



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** March 19, 2009  
**AGENDA DATE:** March 26, 2009  
**PROJECT ADDRESS:** 816 Cacique and 110 S. Quarantina (MST99-00432)

**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*  
 Kelly Brodison, Assistant Planner *KAB*

### I. SUBJECT

Casa Esperanza is seeking approval of an amendment to its Conditional Use Permit (Planning Commission Resolution No. 051-04). The proposed amendment involves an increase in the capacity of the Year-Round Shelter by 40 beds (140 beds total) for a 90 day period from April 1, 2009 through June 30, 2009, and to allow the Police Chief and Casa Esperanza some flexibility to allow temporary increases in the number of beds when warranted because of weather or public safety concerns. If the Police Chief makes a determination that such increase is necessary, the number of beds could be increased by up to 10%, for up to seven days.

The following discretionary applications are required for this project:

Amendment to Conditional Use Permit conditions that allow a quasi-public use (§28.94.030.W).

**APPLICATION DEEMED COMPLETE:** March 11, 2009  
**DATE ACTION REQUIRED:** June 9, 2009

## **II. SITE DESCRIPTION**

Applicant: Mike Foley, Casa Esperanza  
Property Owner: Casa Esperanza and City of Santa Barbara Redevelopment Agency  
Project Address: 816 Cacique & 110 S. Quarantina Streets  
Parcel Number: 017-240-021 & 017-113-034  
General Plan: Industrial and Buffer (Railroad Tracks)  
Zoning: C-2 (portion of Cacique Street only\_ M-1/S-D-3, Commercial, Light Industrial and Coastal Overlay Zones  
Environmental Assessment: Categorical Exemption per CEQA Guidelines 15301

## **III. PARKING STATISTICS**

### **PARKING:**

-Existing: 33 spaces (13 on-site and 20 off-site) by previously approved parking modification  
-Provided: No change proposed; project would meet parking demand

## **IV. PROJECT HISTORY**

On September 30, 1999, the Planning Commission approved the original Conditional Use Permit (CUP) for Casa Esperanza. The components of the CUP were for a homeless day center, an emergency homeless winter shelter for up to 230 people and a year-round shelter for up to 30 people. It also added lunch service daily for up to 200 people and a detox facility for up to 14 people. A parking modification was approved to provide a total of thirty-nine (39) parking spaces: thirteen (13) on-site at 816 Cacique Street and twenty-six (26) at 712 Cacique Street for staff and volunteers. These off-site spaces were within 720 feet, walking distance, of the proposed facility. The CUP approval was appealed to City Council by area neighbors; however, the appeal was withdrawn after agreements were reached that limited the average shelter occupancy during winter operation to 190 occupants, limited the number of breakfast and dinners served to shelter occupants, and limited the number served at lunch.

On May 17, 2001, the Planning Commission approved an amendment to the original CUP to relocate the off-site parking from 712 Cacique Street to 110 S. quarantine Street and reduce the total number of spaces to 25 spaces (12 spaces off-site).

On December 11, 2003, the Plannning Commission approved an amendment to the CUP to increase the year-round shelter from 30 to 100 beds. The project's additional clients in the year round shelter

program would be required to participate in a new program that would mandate employment, sobriety, and assignment to a caseworker. Individuals in this program would include those released from the hospital yet needing additional care to complete recovery, homeless working people, and those in job training to become employed. The winter emergency shelter capacity of 230 beds did not change and the parking requirements remained at twenty-five (25) spaces.

This action was appealed and went to City Council on February 24, 2004. Council considered the appeal to the Planning Commission's decision and increased the year-round bed capacity at Casa Esperanza Homeless Shelter from 30 to 100 beds for nine months only. Council directed Casa Esperanza Homeless Shelter, in conjunction with City staff and an expanded Neighborhood Advisory Committee, to develop and implement a comprehensive plan to address the neighborhood problems identified during the public hearing. They also directed that Casa Esperanza's application be returned to the Planning Commission in November of 2004 for a review of progress made in resolving the issues.

