



City of Santa Barbara
Community Development

Memorandum

DATE: July 7, 2016

TO: Building & Fire Code Appeals Board

FROM: Andrew Stuffer, Chief Building Official

SUBJECT: 3732 & 3714 State Street, Santa Barbara, CA – Appeals

On May 5, 2016, this Board conducted a hearing relative to this specific appeal. During that hearing, and after more than 60 minutes of testimony from the appellant, the Board voted to uphold the decision of the Building Official to approve this alternate method of compliance for separation of the vehicular way and the assessable route of travel/path of travel. In reviewing the May 5, 2016 decision of the Board, the City Attorney's office has determined that we did not have the two disabled Board members present per State Health & Safety Code section 19957.5(b). Additionally, the Board limited the appellant's testimony citing the City's documented standard for meeting conduct. After reviewing the City records, the City could find no proof of the Board adopted the meeting conduct standards that the Board imposed on the appellant. Since that time, the Board has officially adopted those meeting conduct standards. In light of these facts, the City is hearing this item again.

On March 29, 2016 our office approved a code alternate in accordance with the 2013 California Building Code, Section 104.11 Alternative Materials, Design and Methods of Construction and Equipment (attached) and Section 11B-103 Equivalent Facilitation (attached). The alternative method of construction proposed is documented in the attached Code Alternate Construction or Material Proposal packet. This proposal was deemed to meet or exceed the accessibility and usability of an alternate tactile warning system relative to the system's quality, strength, effectiveness, fire-resistance, durability and safety. Specifically, our office considered the following:

- Durability of tactile warning
- Extent (amount) of tactile warning
- Color of the tactile warning
- Frequency, spacing, size and pattern of tactile warning
- Sound of a cane on the tactile warning

The above mentioned code sections specifically allow and set the approval criteria for the Building Official to consider and approve alternative methods of accessibility compliance.

It is important to give consideration to the context in which the code regulations are being applied. In this instance, the code regulations for tactile warning are written for use at a wide variety of applications such as busy bus transit centers, mall parking lots, etc. The proposed project is utilizing a private, one-way, narrow drive aisle that is shared with the pedestrian as a means of traffic calming. Staff has been advised that this type of shared vehicle transit/pedestrian way is called a "woonerf". This code alternate proposal was evaluated specifically for this "woonerf" application and not for more traditional and intense vehicular applications.

The proposed detectable warning alternate utilizes natural stone materials with a proven quality, strength, durability and safety history that are superior to the code standard, plastic, truncated domes. Further, the proposed alternate was evaluated by the Braille Institute and determined to be "preferable to the truncated domes that are placed for the same purpose", thus confirming that from a functional perspective, the frequency, pattern, and sound of the tactile warning was equivalent. The color of the proposed tactile warning will necessitate additional discussion throughout the plan check process. Of specific concern is that while the code requires only Federal Yellow color, the code does not prohibit Federal Yellow warning adjacent to another yellow or light color pavement – thus reducing or eliminating a contrast in color that visually impaired citizens can rely upon. Staff envisions a final design with a 70-80% light reflectance contrast between the proposed tactile warning and the adjacent vehicular way.

Given that the above criteria for code alternate approval was met, my office approved this code alternate.

Copy: 3732 & 3714 State Street - Street Files

Attached: Approved City Code Alternate Construction or Modification Proposal submittal
Appellant's letter and documentation
2013 California Building Code, Sections 104.11 & 11B-103

CHAPTER 11B

ACCESSIBILITY TO PUBLIC BUILDINGS,
PUBLIC ACCOMMODATIONS, COMMERCIAL
BUILDINGS AND PUBLIC HOUSING

DIVISION 1:
APPLICATION AND ADMINISTRATION

11B-101 Purpose

11B-101.1 General. This chapter contains scoping and technical requirements for accessibility to sites, facilities, buildings, and elements by individuals with disabilities. The requirements are to be applied during the design, construction, additions to, and alteration of sites, facilities, buildings, and elements to the extent required by Chapter 1, Section 1.9.

11B-101.2 Reserved.

11B-102 Dimensions for adults and children. The technical requirements are based on adult dimensions and anthropometrics. In addition, this chapter includes technical requirements based on children's dimensions and anthropometrics for drinking fountains, water closets, toilet compartments, lavatories and sinks, dining surfaces, and work surfaces.

11B-103 Equivalent facilitation. Nothing in these requirements prevents the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability.

11B-104 Conventions

11B-104.1 Dimensions. Dimensions that are not stated as "maximum" or "minimum" are absolute.

11B-104.1.1 Construction and manufacturing tolerances. All dimensions are subject to conventional industry tolerances except where the requirement is stated as a range with specific minimum and maximum end points.

11B-104.2 Calculation of percentages. Where the required number of elements or facilities to be provided is determined by calculations of ratios or percentages and remainders or fractions result, the next greater whole number of such elements or facilities shall be provided. Where the determination of the required size or dimension of an element or facility involves ratios or percentages, rounding down for values less than one half shall be permitted.

11B-104.3 Figures. Unless specifically stated otherwise, figures are provided for informational purposes only.

11B-105 Referenced standards.

11B-105.1 General. See Chapter 35.

11B-106 Definitions

11B-106.1 General. For the purpose of this chapter, the terms listed in Section 11B-106.5 and defined in Chapter 2 have the indicated meaning.

11B-106.2 Terms defined in referenced standards. Terms not listed in Section 11B-106.5 and not defined in Chapter 2, Section 202, but specifically defined in a referenced standard, shall have the specified meaning from the referenced standard unless otherwise stated.

11B-106.3 Undefined terms. The meaning of terms not specifically listed in Section 11B-106.5, and not defined in Chapter 2, Section 202, or in referenced standards shall be as defined by collegiate dictionaries in the sense that the context implies.

11B-106.4 Interchangeability. See Chapter 2, Section 201.2.

Convention	Description
$\frac{36}{54}$	dimension showing English units (in inches unless otherwise specified) above the line and SI units (in millimeters unless otherwise specified) below the line
$\frac{6}{152}$	dimension for small measurements
$\frac{33-36}{138-914}$	dimension showing a range with minimum/maximum
MIN	minimum
MAX	maximum
>	greater than
≥	greater than or equal to
<	less than
≤	less than or equal to
----	boundary of clear floor space or maneuvering clearance
-----	centerline
- - - - -	a permitted element or its extension
→	direction of travel or approach
▬	a wall, floor, ceiling or other element cut in section or plan
▨	a highlighted element in elevation or plan
▩	location zone of element, control or feature

FIGURE 11B-104
GRAPHIC CONVENTION FOR FIGURES

[A] **104.8 Liability.** The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] **104.9 Approved materials and equipment.** Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

[A] **104.9.1 Used materials and equipment.** The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

[A] **104.10 Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

[A] **104.10.1 Flood hazard areas.** The building official shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 unless a determination has been made that:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

[A] **104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. [DSA-SS & DSA-SS/CC, OSHPD 1, 2 & 4] *Alternative system shall satisfy ASCE 7 Section 1.3, unless more restrictive requirements are established by this code for an equivalent system.*

Alternative systems also satisfy the California Administrative Code, Section 7-104. [OSHPD 1, 2 & 4] and Section 4-304 [DSA-SS & DSA-SS/CC].

[A] **104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

[A] **104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

104.11.3 Peer review. [OSHPD 1 & 4] *When peer review is required, it shall be performed pursuant to Section 3414A.*

104.11.4 Earthquake monitoring instruments. [OSHPD 1 & 4] *The enforcement agency may require earthquake monitoring instruments for any building that receives approval of an alternative system for the Lateral Force Resisting System (LFRS). There shall be a sufficient number of instruments to characterize the response of the building during an earthquake and shall include at least one tri-axial free field instrument or equivalent. A proposal for instrumentation and equipment specifications*



City of Santa Barbara
 Building & Safety Division
CODE ALTERNATE CONSTRUCTION
or MATERIAL PROPOSAL

Community Development
 Department
 630 Garden Street
 805-564-5485

[A] 104.11 2013 California Building Code – The provisions of this code are not intended to prevent the installation of any material or prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

6-00684

Project Address: 3714-3744 STATE ST New Case # BLD2015-~~0245~~

Check One: Residential Single Family Residential Multi-family Commercial Mixed Use

Person Submitting Request: JOHN J. SCHUCK Phone Number: 805-680-8989

Property Owner: KW FUNDY - SANDMAN, LLC

Briefly describe the code requirement, including all applicable code section(s), that you wish to provide an alternate for: the JULY 1, 2015 MID-CYCLE AMENDMENT 1116.5A

REQUIRING 3' OF TRUNCATED DOMES SEPARATING A DRIVE AISLE FROM WALKPATH/SIDEWALK

Briefly describe the Code Alternate which is being requested. Include the reason(s) for being unable to comply with the code requirements and provide any supporting documentation that may aide in the decision making process. Attach additional documents if necessary: THE HEAD BUILDING-OFFICIAL,

GEORGE ESTRELLA, OKED THE USE OF COMBINING A DRIVE AISLE W/ WALK WAY, IF SEPARATE MATERIALS ARE USED, INCLUDING A 1' PEBBLE STRIP. THE BRAILLE INSTITUTE SUPPORTED WHAT WE PROPOSED.

