



CITY OF GUADALUPE BUILDING DEPARTMENT

STATUS REPORT

MONTH: February, 2019

	This Month	Last Month	Year to Date	Last Year
Visitors	35	25	60	78
Inspections	362	469	831	1,082
Building Permits Issued	17	11	28	17
Certificate of Occupancy	2	11	13	23

VISITORS: Permits, Planning application submittals, submitted plan updates, general information

BUILDING DEPARTMENT ACTIVITY REPORT

Friday, February 1, 2019

				PASS	CORRECT	CORRECT/PROCEED
2/1/2019	AD 9	918 Obispo	Scheduling - Rain - Alice off	X		
	AD 4	918 Obispo	Meet w/ Larry Dees on Escalante Acres	X		
	AD 1	918 Obispo	Customer service - counter support	X		
	AD 5	918 Obispo	Mike Dwyer on inspection of Asphalt at Gusto Court and Fuente Drive		X	
	PDPW	Gusto Ct.	Inspection of Asphalt install	X		
	FN 5	4330 W Main	Slab reinforce at well driveway	X		
	MS 4	4202 11th Street	Site visit Guadalupe Court		X	
	AD 2	918 Obispo	Complete monthly Building Dept. Report	X		Guadalupe 4
	AD 1	918 Obispo	Maintain office hours in Alice's absence			PDPW .5
	AD 1	918 Obispo	Provide price for Mechanical Contractor			11 Inspections
	AD 7	918 Obispo	Records update	X		
2/4/2019	AD 9	918 Obispo	Scheduling - Rain	PASS	CORRECT	CORRECT/PROCEED
	AD 1	918 Obispo	Mike Rocklin on Commercial TI plan submittal	X		
	AD 1	918 Obispo	G. Alvarez on Apartment plan resubmittal	X		
	AD 10	918 Obispo	W/Alice on plan sets intake	X		
	AD10	918 Obispo	Begin permit prep for fire sprinkler at Paseo and Cielo		X	
	AD 4	Pasadera	Meet w/superintendent on progress/Scheduling			12 Inspections
	AD 5	918 Obispo	S. Simoulis on Truss Calc. submittal			Guadalupe 5.5
	MS 4	4202 11th Street	Guadalupe Court site visit		X	
	SW 3	Pasadera	Inspect detention basins and bioswales - heavy rain	X		
	AD 1	918 Obispo	Counter support - stove insert submittal			
	AD 4	918 Obispo	Captain Schmitz on Alvarez Apts. Submittal			
	AD 7	918 Obispo	Records update	X		
2/5/2019	AD 9	918 Obispo	Scheduling - Rain	PASS	CORRECT	CORRECT/PROCEED
	AD 10	918 Obispo	Permit prep 4575 10th St Commercial TI	X		
	FR 4	946 C	Rough plumbing partial			X
	FR 4	946 D	Rough plumbing partial			X

BUILDING DEPARTMENT ACTIVITY REPORT

AD 2	213 Las Flores	Produce permit record cards (2 each) for fire sprinklers	X		Guadalupe 7 hours
AD 2	215 Las Flores	Produce permit record cards (2 each) for fire sprinklers	X		37 Inspections
AD 10	918 Obispo	W/ Jaime on Alvarez Apts. Plans	X		
FN 4	4202 11th Street	CMU retaining wall - periodic inspection			X
AD 7	918 Obispo	Records update	X		
2/7/2019					
AD 9	918 Obispo	Scheduling -	PASS	CORRECT	CORRECT/PROCEED
FN 4	4202 11th Street	CMU retaining wall - periodic inspection	X		
F 1	5079 Pacific Dunes Cr.	Final building	X		X
F 2	5079 Pacific Dunes Cr.	Final electrical	X		
F 11	5079 Pacific Dunes Cr.	Photovoltaic system final	X		
F 1	143 Pelican Lane	Final building	X		
F 11	143 Pelican Lane	Fireplace insert final approval	X		
AD 10	918 Obispo	Assist Public Works with luminaire selection for tank			X
SW 8	Lot 216	Water Service, water piping and manifold	X		
SW 8	Lot 215	Water Service, water piping and manifold	X		
SW 8	Lot 214	Water Service, water piping and manifold	X		
SW 8	Lot 181	Water Service, water piping and manifold	X		
F 1	Lot 207	Frame final	X		
F 2	Lot 207	Final electrical	X		
F 3	Lot 207	Final mechanical	X		
F 6	Lot 207	Final smoke detection systems	X		
F 11	Lot 207	Fire sprinkler final	X		
F 6	Lot 207	Fire sprinkler bell test	X		
F 6	Lot 207	Fire sprinkler final approval	X		
F 4	Lot 207	Final plumbing	X		22 Inspections
F 11	Lot 207	Project final	X		7 hours
AD 7	918 Obispo	Records update	X		
2/8/2019					
AD 9	918 Obispo	Scheduling -	PASS	CORRECT	CORRECT/PROCEED
FN 5	4575 10th Street	Footings	X		
FN 5	4575 10th Street	Reinforcement	X		