The Milpas Action Task Force (MATF) was formed in March 2004 and the Plan, titled "Milpas Action Task Force Report – Strategies to Resolve Neighborhood Concerns in the Area Surrounding Casa Esperanza", was completed on September 14, 2004. The MATF Report was presented to the Planning Commission on November 18, 2004. The Planning Commission approved an amendment to the CUP to increase the number of staff and volunteers for the Day Center from 15 to 18. This also included an increase in total parking spaces from 25 to 33 (13 on-site and 20 off-site). A condition to the CUP was added requiring a six-month progress report to the Planning Commission on the MATF recommendations, followed by an annual report in 2006 and then a report every two years.

A six-month verbal progress report was given to the Planning Commission on June 9, 2005. The annual progress report was given on September 14, 2006 and a bi-annual report went before the Planning Commission on November 6, 2008.

On November 6, 2008, a two-year report was made to the Planning Commission and it was noted that Casa Esperanza remains in compliance with the Conditional Use Permit. Complaints had been reduced and most neighbors were satisfied with the responses they received regarding their complaints.

Several programs aimed at responding to the community and area concerns are the Step Up client clean up crew, the Milpas Action Task Force (MATF) and the Street Outreach Program. The Step Up client clean-up crew continues to pick up trash in the neighborhood, and educate community members about Casa Esperanza. The MATF, composed of community members, City and County representatives, and Casa Board and management continues to meet on a monthly basis and has taken over the role of the Neighborhood Advisory Committee. The role of the MATF continues to evolve, exploring improved methods of communication between Casa Esperanza and neighborhood businesses and property owners. The Street Outreach Program ensures that at least two Street Outreach workers are in the community seven days per week, eight hours per day to educate homeless citizens of the assistance that can be received at Casa Esperanza. The number of homeless who have received housing has exceeded the original expectations and continues to increase every year.

## V. DISCUSSION

### *Temporary Increase of 40 beds to the Year-Round Shelter from April 1, 2009 through June 30, 2009*

There continues to be a need to facilitate a balance between the needs of a community's homeless population and special needs citizens with the rights of the local merchants and residents in the neighborhood.

In response to a recent surge in the amount of homeless persons in Santa Barbara and the imminent closure of an 86 bed rehabilitation facility in Carpinteria, Casa Esperanza seeks an increase in the capacity of the year-round shelter by 40 beds for a 90 day period from April 1, 2009 through June 30, 2009 (140 beds total). The beds would house vulnerable populations, including those with medical conditions, seniors over the age of 55, the mentally ill and the physically disabled. Casa Esperanza is investigating the possibility of increasing the number of year-round beds permanently. During the three-month extension period, Casa Esperanza states that they will work with the City, their neighbors, and community leaders to assess and mitigate the possible long-term impacts of a permanent increase in the number of year-round beds. They will return to the Planning Commission with their findings and a possible request for a permanent increase in the number of year-round beds. If approved, the temporary expansion of the year-round shelter services will be reflected in a Planning Commission resolution, but staff does not intend to include the temporary expansion in the recorded conditions due to the temporary nature of the expansion.

### *Temporary Increases in Number of Beds if Determined Necessary by the Police Chief*

At the request of the Police Department, the conditions have also been revised to provide the Chief of Police and Casa Esperanza with the flexibility to respond to critical weather and public safety needs; provided, the circumstances substantiating this need are properly documented by the Chief of Police and that this determination remain in effect only for a period not to exceed seven (7) days, and the number of beds not be increased by more than 10% each time it is deemed appropriate.

### *Clarification of Time Period wherein the Winter Shelter is Open*

The Emergency Winter Shelter operates from December 1 through March 31 each year. This was approved by the Planning Commission on November 18, 2004; however, the conditions of approval in PC Resolution 051-04 were not revised appropriately to reflect this. The attached Conditions of Approval (Exhibit A) clarify this omission. A new conditions document will be recorded reflecting the revised date.

## VI. RECOMMENDATION/FINDINGS

Findings for the Conditional Use Permit:

- A. The use is deemed essential and desirable to the public convenience and welfare and is in harmony with the various elements and objectives of the Comprehensive General Plan. The Day Center and Shelter will expand its important services to Santa Barbara's homeless population in a permanent location. The temporary expansion of 40 beds to the Year-Round Shelter is in response to the worsening economic crisis, and keeping

the vulnerable homeless population off the streets is essential and desirable to the public welfare, as it will reduce the suffering of this homeless population. Further, the expansion of the existing use would be in harmony with the General Plan Land Use Designations of Industrial and Commercial.

