitled/developed but does not provide the expected number of lower-income units, then the City may need to rezone

additional area to demonstrate there are sufficient sites available to cover the remaining RHNA shortfall.[12] If some of the remaining Candidate Opportunity Sites are not rezoned in Phase 2, they could still be considered later (e.g., next housing cycle), or could be proposed for privately-initiated rezoning by an applicant without having to start the CEQA and stakeholder outreach process from the beginning.

Planning Commission Recommendation

The proposed Housing Element Zoning Amendments were considered by the Planning Commission at its November 4, 2024 meeting[13] (Item 2). At the hearing, specific input was requested by staff on two items:

1. What the name of the new zone district for residential and mixed use should be.
2. Whether Site 5 should be included in the Phase 1 rezones.

The Planning Commission recommended that the new zone be titled Residential / Mixed Use (RMU); and also recommended that Site 5 *should* be included in Phase 1. After hearing public testimony, the Planning Commission also recommended that Site 16 be removed from the Phase 1 rezones. As shown in Table 6 above, Site 16 was estimated to only have moderate-income units and, therefore, was not necessary to address the current RHNA shortfall. Accordingly, Site 16 has been removed from the recommended Sites list (Table 5), to reflect the Commission's recommendation.

With those specific recommendations, the Planning Commission voted unanimously (5-0) to recommend that the City Council adopt the proposed zoning amendments and find that the Addendum to the certified 2003 Program EIR (Attachment E) satisfies the environmental review requirements of CEQA.

ENVIRONMENTAL

The proposed zoning amendments are logical follow-on discretionary actions to the City's existing GP/CLUP, which was approved in 2003 with the certification of a Program EIR. CEQA Guidelines Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental EIR have occurred. The draft Addendum provided in Attachment E (along with the link to the previously certified Program EIR) outlines the minor clarifications and information to be added, and explains why such changes do not result in the identification of new or substantially more severe significant impacts. The draft Addendum evaluates

[12] If these sites are rezoned, but not developed, the sites would count toward the City's zoning capacity in the next Housing Element cycle. If the sites are developed during this planning period, they would count toward the City meeting its RHNA obligations.
[13] Available here: https://carpinteria.granicus.com/player/clip/1535?view_id=2&redirect=true

the new RMU Zone District and Objective Design Standards. It further evaluates all 17 Candidate Opportunity Sites for rezoning that would not require a GPA.

Further, the City will need to process the rezones as a local coastal program amendment ("LCPA") with the California Coastal Commission ("Coastal Commission"). The Coastal Commission will ultimately approve, modify, or deny the LCPA and conduct environmental review under its Certified Regulatory Program pursuant to California Public Resources Code Section 21080.5, CEQA Guidelines Sections 15250-15253, and Public Resources Code Section 30000 et seq. Therefore, while this Addendum is sufficient in itself, an additional level of environmental review will also be conducted by the Coastal Commission.

Therefore, as described in more detail in the Addendum in Attachment E, the changes resulting from the proposed zoning amendments do not constitute substantial changes to the GP/CLUP, would not involve substantial changes in the magnitude of impacts identified in the previously certified Program EIR, and would not result in new significant impacts. Accordingly, an addendum is the appropriate CEQA document for the Project.

POLICY CONSISTENCY

The Coastal Act and Carpinteria's Local Coastal Program (LCP)

The City of Carpinteria is located entirely within the California Coastal Zone. As such, the proposed zoning amendments constitute a change to the City's certified Local Coastal Program ("LCP"), and thus require compliance with City's GP/CLUP and the Coastal Act. Where actions may result in conflict with coastal resource policies, those that are most protective of significant coastal resources shall be prioritized (Pub. Res. Code, § 30007.5). Since the recommended Phase 1 rezone sites are located in commercial and light industrial areas near the downtown and the City's office park district, they are unlikely to be found at odds with State or local coastal resource protection policies.

Consistency with the 2023-2031 Housing Element

As described in this staff report, the proposed Project is intended to implement Program 1 of the adopted 2023-2031 Housing Element. If approved by the City Council, the Project would be submitted to the HCD for review, approval, and final Housing Element certification.

Consistency with the City's General Plan/Coastal Land Use Plan (GP/CLUP)

The proposed Project would be consistent with all applicable GP/CLUP policies. An in-depth policy consistency analysis is provided in Attachment H.

NEXT STEPS

Following the City Council's adoption (first and second reading) of the zoning amendments, the amendments would then be sent concurrently to the California Coastal Commission and HCD for their respective reviews and certifications. If changes are required by one or both agencies prior to certification, such changes would be returned to the Planning Commission and/or City Council, depending upon their significance, for consideration and (revised) approval prior to resubmittal for final certification.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

As noted above, Program 1 (Adequate Sites to Accommodate Regional Housing Needs) must be completed in order to receive Housing Element certification from HCD. If a compliant Housing Element is not certified: (1) the City may also have limited access to State funding, and (2) developers and advocates may have grounds to sue the City for not being compliant with State law.

Two of the Candidate Opportunity Sites are proposed for rezoning in a separate City Council action due to the segmentation requirements of the Political Reform Act, which apply because of a potential conflict of interest with respect to a Councilmember's real property interests. Accordingly, discussion and consideration of the two sites, which are Sites 15 and 18, are proposed to be conducted separately. A separate ordinance has been prepared for the rezoning of Sites 15 and 18 (see Ordinance 791 in Attachment D).

The City Attorney's Office assisted in the preparation of this Staff Report and will be available to answer questions at the meeting.

FINANCIAL CONSIDERATIONS

Staff time necessary to complete the ordinance development and adoption work is paid for from the City's General Fund and Measure X Program, and has been budgeted for in the current FY2024-25 adopted Budget as part of the Community Development Department's Advance Planning program work.

OPTIONS

1. Approve Ordinance Nos. 788, 789, 790, and 791 (first reading), and find that none of the conditions have occurred or exist as set forth in CEQA Guidelines section 15162 to require the preparation of a supplemental or subsequent EIR for the subject zoning amendments, and that the Addendum to the certified 2003 Program EIR (Attachment E) satisfies the environmental review requirements of CEQA. (*Staff recommendation*)

2. Decline approval of Ordinance Nos. 788, 789, 790, and 791 (first reading) and direct staff to make specified adjustments and return to a future Council meeting with amended ordinances.

PRINCIPAL PARTIES EXPECTED AT MEETING

- Property owners and agents of rezone candidate sites
- Neighbors of rezone candidate sites
- Interested citizens

ATTACHMENTS

Attachment A Ordinance 788, adding Chapter 14.19 of the Carpinteria Municipal Code to include a new Residential / Mixed Use (RMU) Zoning District.

Attachment B Ordinance 789, adding Chapter 14.51 of the Carpinteria Municipal Code to include new Objective Design Standards.

Attachment C Ordinance 790, amending the City's official Zoning Maps to rezone select parcels (Sites 5, 7, 10, 11, 12, 13, and 14) to the new Residential / Mixed Use (RMU) Zoning District.

Attachment D Ordinance 791, amending the City's official Zoning Maps to rezone select parcels (Sites 15 and 18) to the new Residential / Mixed Use (RMU) Zoning District.

Attachment E 2003 GP/CLUP EIR and Draft CEQA Addendum thereto.

Attachment F Figures 1 through 4 as follows:

1. Potential Rezone Sites
2. Potential Rezone Sites, Aerial Imagery
3. Potential Future Zoning
4. Existing Zoning

Attachment G October 17, 2024 ARB Meeting Minutes (re: proposed ODS)

Attachment H: Consistency Analysis with the City's GP/CLUP

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Signature

Attachment A.

Proposed Ordinance 788, adding Chapter 14.19 of the Carpinteria Municipal Code to include a new Mixed Use zoning district.

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

ORDINANCE NO. 788

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, ADDING CHAPTER 14.19 – RMU RESIDENTIAL/MIXED USE, TO TITLE 14 - ZONING OF THE CARPINTERIA MUNICIPAL CODE TO IMPLEMENT PROGRAM 1 OF THE 2023-2031 HOUSING ELEMENT

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria ("City") is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov. Code § 65580 et seq.); and

WHEREAS, the Carpinteria City Council first adopted the City's 2023-2031 Housing Element ("Housing Element") on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development ("HCD") for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised 2023-2031 Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City implements Program 1- Adequate Sites to Accommodate Regional Housing Needs, completing the necessary rezones to address the City's housing capacity shortfall pursuant to the Regional Housing Needs Assessment ("RHNA"); and

WHEREAS, recent California case law has determined that a city may not rely on a residential zoning overlay to satisfy the requirements of Housing Element law (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193), and therefore City staff determined that a new zone district would be necessary to accommodate the RHNA allocation and fulfill the City's obligations under Program 1 of the Housing Element; and

WHEREAS, on May 28, 2024, City staff provided the City Council with a status report on implementation of Program 1, noting the zoning and development standard changes that would need to be applied pursuant to State Housing Element law (Gov. Code §65583.2) and Program 1; and

WHEREAS, City staff have prepared an Addendum to the 2003 General Plan/Coastal Land Use Plan ("GP/CLUP") Program Environmental Impact Report ("PEIR") for this zoning amendment ("Addendum"), as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 789, 790, and 791), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, including naming the new zone district proposed by this Ordinance "Residential/Mixed Use" ("RMU"), and to determine that the provided Addendum is the appropriate review document for this Ordinance pursuant to CEQA; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum, was introduced on a first reading, and the Council moved to adopt this Ordinance on a _____ vote, [*note any changes to RMU zone district here*]; and

WHEREAS, this proposed amendment to Title 14 - Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State Planning and Zoning Law, including, but not limited to, State Housing Element Law; and

WHEREAS, the City Council finds that the RMU zone district, in combination with the proposed Objective Design Standards and sites selected for rezoning to the RMU zone district, satisfies the requirements of State Housing Element Law and Housing Element Program 1, and aims to incentivize the development of deed-restricted affordable housing in Carpinteria.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Addition of Chapter 14.19 to Title 14.

Chapter 14.19 – RMU Residential/Mixed Use, is added to Title 14 – Zoning of the Carpinteria Municipal code and shall read as follows:

CHAPTER 14.19 – RMU RESIDENTIAL/MIXED USE

14.19.010 – Purpose and Intent.

The purpose of the RMU district is to provide areas of the City for higher density residential-only and mixed-use (commercial and residential) development, particularly as infill development, to increase the availability of workforce housing while maintaining commercial opportunities in the City's downtown. The intent of this district is to:

A. Help the City provide adequate sites to satisfy its Regional Housing Needs Allocation;
B. Provide opportunities for lower-income, special-needs, and workforce housing;
C. Cultivate pedestrian- and alternative transportation-friendly neighborhoods where residences are nearby to business, service, and employment locations; and
D. Encourage infill development in the City's downtown that preserves and enhances the City's "beach town" character.

14.19.020 – Processing Accessory Dwelling Units and Junior Accessory Dwelling Units.

The following processes shall govern development of such units in the RMU district, in accordance with Chapter 14.72 (Accessory dwelling units and junior accessory dwelling units):

A. Accessory dwelling units and junior accessory dwelling units shall be permitted in the RMU district.
B. Accessory dwelling units, outside the coastal zone appeals jurisdiction, shall be subject to approval of an administrative coastal development permit.
C. Accessory dwelling units, within the coastal zone appeals jurisdiction, shall be subject to approval of an administrative coastal development permit, appealable to the California Coastal Commission as provided in Chapter 14.78 (Appeals).
D. Junior accessory dwelling units shall be subject to issuance of a building permit.

14.19.030 – Processing.

A. Uses identified in Section 14.19.040 shall be allowed as a use by right subject to the issuance of an administrative coastal development permit. For the purposes of this section, “use by right” means the City’s review shall not require a development plan, conditional use permit, environmental review under the California Environmental Quality Act, or other discretionary review or approval in accordance with Government Code Section 65583.2(i) and Government Code Section 65589.5(f) for multifamily residential housing. Any subdivision of a site shall be subject to all laws, including, but not limited to, Title 16 – Subdivisions, implementing the Subdivision Map Act. The City shall process an administrative coastal development permit for a use by right as follows:
    1. The Planning Director shall approve or deny administrative coastal development permits.
    2. No public hearing shall be required.
    3. Public notice shall be required in accordance with Chapter 14.76.
    4. Pursuant to Section 30603 of the Coastal Act, within California Coastal Commission’s coastal appeals area, the Planning Director's decision to approve an administrative coastal development permit in the RMU zone district may be appealed to the Coastal Commission within ten working days. Proposed development in the RMU zone district that is located outside of the coastal zone appealable area is not appealable to the Coastal Commission.
    5. An applicant may request non-binding conceptual review by the Architectural Review Board to improve project design.
B. For all uses conditionally permitted pursuant to Section 14.19.060, a conditional use permit shall be submitted, processed, and approved as provided in Chapter 14.62.
C. For all other permitted uses pursuant to Section 14.19.050, prior to the issuance of a coastal development permit, a development plan shall be submitted, processed, and approved as provided in Chapter 14.68, with the exception that Architectural Review Board and Planning Commission review shall be limited to analysis of the project’s compliance with Chapter 14.51, Objective Design Standards, and the regulations of this Chapter.
D. Once a final decision of approval, conditional approval (if applicable), or denial is issued by the Planning Director or Planning Commission, as applicable, the notice of final action shall be provided within five working days to the Executive Director of the Coastal Commission and to any interested parties who requested notice in writing.

14.19.040 – Uses permitted by right.

A. The following uses shall be allowed as a use by right in the RMU district:

1. Mixed-use commercial and multifamily residential developments, subject to the provisions of Sections 14.19.070 through 14.19.100, that provide a minimum of 20 percent of deed-restricted residential units for lower-income households;
2. Multifamily residential-only developments, subject to the provisions of Sections 14.19.070 through 14.19.100, that provide a minimum of 20 percent of deed-restricted units for lower-income households;
3. Public parks, playgrounds, and open space areas provided as part of a mixed-use or multifamily residential development;
4. Low barrier navigation centers, as defined in Government Code Section 65660 and subject to the provisions of Government Code Section 65662;
5. Supportive housing developments, as defined by Health and Safety Code Section 50675.2 and subject to the provisions of Government Code Section 65651;
6. Transitional housing developments, as defined by Health and Safety Code Section 50675.2;
7. Home occupations, as provided in Section 14.50.030;
8. Accessory uses and structures incidental to permitted residential uses, including laundry and storage rooms; garages, carports, and parking lots; bus stop shelters; multifamily residence mailboxes; and bike racks;
9. Accessory uses and structures incidental to commercial portions of mixed-use developments, including storage rooms, garbage enclosures, and loading zones; and
10. Personal use cannabis cultivation, as provided in Chapter 14.59.

B. For the purpose of this Chapter, “lower-income” means a household that earns 80 percent or below of the area median income applicable to Santa Barbara County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.
C. For the purpose of this Section, permitted commercial uses for commercial portions of mixed-use developments shall be as follows:
    1. For parcels with a Research Development Industrial (RDI) land use designation, as listed in Section 14.26.030.
    2. For parcels with a General Commercial (GC) land use designation, as listed in Section 14.20.030.

14.19.050 – Uses permitted subject to development plan approval.
Mixed-use commercial and multifamily residential developments that do not meet the affordability requirements of Section 14.19.040(A)(1) and multifamily residential-only developments that do not meet the affordability requirement to Section 14.19.040(A)(2) shall require approval of a development plan in accordance with Section 14.19.030(C). Uses subject to development plan approval shall comply with the provisions of Sections 14.19.070 through 14.19.100 and all applicable provisions of the Title 14 of the City’s Code.

14.19.060 – Uses permitted subject to conditional use permit.

A. Permitted uses subject to a conditional use permit in the RMU district shall be as follows:
    1. As provided in Chapter 14.62;
    2. For parcels with a Research Development Industrial (RDI) land use designation, as listed in Section 14.26.040; or
    3. For parcels with a General Commercial (GC) land use designation, as listed in Section 14.20.040.
B. Such conditional uses shall not prevent the development from meeting the standards in Sections 14.19.070 through 14.19.100, inclusive.
C. Projects proposing such conditional uses shall also incorporate multifamily residential use. In addition to the findings in Section 14.62.040(8), the following finding must also be made:
    1. The proposed use will not be detrimental to the health, safety, and general welfare of the residential use also proposed by the project.

14.19.070 – Objective design standards.

Projects shall be designed pursuant to the design standards in Chapter 14.51.

14.19.080 – Density.

The number of dwelling units per gross acre shall be a minimum of 20 and maximum of 25, unless otherwise allowed by applicable State housing law or Title 14 of the City's Code.

14.19.090 – Development standards.

The following development standards shall apply:

A. Affordability. Projects qualifying for an administrative coastal development permit pursuant to Section 14.19.030 shall record a restrictive covenant that ensures the continued affordability of all acutely low-, extremely low-, very low-, low-, and moderate-income rental units for 55 years and all acutely low-, extremely low-, very low-, low-, and moderate-income for-sale units for 45 years, unless a different affordability term is required by low-income tax credit regulations or other applicable law.
B. Setbacks. All structures shall be located pursuant to the following setbacks:
    1. No less than five feet from the property line or 25 feet from the street centerline, whichever is greater.
    2. For sites with frontage on Via Real, no less than 15 feet from the property line abutting Via Real, and 5 feet from all other property lines.

C. Distance between buildings. The distance between two adjacent buildings shall be no less than 10 feet.
D. Building coverage. Not more than 75 percent of the net area of the property shall be covered with any portion of a building.
E. Building height. No building or structure shall exceed a height of 35 feet.
F. Parking. Unless modified by State law, minimum parking requirements shall be as follows:
    1. Visitor, guest, and employee parking: one space per five units.
    2. Parking for units affordable to lower-income households:
        a. Studio and one-bedroom units: one parking space per unit.
        b. Two-bedroom or larger units: 1.5 parking spaces per unit.
        c. Four-bedroom or larger units: 2.5 parking spaces per unit.
    3. Parking for all other units:
        a. Studio and one-bedroom units: one parking space per unit.
        b. Two-bedroom units or larger: two parking spaces per unit.
        c. Four-bedroom or larger units: 2.5 parking spaces per unit.
    4. Parking for commercial uses shall be as provided in Section 14.54.040.
G. Open space. At least 20 percent of the net area of the property shall be used for common and/or public open space. A maximum of 50 percent of the required open space may be provided on rooftops or decks above ground level.
H. Fences, walls, and plantings. Fences, walls, and plantings providing a solid screen (i.e., at least 90 percent opacity when viewed from the public right of way) that are located in a front yard setback shall not exceed a height of four feet.
I. For mixed-use developments, at least 80 percent of the ground floor frontage facing the primary street shall be designated for commercial uses and at least 50 percent of the gross floor area shall be designated for residential use. For the purposes of this section, a leasing or property management office for a residential development on the same site shall be considered a commercial use.

14.19.100 – Development standards— specific sites.

The following development standards shall apply to specified sites, in addition to the development standards in Section 14.19.090:

A. Sites with frontage on Linden Avenue or Carpinteria Avenue within Community Design Element Subarea 2a shall be limited to mixed-use (commercial and residential) development.
B. For sites with frontage on Linden Avenue or Carpinteria Avenue, 50 percent of the residential units shall be a mix of studios and one-bedroom units.

14.19.110 – Noticing requirements.

Noticing shall be conducted pursuant to Chapter 14.76, with the exception that no public hearing shall occur or be noticed for projects qualifying as a use by right pursuant to Section 14.19.040.

SECTION 3. Severability.
This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, "provisions") thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.
The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act ("CEQA") Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report ("EIR") for this Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.
This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council's certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara..

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2024 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

_____
Mayor, City of Carpinteria

ATTEST:

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held _____, 2024.

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:

_____
Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney for the City of Carpinteria

Attachment B.

Proposed Ordinance 789, adding Chapter 14.51 of the Carpinteria Municipal Code to include new Objective Design Standards.

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

ORDINANCE NO. 789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, ADDING CHAPTER 14.51 – OBJECTIVE DESIGN STANDARDS, TO TITLE 14 – ZONING OF THE CARPINTERIA MUNICIPAL CODE TO IMPLEMENT PROGRAM 1 OF THE 2023-2031 HOUSING ELEMENT

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria ("City") is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov. Code § 65580 et seq.); and

WHEREAS, the City of Carpinteria City Council first adopted the City's 2023-2031 Housing Element ("Housing Element") on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development ("HCD") for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised 2023-2031 Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City completes necessary rezones to address the shortfall of sites to accommodate the City's Regional Housing Needs Allocation ("RHNA"); and

WHEREAS, projects seeking approval under the allowances of the Housing Accountability Act (Gov. Code §65589.5) and Senate Bill 423 (Gov. Code §65913.4) are required to comply with objective, quantifiable, written development standards,

conditions, and policies provided that those objective standards, conditions, and policies do not render the project infeasible; and

WHEREAS, in response to the increased streamlining of planning and design review for housing projects by State law, jurisdictions throughout the State have implemented Objective Design Standards ("ODS") for projects which are required by State law to undergo ministerial planning review; and

WHEREAS, to ensure that housing projects in the City seeking streamlined or ministerial review pursuant to State law implement quality architectural and site design that remains compatible with the existing scale and character of Carpinteria, the ODS proposed by this Ordinance are included as part of the City's implementation of Housing Element Program 1; and

WHEREAS, at the October 17, 2024 meeting of the Architectural Review Board, City staff presented the Board with proposed ODS, which would apply to specified residential and mixed-use projects, and invited feedback from the Board and members of the public, and after deliberation the Board recommended that the proposed ODS be brought to the Planning Commission with comments attached; and

WHEREAS, City staff have prepared an Addendum to the 2003 General Plan/Coastal Land Use Plan ("GP/CLUP") Program Environmental Impact Report ("PEIR") for this zoning amendment ("Addendum"), as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 789, 790 and 791), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, and to determine that the provided Addendum is the appropriate review document for this project pursuant to CEQA; and

WHEREAS, on November 12, 2024, the California Coastal Commission Executive Director issued a Memorandum on Streamlined Ministerial Approval Process in the Coastal Zone (Government Code Section 65913.4) ("SB 423 Memo"), which, among other things, recommends that local agencies develop objective design standards for projects proposed under Senate Bill 423 (Gov. Code, § 65913.4), and this Ordinance proposes objective design standards consistent with said SB 423 Memo; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum, was

introduced on a first reading, and the Council moved to adopt this Ordinance on a _____ vote, [*note any changes from City Council*]; and

WHEREAS, this proposed amendment to Title 14 – Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State Planning and Zoning Law (Gov. Code, § 65000 et seq.), including, but not limited to, State Housing Element Law; and

WHEREAS, the City Council finds that the ODS, in combination with the proposed RMU Residential/Mixed Use zone district and sites selected for rezoning to the RMU zone district, satisfy the requirements of State Housing Element Law and Housing Element Program 1, and incentivize the development of deed-restricted affordable housing in Carpinteria.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Addition of Chapter 14.51 to Title 14.

Chapter 14.51 – Objective Design Standards, is added to Title 14 – Zoning of the Carpinteria Municipal Code and shall read as follows:

CHAPTER 14.51 – OBJECTIVE DESIGN STANDARDS.

14.51.010 – Purpose and Intent.

The purpose of this chapter is to provide objective design standards for certain mixed-use and multifamily residential developments in the City of Carpinteria in order to provide ministerial and/or streamlined review of such projects. The intent of this Chapter is to maintain the City's unique small-town character and vibrant neighborhoods while encouraging and incentivizing residential and mixed-use developments that:

A. Provide housing opportunities for residents of all income levels, including family and workforce housing;
B. Revitalize neighborhoods and provide opportunities for infill development;
C. Cultivate pedestrian and alternative transportation-friendly spaces; and
D. Are sensitive to and compatible with existing development with respect to massing, setbacks, and rooflines.

14.51.020 – Applicability.

A. The provisions of this Chapter shall apply to:

1. Any residential or mixed-use development in the Residential/Mixed Use (RMU) 20/25 Zone District;
2. Any residential development subject to a streamlined, ministerial approval process pursuant to California Government Code Sections 65913.4, 65852.24, and 65912.100-140; and
3. Any development that constitutes a "housing development project" under California Government Code Section 65589.5 (Housing Accountability Act) that is inconsistent with the City's general plan land use designation and zoning ordinance, or meets the criteria in Government Code Section 65589.5, subdivision (h)(11).

B. In the case of conflict between this Chapter and other regulations of Title 14 – Zoning, the objective standards established by this Chapter shall prevail.

14.51.030 – Processing.

A. Permit processing shall be as provided for in the underlying base zone district.
B. Any project that seeks an exception, waiver, or modification to the provisions of this Chapter, excluding waivers or modifications granted pursuant to State Density Bonus Law (Gov. Code, § 65915 et seq.) as implemented by chapter 14.77, shall require the filing and approval of a Development Plan Modification as provided for in Section 14.50.120 of this title.

14.51.040 – Building form, massing, and articulation.

A. *Building Form and Vertical Hierarchy*. Buildings that are higher than two stories shall be designed to differentiate between a defined base (first floor); a middle or body (e.g., second or third floor); and a top, cornice, or parapet cap (architectural features). Two-story buildings shall include a defined base and a top, cornice, or parapet cap. All buildings shall achieve this effect through at least two of the following:
   1. Color, texture, or material changes;
   2. Variations, projections, or reveals in the wall plane;
   3. Variations in fenestration design or pattern; or
   4. Decorative architectural features, such as cornices and columns.
B. *Story height*. The ground story shall have a maximum story height of ten (10) feet for residential use and 12 feet for commercial use. The height of upper stories shall not exceed nine feet.
C. *Wall plane variation*. Building facades visible from the primary right-of-way shall not extend more than 30 feet in length without either a two-foot variation in depth in the wall plane or one of the following projected or recessed architectural elements: porches, stoops, porticos, balconies, bay windows, overhangs, terraces, and/or trellises.
D. *Street Façade*. If buildings on adjacent properties establish a contiguous street façade along the primary right-of-way frontage, such as the 900 block of Linden Avenue, new buildings shall be located to maintain the contiguous street-facing wall, with allowances for variation in façade and entrances which are projected or

recessed.

E. *Corner lots*. Buildings located on corner lots shall include one or more of the following features on both street-facing facades, located within 25 feet of the corner of the building closest to the intersection:
   1. An entrance to a ground-floor use or a primary building entrance;
   2. A different material application, color, or fenestration pattern of windows and doors from the rest of the façade; or
   3. A change in height of at least 18 inches from the height of the abutting façade.

F. *Roofline variation*. Rooflines shall provide one of the following prominent changes a minimum length of every 30 feet:
   1. Variation in roof form, such as hip, mansard, gable, shed, or flat with parapet;
   2. Variation in architectural elements, such as parapets and cornices; or
   3. Variation of roof height of 18 inches minimum (as measured from the highest point of each roof line).

G. *Upper floor massing.* Upper floors shall be reduced in bulk and massing: upper floors shall each have up to a total maximum floor area of 80 percent of the total net floor area of the ground floor. For lots with 5,000 square feet or less, upper floors shall have a total maximum floor area of up to 70 percent of the total net floor area of the ground floor.

H. *Contextual Upper Story Stepback*.
   1. Where a building's façade is within 20 feet of a street side property line, at least 30 percent of the façade of the upper floor(s) shall be stepped back from the ground floor façade at least 2 feet.
   2. Where a building on an abutting lot across a side lot line is single-story, any proposed building located within 15 feet of the side lot line shall step back at least 30 percent of the upper floor(s)' façade from the ground floor façade at least 2 feet.

I. *Common open space.* Common open spaces for multifamily residential developments shall comply with the minimums required by the base Zone District in which they are located.
   1. *Rooftop open space*. Open spaces located on a building rooftop shall be a minimum of 15 feet away from any property line abutting a residential use.

