



City of Santa Barbara California

PLANNING COMMISSION STAFF MEMO

REPORT DATE: December 3, 2009
AGENDA DATE: December 10, 2009
PROJECT ADDRESS: 816 Cacique & 110 S. Quarantina Streets (MST99-00432)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Kelly Brodison, Assistant Planner *KAB*

I. PROJECT DESCRIPTION

An update on locating alternative locations for Casa Esperanza's lunch service and the study voluntarily prepared by the Fielding Graduate University.

II. BACKGROUND

On March 26, 2009, the Planning Commission approved amendments to Casa Esperanza's Conditional Use Permit (Planning Commission Resolution No. 051-04, Exhibit D) which allowed a temporary 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) and allowed the Police Chief and Casa Esperanza some flexibility to allow temporary increases in the number of beds (up to 10%) when warranted because of weather or public safety concerns.

The Planning Commission approved the amendment with the request that the applicant provide a status report on the following items: 1) updates on exploration with other agencies in the community for alternative locations for the food service, 2) an update on the Fielding Institute study which will provide a comparison of contacts with the Santa Barbara Police Department between day users and evening residents of Casa Esperanza, and 3) an update on coordination with the Milpas Action Task Force.

On May 21, 2009 a Status Report on these approved amendments was provided to the Planning Commission. The Commission asked that the information in the Fielding Study be provided and include some alternatives for finding another lunch location to alleviate the burden at Casa Esperanza at lunchtime.

III. CONCLUSION

Casa Esperanza continues to respond to the community and area concerns through the Milpas Action Task Force (MATF). They have been responsive in looking for alternative meal locations as requested by the Planning Commission. In addition, Casa Esperanza is in compliance with the previously approved permits.

Planning Commission Staff Report
816 Cacique and 110 S. Quarantina Street (MST99-00432)
May 14, 2009
Page 2

City Staff and representatives from Casa Esperanza, the Fielding Institute and the Milpas Action Task Force will make additional comments at the Planning Commission hearing.

Exhibits:

- A. Fielding Graduate University Report on Casa Esperanza Members' Contacts with the Santa Barbara Police Department, Calendar Year 2008.
- B. Memo from Mike Foley of Casa Esperanza on alternate food service locations dated November 4, 2009
- C. Planning Commission Staff Report dated May 14, 2009
- D. Planning Commission Minutes, dated May 21, 2009



2112 Santa Barbara Street
Santa Barbara CA 93105-3538
805.687.1099

**Report on Casa Esperanza Members' Contacts
with the Santa Barbara Police Department in the Calendar Year 2008**

By Sarah Blackmun-Eskow and Dr. Don Bushnell,
Fielding Graduate University Institute for Social Innovation

BACKGROUND: In the Spring of 2009, the Casa Esperanza Board contracted with the Institute for Social Innovation (ISI) of the Fielding Graduate University to engage in strategic planning and consultation on CE's future. The consultation included work with the Executive Director, Mike Foley, and the CE staff; with Santa Barbarans working on various aspects of homelessness; and with members of the homeless community.

As a part of this larger project, ISI, in collaboration with the Santa Barbara Police Department (SBPD) and Mr. Foley, undertook to examine CE members' contacts with the SBPD for the calendar year 2008.

RESEARCH QUESTIONS: This research aimed to answer the following questions:

1. Out of all of the public's contacts¹ with SBPD involving arrests or citations for misdemeanors, what percentage involved members² of CE?

During Fiscal Year 2009, from July 1, 2008, to June 30, 2009, the SBPD records show 14,603 contacts resulting in misdemeanor arrests or citations (excluding calls for assistance and traffic violations).

During that calendar year 2008, the SBPD records show that the police had 1,345 contacts with members of Casa Esperanza (CE) resulting in arrests or citations. This is 9.2% of total arrests and citations. (Note, however, that one set of data reflects a fiscal year, July-June, while the other reflects a calendar year, 2008. In the absence of parallel data, we assume that the number of arrests and citations in FY 2009 was similar to those in CY 2008.)

2. What percentage of CE members had contact with the SBPD?

During 2008, CE had 1,195 members. Out of that total, 402 individual CE members, or 33.6%, had SBPD contact. The SBPD records show no police contact for the other 793 or 66.4% of Casa Esperanza members.

¹ "Contact" is defined as any encounter between a member of the public and a member of the Santa Barbara Police Department (SBPD) that resulted in a misdemeanor arrest, citation, warning, or other action of which a record was created in the SBPD database between January 1 and December 31, 2008. Not included are traffic violations.

² "Member" is anyone who appears on CE's registration list from October 1, 2007, through December 31, 2008.

Out of the 402 CE members who did have SBPD contact, 23 CE members, or 5.7%, each had 11 or more contacts. These 23 CE members accounted for a total of 445 SBPD contacts, or 33% of the total SBPD contacts. That is, 5.7% of the 402 CE members who had police contact were responsible for one-third of those contacts. Further, just 1.9% of all 1,195 CE members were responsible for one-third of police contacts.

3. Out of the total of CE/SBPD contacts, what percentage involved CE members who lived at CE (i.e., spent the night there), and what percentage involved members receiving day services only?