- B. The uses will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood because the project will provide a place where the homeless can sleep without loitering in the neighborhood. Casa Esperanza staff and volunteers will continue to work with the homeless and neighboring businesses, through the Milpas Action Task Force, the Step Up clean up crew and the Streets Outreach program, to reduce neighborhood impacts caused by the homeless populations.
- C. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development and use. Significant detrimental impacts on surrounding properties are avoided because the project meets the requirements of the M-1 and C-2 zones, and the area where facility users gather is set back and screened from the surrounding properties.
- D. Adequate access and off-street parking is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area. Most of the facility users will not drive. The parking demand for all current activities at Casa Esperanza, including the Year-Round shelter, Emergency Winter Shelter (330 beds total) and Day Center was previously calculated to be met with a total of thirty-three (33) spaces (twenty (20) spaces provided off-site). The temporary increase in the year round capacity, through June 30<sup>th</sup>, to 140 beds will not exceed the parking demand of the overall approved project.
- E. The appearance of the developed site in terms of the arrangement, height, scale and architecture of the building, location of parking areas, landscaping and other features is compatible with the area since the building and provision of landscaping have improved its appearance and made it more consistent with recent buildings in the area, such as the Fire Station, and with the overall character of the industrial and commercial area.

Exhibits:

- A. Revised Conditions of Approval, showing changes
- B. Applicant's letter, dated March 11, 2009
- C. Planning Commission Resolution No. 0051-04



PLANNING COMMISSION CONDITIONS OF APPROVAL

816 CACIQUE & 110 S. QUARANTINA STREETS  
AMENDMENTS TO PARKING MODIFICATION, CONDITIONAL USE PERMIT,  
& COASTAL DEVELOPMENT PERMIT  
MARCH 26, 2009

- I. Said approval is subject to the following conditions:
- A. **Recorded Agreement.** The following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be documented in a written instrument which shall be reviewed as to form and content by the City Attorney, Community Development Director and/or Public Works Director. Owner shall record the approved document with the Office of the County Recorder.
1. **Uninterrupted Water Flow.** The Owner shall provide for the flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
  2. **Recreational Vehicle Storage.** No recreational vehicles, boats or trailers shall be stored on the Real Property (although recreational vehicles that belong to shelter occupants may be parked on-site overnight or during the day).
  3. **Landscape Plan Compliance.** Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
  4. **Water Rights Assignment.** Owner shall assign to the City of Santa Barbara the exclusive right to extract water from under the Real Property.
  5. **Allowed Development.** The development of the Real Property is limited to 25,392 sq. ft. of building area.
    - a. **Day Center Operations/Community Kitchen.** Owner may operate a day center on a daily basis. Day center operations shall be limited to a maximum of eighteen (18) staff and volunteers. A noon-time meal may be served daily to up to 200 clients. All meals served from the real property shall be consumed on the real property.
    - b. **Emergency Shelter.** From December 1 through March ~~4~~<sup>5</sup>31, Owner may operate an emergency shelter on the real property with up to 230 beds, with a monthly average of no more than 200 beds. At the request of the shelter operator, the Community Development Director may extend the duration of the emergency shelter operation due to cold and/or rainy weather. Notice shall be given to the neighborhood by means of the Milpas Action Task Force no later than 48 hours prior to a change in schedule.