BUILDING DEPARTMENT ACTIVITY REPORT

Case No.	Address	Description	Status	Notes
SC 1	254 Pioneer Street	Roof Strip	X	
F 11	254 Pioneer Street	Reroof final approval	X	
AD 2	103 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	X
AD 2	105 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 2	107 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 2	109 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 2	111 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 2	113 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 2	115 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 2	201 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	24 Inspections
AD 2	203 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	8 hours Guadalupe
AD 2	205 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 2	207 Las Flores	Produce permit record cards (2 each) for single family dwelling	X	
AD 7	918 Obispo	Records update	X	
			PASS	CORRECT
2/12/2019	AD 9	918 Obispo	Scheduling -	X
	FR 6	Lot 208	Gas piping	X
	FR 10	Lot 208	Gas pressure test	X
	FR 6	Lot 109	Gas piping	X
	FR 10	Lot 190	Gas pressure test	X
	AD 4	918 Obispo	Captain Mack on fire extinguisher requirements	X
	FR 4	4804 Hernandez	Rough plumbing	X
	F 11	4804 Hernandez	Water heater final	X
	F 11	254 Pioneer	Reroof final	X
	AD 4	918 Obispo	Lorenzo on Cemetery District Modular office	X
	AD 2	918 Obispo	Prepare for council meeting	X
	MS 4	918 Obispo	Attend City Council meeting / Building division Report	X
	AD 2	4428 La Joya	Produce permit record cards (2 each) for single family dwelling	X
	AD 2	4432 La Joya	Produce permit record cards (2 each) for single family dwelling	X
	AD 2	4440 La Joya	Produce permit record cards (2 each) for single family dwelling	X
	AD 2	4444 La Joya	Produce permit record cards (2 each) for single family dwelling	X
	AD 2	4452 La Joya	Produce permit record cards (2 each) for single family dwelling	X
				8 hours Guadalupe
				23 inspections

BUILDING DEPARTMENT ACTIVITY REPORT

SC 2	Lot 6	Electrical Meter set tag # 054344				
FR 1	Lot 9	Rough electric				
SC 2	Lot 9	Electrical Meter set tag #				
FR 1	Lot 13	Rough electric				
SC 2	Lot 13	Electrical Meter set tag #				
FR 1	Central Park	Park lighting repair with Miller electric				x
AD 5	918 Obispo	Mike P. on park lighting				x
AD 5	918 Obispo	Valerie Shariff on Modular install				x
MS 4	Pasadera - Cielo	Meet w/Craig Smith				x
AD 5	918 Obispo	G. Alvarez on apartment project				x
AD 10	918 Obispo	Craig Smith permit app submittals - Paseo				6.75 hours Guadalupe
AD 10	918 Obispo	Rework Alvarez grading permit				19 Inspections
AD 7	918 Obispo	Records update				x
2/15/2019	AD 9	Scheduling - Rain			PASS	CORRECT/PROCEED
	SC 7	Shower Pan			x	
	AD 8	Steve on Fire Hazard Severity Zones				x
AD 2	Lot 3	Permit prep for temporary electrical pole			x	
AD 2	Lot 6	Permit prep for temporary electrical pole			x	
AD 2	Lot 9	Permit prep for temporary electrical pole			x	
AD 2	Lot 13	Permit prep for temporary electrical pole			x	
SW 3	Manzanita	Inspection of basin function during heavy rain			x	
SW 3	Hacienda	Inspection of basin function during heavy rain			x	
AD 8	918 Obispo	Research on Cultural Arts Center				6.75 hours Guadalupe
MS 4	Paseo	Correct meter set tag numbers				19 Inspections
AD 2	4459 Jalama	Produce permit record cards (2 each) for single family dwelling			x	x
AD 2	4453 Jalama	Produce permit record cards (2 each) for single family dwelling			x	
AD 2	4447 Jalama	Produce permit record cards (2 each) for single family dwelling			x	
AD 2	4439 Jalama	Produce permit record cards (2 each) for single family dwelling			x	
AD 2	4433 Jalama	Produce permit record cards (2 each) for single family dwelling			x	
AD 2	4431 Jalama	Produce permit record cards (2 each) for single family dwelling			x	
AD 2	4427 Jalama	Produce permit record cards (2 each) for single family dwelling			x	
AD 7	918 Obispo	Records update			x	