J. *All-sided architecture*. Fenestration, materials, and common details shall be carried over on all sides of the building visible from public rights-of-way.

K. *Limits on garages*. To minimize the dominance of garage doors along street frontages, a garage facing and visible from a public street shall not occupy more than 50 percent of the width of a building façade facing that street, except that it may be 12 feet wide in any circumstance. Mixed-use developments shall not have any street-facing garage doors along the primary right-of-way. Garage doors shall be recessed a minimum of four inches from the surrounding wall plane.
   1. Where the width of a garage exceeds 30% of the linear front or side elevations, the garage shall be recessed a minimum of 3 feet from the front wall of the building, or provide a trellis extending in front of the face of the garage.

2. Garage doors shall feature at least one of the following treatments:
    a. Garage door windows;
    b. Paneled garage door surface;
    c. Two different colors; or
    d. Accent material.

14.51.050 – Site design.

A. *Siting of commercial uses*. Commercial components of a mixed-use development shall always be located closest to the primary right-of-way. Where a combination of commercial and residential uses is provided within the same building, commercial uses shall be located on the ground floor and closest to the primary right-of-way.
B. *Front-facing open space*. For developments fronting Linden Avenue or Carpinteria Avenue, any ground-floor courtyard, open space, or building setback from the street-facing property line shall be used for landscaping, outdoor dining/seating, public plazas, and/or building entries.
C. *Vehicular circulation and access*.
    1. Vehicular site access to parking areas shall be provided via side streets or alleys, when present.
    2. A maximum of one vehicle access point from the street is permitted per 100 feet of street frontage. For corner lots, one vehicular access point is permitted per lot where all street frontages are less than 100 linear feet, and two vehicular access points are permitted on lots where at least one street has a frontage of 100 linear feet or more.
    3. For developments fronting Linden Avenue or Carpinteria Avenue, parking areas shall not be located within any front or street side setback, or between any building and the primary right-of-way.
D. *Loading and service areas*. New commercial uses requiring the receipt or distribution of material or merchandise by vehicles or trucks shall provide one (1) off-street loading space for 5,000 to 20,000 square feet of commercial area, and two (2) off-street loading spaces for commercial area greater than 20,000 square feet. Additional loading spaces shall be provided pursuant to Section 14.54.090.
    1. Required loading and service areas shall not be located between a building and the primary right-of-way.
    2. Loading and service areas shall not be located in drive aisles so as to not disrupt or block the flow of on-site and off-site vehicular traffic. Striping and signage shall be as provided in Chapter 10.04.
    3. Loading and service areas shall be located in parking areas and alleys, when present.
    4. Loading and service areas shall be screened from view from public rights-of-way with walls, solid fencing, and/or landscape privacy screening pursuant to Section 14.51.110.
E. *Pedestrian circulation and access*. Pedestrian walkways shall be a minimum width of four feet and shall be designed as follows:
    1. Pedestrian walkways shall connect public sidewalk right-of-way to areas

throughout the site, such as building entrances, unit entrances, vehicle parking areas, bicycle parking areas, common open space areas, waste and recycling enclosures, and any transit stops directly adjacent to the site. Such walkways shall also connect buildings and amenities within the development to one another.

2. Where through lots are located more 300 feet from a street intersection, as measured from the closest point of the lot, pedestrian walkways shall be designed to provide public access connecting the two streets.
3. Pedestrian walkways shall be constructed of firm, stable and slip-resistant materials, such as concrete, permeable paving, decomposed granite, stone, or brick.

F. *Private open space screening*. When a private open space (e.g. patio or balcony) is located within 20 feet of another residence or another private open space, the private open space shall be enclosed with a wall or fence that is a minimum of four feet in height.

G. *Usable open spaces*. Required common or public open spaces shall be a minimum of ten feet by ten feet. At least one of the common or public open spaces shall incorporate at least one of the following elements:
   1. Picnic tables;
   2. Permanently installed benches or seating;
   3. Sport court or field, playground, or other children's play area;
   4. Community garden;
   5. Swimming pool; or
   6. Pet park with a minimum of one trash receptacle.

H. *Paving*. For lots not fronting Linden Avenue or Carpinteria Avenue, the maximum amount of impervious surface area in the front setback is 30 percent.

14.51.060 – Utilitarian elements.

A. *Bicycle parking*. All developments shall provide bicycle parking spaces. Short-term bicycle parking is intended to serve shoppers, customers, couriers, guests, and other visitors to a site who generally stay for less than 2 hours. Long-term bicycle parking is intended to serve residents and commuters who generally stay at a site for long periods of time (e.g., overnight or for a work shift).
   1. *Required number of spaces*.
      a. Short-term bicycle parking. One space per five residential units, plus one space per 250 square feet of commercial space; or four spaces, whichever is greater.
      b. Long-term bicycle parking. One space per two residential units, plus one space per 1,000 square feet of commercial space.
   2. *Location and required elements*.
      a. Multifamily residential uses – Long-term bicycle parking. Long-term bicycle parking shall be located in an enclosed bicycle locker, a covered storage area or room, or a rack or stand in a room with key access limited to residents.
      b. Commercial uses – Long-term bicycle parking. Long-term bicycle parking

shall be provided by a rack or stand within 100 feet of an entrance to the building it serves, or in an enclosed bicycle locker, covered storage area, or room.

c. Short-term bicycle parking. Short-term bicycle parking shall be located outside of pedestrian walkways, and within 100 feet of an entrance to the building it serves.

3. *Size and accessibility*. Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving other bicycles. Two feet of clearance shall be provided between a bicycle parking space and walls, poles, landscaping, street furniture, pedestrian walkways, and parking areas.

B. *Pedestrian-oriented commercial setback areas*. Front setback areas between a commercial use and the primary right-of-way shall be landscaped and shall contain at least one amenity per 50 linear feet, such as benches or other seating, drinking fountains, shade structures, or other design element (e.g., public art, planters, kiosks, etc.).

C. *Lighting*. Outdoor light fixtures, including pole lights, wall-mounted lights, and bollards, shall be fully shielded and downward-facing in order to minimize glare and light trespass within and beyond the project site.
1. *Light intensity*. The maximum light intensity shall not exceed a maintained value of ten foot-candles, when measured at finished grade.
2. *Light temperature*. Lights shall be light-emitting diode (LED) lights with a color temperature no higher than 3000 Kelvins.

D. *Vents and Exhaust.* All wall-mounted vent and exhaust elements shall be located at interior corners of building walls or behind building elements that conceal them from view from any public right-of-way.

E. *Screening of mechanical equipment.* The following screening standards apply to specified types of mechanical equipment:
1. *Ground-mounted equipment*. Ground-mounted equipment that faces a public viewing area must be screened to a height of 6 inches above the equipment, unless such screening conflicts with utility access. Acceptable screening devices consist of walls, fences, or berms. Screening materials for walls or fences shall be selected from an exterior finish, siding, fencing, or wall material utilized elsewhere on the primary building of the development it serves.
2. *Wall-mounted equipment*. Wall-mounted equipment (e.g., electrical meters, cable connection boxes, electrical distribution cabinets, etc.) shall provide screening that incorporates the exterior wall or accent colors of the building, unless such screening conflicts with accessibility and visibility requirements for health and safety. For screen walls that are three feet in height or lower, vegetative materials may be substituted for the screening device.
3. *Rooftop equipment*. Where rooftop equipment is located within 10 feet of a roof edge, a parapet shall be provided that is a minimum of six inches taller than all roof-top equipment. Rooftop equipment located within or adjacent to rooftop open space shall be screened to a height of 6 inches above the equipment in the manner provided by subsection (1) above.

F. *Trash, recycling, and other waste containers*. Enclosures for recycling, green waste, and any other waste containers required by law shall be located within a building, incorporated into the exterior building design, or located within a detached enclosure designed and placed as follows:
   1. The enclosure shall be located to the rear or side of the building(s) and located outside of view from a public right-of-way, and
   2. The enclosure shall incorporate the materials and colors of the primary building design.

14.51.070 – Building and dwelling unit entrances.

A. *Separate entrances*. Building entrances and lobbies for residential units shall be separate from non-residential entrances.
B. *Street-facing commercial entrances*. Commercial components of mixed-use development along the primary right-of-way shall have main entrances facing the primary right-of-way and directly accessible from the sidewalk by a pedestrian walkway. Such entrances shall provide weather protection that is a minimum of six feet wide and four feet deep by recessing the entrance or providing an awning or similar weather protection element.
C. *Downtown street-facing entrance*. Buildings fronting Linden Avenue or Carpinteria Avenue shall provide an entrance directly from the public sidewalk or right-of-way a minimum of every 40 feet. Each shall have one or more of the following:
   1. Entrance flanked by columns, decorative fixtures, or other similar elements;
   2. Entrance recessed within a large arch or cased decorative opening;
   3. Entrance covered by a large portico projecting at least 6 feet from the surrounding wall plane; or
   4. Entrance covered by an awning.
D. *Downtown enhanced paving*. Building entrances fronting Linden Avenue or Carpinteria Avenue shall provide paving treatment using patterned and/or colored pavers, brick, or decorative colored and/or scored concrete that contrasts in color and texture from the adjacent walkway or right-of-way paving.
E. *Exterior entrances to residential units*.
   1. All individual exterior unit entrances shall have either a projected sheltering element or be recessed from the main facade; the projection or recess shall have a minimum depth of 24 inches.
   2. Entrance types such as a stoop, porch, patio, or courtyard may serve more than one residential unit.
   3. Individual exterior unit entrances shall be illuminated, or face toward a common area or public street.
   4. Each residential unit located within 20 feet of a primary right-of-way with an exterior entrance shall include at least one street-facing porch, balcony, or patio unless a setback of five feet or less is provided.
   5. The entrance to residential units located on the ground floor may be raised up to a maximum finished floor height of 42 inches above the abutting sidewalk height, unless otherwise required for safety or sea level rise reasons.

14.51.080 – Windows.

A. *General Treatment*. Windows shall provide one of the following:
   1. Window trim or windowsill a minimum of one-half inch in depth; or
   2. Window recess a minimum of three inches in depth from the surrounding wall plane.
B. *Windows Facing a Public Street*. Windows facing a public street shall feature one or more enhanced window treatments, such as decorative architectural brackets, trim, shutters, awnings, and/or trellises.
C. *Privacy*. Where buildings are located within 15 feet of one another, residential window design on the building facades adjacent to one another shall avoid unfiltered/direct views into building interiors and shall be designed with one or more of the following:
   1. Offset windows horizontally at least 12 inches from any windows in adjacent buildings (edge to edge), so as not to have a direct line-of-sight into adjacent units;
   2. Non-transparent or obscured glazing, such as frosted/patterned glass, glass block, or non-operable opaque windows. One-way mirror glass or film is not permitted;
   3. Permanent architectural screens or affixed louvers at windows; or
   4. Clerestory windows a minimum height of 5 feet from the ground.

14.51.090 – Materials and colors.

A. *Wall material*. The primary exterior wall siding material shall be selected from stucco, plaster, wood, composite wood, stone, stone veneer, brick, brick veneer, or vinyl. The use of exposed plywood or glass curtain walls is prohibited.
B. *Material transition*. Changes in materials or colors shall occur at inside corners of intersecting walls or at architectural features that break up the wall plane, such as a column or pier.
C. *Window Consistency*. Window frame materials and color shall be used on all elevations.
D. *Fences, walls, and hedges*. Fences and walls shall be constructed from materials such as wood, vinyl, wrought iron, brick, and stone. Chain link and barbed wire fencing is prohibited. Both sides of all fences and walls shall feature the same color and treatment.
E. *Vents and exhaust*. All flashing, sheet metal vents, exhaust fans or ventilators, and pipe stacks shall be painted a color to match the adjacent roof or wall material.

14.51.100 – General building design and architecture.

A. *Architectural Consistency*. Affordable units and market rate units in the same development shall be constructed of the same exterior materials and details such that the units are not distinguishable from one another in quality and detail.

B. *Roofs*.
   1. Parapets shall be capped with precast treatment, continuous banding, projecting cornices, dentils, or similar edge treatment. The interior side of parapet walls shall not be visible from a common open space or public right-of-way.
   2. Roofs with overhanging eaves shall have an underside of stained wood, painted wood, or stucco. Exposed plastic is prohibited.
   3. Corbels and brackets shall be constructed of stone, wood, or stucco. Exposed plastic is prohibited.

C. *Downtown ground floor transparency*. New mixed-use commercial building facades facing Linden Avenue or Carpinteria Avenue shall include windows and doors for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. Windows and doors associated with a commercial use shall not use an opaque, frosted, or glazed material.
   1. The bottom of any product display window shall not be more than three and a half feet from the elevation of the sidewalk.
   2. Transparent or translucent glazing is required on the ground floor facade. Opaque, dark tinted glass, and mirror treatments that obstruct interior views at the street level are not permitted.

D. *Decorative window treatments*. Windows facing Linden Avenue or Carpinteria Avenue shall feature one or more of the following enhanced or decorative window treatments:
   1. Decorative architectural brackets, trim, exterior shutters, or awnings;
   2. Planter boxes or hanging planters;
   3. Balconies;
   4. Decorative accent material (such as wood or tile) as wainscot; or
   5. Bay windows.

E. *Decks and balconies*. Decks and balconies shall be constructed such that at least 75 percent of the area between the finished floor and the railing is an opaque material. All decks and balconies on a building shall use consistent colors, materials, and form.

F. *Vehicle Light Intrusion*. Vehicle headlights shall be obstructed from direct alignment with habitable interior first-story spaces with a minimum three-foot-high fence, wall, or other solid architectural feature.

G. *Carports*. Carports shall incorporate the same colors and materials as the primary residential or mixed-use building design. Solar panels shall be permitted on carports in accordance with building code.

H. *Tandem parking*. Garages may be designed to accommodate tandem parking.

14.51.110 – Landscaping.

Landscaping shall be designed for all outdoor areas that are not specifically designated for buildings, walkways, driveways and parking, or open space. For further requirements, see the provisions of the base zoning district.

A. *Groundcover*. Groundcover shall be sized and located to cover at least 75 percent of all landscape areas that are not planted with shrubs or trees at the

time building occupancy is granted.

1. While groundcovers and shrubs are establishing, a minimum layer of 3-inch bark mulch or decorative gravel shall be placed within all landscape areas to provide 100 percent coverage of such landscape areas.

B. *Plant selection*. Landscaping shall utilize non-invasive Mediterranean, local California native, and other WELO-compliant drought-tolerant species. Landscaping shall comply with the provisions of Chapter 15.90 – Water Efficient Landscaping, as applicable. Artificial or synthetic plants are prohibited.
C. *Number of Plants*. A minimum of one 15-gallon tree or equivalent box size and 20 five-gallon shrubs shall be planted for every 1,000 square feet of required landscape area.
D. *Landscape privacy buffer*. A landscape buffer of a minimum width of five feet shall be located between all ground-level private open spaces, and pedestrian walkways or common/public open spaces. Plants shall be selected to enhance security (e.g. thorny plants) and shall be demonstrated to grow to a minimum height of four feet.
    1. *Exception*. Plantings providing a solid screen that are located in a front yard setback or facing the primary right-of-way shall not exceed a height of four feet.
E. *Pedestrian walkways.* Pedestrian walkways shall be flanked on at least one side with landscaping, and include a mix of groundcover, shrubs, and trees. Trees shall be selected and spaced to shade at least 25 percent of the overall walkway length at full maturity.
F. *Solar Access*. Landscaping shall not obstruct solar access to adjacent solar collectors for water heating, space heating or cooling, or electricity generation.

14.51.120 – Community Development Director substantial conformance determination.

The Community Development Director may make a determination that a substitution for, or minor deviation from, an objective standard specified in this section substantially supports the intent of the standard. Only the standards in the following sections are subject to a substantial conformance deviation:

A. Section 14.51.040 – subsections A, C, E, F, and K;
B. Section 14.51.050 – subsections B and G;
C. Section 14.51.060 – subsection E;
D. Section 14.51.070 – subsection C;
E. Section 14.51.080 – subsections B and C; and
F. Section 14.51.100 – subsection D.

SECTION 3. Severability.
This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, “provisions”) thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted

this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.
The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act ("CEQA") Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report ("EIR") for this Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.
This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council's certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2024 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

_____
Mayor, City of Carpinteria

ATTEST:

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held _____, 2024.

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:

_____
Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney for the City of Carpinteria

Attachment C.

Proposed Ordinance 790, amending the City's official Zoning Maps to rezone select parcels to the new Mixed Use Zoning District.

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

ORDINANCE NO. 790

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, AMENDING THE CITY ZONING MAP TO REZONE CERTAIN PROPERTIES IN THE CITY TO IMPLEMENT PROGRAM ONE OF THE 2023-2031 HOUSING ELEMENT

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria ("City") is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov. Code § 65580 et seq.); and

WHEREAS, the Carpinteria City Council first adopted the City's 2023-2031 Housing Element ("Housing Element") on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development ("HCD") for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City completes necessary rezones to address the shortfall of sites to accommodate the City's Regional Housing Needs Allocation ("RHNA"); and

WHEREAS, recent California case law has determined that a city may not rely on a residential zoning overlay to satisfy the requirements of Housing Element law (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193), and therefore City staff

determined that rezoning sites to a newly created zone district would be necessary to accommodate the RHNA allocation and fulfill the City's obligations under Program 1 of the Housing Element; and

WHEREAS, on May 28, 2024, City staff provided the City Council with a status report on implementation of Program 1, noting the zoning and development standard changes that would need to be applied pursuant to State Housing Element Law (Gov. Code § 65583.2) and Program 1, and proposing a phased approach to rezoning sites that would not require a General Plan/Coastal Land Use Plan ("GP/CLUP") amendment or Environmental Impact Report for the City to rezone sufficient sites to accommodate its RHNA and to attain Housing Element certification from HCD; and

WHEREAS, City staff have prepared an Addendum to the 2003 GP/CLUP Program Environmental Impact Report ("PEIR") for this zoning amendment ("Addendum"), as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 788, 789 and 791), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, including the addition and removal of specified sites from the recommended rezone site list, and to determine that the provided Addendum is the appropriate review document for this project pursuant to CEQA; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum, was introduced on a first reading, and the Council moved to adopt this Ordinance on a _____ vote, [*note any changes to rezone sites*]; and

WHEREAS, this proposed amendment to Title 14 - Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State Planning and Zoning Law (Gov. Code, § 65000 et seq.), including, but not limited to, State Housing Element Law; and

WHEREAS, the City Council finds that the sites selected for rezoning to the RMU zone district, in combination with the proposed Objective Design Standards and RMU zone district, satisfy the requirements of State Housing Element Law and Housing Element Program 1, and aim to incentivize the development of deed-restricted affordable housing in Carpinteria.

WHEREAS, the sites to be rezoned by this Ordinance were selected because they are already developed, contain minimal environmental constraints for

redevelopment, and/or are in close proximity to transit, employment, schools, retail, and recreational opportunities; and

WHEREAS, the sites to be rezoned by this Ordinance are intended to accommodate the City's RHNA and bring the City into substantial compliance with State Housing Element Law.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Amendment to Zoning Map.

The City of Carpinteria Zoning Map is hereby amended as follows, and as shown in the attached Exhibit 1 (to be provided upon 2nd reading):

Candidate Site#	Assessor's Parcel No.	Existing Zone Designation	New Zone Designation
5	001-190-097	Industrial/Research Park (M-RP)	Residential/Mixed Use (RMU) 20/25
7	001-190-023 001-190-091 001-190-093 001-190-092	Industrial/Research Park (M-RP)	Residential/Mixed Use (RMU) 20/25
10	001-070-058	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
11	003-280-005 003-280-017	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
12	003-162-009 003-162-011 003-162-012	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
13	003-870-006 003-870-007 003-870-005 003-870-009 003-870-010 003-870-003 003-870-002 003-870-001 003-870-004	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
14	003-860-001 003-860-005 003-860-003 003-860-004 003-860-002 003-860-006 004-041-011	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25

	004-041-012 004-041-015 003-860-007 003-860-008		

SECTION 3. Severability.
This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, "provisions") thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.
The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act ("CEQA") Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report ("EIR") for the Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.
This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council's certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2024 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

_____

Mayor, City of Carpinteria

ATTEST:

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held _____, 2024.

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:

_____
Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney for the City of Carpinteria

Attachment D.

Proposed Ordinance 791, amending the City's official Zoning Maps to rezone select parcels to the new Mixed Use Zoning District.

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

ORDINANCE NO. 791

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, AMENDING THE CITY ZONING MAP TO REZONE CERTAIN PROPERTIES IN THE CITY TO IMPLEMENT PROGRAM ONE OF THE 2023-2031 HOUSING ELEMENT

PROJECT NO. 24-2279-ORD/LCPA

WHEREAS, the City of Carpinteria ("City") is required to implement the Housing Element of the General Plan for the 2023-2031 planning period pursuant to State Housing Element Law (Gov Code § 65580 et seq.); and

WHEREAS, the Carpinteria City Council first adopted the City's 2023-2031 Housing Element ("Housing Element") on April 10, 2023, and directed staff to submit it to the State Department of Housing and Community Development ("HCD") for certification; and

WHEREAS, on June 12, 2023, the City was notified by HCD that additional revisions to the Housing Element would be necessary to fully comply with the State Housing Element Law; and

WHEREAS, City staff made the necessary revisions to the Housing Element and held the required public comment period for the revised Housing Element from November 6 through November 13, 2023; and

WHEREAS, on November 14, 2023, the City submitted the revised Housing Element to HCD for consistency review with State Housing Element Law; and

WHEREAS, on January 8, 2024, the City received a letter from HCD stating that the revised Housing Element substantially complies with State Housing Element Law and, therefore, should be adopted and submitted to HCD for certification; and

WHEREAS, on January 22, 2024, the City Council adopted the revised Housing Element and directed staff to submit it to HCD for certification; and

WHEREAS, on January 23, 2024, City staff resubmitted the revised Housing Element to HCD for certification; and

WHEREAS, on March 21, 2024, the City received a response letter from HCD stating that the submitted Housing Element meets most of the statutory requirements of State Housing Element Law; however, HCD could not find it in substantial compliance with State law until the City completes necessary rezones to address the shortfall of sites to accommodate the City's Regional Housing Needs Allocation ("RHNA"); and

WHEREAS, recent California case law has determined that a city may not rely on a residential zoning overlay to satisfy the requirements of Housing Element law (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193), and therefore City staff

determined that rezoning sites to a newly created zone district would be necessary to accommodate the RHNA allocation and fulfill the City's obligations under Program 1 of the Housing Element; and

WHEREAS, on May 28, 2024, City staff provided the City Council with a status report on implementation of Program 1, noting the zoning and development standard changes that would need to be applied pursuant to State Housing Element law (Gov. Code § 65583.2) and Program 1, and proposing a phased approach to rezoning sites that would not require a General Plan/Coastal Land Use Plan ("GP/CLUP") amendment or Environmental Impact Report for the City to rezone sufficient sites to accommodate its RHNA and to attain Housing Element certification from HCD; and

WHEREAS, City staff have prepared an Addendum to the 2003 GP/CLUP Program Environmental Impact Report ("PEIR") for this zoning amendment, as some changes and additions were necessary but none of the conditions described in California Environmental Quality Act ("CEQA") Guidelines Sections 15162 or 15163 calling for the preparation of a subsequent or supplemental Environmental Impact Report have occurred; and

WHEREAS, on November 4, 2024, at a duly noticed public hearing of the Planning Commission, City staff presented the Commission with proposed language for this Ordinance, in addition to proposed language for related ordinances (now Ordinance Nos. 788, 789 and 790), for the purpose of implementing Program 1, and at this meeting, after hearing public comment, the Planning Commission provided a recommendation to the City Council to approve the ordinances with specified changes, including the addition and removal of specified sites from the recommended rezone site list, and to determine that the provided Addendum is the appropriate review document for this project pursuant to CEQA; and

WHEREAS, on November 25, 2024, at a duly noticed public hearing of the City Council, this Ordinance, alongside the three related ordinances and Addendum to the 2003 GP/CLUP PEIR, was introduced on a first reading, and the Council moved to adopt this Ordinance on a _____ vote, [*note any changes to rezone sites*]; and

WHEREAS, this proposed amendment to Title 14 - Zoning is consistent with the adopted 2003 GP/CLUP and the requirements of State planning and housing laws including, but not limited to, the provisions of Housing Element Law; and

WHEREAS, the City Council finds that the sites selected for rezoning to the RMU zone district, in combination with the proposed Objective Design Standards and RMU zone district, satisfy the requirements of State Housing Element Law and Housing Element Program 1, and aim to incentivize the development of deed-restricted affordable housing in Carpinteria.

WHEREAS, the sites to be rezoned by this Ordinance were selected because they are already developed, contain minimal environmental constraints for

redevelopment, and/or are in close proximity to transit, employment, schools, retail, and recreational opportunities; and

WHEREAS, the sites to be rezoned by this Ordinance are intended to accommodate the City's RHNA and bring the City into substantial compliance with State Housing Element Law.

NOW THEREFORE, the City Council of the City of Carpinteria does ordain as follows:

SECTION 1. Incorporation of Recitals.

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. Amendment to Zoning Map.

The City of Carpinteria Zoning Map is hereby amended as follows, and as shown in the attached Exhibit 1 (to be provided upon 2nd reading):

Candidate Site#	Assessor's Parcel No.	Existing Zone Designation	New Zone Designation
15	004-039-002 004-039-010 004-039-009	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25
18	003-151-018 004-039-007	Commercial Planned Development (CPD)	Residential/Mixed Use (RMU) 20/25

SECTION 3. Severability.

This Ordinance and the various sections, provisions, sentences, maps, clauses, and words (collectively, "provisions") thereof are severable. Should any provisions of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of the Ordinance. The City Council hereby declared that it would have passed and adopted this Ordinance, and each and every provision hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Review.

The City Council finds that none of the conditions have occurred or exist as set forth in California Environmental Quality Act ("CEQA") Guidelines section 15162 to require the preparation of a supplemental or subsequent Environmental Impact Report ("EIR") for the Ordinance, and that the addendum to the certified 2003 Coastal Land Use Plan/General Plan EIR prepared for this Ordinance satisfies the environmental review requirements of CEQA.

SECTION 5. Effective Date.
This Ordinance and any portion of it approved by the California Coastal Commission shall take effect from the latter of: (1) upon the date that it is certified by the California Coastal Commission pursuant to Public Resources Code Section 30514, or (2) following the City Council's certification of any California Coastal Commission modifications, if any, and completion of all applicable, required actions in Section 13544(c) of Title 14 of the California Code of Regulations; and before the expiration of 15 days after its adoption, it, or a summary of it, shall be published once, together with the names of the members of the City Council voting for and against the same in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2024 by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

_____
Mayor, City of Carpinteria

ATTEST:

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held _____, 2024.

_____
Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:

_____

Jena S. Acos, on behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney for the City of Carpinteria

Attachment E.

2003 GP/CLUP EIR and Draft CEQA Addendum thereto

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

The Previously Certified Program Environmental Impact Report (PEIR) for the City of Carpinteria's 2003 General Plan/Coastal Land Use Plan (GP/CLUP) was combined with the City's GP/CLUP.

Analysis pursuant to the California Environmental Quality Act (CEQA) occurs throughout the document with a full summary in Appendix A.

The full document is available at this link:
https://carpinteriaca.gov/wp-content/uploads/2023/09/cd_General-Plan.pdf

CEQA ADDENDUM

City of Carpinteria
2023-2031 Housing Element Update Rezone Amendments
Project 24-2279-ORD/LCPA
Environmental Impact Report SCH 1997121111

November 25, 2024

I. Summary of this Addendum

This addendum to the Program Environmental Impact Report ("PEIR")[1] for the City of Carpinteria's ("City") General Plan/Coastal Land Use Plan ("GP/CLUP") ("Addendum") assesses the potential environmental impact(s) associated with implementation of Program 1 of the City of Carpinteria 2023-2031 Housing Element, as required by the California Environmental Quality Act ("CEQA") (California Public Resources Code 21000 et seq.) and in compliance with the State CEQA Guidelines (14 California Code of Regulations 15000 et seq.).