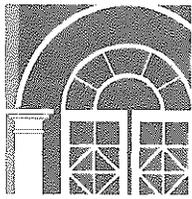
- c. **Shelter Operations.** From ~~March 16~~ April 1 through November 30 of each year, Owner may operate a shelter on the real property with up to 100 beds. From April 1, 2009, through June 30, 2009, Owner may operate a shelter on the real property with up to 140 beds.
  - d. **Detoxification Program.** Owner may operate a residential non-medical based detoxification program for up to 12 clients with a maximum stay of 14 days.
  - e. **Parking/Bicycle Storage and Access.** At all times, Owner shall provide a total of 33 parking spaces for use by staff, volunteers and clients. Thirteen spaces shall be provided on-site at 816 Cacique Street and twenty spaces shall be provided off-site at 110 S. Quarantina Street. The off-site parking lot shall be reserved for use by staff and volunteers and, secondarily, clients. If this off-site lot is needed at night, it shall be used for overnight staff parking. Signs shall be provided at the on-site parking entrances directing users to the off-site parking lot when on-site parking is full, subject to review and approval under the Sign Ordinance. Secure bicycle storage for sixty (60) bicycles shall be provided, subject to review and approval by the Transportation Planning Manager. Include a door that provides access to the rear of the building that does not exit through the kitchen for the purpose of providing access to bicycle storage.
  - f. **Increases to Meet Critical Need.** Upon a written determination by the Chief of Police (or his designee) that the shelter bed limitations contained herein need to be exceeded in order to provide adequate and safe shelter to homeless individuals within the City due to weather related conditions or concerns related to public safety, the bed limitations contained herein may be exceeded by an amount not to exceed ten percent (10%); provided, the determination of the Chief of Police is provided to Owner and to the Milpas Action Task Force within 48 hours of its issuance and each such determination shall be valid only for a period of seven (7) days.
6. **Lighting.** Exterior lighting shall be provided on both properties and shall be consistent with the City's lighting ordinance. No floodlights shall be allowed. All lighting shall be directed toward the ground.
  7. **Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
  8. **Transportation Demand Management.** The following alternative mode incentives shall be incorporated into the project to reduce traffic impacts caused by the project. Such provisions shall be included in the lease/rental agreements of future tenants as a required "Transportation Management Plan." A copy of the clause in the lease/rental agreement needed to comply with this condition shall be provided to the Community Development Director and Transportation and Parking Manager.
    - a. **Bus Passes.** Owner or all employers shall contact the Metropolitan Transit District (MTD) to purchase bus passes or the equivalent for their employees and clients. These passes or tokens shall be provided free of charge to employees

and clients who request them for travel to and from the facility. Notice of the free passes shall be provided to existing employees and new employees when they are hired and clients by posting signs in the facility. A copy of the contract with MTD shall be provided to the Transportation Planning Manager.

- b. **Bus Routes and Schedules Posted.** Notice of MTD bus routes and schedules shall be placed and maintained up-to-date in a central (public) location accessible to employees and clients.
  - c. **Ride-Sharing Program.** Employees shall be made aware of the Ride-Sharing Program or similar successor programs administered by the Santa Barbara County Association of Governments or successor agency. The Owner and/or all employers shall have all employees registered semi-annually in the Ride-Sharing Program and shall make every effort to encourage participation in the program.
9. **Neighborhood Communication.** Casa Esperanza shall regularly meet with neighborhood representatives in order to handle issues and concerns regarding its operations. The Milpas Action Task Force (MATF) shall be the forum for these meetings, and shall include representatives from area property owners, businesses, and residents, the City of Santa Barbara, and Casa Esperanza. Meetings may be called by the Owner or the MATF, when determined necessary.
  10. **Neighborhood Outreach.** Staff of Casa Esperanza shall conduct daily patrols through the neighborhood. This Outreach Program currently includes both sides of Milpas from the beach to Mason Street, and the area between the railroad tracks and US 101, and the Cacique/Quarantina/US101 triangle. This area may be revised by the Milpas Action Task Force in response to local conditions. Because of the area's scope, each segment may not be visited daily, but shall be visited more than once a week. Outreach involves contacting businesses and residents to hear what is going on. The name and telephone number of a contact person will be distributed along with information regarding where complaints about facility operations may be directed. Any complaints received and the staff response will be logged and made available to the public upon request. The Outreach Program shall also refer businesses and residents to the Police Department for crime prevention assessment.
  11. **Neighborhood Watch/Patrol.** In addition, the operator shall conduct a neighborhood watch and clean-up patrol within the patrol area defined above by the Milpas Action Task Force. In addition to litter clean-up, the purpose of the patrols is to observe homeless activities in the area, and to enforce the facility's Code of Conduct.
  12. **Property Maintenance.** The properties shall be maintained in accordance with the approved plans.
- B. **Report to Planning Commission.** Casa Esperanza shall provide progress reports to the Planning Commission every two years, with the next report due in May 2006/2010. Compliance with the conditions of approval and progress in meeting the corrective action objectives in the September 14, 2004 Milpas Action Task Force Report shall be addressed.