BUILDING DEPARTMENT ACTIVITY REPORT

					PASS	CORRECT	CORRECT/PROCEED
2/19/2019	AD 9	918 Obispo	Scheduling		x		
	AD 10	918 Obispo	Continue work on Cultural Arts Permitting				x
	AD 5	918 Obispo	Review email frame Jake				x
	AD 5	918 Obispo	Review zoning comments from Larry on Pioneer Apartments				x
	AD 5	918 Obispo	Review Permitting totals from Carolyn				x
	AD 4	4202 11th Street	Guadalupe Court Meet with Superintendents				
	FN 4	4202 11th Street	CMU retaining wall - periodic inspection				x
	AD 4	918 Obispo	Superintendent Rivera on Cultural Arts Pick up				
	AD 5	211 Hacienda	Forman Beto on floor diaphragm nailing standards				x
	FR 2	211 Hacienda	Floor nailing			x	
	AD 2	103 Las Flores	Prepare permit for fire sprinklers - Paseo		x		
	AD 2	105 Las Flores	Prepare permit for fire sprinklers - Paseo		x		
	AD 2	107 Las Flores	Prepare permit for fire sprinklers - Paseo		x		
	AD 2	109 Las Flores	Prepare permit for fire sprinklers - Paseo		x		
	AD 2	111 Las Flores	Prepare permit for fire sprinklers - Paseo		x		
	AD 2	113 Las Flores	Prepare permit for fire sprinklers - Paseo		x		
	AD 2	115 Las Flores	Prepare permit for fire sprinklers - Paseo		x		
	AD 2	201 Las Flores	Prepare permit for fire sprinklers - Paseo		x		7 hours
	AD 2	211 Las Flores	Prepare permit for temporary power pole		x		23 Inspections
	AD 2	107 Las Flores	Prepare permit for temporary power pole		x		
	AD 2	113 Las Flores	Prepare permit for temporary power pole		x		
	AD 2	203 Las Flores	Prepare permit for temporary power pole		x		
	AD 7	918 Obispo	Records update		x		
2/20/2019	AD 9	918 Obispo	Scheduling		PASS		
	AD 10	918 Obispo	Permit prep 4585 Esperanza Ruffner PV		x		
	AD 5	918 Obispo	Cultural Arts Superintendent on plan check comments - extended		x		x
	FR 2	211 Hacienda	Floor nailing		x		
	MS 4	4202 11th Street	Site visit				x
	SC 10	305 Egret	Brown coat		x		
	FN 4	4202 11th Street	CMU retaining wall - periodic inspection				x