The City, as the lead agency under CEQA, must consider the potential environmental impacts of the proposed Project, which includes:

- Adding a new Residential/Mixed Use ("RMU") Zoning District to the Carpinteria Municipal Code;
- Adding new Objective Design Standards to the Carpinteria Municipal Code; and
- Amending the City's Zoning Map to rezone certain parcels of land to RMU.

The goal of the proposed Project is to accommodate and encourage residential development in accordance with Program 1 of the City's adopted 2023-2031 Housing Element. This Addendum is being prepared pursuant to Sections 15162-15164 of the CEQA Guidelines, and is an informational document intended to be used in the planning and decision-making process.

The fundamental conclusion of this Addendum is that the proposed Project would not result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in the PEIR for the City's GP/CLUP, which was certified in 2003 with State Clearing House ("SCH") number 1997121111. Additionally, the Project would not involve any substantial changes to the components of, or circumstances surrounding, the City's GP/CLUP that would require major revisions to the PEIR. Thus, a subsequent or supplemental EIR need not be prepared in accordance with California Public Resources Code Section 21166.

[1] The previously certified PEIR was combined with the City's GP/CLUP, available at this link: https://carpinteriaca.gov/wp-content/uploads/2023/09/cd_General-Plan.pdf

Housing Element Program 1

On January 22, 2024, the City of Carpinteria City Council ("City Council") adopted the current Housing Element[2], which outlines how the City's Regional Housing Needs Allocation ("RHNA") can be achieved during the 2023-2031 cycle through a variety of methods and programs. While the Housing Element is adopted and in effect, it cannot be officially certified by the California Department of Housing and Community Development ("HCD") until the City implements Program 1 – Adequate Sites to Accommodate Regional Housing Needs.

A description of Program 1 (Adequate Sites to Accommodate Regional Housing Needs) is provided beginning on page 6 of the City's adopted Housing Element, with additional detailed information about the City's residential land inventory described in Appendix B of the Element. These documents explain the breakdown by income of the required 901 RHNA units, including 418 units for lower-income households, 35 units for moderate-income households, and 348 units for above-moderate-income households. Using the land inventory analysis in Appendix B, the City can currently accommodate 126 lower-income units and all of the moderate, and above-moderate units based on pending projects, underutilized sites (i.e., existing zoning), and anticipated accessory dwelling units.

Since the City can currently only accommodate 126 out of the 418 required lower-income housing units, there is a resulting RHNA shortfall of 292 potential lower-income units. Therefore, the City is required to implement Program 1 which involves rezoning sufficient land to accommodate 292 lower-income units plus a reasonable buffer[3].

As described in Program 1, City staff initially envisioned using a Residential Overlay District for the proposed rezones such that the underlying zone of the land (e.g., commercial, industrial, etc.) would remain but would have an overlay applied to allow for the option of high-density residential development. However, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city's reliance on a zoning overlay that allowed for both a higher density and a lower density residential development option did not satisfy Housing Element Law. Accordingly, the implementation of Program 1 now instead requires a zoning change on sufficient sites to cover the RHNA shortfall.

Additional aspects of Housing Element Program 1 that must be factored into the zoning amendments include:

- Density Minimums: Government Code Section 65583.2(c)(3) and Program 1 require that the City apply a minimum residential density of at least 20 units per acre to all rezone sites that are used to accommodate the City's RHNA for the

[2] Available here: https://carpinteriaca.gov/city-hall/community-development/planning/housing-element-update/.
[3] HCD expects at least a buffer of 15 percent for a total of 336 units. At a proposed density of 20 dwelling units per acre, the land area to be rezoned under Program 1 would be approximately 16.8 acres (14.6 acres to cover the shortfall and 2.2 acres to cover the 15 percent buffer).

lower-income units. Therefore, the zoning amendments must include this minimum density.

- Number of Units: Government Code Section 65583.2(h) and Program 1 require that the residential rezones include at least 16 units per site.
- Ministerial Permitting: Government Code Section 65583.2(h) and Program 1 require that the City permit "use-by-right" owner-occupied and rental multifamily housing projects that provide at least 20 percent of the units as affordable to lower-income households. As defined in Government Code Section 65583.2, "use by right" means that the housing project is not subject to discretionary review or approval, or environmental review under CEQA.
- Development Standards: As part of the rezoning program, the City must also ensure that allowable densities can be achieved and that development standards do not pose unreasonable constraints on the cost and supply of housing. Thus, the development standards applied to the rezone sites must be "objective" (i.e., standards that involve no personal or subjective judgement by a public official) such that streamlined permitting can be accomplished.
- Predominantly Residential Mixed Use Development: Government Code Section 65583.2(h) and Program 1 also require that one of the following standards is satisfied: (1) At least 50 percent of the lower income housing need to be accommodated on residential-only sites; or (2) All the lower income housing needs may be accommodated on mixed-use sites if those sites allow for (a) 100 percent residential use and (b) require that residential use occupy 50 percent or more of the total floor area of the mixed-use project.

In the adopted Housing Element, 19 sites (each site is made up of one or more legal parcels) were identified as "Candidate Opportunity Sites" (also referred to as the "Sites" throughout this Addendum) that may be suitable for rezoning to cover the RHNA shortfall. These Candidate Opportunity Sites are described in Appendix B of the Housing Element (see Table B-6, Figures B-2a and B-2b[4], and in the site profiles Figure B-4[5]).

In addition, Site #5 (located at 6380 Via Real and commonly referred to as "Lagunitas") was originally identified as a Candidate Opportunity Site considered for rezoning but was changed to a "pending project" in the final adopted Housing Element when an application for development was submitted. However, the applicants for the proposed development have stalled on processing their current application. Therefore, City staff and Planning Commission recommend that Site #5 also be included in the list of Candidate Opportunity Sites (Table1 below). If Site #5 is rezoned, it would provide the landowner with the opportunity to move forward with a project under the proposed RMU zone.

[4] Available here: https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Final-Readopted-Version.pdf.
[5] Available here: https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Site-Profiles-Final-Readopted-Version_Reduced.pdf.

Table 1 – Summary of All 20 Candidate Opportunity Sites *(Site #17 was removed[6])*

Site #	Location	Current General Plan Land Use Category	GPA Required?
1	Via Real	Agriculture (AG) & Open Space Recreation (OSR)	Yes
2	5800 Via Real	Agriculture (AG)	Yes
3	1000 Bega Way	Research & Development Industrial (RDI)	No
4	6250 Via Real	Research & Development Industrial (RDI)	No
5	6380 Via Real	Research & Development Industrial (RDI)	No
6	Cindy; Mark; Rose	Research & Development Industrial (RDI)	No
7	Cindy Ln; Via Real	Research & Development Industrial (RDI)	No
8	Mark Ave; Cindy Ln	Research & Development Industrial (RDI)	No
9	Cindy Ln	Research & Development Industrial (RDI)	No
10	5320 Carpinteria Ave	General Commercial (GC)	No
11	5437 Carpinteria Ave	General Commercial (GC)	No
12	Eugenia Pl	General Commercial (GC)	No
13	Eugenia Pl	General Commercial (GC)	No
14	Eugenia Pl	General Commercial (GC)	No
15	Carpinteria Ave	General Commercial (GC)	No
16	Carpinteria Ave	General Commercial (GC)	No
18	Holly Av; Carpinteria Ave	General Commercial (GC)	No
19	6th St; Walnut St	General Industrial (GI) & General Commercial (GC)	Yes
20	Palm Ave	General Commercial (GC)	No
21	Carpinteria Ave	Research & Development Industrial (RDI)	No

Out of the 20 Candidate Opportunity Sites, three would require a General Plan Amendment ("GPA") to modify the corresponding Land Use Designations in order to permit the proposed residential uses. The Final PEIR for the City's GP/CLUP included analysis of potential development under the existing Land Use Designations and did not anticipate such GPAs. Therefore, the three Candidate Opportunity Sites that require GPAs (Site Numbers 1, 2, and 19) are not currently under consideration for rezone amendments and are removed from further analysis in this CEQA Addendum. The Project thus does not require any amendment to the GP/CLUP.

All of the remaining 17 Candidate Opportunity Sites may be rezoned consistent with Program 1 without any changes to the GP/CLUP policies or Land Use Map.

II. Proposed Project Description: Zoning Amendments

Consistent with Program 1 of the Housing Element, the proposed Project analyzed in this CEQA Addendum consists of the following three components:

A. The addition of the RMU Zoning District in Title 14 of the Carpinteria Municipal Code ("CMC");

B. The addition of Objective Design Standards in Title 14 of the CMC;

[6] Site #17 was removed because a development application was processed that made the site a pending project rather than a Candidate Opportunity Site for rezoning.

C. The amendments to the Zoning Map to rezone select Candidate Opportunity Sites from their current zoning designations to the new RMU Zone.

All three of these Project components are logical follow-on discretionary actions to the GP/CLUP and are covered by the City's previously certified PEIR. While all three components combine to describe the whole of the Project, a project under CEQA is essentially the action(s) which would result in a physical change to the environment. In this case, the potential direct and indirect environmental effects from the proposed Project would come from the future development or redevelopment of the rezoned Sites.

It is not likely that all 17 Candidate Opportunity Sites (Table 2) will be rezoned as part of the Project. Ultimately, the City Council may choose a subset of these eligible Sites in order to meet the City's immediate RHNA shortfall plus a reasonable buffer. Even though it is unlikely that all 17 Sites will be rezoned, this Addendum's analysis covers all 17 Sites in order to assess whether or not there will be any significant impacts which require additional environmental review if all 17 Sites are rezoned.

Table 2 – Proposed Project: 17 Sites to be Potentially Rezoned to RMU

Site #	Location	Site Size (ac)	Current Zoning	Current GP	Potential Units w/Rezone*	Potential Lower-Income Units	Potential Moderate Income Units	Existing Use
3	1000 Bega Way	9.68	M-RP	RDI	175	175	0	Industrial Research
4	6250 Via Real	8.47	M-RP	RDI	166	166	0	Storage
5	6380 Via Real	8.63	M-RP	RDI	169	169	0	Vacant
6	Cindy Ln; Mark Av; Rose Ln	10.58	M-RP	RDI	210	210	0	Industrial Research
7	Cindy Ln; Via Real	5.51	M-RP	RDI	110	110	0	Industrial Research
8	Mark Av; Cindy Ln	10.02	M-RP	RDI	199	199	0	Industrial Research
9	Cindy Ln	4.49	M-RP	RDI	89	89	0	Vacant
10	5320 Carpinteria Av	1.08	CPD	GC	21	21	0	Commercial
11	5437 Carpinteria Av	1.98	CPD	GC	25	25	0	Apartments and partially vacant
12	Eugenia Pl	4.66	CPD	GC	92	92	0	Commercial
13	Eugenia Pl	0.80	CPD	GC	16	16	0	Commercial Condos
14	Eugenia Pl	1.88	CPD	GC	35	19	16	Commercial Condos & Commercial
15	Carpinteria Av	2.45	CPD	GC	48	40	8	Commercial
16	Carpinteria Av	0.67	CPD	GC	9	0	9	Commercial & Residential
18	Holly Av; Carpinteria Av	1.47	CPD	GC	28	22	6	Commercial & Residential
20	Palm Av	0.77	CPD	GC	11	0	0	Commercial
21	Carpinteria Av	6.31	M-RP	RDI	125	125	11	Industrial & Vacant
Totals		**79.45**	**n/a**	**n/a**	**1,528**	**1,478**	**50**	

* Assumes 20 dwelling units per acre.

As shown in Table 2, each of the Candidate Opportunity Sites covered by this Addendum is currently zoned either Commercial Planned Development ("CPD") or Industrial/Research Park ("M-RP"). The CPD zoning designation aligns with the corresponding General Commercial ("GC") land use designation; the M-RP zoning

designation aligns with the Research and Development Industrial ("RDI") land use designations. Under the new RMU District, future development of the Sites would include the following:

A. Multifamily residential development and mixed uses at a density of 20 (minimum) to 25 (maximum) dwelling units per acre;

B. Parking and accessory uses (e.g., storage, laundry facilities, private open space, public open space, bike racks, etc.);

C. For sites in the GC land use category: the option to have commercial uses as part of a mixed-use development (except for sites fronting on Linden and Carpinteria Avenues within the downtown "T" (based on Community Design Element Subarea 2a) which would be required to include a commercial use on the ground floor fronting the avenue);

D. For sites in the RDI land use category: the option to have offices and/or research, development, and laboratory uses, as part of a mixed-use development.

Since the commercial/office uses along with some residential uses are already permissible under the Sites' current zone districts and land use designations, the primary changes for the purpose of CEQA analysis are the net addition of the new residential density and accompanying accessory uses.

III. Analysis – Consistency with GP/CLUP

The proposed Project would facilitate the development of housing (and affordable housing, in particular), but would not exceed the buildout anticipated by the City's GP/CLUP and accompanying PEIR. Each of the 17 Candidate Opportunity Sites have a Land Use Designation of either General Commercial ("GC") or Research & Development Industrial ("RDI"). Both of these land use categories currently allow for residential uses in their definitions:

> ***General Commercial (GC)***
> *The GC land use category is characterized by a mixture of retail, wholesale, service and office uses, usually located along major transportation corridors. This category includes a variety of commercial intensities. The Central Business District identifies the downtown commercial area. It is characterized by a variety of offices, retail businesses, specialty shops, entertainment uses, and residential land uses. The City encourages this area to be pedestrian-oriented. (emphasis added)*
>
> ***Research & Development Industrial (RDI)***
> *The RDI land use category is characterized by well-designed groups of office, research and development and light industrial uses. These land uses typically employ a large number of persons, and are attractively designed to be compatible with less intense uses, such as residential. (emphasis added)*

More explicitly, the following specific Land Use objectives and policies demonstrate that the rezones are consistent with the GP/CLUP. (See also the full GP/CLUP Consistency Analysis prepared for the project as Attachment H to the November 25, 2024 City Council Staff Report).

- ***Objective LU-3****: Preserve the small beach town character of the built environment of Carpinteria, encouraging compatible revitalization and avoiding sprawl development at the city's edge.*

  Discussion: Site Nos. 8 and 9 are located at the City's eastern edge, but still within the Urban Boundary. Site No. 8 is developed with industrial uses and is adjacent to similar uses to the north and west, with Highway 101 to the south. Site Nos. 5 and 9 are vacant but surrounded by existing residential and/or industrial development on three sides. Mixed-use or residential development of these two Sites would not be considered sprawl given the existing and planned urban uses for the area.

  The remaining 14 Candidate Opportunity Sites are infill sites that are not located near the City's edge. Each is a reasonable walking distance from neighborhood serving uses (e.g., schools, grocery stores, pharmacies, parks, etc.) and from public transit stops. With the application of the Objective Design Standards, the future residential and mixed-use development on these sites would be compatible with the existing small beach town character.

- ***Policy LU-3a****. New development shall occur contiguous to existing developed areas of the city. Higher density in certain residential neighborhoods and for residential uses in commercial districts shall be provided as a means to concentrate development in the urban core consistent with zoning designations, particularly where redevelopment of existing structures is proposed. (emphasis added)*

  Discussion: All 17 Candidate Opportunity Sites are located within existing developed areas of the city. Site No. 21 has the least amount of surrounding development but supports existing industrial uses on half of its surface area and is adjacent to a public park to the west, Highway 101 to the north, offices to the east, and the railroad corridor to the south.

  The RMU Zone would require any new development plans to include medium-density multifamily residential uses. Consistent with this policy, the Project would concentrate development in the City's urban core by focusing on locations with existing commercial/industrial land use designations. It would also prompt redevelopment on most of the Sites, particularly where existing buildings (e.g., office spaces) have seen diminished demand in recent years.

- ***Objective LU-6****: Create flexible land use and zoning standards for general commercial and industrial parcels that allow opportunities for residential use to*

expand, as determined appropriate by the City, in response to changing needs relative to the jobs/housing balance locally and in the region, and as incentive toward the development of affordable housing. (emphasis added)

Discussion: The application of the new RMU Zone to Candidate Opportunity Sites would be directly in response to the changing needs identified in the City's 2023-2031 Housing Element, including the local and regional jobs/housing balance and the incentivization of affordable housing development. The goals of the Housing Element's programs are to:

1) providing diverse housing sites and opportunities;
2) conserving and improving the existing affordable housing stock;
3) removing governmental and other constraints to housing development; and
4) affirmatively furthering fair housing.

- ***Policy LU-6a****. The City may consider and permit mixed use (i.e., residential/commercial or residential/industrial) on parcels designated on Figure LU-1 for commercial or industrial use. Such mixed use may be considered if the City has found that either the allowance would encourage rehabilitation of important existing housing stock, or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that mixed use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Mixed-use development shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site. (emphasis added)*

  Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential on parcels designated for commercial and industrial would result in affordable housing production. During the Housing Element Update process, only Candidate Opportunity Sites that were compatible with existing and anticipated uses in the area surrounding the Site were selected. Application of the new RMU Zone to such Sites would enable the City to meet its near-term RHNA obligations.

  This would also help the City to improve and maintain an appropriate jobs-housing balance. As explained in the 2023-2031 RHNA Plan[7], the Santa Barbara County Association of Governments (SBCAG) reviewed the jobs and housing balance of all jurisdictions in Santa Barbara County. The region's growth forecast, which forms the basis for the RHNA, considers areas where there are significant imbalances in jobs and housing and the likelihood of those imbalances changing in the future by applying existing and future jobs. The RHNA Plan includes consideration of existing and projected relationships

[7] Available here: https://www.sbcag.org/wp-content/uploads/2023/08/final_rhna_plan.pdf

between low-wage jobs and lower-income housing. As such, the SBCAG-adopted RHNA methodology includes a jobs housing fit adjustment factor that seeks to house more low-wage workers near higher housing cost areas and encourage zoning for more affordable housing types. The methodology used in the RHNA Plan was based, in part, on the following objective:

> "Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction."

The RHNA Plan's South-Coast emphasis on an improved jobs housing balance, income parity, and affirmatively furthering fair housing, strives to improve the jobs housing fit between low-wage jobs and the housing needs of low wage workers. The proposed rezoning of Candidate Opportunity Sites in Carpinteria to a new RMU zone would be a significant step toward meeting that goal in the South County.

- ***Policy LU-6b****. The City may consider and permit residential use on a parcel or parcels not designated for such use under certain circumstances. Such residential use may be considered on a parcel or parcels designated for commercial or industrial use if the City has found that either the allowance would encourage rehabilitation of important existing housing stock or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that residential use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Residential use shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site. A residential overlay zone district shall be maintained by the city with the purpose of permitting residential development on a parcel or parcels otherwise designated on the official land use and zoning maps of the city for commercial or industrial use. Implementation of the Residential Overlay zone district shall be permissive in nature and shall not be construed to restrict use already allowed in the base zone district. Further, the city shall retain the authority for determining where implementation of the residential overlay zone is appropriate. To encourage retention of local businesses where parcels are already developed for commercial or industrial use, application of the Residential Overlay shall be considered only after mixed use development, as allowed through policy LU-6a above, has been determined by the City to not be appropriate.*

  Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential development on the selected Sites designated for commercial and industrial land uses would result in affordable housing production in the community. The 17 Candidate Opportunity Sites were identified because future mixed-use and

residential development on the selected properties would be compatible with existing uses surrounding the sites (see Housing Element Appendix B, including Site Profiles).

Although a residential overlay district was the preferred method to implement Program 1 in the Housing Element, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city's reliance on a zoning overlay did not satisfy Housing Element Law. Thus, a new RMU Zoning District has been created to meet the intent of this policy as well as the goals and programs of the Housing Element. The proposed RMU Zone would still be permissive in nature in that it would continue to allow for the uses that are currently permitted in the CPD and M-RP Zones. However, it would require multifamily housing to be included in any future development with incentives to include affordable units in accordance with State law.

Finally, the authority for determining the locations of the new RMU Zone stays with the City Council. City staff recommends that Sites fronting on Linden Avenue and Carpinteria Avenue maintain a commercial component on the ground floor within the downtown "T" (based on Community Design Element Subarea 2a). In any case, the Planning Commission and the City Council will take into consideration whether multifamily residential uses are appropriate for the location prior to rezoning a Candidate Opportunity Site.

IV. CEQA Findings

The PEIR for the City's GP/CLUP was certified in April of 2003. CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an EIR has been certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
    a. The project will have one or more significant effects not discussed in the previous EIR; or
    b. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR; or
    c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental EIR have occurred.

The previously certified PEIR evaluated the potential impacts of the City's adoption of the GP/CLUP, including the buildout of the Land Use Map. As described in the Land Use Element, an additional 972 residential units and approximately 196,000 square feet of commercial and research park space was anticipated at buildout of the GP/CLUP. Based on the City's annual reports on the GP/CLUP since 2003, just over half of the anticipated residential units have been built and/or permitted. As such, there is still growth capacity under the existing Plan and corresponding PEIR.

Since the proposal to rezone commercial and light industrial zones under the GC and RDI Designation areas to the new RMU zone would reduce potential for commercial and research park development while increasing potential residential development, a direct comparison of the 2003 anticipated buildout to the new potential buildout is not possible. However, a general comparison can be done.

For example, mixed-use and residential-only developments are already permissible at densities up to 20 dwelling units per acre in the CPD and M-RP zones (i.e., "existing capacity"). The RMU zone would increase density to allow for up to 25 dwelling units per acre. As shown in Table 3 below, the Project would potentially allow for up to 397 more residential units than the existing zoning/capacity. Thus, an additional 397 units would not exceed planned buildout under the existing GP/CLUP. The certified PEIR contemplated the potential impacts associated with the Project, including the full potential build out that had not occurred. Therefore, the Project does not propose substantial changes to the amount of development within the City that was evaluated in the PEIR for the GP/CLUP.

Table 3. Buildout Comparison

Site #	Location	Site Size (ac)	Maximum Units w/Rezone*	Existing Capacity	Increase from Rezones
3	1000 Bega Way	9.68	242	193	49
4	6250 Via Real	8.47	211	169	42
5	6380 Via Real	8.63	215	172	43
6	Cindy Ln; Mark Ave; Rose Ln	10.58	264	211	53
7	Cindy Ln; Via Real	5.51	137	110	27
8	Mark Ave; Cindy Ln	10.02	250	200	50
9	Cindy Ln	4.49	112	89	23
10	5320 Carpinteria Ave	1.08	27	21	6
11	5437 Carpinteria Ave	1.98	49	39	10
12	Eugenia Pl	4.66	116	93	23
13	Eugenia Pl	0.8	20	16	4
14	Eugenia Pl	1.88	47	37	10
15	Carpinteria Ave	2.45	61	49	12
16	Carpinteria Ave	0.67	16	13	3
18	Holly Ave; Carpinteria Ave	1.47	36	29	7
20	Palm Ave	0.77	19	15	4
21	Carpinteria Ave	6.31	157	126	31
Totals		**79.45**	**1,979**	**1,582**	**397**

The proposed Project would not modify the GP/CLUP or its Land Use Map. The future development of the 17 Candidate Opportunity Sites would be infill development that was already planned for under the existing GP/CLUP and analyzed in the PEIR. Further, the proposed Project would serve to implement many of the Land Use Element policies that specifically anticipated the need for mixed-use and residential infill uses in the GC and RDI land use categories.

With the exception of potential agricultural conversion, the previously certified PEIR found that all potential impacts of the GP/CLUP would be less than significant with adherence to the objectives and policies therein.

The proposed Project would not convert any agricultural resources and would not result in any new significant environmental effects, nor would it change the nature or scope of any previously identified impact areas or their mitigation measures. No open space areas or environmentally sensitive areas are proposed to be developed or indirectly impacted. Applicable mitigation measures are included as part of the City's GP/CLUP and would apply to any future development proposals on the parcels affected by the proposed map revisions. Therefore, this Addendum finds the following:

1. The proposed Project will not require any major revisions of the PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. There are no substantial changes that have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the PEIR was certified as complete, showing any of the following:
    a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Further, the City will need to process the rezones as a local coastal program amendment ("LCPA") with the California Coastal Commission ("Coastal Commission"). The Coastal Commission will ultimately approve, modify, or deny the LCPA and conduct environmental review under its Certified Regulatory Program pursuant to California Public Resources Code Section 21080.5, CEQA Guidelines Sections 15250-15253, and Public Resources Code Section 30000 et seq. Therefore, while this Addendum is sufficient in itself, an additional level of environmental review will also be conducted by the Coastal Commission.

As identified above, the proposed Project would implement Program 1 of the City's 2023-2031 Housing Element and would involve Zoning Amendments to add a new Residential/Mixed Use (RMU) Zoning District and new Objective Design Standards, and to amend the Zoning Map to rezone up to 17 Candidate Opportunity Sites to RMU. The primary changes from the Project are additional residential density on sites already zoned to permit medium density residential use and mixed use. The proposed Project would not result in any changes to City land use designations or GP/CLUP policies. The changes resulting from the proposed Project do not constitute substantial changes to the GP/CLUP, its circumstances, or include new information of substantial importance. The modifications would not involve substantial changes in the magnitude of impacts identified in the previously certified PEIR and would not create new

potentially significant impacts that would require mitigation. Therefore, none of the circumstances identified in CEQA Guidelines Section 15162(a) are present.

Pursuant to CEQA Guidelines Section 15164, an addendum is the appropriate CEQA document for the Project. There is no substantial evidence in light of the whole public record suggesting that the project would result in significant environmental impacts not otherwise addressed in the previous EIR. Consequently, a subsequent or supplemental EIR is not required.

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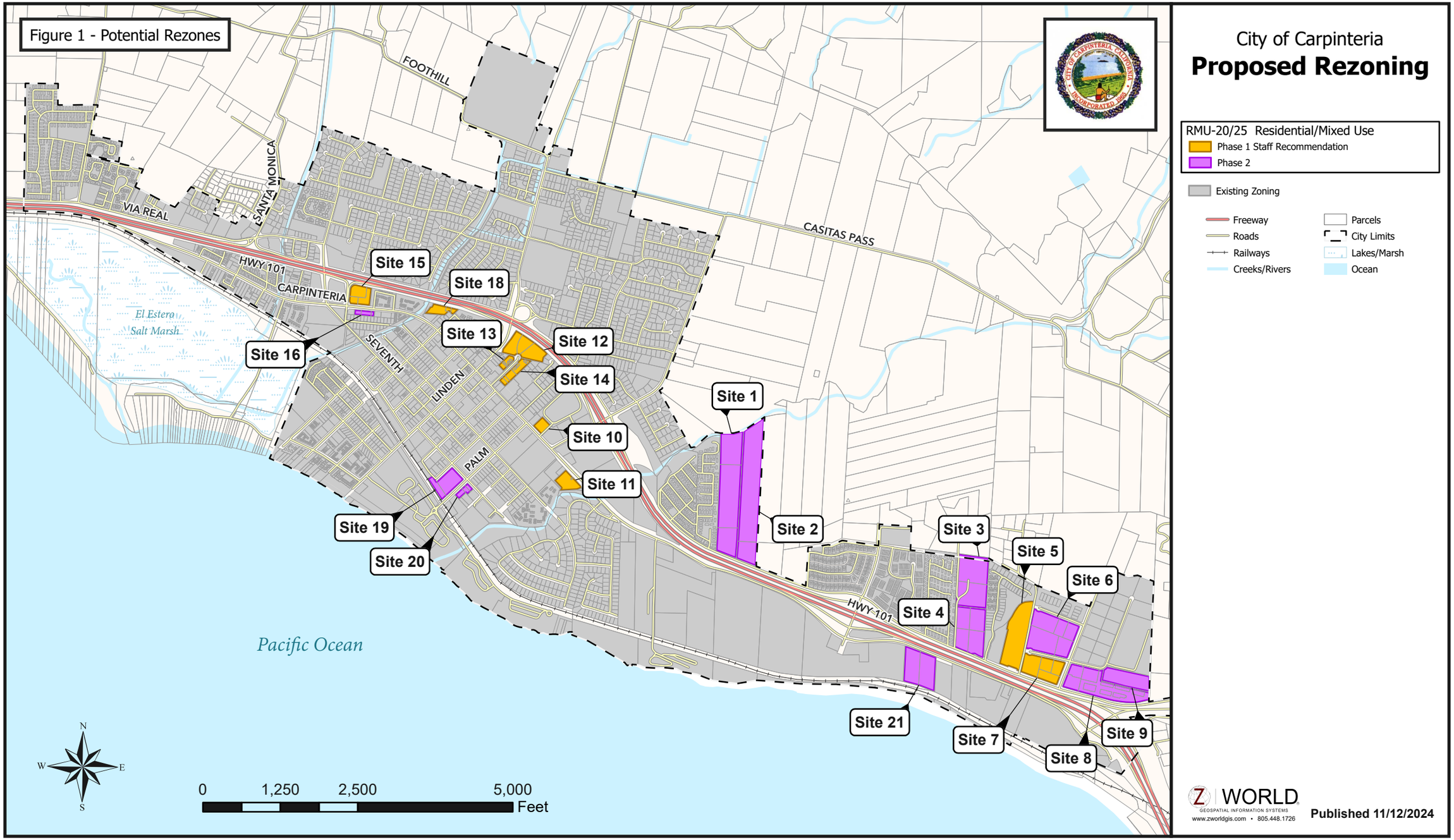
Attachment F.