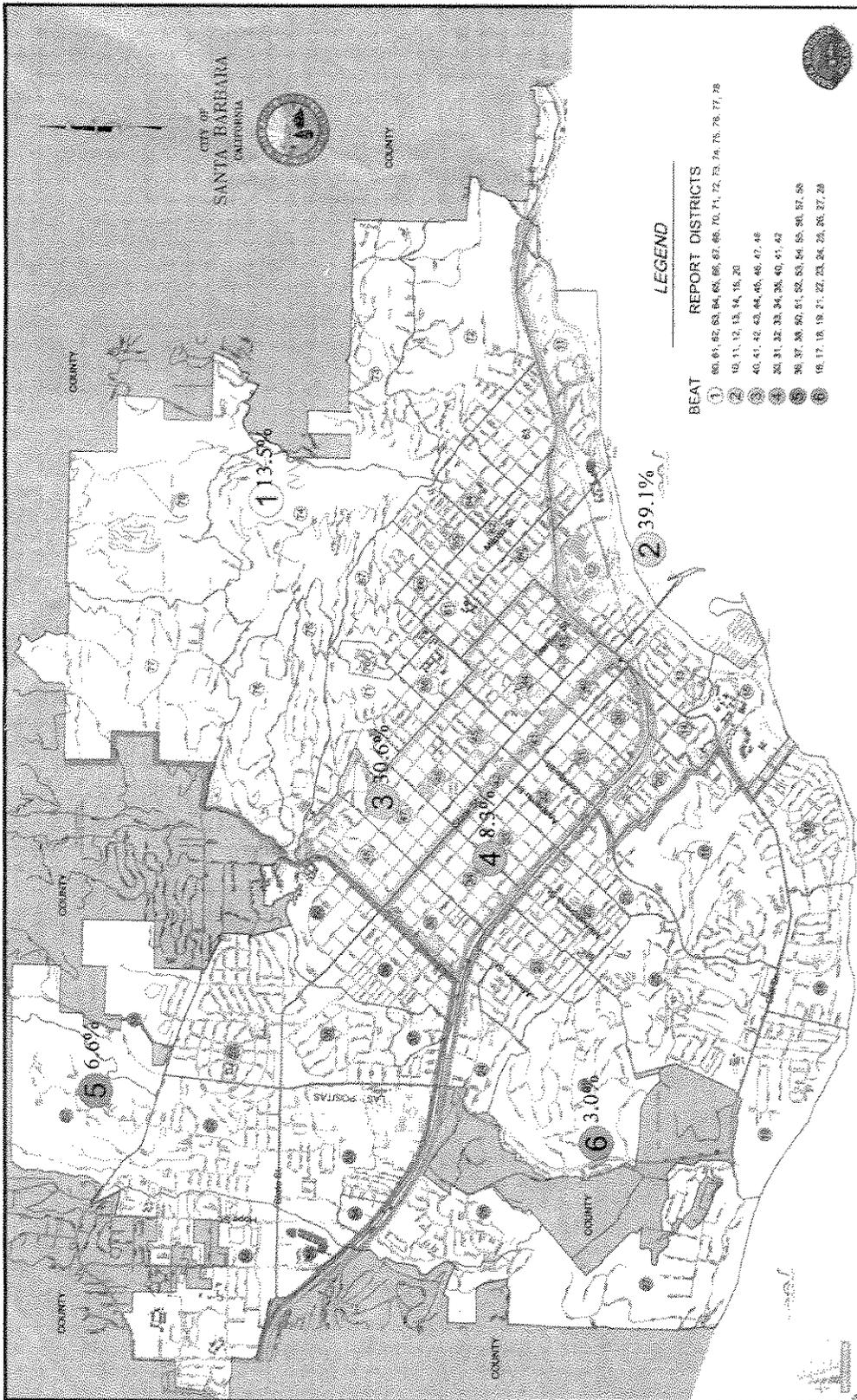
Out of the 402 members who had SBPD contact, 180 or 44.8% were overnight residents who slept at the shelter. The other 222, or 54.7%, used the shelter's day services only and did not sleep there. Thus, overnight residents were significantly less likely to have had contact with the SBPD.

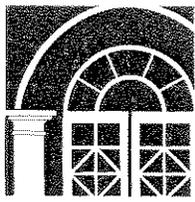
Out of the 23 CE members who accounted for one-third (443) of contacts with the SBPD, fifteen or 65.2% were day center clients and eight or 34.8 % were overnight residents. Thus, overnight clients had approximately half the rate of contact with the SBPD as did the day clients. This suggests that overnight residence significantly reduces contact with the SBPD.

4. Were CE members' contacts with the SBPD limited to or concentrated in particular areas of the city?

Almost 70 percent of CE members' contacts with the SBPD took place in the beach/waterfront areas together with downtown east of State St. Another 13.5 percent took place in the lower East side. The rest were scattered around other city neighborhoods, as shown on the SBPD Beat map, on page 3 below. Figures in red indicate the percentage of total CE member arrests that took place in each of the six SBPD Beats (percentages add up to more than 100% because of rounding).³

³ A discrepancy between arrest totals and Beat totals is being corrected. This is unlikely to significantly change the percentage results shown above.





Casa Esperanza
Homeless Center

Under One Roof

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

BOARD OF DIRECTORS

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- Mark Taylor
- Ken Williams
- Michael J. Foley
Executive Director

BOARD OF DIRECTORS
EMERITUS

- David Borgatello
- Naomi Schwartz
- Sandra Tripp-Jones

MEMORANDUM

DATE: November 4, 2009
TO: Sue Gray
FROM: Mike Foley
RE: Planning Commission Report – Food Locations

As discussed in our last report to the Planning Commission we have embarked on finding additional location to provide food to the homeless and hungry in different locations in the region. After significant work progress has been made.

- 1) Our Existing Program in Isla Vista: In the last six months, the number of homeless people served at our Isla Vista St. Marks location has grown from 25 people to 45 people served each day. We continue to work with St. Athanatious Church to provide increased professional outreach opportunities. Our new Site Director is a recent UCSB graduate and is well connected in the community.
- 2) We sought a location nearby Casa Esperanza, but further away from the Lower Milpas Area to provide lunch services to those arriving at Casa Esperanza who are not homeless, along with homeless people who migrate from the Haley area to Casa Esperanza and back. Beginning on January 3rd, 2010, fifty meals per day will be served to this target population five days per week (M-F) at the Baptist Church on Cota and Milpas Streets. We are currently developing an MOU with this Church.
- 3) We seek to create an additional location in the Upper State Street area. We have approached Grace Lutheran Church and Trinity Episcopal Church. The Board members at these location are considering the possibilities.
- 4) Clergy & Laity United for Economic Justice has been working diligently to assist in contacting potential partners, and assisted in securing the Cota Street location.