BUILDING DEPARTMENT ACTIVITY REPORT

UR 2	Buena Vista	Observed placement of truncated domes	X					
UR 2	Hacienda	Observed placement of truncated domes	X				5 hours	Guad
UR 2	La Joya	Observed placement of truncated domes	X				11	Inspections
AD 2	918 Obispo	Organize comments and plans for Pioneer apartments					X	
FR 2	Lot 212	Floor diaphragm nailing	X					
AD 1	918 Obispo	Customer service counter support - patio service					X	
FR 1	4202 11th street	Frame for wood section of 8 foot sound wall					X	
AD 7	918 Obispo	Records update	X					
			PASS				CORRECT	CORRECT/PROCEED
2/25/2019	AD 9	918 Obispo	Scheduling	X				
	FR 5	918 Obispo	Jake R on 155 Flower planning issues	X			1	hour
	FR 5	918 Obispo	Cruz on code adoption	X			5	inspections
	FR 5	918 Obispo	Alice on Scheduling	X				
	AD 7	918 Obispo	Records update	X				
				PASS			CORRECT	CORRECT/PROCEED
2/26/2019	AD 9	918 Obispo	Scheduling	X				
	FR 1	Lot 190	Rough Electric	X				
	SC 2	Lot 190	Meter set tag # 054253	X				
	FR 1	Lot 208	Rough Electric	X				
	SC 2	Lot 208	Meter set tag # 054254	X				
	FR 3	Lot 209	Rough Mechanical	X				
	FR 3	Lot 188	Rough Mechanical	X				
	FR 6	Lot 188	Gas Piping	X				
	FR 10	Lot 188	Gas pressure test	X				
	AD 8	918 Obispo	Review JAS plan check comments for Pioneer Apts.	X				
	MS 4	4202 11th St.	Site visit - Heavy grading equipment arriving				X	
	AD 4	918 Obispo	Meet with Cruz - Transition	X				
	FN 4	Las Flores	Forms and footings partial on CMU wall				X	
	FN 4	4202 11th Street	CMU retaining wall - periodic inspection				X	
	AD 10	918 Obispo	Coordinate heater repairs at City Hall	X			18	Inspections
	AD 1	918 Obispo	Customer service - counter support	X			7.5	hours
	AD 2	Lot 210	Review and approve Deputy Inspector report shear walls	X				

BUILDING DEPARTMENT ACTIVITY REPORT

AD 8	918 Obispo	Research grading plans for Guadalupe Court			x
F 4	313 Las Flores	Final plumbing		x	
AD 5	Lot 212	Angel on floor nail inspection			x
MS 3	918 Obispo	Captain Schmitz on grading code enforce		x	
AD 1	918 Obispo	Customer service - Assist customer on planning issue			x
SW 3	4202 11th Street	Periodic grading inspection			x
MS 4	Gularate St.	Site visit for code enforce case		x	
SW 3	Obispo Street	Irrigation for Bio swales - periodic inspection			x 7.5 hours Guadalupe
AD 2	918 Obispo	Begin work on monthly report			18 Inspections
AD 1	918 Obispo	Contractor Olaf on Cultural Arts Center plans			x
AD 7	918 Obispo	Records update		x	
362 Inspections					

City of Guadalupe
March 2019
Civil Engineering Projects

The following is a list of projects in various stages of construction, design, or planning.

- **2019 Pavement Rehabilitation Project** – Design work is ongoing on the 2019 Pavement Rehabilitation Project. The design includes Obispo Street from Main Street to 10th Street, and nearly all the existing curb ramps are non-compliant with current ADA standards. The project includes replacement of the ramps. The City Engineer has suggested that the limits of the Base Bid be from Main Street to Fir Street to allow for a future waterline upgrade in Obispo Street north of Fir Street. Available funding will determine the actual extents of the project. Work should commence in Summer 2019.
- **2019 Pavement Maintenance Project** – Design work for the 2019 Pavement Maintenance Project is ongoing. The project includes street segments identified in the Pavement Management Plan. Construction is tentatively scheduled for Summer 2019. The preliminary street list is as follows. The actual list may change due to funding.
 - All Streets with the Treasure Park Area
 - Amber Street, Second Street, Birch Street, Cedar Street, Third Street, Elm Street, Fir Street, Holly Street, Fourth Street, and Flower Avenue
 - Tognazzini Avenue – Main Street to North End
 - Calle Cesar Chavez
 - Santa Ines Street
 - Santa Barbara Street
 - San Miguel Court
- **WWTP Influent Pump Replacement Project.** The City Council awarded a contract for construction management and project oversight with MKN. MKN is working closely with the Contractor to review and approve submittals. A preconstruction meeting will be scheduled within the next few weeks.
- **Implementation of NPDES Permit and MS4 Requirements** – The City is in the final year of implementation of the MS4 Requirements. The City received a Notice of Violation from the Regional Water Quality Control Board in February. Staff is working on correcting the deficiencies and implementing the Regional Water Quality Control Board's requirements.
- **ATP Cycle 3.** Caltrans permitting approved the plans in March. Engineering is now working with the California Transportation Commission (CTC) and Caltrans Local Assistance to get the revisions approved for funding. A funding extension may be necessary if the CTC needs more time to review the plans with the Caltrans revisions. Construction should occur in Summer/Fall 2019.
- **IRWM DAC Grant (Lift Stations and Sewer Main Replacement)** –The first phase of the grant funding is for the design phase of work on the Pioneer and Hwy 1 Lift Stations, Sewer Main, and various