Figures 1 through 4 as follows:

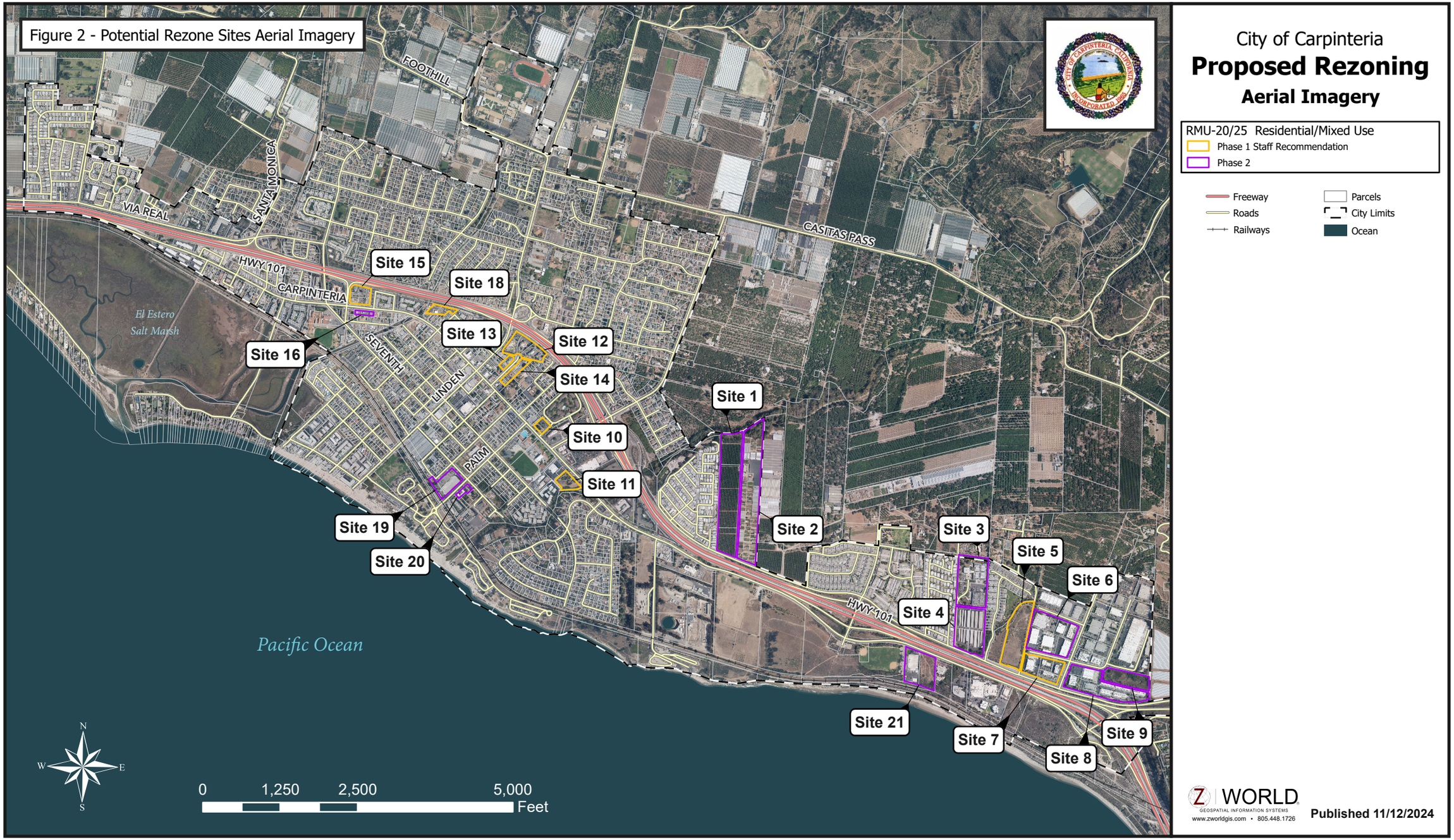
1. Potential Rezone Sites
2. Potential Rezone Sites, Aerial Imagery
3. Potential Future Zoning
4. Existing Zoning

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

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Figure 1 - Potential Rezones
FOOTHILL
SANTA MONICA
VIA REAL
HWY 101
CARPINTERIA
CASITAS PASS
El Estero
Salt Marsh
SEVENTH
LINDEN
PALM
Pacific Ocean
Site 1
Site 2
Site 3
Site 4
Site 5
Site 6
Site 7
Site 8
Site 9
Site 10
Site 11
Site 12
Site 13
Site 14
Site 15
Site 16
Site 18
Site 19
Site 20
Site 21
N
W
E
S
0
1,250
2,500
5,000
Feet
City of Carpinteria
Proposed Rezoning
RMU-20/25 Residential/Mixed Use
Phase 1 Staff Recommendation
Phase 2
Existing Zoning
Freeway
Roads
Railways
Creeks/Rivers
Parcels
City Limits
Lakes/Marsh
Ocean
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City of Carpinteria

Proposed Rezoning

Aerial Imagery

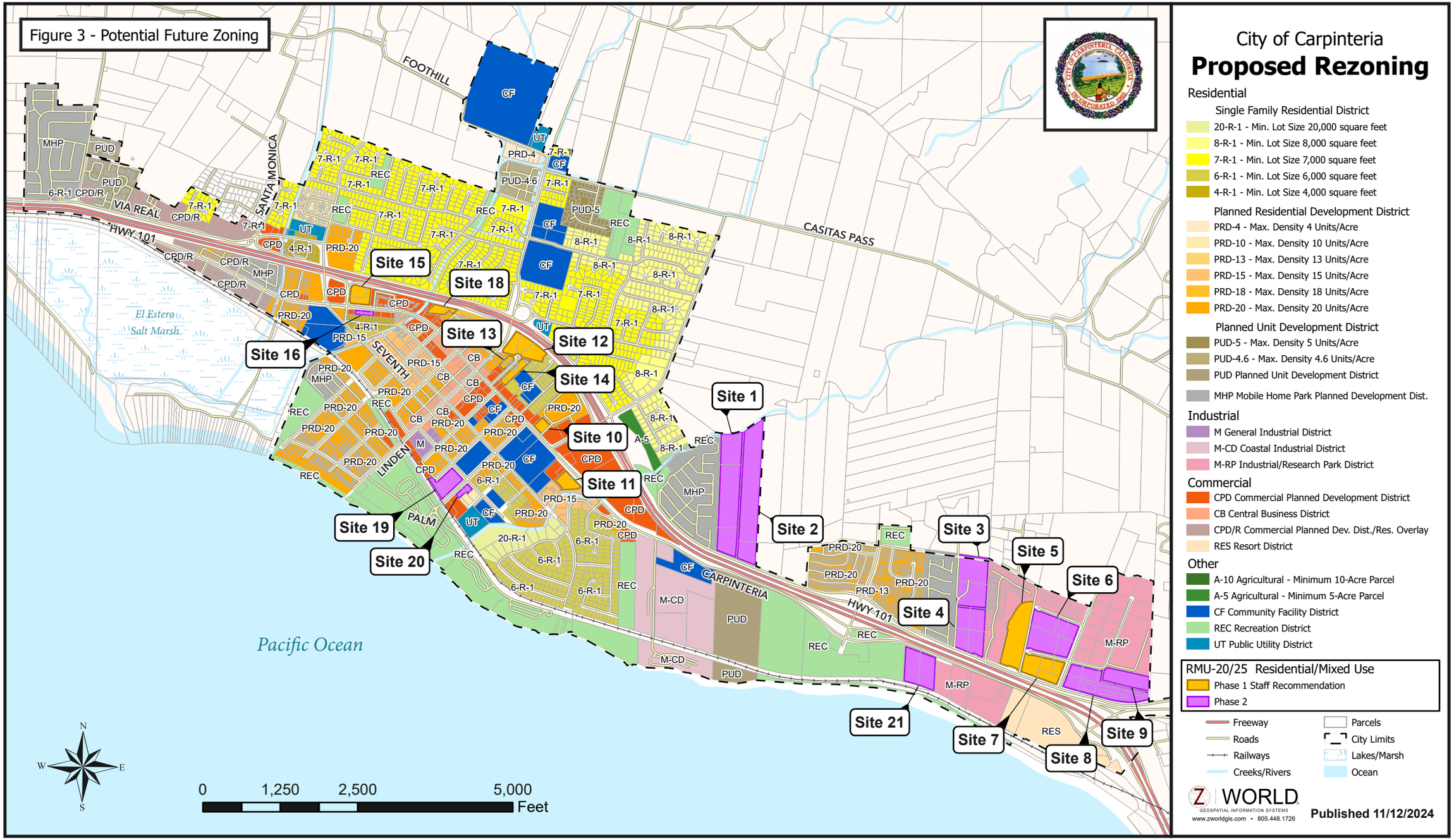
RMU-20/25 Residential/Mixed Use
- Phase 1 Staff Recommendation
- Phase 2

- Freeway
- Roads
- Railways
- Parcels
- City Limits
- Ocean

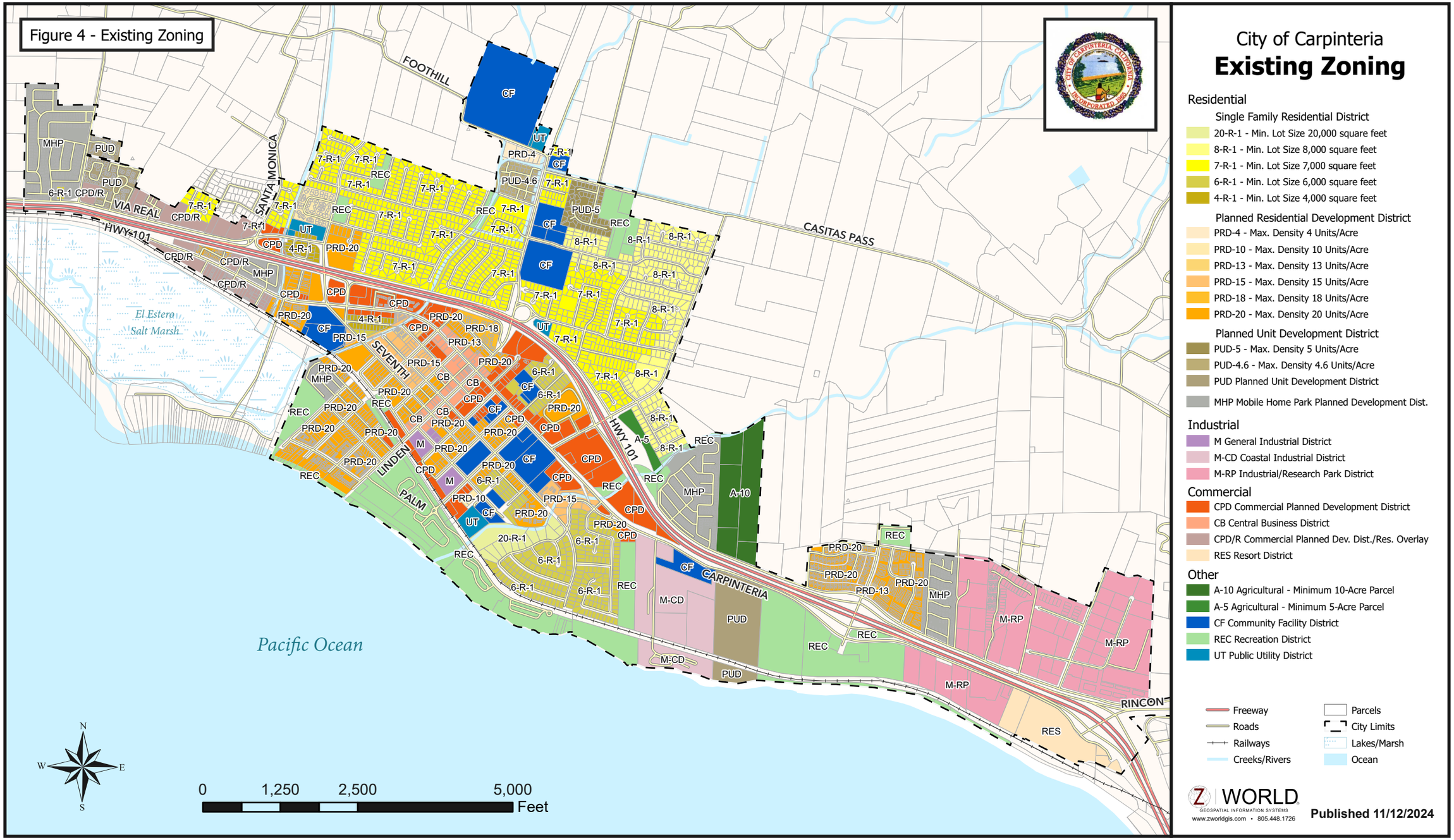
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Figure 3 - Potential Future Zoning
City of Carpinteria
Proposed Rezoning
Residential
Single Family Residential District
20-R-1 - Min. Lot Size 20,000 square feet
8-R-1 - Min. Lot Size 8,000 square feet
7-R-1 - Min. Lot Size 7,000 square feet
6-R-1 - Min. Lot Size 6,000 square feet
4-R-1 - Min. Lot Size 4,000 square feet
Planned Residential Development District
PRD-4 - Max. Density 4 Units/Acre
PRD-10 - Max. Density 10 Units/Acre
PRD-13 - Max. Density 13 Units/Acre
PRD-15 - Max. Density 15 Units/Acre
PRD-18 - Max. Density 18 Units/Acre
PRD-20 - Max. Density 20 Units/Acre
Planned Unit Development District
PUD-5 - Max. Density 5 Units/Acre
PUD-4.6 - Max. Density 4.6 Units/Acre
PUD Planned Unit Development District
MHP Mobile Home Park Planned Development Dist.
Industrial
M General Industrial District
M-CD Coastal Industrial District
M-RP Industrial/Research Park District
Commercial
CPD Commercial Planned Development District
CB Central Business District
CPD/R Commercial Planned Dev. Dist./Res. Overlay
RES Resort District
Other
A-10 Agricultural - Minimum 10-Acre Parcel
A-5 Agricultural - Minimum 5-Acre Parcel
CF Community Facility District
REC Recreation District
UT Public Utility District
RMU-20/25 Residential/Mixed Use
Phase 1 Staff Recommendation
Phase 2
Freeway
Roads
Railways
Creeks/Rivers
Parcels
City Limits
Lakes/Marsh
Ocean
Site 1
Site 2
Site 3
Site 4
Site 5
Site 6
Site 7
Site 8
Site 9
Site 10
Site 11
Site 12
Site 13
Site 14
Site 15
Site 16
Site 18
Site 19
Site 20
Site 21
HWY 101
CASITAS PASS
FOOTHILL
SANTA MONICA
VIA REAL
SEVENTH
LINDEN
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CARPINTERIA
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Figure 4 - Existing Zoning
City of Carpinteria
Existing Zoning
Residential
Single Family Residential District
20-R-1 - Min. Lot Size 20,000 square feet
8-R-1 - Min. Lot Size 8,000 square feet
7-R-1 - Min. Lot Size 7,000 square feet
6-R-1 - Min. Lot Size 6,000 square feet
4-R-1 - Min. Lot Size 4,000 square feet
Planned Residential Development District
PRD-4 - Max. Density 4 Units/Acre
PRD-10 - Max. Density 10 Units/Acre
PRD-13 - Max. Density 13 Units/Acre
PRD-15 - Max. Density 15 Units/Acre
PRD-18 - Max. Density 18 Units/Acre
PRD-20 - Max. Density 20 Units/Acre
Planned Unit Development District
PUD-5 - Max. Density 5 Units/Acre
PUD-4.6 - Max. Density 4.6 Units/Acre
PUD Planned Unit Development District
MHP Mobile Home Park Planned Development Dist.
Industrial
M General Industrial District
M-CD Coastal Industrial District
M-RP Industrial/Research Park District
Commercial
CPD Commercial Planned Development District
CB Central Business District
CPD/R Commercial Planned Dev. Dist./Res. Overlay
RES Resort District
Other
A-10 Agricultural - Minimum 10-Acre Parcel
A-5 Agricultural - Minimum 5-Acre Parcel
CF Community Facility District
REC Recreation District
UT Public Utility District
Freeway
Roads
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Attachment G.

Draft October 17, 2024 Architectural Review Board (ARB) Meeting Minutes (re: proposed ODS)

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

CITY OF CARPINTERIA
5775 Carpinteria Avenue
Carpinteria California 93013

ARCHITECTURAL REVIEW BOARD
Meeting Date October 17, 2024

ACTION MINUTES

The meeting was called to order at 5:31 p.m. by Vice Chair Blakemore

ROLL CALL

Boardmembers present: Amy Blakemore, Vice Chair
Richard Johnson
Richard Little
Patrick O'Connor

Boardmembers absent: Chair Brad Stein

OTHERS PRESENT:
Approximately 4 members of the public;
Community Development Director Nick Bobroff;
Principal Planner Brian Banks;
Principal Planner Mindy Fogg;
Senior Planner Syndi Souter; and
Assistant Planner Megan Musolf

PUBLIC COMMENT: None

PROJECT REVIEW

1) Project: Minear-Almgren Fence & Gates, Project 24-2307-FENCE/ARB
Address: 1455 Camellia Circle
Applicant: Brian Brodersen, landscape architect, for Jeffrey Becker, Becker Group, Managing Member of Seaside Apartment Investors, LLC
Planner: Syndi Souter

Request of Holly Minear and Hans Almgren, property owners, to consider Project 24-2307-FENCE/ARB for preliminary review of a proposal for approval of "as-built" redwood fencing and gates, ranging from 3.75-feet to 8-feet in height, that were constructed in the front and side yard setbacks of the property. The property is a 9,147 square-foot parcel zoned Single Family Residential (7-R-1) and shown as APN 003-590-023, addressed as 1455 Camellia Circle.

Ex Parte Communications Disclosure: None

Staff Comments:
Syndi Souter provided a presentation and described the project. Syndi detailed the "as built" fence plans, and described the previously existing fence design and heights as compared to the existing fence the Board is reviewing. Syndi concluded her presentation with an analysis of the proposed (as-built) fence relative to the zoning code requirements and Neighborhood design objectives and policies, and asked for the Board's comments on the following issue areas:

- Design and materials for the fencing and gates;
- Height of fencing and gates; and
- Location of fencing in front yard setback.

Applicant Comments:
Holly Minear and Hans Almgren, property owners, were in attendance and provided brief comments. Holly explained to the Board that it was time to replace the fencing and that the rebuilt fence was very similar to the previously existing fence's height, location and material/design. She further explained that the purpose of the 8-foot portion is to screen the RV stored on the adjacent property from view. Hans related that their 8-foot portion of fence is lower in height that the adjacent neighbor's fences.

Public Comments:
Miles Calkins, a neighbor at 1450 Camellia Circle, spoke in support of approving the existing fence as designed/constructed, and that it is appropriate for the neighborhood.

Boardmember Discussion:
Boardmember O'Connor commented that the fence looks nice and he supports approval of it.

Boardmember Little commented that the fencing material and design is appropriate but is concerned with the height of the portion of fence within the front setback and recommends that the first and second "tiers" be brought down to the 3-foot ordinance standard.

Boardmember Johnson commented that there was precedent set by the previous fence's construction although the previous fence was not permitted. He has no objections to the fence as designed, including the fence material and design.

Vice Chair Blakemore commented that she sees the value in the way the fence is located and designed, but is concerned with the height of the first tier of fence height nearest the street being a safety concern with respect to line-of-site and pedestrian safety. Vice Chair Blakemore suggested that the Board consider a conceptual motion to reduce the first tier of fence (currently 3.70-feet) to 3-feet.

ACTION: Motion by Vice Chair Blakemore, seconded by Boardmember O'Connor, to recommend approval to the Director with the condition that the first tier of fencing in the front setback currently a 3.70-feet in height be reduced to 3-feet in height.

VOTE: 4-0

2) Project: Objective Design Standards for Multifamily Residential and Mixed-Use Developments
Address: Citywide
Applicant: City of Carpinteria
Planners: Mindy Fogg and Megan Musolf

Request of by the City of Carpinteria to consider Project 24-2279-ORD/LCPA for review of proposed Objective Design Standards (ODS) that would apply to specified multifamily residential and mixed-use developments in the City. The ODS are proposed as a new chapter in Title 14, Zoning, of the Carpinteria Municipal Code and are part of a larger project to rezone sites in the City to satisfy the City's 2023-2031 Housing Element Program 1, Adequate Sites to Accommodate Regional Housing Needs Allocation.

Ex Parte Communications Disclosure: Boardmember O'Connor commented that he reached out to Long Rang Planning staff with questions about which properties are proposed for the new Mixed Use Zone.

Staff Comments:
Community Development Director Nick Bobroff introduced the City's long-range planning team, comprised of Mindy Fogg, Principal Planner, and Megan Musolf, Assistant Planner. Megan provided a presentation and described the purpose of the Objective Design Standards (ODS) as a component of the larger effort to implement Program One of the City's 2023-2031 Housing Element, and how they would apply to future residential and mixed-use projects within certain zone districts. Megan provided an overview of the topics of the proposed ODS for the ARB's consideration and the related proposed standards of a new Chapter in the Zoning Ordinance (14.51). Megan concluded her presentation with a list of particular Ordinance sections requiring additional input from the Board, and asked for the Board's overall comments on the following elements of the Objective Design Standards:

- Massing and placement of multi-story buildings, particularly regarding required stepbacks and height limits for upper stories;
- Design elements specific to the Downtown T area (Linden and Carpinteria Avenues);
- Architectural styles permitted (or not permitted) by the design standards;
- Privacy considerations for residences within a mixed-use development, particularly regarding window placement on adjacent building facades; and
- Colors and materials, including exterior lighting.

Vice Chair Blakemore opened the discussion to boardmembers for questions. Boardmember O'Connor relayed his understanding of how the ODS would be implemented in the context of the Housing Element and proposed mixed-use zone (MU 20/25), and wondered if the ODS could be an opportunity to readdress how density is calculated for larger housing projects, particularly regarding the exclusion of non-buildable area from the calculation. He also asked if staff had considered consulting the Design Review Committee to review the ODS. Principal Planner Brian Banks noted that this could be discussed following public comment.

Boardmember Little asked if Housing Element candidate site property owners had a say in whether their property is rezoned by the City to MU 20/25. Mindy responded that a rezone could be done without property owner support, but that staff invite all property owners to attend Planning Commission and City Council meetings or submit comments so that their comments are considered in the decision-making process. Boardmember Little also asked if a citywide parking needs study had been completed to inform the required parking ratios in the ODS. Nick responded that no study has been done, but the ODS parking ratios for affordable units matched the parking ratios provided in State density bonus law. Boardmember Johnson commented that many residents do not use their garages for parking vehicles, adding to parking problems.

Applicant Comments: N/A

Public Comments:
Annie Sly addressed the Board with questions regarding if the purpose of the ODS is to protect the City from "Builder's Remedy" projects; if after the City approves the ODS can the State still overrule them; questioned how long the rezone process will take; and if there are any other remaining requirements still left to be completed for the City's Housing Element to be compliant with State housing requirements. Nick Bobroff then began responding to the questions at the request of Vice

Chair Blakemore, explaining that implementing ODS does give the city some "protection" since projects required by State law to be reviewed ministerially would still have to comply with them. The ODS could function as a "backstop" when projects cannot be reviewed by the ARB or Planning Commission. Brian added that well-crafted ODS are key for City staff to complete ministerial review of projects. Nick continued that Housing Element implementation programs do get reviewed by the State's Department of Housing and Community Development (HCD), and HCD could reject the implementation if it is deemed to not sufficiently support housing production, but that many of the types of standards in the ODS have been implemented successfully by other jurisdictions. Mindy noted that staff is currently aiming to have the rezones adopted by City Council by January 2025, and then staff would immediately submit the project to the California Coastal Commission and HCD for review.

Boardmember Discussion:

Chair Stein provided an email to the Board expressing that the proposed Objective Design Standards are very thorough and clear, but he has concerns that raising the height to 35-feet from the current 30-foot height limit, when combined with allowed height exceptions for certain elements such as mechanical enclosures and elevators can result in buildings with a height in excess of 40-feet. Vice Chair Blakemore acknowledged Chair Stein's comments. Mindy clarified that the proposed increase in height limit would be contained in the new MU zone district, not the ODS, although the ODS do propose height limits for each story. Nick added that HCD has informed the City that the current 30-foot height limit is an impediment for three-story buildings, which are necessary to achieve the required housing element densities.

Boardmember Little inquired if the proposed ODS contained any standards that conflicted with the recently approved mixed-use project at 4745 Carpinteria Ave. Megan replied that staff had considered this project in writing the ODS, but the ODS were not modeled after it. Brian elaborated that staff had used the project as an example of appropriate story height in the context of a larger discussion about setting story heights for small residential units. Boardmember Little suggested not listing BBQ grills as an amenity in open space areas. He agreed with the proposed story heights. He said he felt that stepbacks larger than two feet would be better for the proposed "contextual upper story stepbacks," and that screening for upper-story private open spaces should be no higher than four feet. He commented that every 50 feet felt too far for a roofline variation requirement, and recommended it be changed to 30 feet. Boardmember Little asked, in relation to the proposed 15-foot rooftop open space setback, if the current proposal to renovate the Palms building on Linden would satisfy this standard. Staff said it may on some sides, and Nick clarified that the 15-foor setback was intended to prevent rooftop open spaces from looking down into peoples' private yards. Nick suggested language could be added to clarify the setback would be needed when the abutting property is residential, and the Board agreed. Finally, Boardmember Little brought up the idea of allowing tandem parking, and staff responded that they would look into how it could be incorporated in the ODS.