The process of developing locations has been cumbersome. We have considered many locations that have been discarded. Community Recreation Centers serve children during winter months. Many churches have CUP's that would need to be changed to activity. Previous food service locations no longer have feed service areas. We have, however, met our initial goal of finding another location and we are well on our way to locating a second location.





City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 14, 2009
AGENDA DATE: May 21, 2009
PROJECT ADDRESS: 816 Cacique & 110 S. Quarantina Streets (MST99-00432)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner *DJK*
Kelly Brodison, Assistant Planner *KB*

I. PROJECT DESCRIPTION

45-Day Status Report on the amendments to the Conditional Use Permit for the Casa Esperanza Homeless Center.

II. BACKGROUND

On March 26, 2009, the Planning Commission approved amendments to Casa Esperanza's Conditional Use Permit (Planning Commission Resolution No. 051-04, Exhibit D) which allowed 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) 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.

The Planning Commission approved the amendment with the request that the applicant provide a status report on the following items: 1) updates on exploration with other agencies in the community for alternative locations for the food service, 2) an update on the Fielding Institute study which will provide a comparison of day and evening residents, and 3) an update on coordination with the Milpas Action Task Force.

III. DISCUSSION

A detailed discussion on the research items is provided in the attached Casa Esperanza Homeless Center 45-Day Report (Exhibit C). The issues raised by the Planning Commission on March 26th continue to be monitored, such as continuing to search for alternate locations for the lunch service and coordinating with the Milpas Action Task Force.

Executive Direct Mike Foley has initiated contact with alternative locations to provide food service to the homeless population as described in the attached report. He continues to work with Clergy & Laity United (CLUE) on research alternative locations.

A study being prepared by volunteers from the Fielding Institute is targeted for completion by June 1st, 2009. This study will provide clear comparisons between the relationship between Casa Esperanza members and the rate of Police Contact. This report will help in targeting the causes behind some of the negative impacts being experienced in the lower Milpas area.

The Milpas Action Task Force (MATF) continues to meet with members of the community, neighbors of Casa Esperanza and representatives from the City of Santa Barbara. Also, the Casa Esperanza Step-Up program continues to provide outreach to the homeless community informing them of the services available.

Commissioners asked for a comparison of the number of shelter beds per capita in the City of Santa Barbara versus the number per capita in similar cities. The results of an informal comparison are as follows:

Santa Barbara Population	90,305
Number of Year-Round Emergency Shelter Beds	185
Number of Transitional Shelter Beds	365
Number of Permanent Units/Rooms	234
Total Number of Beds (Year Round)	784
Number of Beds Per Capita	.009
Number of Winter Shelter Additional Emergency Beds	100
Total Number of Beds (December 1 – March 31)	884
Number of Beds Per Capita (December 1 – March 31)	.010
Santa Monica Population	91,438
Number of Emergency Shelter Beds	128
Number of Transitional Shelter Beds	284
Number of Permanent Units/Rooms	435
Total Number of Beds (Year Round)	847
Number of Beds Per Capita	.009
Santa Cruz Population	58,125
Number of Year Round Emergency Shelter Beds	92
Number of Transitional Shelter Beds	124
Total Number of Beds (Year Round)	216

Number of Beds Per Capita	.004
Number of Winter Shelter Additional Emergency Beds	75
Total Number of Beds (November 15 – April 14)	291
Number of Beds Per Capita (November 15 – April 14)	.005

Based on this data, Santa Barbara provides the same number of beds per capita as Santa Monica, although Santa Monica has fewer emergency beds and more permanent beds. The beds per capita increase from .009 to .010 for Santa Barbara during the winter shelter operating period. The City of Santa Cruz has a lower per capita number of beds (.004 year round and .005 during the winter shelter operating period); although it is unknown whether there are any permanent beds/units.

IV. CONCLUSION

Casa Esperanza continues to respond to the community and area concerns through the Milpas Action Task Force (MATF). In addition, the Casa is in compliance with the previously approved permits.

City Staff, representatives from Casa Esperanza and representatives from the Milpas Action Task Force will make additional comments at the Planning Commission hearing. Staff requests that the Planning Commission comment on the Progress Report and identify additional issue areas that should be addressed in the next report.

Exhibits:

- A. Planning Commission Resolution #008-09 (draft as of the date of this report)
- B. Planning Commission Minutes, dated March 26, 2008
- C. Casa Esperanza, May 4, 2009 45-Day Progress Report, prepared by Michael Foley, Executive Director
- D. Planning Commission Resolution No. 051-04



City of Santa Barbara California

DRAFT

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 008-09

816 CACIQUE & 110 S. QUARANTINA STREETS

AMENDMENTS TO CONDITIONS OF APPROVAL FOR PRIOR RESOLUTION 051-04

MARCH 26, 2009

APPLICATION OF MIKE FOLEY, EXECUTIVE DIRECTOR OF CASA ESPERANZA, 816 CACIQUE STREET AND 110 SOUTH QUARANTINA STREET, APNS 017-240-021, 017-113-035 & 071-113-034, 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. 051-04. The proposed amendment involves 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).

Amendments to 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).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(e).