PLANNING COMMISSION CONDITIONS OF APPROVAL  
816 CACIQUE AND 110 S. QUARANTINA STREETS  
MARCH 26, 2009  
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Discussion of overall operations, statistical information of the numbers of persons served, complaints received and the response to those complaints, and parking demand and utilization should also be included. The Planning Commission reserves the right to further condition the project as necessary to sustain operation.



**Casa Esperanza**  
**Homeless Center**

*Under One Roof*

**RECEIVED**

MAR 11 2009

CITY OF SANTA BARBARA  
COM DEV ADMIN

P.O. Box 24116  
Santa Barbara, CA 93121  
(805) 884-8481

Paul Casey  
Community Development Director  
630 Garden Street  
Santa Barbara, CA. 93436

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*Executive Director*

Dear Mr. Casey:

Over the last nine months the Casa Esperanza Homeless Center has engaged in a process with the City designed to help address the problems of homelessness in Santa Barbara. Recently, the City Council adopted a Sub-Committee report that included a plan for dealing with problems surrounding homelessness. The plan recognizes the need for increased shelter-bed capacity in the community.

Based on our existing Conditional Use Permit, the Casa Esperanza Homeless Center operates a winter shelter from December 1<sup>st</sup> to March 31<sup>st</sup> each year that can house up to 200 individuals each night. On April 1<sup>st</sup>, the number of people permitted to be housed drops to 100.

Casa Esperanza understands and appreciates the need for a clear and legitimate process for permitting any kind of land-use operation in any community – particularly homeless shelters. The needs of a community's most vulnerable residents must be balanced with the rights of others that include local merchants and neighboring residents.

The difficult economy and recent tragedies, however, have created a serious emergency for the most vulnerable homeless in Santa Barbara. As a result, Casa Esperanza seeks emergency approval to house 40 additional people at Casa Esperanza for up to 90 days beyond April 1<sup>st</sup>. The reasons for doing so are as follows:

- 1) Currently, Casa Esperanza has a list of 136 people that require shelter beyond April 1<sup>st</sup>. These include 70 who participate in Casa's transitional housing program. The other 66 individuals need medical care or will suffer severe consequences if forced on the street. This latter group includes people with medical conditions, seniors over the age of 55, the mentally-ill and physically disabled. We believe that this list will top out at 140 within the next two weeks.

BOARD OF DIRECTORS  
EMERITUS

- David Borgatello
- Naomi Schwartz
- Sandra Tripp-Jones

- 2) According to Street Outreach staff, 11 homeless people have died in the last 60 days, compared with 18 in the twelve months prior.
- 3) In the last eight months, two homeless people have been murdered on the South Coast. The assailants are still at large.
- 4) The Salvation Army has announce that its Carpinteria facility, with 86 alcohol and drug rehabilitation beds, will close March 31<sup>st</sup> , 2009 due to a lack of funding.

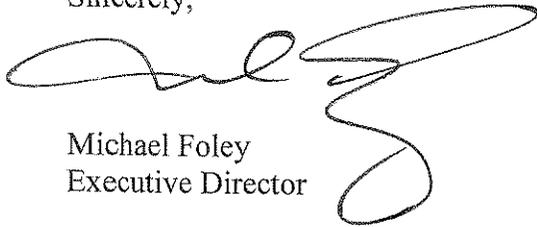
Over the last six months the number of seniors and disabled people seeking shelter care services at Casa Esperanza has nearly doubled. The number of people seeking shelter care who list their last place of residence in Santa Barbara County has increased by 20%.

Casa Esperanza's request to modify its existing conditional use permit, with no other changes, will provide an additional 40 beds exclusively for the vulnerable populations listed above. This is not an extension of the first-come first served winter shelter program.