Boardmember O'Connor felt the City should implement neighborhood-specific design standards in the future. He related back to his prior comments regarding density and said he wanted to prevent high-rise buildings on small lots with environmental or other constraints. Nick responded that the State requires a minimum density of 20 units per acre for Housing Element rezone sites, and that density is calculated with gross lot size. Boardmember O'Connor expressed that only the buildable area on a site should be considered in density calculations, and Nick replied that staff, for the ODS and MU 20/25 zone, is working with existing Zone Code rules which utilize gross lot size. Lastly, Boardmember

O'Connor questioned how projects would be handled in the proposed MU 20/25 zone that reuse existing structures. Brian responded that staff expect most projects that would utilize the ODS would likely be full demo/rebuild type projects due to the high cost of retrofitting old buildings for new residential, and Mindy noted that it could be feasible for a few candidate sites to repurpose existing buildings while meeting the ODS.

Boardmember Johnson expressed that he felt the ODS were a sound starting point, although many hours could be spent discussing them. Nick replied that the proposed ODS, if implemented, can be reviewed and changed in the future once projects have begun to actually use them. Boardmember Johnson concurred with Boardmember O'Connor's comments regarding calculation of density, and then expressed concern about the ODS pushing buildings right up to the front property line. Nick responded that no MU 20/25 rezone sites are proposed on Linden Ave where a zero-foot setback exists, and that the MU 20/25 zone proposes 5-to-15-foot front setbacks.

Vice Chair Blakemore commented that the proposed 35-foot height limit in the MU 20/25 zone should be inclusive of elevators and other equipment on top of buildings. She felt there should not be any exceptions to the proposed story height limits for certain roof styles, and that the two-foot upper story stepback was adequate— a larger stepback would not accommodate higher densities. She did not support allowing BBQ grills in common/public open spaces. For landscaping requirements, Vice Chair Blakemore recommended increasing the required number of 5-gallon plants per 1,000 square feet from 10 to 20, and to find a way to prohibit trees with invasive root systems that would damage sidewalks and other infrastructure (she suggested compiling a list of trees to avoid).

ACTION: Motion by Vice Chair Blakemore, seconded by Boardmember Johnson, to recommend approval to the Planning Commission with their comments attached.

VOTE: 4-0

OTHER BUSINESS: None

CONSENT CALENDAR:

3) Action Minutes of the Architectural Review Board Meeting of September 26, 2024.

ACTION: Motion by Boardmember Johnson, seconded by Boardmember Little, to approve the minutes as drafted.

VOTE: 3-0 (O'Connor abstained)

MATTERS REFERRED BY THE PLANNING COMMISSION/CITY COUNCIL: None

MATTERS PRESENTED BY BOARDMEMBERS/STAFF: None

ADJOURNMENT

Vice Chair Blakemore adjourned the meeting at 7:00 p.m. to the next scheduled meeting to be held at 5:30 pm on Thursday, November 14, 2024. All Boardmembers present expect to attend.

_____
Chair, Architectural Review Board

ATTEST:

_____
Secretary, Architectural Review Board

Attachment H.

Consistency Analysis with the City's General Plan/Coastal Land Use Plan

2023-2031 Housing Element Zoning Amendments
November 25, 2024 City Council Meeting

City of Carpinteria
General Plan/Coastal Land Use Plan (GP/CLUP) Consistency Analysis for the 2023-2031 Housing Element Update Zoning Amendments Project 24-2279-ORD/LCPA

On January 22, 2024, the City Council adopted the 2023-2031 Housing Element[1], which outlines how the Regional Housing Needs Allocation ("RHNA") can be achieved during the 2023-2031 cycle through a variety of methods and programs. Now the City must implement Program 1 - Adequate Sites to Accommodate Regional Housing Needs.

This analysis provides an evaluation of the proposed Project, which is the implementation of Program 1. It requires amendments to the Carpinteria Municipal Code ("CMC") and Local Coastal Program ("LCP") and consists of the following three main components:

A. The addition of the Residential/Mixed Use ("RMU") Zoning District in Title 14 of the CMC;
B. The addition of Objective Design Standards ("ODS") in Title 14 of the CMC;
C. The amendments to the Zoning Map to rezone select Candidate Opportunity Sites from their current zoning districts to the new RMU Zone.

The amendments to the Zoning Map would involve up to 17 Candidate Opportunity Sites, which are listed in Table 1.

Table 1 – Proposed Project: 17 Sites to be Potentially Rezoned to Residential/Mixed Use

Site #	Location	Site Size (ac)	Current Zoning	Current General Plan
3	1000 Bega Way	9.68	M-RP	RDI
4	6250 Via Real	8.47	M-RP	RDI
5	6380 Via Real	8.63	M-RP	RDI
6	Cindy Ln; Mark Ave; Rose Ln	10.58	M-RP	RDI
7	Cindy Ln; Via Real	5.51	M-RP	RDI
8	Mark Ave; Cindy Ln	10.02	M-RP	RDI
9	Cindy Ln	4.49	M-RP	RDI
10	5320 Carpinteria Ave	1.08	CPD	GC
11	5437 Carpinteria Ave	1.98	CPD	GC
12	Eugenia Pl	4.66	CPD	GC
13	Eugenia Pl	0.80	CPD	GC
14	Eugenia Pl	1.88	CPD	GC
15	Carpinteria Ave	2.45	CPD	GC
16	Carpinteria Ave	0.67	CPD	GC
18	Holly Ave; Carpinteria Ave	1.47	CPD	GC
20	Palm Ave	0.77	CPD	GC
21	Carpinteria Ave	6.31	M-RP	RDI

[1] Available here: https://carpinteriaca.gov/city-hall/community-development/planning/housing-element-update/

The proposed Project would facilitate the development of housing (and affordable housing, in particular), but would not exceed the buildout anticipated by the City's 2003 GP/CLUP. Each of the 17 Candidate Opportunity Sites have a Land Use Designation of either General Commercial ("GC") or Research & Development Industrial ("RDI"). Both of these land use categories allow for residential uses in their definitions:

> ***General Commercial ("GC")***
> *The GC land use category is characterized by a mixture of retail, wholesale, service and office uses, usually located along major transportation corridors. This category includes a variety of commercial intensities. The Central Business District identifies the downtown commercial area. It is characterized by a variety of offices, retail businesses, specialty shops, entertainment uses, and residential land uses. The City encourages this area to be pedestrian-oriented.*
>
> ***Research & Development Industrial ("RDI")***
> *The RDI land use category is characterized by well-designed groups of office, research and development and light industrial uses. These land uses typically employ a large number of persons, and are attractively designed to be compatible with less intense uses, such as residential.*

I. Project Consistency with the Land Use Element

The following analysis focuses on how the proposed Project is consistent with applicable Land Use Element objectives and policies.

Objective LU-1: *Establish the basis for orderly, well planned urban development while protecting coastal resources and providing for greater access and recreational opportunities for the public.*

Discussion: This objective was taken into consideration during the 2023-2031 Housing Element Update process. Candidate Opportunity Sites chosen for potential rezoning were screened to ensure that their locations make sense for siting future housing in the City while ensuring there would be minimal impacts to coastal resources, coastal access, and recreational opportunities. Site profiles for Candidate Opportunity Sites are provided in Figure B-4 of Appendix B[2] of the Housing Element. All Sites were selected based on substantial evidence that they could be rezoned to realistically accommodate additional housing within the City without significant impacts to agricultural land, visitor serving commercial uses, environmentally sensitive areas, and hazards associated with flooding and sea level rise. Moreover, the 17 Sites (Table 1 above) under consideration for the proposed Project are located in commercial and light-industrial/research park

[2] Available here: https://carpinteriaca.gov/wp-content/uploads/2024/01/Appendix-B-Site-Profiles-Final-Readopted-Version_Reduced.pdf

areas of the City and would support compatible housing and/or mixed-use development in context with other existing and planned development patterns.

Policy LU-1a: *The policies of the Coastal Act (Public Resources Code Section 30210 through 30263) are hereby incorporated by reference (and shall be effective as if included in full herein) as the guiding policies of the land use plan.*

Discussion: The proposed Project would comply with the provisions of the Coastal Act and with the City's Local Coastal Plan ("LCP"). Appendix B of the Housing Element describes the City's Candidate Opportunity Sites and includes an initial evaluation of those sites with respect to Coastal Act and the City's certified LCP's protections for coastal resources. The candidate sites were selected based on substantial evidence that these sites could be rezoned to realistically accommodate additional housing within the City without significant impacts to agricultural land, visitor serving commercial uses, environmentally sensitive areas, and hazards associated with flooding and sea level rise.

Policy LU-1d: *Ensure that the type, location and intensity of land uses planned adjacent to any parcel designated open space/recreation or agriculture (as shown on Figure LU-1) are compatible with these public resources and will not be detrimental to the resource.*

Discussion: Of the 17 Candidate Opportunity Sites under consideration for the proposed Project (Table 1), no Sites are located next to agriculture and only Site #21 is located adjacent to designated open space/recreation. Site #21 consists of two properties to the east of Viola Fields, an active ball field. The Site supports both vacant land and existing development with the presence of a warehouse that was built in 1962. Future multifamily residential and/or mixed-use development on Site #21 would not be detrimental to the adjacent recreational area since the uses are compatible, the properties involved are easily accessible for vehicles and pedestrians, and future development would not create any hazards or nuisances that would disrupt the ongoing use of the ball fields.

Objective LU-3: *Preserve the small beach town character of the built environment of Carpinteria, encouraging compatible revitalization and avoiding sprawl development at the city's edge*.

Discussion: The overall Project would be consistent with this objective. The intent of the standards in the RMU Zone and ODS is to ensure that future housing growth occurs in a manner that is compatible with the existing small beach town character.

Site Nos. 8 and 9 are located at the City's eastern edge. Site No. 8 is developed with industrial/office park uses and is adjacent to similar uses to the north and west, with Highway 101 to the south. Site No. 9 is vacant but surrounded by industrial development to the north, south, and west. Mixed-use or residential development of these two Sites would not be considered sprawl given the existing and planned uses for the area.

The remaining 15 Candidate Opportunity Sites are infill sites that are not located near the City's edge. Each is a reasonable walking distance from neighborhood serving uses (e.g., schools, grocery stores, pharmacies, parks, etc.) and from public transit stops, and is either served by all needed utilities or has direct access to existing utilities. With the application of the ODS, the future residential and mixed-use development would be compatible with the existing small beach town character.

Policy LU-3a. *New development shall occur contiguous to existing developed areas of the city. Higher density in certain residential neighborhoods and for residential uses in commercial districts shall be provided as a means to concentrate development in the urban core consistent with zoning designations, particularly where redevelopment of existing structures is proposed.*

Discussion: The proposed Project would be consistent with this policy. It would incentivize new residential development adjacent to existing development in commercial and light industrial/research park designations to allow for redevelopment and infill in the urban core, near existing services and jobs.

All 17 Candidate Opportunity Sites are located adjacent to existing developed areas of the City. Site No. 21 has the least amount of surrounding development but supports existing industrial uses on half of its surface area and is adjacent to a public park to the west, Highway 101 to the north, offices to the east, and railroad corridor to the south.

The RMU Zone would require any new development plans to include medium-density multifamily residential uses. Consistent with this policy, the rezones would concentrate development in the City's urban core by focusing on locations with existing commercial/research park land use designations. It would also prompt redevelopment on most of the Sites, particularly where existing buildings (e.g., office spaces) have seen diminished demand in recent years.

Therefore, the new RMU zone district requiring residential densities of 20-25 dwelling units per acre on up to 17 select Candidate Opportunity Sites (Table 1) that are located in GC and RDI designated areas would appropriately concentrate higher-densities in the urban core and prompt redevelopment of existing structures.

Policy LU-3c. *Work cooperatively with the County to strive to achieve a jobs/housing balance in the Carpinteria Valley.*

Discussion: The proposed Project is the implementation of a key program from the adopted 2023-2031 Housing Element. Both the City's and the County's Housing Elements this cycle were prepared through a cooperative assessment with the Santa Barbara County Association of Governments ("SBCAG"). See more detailed discussion under Policy LU-6a below.

Policy LU-3h. *Develop land uses that encourage the thoughtful layout of transportation networks, minimize the impacts of vehicles in the community, and encourage alternative means of transportation.*

Policy LU-3i. *Ensure the provision of adequate services and resources, including parking, public transit and recreational facilities, to serve proposed development.*

Discussion: Consistent with these Policies, identified Candidate Opportunity Sites were selected, in part, based on their proximity and access to important services, including but not limited to transportation infrastructure and recreational areas. All of the sites under consideration are located directly on, or within short walking distance (i.e., less than ¼ mile) of the City's main bus route.

Policy LU-3j. *Ensure that the Zoning Ordinance contains applicable zoning districts to provide consistent implementation of the Land Use categories.*

Policy LU-3l. *Land use designations established on the City's land use map that permit a range of residential densities should not be interpreted to permit development that is incompatible with the existing development pattern in an area. A density within the allowable range that is most compatible with the predominant pattern of development in the area should be used as the guide for determining the appropriateness of the proposed development.*

Policy LU-3m. *Where residential use is permitted in commercially designated areas and a density standard is provided, specific plans or similar implementation tools should be created to establish appropriate controls for the intensity of residential use in the district.*

Discussion: The proposed RMU zone district has been designed to be vertically consistent with the types and intensities of development contemplated for the GC and RDI land use categories, including provisions for accommodating multifamily residential and mixed-use infill opportunities in these land use categories, and also complying with the requirements of Housing Element law as it pertains to rezones required to meet the City's RHNA.

Policy LU-5a. *The City shall continue to give priority to agriculture, coastal-dependent industry and visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over residential, general industrial, or general commercial development.*

Discussion: Consistent with this Policy, none of the Candidate Opportunity Sites currently under consideration are designated for agriculture, coastal-dependent industry, or visitor-serving commercial use.

Objective LU-6: *Create flexible land use and zoning standards for general commercial and industrial parcels that allow opportunities for residential use to expand, as determined appropriate by the City, in response to changing needs relative to the jobs/housing balance locally and in the region, and as incentive toward the development of affordable housing.*

Discussion: The application of the new RMU Zone and ODS to Candidate Opportunity Sites would be directly in response to the changing needs identified in the City's 2023-2031 Housing Element, including the local and regional jobs/housing balance and the incentivization of affordable housing development. The goals of the Housing Element's programs are:

1) providing diverse housing sites and opportunities;
2) conserving and improving the existing affordable housing stock;
3) removing governmental and other constraints to housing development; and
4) affirmatively furthering fair housing.

Consistent with this Objective, the proposed RMU Zone would establish a new zoning district that aligns with the GC and RDI land use categories intended to promote infill residential and mixed-use development at densities that would encourage the production of workforce housing and incentivize the inclusion of below-market rate housing units in such projects. Compared to other zone districts within the City that allow for multifamily residential uses, the proposed RMU Zone would allow for slightly more relaxed development standards (e.g., height, setbacks, parking) in an effort to accommodate targeted densities.

Policy LU-6a. *The City may consider and permit mixed use (i.e., residential/commercial or residential/industrial) on parcels designated on Figure LU-1 for commercial or industrial use. Such mixed use may be considered if the City has found that either the allowance would encourage rehabilitation of important existing housing stock, or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that mixed use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Mixed-use development shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site.*

Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential development on parcels designated for commercial and industrial uses would result in affordable housing production. During the Housing Element Update process, only Candidate Opportunity

Sites that were compatible with existing and anticipated uses in the areas surrounding the Sites were selected. Application of the new RMU Zone to such Sites would enable the City to meet its near-term RHNA obligations in a manner that can be found consistent with this Policy directive.

This would also help the City to improve and maintain an appropriate local/regional jobs-housing balance. As explained in the 2023-2031 RHNA Plan[3], SBCAG reviewed the jobs and housing balance of all jurisdictions in Santa Barbara County. The region's growth forecast, which forms the basis for the RHNA, considers areas where there are significant imbalances in jobs and housing, and the likelihood of those imbalances changing in the future by applying existing and future jobs. The RHNA Plan includes consideration of existing and projected relationships between low-wage jobs and lower-income housing. As such, the SBCAG-adopted RHNA methodology includes a jobs-housing fit adjustment factor that seeks to house more low-wage workers near higher housing cost areas and encourage zoning for more affordable housing types. The methodology used in the RHNA Plan was based, in part, on the following objective:

> "Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction."

The RHNA Plan's South-Coast emphasis on an improved jobs-housing balance, income parity, and affirmatively furthering fair housing, strives to improve the jobs-housing fit between low-wage jobs and the housing needs of low wage workers. The proposed rezoning of Candidate Opportunity Sites in Carpinteria to a new RMU zone would be a significant step toward meeting that goal in the South County.

Policy LU-6b. *The City may consider and permit residential use on a parcel or parcels not designated for such use under certain circumstances. Such residential use may be considered on a parcel or parcels designated for commercial or industrial use if the City has found that either the allowance would encourage rehabilitation of important existing housing stock or the residential use of the subject parcel(s) would result in the production of affordable housing in the community, and that residential use on the site would assist the City in maintaining an appropriate balance between jobs and housing. Residential use shall not be permitted on parcels designated for commercial or industrial use unless it is found by the City to be compatible with existing and anticipated uses in the area surrounding the site. A residential overlay zone district shall be maintained by the city with the purpose of permitting residential development on a parcel or parcels otherwise designated on the official land use and zoning maps of the city for commercial or industrial use. Implementation of the Residential Overlay zone district shall be permissive in nature and shall not be construed to restrict use already allowed in the base zone*

[3] Available here: https://www.sbcag.org/wp-content/uploads/2023/08/final_rhna_plan.pdf

district. Further, the city shall retain the authority for determining where implementation of the residential overlay zone is appropriate. To encourage retention of local businesses where parcels are already developed for commercial or industrial use, application of the Residential Overlay shall be considered only after mixed use development, as allowed through policy LU-6a above, has been determined by the City to not be appropriate.

Discussion: As explained in more detail in the adopted 2023-2031 Housing Element, the City has found that the permitting of mixed-use and residential development on the selected Sites designated for commercial and industrial uses would result in affordable housing production in the community. The 17 Candidate Opportunity Sites were identified because future mixed-use and residential development on the selected properties would be compatible with existing uses surrounding the sites (see Housing Element Appendix B, including Site Profiles), and could help contribute towards meeting the City's workforce and affordable housing needs.

Although a residential overlay district was the preferred method to implement Program 1 in the Housing Element, a recent California court of appeal decision (*Martinez v. City of Clovis* (2023) 90 Cal.App.5th 193) found that a city's reliance on a zoning overlay did not satisfy Housing Element Law. Thus, a new RMU Zoning District has been created to meet the intent of this policy as well as the goals and programs of the Housing Element. The proposed RMU Zone would still be permissive in nature in that it would continue to allow for the uses that are currently permissible in the GC and RDI land use categories and their corresponding zone districts. However, it would require multifamily housing to be included in any future development with incentives to include affordable units in accordance with State law.

Finally, the authority for determining the locations of the new RMU Zone stays with the City Council. City staff recommends that Sites fronting on Linden Avenue and Carpinteria Avenue within the Downtown "T" (based on Community Design Element Subarea 2a) be required to be developed in a mixed-use fashion that maintains a commercial component on the ground floor. Outside of the Downtown "T," sites rezoned to the RMU district would have the option of being developed in a mixed-use arrangement or residential-only. In any case, the Planning Commission and the City Council will take into consideration whether multifamily residential uses are appropriate for the location prior to rezoning a Candidate Opportunity Site.

Policy LU-6c. *Parcels designated coastal-dependent industrial or visitor-serving commercial shall not be considered for mixed-use or residential use, with the exception that second-story mixed-use or residential use shall be allowed on visitor-serving commercial parcels in the Downtown Core District.*

Discussion: Consistent with this Policy, none of the identified Candidate Opportunity Sites are designated for coastal-dependent industrial or visitor-serving commercial use. Proposed rezone sites were instead selected from existing sites designated for GC and

RDI land uses that currently allow for mixed-use and residential uses in certain circumstances.

II. Project Consistency with the Community Design Element

The following analysis focuses on how the draft ODS in particular are consistent with applicable Community Design objectives and policies.

Citywide Community Design Objectives

Objective CD-1: *The size, scale and form of buildings, and their placement on a parcel should be compatible with adjacent and nearby properties, and with the dominant neighborhood or district development pattern.*

Objective CD-2: *Architectural designs based on historic regional building types should be encouraged to preserve and enhance the unique character of the city.*

Objective CD-3: *The design of the community should be consistent with the desire to protect views of the mountains and the sea (California Coastal Act of 1976 §30251).*

Discussion: The ODS propose standards which address the relationship between the project site, adjacent sites, and the new development. Section 14.51.040- Building Form, Massing, and Articulation proposes contextual standards that reflect structures surrounding a proposed project, such as a requirement to maintain an existing contiguous street façade (like on parts of Carpinteria and Linden Avenues); upper story step backs when a project is within 20 feet of a side property line or when adjacent to a single-story building; and reduced upper-story massing (80% of the ground story, or 70% for lots of 5,000 square feet or less). Section 14.51.050 – Site Design proposes standards that ensure building façades remain in character and coherent with the surrounding neighborhood, such as requiring commercial components of mixed-use developments to be located on the ground floor facing the primary street and designating street-facing open spaces on Carpinteria and Linden Avenues to be used for public plazas, dining, or entry spaces.

The requirements for building massing and variation do not confine buildings to a certain architectural style, allowing for the continued charming variety of architectural styles seen in the City, while at the same time requiring elements that prevent boxy, generic structures. For example, façades must incorporate variations in wall depth or elements like a porch or stoop to create animated spaces. Proposed restrictions on story heights prevent structures from being taller than necessary and roofline variation requirements create breaks in massing at the top of buildings, allowing for views to remain incorporated in projects.

Key Physical Community Design Characteristics

Objective CD-5: *The streets of neighborhood interiors should be designed to be the "living rooms" of the neighborhood, where children and adults can safely play or walk. The design and details of streets, frontages and buildings should support this objective.*

Policy CD-5a. *Main entrances to homes should be oriented to the street. Entry elements such as porches, stoops, patios and forecourts are encouraged. Such entry elements should be selected for their compatibility with the adjacent houses and the general neighborhood pattern.*

Policy CD-5b. *Garages should not dominate views from any public street.*

Policy CD-5c. *Low walls, low fences and hedges should be encouraged along the frontages to define the edge of the private yard area, where appropriate.*

Policy CD-5d. *Houses within a neighborhood may vary in materials and style, but strong contrasts in scale, color and roof forms should generally be avoided.*

Discussion: Many of the proposed standards address street frontages and the relationship between public and private spaces. Section 14.51.070 proposes requirements for the placement and design of building entrances, a key component of how the public interacts with building façades. The proposed ODS include elements that make public entrances inviting and interesting, and in mixed-use settings require separate entrances to residential and commercial spaces. Entrances would be required to provide a weather-sheltering element and/or decorative features, and street-facing entrances would need to incorporate enhanced paving to differentiate from the public right-of-way. Additional proposed requirements include maximum four-foot-tall fences, walls, or plantings around private open spaces within 20 feet of other residences, a limit on garages to occupy no more than 50% of a façade, and pedestrian walkways that connect public rights-of-way to key elements within a development (such as entrances, bicycle parking, and other amenities). Together, these various ODS would create inviting, interesting façades and entryways that would make neighborhood streets feel safe and vibrant.

Policy CD-6a. *Neighborhood-serving commercial or apartment buildings should be oriented to the street that bounds or enters the neighborhood. Front doors should face the street, with primary access directly from the public sidewalk. The buildings should be compatible in scale with nearby residential buildings.*

Policy CD-6b. *Parking lots should be beside or behind the buildings, not in front. On-street customer parking for small neighborhood-serving shops, restaurants, offices and service businesses is encouraged. Such on-street parking should be managed as short-*

term convenience parking, and should not conflict with parking for coastal access or for nearby residences.

Discussion: The proposed ODS would require commercial uses to locate main entrances toward the primary street. Parking and loading areas would not be permitted between any building and the primary right-of-way. The number of required parking spaces is determined by the zone district and is not included in the proposed ODS.

Objective CD-7: *Enhance and maintain the Linden Avenue downtown core, the Carpinteria Avenue commercial core, the Eugenia professional office area, the Casitas Village, Shepard's Place Shopping Center, and the Cindy Lane-Mark Avenue industrial park districts.*

Policy CD-7a. *Retail and commercial uses should generally have large transparent "storefront" windows for display of merchandise to pedestrians. Blank sections of walls on street frontages are strongly discouraged.*

Policy CD-7c. *Loading and trash facilities should be located where they are screened from view. The use of alley and service roads is encouraged for these facilities.*

Policy CD-7d. *Courtyard housing types, with multiple small units fronting onto a common courtyard or garden, are encouraged as an alternative to apartment "blocks" or more massive buildings within mixed-use districts.*

Discussion: The proposed ODS would be applicable to any sites rezoned to the proposed RMU zone district, as well as specified projects which could receive ministerial or streamlined review under the California Government Code. New mixed-use and/or residential developments could "enhance" these areas by providing new housing and job opportunities and public amenities. Commercial frontages on Linden and Carpinteria Avenues would have to incorporate transparent windows and doors for at least 50% of the wall area between three and seven feet high, and wall plane variation requirements proposed in Section 14.51.040 would additionally prevent "blank sections" of frontages. Mechanical equipment, waste receptacles, and loading areas for commercial uses would require screening from public view through landscaping or enclosures, and loading zones would be prohibited along the primary street façade. Developments would be prevented from forming apartment "blocks" with unbroken facades through a combination of the zone district's development standards (e.g., building coverage, open space requirements) and the ODS (e.g., minimum dimensions for open space, contextual upper-story setbacks, wall plane variation requirements).

Objective CD-8: *To encourage and facilitate pedestrian and bicycle pathways.*

Policy CD-8a. *All streets should be designed with safe and pleasant pedestrian ways at their edge. Pedestrian ways shall be spatially separated from vehicular traffic by elements such as trees, other plantings, streetlights, and/or parked cars.*

Policy CD-8b. *To provide convenient pedestrian routes, the existing network of automobile lanes, trails and pedestrian ways in the Downtown District and adjacent neighborhoods should be preserved, reinforced and extended into other neighborhoods. This pedestrian network should be in addition to, not in lieu of, pedestrian ways on the streets.*

Discussion: The proposed ODS provide several standards related to pedestrian access and circulation on a site. Walkways would be a required minimum of four feet wide and would need to connect the public sidewalk to areas all throughout the site. For sites located more than 300 feet from an intersection, a public access walkway would be required through the lot to connect blocks to one another. Landscaping would be required to flank at least one side of each walkway, with trees planted to shade at least 25% of the walkway at maturity, providing buffer from other uses (e.g. parking or street areas). While the ODS do not address bicycle infrastructure in the public right-of-way, the ODS do propose requirements for bicycle parking for both commercial and residential uses, enhancing the bike-friendliness of the City.

Objective CD-10: *Areas with attractive frontage designs should be maintained. New development should be carefully planned with frontage areas, which maintain and enhance the quality of Carpinteria's streetscape.*

Policy CD-10a. *Minor variations in front yard building alignments within a block are encouraged. Relatively steady setback patterns clearly define the public space of the street and reinforce small town character.*

Policy CD-10b. *Frontages where residential uses abut a major thoroughfare should include buffering elements such as yards, forecourts, courtyards, and tree rows. Sound walls are the most primitive form of buffer and should be used only where other methods are impractical. If sound walls are used they should be attractive and well landscaped.*

Policy CD-10c. *Commercial and mixed-use frontages should generally have wide sidewalks adequate to encourage customers and residents to walk, shop and linger in the public right-of-way. Commercial buildings should have large windows and entries on the street at the ground level. Residential ground floor uses should be set up or back from the street enough to afford privacy within the dwelling.*

Policy CD-10e. *Frontages with existing uses such as the parking, loading or storage of vehicles should be screened with walls and plantings that are consistent with the neighborhood character. These elements should be in scale with pedestrians.*

Discussion: Attractive building frontages are a key focus of the proposed ODS. Section 14.51.040 would address frontages on a larger scale, requiring wall plane variation, vertical breaks in color, material, or texture, roofline variation, and reduced upper story massing to prevent "looming" multi-story façades. Where an established façade setback pattern exists (such as along Linden Ave and parts of Carpinteria Ave), new developments would be required to maintain that pattern to fit in with the building character. Other sections propose standards to enliven and beautify frontages in smaller ways, such as requiring that front setbacks of commercial mixed-use spaces be public/pedestrian-oriented (e.g. providing seating, public art, etc.); that front entrances along the downtown "T" provide enhanced paving and decorative/weather protective elements; and that garages be recessed from the main wall plane and provide decorative treatments, like trellises or windows to soften their appearance.