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

WHEREAS, 11 people appeared to speak in favor of the application, and 9 people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 19, 2009
2. Site Plans
3. Correspondence received in support of the permit:
 - a. Bonnie Raisin, via email
 - b. Glen Mower, via email
 - c. Randy Sunday, Sarah House, via email
 - d. Maureen Earls, CLUE, via email
 - e. Nancy Rowan, CLUE, via email
 - f. Sara Miller McCune, via email
 - g. Sharon Brownnett, via email

- h. Cath Webb, via email
 - i. Roger E. Heroux, via email
 - j. Ellen M. Goodstein, Esq., via email
 - k. Roslyn Scheuerman, via email
 - l. Alex Lambrous, Esq., via email
 - m. Robert Pearson, Housing Authority of Santa Barbara, via email
 - n. Petra Lowen, via email
 - o. Bette Farrell, via email
 - p. Kathleen Baushke, Transition House, via email
 - q. Bernadette Murphy, submitted at hearing
 - r. Neighborhood petition submitted at hearing with 114 signatures
4. Correspondence received in opposition to the permit or with concerns:
- a. Peter Neuhaus, via email
 - b. Mike, via email
 - c. Melinda Werner, via email
 - d. John Dixon, Tri-County Produce, via email
 - e. Chris Kamen, via email
 - f. Holly Walters, via email
 - g. Jim Neuman, via email
 - h. Mark Romasanta, Harbor View Inn, via email
 - i. Sylvie Loebach Monsivais, Harbor View Inn, via email
 - j. David Burkholder, Neighborhood Corner Bar & Grill, via email
 - k. Harry Kazali, Days Inn, via email
 - l. Paula Westbury, Santa Barbara, CA
 - m. Paul Bullock, The Eagle Inn, Santa Barbara, CA
 - n. Rolland and Barbara Fitzgerald, Santa Barbara, CA
 - o. Mary Ellen Tiffany, submitted at hearing

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

- I. Approved the subject application making the following findings and determinations:
 - 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 30th, 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.
- 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. The applicant shall report back to the Planning Commission, in 45 days of approval (3-26-09), the progress on exploration with other agencies in the community for additional food service at alternative locations.
 - b. **Emergency Shelter.** From December 1 through March 15~~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.
 - g. **Fielding Institute Study.** The applicant shall provide an update within 45 days (of March 26, 2009) to the Planning Commission on the status of a Fielding Institute Study being done in cooperation with the City Police Department examining the frequency and nature of police contacts and problems in the vicinity of the shelter with the different populations served at the shelter (i.e. residents in the evening program versus residents in the day program). The update shall include the study's expected completion date.
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. The applicant will provide the Planning Commission with an update within 45 days of approval (3-26-09).
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. The applicant will provide the Planning Commission with an update within 45 days of approval (3-26-09).

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 applicant will provide the Planning Commission with an update within 45 days of approval (3-26-09).
12. **Property Maintenance.** The properties shall be maintained in accordance with the approved plans. The applicant will provide the Planning Commission with an update within 45 days of approval (3-26-09).

- 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. 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.

This motion was passed and adopted on the 26th day of March, 2009 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 3 NOES: 2 (Jacobs, Jostes) ABSTAIN: 0 ABSENT: 3 (Bartlett, Jostes, Lodge)

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.

Julie Rodriguez, Planning Commission Secretary

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.



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

March 26, 2009

CALL TO ORDER:

Chair Thompson called the meeting to order at 1:03 P.M.

I. PLANNING COMMISSION PRESENT:

Vice-Chair Addison S. Thompson

Commissioners Charmaine Jacobs, John Jostes, Sheila Lodge, and Harwood A. White, Jr.

Absent:

Commissioners Stella Larson, and Bruce Bartlett

STAFF PRESENT:

Paul Casey, Community Development Director

Bettie Weiss, City Planner

N. Scott Vincent, Assistant City Attorney

Sue Gray, Housing Programs Supervisor

Kelly Brodison, Assistant Planner

Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

Ms. Weiss made the following announcements:

1. The Staff Hearing Officer's interpretation of the ordinance was questioned on the decision of 2105 Anacapa Street.

2. Four Staff Hearing Officer decisions have been appealed for:

a. 2140 Mission Ridge Road

b. 1415 Mission Ridge Road

c. 618 San Pascual Street

d. 436 Corona del Mar Drive

Staff will apprise the Commission of appeal hearing dates.

3. Reported that with a 4-3 vote, City Council declined to move forward with a charter amendment regarding building heights. The 'Save Our Pueblo Viejo' initiative will be on the November ballot.

C. Comments from members of the public pertaining to items not on this agenda.

Chair Thompson opened the public hearing at 1:07 P.M. and the following people spoke:

1. Bob Hansen commented on the State's 'Housing First' model and made recommendations for providing housing for the homeless.
2. James Kahan, Friends of Outer State Street, commented on Staff Hearing Officer appeals that were filed with the Planning Commission. Gave an update on the status of the 3408-3412 State Street appeal before the Court of Appeals.

With no one wishing to speak, the hearing was closed at 1:10 P.M.

III. NEW ITEM:

ACTUAL TIME: 1:10 P.M.

APPLICATION OF MIKE FOLEY, EXECUTIVE DIRECTOR OF CASA ESPERANZA, 816 CACIQUE STREET AND 110 SOUTH QUARANTINA STREET, APNS 017-240-021, 017-113-035 & 071-113-034, 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. 051-04. The proposed amendment involves 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).

Amendments to 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).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301(e).

Case Planner: Kelly Brodison, Assistant Planner
Email: KBrodison@SantaBarbaraCA.gov

Kelly Brodison, Assistant Planner, gave the Staff presentation along with Sue Gray, Community Development Programs Supervisor.