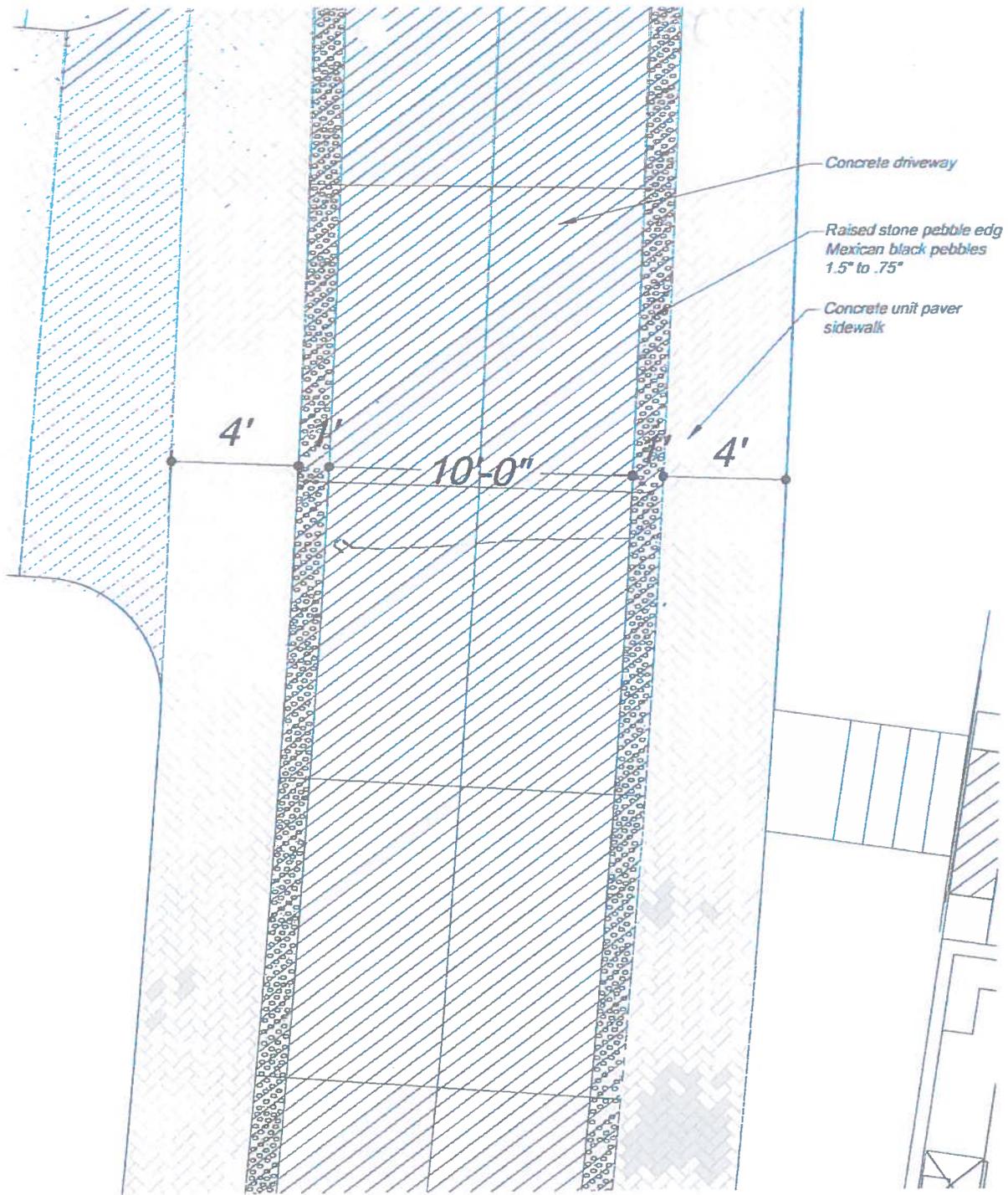
THE ENTIRE PROJECT WAS DESIGNED AND APPROVED BASED ON THAT DECISION. AND, OUR FIRST BUILDING PERMIT WAS APPLIED FOR 6 WEEKS BEFORE THE CODE CHANGE.

Applicant: JOHN J. SCHUCK, OWNER, FRANCISCAN DEVELOPMENTS

Signature: [Signature] Date: 3/29/16

If a Code Alternative is granted, this completed form MUST be reproduced on the plans before the permit is issued.

THIS SPACE FOR OFFICE USE ONLY		Approved	Denied
Fire Department review by: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
Building & Safety review by: <u>[Signature]</u>	Date: <u>3/29/16</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Zoning/Planning review by: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
Public Works review by: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
Comments: _____			
FEES (A min. 1/2 hr. plan check fee is required at submittal. Additional fees may be required): \$ _____			



TYPICAL PAVING / SANDMAN

1/4" = 1'-0"



*Empowering visually impaired
people to live fulfilling lives*

Michael R. Lazarovits
EXECUTIVE DIRECTOR
Santa Barbara

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December 20, 2013

Cearnal Androlatis Architect
& Interior Design
Mr. Brian Cearnal
521 1/2 State Street
Santa Barbara, CA 93101

Dear Mr. Cearnal

On Wednesday, December 11, 2013, Orientation and Mobility Specialist, Kathleen Ely, and Braille Institute Staff member, Greg Benavidez, traveled to the Bella Riviera location to assess the walkways and driveways. Their primary purpose was to evaluate how safe and accessible these were for those who are blind and visually impaired. Below is their evaluation.

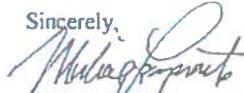
The pebble borders were easy to detect with a cane and ran consistently throughout the property to differentiate the walkways from the driveways. We both felt that it was an architecturally pleasing way to alert both sighted and visually impaired pedestrians. For those who are visually impaired, this is preferable to the truncated domes that are placed for the same purpose.

Kathleen Ely is a credentialed Orientation and Mobility Specialist through San Francisco State University. Orientation and Mobility Specialists provide instruction in basic skills and protective techniques, cane travel, visual efficiency training, intersection analysis and safe street crossings and use of public transportation.

Greg Benavidez has been the Access Technology Specialist at Braille Institute Santa Barbara for almost 9 years. He lost his vision 22 years ago due to retinitis pigmentosa.

Let me know if we can provide any additional information

Sincerely,



Michael R. Lazarovits
Executive Director

521 1/2 STATE STREET
SANTA BARBARA, CA 93101
P: 805.963.8077 x211
F: 805.963.0684

ja@ceamal.com
www.ceamal.com

Please consider the environment before printing this e-mail

On Jan 6, 2014, at 2:37 PM, "Estrella, George" <GEstrella@SantaBarbaraCA.gov> wrote:

Joe,

Thanks, that will do it and I will approve it!

Although I have not seen the hard copy.....but this is my first day back at the office. It must be around here somewhere.

George A. Estrella
Chief Building Official
City of Santa Barbara
(805) 564-5553

Please note: Due to a compressed 9/80 work schedule, most city offices are closed every other Friday. To view the city calendar go to http://www.santabarbaraca.gov/Government/City_Calendar

From: Joe Andrulaitis [<mailto:ja@cearnal.com>]
Sent: Thursday, January 02, 2014 8:32 AM
To: Estrella, George
Cc: Brian Cearnal; Short, Chris; Cassidy, Lonnie J; Greg Parker; Ken Marshall
Subject: Re: BELLA RIVIERA ANALYSIS OF "PEBBLE STRIP"

George,

See attached comments from the Braille Institute on letterhead. Thanks

JOE ANDRULAITIS, AIA, LEED AP BD+C
CEARNAL ANDRULAITIS LLP
521 1/2 STATE STREET
SANTA BARBARA, CA 93101
P: 805.963.8077 x211
F: 805.963.0684

ja@ceamal.com
www.cearnal.com

Please consider the environment before printing this e-mail

On Dec 12, 2013, at 2:16 PM, "Estrella, George" <GEstrella@SantaBarbaraCA.gov> wrote:

Brian,

That sounds great but please have this acknowledgement on Braille Institute letterhead as way of being more official, which can be included in the email. Once we receive this we will sign off as being in compliance and a very nice picture, which we can also use as documentation.