A downtown ground floor transparency requirement is proposed, which would mandate that new mixed-use commercial facades facing Linden or Carpinteria Avenues include windows and doors for at least 50 percent of the building wall area located between three and seven feet above the elevation of the sidewalk. Commercial components of mixed-use developments would be required to always be located closest to the primary street, and on the ground floor when commercial and residential is proposed in the same building, thereby siting the residential units away from the primary street. A five-foot landscaping privacy buffer would be required between all private open spaces (e.g. patios) and public spaces. As mentioned previously, loading areas and mechanical equipment would be required to provide screening through fences, landscaping, or other means to blend in with the surrounding character. For sites fronting Linden or Carpinteria Avenues, off-street parking would not be permitted in the front or side setback. Taken together, all of these standards would enhance neighborhood character and avoid blank, uninviting facades at the pedestrian, building, and block level.

Objective CD-11: *Existing public spaces should be maintained, and new public spaces should be incorporated into neighborhoods and districts as an important aspect of their design.*

Policy CD-11a. *Open space, in the form of parks and greens should be an integral part of each neighborhood plan, not configured as residual space unusable by the residents.*

Policy CD-11c. *All public spaces and facilities should reflect quality design.*

Policy CD-11f. *Landscape design guidelines should emphasize the use of native drought tolerant plant materials, and the importance of trees as the primary elements of the town landscape. All landscaping shall utilize only non-invasive type plants.*

Discussion: The amount of required common and/or public open space is set by the zone district, but the ODS propose standards to enhance these spaces for the benefit of a development's residents and the public. As mentioned above, the ODS propose that

common/public open spaces be a minimum of 10 x 10 feet (preventing situations such as a long, narrow strip of residual land between buildings being counted as "open space") and provide at least one amenity to make the space useful— elements such as picnic tables, seating areas, play areas, and community gardens are proposed. Along Linden and Carpinteria Avenues, the ODS would require that any ground-floor courtyard, open space, or building setback from the street-facing property line be used for outdoor dining, public plazas, or entries, allowing for smaller public spaces to nestle along high foot traffic streets. Section 14.51.110 would additionally require that all landscaping utilize non-invasive Mediterranean, local California native, and other drought-tolerant species, and would prohibit artificial plants. Proposed minimum plant quantities (one 15-gallon tree or equivalent box size and 20 five-gallon shrubs per 1,000 square feet of landscaped area) would prevent developments from looking barren before landscaping has matured and from having large swaths of hardscape, mulch, woodchips, or similar materials. These proposed requirements aim to create "quality design" for public spaces incorporated in new developments.

Community Design Subareas

Subarea 2. The Downtown and Old Town

Objective CDS2-2: *Preserve and enhance the downtown's historic status as the center of commercial activity by encouraging a range of uses that serve both residents and visitors.*

Objective CDS2-3: *Preserve and enhance the downtown's historic status as the center of civic activity by encouraging the construction and expansion of cultural and governmental facilities in the downtown.*

Policy CDS2-a. *Ensure that new intensified land uses within the Downtown remain consistent with the city's "small beach town" image.*

Policy CDS2-b. *To enhance the pedestrian character of the downtown's streets, plazas, paseos, parks and lanes.*

Discussion: The proposed ODS would contribute to the downtown's status as the center of commercial and civic activity by requiring building designs that blend residential and mixed-use into the existing vibrant cityscape. Mixed-use developments would require commercial frontages to be public and visitor-oriented—architecturally detailed street-facing entrances and pedestrian amenities in front setbacks—while residential-only developments would require adequate privacy for residents while maintaining openness and "curb appeal"—windows with improvements like shutters or awnings; a maximum height of four feet for fences, walls, or hedges facing a public street to prevent the street from being walled off; and no expansive, blank garage doors facing the street. New downtown development accommodating both commercial and residential uses has the

potential to create a pedestrian-centric neighborhood with people in close proximity to work, home, cultural and leisure amenities, and shopping areas.

Subarea 2a. The Downtown Core District

Objective CDS2A-2: *Preserve and enhance the downtown's historic status as the center of commercial activity of the city by encouraging a range of uses that serve both residents and visitors.*

Discussion: Consistent with this Objective, proposed rezones within the Downtown Core are limited to sites along the periphery of the Downtown "T" that are not designated for visitor-serving commercial use, but where mixed-use or multifamily residential uses would be appropriate and can help to preserve and enhance commercial activity throughout the downtown. The proposed ODS ensure that new development of these sites is pursued in a manner that preserves the character of the community.

Policy CDS2A-a. *Encourage and carefully regulate the development of two- and three-story mixed-use building along Linden and Carpinteria Avenues, to define a vital, lively, and valuable center for the city while prioritizing visitor-serving commercial uses.*

Policy CDS2A-b. *Ensure that intensified land uses within the subarea support a lively place to visit, live, work and shop, and that the scale and character of the District remain consistent with the city's "small beach town" image.*

Policy CDS2A-c. *Encourage the gradual but systematic transformation of Carpinteria Avenue from a highway commercial strip to an integrated downtown street similar in character to Linden Avenue.*

Policy CDS2A-d. *Enhance the pedestrian character of the District's streets, plazas, paseos, parks and lanes.*

Discussion: The proposed ODS would carefully regulate development of mixed-use projects in this key downtown "T" area. The "intensity" of land uses would be more precisely regulated by the new RMU zone district. But the proposed ODS would require reduced upper story massing, upper story setbacks, and roofline variation, which can lessen the perceived intensity of a development from the street or sidewalk. Required architectural details on windows, entryways, and roofs without a strict architectural style imposed overall would invite interesting variety and add to Carpinteria's eclectic "small beach town" feel. The ODS propose to site parking and loading areas away from Carpinteria and Linden Avenues, preventing pedestrian-hostile frontages dominated by asphalt.

Subarea 4. The Northeast

Objective CDS4-1: *Strengthen the visual and physical connections between the subarea, the downtown and other neighborhoods and districts in the city.*

Objective CDS4-2: *To take advantage of the subarea's unique mixture of workplaces and affordable housing to develop a vital living and working center for the city.*

Objective CDS4-3: *Enhance existing residential neighborhoods and ensure that new development improves the neighborhood scale and character.*

Discussion: The ODS propose design requirements that would appropriately blend residential and commercial uses in a mixed-use development supported by the Northeast neighborhood objectives. Currently, the Northeast as viewed from Via Real lacks significant draw and pedestrian-oriented infrastructure, and the industrial/commercial uses are entirely separated from residential uses. The ODS would require new development to amplify pedestrian infrastructure and design frontages that engage residents and passers-by, as indicated by analysis above, while still maintaining the business-oriented nature of the easternmost portion. The Northeast may currently be considered to lack the "small beach town character" that other areas of the City have, and the ODS would create a more cohesive sense of design in Carpinteria that prioritizes people instead of cars, and integrates residences with surrounding commercial areas.

Subarea 6. The Bluffs

Objective CDS6-1: *Maintain the Carpinteria Bluffs Access, Recreation & Open Space Master Program as the coordinated plan for the Carpinteria Bluffs area that will allow development of uses identified in the Land Use Plan herein, so as to complement one another and preserve and enhance the site's coastal environment. The plan should be maintained so as to include information adequate to define the environmental resources and hazards within the Carpinteria Bluffs, and to delineate precise and appropriate policies for their management.*

Objective CDS6-2: *Ensure that development is controlled to avoid impacts to significant viewsheds, vistas, and view corridors.*

Discussion: Of the 17 Candidate Opportunity Sites under consideration for the proposed Project (Table 1), only Site #21 is located in the Bluffs subarea. Site #21 consists of two properties to the east of Viola Fields, an active ball field. The Site supports both vacant land and existing development with the presence of a warehouse that was built in 1962. Future multifamily residential and/or mixed-use development on Site #21 would be

required to comply with the RMU development standards and ODS, as well as policies for coastal resource protection.

III. Project Consistency with the Circulation Element

The following analysis focuses on how the proposed Project is consistent with applicable Circulation Element objectives and policies.

Objective C-3: *Provide a balanced transportation network with consistent designations and standards for roadways that will provide for the safe and efficient movement of goods and people through the community.*

Policy C-3k. *Segregate by design, enforcement and traffic pattern, routes of significant industrial and residential conflict.*

Discussion: The proposed Project would allow for future development of mixed-use and multifamily residential projects adjacent to commercial and light industrial/research park uses. However, careful consideration was given to selecting Candidate Opportunity Sites where the combination of residential uses with commercial/industrial uses would not result in direct land use conflicts, including those related to traffic patterns. The 17 Candidate Opportunity Sites are located on or very near arterial streets that have existing capacity for local vehicle trips and also have direct access to existing public transit. An additional benefit related to the locations of the 17 Sites is that multifamily development in these locations is expected to reduce overall vehicle miles traveled by placing more workforce housing near jobs.

Objective C-7: *Build demand for alternative transportation use by increasing ease, effectiveness, and social acceptability, and through foresighted planning.*

Policy C-7b. *Develop safe and direct pedestrian accessibility between residential areas, schools, parks, and shopping areas in both new and existing urban areas.*

Policy C-8l. *As a requirement of new development, significant attention must be paid to bicycle-friendly infrastructure and the maintenance of nearby old infrastructure.*

Discussion: The Project would increase demand for alternative transportation by placing housing in areas that are walkable, bicycle-friendly, near public transit, and close to neighborhood services. The ODS component of the proposed Project specifically addresses pedestrian access and circulation, as well as requiring adequate bicycle parking.

IV. Project Consistency with the Open Space, Recreation & Conservation Element

The following analysis focuses on how the proposed Project is consistent with applicable Open Space, Recreation & Conservation Element objectives and policies.

Objective OSC-1: *Protect, preserve and enhance local natural resources and habitats.*

Policy OSC-1a. *Protect Environmentally Sensitive Habitat Area(s) (ESHA) from development and maintain them as natural open space or passive recreational areas.*

Policy OSC-1b. *Prohibit activities, including development, that could damage or destroy ESHA.*

Discussion: The majority of the properties included in the Candidate Opportunity Sites list do not have any environmentally sensitive habitats, nor are they located in proximity to such resources. Four sites, Site 5, Site 11, Site 18, and Site 21, are located immediately adjacent to City creeks (Carpinteria Creek, Franklin Creek, and Lagunitas Creek). Existing creek protection policies implemented through the City's Creeks Preservation Program would apply to redevelopment of these sites under the proposed RMU zoning designation. Likewise, Site 21 is known to contain limited quantities of sensitive sage and bluff scrub habitat, which would be subject to the City's ESHA protection policies. Assumed densities and development potential for these sites factored in applicable resource protection policies (e.g., setback requirements, etc.), while still allowing for reasonable redevelopment scenarios.

Objective OSC-11*: Carpinteria will conduct its planning and administrative activities so as to maintain the best possible air quality.*

Policy OSC-11b. *Promote the reduction of mobile source emissions related to vehicular traffic (e.g. promote alternative transportation, vanshare, buses).*

Policy OSC-11d. *Encourage the improvement of air quality in the Carpinteria Valley by implementing measures in the South Coast Air Quality Attainment Plan. For air quality enhancement, measures will include but not be limited to, measures to reduce dependence on the automobile and encourage the use of alternative modes of transportation such as buses, bicycles and walking.*

Discussion: The Project would minimize emissions from vehicles by placing residents near jobs and services. It would increase demand for alternative transportation by locating housing in areas that are walkable, bicycle-friendly, near public transit, and close to neighborhood services. All of the Candidate Opportunity Sites are located directly on the City's main transit line or within short (< ¼ mi.) walking distance of the route.

Policy OSC-13a. *Preserve broad, unobstructed views from the nearest public street to the ocean, including but not limited to Linden Avenue, Bailard Avenue, Carpinteria Avenue, and U.S. Highway 101. In addition, design and site new development on or adjacent to bluffs, beaches, streams, or the Salt Marsh to prevent adverse impacts on these visual resources. New development shall be subject to all of the following measures*

a. *Height and siting restrictions to avoid obstruction of existing views of visual resources from the nearest public areas.*

b. *In addition to the bluff setback required for safety, additional bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach. Blufftop structures shall be set back from the bluff edge sufficiently far to ensure that the structure does not infringe on views from the beach except in areas where existing structures already impact public views from the beach. In such cases, the new structure shall not be greater in height than adjacent structures and shall not encroach seaward beyond a plane created by extending a straight line ("stringline") between the nearest building corners of the existing buildings on either side of the proposed development. Patios, balconies, porches and similar appurtenances, shall not encroach beyond a plane created by extending a straight line between the nearest corners closest to the beach from the existing balconies, porches or similar appurtenances on either side of the proposed development. If the stringline is grossly inconsistent with the established line of seaward encroachment, the Planning Commission or City Council may act to establish an encroachment limit that is consistent with the dominant encroachment line while still limiting seaward encroachment as much as possible.*

c. *Special landscaping requirements to mitigate visual impacts.*

Policy OSC-13b. *Require new development or redevelopment in the downtown section of Carpinteria to conform with the scale and character of the existing community and consistent with the city's theme of a small beach-oriented community.*

Policy OSC-13f. *Where appropriate, use open space lands as buffers for noise and visual nuisances and as transitions between incompatible uses.*

Policy OSC-13g. *Require new development to protect scenic resources by utilizing natural landforms and native vegetation for screening structures, access roads, building foundations, and cut and fill slopes in project design which otherwise complies with visual resources protection policies.*

Discussion: The proposed Project must allow for ministerial and streamlined permitting of medium-density multifamily housing per State law. As written, the draft RMU Zone, coupled with the draft ODS, would allow for such development on select rezone sites in the City while protecting important visual resources and broad unobstructed views. The RMU Zone standards would limit building and structure heights to 35 feet, require setbacks and distance between buildings, restrict building site coverage, and limit fence/wall heights.

The ODS propose many standards which address the relationship between the project site, adjacent sites, and the new development. They would prevent development from forming apartment "blocks" with unbroken facades via minimum dimensions for open space, contextual upper-story setbacks, and wall plane variation requirements. Attractive building frontages are a key focus of the proposed ODS, which include standards to enliven and beautify frontages. Proposed "Site Design" standards would ensure building façades remain in character and coherent with the surrounding neighborhood, such as requiring commercial components of mixed-use developments to be located on the ground floor facing the primary street and designating street-facing open spaces on Carpinteria and Linden Avenues to be used for public plazas, dining, or entry spaces.

Landscaping would be required to flank at least one side of each walkway, with trees planted to shade at least 25% of the walkway at maturity, providing buffer from other uses (e.g. parking or street areas). Section 14.51.110 of the ODS would additionally require that all landscaping utilize non-invasive Mediterranean, local California native, and other drought-tolerant species, and would prohibit artificial plants. Proposed minimum plant quantities (one 15-gallon tree or equivalent box size and 20 five-gallon shrubs per 1,000 square feet of landscaped area) would prevent developments from looking barren before landscaping has matured and from having large swaths of hardscape, mulch, woodchips, or similar materials. These proposed requirements aim to create "quality design" for public spaces incorporated in new developments.

V. Project Consistency with the Safety Element

The following analysis focuses on how the proposed Project is consistent with applicable Safety Element objectives and policies.

Objective S-4: *Minimize the potential risks and reduce the loss of life, property and the economic and social dislocations resulting from flooding.*

Policy S-4a. *All new development proposed in the 100-year floodplain must adhere to the County of Santa Barbara Floodplain Management Ordinance, Chapter 15-A of the County Code.*

Discussion: Some of the Candidate Opportunity Sites for potential rezoning to the RMU Zone are located within, or partially within 100-year flood zones. The flood zone maps are currently undergoing review and modification with the Federal Emergency Management Agency (FEMA). In any case, future development within the selected rezone sites would have to be evaluated for potential flooding and adhere to the City's and County's standards for development in areas prone to inundation.

With the exception of Site No. 21, none of the other Candidate Opportunity Sites for rezoning were identified in the City's Sea Level Rise Vulnerability Assessment and Adaptation Project ("SLRVAAP") as being vulnerable to sea level rise impacts resulting from one to five feet of sea level rise. The potential for impacts to Site No. 21 are associated with coastal bluff face retreat in the event of five feet of sea level rise. However, the City's existing bluff setback requirements and ESHA buffer requirements would offer adequate distancing from the bluff edge to mitigate sea level rise impacts over the expected economic life of any future development on the site.

Objective S-5: *Minimize the potential risks and reduce the loss of life, property and economic and social dislocation resulting from urban and wildland fires.*

Policy S-5a. *All new structures must adhere to the Carpinteria-Summerland Fire Protection District Ordinance and the Santa Barbara County Fire Department Ordinances, where applicable.*

Policy S-5b. *All new structures, whether within or outside the urban limit zone, must adhere to the city Fire Sprinkler Ordinance.*

Discussion: None of the Candidate Opportunity Sites for potential rezoning to the RMU Zone are located in high-fire severity zones. In any case, future development within the selected rezone sites would have to comply with all applicable fire safety standards.

VI. Project Consistency with the Noise Element

The following analysis focuses on how the proposed Project is consistent with applicable Noise Element objectives and policies.

Objective N-1: *The City will minimize noise impacts of Highway 101 traffic on residential and other sensitive land uses.*

Policy N-1a. *The City will plan noise-compatible land uses or design developments with noise attenuation features near Highway 101.*

Objective N-3: *The City will minimize the adverse effects of traffic generated noise from City streets on residential and other sensitive land uses.*

Policy N-3a. *The City will encourage site planning and traffic control measures that minimize the effects of traffic noise.*

Discussion: The proposed Project would create an RMU zone district and rezone select parcels to RMU such that streamlined and ministerial permitting of medium-density housing can occur within the City. Some of the potential rezone sites are located near Highway 101 and busy arterial streets. The California Building Code Section 1206.4 states:

> Interior noise levels from exterior sources must not exceed 45 decibels (dB) in any habitable room. The noise metric shall be either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.

Based on these requirements of the Building Code, even ministerial projects must be designed and constructed in a manner that will attenuate excessive exterior noise levels.

VII. Project Consistency with the Public Facilities and Services Element

The following analysis focuses on how the proposed Project is consistent with applicable Public Facilities and Services Element objectives and policies.

Objective PF-6: *To ensure that new development is adequately served by utilities and does not impact existing service areas in the community.*

Policy PF-6a. *The ultimate responsibility to ensure that the facilities (including systemwide improvements) needed to support the project are available at the time that they are needed shall be that of the sponsor of development projects.*

Policy PF-6b. *Development projects shall not result in a quantifiable reduction in the level of public services provided to existing development, nor shall new development increase the cost of public services provided to existing development.*

Policy PF-6c. *Development projects within Carpinteria shall be required to:*

1. *construct and/or pay for the new on-site capital improvements that are required to support the project;*
2. *ensure that all new off-site capital improvements that are required by the project are available prior to certificate of occupancy;*
3. *be phased so as to ensure that the capital facilities that will be used by the new development are available prior to certificates of occupancy;*
4. *ensure that, in the event that public services or off-site capital facilities are impacted prior to development, the level of service provided to existing development will not be further impacted by the new development; and*
5. *provide for the provision of public services, and shall not increase the cost of public services provided to existing development.*

Policy PF-6d. *In cases where the City and/or special district requires capital facilities needed by development to be oversized, extended, or otherwise built over and above the minimum necessary to serve the development and the cost of such improvements is greater than the project's fair share of those facilities, at the city's discretion, a reimbursement agreement may be established with the developer to allow him to recoup the cost of providing capital facilities beyond the need directly created by his project from subsequent new development.*

Discussion: Although future development in the RMU Zone would be streamlined, it would not be exempt from these policies requiring that adequate services and utilities are available to the development project. Any future development or redevelopment accommodated under the new RMU zoning would be required to pay for its incremental increased demands on infrastructure and services through the City's Development Impact Fee program.

Additionally, as analyzed in the GP/CLUP, the Carpinteria Valley Water District, Carpinteria Sanitary District, and Carpinteria Summerland Fire Department have capacity to serve the full buildout of the planned growth. The proposed Project would not exceed the anticipated buildout of the GP/CLUP.

VIII. Project Consistency with the Housing Element

Finally, the project would be consistent with the adopted 2023-2031 Housing Element because the purpose of the project is to implement Program 1 - Adequate Sites to Accommodate Regional Housing Needs.

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City of Carpinteria

COUNCIL AGENDA STAFF REPORT
November 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Response to the 2024 Santa Barbara County Civil Grand Jury Report on "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again"

STAFF RECOMMENDATION

A. Review and approve staff's recommended responses to the Santa Barbara County Civil Grand Jury Report – "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again;" and
B. Authorize the City Manager to sign and transmit the City's Response to the Presiding Judge, Honorable Pauline Maxwell of the Superior Court, a copy to the current impaneled Grand Jury, and to file a copy with the City Clerk's Office.

Sample Motion: I move to review and approve staff's recommended responses to the Santa Barbara County Civil Grand Jury Report regarding "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again," and authorize the City Manager to sign and transmit the City's Response to the Presiding Judge, Honorable Pauline Maxwell of the Superior Court, provide a copy to the current impaneled Grand Jury, and file a copy with the City Clerk's Office.

BACKGROUND

On June 25, 2024, the City of Carpinteria received the Santa Barbara County Civil Grand Jury report titled "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again" (Attachment A), hereafter referred to as the Grand Jury Report (GJR). This report examines the County of Santa Barbara's Community Services Department's Encampment Resolution Strategy, highlighting the collaboration between various County and city departments, as well as non-profit organizations, to deliver services more effectively. The County's coordinated efforts have been supported by three successive California Encampment Relief Grants (CERF 1, 2, and 3), totaling $2.5 million, $6 million, and $8 million, respectively, over the past three years.

In accordance with California Penal Code §933(c), public agencies must respond to Grand Jury reports within 90 days. The law mandates that the governing body of the public agency submit comments on the findings and recommendations to the Presiding Judge of the Superior Court. These responses must be provided promptly to the judge who impaneled the Grand Jury.

As the City of Carpinteria received the GJR on June 25, 2024, the City Council was required to respond by September 23, 2024. However, the Grand Jury granted the City an extension; the City must complete this response by November 26, 2024.

DISCUSSION

The 2024 Santa Barbara County Grand Jury reviewed the collaborative efforts of various agencies involved in the County of Santa Barbara's Community Services Department's Encampment Resolution Strategy. The Grand Jury focused on the roles of Public Safety, Housing, Mental Health, Health, Funding, and the Environment, examining how public agencies and nonprofit organizations worked together using both new and existing resources.

The Grand Jury's research touched upon:

Public Safety:

- **Fire Department –** Between 2020 and 2023, eight percent of calls were categorized as "transient-related." Within this timeframe, five homeless encampments were destroyed by fire, and two were abandoned. The Fire Department responded compassionately to encampment fire safety concerns and has initiated a partnership with the County Department of Behavioral Wellness to consider the implementation of co-response teams.

- **Law Enforcement –** The GJR found significant police resources are allocated to addressing homeless encampments in Santa Maria, Santa Barbara, and Lompoc. The GJR also concluded incarceration is not a solution to homelessness. Additionally, the GJR noted law enforcement presence in encampments has hindered efforts by social service providers and volunteers to assist people experiencing homelessness due to fear and distrust.

- **Encampment Sweeps –** The GJR acknowledged environmental, aesthetic, and safety concerns related to encampments. The report noted the County in collaboration with cities, Caltrans, and Union Pacific Railroad Company cleared 700 encampments since 2021. The GJR recognized the challenges of clearing encampments, including personnel, equipment, and cost constraints, as well as the lack of adequate shelter options for encampment residents. The GJR further acknowledged the multi-disciplinary nature of this issue, involving non-profit organizations, law enforcement, and public agencies.

- **Flooding –** The GJR highlighted the flood risks to encampment residents due to recent wet weather and reservoir overflow. The Sheriff's Office has employed helicopters, drones, and foot patrols to warn individuals near waterways of imminent danger.

Housing:

- **Point In Time Count –** The GJR mentioned the County's annual Point-in-Time Count, primarily conducted by volunteers. While the report initially stated that encampments were not counted, County officials clarified that local nonprofits were tasked with separately counting individuals in encampments. The report found a 3.7% decrease in the overall count between 2022 and 2023, but a 12% increase between 2023 and 2024.

- **Housing Inventory –** The GJR recognized the lack of affordable housing as the primary challenge in addressing homelessness. While noting the creation of 787 beds countywide, the report did not differentiate between interim and permanent housing.

- **Housing Resistance –** The GJR stated, without evidence, that only 20% of individuals experiencing homelessness have accepted congregate shelter beds and 35% have returned to encampments. The report cited "Encampment Strategy Plan staff" who claimed that individuals often return to encampments due to concerns about pets, belongings, and partners.

- **Housing Services –** The GJR criticized Dignity Moves for not adhering to Housing First principles. The County, with a 90% retention rate under Housing First, owns 18 sites zoned for 6,000 units but faces high development and service costs. Despite this, 700 encampments were cleared, and 1,400 people were housed in low-cost units between 2021 and 2023.

Mental Health:

- **Mental Health and Drug Challenges –** The GJR cited both the Point-in-Time Count and the County Department of Community Services for estimates of mental health and substance abuse issues among the homeless population. The Point-in-Time Count estimated 34% with severe mental illness and 27% with substance abuse disorders, while Community Services estimated 50-60% with mental health issues and 40-50% with addictions. The GJR then offered opinions, without evidence, on the causes and impacts of these issues.

- **Housing People with Mental Illness –** The GJR emphasized stable housing as a crucial component of mental health treatment. Outreach was identified as a key step, with compassionate providers building trust and cooperation among individuals experiencing both homelessness and mental health challenges.

- **Educating the Public –** The GJR heard testimonies expressing negative perceptions of people experiencing homelessness and mental illness.

- **Resources for Services –** The GJR expressed optimism about the County Department of Behavioral Wellness' efforts to expand street outreach, crisis units, training, and collaboration. While recognizing the growth of CalAIM, the report questioned whether these increased supports would be sufficient to end homelessness.

Health:

- The GJR highlighted the significant health challenges faced by the homeless population, including lack of basic amenities, infectious diseases, and substance abuse. The pandemic exacerbated these issues, and recent research suggests involuntary displacement contributes to increased mortality rates. Between 2019 and 2022, 143 homeless individuals died, primarily due to drug overdoses, cardiovascular disease, and suicide. To address these challenges, multi-disciplinary efforts and partnerships with nonprofits have been implemented. Medi-Cal expansion offers broader coverage for many homeless individuals.

Funding:

- The GJR acknowledged the evolution of funding mechanisms for individuals experiencing homelessness, from traditional charitable donations to a more diverse range of funding sources.

- The American Rescue Plan Act (ARPA) provided funding for staff positions within the County of Santa Barbara, enabling the application for and receipt of California Encampment Relief Fund (CERF) grants. CERF 1, focused on transit corridors, yielded $2.52 million, resolving 95 encampments. CERF 2, targeting creeks and waterways, was awarded $6 million. CERF 3, focused on individuals living in vehicles, received $8 million. Additionally, the California Advancing and Innovating Medi-Cal (CalAIM) program and the implementation of Proposition 1 will provide increased funding for services and housing for individuals experiencing homelessness.