Staff answered the Planning Commission's questions about the duration of the Conditional Use Permit (CUP) as being in response to immediate conditions and intent to proceed with a standard amendment request at a future date; clarified the original year-round bed limit approval of 100 beds versus what is now requested as 140 beds; explained that the application was only for a one-time, one-year 2009 expansion request as well as a permanent request from the Police Department that the shelter bed limitations be exceeded by 10% upon a written determination by the Chief of Police (or his designee), 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; affirmed the limited allowance for off-street parking and RV regulation of on-street parking; and confirmed that the infill categorical exemption was granted by the Planning Commission in a prior determination.

Sue Gray, Community Development Housing Programs Supervisor, responded to the Planning Commission's questions about the possible closure of the Salvation Army's adult rehabilitation center in Carpentaria by stating that the closure status was unknown at this time.

Mike Foley, Casa Esperanza Executive Director, gave the applicant presentation.

Mr. Foley answered the Planning Commission's questions about the year-round meal program that feeds approximately 200 people, some of whom are not residents at Casa Esperanza and are home-less; clarification of current residents and approximately 36-40 residents awaiting transitional housing; confirmed the media-reported status of the Salvation Army rehabilitation center building as targeted for sale; and gave clarification of the 48-hour Police Chief finding that can provide flexibility to respond to critical weather and public safety needs. He also explained the year-round criteria for the Council on Alcoholism's 12-bed detoxification program and how detoxification clients are separated from other clients; confirmed that the Fielding Institute study will be scheduled soon; and explained the criteria after April 1st for assisting year-round shelter clients.

Chair Thompson opened the public hearing at 2:00 P.M.

The following people spoke in support of the permit:

1. Maureen Earls, Clergy Laity United for Economic Justice (CLUE)
2. Laurie Gaddis, Casa Esperanza resident
3. Nancy McCradie, submitted petition with 114 signatures
4. Barbara B. Allen, Casa Esperanza Board President
5. Annmarie Cameron, Mental Health Association
6. Cath Webb
7. Alicia Cabrera
8. Nadine McFarland

9. Nancy Alexander
10. Ron Fox, Casa Esperanza Board Member
11. Oscar Silguero

The following people spoke in opposition to the permit or with concerns:

1. Chris Kamen
2. Mark A. Romasanta, Harbor View Inn
3. Barbara Fitzgerald
4. David Burkholder, The Neighborhood Bar and Grill
5. Allen C. Ramirez
6. Bonnie Donovan
7. Bonnie Donovan read comments on behalf of John Dixon
8. Bonnie Donovan read comments on behalf of Mary Ellen Tiffany
9. Peter Neuhaus

With no one else wishing to speak, the public hearing was closed at 2:39 P.M.

Chair Thompson called for a recess at 2:39 P.M. and reconvened the meeting at 2:59 P.M.

Scott Vincent, Assistant City Attorney provided clarification of the Condition of Approval that is applicable to the Santa Barbara Police Department's recommendation stating that the Police Chief could make a referral but that the applicant was not bound to accept the referral. The intent of the proposal is to offer flexibility for the Police Department and the applicant to work together to assist individuals in a crisis situation. Recommended that Commission consider how the added flexibility would affect the neighborhood and change Casa Esperanza's operations.

Staff explained that with the closure of the Santa Barbara Armory, Casa Esperanza is now the emergency winter shelter and location of the Community Kitchen; described other like facilities within the Santa Barbara area, but stated that there are no other overnight facilities outside Santa Barbara on the South Coast.

The Commissioners made the following comments:

1. Commissioner Lodge wanted to understand if the issue becomes better or worse for the neighborhood during the period that the shelter reduces their winter bed-count; could not see how keeping Casa Esperanza open longer and adding 40 beds would impact the neighborhood. Supports the permit request and would like to see what else can be done by the police department to aid neighborhood concerns. Suggested that Calle Puerto Vallarta be added to the list restricting pan handling.
2. Commissioner White found it almost impossible to make the findings for the permit, citing sections that were found to be challenging. Acknowledges the impact of the homeless population on neighboring businesses and the conundrum of balancing property rights with public assistance. Reluctantly supports the permit, but would

- prefer 30-day permit periods. Advocates regional assistance and a fair-share approach.
3. Although acknowledging all the work of Casa Esperanza, Commissioner Jostes could not make the findings for amending the CUP and could not support the permit. Needs to see the success of the 12 point program before making any changes. Concurred with Commissioner White on the need for a regional fair-share practice by other agencies.
 4. Commissioner Jacobs agreed with Commissioners White and Jostes and cannot make the findings for the CUP. Would like to see some kind of master plan or study that looks at land uses on the site, including how the Community Kitchen works and how it impacts the neighborhood. Suggested studying food distribution at other venues, not just Cacique Street.
 5. The Commission acknowledged the work Mr. Foley has done, but it is independent of the CUP which relates to land use and how it affects people.
 6. Commissioner Thompson supported the CUP request. Acknowledged the neighborhood angst and stated that this is not a long term intensification of use, just an extension of existing use for a limited time. If granted, would like to see the extension time used to come up with an analysis and long term solution beyond the requested 3 month extension.
 7. Commissioner Lodge added that the residents will be people that are already in Casa Esperanza programs. The increase in people coming to Casa Esperanza is due to the meal program. Suggested looking at spreading the meal sharing program to other locations of the city.

Barbara Fitzgerald, a neighbor, responded to the Commission by stating that the problems remain the same when Casa Esperanza's bed count is reduced, mostly due to those that use the meal program.

Ms. Gray stated that the Council Subcommittee's enforcement, intervention, and prevention strategies that address homelessness in the Milpas area, including pan handling. Spoke about the frequent offender and area enforcement programs that prosecute offenses as misdemeanors instead of infractions.