Thanks,

George A. Estrella
Chief Building Official
City of Santa Barbara
(805) 564-5553

Please note: Due to a compressed 9/80 work schedule, most city offices are closed every other Friday. To view the city calendar go to http://www.santabarbaraca.gov/Government/City_Calendar

From: Brian Cearnal [<mailto:bc@cearnal.com>]
Sent: Thursday, December 12, 2013 12:37 PM
To: Estrella, George
Cc: Short, Chris; Cassidy, Lonnie J; Joseph Andrulaitis; Greg Parker
Subject: BELLA RIVIERA ANALYSIS OF "PEBBLE STRIP"

George,

I met yesterday with Braille Institute staff (Kathleen Ely & Greg _____ *don't have his last name*) up at Bella Riviera.

They loved the Pebble Strip! Thought it worked better than truncated domes because of how it felt with the cane.

Kathleen indicated she will send an email confirming their observations for our records.

BC

<image001.jpg>
Brian Cearnal, AIA, LEED AP
Cearnal Andrulaitis, LLP
Architecture & Interior Design
521 1/2 State St. Santa Barbara, CA 93101



City of Santa Barbara
 Building and Safety Division
 www.SantaBarbaraCA.gov

REQUEST FOR APPEALS BOARD HEARING

Subject Property Address 3714 State St. APN 053-300-023 Date June 22, 2016
 Owner's Name KW Fund V-Sandman, LLC
 Owner's Address c/o Brian Cearnal, 521 State St. (Phone) (805) 963-8077
 Owner's Email Address bcearnal@cearnal.com

Decision Being Appealed

A brief statement specifying order or action protested:
To prevent the vesting of any rights, Accessible Santa Barbara appeals from the issuance yesterday June 21, 2016, of BLD2015-02938. Issuance of this permit was improper to the extent it incorporates the illegal

- Further explanation attached. code alternates granted by BLD2016-00684, a
 Copy of protested notice attached. decision being heard on appeal on 7/7/16.

A brief statement of the reason the protested order or action should be reversed, modified or otherwise set aside:
BLD2015-02938 is a permit issued yesterday 6/21/16 for "final grading, drainage, utility installation and final building pads."

We appeal issuance of BLD2015-02938 and request it be overturned to the extent BLD2015-02938 incorporates the illegal "code alternates" granted in BLD2015-00684, which we expect to be overturned by the Appeals Board on 7/7/16. You will be notified within 30 days of the date of your hearing.

Signature We also appeal issuance of BLD2015-02938 labeled "phase 4" or otherwise implying current application includes past demolition work. I certify under penalty of perjury that the foregoing, to the best of my knowledge, is true and correct. I

also acknowledge that the Board cannot waive any Code requirements and will only determine the proper application of the code.

Signature
 William Rehling, Accessible Santa Barbara
 P.O. Box 22013, Santa Barbara CA 93121-2013

Questions

For further information contact the Building & Safety Division at (805) 564-5485

Hours: Monday-Friday *
 8:30 a.m. to 4:30 p.m.
 *Closed Alternate Fridays
 www.SantaBarbaraCA.gov

Address: 630 Garden St, Santa Barbara, CA 93101
 Phone: (805) 564-5485

Contact:
 accessiblesb@gmail.com
 (805) 880-4724



City of Santa Barbara
 Building and Safety Division
 www.SantaBarbaraCA.gov

**REQUEST FOR
 APPEALS BOARD HEARING**

Subject Property Address 3732 State St. Date April 7, 2016
 APN 053-300-023
 Owner's Name KW Fund V-Sandman, LLC
 Owner's Address c/o Brian Cearnal, 521 State St. (Phone) (805) 963-8077
 Owner's Email Address bcearnal@cearnal.com

Decision Being Appealed

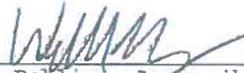
A brief statement specifying order or action protested:
Accessible Santa Barbara appeals from the decision of the building official to grant, on this date, April 7, 2016, application BLD2016-00684 for a code alternate. Please see attached.

- Further explanation attached.
- Copy of protested notice attached.

A brief statement of the reason the protested order or action should be reversed, modified or otherwise set aside:
This decision is not the proper subject of a "ratification" appeal pursuant to the Cal. Health & Safety Code. Therefore, Accessible Santa Barbara appeals directly.
This decision is not warranted under the applicable codes and exceeds the scope of a waiver to accessibility which may be granted by the building official. Further explanation to follow, but please schedule hearing date. You will be notified within 30 days of the date of your hearing.

Signature

I certify under penalty of perjury that the foregoing, to the best of my knowledge, is true and correct. I also acknowledge that the Board cannot waive any Code requirements and will only determine the proper application of the code.

Signature 
 William Rehling, Accessible Santa Barbara
 P.O. Box 22013, Santa Barbara CA 93121-2013

Questions

For further information contact the Building & Safety Division at (805) 564-5485

Hours: Monday-Friday *
 8:30 a.m. to 4:30 p.m.
 *Closed Alternate Fridays
 www.SantaBarbaraCA.gov

Address: 630 Garden St, Santa Barbara, CA 93101
 Phone: (805) 564-5485

Contact:
 accessiblesb@gmail.com
 (805) 880-4724

City of Santa Barbara
 Building and Safety Division

APR 07 2016

RECEIVED

City of SANTA BARBARA

(<http://www.santabarbaraca.gov/default.asp>)

Case Status Results - Details

DISCLAIMER

Every reasonable effort has been made to ensure the accuracy of the information provided; nevertheless, some information may not be accurate. Confirmation is recommended as there may be errors in the database.

Status for Case BLD2016-00684

[Back](#)

Address: 3732 STATE ST

Case Number: BLD2016-00684

Case Type: Building Permit

Description: Request to allow the installation of alternate method of compliance for the required truncated dome installation per the 2015 CBC, Section 1116.5A.

Application Date: 3/29/2016

Status: MA

Sorted by Activity Completed Date - Oldest First

Case Activities

Type	Date Completed <small>A (status.asp?Case=BLD2016-00684&Direction=DESC#SortedByIndicatorTable)</small>
Application Received	4/7/2016
Initial Review - Building	4/7/2016
Code Mod Approved	4/7/2016

[Case Status Form \(default.asp\)](#)

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[Top of Page](#)

This page is updated dynamically. The "Last Updated" date below reflects the last time the code for this page was modified.

Last Updated: Apr 2, 2014

Stuffer, Andrew

From: Brian Cearnal <bc@cearnal.com>
Sent: Friday, April 22, 2016 1:57 PM
To: Stuffer, Andrew
Cc: John Schuck
Subject: Re: Summary of Bella Riviera visit with Brian and Bob

Andrew,

I have read Jim Marston's letter to you regarding our visit Bella Riviera.

I must strongly object to some of Jim's observations as follows:

1. Jim stated Bob Burnham was "unable to detect the safety warnings" (pebble strip). That is not correct. Bob was able to detect the pebble strip, he just had difficulty differentiating the pebble strip from the permeable pavers. When I took the cane, I certainly understood the problem of the similarity of sensation, but for me the pebble strip did feel different than the pavers. We discussed the color contrast and I agreed it could be better but I never suggested the pebble strip should change to yellow.

2. Jim indicated the traffic was mostly slow, but that was no guarantee of traffic flow. During the time we stood in the driveway (at least 20 minutes), 2 cars passed at very slow speed; well aware of our presence. The "highly researched need for 3' domes in Federal yellow" NEVER anticipated a 'woonerf' or 'shared street' concept that we are advocating for!

I have spent a lot of time at this site and at older projects we have designed with the 'woonerf' concept and the automobile traffic is always very light and travels very slow; always respectful of the pedestrian activity.

3. Jim suggests I "learned how my design would not be safe". I categorically disagree! I absolutely believe this application is safe because of the nature of the design. I would never advocate for any unsafe design! The pebble strip is a way to comply with the spirit of the code, but the true safety comes from the fact that this is NOT a traditional vehicular way that requires a conventional 3' strip of domes in Federal yellow.

I am disappointed that Jim completely failed to acknowledge this significant difference.

I look forward to the opportunity to defend our code modification request on May 5th. I agree with Jim that a more definitive spec for the pebble strips, including color and spacing, height, etc. would be advisable.

Thanks for your consideration and please share this reply with the Board.