“High priority” Water and Wastewater capital improvement projects. MKN completed the design work in January 2019, and CDBG Funding is being sought for construction of the project. Engineering is also preparing an application for an IRWM implementation grant for the Pioneer Lift Station.

- **Obispo Drainage Improvements** – On the west of Obispo Street across from the wetlands, undermining of the roadway has been occurring. The project will install a drainage inlet at this location to prevent further erosion and damage to the pavement.
- **West Main Striping Plan** – The City Engineer has requested the preparation of preliminary plans for reconfiguring the striping on West Main from Guadalupe Street to the western City limits. The striping plan will include recommendations for bike lanes. The plans will be presented to the City Council for direction and potential implementation.

Development

The following developments which require engineering review/oversight are in various phases.

- **Pasadera**
 - Although operable, the well has not been fully connected to the City water system as they complete testing of the systems. Once completed, the well will provide an additional 1.5 million gallons per day capacity to the water system.
 - The developer submitted plan revisions for the Lot 4 grading and drainage. Engineering is reviewing the plans.
 - The developer is moving forward with a vesting tentative tract map for the lots on the west side of the railroad.
 - The developer has completed their required Caltrans traffic control plan.
- **Beachside Cooler**
 - Construction is underway on Peralta Street. The work includes the installation of drainage facilities, curb, gutter, sidewalk, and road reconstruction, north of 12th Street. Beachside's contractor is performing the work, and the Engineer's office is providing inspection services.
- **Apio Wastewater Reclamation System and Voluntary Merger**
 - Both applications are in various phases of review.
- **Guadalupe Court (People Self-Help Housing)**
 - The project includes City drainage facilities and water facilities. The developer will improve 11th Street, including curb, gutter, and sidewalk. The owner provided plans for the construction of sidewalks on La Guardia and Gularte as a condition requirement.
 - Engineering approved the site plans, grading and drainage plans, and public improvement plans. Due to site limitations, the developer must move alignment of a storm drain line. The City Engineer will meet on site and approve the new alignment.
- **Alvarez 11th Street Apartments**
 - The project is still under review. On February 15, 2019, Engineering returned corrections to the applicant. When approved, the project will include the installation of a public sewer main from 11th Street to 9th Street along the City Limit Line.
- **Pioneer Street Apartments**
 - Engineering has completed their first review of the resubmitted plans.

REPORT TO THE CITY COUNCIL OF THE CITY OF GUADALUPE

Agenda of April 9, 2019

 for Steve Kahn

Presented by:
Steve Kahn, Interim Public Works Director



Approved by:
Robert Perrault, Interim City Administrator

SUBJECT: Measure A Local Program of Projects

RECOMMENDATION: It is recommended that the City Council to approve:

1. Resolution No. 2019-20 which adopts the 2019/20 through 2023/24 Measure A Local Program of Projects for the City of Guadalupe.

DISCUSSION:

Measure A Overview

Voter passage in November 2008 of the Road Repair, Traffic Relief and Transportation Safety Measure (Measure A), will provide approximately \$1.0 billion for transportation needs over 30 years within Santa Barbara County, from 2010-2040. The City of Guadalupe, and all other Cities in the County, must submit an annual Measure A Local Program of Projects (POP) to the SBCAG Board to detail how the Measure A funds will be spent in Guadalupe.