Staff and the Commission reviewed the action being asked of the Commission. Commissioner White stated that this CUP is an emergency request, but does not see keeping this CUP extension beyond 30 days without a 30-day review. Commissioner Jostes would like to see the permit conditions restructured to have land use compatibility. Commissioner Jacobs would like to see specific general plan language for land use compatibility.

Mr. Vincent explained the condition that empowers the Chief of Police to exceed the bed count for a limited period of time. He added that the Police Department's proposal is in response to changes in the homeless community that prompt a dire need for flexibility to improve public safety.

In the context of a 30 day review, Commissioner White would like to see the steps taken to start a meal program elsewhere, and improved police enforcement on Cabrillo Boulevard. Although, Chair Thompson pointed out that Cabrillo Boulevard is not in the scope of Casa Esperanza. Ms. Weiss suggested that while Staff could not expand or amend conditions regarding law enforcement issues, Staff could return in 45 days and provide a status on the Community Kitchen program, property maintenance, neighborhood outreach, and neighborhood watch and patrol.

Mr. Foley will provide whatever reporting is desired by the Commission and stated that he is currently working on an initiated study with the Fielding Institute that compares police contact with Casa Esperanza residents who are in the evening sleeping program versus the people who use the day center program. She stated that many of the concerns voiced today come from the West Beach area; Casa Esperanza has been working actively with the immediate neighbors. He is committed to providing an update on the progress of the study within 45 days that includes the completion date of the study.

MOTION: White/Lodge

Assigned Resolution No. 008-09

Approved the changes to the Conditional Use Permit, making the findings as outlined in the Staff Report, subject to the Conditions of Approval in Exhibit A of the Staff Report with the a report back to the Commission in 45 days that includes: 1) Progress report on exploration with other agencies in the community for additional food service to alternative locations (revision of Condition A.5.a); 2). Provide an update on the Fielding Institute study that provides comparison of day and evening residents, along with a study completion date; and 3) Include report on coordination with Milpas Action Task Force in conditions A.9-12.

This motion carried by the following vote:

Ayes: 3 Noes: 2 (Jacobs, Jostes) Abstain: 0 Absent: 2 (Bartlett, Larson)

Commissioner Jacobs could not support the motion but would like to see representatives from the Milpas Action Task Force and the Police Department in the future.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 4:15 P.M.

- A. Committee and Liaison Reports.
1. Commissioner Thompson attended the Airport Noise Committee and reported on the downward trend in airport noise.
 2. Commissioner White attended the Harbor Commission meeting and reported on the waterfront budget fees that will be raised, reduction in capital programs, and other measures that will be to balance the budget.

- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

Commissioner White reported on the Staff Hearing Officer meeting held on March 25, 2009 and stated that the 2105 Anacapa Street decision may be appealed to the Planning Commission.

VII. ADJOURNMENT

Chair Thompson adjourned the meeting at 4:19 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary

DRAFT

DATE: May 4, 2009
TO: Sue Gray
FROM: Mike Foley

RE: Casa Esperanza Homeless Center 45-Day Report to the
City of Santa Barbara Planning Commission

On March 16th the Planning Commission approved an emergency extension of 40 additional beds at Casa Esperanza for a 90 day period. These beds were reserved exclusively for homeless seniors, women, disabled and mentally ill homeless people, many of whom were successfully living in the shelter on April 1, 2009 when shelter bed capacity drops from 200 to 100.

Casa Esperanza expresses gratitude for the opportunity to help these homeless neighbors in a time of crisis. We appreciated the extra time necessary to review the regional response to homelessness and to gauge our ability to absorb more homeless clients into the residential care program at 816 Cacique Street.

At this time Casa Esperanza will not seek additional bed capacity at this location.

Casa Esperanza has managed the intake process around the increased bed capacity and as of today's date we have 121 members living at the shelter. We will continue to ramp down enrollment until we reach no more than 100 residential members on a nightly basis by June 1st or before. If we reach 100 total members before June 1st, we will not go over a total bed capacity of 100 beyond that date.

Over the last 45 days, two more homeless people have died on the streets and one of them died from possible head trauma. We continue to express intense concern that the homeless are being victimized on the streets. Indeed, the Salvation Army program in Carpinteria closed. Indeed the need remains desperate. Funding for Casa Esperanza has remained stable up to this point but the long-term availability of stable funding is in question. And after experiencing an additional 40 people working in the transitional housing program for the last 45 days it is clear that more, funding – not less funding – is required if we are to make a long-term commitment.

Casa Esperanza also acknowledges that in exchange for increased bed-capacity there will be a significant push to change food distribution at 816 Cacique Street. ***Casa Esperanza will indeed succeed in creating new feeding centers, disbursing food distribution in other areas in hopes of decreasing foot-traffic in Lower Milpas.*** However, Casa Esperanza has zero ability to control police deployment or law enforcement tactics that move homeless people from place to place. Casa Esperanza does not have control over the enforcement of drug and alcohol laws that impact this neighborhood. It is altogether possible that changes in our programming will meet with a decreased mitigating presence in the neighborhood and that the impact of these program changes may be negated.

And while we seek to build new food distribution locations, we must take the time necessary to limit unforeseen consequences for both the people we help and for the communities that may be impacted. In the middle of the Great Recession it would be inappropriate to rush into programming for which there may be insufficient funds and unforeseen social consequences.