Respectfully,

BC
BRIAN CEARNAL, AIA, LEED AP
THE CEARNAL COLLECTIVE, LLP
521 1/2 STATE STREET
SANTA BARBARA, CA 93101
P: 805.963.8077 x203
F: 805.963.0684
C:805.689.4794

On Apr 22, 2016, at 10:26 AM, Stuffer, Andrew <astuffer@SantaBarbaraCA.gov> wrote:

Hi Brian,

Attached is an assessment of your meeting with local visually impaired access compliance advocates. Would you please read this and respond to it?

Thanks,
Andrew

From: Jim Marston [<mailto:jim.marston@gmail.com>]
Sent: Tuesday, April 19, 2016 7:33 PM
To: Stuffer, Andrew
Subject: Summary of Bella Riviera visit with Brian and Bob

Good Morning Andrew, please see attached summary of our visit.

--
Jim Marston, Ph.D.

Assistant Project Scientist, Department of Geography
and the Institute for Social, Behavioral and Economic Research (ISBER)
,
University of California, Santa Barbara
Affiliate Scientist, Smith Kettlewell Eye Research Institute, San Francisco

[Google Scholar Citations](#)

[Marston CV](#)

UCSB Web: <http://www.geog.ucsb.edu/~marstonj/>

Andrew Stuffer

City Building Official

Dear Andrew, thank you for including me in your suggestion that Mr. Brian Cernal meet with members of the visually impaired community. We had a successful investigation at Bella Riviera site. I used my experience as a human factors investigator to perform about four walks and had Bob Burnham try and detect the one foot strip of pebbles. These walks went from one sidewalk to the other side at various angled crossings. Bob was unable to detect the safety warnings. I then had Brian take a cane and he too could not identify the warning, mentioning that the pavers felt just like the pebbles. We discussed that there was no color contrast, (he mentioned that he should change the pebbles to yellow) and that the one foot width allowed a cane to completely pass over the warning.

Brian of course was concerned about aesthetics, and I tried to explain that the more important item was pedestrian safety. I also pointed out that his pebbles were set randomly, and that any alternative should have complete specs, such as height, spacing, size etc.

I agreed that the traffic there was mostly slow, but that by itself is no guarantee of traffic flow and as far as I know, is still not a valid reason to ignore the highly researched need for three foot domes in Federal yellow.

We then stopped at 525 E Mitch and I had Bob stand in the parking lot, and then walk toward my voice on the sidewalk. Bob was easily able to identify when he was at the warnings and when he reached the safety of the sidewalk. I had Brian try the cane there and he realized how much more information they provided and I then pointed out how there was also the required "sound on cane" differential, and he agreed that the pebble surface did not provide that.

Brian said that he learned much from this visit and even talked about having us meet with the AIA group to discuss the needs of the visually impaired.

After the visit I received an email from Brian asking me what I thought about changing the plans and including a rolled curb, after checking with the fire department. I said he should discuss the code requirements for curbs with the City Plan checkers, but I do think, if this meets both fire and 11B code, this would be an acceptable alternative, but I could not give him blanket approval, as it would be a code issue at that point.

My impression was that he learned how his design would not be safe and he was willing to submit new plans.

Sincerely,

Jim marston Ph.D.



April 25, 2016

THE "WOONERF" CONCEPT

The vehicular/pedestrian system designed for the Sandman project is a "woonerf"/paseo concept, also referred to as a "shared street" system.

Please see Exhibit A for a full explanation of a "woonerf."

The woonerf has been used successfully and safely throughout the United States and in many countries around the world.

Please see Exhibit B for woonerfs/shared street examples.

In fact, the woonerf/paseo concept has been used safely and successfully in Santa Barbara, both at Villa Del Mar (2004) located at the corner of Santa Barbara and Yanonali Street and at Bella Riviera (2012) located at the former St Francis Hospital site on upper Micheltorena Street.

In the woonerf concept, the vehicle becomes subordinate to the pedestrian resulting in enhanced pedestrian safety.

THE SANDMAN CONCEPT

A vehicle or pedestrian enters the Sandman development off State Street, passing through a commercial zone that utilizes standard street design (such as curbed sidewalks and truncated domes), then enters the residential zone of the project.

This transition from the public sphere to the private is visually expressed with a portal and tactilely expressed with a change in pavement surface design – letting the user know that he/she has entered into a different environment, one that uses a private, one-way, residential drive that accesses each of the buildings.

This private, one way drive with extremely limited automobile traffic is not what the building code intended to address with the 3' wide truncated domes as detectable warning devices. These requirements were to address more typical street systems and intersections with a greater traffic intensity both in regards to speed and frequency.



The Sandman woonerf system delineates a clean safe pedestrian zone of 5 feet on both sides of the 10' drive aisle. This safe zone is differentiated by a change in the paving material and with a one foot pebble strip. *Please see Exhibit C.*

It is important that the paving material for this pedestrian zone not be the truncated domes because that would provide incorrect information to the users, indicating that they were in a conventional road system rather than the shared street system. By utilizing alternative surfacing such as the pebble strip, the user has been provided additional information to best understand the environment they are in.

In addition, the installation of the two rows of 3 foot wide truncated domes (if installed) would reduce the drive aisle to only six feet, forcing cars to drive on the detectable warning devices, defeating their purpose, and clearly not the intention of the code requirement. *Please see Exhibit D.*

THE ALTERNATE MEANS AND METHODS CONCEPT

Because code requirements can't be a "one size fits all" application, the Building Official is given the flexibility and the responsibility to determine when a unique situation exists and he is given the authority to make positive finding for an alternate method.

The case for support of the Sandman alternate is well regarded by the Braille Institute and professionals in the Orientation and Mobility field. *Please see Exhibit E.*

We believe the approval of the code alternate in the case of the Sandman development is not only warranted on its merit, but it is also a justifiable and responsible decision in this situation.

EXHIBIT A

EXHIBIT A

"A woonerf is a street or square where cars, pedestrians, cyclists, and other local residents travel together without traditional safety infrastructure to guide them. Also sometimes called a "shared street," a woonerf is generally free of traffic lights, stop signs, curbs, painted lines, and the like."¹

"Even though it seems that the vehicular traffic and the pedestrians would conflict, the physical design subordinates the traffic. That situation is much safer for the pedestrian than is the usual street layout. Studies in Europe, Japan, and Israel show that on shared streets the number of accidents declines by more than 20 percent and the number of severe accidents by more than 50 percent, compared with traditional streets. (Toshi Jutaku 1983; Kanazaki, Ohomori, and Ishimura 1984; Polus 1985; Kraay 1986; Krause 1986; Nobel and Jenks 1989; Brillion and Blanke 1990; Engel 1990; Janssen 1991)"²

"This concept of 'shared space' was first conceived over thirty years ago by Hans Monderman, a traffic engineer from the Netherlands, who has helped bring what was first seen as an oddball movement into a mainstream approach to traffic engineering. Shared space schemes started in the Netherlands, spread to mainland Europe, UK and more recently Monderman's work is being picked up as far afield as USA and Russia. Monderman argues that while traditional tools of separation are necessary on motorways and busy highways where the single purpose is the movement of traffic, in the complex world of the public realm with its multitude of functions, they become redundant."

"Although until recently there have been relatively few examples of curbless streets being implemented in urban environments in the U.S., numerous such designs have either been implemented in the past few years or are in the pipeline."³

An example of a recently completed Shared Street is the Borderline Neighborhood in Santa Monica, CA, completed in 2013

¹"6 Places Where Cars, Bikes, and Pedestrians All Share the Road As Equals" *The Atlantic CityLab website* 2015/03/6

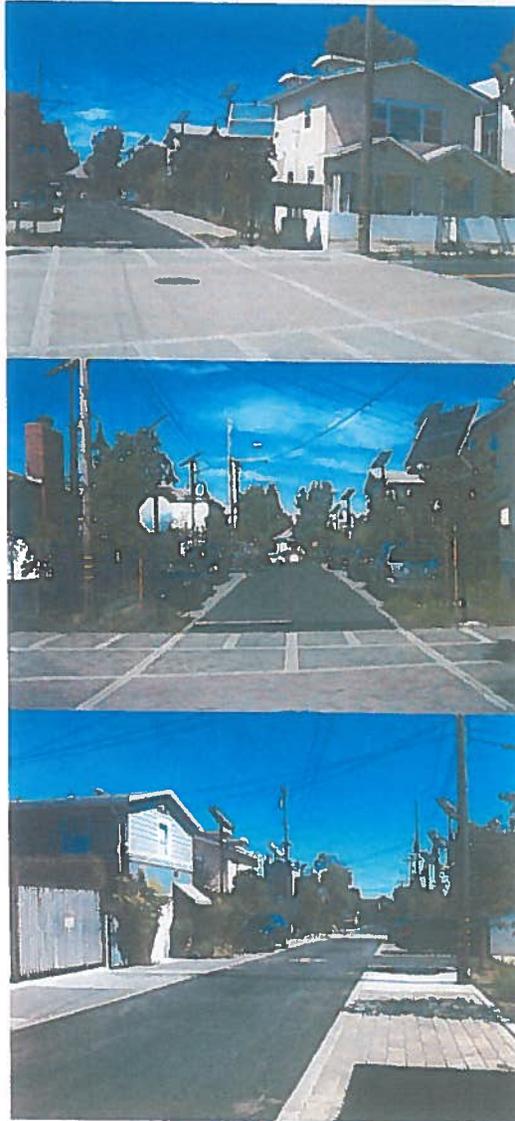
²"Changing the Residential Street Scene" *Eran Ben-Joseph APA Journal, Autumn 1995*