During this period, Casa Esperanza will work with the City of Santa Barbara in working with our neighbors and community leaders to assess and mitigate possible long-term impacts of an increased over-night population at the homeless center as we work to meet the goal of increasing shelter-bed capacity, as stated in the sub-committee report. At the end of this 90 day period or before, we will come back to the Planning Commission with findings and recommendations.

Casa Esperanza has secured funding to cover baseline expenses for this emergency expansion for a 30-60 day period. At the same time, like many charities, Casa Esperanza struggles to raise enough funding to maintain existing operations. Casa Esperanza stands ready to work with the community, the City and its neighbors to help end the national tragedy of homelessness and welcomes necessary funding from any and all sources during theses difficult economic times in order to meet the challenge.

Sincerely,



Michael Foley  
Executive Director



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

### RESOLUTION NO. 051-04

#### 816 CACIQUE STREET & 110 SOUTH QUARANTINA STREET AMENDMENTS TO PARKING MODIFICATION, CONDITIONAL USE PERMIT, & COASTAL DEVELOPMENT PERMIT

NOVEMBER 18, 2004

**APPLICATION OF DAVE TABOR, AGENT FOR CASA ESPERANZA, PROPERTY OWNER, 816 CACIQUE STREET & 110 SOUTH QUARANTINA STREET, APN 017-240-021 & 017-240-034, M-1, LIGHT MANUFACTURING, C-2, GENERAL COMMERCE AND S-D-3, COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST99-00432)**

The proposed project involves amendments to the Conditions of Approval per Planning Commission Resolution No. 023-01. The proposed amendments are composed of a more specific description of the program elements provided by Casa Esperanza. These elements include the Day Center, the Emergency Winter Shelter, the Community Kitchen, the 100-Bed Year Round Shelter, the Detoxification Program. The project also proposes to provide 8 additional parking spaces at the off-site parking lot located at 110 S. Quarantina Street.

Amendments to the following discretionary applications are required for this project:

1. Amendment to Parking Modification to allow for thirty-three (33) parking spaces, including 20 spaces off-site rather than the parking required by the Zoning Ordinance (§28.90.100);
2. Amendment to Conditional Use Permit conditions that allow a quasi-public use (§28.94.030.W); and
3. Amendment to Coastal Development Permit to allow additional parking for a site located in the Non-Appealable area of the Coastal Zone (§28.45.009).

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

**WHEREAS**, 9 people appeared to speak in favor of the application, and 3 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 4 2004
2. Site Plans

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

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

The applicant has been responsive to the neighborhood concerns raised at the Council hearing held in February 2004 relative to the increase in the year round bed capacity. The Center's

program elements are thoroughly described as well as the required standards of conduct for the Center clients. The project includes additional conditions of approval to further address the neighborhood concerns through the creation of the Milpas Action Task Force. The project provides more than adequate parking for the daily functions of the center.

Finding for the Modification of SBMC §28.90.100.J (Parking Requirements):

The modification will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area. Most of the facility's users do not own vehicles. With the provision of thirty-three (33) parking spaces, thirteen (13) spaces on-site and twelve (20) spaces off-site at 110 South Quarantina Street, there would be an adequate number of parking spaces for the facility's staff, volunteers and the few homeless who may drive to the facility.

Findings for the Coastal Development Permit:

- A. The proposed project is consistent with the policies of the California Coastal Act because the proposed project is located in an existing urban area and all public services are available to serve the proposed development.
- B. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code since the project, with the approval of the Conditional Use Permit, is consistent with its land use designation of Industrial and Commercial and with Local Coastal Plan Policy 11.5.

Findings for the Conditional Use Permit:

- A. The use is deemed essential and desirable to the public convenience and welfare and is in harmony with the various elements and objectives of the Comprehensive General Plan. The Day Center and Shelter will expand its important services to Santa Barbara's homeless population in a permanent location, which is consistent with Housing Element goals and policies. Further, the expansion of the existing use would be in harmony with the General Plan Land Use Designations of Industrial and Commercial.
- B. The uses will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood because the project will provide a place where the homeless can go without loitering in the neighborhood.
- C. The total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development and use. Significant detrimental impacts on surrounding properties are avoided because the project meets the requirements of the M-1 and C-2 zones, and the area where facility users gather is set back and screened from the surrounding properties.
- D. Adequate access and off-street parking is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area. Most of the facility users will not drive. The

parking demand for the shelter is met with the provision of a total of thirty-three (33) parking spaces.