Seeking New Food Distribution Centers:

- 1) The Casa Esperanza Community Kitchen currently operates a hot-lunch program in Isla Vista at St. Marks Church for an average of 25 homeless people. Over the last two years a new homeless outreach program and service center has opened in Isla Vista to serve the homeless for three hours per day. St. Brigid's Fellowship is operated by St Athanasious Church. We have approached Father John Paul Hedges about operating this daily program at the St. Bridgid's location, creating a more full-service programming center. We await approval from the St. Brigid's Board of Directors. If this partnership comes to fruition, we anticipate that this social service/food program could be used as a model for other neighborhoods.
- 2) Over a three day period Casa Esperanza identified that 36 homeless people currently living in the Rescue Mission who receive lunch at 816 Cacique Street. We approached Executive Director Rolf Geyling about creating a lunch program at the Rescue Mission. This request was denied due to licensing requirements related exclusively to the drug and alcohol recovery program at the Rescue Mission. Mr. Geyling offered to assist in finding another location or another solution that might limit foot traffic between the Rescue Mission and Casa Esperanza.
- 3) Members and leaders with Clergy & Laity United (CLUE) have voiced a willingness to search for and find alternative feeding locations and to support this effort. Casa Esperanza meets with CLUE to pursue this opportunity on May 6th.

Studying the Impact:

- 1) Casa Esperanza developed an agreement with the Fielding Institute to study the relationship between Casa Esperanza members and the rate of Police Contact. It is the initial hypothesis fewer homeless people who sleep at the Shelter have contact with Police when compared to Casa Esperanza members who do not sleep at the Shelter, but rather use day-center services only.
- 2) We have created a multi-level approach to the data:
 - * We developed a list of over 1,200 homeless people who accessed services through the initial receipt of a membership (ID Card).
 - * We then took this list, under an agreement of confidentiality, to the Police

Department. The Police Department ran this list through a data screen to determine if the members had a negative contact with police while also determining when and how often negative contact occurred.

- * We then take the list of people who did have contact with Police and determine how many members actually lived at the shelter and how many received only day-center services.
- * Using this data, we will then compare how many members had contact with Police before entering the shelter and how much contact occurred between the member and Police after staying at the shelter. We will also determine if there is a difference between the level of Police contact when all services are being rendered vs. contact when services are not being provided.
- * We will also determine the severity of Police contact and the zone in which that contact occurred.

Thus far steps one through three and we have started the much more time consuming process of placing this raw data in a useful context. It is likely that the study will indeed be completed by June 1st.

Casa Esperanza also studied the living situations experienced by all people seeking lunch services over a three day period in April the average daily attendance was 179. 45 people lived at Casa Esperanza and 45 were living on the streets along with the 36 from the Rescue Mission. The remainder stated that they lived in cars, with family members or in multi-family environments. They came exclusively to alleviate hunger and the majority sought work on the labor line. This data will be used when determining where new food sites might be located.

Neighborhood Outreach & Communication:

The Milpas Action Task Force continues to meet on at least a quarterly basis and at time more often. For example a meeting was held in both March and April of this year. Attendance from neighborhood business has been sporadic, despite significant effort from Casa Esperanza Associate Executive Director Imelda Loza to outreach to local business and neighbors. Representatives from AC Ramirez and Tri-Counties Produce attend regularly. Recent attendees included representatives from Circle K and three leaders from the Franklin Community Center. Representation is consistent from the City Community Development Department, Public Works. Police attendance is sporadic. The committee is chaired by Gary Linker, Executive Director at the New Beginnings Counseling Center. There are also representatives from the Alcohol Drug & Mental Health Department and the Council on Alcohol & Drug Abuse.

We remind the Commission that the Santa Barbara Recovery Zone proposal, most of which is included in the City's 12-Point Plan to address homelessness, emerged through the Milpas Action Task Force.

In the last 12 months, Imelda Loza has provided 1:1 outreach to nearly 90 local businesses and neighborhood groups and has provided them with a business card and contact information. Recently she spoke to a group of neighborhood residents at the Franklin Center, for example.

The Casa Esperanza Step-Up program continues to operate at near or full staffing on a daily basis. 4 Casa Esperanza members (residents) are paid to scour the neighborhood, picking-up literally tons of trash and talking to homeless people on the streets and neighbors alike, informing them about Casa Esperanza. In the last five months, Step-Up has had substantive contact with apx. 63 local neighbors and distributed 300 flyers informing them about Casa Esperanza shelter emergency services. Casa Esperanza employs one security guard (Safety Counselor) who works at 816 Cacique Street and walks sporadically through the neighborhood six days per week enforcing the code of conduct. We receive consistently positive feedback on the Step-Up team, and Step-Up recently provided clean-up services at the Milpas Holiday Parade. The Safety-Counselor has been in this position for nearly tow years and worked with the Police Department when hired. The Step-Up team also wears hats and shirts that identify them as Step-Up Outreach workers and they report any community problems they hear about or encounter to the Safety-Counselor and/or the Job Development Director, who forwards the information on to Imelda Loza as necessary for further action.

Since December 1st of this year Casa Esperanza had received a total of 13 complaints from neighbors and these complaints were lodged by a total of 5 people. All of the complaints were addressed by Imelda Loza to the best of her ability and available resources.

Police Report:

The Police report on neighborhood crime expected on April 27th, to be presented on April 28th at the MATF meeting has not been received at this date.



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.

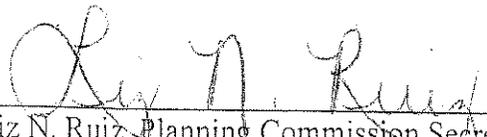
In addition to the above, the June 2005 report shall include the following:

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.

APPLICATION OF MIKE FOLEY, EXECUTIVE DIRECTOR OF CASA ESPERANZA, 816 CACIQUE AND 110 SOUTH QUARANTINA STREET, APN'S 017-240-021, 017-113 035 & 017-113-034, M-1 LIGHT MANUFACTURING, C-2, GENERAL COMMERCE AND S-D-3, COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: INDUSTRIAL (MST99-00432)

Staff will give a 45-Day Status Report on the amendments to the Conditional Use Permit for the Casa Esperanza Homeless Center.