³<http://www.sharedspace.org/download.asp?link=/files/15047/TEC.doc&linkID=1353>
77

"This unique Shared Green Street project (Borderline Neighborhood) also includes decorative and permeable street pavers at street intersections and parking areas, sidewalk constructed at street grade to better accommodate pedestrian and Americans with Disabilities access as well as other improvements including a new water line. The "Shared Green Street" concept integrates, rather than segregates, all road users in a non-hierarchical, people-oriented, low-speed environment where physical cues guide driver behavior rather than just traditional traffic signals, signs, markings and curbs."⁴

⁴ League of California Cites website "Borderline Neighborhood" 2013

EXHIBIT B



Created a curb-less street design to promote walkability

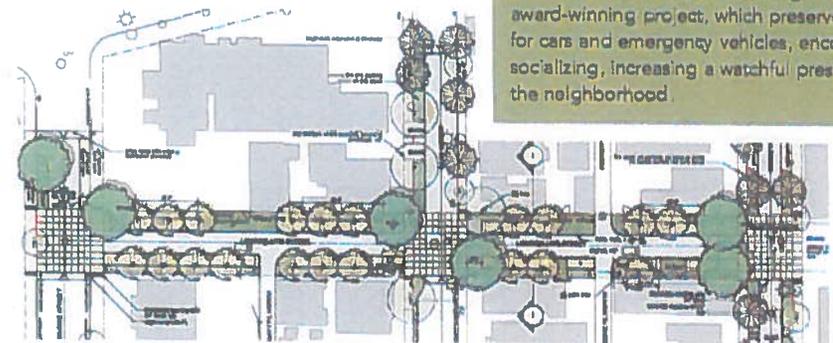
Recommended sustainable landscaping and solar-powered lighting

Improved access between a café and open space on opposite sides of the neighborhood



"This is much more than a street beautification project. It puts more eyes and feet on the street by creating a park where people want to gather, play, walk their dogs, and generally enjoy the neighborhood. No other city that we know of has done this"

Dennis Woods, Chair of the Borderline Neighborhood Group Improvement Committee



BORDERLINE NEIGHBORHOOD SANTA MONICA, CA

Designer: Nelson\Nygaard, Blackbird
Constructed: 2012

Background/Function:

In Santa Monica, the Borderline neighborhood was stuck with visually unappealing, narrow streets backing up to a commercial area. Citing crime, traffic, and quality of life concerns, the Borderline Neighborhood Group won funding to improve its streetscape.

Nelson\Nygaard applied the Dutch concept of "woonerf," a term meaning "neighborhood for living," to create shared space.

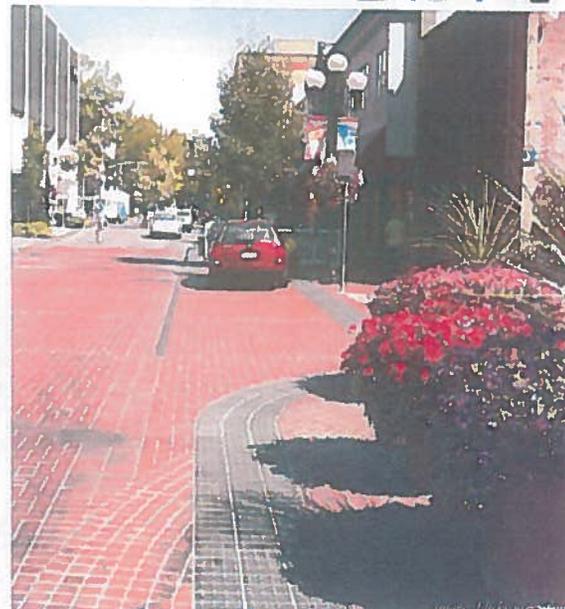
Lessons:

By raising the roadbed to eliminate vertical curbs and using decorative pavers to delineate walking, driving, and socializing spaces, the street becomes a community front yard. The design incorporates sustainable features including water runoff retention elements, permeable concrete, and solar lighting. The award-winning project, which preserves access for cars and emergency vehicles, encourages socializing, increasing a watchful presence in the neighborhood.

STREET PRECEDENT FACTSHEET



"Great Streets accommodate pedestrians and slow moving traffic - and the occasional duck."
- Eugene Downtown Plan



Key intersections and main streets are provided shared space through brick crosswalks and plazas. Broadway at Willamette is at a single grade to facilitate shared space and provides seamless transition into the city plaza.

SHARED STREETS

DOWNTOWN
EUGENE, OR

Designer: --
Constructed: last 20 years
Right Of Way: 60 feet

Background/Function:
The City of Eugene is known for its bicycle and pedestrian friendliness with established city-wide on-street and off-street networks. The downtown has been redeveloped to include several intersections (Broadway at Willamette as its major focus) that break down the barriers between bicycles, pedestrian and the automobile.

Lessons:
Shared spaces: Eugene's downtown has established a program of shared spaces demarcated by brick areas. This includes not only crosswalks, but complete intersections that are at the same grade as the roadway, giving spatial priority to bikes and pedestrians. Warning strips mark the threshold where pedestrian and vehicle conflicts might occur. The paving patterns blend into adjacent public spaces emphasizing locations of pedestrian activity.

Design potential of parking: Downtown Eugene has an extensive network of bike and vehicle parking designed to de-emphasize on-street spaces and allow more shared space.

STREET PRECEDENT FACTSHEET

COMMUNITY DESIGN + ARCHITECTURE

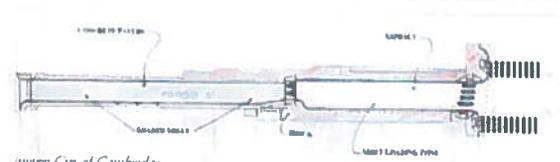


image: City of Cambridge

Palmer Street and Winthrop Street have both been reconfigured to be shared streets. Palmer is all one grade, whereas Winthrop relies on curbs and material change to define space within its shared right-of-way. Note the plan by Earth Tech which has clearly used material change and sidewalk width to define space.

SHARED STREETS

**PALMER & WINTHROP ST
CAMBRIDGE, MA**

Designer: Earth Tech
Constructed: 2010
Right Of Way: 25 feet

Background/Function:

As part of the Harvard Square redevelopment project, both Palmer and Winthrop streets turned into shared streets from their humble beginnings of access alleyways. Inadequate pedestrian facilities spurred the decision to redesign these streets as shared spaces.

Lessons:

Access to multi-uses: The streets lie in the Harvard Square design district and is central to Harvard University. Planked by neighborhood and boutique retail and restaurants, these streets are key to allow all modes to access these services.

Paving to define zones: Material choice includes textured concrete cobble pavers and brick sidewalks. Palmer Street also includes innovative street furniture that both defines space and is functional.

Low posted speed: While vehicle speed is self regulated in the surrounding area by numerous marked crossings and intersections, the shared streets are signed for 10 mph at the entries to the shared streets.

Supplemental parking: Parking for the area is provided by the Harvard Square parking garage just south of Winthrop Street. This allows for a relatively car-free shared street experience.