- The GJR reported that in April 2024, the County requested for $500,000 in ARPA funds to provide sanitation services including cleanup of encampments from 2024 to 2026. Additionally, $8 million in ARPA funds is available for future homeless projects over the next two years.

Environment:

- The GJR highlighted the environmental damage caused by homeless encampments, including riverbed erosion, vegetation destruction, water pollution, and hazardous waste. The County, unable to rely on CERF funding for cleanup, allocated $375,000 annually from ARPA funds for sanitation and $100,000 for personal property storage.

- The GJR expressed concern over insufficient public funding for encampment cleanup and environmental restoration. Nonprofits like Health the Ocean, Santa Barbara Urban Creeks Council, and Channel Islands Restoration are filling gaps in these efforts.

Findings and Recommendations:

The GJR concluded with seven findings and seven recommendations directed at various public agencies. *The City of Carpinteria was requested to respond to Findings 2 and 3, and Recommendations 2 and 3.*

As required by California Penal Code §933 and §933.05, each entity must respond to the findings and recommendations within the specified timeframe. Responses to findings should indicate agreement, disagreement with explanation, or partial disagreement with an explanation. Responses to recommendations should include one of the following:

- Has been implemented, with a brief, summary of the implementation actions taken.
- Will be implemented, with an implementation schedule.
- Requires Further Analysis, with an analysis completion date of less than six months after the issuance of the report.
- Will not be implemented with an explanation of why.

Finding 2

The negative effects of encampment sweeps can be mitigated when a variety of community resources are present at the time of the clean-up.

City of Carpinteria Response: Agree

The City of Carpinteria utilizes a variety of community resources in responding to encampments, including outreach and navigation services coordinated with community partners and agencies. The City also refers individuals to its Safe Parking program as part of its partnership with New Beginnings, which supports individuals living in vehicles. Additionally, the City is exploring opportunities to expand this program to provide more spaces for individuals residing in vehicles.

Recommendation 2

The County and the cities shall ensure that all sweeps occur utilizing a multi-disciplinary approach.

City of Carpinteria Response: Has been implemented

The City of Carpinteria prioritizes connecting individuals residing in homeless encampments to existing resources through the Continuum of Care (CoC). When possible, the City coordinates with service providers to ensure their presence before or during contact with an encampment, facilitating contact with individuals and connecting them to services.

In instances where service providers are unavailable, Code Compliance staff actively encourage individuals to attend the City's weekly Wednesday lunch program. This program serves as an accessible entry point for homeless individuals to engage with the broader regional service network, including housing and healthcare resources. Through these efforts, the City ensures a multi-disciplinary approach to addressing homelessness.

Finding 3

Encampments lack basic sanitation services.

City of Carpinteria Response: Agree

The City of Carpinteria acknowledges the threat to public safety posed by encampments lacking access to basic sanitation services. Consequently, the City allocates substantial funding for environmental cleanup efforts following the abandonment of encampments. City-contracted cleanup crews are regularly dispatched to encampments in open spaces and creek areas to address biohazardous materials, improperly discarded needles, trash, and debris.

Recommendation 3

The County and the cities shall make trash cans, porta-potties, resources for handwashing, and sharps containers for safe disposal of needles and other hazardous waste available near encampment sites.

City of Carpinteria Response: Will not be implemented

The City of Carpinteria recognizes the significant health risks posed to both encampment residents and the surrounding community by encampments. For encampment residents, unsheltered living exposes individuals to a multitude of real and potential hazards and unhealthy conditions. Notably, these include a high propensity for alcohol and illegal drug use, sex trafficking, and exposure to safety risks associated with

the use of propane and other fuels. Additionally, the real and potential fire danger posed by encampments constitutes a significant risk to public health and safety.

In response to these health and safety concerns, the City of Carpinteria prioritizes moving individuals from encampments into shelter or housing, and utilizing outreach teams and law enforcement. This approach ensures that individuals receive care while allowing the City to focus resources on providing housing solutions.

Implementing Recommendation 3 would divert resources from housing initiatives. Providing sanitation and waste disposal to encampments could prolong their existence, hindering the City's goal of rapid rehousing. Given the temporary nature of most encampments, providing these services is not an efficient use of limited resources.

Providing services directly to encampments has faced significant challenges in some metropolitan cities in California, and can sometimes unintentionally prolong encampment conditions by reducing incentives for individuals to transition into permanent housing. Such efforts may also encounter issues like reluctance to accept shelter and other unintended consequences. Implementing the Grand Jury's recommendation could inadvertently establish a de-facto shelter in locations not intended for long-term habitation, potentially hindering efforts to encourage residents to seek safer and more stable housing options.

The draft response letter to the Grand Jury is included as Attachment B. Staff requests that the City Council review and approve the draft responses and authorize the City Manager to sign the letter for submission to the Honorable Pauline Maxwell.

POLICY CONSISTENCY

Responding to the Grand Jury report and addressing the homelessness crisis is consistent with state and local directives, reaffirming the City's commitment to tackling this critical issue.

FINANCIAL CONSIDERATIONS

There are no fiscal impacts to the drafting, approval, and transmission of the response to the Grand Jury's findings and recommendations.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

This report has been prepared in compliance with California Government Code Sections 53600 and 53646.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

OPTIONS

1. Review and approve staff's recommended responses to the Santa Barbara County Civil Grand Jury Report regarding "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again," and authorize the City Manager to sign and transmit the City's Response to the Presiding Judge, Honorable Pauline Maxwell of the Superior Court, provide a copy to the current impaneled Grand Jury, and file a copy with the City Clerk's Office. (Staff recommendation)

2. The City Council could choose to not approve the recommendation and direct staff as determined appropriate.

ATTACHMENTS

Attachment A: Grand Jury Report On Homeless Encampments In Santa Barbara County

Attachment B: Grand Jury Report Response Letter

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Signature

Signature

Signature

ATTACHMENT A

Grand Jury Report On Homeless Encampments In Santa Barbara County

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HOMELESS ENCAMPMENTS IN SANTA BARBARA COUNTY
Becoming Part of the Community Again

SUMMARY

In 2021 the Santa Barbara County Board of Supervisors approved the Homeless Encampment Resolution Strategy, a three-year plan to transition persons from encampments to housing. The 2023-24 Santa Barbara County Grand Jury studied the issues surrounding encampments and the progress made as the Strategy approaches the end of its first phase in mid-2024.

The Jury found that the Encampment Resolution Strategy energized several departments and agencies to address homelessness in new ways, generating collaboration among them, which has led to positive and helpful contact with unhoused people in the encampments. Many placements in housing were made and encampments were "resolved," or removed. Yet, many encampments continue to have negative impacts on neighborhoods. Heightened health, safety, mental health issues, substance abuse, along with environmental harm, remain concerns for everyone. Our local agencies are still handicapped by lack of affordable housing availability, impeding movement from encampments. Local economic challenges detract from the success of the Encampment Resolution Strategy, as more people are becoming unhoused than those being housed.

These multiple social problems would require unparalleled resources were it not for the enhanced collaboration among government and community agencies fostered by the Homeless Encampment Resolution Strategy. Ideally, the next phase of the Strategy will find more ways to ensure that collaboration is thoroughly planned, enacted, and funded.

Commendation

Stereotyping individuals without housing by labeling them as "the homeless" or "the mentally ill" can lead to misconceptions about unhoused persons as somehow different. The Grand Jury commends our community leaders, service agencies, and news media for using appropriate language when referring to our unhoused citizens. This fosters greater compassion and empathy, empowering society to better address the needs of those without housing.

BACKGROUND

Homelessness used to be dealt with by getting the person back to their family. Then local communities and their respective churches made efforts to feed, house, and care for them. America's early exposure to this phenomenon occurred after the Civil War. Wounded or shell-shocked veterans (today known as Post Traumatic Stress Disorder) were put on trains headed to their last known hometown. A note was pinned on their jackets with the shorthand version of "Homeward Bound," or the "hobo." Many of them never made it home. Santa Barbara was known for its encampment of people labeled as hobos on the famed Child's Estate.

Since 2005 Santa Barbara County has actively sought long-term solutions to homelessness. Its first attempt to bring together partners to address chronic homeless issues resulted in a 10-year plan, *Bringing Our Community Together*, in 2006. Lack of sustainable funding impeded the plan's progress.

The County revived its effort to tackle homelessness after the U.S. Department of Housing and Urban Development (HUD) in December 2015 required communities to create regional planning bodies in order to receive federal funding and develop a database to match unhoused individuals with services. The County responded with a Community Action Plan to Address Homelessness Phase I, which began in 2019, and Phase II, which started in 2021. The County Community Services Department began to create networks of agencies and data banks of individuals needing housing and services. A Continuum of Care (CoC) was established to create partnerships among local government bodies and community agencies. It funneled federal and state monies to its member agencies.

The five overarching goals of the two Community Action Plans were:

- Increase access to safe, affordable housing
- Deliver supportive services for individual needs
- Build a database and improve data sharing
- Strengthen available support systems
- Build provider capacity to address the needs of specific populations

Although access to housing did not guarantee housing itself, just over 1,100 individuals were placed in housing, both transitional and permanent, during 2019 – 2021.

During the continued drought in 2019-21, numerous fires around homeless encampments in the Santa Barbara area placed scrutiny on those sites. These fires alarmed residents who feared the fires would spread beyond the encampments. In May 2021 the City of Santa Barbara declared a State of Emergency in fire-prone areas. These fires also prompted the County to focus its attention on homeless encampments, devising an Encampment Resolution Strategy (Strategy), which the Board of Supervisors adopted on August 31, 2021.

An encampment has been defined as any location where one person or more stays unsheltered every night in areas not meant for human habitation. Often included in the definition of a homeless encampment is that a person has more personal property than can be carried in one trip and is stored at the site. The County estimates at the beginning of 2024, about 750 people live in encampments.

Part of the 2021 funding for the Strategy went to new mapping software that pinpoints encampment locations. Each encampment site is counted rather than just the larger clusters. By August 2022, there were 961 encampments mapped in the County, making this problem more conspicuous. At the time that this report was written, 721 sites are identified on the encampment map, with an estimate of more than a thousand total. There are potentially many more because some encampments can be difficult to locate or reach, even by mapping drones.

Also in 2021, the State made emergency funding available to resolve encampment issues, especially along waterways and traffic corridors. The major hubs for encampments in Santa Barbara County were the Lompoc riverbed, the Santa Maria riverbed, and creeks throughout South Santa Barbara County.

In contrast to the Community Action Plans, the goals of the Strategy emphasized the safety and cleanliness of streets and open spaces, medical and behavioral health, service needs, and information sharing. For this, the Strategy promoted person-to-person connection. Outreach to unsheltered individuals was the primary directive. In its proposal to the Board of Supervisors, the Community Services Department noted:

> A key best practice in encampment response is *consistent* outreach and engagement that includes individual case management and housing navigation.... Successful street outreach requires collaboration among multiple stakeholders and strong coordination among teams. Approaches by teams should: permit ample time for engagement and rapport-building; allow for individualized case management; be client-centered, trauma-informed, and voluntary; be paired with availability of housing resources; and be transparent and consistent at every point of contact.

While the natural environment is not part of the County's homeless plan – nor a beneficiary of state grants – the Strategy directs attention to the unsafe conditions presented by encampments: the "risk of fire, impacts on public recreation areas and the environment, safety of the greater community and visitors, and concern for the health and safety of those experiencing homelessness."

An Encampment Response Coordinator was hired in 2021 to convene focus groups, including persons who had experienced homelessness, and forge a Response Team from many sources. The Encampment Response Team includes almost every department in the County and some outside agencies: Community Services, Public Health and Environmental Health, Public Works, General Services, Code Enforcement, Parks, the Agricultural Commissioner, Behavioral Wellness, Social Services, as well as the Public Defender's Office. Notably, the Strategy team members participate

with the County Fire Department, the Sheriff's Office, as well as many non-profit organizations in the efforts to resolve encampments.

The inclusiveness of the Encampment Response Team helps in approaching the totality of the homeless encampment dilemma.

Navigating Legal Issues of the Unhoused

Historically, interaction between the unhoused population and law enforcement has included writing citations for loitering, vagrancy, panhandling, or disturbance of the peace. Occasionally, the unhoused would be asked to remove themselves from public property, which might escalate to an arrest, resulting in jail time and fines.

As the unhoused population grew, keeping unhoused individuals incarcerated became an unsustainable solution. Jails became overcrowded, and the unhoused, once released with nowhere to shelter safely or resources for change, drifted back into the community, cycling back into custody. A recent survey of the Santa Barbara County jail population showed that 242 of the 767 (32%) incarcerated people were inmates without homes.

McKinney–Vento Homeless Assistance Act

The McKinney–Vento Homeless Assistance Act of 1987 provided states with funding for homeless shelter programs. This first step, though ambitious, did not address the diversity of the needs for services from basic housing to medical/mental health services among the unhoused population. Shelters were built but soon became overcrowded. Many unhoused remained without shelter, with communities' only resource to address this problem too often leading to incarceration without consideration of the civil and human rights of the unhoused.

Martin v. Boise

In 2009, six unhoused people sued the city of Boise, Idaho, stating that incarcerating the unhoused violated their constitutional rights when the city had nowhere else to house them. The group won

the lawsuit, which wound its way through the appeals courts, with a final upholding decision by the U.S. Court of Appeals for the Ninth Circuit in 2019 (*Martin v. City of Boise*, 920 F.3d 584 (9th Cir. 2019). The Ninth Circuit ruled that criminalizing a person for sleeping in public when no sleeping space is available in a shelter is prohibited by the Eighth Amendment's Cruel and Unusual Punishment Clause.

Johnson v. City of Grants Pass

A similar lawsuit originating from Grants Pass, Oregon included statements that the anti-camping ordinance exclude items needed for keeping safe and warm such as blankets, tents, pillows, sleeping bags, backpacks by those unhoused who must sleep in public places when no acceptable alternative forms of shelters are available. The U.S. Court of Appeals for the Ninth Circuit upheld the lawsuit reiterating that not allowing such items by the unhoused is a violation of the Eighth Amendment as cited in the *Martin v Boise* case in 2022. These Court rulings stated that cities' anti-camping ordinances cannot be enforced if cities do not have sufficient shelter beds available for their unhoused population. However, the rulings reiterated that a city or jurisdiction could enforce other types of restrictions of camping on public property specific to its community. This ruling applies to all nine western states over which the US Court of Appeals for the Ninth Circuit has jurisdiction, including California, Nevada, Idaho, Oregon, Alaska, Arizona, Hawaii, Montana, and Washington.

This ruling allows local jurisdictions to decide what to enforce or restrict in terms of where, when, and how the unhoused can camp. In the past year, there have been several challenges to the 9th Circuit Court's rulings of 2019 and 2023. Though pending review by the Ninth Circuit, the most recent filing of the *City of Grants Pass, Oregon v Gloria Johnson, et al*, was heard by the United States Supreme Court on April 22, 2024. The issue once again is whether state, county, and city anti-camping ordinances violate an individual's Eighth Amendment rights. As of the writing of this report, the Supreme Court is set to rule sometime in June 2024.

The Ninth Circuit Court of Appeals' decisions notwithstanding, cities across the country have put in place ordinances/laws to "curtail" the unhoused population and skirt around the ruling. Most are considered nuisance laws:

- Panhandling (Multiple Cities). It is a crime or a citable offense if visibly panhandling on streets, in front of businesses, and by on/off ramps.

- Camping Ban (Solvang). Bans can be loosely interpreted as prohibiting camping in parks and requiring the removal of tents, sleeping bags, and personal property from encampments. In November 2023, Solvang passed an ordinance defining the time and location where the unhoused can set up encampments or park their vehicles. Encampments or parked vehicles can only occur on city-owned property for 24 hours. After the 24 hours, they must be moved.

- Sit/Lie Ban (Santa Barbara). Individuals cannot sit or lie on the streets directly or on their backpack on the streets from 7 a.m. to 11 p.m. Recently, a federal judge ruled the sit/lie ban for State and Milpas streets was constitutionally insupportable. The ordinance did not distinguish sit/lie from those eating outside, sitting for a parade or other street event, or just resting for a period of time. This ruling, at the time of this report, is being reviewed for further discussion or action.

- Food Sharing Limits (Multiple Cities). It is a violation if either an unhoused person shares food or an individual attempts to provide or share food with a person without housing.

- RV Ban (Goleta). One cannot park between set hours in designated areas, which may result in fines, citations, or loss of the RV for non-compliance. The City of Goleta imposed a code for large vehicles in early 2024. It states that no person(s) may park or leave any large vehicle on any residential or commercial areas between the hours of 7:30 a.m. and 4:00 p.m. Goleta does offer safe overnight parking areas that can be accessed after applying for a permit.

- Bench Removal (Multiple Cities). Benches in public parks have been removed to discourage congregation, vagrancy, sleeping, or panhandling.

These ordinances and more have appeared in the cities of Santa Barbara County. Some have since been retracted.

Other laws are often used against unhoused individuals, such as those involving public intoxication, trespassing, public urination/defecation, disruptive behavior, aggressive panhandling, blocking sidewalks, and littering. Ordinances against camping in public parks have been passed locally. City governments in Santa Barbara County have enlarged the scope of code enforcement for cases such as these, notifying police departments where codes are being broken. Law enforcement officers informed the Jury that citations are complaint driven mostly by private

citizens or businesses. Homeless advocates say citations or arrests in these cases are harassment and that law officers treat everyone as criminals. Civic leaders, as well as law enforcement officers, are caught between the two points of view.

METHODOLOGY

The 2023-24 Santa Barbara County Grand Jury (Jury) encompassed a variety of resources in researching encampment issues. Jury members reviewed County documents, watched Board of Supervisors meetings, and read numerous news articles on local encampments and research papers on the effects of homelessness.

Committee members interviewed 22 individuals representing:

- Santa Barbara County Community Services Department
- Santa Barbara County Department of Behavioral Wellness
- Santa Barbara County Public Defender's Office
- Santa Barbara County Supervisors
- The Santa Barbara County Fire Department
- The Continuum of Care, Santa Barbara County
- Mayors of Cities in Santa Barbara County
- Homeless Services Coordinators and Shelter Managers
- Local non-profit organizations with outreach workers
- Municipal Police Chiefs in Santa Barbara County
- Santa Barbara Sheriff's Office
- Goleta Neighborhood Services Division

Committee members toured encampments in the Santa Maria area, accompanied by members of the Santa Maria Police Department and Rangers from the Parks and Recreation Department. The committee also interviewed a former resident of encampments.




Santa Maria Riverbed encampments

DISCUSSION

Homeless programs have always incorporated various agencies. The unhoused represent a microcosm of economic and social shortcomings, which they likely suffer from more than other segments of the population. The Community Services Department, in devising the Encampment Resolution Strategy, created working partnerships with many County and city departments and non-profit organizations to provide services more directly and effectively. This report will briefly analyze each area and its challenges and successes.

PUBLIC SAFETY

Fire Department

In the time span of 2020 – 2023, the Santa Barbara County Fire Department responded to 1392 fires, of which 113 (8%) were identified as transient-related. Separately, in 2023, transient-related fires accounted for 18 (5.5%) of the 329 total county fire responses. The figures for 2024 are not yet available.

In this time frame, five encampments were destroyed by fire, and two were abandoned due to significant fire hazards. Similar to rules in public campgrounds, any illegal fire that generates an incident response can lead to citations or arrests. There have been rare arrests made for fires originating in or adjacent to encampments where arson was suspected. The persons in

encampments don't wish to draw attention to themselves, so they are careful to conceal flames and limit smoke plumes for their cooking and warming fires as much as possible.

Particularly in the dry season, serious damage could result with rapid fire spread –endangering vegetation, structures, roadways, and even lives. The local fire departments do not actively patrol encampments, but they keep a vigilant eye on them.

When smoke or fires are reported at encampment sites, the Fire Department responds with fire abatement procedures. They can request backup with patrol officers if they perceive any threat, but generally they respond to the fire alone. If law enforcement is called in or is requested by the fire responders, confiscations of hazardous materials may occur to prevent recurrence.

The Fire Department realizes that warmth is a seasonal prerequisite for coping in encampments. Firemen offer alternative sources for staying warm (blankets, clothing) and encourage inhabitants to take advantage of temporary warming shelters offered throughout the community.

Because encampment residents are more receptive to firefighters than police officers, the Behavioral Wellness Department has approached the County Fire Department about forming co-response teams in 2024. At the time of this report, it is not known if Behavioral Wellness will be ready to staff these new co-response teams. The Community Services Department will continue to partner with County Fire for encampment clearing.

Law Enforcement

Law enforcement plays a pivotal role in monitoring encampments. Santa Maria, Lompoc, and Santa Barbara have dedicated patrol divisions with assigned officers in charge of the nearby encampments. In Santa Maria, the Parks and Recreation Department City Rangers are also involved in monitoring encampments within city limits, and this now amounts to 70% of their workload. In South County, Santa Barbara has five police officers in a Community Action Team who regularly check on encampment areas.

The illegality of encampment locations can bring the presence of law enforcement officers due to encroachment on public lands, thoroughfares, private lands, and private corridors (railways). Complaints from residents and businesses affected by the unsheltered can also initiate visits and

corrective actions, if indicated, for violations of city codes or criminal acts such as theft, property damage, littering, aggressive panhandling, blocking entrances, cutting fences for access routes, excessive open alcohol and drug use and abuse, prostitution, and environmental damage. Even nearby public walking trails might be impacted. A local high school in Santa Maria has worked out a time schedule with the City Rangers to lessen concerns about the danger of students walking along the levees where encampments are located.

Drug dealers regularly visit encampments, the Jury was told, to sell illegal substances, sometimes resulting in arrests. Law enforcement can make arrests for drug paraphernalia and evidence of drug use inside the encampment, but these only result in misdemeanors. There can be felony arrests for drug sales.

One Police Chief told the Jury that you do not solve homelessness by sending the unhoused people to jail. In fact, homeless advocates say that those living in encampments are more often victims of crime, not the perpetrators.

The Jury learned of concerns by encampment residents over aggressive police patrols and a negative undertone, if not open disregard, for the plight of those without housing. When law enforcement is called to an encampment, they often are met with resistance due to fear of evictions, citations, and possible arrests. Social service personnel and non-profit volunteers often co-respond with law enforcement to provide non-threatening explanations, protections, and referrals to ensure the rights of unhoused persons are fully protected. However, when accompanied by law officers, distrust, even resentment, is often the reaction among the unsheltered.

Sweeps

Many consider the encampments visually displeasing with tarps, tents, shopping carts, bikes, pets, personal belongings, and pallets. There are many encampments sequestered underneath road overpasses and bridges, railway corridors, along riverbeds, creeks, and in the hills behind thick vegetation. When close to transportation corridors, those who pass by and those who occupy the encampment are at risk of injury. Caltrans has determined that encampments next to the highway are a danger to the public. This concern often leads to clearing encampments or "sweeps." The

County, in conjunction with cities, Caltrans, and Union Pacific, has cleared 700 encampments since 2021.

Inhabitants from encampments can also negatively affect tourism and businesses if there is excessive loitering, use of private restrooms or trash bins, and aggressive panhandling. Farmers too have legitimate concerns about possible contamination due to human waste and unsanitary conditions near crops raised for human consumption. Farmers and business owners have been known to file complaints and initiate evictions.

Cities can enforce illegal camping rules, but currently they can only be applied if there is shelter for them, and the people in encampments refuse shelter. Then local jurisdictions can evict the residents and initiate a sweep. Jury members heard how some encampment residents will say they want shelter, knowing that none is available, so they cannot be cited for illegal camping or trespassing.

A number of people living in encampments have more than one place of settlement. If their current camp is swept, they transfer to their other location. Eventually, many return to the first site. Community frustrations rise when an encampment re-establishes at the same location. The large Santa Ynez River encampment near Lompoc is one key example. The City of Lompoc spent nearly a half million dollars cleaning up 472 tons of trash from 60-70 encampments with over 100 residents in 2019, only to do a similar clean up two years later.

When a sweep is performed and the proper notifications and requirements are met, a police presence can be assured at that time. Multiple agencies are also involved. These include Social Services, Behavioral Wellness, housing representatives such as Good Samaritan, Santa Barbara Alliance for Community Transformation (SB|ACT), City Net, and People Helping People, mental health practitioners, substance abuse disorder specialists, medical coordinators, and other community support program managers and volunteers. These participants focus on housing provisions and wraparound social services for those being displaced. No matter how much time a posted notification is given ahead of a sweep, the displaced occupants can still be upset and complain of inadequate notice. Anger can be directed at all parties, especially law enforcement. For this reason, when all participating agencies coordinate, they are prepared to present a balanced front and carry through with empathy and consideration.

For example, in January 2024 an encampment on private property had been notified of a sweep along a Santa Ynez River tributary. The owner had been cited by the Central Coast Water Authority to remove the encampment material. In spite of the one-week notification of the upcoming sweep, no one left the encampment. Good Samaritan had contacted the residents about housing alternatives, but there were no takers for housing. On the morning of the sweep, People Helping People appeared with trucks and convinced people to sign up for services, including food stamps, storage of belongings, and housing with Good Samaritan.

Flooding

A large concern along the riverbed corridors is the threat of seasonal flooding. The past two years have seen significant rainfall totals in the upper Santa Ynez and Santa Maria watersheds, causing both rivers to experience substantial flow. Small creeks can also be very dangerous, with sudden rises in water levels after heavy rainfall in the surrounding mountains. In the spring of 2024, a transient woman drowned in Santa Barbara's Mission Creek.

When large county reservoirs fill (Lake Cachuma and Twitchell Reservoir), either the gates are opened to release excess water or overflow spillage occurs, resulting in increased river volume. Inflow from multiple downstream tributaries coupled with dam overflow or release markedly escalates the risk for loss of personal property and endangers lives in the riverbed encampments.

Since 2019, riverbed encampments have been mapped by overhead drones equipped with GPS and cameras with the help of Heal the Ocean. However, drones cannot reach all sites because of their limited range. Warnings are then issued via foot patrols and loudspeaker announcements from the Sheriff's Office helicopters. After the heavy rains of 2023, the warning protocols were strengthened.

HOUSING

Point in Time Count

The Santa Barbara County Community Services Department and the CoC do a yearly Point in Time count in January. Volunteers visit shelters and also makeshift dwellings such as vehicles, abandoned buildings, bus or train stations, airports, parks, camping grounds, and known

encampments. Many encampments are too isolated for the volunteers to reach and thus are not included in the Point in Time Count. Although the Count did not reach all people without housing or all encampments, the Count for 2024 found 232 more people than the Count for 2023. In 2024, the Count for Santa Barbara County was 2,119 individuals, of which 1,332 (63%) were unsheltered and 787 (37%) were sheltered. Of the people without shelter, 46% were outside and 53% in vehicles.

Due to more housing available recently, there had been a 3.7 % decrease in the number of people experiencing homelessness countywide between the 2022 and 2023 Point in Time Counts. But there was a 12% increase from 2023 to 2024. Both the number of persons living in shelters or transitional housing and those living unsheltered increased, the greatest increase being in individuals sleeping in cars and families with children. The Community Services Department attributes the increase to the rise in rents, the cessation of COVID-related eviction moratoriums and emergency housing vouchers, and continuing inflation. There was no count of those specifically living in encampments, although the County Community Services Department estimated that 750 unhoused people were living in encampments at the beginning of 2024.

Housing Inventory

The biggest challenge to encampment resolution is the lack of affordable housing. Homelessness is a housing issue.

Santa Barbara County has the sixth highest rental housing costs in the U.S. These costs are contributing to the rise in homelessness. There is very limited affordable housing built in this area without large amounts of government funding or foundation grants. During the pandemic, the State provided billions of dollars to convert motels into permanent housing. One such project in Goleta will open mid-2024, and it will be the last to open with Homekey funding, a part of the Coronavirus State Fiscal Recovery Fund.