No formal action on the project will be taken during this discussion item.

Case Planner: Kelly Brodison, Assistant Planner

Email: KBrodison@SantaBarbaraCA.gov

Kelly Brodison, Assistant Planner, gave the Staff presentation, joined by Sue Gray, Community Development Programs Supervisor.

Mike Foley, Executive Director of Casa Esperanza, gave the Applicant presentation.

Ms. Gray responded to the Planning Commission's inquiry about the costs involved with the per capita bed comparison shown in her presentation stating that any subsidy was not factored in.

Mr. Foley responded to the Commission on the status of the Salvation Army in Carpinteria as being closed; clarified that 600 meals are served during the winter months and explained the details as related to the Conditional Use Permit; and defined the area maintained by the clean-up program that begins at the beach and includes Milpas Street and neighboring parks.

Gary Linker, Milpas Action Task Force Chair and New Beginnings Board Member, provided an update of efforts by the Milpas Action Task Force, including collaboration with Santa Barbara Police Department.

Alex Altavilla, Patrol Division Commander, Santa Barbara Police Department, gave the status of Police activity in the area and participation in the Fielding Institute study. Lieutenant Altavilla responded to the Commission's questions regarding calls for service and proactive enforcement activity that is city-wide. Lieutenant Altavilla did not have empirical data on any changes occurring in the area of Casa Esperanza over the last 45 days since the bed count was increased and was not aware of any changes.

Mr. Foley also distinguished the difference in information provided by a police report showing crime related to homelessness in the Milpas Street area as different from the focus of the study being done by the Fielding Institute that is looking at 1200 people who have had contact with police anywhere in the City before coming to Casa Esperanza.

Mr. Foley referenced the shift in homelessness as related to police sweeps that result in the homeless relocating from one part of the city to another. Mr. Foley encouraged the Milpas

Action Task Force to acknowledge that the issue that raises most concern with the Cabrillo Ball Field is not as much homeless-related, as it is a drug-related and needs to be addressed. Asked the Planning Commission to work with the Parks Department to look at a repurposing of the Cabrillo Ball Field.

Ms. Gray responded to the Commission's question about the number of people served by homeless programs by stating that the statistics of where people resided before being served by homeless programs are not requested of participants, nor kept.

Mr. Foley has not seen any increase in services needed by the homeless population resulting from the Highway 101 construction. He is seeing an increase in the vulnerable population who are falling through the cracks, primarily people with disabilities. Mr. Foley stated that he is unaware of any of the homeless population involved in tagging, also concurred by Lieutenant Altavilla. Mr. Foley also responded to the Commission's question about the needs of the homeless population over age 55 and information he brought back from having attended a Senior Symposium held earlier this year. The needs of the homeless population vary among all demographics, including age and gender.

Chair Thompson opened the public hearing at 1:59 P.M.

The following people spoke:

1. Barbara Allen, joined by Ron Fox, Board of Casa Esperanza thanked the Commission for the 40-bed expansion allowed by the time extension.
2. John Dixon, Tri-County Produce, Casa Esperanza Board Member, and Milpas Action Task Force Member, echoed appreciation and suggested rezoning for the Cabrillo Ball Field and closure or relocation of the bathroom. Would like to see more police support in area. Expressed concern for knowing where homeless population was originating.
3. Bonnie Donovan, formerly East Beach/West Beach group, now Santa Barbara Ocean Front group, questioned the suggested re-use of the Cabrillo Ball Field. The Salvation Army found placement for clients that formerly resided at their Carpinteria shelter. Shared Mr. Donovan's concern for desire to know the geographic origin of the homeless that are relocating to Casa Esperanza.

With no one else wishing to speak, the public hearing was closed at 2:05 P.M.

The Commissioners made the following comments:

1. Commissioner White hoped that Casa Esperanza could follow the success of Planned Parenthood, which now operates on a regional level. Reported that the State is now developing a system similar to the Regional Housing Needs Allocation for homeless shelters, and will be requiring communities to have locations for homeless shelters that do not require discretionary approval.

2. Commissioner Jacobs appreciated all the reports that were given, but felt that the information that was asked for in order to grant the temporary 40-bed expansion of the shelter was not fully provided. Is willing to offer more time to receive a more detailed report to the Commission. Commissioners Thompson and Bartlett concurred in wanting to see a completion date of the report given before scheduling another meeting.

Mr. Foley confirmed that before the Salvation Army closed, it worked with its other locations to place the residents living there at that time. With the closure of the 86-bed capacity for recovery, the amount of opportunity for people to get alcohol and drug treatment is greatly reduced and needs to be addressed since the detoxification program starts up every six months.

With regard to the recovery zone and conditional use permit (CUP), Ms. Gray responded that the CUP for all liquor selling establishments in the Casa Esperanza area is a part of the twelve-point plan that is being developed by the City Attorney and Community Development and will come before the Planning Commission at a later date.

The Planning Commission asked that Staff return in 45 days, or as soon as the Fielding Study is completed and include some alternatives for finding another lunch location that would alleviate the burden at Casa Esperanza at lunchtime.

IX. ADMINISTRATIVE AGENDA

ACTUAL TIME: 2:15 P.M.

- A. Committee and Liaison Reports.
None were given.
- B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.
Commissioner White reported on the Staff Hearing Officer meeting held on May 20, 2009. None were recommended to be called up to the Planning Commission
- C. Action on the review and consideration of the following Draft Minutes and Resolutions:
 - a. Draft Minutes of March 26, 2009 – Special Meeting
 - b. Resolution 008-09
816 Cacique Street and 110 S. Quarantina Street
 - c. Draft Minutes of April 2, 2009
 - d. Resolution 009-09
412 and 414 Anacapa Street