STREET PRECEDENT FACTSHEET

COMMUNITY DESIGN + ARCHITECTURE

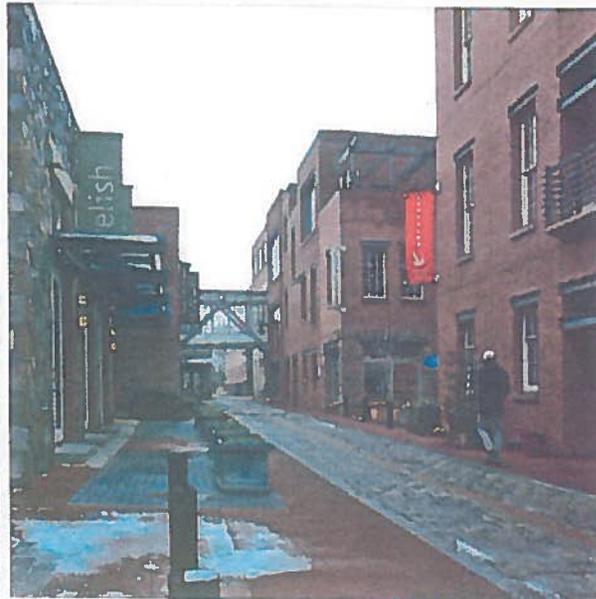


"Brick, granite Belgian blocks for the "carriage way," water-washed pebbles and thermal-finished granite (between the brick and blocks) combine to give Cady's Alley a special character"

-Stephan Kelly, landscapeonline.com



As a former delivery alley, Wall Street has been transformed into a shared street and a model for a narrow shopping street. Note the change in paving and ways in which retail and residential frontage utilize the space.



**CADY'S ALLEY
WASHINGTON DC**

Designer: Landscape Architecture Bureau LLC.
Constructed: late 1990's
Right Of Way: 20 feet

Background/Function:

The area known as Cady's Alley was redeveloped in the late 1990's by a developer-led process involving individual architects. As a shared street and district it feels modern while still remaining authentic to its industrial past. Located in Georgetown's design district, Cady's Alley dates from Georgetown's industrial past. Now a mixed-use retail center, the shared street serves as an access alleyway with fronting buildings and cafes. Residential above ground floor retail helps keep the alley a 24-hour attraction.

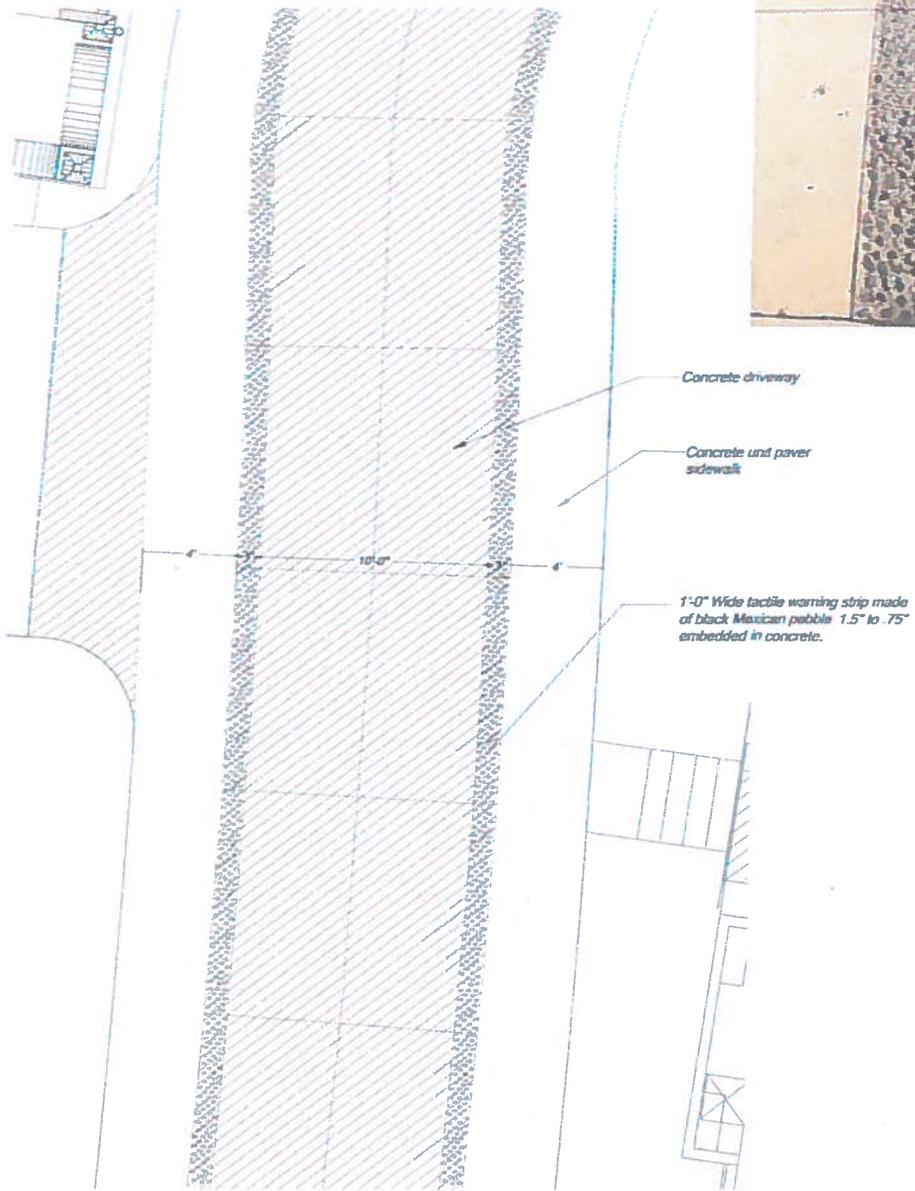
Lessons:

Decorative Paving: Brick pavers and natural stone pavers help define the pedestrian and vehicle zones respectively. However, the zones span a single grade and is largely unused by vehicles. Is the roughness of the vehicular emphasis area a viable solution to ADA issues?

Bollards to define loading: While parking is not allowed within Cady's Alley, the retail center is supported by parking structures located to the north of the alley. Delivery and loading is allowed in wider areas defined with bollards, see photo to the left. This design approach can work with short term parking as well.

SHARED STREETS

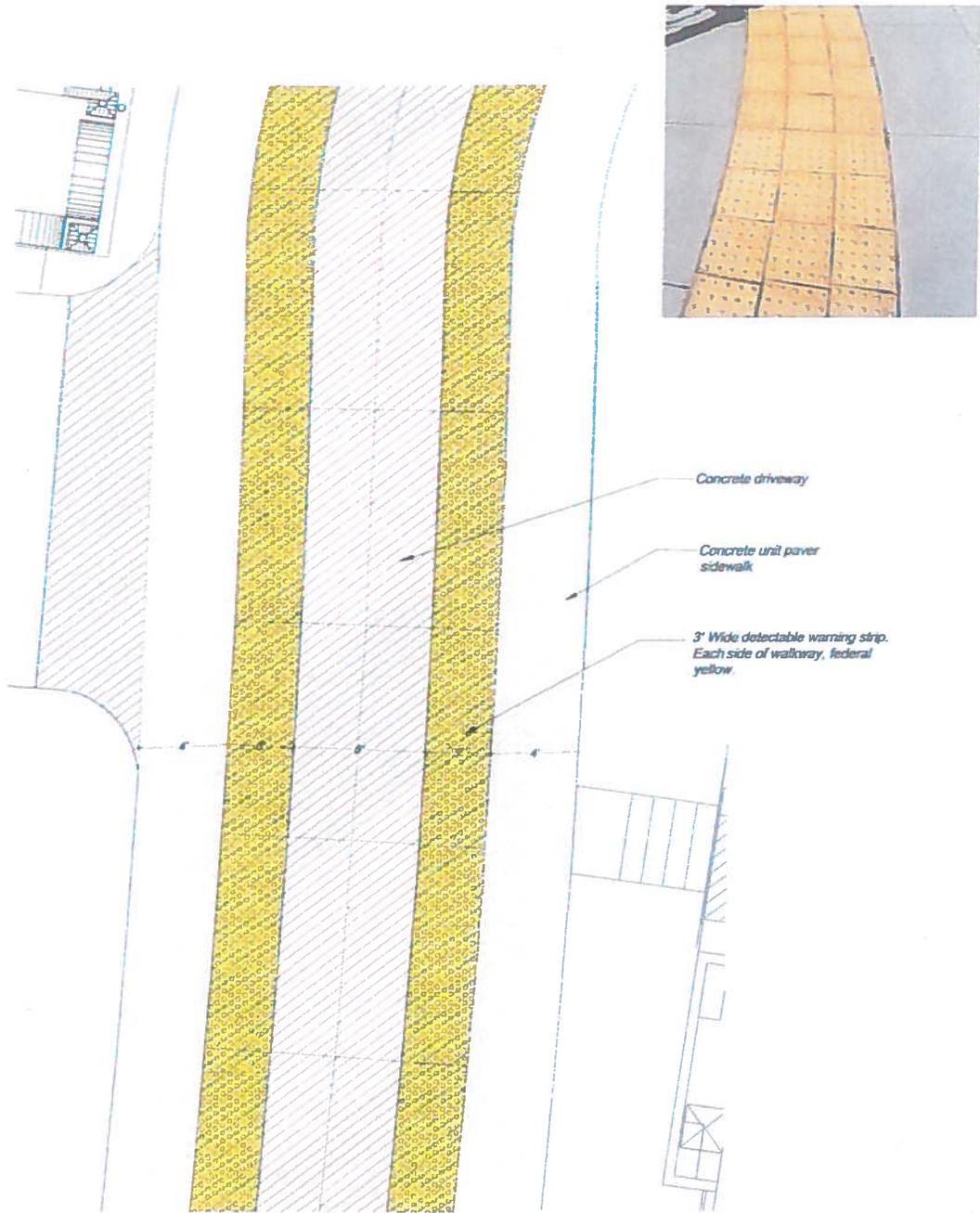
EXHIBIT C



Tactile Warning Between Walkway and Drive Aisle
 Scale: 1/4" = 1'-0"

EXHIBIT C

EXHIBIT D



Tactile Warning Between Walkway and Drive Aisle
 Scale: 1/4" = 1'-0"

EXHIBIT D

EXHIBIT E



Michael R. Lazarovits
EXECUTIVE DIRECTOR
Santa Barbara

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T. A. D. F. C. D.V.D.
Richard Weinreb, M.D.