- E. The appearance of the developed site in terms of the arrangement, height, scale and architecture of the building, location of parking areas, landscaping and other features is compatible with the area since the building and the provision of landscaping have improved its appearance and made it more consistent with recent buildings in the area, such as the Fire Station, and with the overall character of the industrial and commercial area.

II. Said approval is subject to the following conditions:

- A. **Recorded Agreement.** The following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be documented in a written instrument which shall be reviewed as to form and content by the City Attorney, Community Development Director and/or Public Works Director. Owner shall record the approved document with the Office of the County Recorder.
1. **Uninterrupted Water Flow.** The Owner shall provide for the flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard to life, health or damage to the Real Property or any adjoining property.
  2. **Recreational Vehicle Storage.** No recreational vehicles, boats or trailers shall be stored on the Real Property (although recreational vehicles that belong to shelter occupants may be parked on-site overnight or during the day).
  3. **Landscape Plan Compliance.** Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
  4. **Water Rights Assignment.** Owner shall assign to the City of Santa Barbara the exclusive right to extract water from under the Real Property.
  5. **Allowed Development.** The development of the Real Property is limited to 25,392 sq. ft. of building area.
    - a. **Day Center Operations/Community Kitchen.** Owner may operate a day center on a daily basis. Day center operations shall be limited to a maximum of eighteen (18) staff and volunteers. A noon-time meal may be served daily to up to 200 clients. All meals served from the real property shall be consumed on the real property.
    - b. **Emergency Shelter.** From December 1 through March 15, Owner may operate an emergency shelter on the real property with up to 230 beds, with a monthly average of no more than 200 beds. At the request of the

- shelter operator, the Community Development Director may extend the duration of the emergency shelter operation due to cold and/or rainy weather. Notice shall be given to the neighborhood by means of the Milpas Action Task Force as soon as a change in schedule is proposed.
- c. **Shelter Operations.** From March 16 through November 30 of each year, Owner may operate a shelter on the real property with up to 100 beds.
  - d. **Detoxification Program.** Owner may operate a residential non-medical based detoxification program for up to 12 clients with a maximum stay of 14 days.
  - e. **Parking/Bicycle Storage and Access.** At all times, Owner shall provide a total of 33 parking spaces for use by staff, volunteers and clients. Thirteen spaces shall be provided on site at 816 Cacique Street and twenty spaces shall be provided off site at 110 S. Quarantina Street. The off-site parking lot shall be reserved for use by staff and volunteers and, secondarily, clients. If this off-site lot is needed at night, it shall be used for overnight staff parking. Signs shall be provided at the on-site parking entrances directing users to the off-site parking lot when on-site parking is full, subject to review and approval under the Sign Ordinance. Secure bicycle storage for sixty (60) bicycles shall be provided, subject to review and approval by the Transportation Planning Manager. Include a door that provides access to the rear of the building that does not exit through the kitchen for the purpose of providing access to bicycle storage.
6. **Lighting.** Exterior lighting shall be provided on both properties and shall be consistent with the City's lighting ordinance. No floodlights shall be allowed. All lighting shall be directed toward the ground.
  7. **Tree Protection.** The street trees within the City's right-of-way shall be preserved and protected.
  8. **Transportation Demand Management.** The following alternative mode incentives shall be incorporated into the project to reduce traffic impacts caused by the project. Such provisions shall be included in the lease/rental agreements of future tenants as a required "Transportation Management Plan." A copy of the clause in the lease/rental agreement needed to comply with this condition shall be provided to the Community Development Director and Transportation and Parking Manager.
    - a. **Bus Passes.** Owner or all employers shall contact the Metropolitan Transit District (MTD) to purchase bus passes or the equivalent for their employees and clients. These passes or tokens shall be provided free of charge to employees and clients who request them for travel to and from the facility. Notice of the free passes shall be provided to existing

employees and new employees when they are hired and clients by posting signs in the facility. A copy of the contract with MTD shall be provided to the Transportation Planning Manager.