In adopting the POP, the City Council “certifies that it will include in its budget an amount of local discretionary funding for local streets and roads sufficient to comply with the Maintenance of Effort [MOE] requirements contained in Section 27 of the [Measure A] Ordinance...” The City met its MOE requirements over the last five-year window and will meet its MOE requirements of about \$160,000 over the next five-year window.

Non-Measure A Revenues

The State column of the POP spreadsheet includes five years’ worth of State Gasoline Tax Money, SB 1 Road Maintenance and Rehab Account at about \$326,000 per year plus the combined fund balance of the State Local Transportation Funds (LTF) of \$211,000, for a total of approximately \$1,839,000 over the next five years.

Measure A Revenues

The two carry-over columns under Measure A Revenues represent the \$1,238,000 Measure A fund balance on 06/30/18 plus anticipated additional carry-over from 2018/19 of \$446,000. Gas Tax, LTF, and Measure A fund balances will be used to pay for the City’s Street Paving Plan going forward. That plan calls for the City to spend about \$400,000 annually in street paving. For 2019, the street program

Agenda Item: _____

will include slurry seals of various streets including Tognazzini Avenue, 6th Street, and the Treasure Park Neighborhood.

Projects

The POP includes \$80,000 for construction of a steel garage at the Corporation Yard. The total cost of the garage plus site work with concrete is expected to be \$120,000. The Streets portion of the cost would be \$80,000, the Water Department portion would be \$30,000, and the General Fund portion \$10,000 (The use of Public Works equipment for Building and Parks maintenance is a General Fund expense).

The POP also includes \$100,000 of Measure A funds for the storm drain improvements at 11th and Obispo Streets. City Council awarded the 11th Street Drainage project in May of 2018, with the first Progress Payment made in July (FY 18/19). Next year's POP will reflect the use of those funds.

The City is also expecting a distribution of ATP Cycle 3A funds State Only award of \$401,000 for the construction phase of the Guadalupe Street/Hwy 1 Pedestrian Improvement Project. The Project is currently using Measure A funds as matching funds to supplement project costs outside of construction. SBCAG has committed to contribute a \$32,000 match towards the Project design costs.

Alternative Transportation

Measure A also requires the City to spend at least 5% of Measure A money on "Alternative Transportation Expenditures" – bicycle, pedestrian and transit projects. The City has had no difficulty in meeting this requirement in the past and will likely spend 7.5% of Measure A money during the five-year window on bike and pedestrian projects. Including sidewalk maintenance and upgrade work done by our Street crew and required ADA sidewalk work made during street paving projects.

ATTACHMENTS:

1. Resolution No. 2019-20
2. Measure A POP Spreadsheet

Agenda Item: _____

RESOLUTION NO. 2019-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY GUADALUPE
ADOPTING THE MEASURE A FIVE-YEAR LOCAL PROGRAM OF PROJECTS
FOR FISCAL YEARS 2019-20 THROUGH 2023-24**

WHEREAS, on November 4, 2008, the voters of Santa Barbara County approved the Santa Barbara Transportation Improvement Program Ordinance and Expenditure Plan known as Measure A; and

WHEREAS, The Ordinance provides that the Santa Barbara County Local Transportation Authority shall annually approve a program of projects submitted by local jurisdictions identifying those transportation projects eligible to use Measure A funds during the succeeding five-year period; and,

WHEREAS, the City of Guadalupe was provided with an estimate of annual Measure A local revenues for fiscal years 2019-20 through 2023-24; and,

WHEREAS, the City of Guadalupe has held a public hearing in accordance with Section 18 of the Ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Guadalupe as follows:

SECTION 1. The City of Guadalupe does hereby adopt the attached Five Year Program of Project to funded in part with Measure A revenues; and,

SECTION 2. The City of Guadalupe certifies that it will include in its budget an amount of local discretionary funding for local streets and roads sufficient to comply with the Maintenance of Effort requirements contained in Section 27 of the Ordinance; and,

SECTION 3. The City of Guadalupe will not use Measure A revenue to replace private developer funding that has been committed to a transportation project or would otherwise be required under current City policies; and,

SECTION 3. The City of Guadalupe has complied with all other applicable provisions.