Several permanent and interim housing projects have been added to the CoC inventory since 2020, resulting in an increase of 787 beds dedicated to persons who are or were experiencing homelessness. There are several established interim housing programs in the County: PATH Santa

Barbara, Willbridge of Santa Barbara, Bridge House of Lompoc, Good Samaritan Santa Maria, Partners in Housing, Transition House Santa Barbara, the Rescue Mission and the Salvation Army. Since the Strategy began, 143 people from encampments have moved into permanent housing and 146 into interim housing or shelters.

Dignity Moves, a non-profit, offers lockable and secure 8'x8' units. It first opened a tiny home center in Santa Barbara in August 2023 with 34 units. In March 2024, 94 similar units opened in Hope Village in Santa Maria. Ten of these homes were dedicated to those living in encampments in the Santa Maria area. In May 2024, Dignity Moves opened La Posada with 80 units located between Santa Barbara and Goleta, of which half are meant to house 40 individuals living in the established encampments nearby. Those in encampments have been more willing to move into these homes than to relocate to shelters because of the privacy and safety afforded by locked doors.

Housing Resistance

Many encampment residents would prefer housing where they can maintain their independence, such as in transitional housing. Over the past two years, the acceptance rate for moving into a congregate (shared space) shelter has been only 20%, and for those who do accept, approximately 35% elect to re-camp after they have been in a congregate shelter.

Many unhoused individuals, especially those in encampments, have difficulty transitioning to housing programs. Some choose not to accept shelter and prefer the freedom of encampments, along with the ability to make their own decisions. Reasons given by the encamped residents for declining housing and services include curfews, unwillingness to pare down belongings, wishing to remain with their pets, not wanting to sacrifice their independence, distance from work or medical services, and lack of privacy in some congregate shelter settings. In Santa Maria, for example, of the approximately 120 people in encampments near the strawberry fields, only two or three accepted housing. Encampment Strategy Plan staff acknowledge that without provisions for partners, property, and pets ("the three Ps"), inhabitants of encampments often return to the encampment from interim housing.

Housing Services

Dignity Moves has restrictions for entering and staying at their centers, differing from federal and state-funded projects where Housing First is practiced. This federal protocol places people in housing first, with wraparound services available, letting the formerly unhoused work out their issues at their own pace. Santa Barbara County has a good track record – 90% stay when treatment is coupled with housing. Other agencies also have positive results. At the Good Samaritan shelter, the unhoused receive services on many levels, resulting in a 96% retention rate. However, services come at a high cost to the County.

The recent increase in units for the residents in encampments has been assisted by utilizing County-owned property. The County has 18 County-owned sites with a potential for nearly 6,000 new housing units. For the newly opened Hope Village in Santa Maria, Santa Barbara County provided $1 million toward the $7.5 million in capital costs and pledged $8.5 million more in services for five years. No further housing projects on County property are being discussed for the near future because of these high operational costs.

These low-cost move-in units helped house over 1,400 formerly unhoused people and resolved 700 encampments in the first two years of the Encampment Strategy. But more housing is needed. The County stated in its Year 1 Progress Report that "[t]he biggest challenge to encampment resolution has been the lack of shelter (congregate and non-congregate)." Some individuals have moved into transitional units, only to be asked to leave when there are no units available at the next level. This setback can lead to being homeless again. Moving the unhoused into affordable housing, a limited commodity in Santa Barbara County, depends on high turnover up the housing chain. When forced to move out of provisional housing, former encampment residents are at great risk of leaving one unsheltered location for another.

MENTAL HEALTH

Living on the streets or in encampments is a challenging experience for those who have lost the means to support themselves and cannot afford to live in a traditional residence. For people who suffer from mental illness and are forced by circumstances to live in encampments, it is devastating. Statistics show that a significant proportion of individuals experiencing homelessness

struggle with severe mental illness. The 2024 Point in Time Count estimated that 34% suffered from severe mental illness and 27% had a substance abuse disorder. The County Community Services Department estimates that drug addiction and mental health issues are even higher in encampments than in the general homeless population: 50-60% with mental health issues and 40-50% with addictions and/or substance abuse issues.

People in encampments are often victims of crime according to encampment residents and law enforcement. It is well-documented that trauma can be the result of repeated domestic abuse, sexual abuse, and other forms of violence. Compounding the problem is that unhoused individuals with mental illness may self-medicate just as other members of encampments do, and the illicit use of drugs can exacerbate their mental disorders. Individuals with mental illness may have difficulty performing regular daily tasks, caring for their hygiene, or making lasting relationships. Anti-social tendencies may cause dissension and misunderstandings, which may lead to more trauma.

Housing People with Mental Illness

There is considerable agreement in the professional community that one of the most important elements in assisting unhoused people with mental illness is to find stable housing. It must be subsidized and include wraparound services, as in Housing First. Arranging for housing involves incremental steps, beginning with a tiny home as a first haven and then segueing to more stable and permanent living arrangements. The ideal goal is to find long-term suitable housing whether it is the type of model such as Sanctuary Centers has developed where the goal is to house and attend to the needs of people with life-long mental illness, or other supportive housing solutions suitable to the nature of a person's mental illness. The bridge housing to be developed by Behavioral Wellness will also offer some units for those leaving homelessness.

Outreach is an integral step in ending homelessness. Mentally unstable individuals are less likely to contact agencies that will help them. A major roadblock occurs when assistance is offered to a mentally troubled person and the offer is refused. A nuanced introduction to the programs available is required.

Housing is a positive step because it ostensibly is meant to help stabilize individuals with mental illness feel safer, making it easier for them to receive medication and counseling. In this stable environment, symptoms could become less extreme, and they could begin to process traumatic experiences that they may have had prior to or when in encampments.

Educating the Public

Perception is everything. Residents of Santa Barbara County are impacted by the incursion of homeless encampments on or near their property. There are inherent difficulties in communicating with mentally ill members of the homeless settlements. While many residents of Santa Barbara County are empathetic and understand the circumstances that cause part of the population to be homeless, some citizens do not fully grasp the dire situations of people living apart from housed society.

Finding ways to create understanding in the public forum is necessary to decrease public misconceptions about the behaviors of people with mental illness. This becomes a critical step when county or community agencies are proposing housing for the people with mental illness in neighborhoods. In South County, public objections have stopped several supportive housing plans. However, an early meeting for the project at La Posada turned from negative to positive when one person stood up to tell her story of how supportive housing helped her find her way again. Citizens of North County, the Jury heard, are more willing to listen. Still, incidents such as those at Housing on Depot Street in Santa Maria, where too many complaints caused formerly homeless residents to lose housing, could damage a fragile acceptance.

Resources for Services

Behavioral Wellness extended its street outreach, which included:
Consistent outreach by trained personnel

- Easily accessible assistance for those seeking or in need of help
- Crisis intervention availability – crisis centers such as the Crisis
- Stabilization Unit and co-response teams
- Collaboration between or integration of the mental health agencies and outreach workers

- Intensive training for those giving direct services

One large stumbling block for building a mental health network is the lack of qualified workers. With few outreach workers and not enough clinicians for co-response teams, Behavioral Wellness cannot fully service unhoused people with mental illness in encampments.

Good Samaritan and Behavioral Wellness work side by side with a mental health contract. These shelters have their own clinicians who are trained by Behavioral Wellness. They are then able to provide services and drug and alcohol treatment at their sites.

California Advancing and Innovation Medi-Cal (CalAIM) has a five-year plan that includes a comprehensive approach addressing the needs of the unhoused and people with mental illness. The timeline for the first CalAIM reforms began in January 2022, and additional reforms will be phased in through 2027. The 2023 Benioff Homelessness and Housing Initiative from the University of California, San Francisco, found that *just* expanding health coverage and adding social services is not serving all those in need. The Initiative found that 83% of unhoused people surveyed said they had health insurance, mostly through Medi-Cal, California's Medicaid program for low-income people. Yet more than half relied on the emergency room for care, and nearly a quarter said they couldn't access the care they needed. A majority who said they were experiencing mental health problems weren't being treated or did not receive care through emergency visits.

HEALTH

The Encampment Strategy prioritizes the health and safety of those living in encampments. In Santa Barbara County the unhoused population has faced various health challenges due to living in encampments, especially during the COVID-19 pandemic.

The COVID-19 pandemic illuminated limitations within the healthcare system. Its impact on unhoused individuals in Santa Barbara County was particularly pronounced. During the pandemic, there was concern that breaking up homeless encampments would create unnecessary risks for both the displaced individuals and the broader community. In 2020, the Centers for Disease Control (CDC) advised cities and counties to leave encampments in place. CDC's directive took

effect, and people in encampments were removed only to safe bed situations, such as with Project Roomkey. Sweeps stopped. Ignoring the CDC's recommendation, a Pershing Park sweep in Santa Barbara in March 2021 forced campers back onto the streets, potentially exposing them and others to COVID-19.

Unhoused individuals in Santa Barbara County face continual significant healthcare challenges, especially within encampments. These include:

- **Lack of Access to Basic Amenities**: Many encampments lack running water and sanitary facilities like bathrooms/porta-potties.
- **Infectious Diseases**: Close living quarters, inadequate hygiene, and limited access to medical care increase the risk of infectious diseases such as tuberculosis, hepatitis, and skin infections.
- **Substance Abuse**: Encampments often become hubs for drug use, which can lead to overdose, infections, and other health complications.

The Benioff Homelessness and Housing Initiative showed that involuntary displacement of people experiencing homelessness who inject drugs could lead to significant spikes in overdoses, hospitalizations, and mortality, possibly contributing to 15-25% of deaths among the unsheltered population over ten (10) years.

The Santa Barbara County Public Health Department last reported on deaths among the unsheltered in June 2023. During the period from 2019 to 2022, there were 143 deaths of people without housing in Santa Barbara County. According to the Public Health report to the Board of Supervisors, the leading causes of death were overdoses of drugs and alcohol, cardiovascular disease, and suicide. The underlying causes were predominantly substance abuse and mental health afflictions. The 2023 report from the County noted that the average age of death of those experiencing homelessness is 54, as opposed to 76 in the general population.

In health matters, the County has turned to its Multi-Disciplinary Team, which includes Behavioral Wellness, Public Health, and the Public Defender, counting on their field experience to reach those living in encampments. Outreach workers began by handing out hygiene kits and providing safe needle drops, COVID-19 testing, and vaccinations as "temporary health and safety measures." The

protocol for Public Health was to identify communicable diseases and treat the affected person to prevent the spread of disease. Health measures now also include clean-up of trash, human waste, and vector hazards.

Partnerships with community service agencies have provided many health services at various sites where people living in encampments can access health care. In 2020, SB|ACT began organizing representatives and nurses from various organizations in Santa Barbara to address health and psychological needs. Doctors Without Walls is one such organization. Good Samaritan in Santa Maria has a Public Health office on its site, where medications can be obtained. Its shelter has recuperative beds after hospitalization. Both organizations offer meals and showers to help attract homeless individuals and then connect them with health services. There are two other Health Care Centers located in homeless shelters and about a dozen Health Care Nurses stationed in shelters or transitional living centers. At these sites, the unsheltered can be entered into the County's databases for further health assistance and follow-up.

The health field is changing. CenCal, Medi-Cal, and CalAIM will focus on services for unhoused residents. In the year leading up to spring of 2024, over 900 individuals in the county's Homeless Management Information System had fully enrolled in Medi-Cal and over 1000 had applied for this coverage.

FUNDING

Traditionally, organizations like the Red Cross and the Salvation Army solicited donations from individuals to fund their efforts in helping unhoused individuals. Local churches took similar donations to fund their food and shelter programs, but these were limited in scope and effectiveness. These efforts basically intended to ease hunger and provide shelter during severe weather conditions or individual economic decline and were not long-term solutions for the individual suffering from homelessness. Now, the involvement of many members from different organizations in the County has become an ever more important resource in the solution for encampments.

The Encampment Strategy began during the pandemic when rapid encampment proliferation occurred. In October 2021, the Community Services Department requested funding for the initial

Encampment Strategy and Response Protocol, a three-year project. At that time, the American Rescue Plan Act (ARPA) offered federal stimulus funds to local communities, and applications for helping the unsheltered community were encouraged. ARPA funds allowed for hiring an Encampment Response Coordinator to direct the Multi-Disciplinary Team primarily made up of Behavioral Wellness, Public Health, the Public Defender, and Good Samaritan outreach workers. The County also allocated increased funding for shelter beds and housing from the general fund. Additional monies from ARPA funds went to software, debris removal, and some outreach.

In 2021, the State announced competitive grant funding to resolve encampments. Santa Barbara County's Encampment Strategy was successful in acquiring $2,520,000 for encampment resolution along transit corridors (highways and railroad tracks). This resolved 95 encampments. In 2022, more state funding became available to assist with encampments along waterways, and the Encampment Strategy was awarded $6,000,000. In 2024, the County won a third grant along with the City of Santa Barbara to clear 21 vehicle encampments, with the goal of housing 300 people. The award of three state grants is testimony to the efficiency of the Encampment Strategy programs and the dedication of those working tirelessly to resolve the encampments and house those living there.

The state grants are one-time allocations. The County is facing what they refer to as "funding cliffs" when the funds expire. New state funding for encampments cannot be assured. Response to reduced funding at the state level has encouraged the forging of new partnerships with other entities such as Community Correction Partnerships, Behavioral Wellness (Mental Health Services Act), CenCal Health, foundations, and non-profit organizations.

The California Encampment Resolution Fund Round 1 (CERF 1) was established in 2006 to increase collaboration between the California Interagency Council on Homelessness (Cal ICH), local jurisdictions, and the County's CoC. These funds address the safety and wellness of encamped individuals, transitioning them into interim and permanent housing. CERF 2 released funding in December 2022 and contributed to the three state grants awarded to the Encampment Strategy's staff. CERF 3 funds, available in 2023, will continue to focus on the resolution of encampments.

As the County's CoC is the designated receiver of various state and federal funds, it distributes most of its funding directly to non-profits that operate within the cities and the County. In the past, this has led to competition among the various agencies and has created a wedge in cohesive and collaborative relationships. Another drawback to funding being concentrated in the hands of the County's CoC is that cities do not usually receive similar grants. Thus, local cities do not have enough funding to be able to invest in housing.

Building teams outside the sphere of CoC has fostered coordination and cooperation among partners for specific projects. Such direct proactive cooperation among County agencies can greatly reduce redundancy for specific projects and produce tangible results. The first example of the team approach at the County level was Project Homekey in 2021. In just over five months an office building was converted into homeless housing. In 2024, the County collaborated with the City of Santa Barbara, and they were awarded a grant for the New Beginnings Safe Parking program which allows RV's and private vehicles to park overnight.

More robust state funding for health services began in 2022. Organizations will now be reimbursed for health and mental health expenditures for people experiencing homelessness. Medi-Cal, CalAIM, and CenCal will pay for wraparound services, which may free up more money for outreach and housing. Good Samaritan has been the first recipient of funding from CalAIM, which will help to provide intensive support services such as substance abuse prevention and case management.

Funding for unhoused people who have mental illness is available from California state-wide taxes, as well as Federal funds. State funding for mental illness amounts to $10-13 billion per year. About a third of the money counties receive to provide mental health services comes from the Mental Health Services Act passed in 2004, known as the "Millionaire's Tax Law" because of the taxation of 1 percentage point tax on incomes above $1 million per year. The recently passed California Proposition 1 will take 30% of this tax to help the chronically unsheltered and those living in encampments by creating housing. The implementation will begin in July 2024.

In April 2024, for the third-year review of the three-year Encampment Strategy program, the Community Services Department requested $500,000 from the remaining ARPA funds for

sanitation services. These funds would pay for the removal of debris and biohazards from encampments for two years. The department had previously asked for a funding allocation to support the position of the Encampment Response Coordinator for an additional two years. The Board of Supervisors extended the life of the Homeless Encampment Resolution Strategy by allocating these funding requests. The County has approximately $8 million left in ARPA funds for future homeless projects in the next two years.

ENVIRONMENT

The impacts of encampments on the environment are most noticeable in riverbeds and open spaces near transit corridors. Encampments next to freeways and railways endanger the landscape as well as the unsheltered themselves. Encampments in riverbeds can have further negative effects on the environment such as damage to vegetation and water pollution, whether to groundwater, local creeks, or the ocean.

The Encampment Resolution Strategy of 2021 had "impacting sensitive environment/water quality" as one of its five criteria for cleaning up encampments. The Response Protocol of the Strategy included $375,000 per year for sanitation services and $100,000 per year for storage of personal property during the three-year plan. Since state funding did not allow paying for clean-up, the County allocated ARPA funds for this, and the money is primarily dedicated to removing debris from abandoned encampments.

In 2019, the first year of the Strategy, no clean-up took place. In January 2022, the County hired a privately owned company for sanitation purposes, removing debris and human waste. During that second year, the County reported that the company removed 70 tons of trash, 145 pounds of bio-hazard waste, 4.75 pounds of needles, and 73 propane cylinders. Finding contractors for this purpose is problematic because of the biowaste left at the site. The City of Santa Maria hired a private contractor willing to do the job. Heal the Ocean also has hired a small company, composed of trained homeless volunteers, to clean up after an encampment is removed.

Pollution is a serious threat to the environment. Garbage, propane and oil, biowaste, toxic trash such as needles, and chemical spills – all find their way into the ground. If near a water source,

this contamination can enter the groundwater or be carried downstream. For those living near waterways and depending on groundwater for safe drinking water, encampments pose a threat to public health. Communities that rely on groundwater have no recourse from contaminating encampments at this time.

Complete resolution of an encampment would include restoration of the vegetation and the cleanliness of the water. Such work is long and costly. To date, only a few sites have been restored. The environment often remains endangered, as 35% of the cleared encampments reappear in the same location within a year's time according to the Community Services Department.

The first round of State funding granted $150,000 for environmental rehabilitation, but there has been no additional public funding for restoring the original state of the environment. Non-profit agencies have partnered with local government agencies to help monitor and clean out encampments voluntarily. Heal the Ocean has created a task force in conjunction with the Fire Department and the Sheriff's Office to coordinate clean-ups. Volunteers with the Santa Barbara Urban Creeks Council and Channel Islands Restoration have worked to restore creek beds after an encampment removal.

CONCLUSION

Encampments are a barometer of our efforts to help our unhoused individuals. If we do nothing, the encampments only grow. Dangerous conditions such as fire, illnesses, and crime increase. If we work collaboratively, we can assist the citizens living in encampments to reintegrate back into the communities.

Solutions to homeless encampments are no longer a local issue with limited resources. There are a multitude of resources available. There can be a collective impact when there is a true team approach. The success of multi-disciplinary teams lies in coordination of all agencies, government and private, to work together to resolve the social and economic issues that encampments make visible.

The Homeless Encampment Resolution Strategy has demonstrated the clear vision of the Community Services Department. This Strategy evolved into a network committed to helping

individuals who live in encampments and keeping our public lands safe and protected. In so doing, our County departments and our cities have learned to support each other for the good of everyone in the County.

FINDINGS AND RECOMMENDATIONS

Finding 1

Use of a team approach has made engagement with community services more acceptable to those who live in encampments.

Finding 2

The negative effects of encampment sweeps can be mitigated when a variety of community resources are present at the time of the clean-up.

Recommendation 2

The County and the cities shall ensure that all sweeps occur utilizing a multi-disciplinary approach.

Finding 3

Encampments lack basic sanitation services.

Recommendation 3

The County and the cities shall make trash cans, porta-potties, resources for handwashing, and sharps containers for safe disposal of needles and other hazardous waste available near encampment sites.

Finding 4

Encampment residents are reluctant to transition to housing with strict rules of conduct.

Recommendation 4

The County shall encourage the creation of more units that continue the Housing First model, providing a home first, and offering supportive services as the individual learns to cope in socially accepted ways.

Finding 5

State funding for helping people without housing is becoming less available.

Recommendation 5

The Board of Supervisors shall instruct the County Community Services Department to work with community partners in addition to Continuum of Care members to pursue funding opportunities beyond those coming from the State or the encampment resolution.

Finding 6

Most state encampment funding cannot be applied to environmental restoration.

Recommendation 6

The Board of Supervisors shall instruct the Community Services Department to invite environmental non-profits into its multi-disciplinary teams.

Finding 7

When heavy rain is forecast and materializes, the persons in encampments along creeks and riverbeds are at high risk for loss of life, personal property, and living quarters.

Recommendation 7a

The Santa Barbara County Sheriff's Office and the Office of Emergency Management, using mapping technology, shall continue to refine and share comprehensive locations of encampment sites among all concerned agencies.

Recommendation 7b

The Santa Barbara County Sheriff's Office and the Office of Emergency Management shall develop and formalize a multi-modal warning system to relocate persons when there are looming credible threats.

REQUEST FOR RESPONSE

Pursuant to California Penal Code Section 933 and 933.05, the Santa Barbara County Grand Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Responses to Findings shall be either:

- Agree
- Disagree wholly
- Disagree partially with an explanation

Responses to Recommendations shall be one of the following:

- Has been implemented, with brief summary of implementation actions taken
- Will be implemented, with an implementation schedule
- Requires further analysis, with analysis completion date of no more than six months after the issuance of the report
- Will not be implemented, with an explanation of why

Santa Barbara County Board of Supervisors - 90 days
Findings 1, 2, 3, 4, 5, 6, 7
Recommendations 2, 3, 4, 5, 6, 7a, 7b

City of Santa Barbara - 90 days
Findings 2, 3
Recommendations 2, 3

City of Goleta - 90 days
Findings 2, 3
Recommendations 2, 3

City of Carpinteria - 90 days

Findings 2, 3

Recommendations 2, 3

City of Solvang - 90 days

Findings 2, 3

Recommendations 2, 3

City of Buellton - 90 days

Findings 2, 3

Recommendations 2, 3

City of Lompoc - 90 days

Findings 2, 3

Recommendations 2, 3

City of Guadalupe - 90 days

Findings 2, 3

Recommendations 2, 3

City of Santa Maria - 90 days

Findings 2, 3

Recommendations 2, 3

Santa Barbara County Sheriff's Office – 60 days

Finding 7

Recommendation 7a, 7b

APPENDIX

Homeless Management Information System (HMIS) partner agencies:

- 211
- Americorps Partnership United Way of Santa Barbara County
- CenCal Health
- Channel Islands YMCA
- City of Goleta
- City of Santa Barbara
- City Net
- CommUnify
- Community Action Commission
- Cottage Health
- Dignity Health
- Family Services Agency
- Fighting Back Santa Maria Valley
- Freedom Warming Centers- Unitarian Society of Santa Barbara
- Good Samaritan Shelter
- Housing Authority for the City of Santa Barbara
- Housing Authority for the County of Santa Barbara
- Independent Living Resource Center
- Jodi House Brain Injury Support Center
- LAGS Recovery Centers, Inc.
- Legal Aid Foundation of Santa Barbara County
- Outreach Grid • Mental Wellness Center
- New Beginnings Counseling Center

- Partners in Housing Solutions
- PATH Santa Barbara
- People's Self-Help Housing
- Sanctuary Psychiatric Centers of Santa Barbara
- Santa Barbara Alliance for Community Transformation (SB|ACT)
- Santa Barbara Community Housing Corporation
- Santa Barbara County Dept. of Behavioral Wellness
- Santa Barbara County Dept. of Community Services
- Santa Barbara County Office of Public Defender
- Santa Barbara County Dept. of Public Health
- Santa Barbara County Dept. of Social Services
- Santa Barbara Rescue Mission
- Santa Ynez Valley People Helping People
- Sarah House Santa Barbara
- Social Venture Partners
- St. Vincent's Santa Barbara State of California
- The Salvation Army
- United Way of Northern Santa Barbara County/Home for Good Santa Barbara County
- University of California at Santa Barbara Student Services
- Veteran's Administration
- WillBridge of Santa Barbara

ATTACHMENT B

Grand Jury Report Response Letter

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CITY of CARPINTERIA, CALIFORNIA

November 15, 2025

Hon. Pauline Maxwell
Presiding Judge of the Superior Court
2024 Santa Barbara County Grand Jury
Santa Barbara County Courthouse
1100 Anacapa Street
Santa Barbara, CA 93101

SUBJECT: 2024 Santa "Homeless Encampments in Santa Barbara County, Becoming Part of the Community Again"

Dear Judge Maxwell and Members of the Grand Jury,

The City of Carpinteria is pleased to provide the following responses to the above referenced report as requested in the June 25, 2024, letter to the City:

Finding 2

The negative effects of encampment sweeps can be mitigated when a variety of community resources are present at the time of the clean-up.

City of Carpinteria Response: Agree

The City of Carpinteria utilizes a variety of community resources in responding to encampments, including outreach and navigation services coordinated with community partners and agencies. The City also refers individuals to its Safe Parking program as part of its partnership with New Beginnings, which supports individuals living in vehicles. Additionally, the City is exploring opportunities to expand this program to provide more spaces for individuals residing in vehicles.

Recommendation 2

The County and the cities shall ensure that all sweeps occur utilizing a multi-disciplinary approach.

City of Carpinteria Response: Has been implemented

The City of Carpinteria prioritizes connecting individuals residing in homeless encampments to existing resources through the Continuum of Care (CoC). When possible, the City coordinates

with service providers to ensure their presence before or during contact with an encampment, facilitating contact with individuals and connecting them to services.

In instances where service providers are unavailable, Code Compliance staff actively encourage individuals to attend the City's weekly Wednesday lunch program. This program serves as an accessible entry point for homeless individuals to engage with the broader regional service network, including housing and healthcare resources. Through these efforts, the City ensures a multi-disciplinary approach to addressing homelessness.

Finding 3

Encampments lack basic sanitation services.

City of Carpinteria Response: Agree

The City of Carpinteria acknowledges the threat to public safety posed by encampments lacking access to basic sanitation services. Consequently, the City allocates substantial funding for environmental cleanup efforts following the abandonment of encampments. City-contracted cleanup crews are regularly dispatched to encampments in open spaces and creek areas to address biohazardous materials, improperly discarded needles, trash, and debris.

Recommendation 3

The County and the cities shall make trash cans, porta-potties, resources for handwashing, and sharps containers for safe disposal of needles and other hazardous waste available near encampment sites.

City of Carpinteria Response: Will not be implemented

The City of Carpinteria recognizes the significant health risks posed to both encampment residents and the surrounding community by encampments. For encampment residents, unsheltered living exposes individuals to a multitude of real and potential hazards and unhealthy conditions. Notably, these include a high propensity for alcohol and illegal drug use, sex trafficking, and exposure to safety risks associated with the use of propane and other fuels. Additionally, the real and potential fire danger posed by encampments constitutes a significant risk to public health and safety.

In response to these health and safety concerns, the City of Carpinteria prioritizes moving individuals from encampments into shelter or housing, and utilizing outreach teams and law enforcement. This approach ensures that individuals receive care while allowing the City to focus resources on providing housing solutions.

Implementing Recommendation 3 would divert resources from housing initiatives. Providing sanitation and waste disposal to encampments could prolong their existence, hindering the City's goal of rapid rehousing. Given the temporary nature of most encampments, providing these services is not an efficient use of limited resources.

Providing services directly to encampments has faced significant challenges in some metropolitan cities in California, and can sometimes unintentionally prolong encampment conditions by reducing incentives for individuals to transition into permanent housing. Such efforts may also encounter issues like reluctance to accept shelter and other unintended consequences. Implementing the Grand Jury's recommendation could inadvertently establish a de-facto shelter in locations not intended for long-term habitation, potentially hindering efforts to encourage residents to seek safer and more stable housing options.

Thank you for the opportunity to comment on this Grand Jury Report.

Sincerely,

Michael Ramirez
City Manager

cc: Ryan Kintz, Assistant City Manager
Santa Barbara County Grand Jury
Digital Copy to: sbcgj@sbcourts.org