- b. **Bus Routes and Schedules Posted.** Notice of MTD bus routes and schedules shall be placed and maintained up-to-date in a central (public) location accessible to employees and clients.
  - c. **Ride-Sharing Program.** Employees shall be made aware of the Ride-Sharing Program or similar successor programs administered by the Santa Barbara County Association of Governments or successor agency. The Owner and/or all employers shall have all employees registered semi-annually in the Ride-Sharing Program and shall make every effort to encourage participation in the program.
9. **Neighborhood Communication.** Casa Esperanza shall regularly meet with neighborhood representatives in order to handle issues and concerns regarding its operations. The Milpas Action Task Force (MATF) shall be the forum for these meetings, and shall include representatives from area property owners, businesses, and residents, the City of Santa Barbara, and Casa Esperanza, including a Casa Esperanza client. Meetings may be called by the Owner or the MATF. The MATF will participate in the reports to Planning Commission outlined in Condition B, including recommendations on ways to improve Casa Esperanza operations.
10. **Neighborhood Outreach.** Staff of Casa Esperanza shall conduct daily patrols through the neighborhood. This Outreach Program currently includes both sides of Milpas from the beach to Mason Street, and the area between the railroad tracks and US 101, and the Cacique/Quarantina/US 101 triangle. This area may be revised by the Milpas Action Task Force in response to local conditions. Because of the area's scope, each segment may not be visited daily, but shall be visited more than once a week. Outreach involves contacting businesses and residents to hear what is going on. The name and telephone number of a contact person will be distributed, along with information regarding where complaints about facility operations may be directed. Any complaints received and the staff response will be logged and made available to the public upon request. The Outreach Program shall also refer businesses and residents to the Police Department for crime prevention assessment.
11. **Neighborhood Watch/Patrol.** In addition, the operator shall conduct a neighborhood watch and clean-up patrol within the patrol area defined above by the Milpas Action Task Force. In addition to litter clean-up, the purpose of the patrols is to observe homeless activities in the area, and to enforce the facility's Code of Conduct. The patrols required by Conditions A.11 and A.12 shall be trained and uniformed, and shall include walking patrols. Vehicular patrols may also be included. Training shall be done in coordination with the Santa Barbara Police Department.

12. **Property Maintenance.** The properties shall be maintained in accordance with the approved plans.
  13. **Restroom Availability.** Restrooms shall be available to the public during daytime hours, with the understanding that access may be denied to people who do not follow the rules of conduct.
- B. **Report to Planning Commission.** Casa Esperanza shall provide progress reports to the Planning Commission every two years, with the next report due in June 2005, followed by a report in June 2006 and every two years thereafter. Compliance with the conditions of approval and progress in meeting the corrective action objectives in the September 14, 2004 Milpas Action Task Force (MATF) Report shall be addressed. As part of each report, the MATF will submit recommendations on how to improve operations to reduce neighborhood impacts. Discussion of overall operations, statistical information of the numbers of persons served, complaints received and the response to those complaints, and parking demand and utilization should also be included. The Planning Commission reserves the right to further condition the project as necessary to sustain operation. The Planning Commission may require interim reports as necessary.

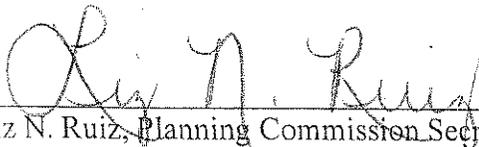
In addition to the above, the June 2005 report shall include the following:

1. The future composition of the MATF;
2. Information on what happens to clients who are barred or ejected from Casa Esperanza and how the neighborhood effects of their removal will be minimized; and
3. Further definition of the Neighborhood Patrol's functions and duties, including who participates, how many times per day the patrols are scheduled, what areas are patrolled each day and what the training program includes.

This motion was passed and adopted on the 18th day of November, 2004 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 1 (Jostes) ABSENT: 1 (Jacobs)

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

  
\_\_\_\_\_  
Liz N. Ruiz, Planning Commission Secretary

4/7/05  
\_\_\_\_\_  
Date

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