December 20, 2013

Cearnal Andralatis Architect
& Interior Design
Mr. Brain Cearnal
521 1/2 State Street
Santa Barbara, CA 93101

Dear Mr. Cearnal

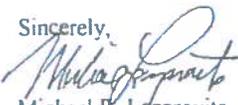
On Wednesday, December 11, 2013, Orientation and Mobility Specialist, Kathleen Ely and Braille Institute Staff member, Greg Benavidez, traveled to the Bella Riviera location to assess the walkways and driveways. Their primary purpose was to evaluate how safe and accessible these were for those who are blind and visually impaired. Below is their evaluation.

The pebble borders were easy to detect with a cane and ran consistently throughout the property to differentiate the walkways from the driveways. We both felt that it was an architecturally pleasing way to alert both sighted and visually impaired pedestrians. For those who are visually impaired, this is preferable to the truncated domes that are placed for the same purpose.

Kathleen Ely is a credentialed Orientation and Mobility Specialist through San Francisco State University. Orientation and Mobility Specialists provide instruction in basic skills and protective techniques, cane travel, visual efficiency training, intersection analysis and safe street crossings and use of public transportation.

Greg Benavidez has been the Access Technology Specialist at Braille Institute Santa Barbara for almost 9 years. He lost his vision 22 years ago due to retinitis pigmentosa.

Let me know if we can provide any additional information

Sincerely,

Michael R. Lazarovits
Executive Director

KATHLEEN ELY

1006 Claremont Rd., Santa Barbara, CA 93105 ☎ 805-886-1598 ✉ kathleenedly@cox.net

EDUCATION

- University of California, Santa Barbara** | Santa Barbara, California **Graduation: 1972**
Bachelor of Arts in Cultural Anthropology
- California Polytechnic State University** | San Luis Obispo, California **Graduation: 1974**
Standard Elementary Teaching Credential
- San Francisco State University** | San Francisco, California **Graduation: 1976**
M.A. Education of Exceptional Children
Credential in Orientation and Mobility
Specialized Teaching Minor in Visually Impaired

EXPERIENCE

- Ventura School District** **1976-77**
Teacher for the Visually Impaired and Orientation and Mobility Specialist K-6
- State Department of Rehabilitation** | Santa Barbara, California **1977 – Present**
Orientation and Mobility Specialist
 - Contract work with legally blind adults.
 - Teaching concepts to travel safely and independently in home and community.
- Santa Barbara High School District** | Santa Barbara, California **1979 – 1999, 2005 – 2008**
Teacher for the Visually Impaired and Orientation and Mobility Specialist (pre-school to 12th grade).
- Braille Institute** | Santa Barbara, California **2009 – Present**
Orientation and Mobility Specialist
 - Contract work with legally blind adults.
 - Teaching concepts to travel safely and independently in home and community.
 - Cane travel, public transportation, intersection analysis, safe street crossings, basic skill and protective techniques
 - Orientation to neighborhoods and schools
- Community support**
ADA standards for UCSB
Working with city of Santa Barbara public works to install audible lights and detectable strips for street crossings

JAMES ROBERT MARSTON, PH.D.

RESEARCH POSITIONS

2013- Affiliate Scientist, Smith Kettlewell Eye Research Institute, San Francisco
2013- Assistant Project Scientist, Institute for Social, Behavioral and Economic Research, University of California, Santa Barbara
2013- Assistant Project Scientist, Department of Geography, University of California, Santa Barbara
2011- 201 Affiliate, Center for Assistive Technology and Environmental Access (CATEA) Georgia Tech, Atlanta
2010- 2014 Adjunct Assistant Professor, College of Architecture, School of City and Regional Planning, Georgia Institute of Technology
2009- 2013 Research Scientist, VA Rehab R&D Center of Visual and Neurocognitive Rehabilitation VA Medical Center Decatur, GA
2007-2009 Assistant Researcher, University of California at Santa Barbara

EDUCATION

2002 Ph.D. in Geography with Emphasis in Cognitive Science
University of California, Santa Barbara, CA
Dissertation: "Towards an Accessible City: Empirical Measurement and Modeling of Access to Urban Opportunities for those with Vision Impairments, Using Remote Infrared Audible Signage"
1994 M.A. in Environmental and Urban Geography
University of Illinois at Chicago

Short List of Peer Reviews conducted for these Professional Journals:

Transportation Research Part F: Traffic Psychology and Behaviour
Spatial Cognition and Computation
Journal of Visual Impairment and Blindness
Environment and Planning A
Urban Studies Journal
International Journal of Sustainable Transportation
Perception & Psychophysics
Journal of Experimental Psychology
International Journal of Urban and Regional Research
Environment and Planning B, Planning and Design
Transportation Research Board

SERVICE

2015-	Member, City of Santa Barbara Access Advisory Committee
2006-2016	Member of the Accessible Transportation and Mobility Committee (ABE60), Transportation Research Board of the National Academies
2008-2009	Member, City of Santa Barbara Access Advisory Committee
2007 -2009	Member, UCSB ACCA Subcommittee - Campus Path of Travel
1998-2002	Member of the Access Subcommittee of the ADA Committee
1998-2000	Member of DACA, The Disability Advisory Committee on Access for the City of Santa Barbara, CA
1997-2002	Graduate Student Association Representative to the UCSB ADA Committee
1996-1997	Disability Liaison with the UCSB Ombuds Office

According to current Google Scholar metrics, I have 65 publications in the field of accessibility that have been cited by 958 researchers for journal articles. My CV lists over 100 presentations at conferences around the world. Below are a few of the publications

Marston, J. R., & Bentzen, B. L. (2012). Evaluating the Effectiveness of Assistive Travel and Wayfinding Devices for Persons who are Blind or Visually Impaired. In R. Manduchi & S. Kurniawan (Eds.), *Assistive Technology for Blindness and Low Vision*. Boca Raton, FL.; CRC Press, a Taylor & Francis Group.

Bentzen, B.L. & Marston, J.R. (2010). Orientation Aids for Students with Vision Loss. In: W.R. Wiener, R.L. Welsh & B.B. Blasch (Eds.), *Foundations of Orientation and Mobility*, 3(1), 296-323.

Bentzen, B.L. & Marston, J.R. (2010). Teaching the Use of Orientation Aids for Orientation and Mobility. In: W.R. Wiener, R.L. Welsh & B.B. Blasch (Eds.), *Foundations of Orientation and Mobility*, 3(2), 315-351.

Church, R. L., & Marston, J. R. (2003). Measuring Accessibility for People with a Physical Disability. *Geographical Analysis*, 35 (1), 83-96.



City of Santa Barbara

APPEAL HEARING PROCEDURES

Appeal public hearings are held at either the City Council Chambers or the David Gebhard Public Meeting Room. Below is information on the order of presentations at appeal hearings.

CITY COUNCIL CHAMBERS

1. **City Council hearings:**

The order of presentation after the Deputy City Clerk introduces the item is as follows:

1. Presentation by Staff (20 minutes)*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (30 minutes)*.
3. Presentation by Applicant (if they are not the appellant) (30 minutes)*.
4. Additional response by Staff (10 minutes)*.
5. Public Hearing (30 minutes)*.
6. Questions and comments by the Council and Council deliberation (30 minutes).
7. Motion, discussion of motion, and vote by the Council.

2. **Planning Commission hearings:**

The order of presentation after the Chairperson introduces the item is as follows:

1. Presentation by Staff (15 minutes)*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (15 minutes)*.
3. Presentation by Applicant (if they are not the appellant) (15 minutes)*.
4. Public Hearing*.
5. Questions and comments by the Commission.
6. Commission consideration of Findings and Conditions of Approval.
7. Motion, discussion of motion, decision, and vote by the Commission.

DAVID GEBHARD PUBLIC MEETING ROOM

1. **Sign Committee appeal hearings held by the Architectural Board of Review or Historic Landmarks Commission:**

The order of presentation after the Chairperson introduces the item is as follows:

1. Presentation by Staff (5 minutes)*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (5 minutes)*.
3. Presentation by Applicant (if they are not the appellant) (5 minutes)*.
4. Public Hearing*.
5. Questions and comments by the Board/Commission.
6. Commission consideration of Findings and Conditions of Approval.
7. Motion, discussion of motion, decision, and vote by the Board/Commission.

2. **Application Completeness hearings held by the Staff Hearing Officer:***

The order of presentation after the Staff Hearing Officer introduces the item is as follows:

1. Presentation by Staff (5 minutes)*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (5 minutes)*.
3. Presentation by Applicant (if they are not the appellant) (5 minutes)*.
4. Public Hearing*.
5. Questions and comments by the Staff Hearing Officer.
6. Motion, discussion of motion, decision, and vote by the Staff Hearing Officer.

3. Appeal hearings held by the Building and Fire Code Board of Appeals:*

The order of presentation after the Chairperson introduces the item is as follows:

1. Presentation by Staff (5 minutes)*.
2. Presentation by Appellant (including petitioners and applicants who are appellants) (5 minutes)*.
3. Public Hearing*.
4. Questions and comments by the Board.
5. Motion, discussion of motion, decision, and vote by the Board.

***Time limits may be limited or extended at the discretion of the Mayor/Chairperson.**



City of Santa Barbara

WRITTEN CORRESPONDENCE

The public is encouraged to submit written correspondence to the decision-makers as early as possible for their consideration. All written correspondence is forwarded by staff to the decision-makers and is included as part of the official record. Please note that written correspondence is not read into the record at the hearings. Below is information on distribution of written correspondence for appeal hearings.

APPEALS HEARD BY THE CITY COUNCIL:

No. of Copies: Representatives and members of the public wishing to provide written correspondence to the City Council and appropriate staff should provide 11 copies.

Receipt of Correspondence: Written correspondence may be mailed directly to the Santa Barbara City Clerk's Office, P.O. Box 1990, Santa Barbara, CA 93102-1990; hand delivered to the City Clerk's Office at 735 Anacapa Street; or presented at the hearing while speaking. If mailed or hand delivered, please ensure that the documents will be received with sufficient lead time to allow distribution prior to the meeting.

If representatives wish to have their written correspondence included in the agenda packet, which is also published on the City's website, copies must be submitted to the City Clerk's Office no later than the close of business on Tuesday, one week prior to the hearing date.

SHO APPEALS HEARD BY THE PLANNING COMMISSION:

No. of Copies: Representatives and members of the public wishing to provide written correspondence to the Planning Commission and appropriate staff should provide 13 copies.

Receipt of Correspondence: Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Planning Commission Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at PCSecretary@SantaBarbaraCa.gov.

If people wish to have their written correspondence included in the mailing to the Planning Commission, copies must be submitted to the Planning Commission Secretary no later than the close of business on Tuesday, one week prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Planning Commission may not have time to consider materials submitted after the deadline.

SIGN COMMITTEE APPEALS HEARD BY THE ARCHITECTURAL BOARD OF REVIEW:

No. of Copies: Representatives and members of the public wishing to provide written correspondence to the Architectural Board of Review and appropriate staff should provide 8 copies.

Receipt of Correspondence: Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Architectural Board of Review Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at ABRSecretary@SantaBarbaraCa.gov.

If people wish to have their written correspondence forwarded to the Architectural Board of Review prior to the meeting, copies must be submitted to the ABR Secretary no later than 10 a.m. of the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Architectural Board of Review may not have time to consider materials submitted after the deadline.

SIGN COMMITTEE APPEALS HEARD BY THE HISTORIC LANDMARKS COMMISSION:

No. of Copies: Representatives and members of the public wishing to provide written correspondence to the Historic Landmarks Commission and appropriate staff should provide 10 copies.

Receipt of Correspondence: Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Historic Landmarks Commission Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at HLCSecretary@SantaBarbaraCa.gov.

Appeal Process

If people wish to have their written correspondence forwarded to the Historic Landmarks Commission prior to the hearing, copies must be submitted to the HLC Secretary no later than the close of business on Tuesday prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Historic Landmarks Commission may not have time to consider materials submitted after the deadline.

APPLICATION COMPLETENESS DETERMINATIONS HEARD BY THE STAFF HEARING OFFICER:

No. of Copies: Representatives and members of the public wishing to provide written correspondence to the Staff Hearing Officer and appropriate staff should provide 4 copies.

Receipt of Correspondence: Written correspondence may be hand-delivered prior to the meeting at the Planning Division Office, 630 Garden St; by mail to the Staff Hearing Officer Secretary, P.O. Box 1990, Santa Barbara, CA 93102-1990; or by email at SHOSecretary@SantaBarbaraCa.gov.

If people wish to have their written correspondence forwarded to the Staff Hearing Officer prior to the hearing, copies must be submitted to the SHO Secretary no later than the close of business on Monday prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Staff Hearing Officer may not have time to consider materials submitted after the deadline.

APPEALS HEARD BY THE BUILDING AND FIRE CODE BOARD OF APPEALS:

No. of Copies: Representatives and members of the public wishing to provide written correspondence to the Board and appropriate staff should provide 10 copies.

Receipt of Correspondence: Written correspondence may be hand-delivered prior to the meeting at the Building & Safety Division Counter, 630 Garden St; by mail to the Chief Building Official, P.O. Box 1990, Santa Barbara, CA 93102-1990.

If people wish to have their written correspondence forwarded to the Board prior to the hearing, copies must be submitted to the Chief Building Official no later than 10 calendar days prior to the hearing date.

Written comments are accepted at, and up to, the time of the hearing; however, the Board may not have time to consider materials submitted after the deadline.



City of Santa Barbara

APPEAL HEARING GUIDELINES

Below is additional information on appeal hearing guidelines and visual presentations.²

PUBLIC COMMENT PROCEDURE

1. Complete a "Request to Speak" form and submit it to City Staff at the hearing prior to the time the item is taken up.
2. When the public hearing is opened, the Mayor/Chairperson will call out the names of the persons requesting to speak on the item.
3. After receiving recognition from the Mayor/Chairperson, please approach the podium and speaking into the microphone, state your name and make your comments.

Please note that individual public comment is limited to a maximum of 2 minutes (including any video or computer presentations).*

COMPUTER PRESENTATIONS*

Representatives or members of the public wishing to make a computer presentation must provide their own laptop, which must be set up at Council Chambers. It is highly recommended that people set up a time to test their equipment prior to the meeting, in order to ensure their presentation projects properly. If assistance is needed, contact City TV at (805) 564-5311. People wishing to test their equipment prior to the meeting date should contact City TV at least 48 hours prior to the meeting to make arrangements. Additionally, please contact City Planning Staff at (805) 564-5578 to confirm time limitations for said presentations, and for hearings held at the David Gebhard Public Meeting Room.

VIDEOS*

Representatives or members of the public wishing to play a video during the hearing should contact City TV at (805) 564-5311 at least 48 hours prior to the meeting to make arrangements. Additionally, please contact City Planning Staff to confirm time limitations for said presentations.

AMERICANS WITH DISABILITIES ACT

If you need auxiliary aids or services or staff assistance to attend or participate in these meetings, please contact the City Administrator's Office at (805) 564-5305 for City Council appeals or the Planning Division at (805) 564-5578 for all other appeals. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

AGENDA TIME

It is not possible to determine the precise time an item will be heard. Monitoring the live broadcast may assist in determining when the item will be heard. (Appeal hearings are broadcast live on Government Access Television Channel 18 & online at <http://www.santabarbaraca.gov/gov/depts/cityadmin/watch/default.asp>) Any continued items are announced at the beginning of the meeting by the Chairperson. Videos of previously recorded hearings may be found at <http://www.santabarbaraca.gov/gov/news/video/>. Please refer to the appropriate decision-making body. For further assistance you may contact the Planning Counter at (805) 564-5578 during office hours. Please note that video recordings may not be available for all public hearings.

***Time may be limited or extended by the Mayor/Chairperson.**

² Contact City Staff prior to the hearing to confirm logistics and limitations related to visual presentations.