PASSED, APPROVED AND ADOPTED at a regular meeting on the 9th day of April 2019 by the following vote:

Motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Joice Earleen Raguz, City Clerk of the City of Guadalupe DO HEREBY CERTIFY that the foregoing Resolution, being C.C. Resolution No. 2019-20, has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the City Council, held April 9, 2019, and that same was approved and adopted.

ATTEST:

Joice Earleen Raguz, City Clerk

Ariston Julian, Mayor

APPROVED AS TO FORM:

Philip Sinco, City Attorney



City of Guadalupe
Five Year Measure A Program of Projects (FYs 2019/20 to 2023/24)
Measure A Local Street and Transportation Improvements Submittal Form
(Figures in \$000)

Local Street & Transportation Improvements	Measure A Revenues										Non-Measure A Revenues			Total Project Cost
	FY 2017/18 Actual Expenditures	Carry-over from FY 17/18	Carry-over from FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24	TOTAL Measure A Revenues	Local	State	Federal	TOTAL Non-Measure A Revenues	
Project Descriptions														
Maintenance, Improvement or Construction of Roadways & Bridges	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Street Sweeping Contract	\$194	\$21	\$225	\$232	\$240	\$249	\$258	\$266	\$1,491	\$0	\$0	\$0	\$0	\$0
Maintenance of streets, curbs, gutters, sidewalks, & storm drains	\$194	\$866	\$241	\$241	\$230	\$222	\$174	\$172	\$2,238	\$0	\$1,039	\$0	\$900	\$2,291
Public Works (a portion attributable to Streets)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50	\$0	\$0	\$0	\$0	\$3,277
Roadway Drainage Facilities														\$0
11th & Obscura Drainage Improvements		\$100	\$0						\$100					\$100
									\$0					\$0
									\$0					\$0
									\$0					\$0
Matching Funds for State and Regional Programs and Projects														
Guadalupe Street/Av 1 Pedestrian Improvement (ATP Corridor 3A) Project	\$27	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$401	\$0	\$0	\$401	\$401
TOTAL	\$375	\$1,999	\$426	\$473	\$470	\$471	\$432	\$438	\$3,909	\$0	\$2,240	\$0	\$2,240	\$6,149
Alternative Transportation Expenditures														
Project Descriptions														
Maintenance, Repair, Construction & Improvement of Bike & Ped Facilities	\$0	\$17	\$17	\$19	\$20	\$21	\$22	\$23	\$139	\$0	\$0	\$0	\$0	\$0
Bike & Ped maintenance projects	\$1	\$22	\$23	\$12	\$12	\$13	\$14	\$15	\$111	\$0	\$0	\$0	\$0	\$111
ADA sidewalk work									\$0					\$0
TOTAL ALTERNATIVE TRANSPORTATION EXPENDITURES	\$1	\$39	\$40	\$31	\$32	\$34	\$36	\$38	\$250	\$0	\$0	\$0	\$0	\$250
TOTAL EXPENDITURES	\$376	\$1,238	\$466	\$504	\$502	\$505	\$468	\$476	\$4,159	\$0	\$2,240	\$0	\$2,240	\$6,399

REPORT TO THE GUADALUPE CITY COUNCIL
City Council Agenda of April 9, 2019



Prepared by:
Robert Perrault, Interim City Administrator

SUBJECT: **CONSIDERATION OF AN ADMINISTRATIVE USE PERMIT FOLLOWING STAFF DENIAL OF AN ADU (2018-143 ZC) FOR AN ATTACHED DWELLING UNIT LOCATED AT 155 FLOWERS AVE. GUADALUPE CA.**

RECOMMENDATION: Consider granting an Administrative Use Permit for a proposed accessory dwelling unit to a main dwelling unit located at 155 Flowers Ave. Guadalupe, provided the Council makes findings that would enable the waiver of certain standards contained within Chapter 18.53 of the Municipal Code.

BACKGROUND:

In July of 2018 the Council repealed and replaced Chapter 18.53 (Secondary Housing Units) with a new Chapter 18.53 (Accessory Dwelling Units). The purpose of the new ordinance was to comply with state legislation which encourages the creation of accessory dwelling units as a means to assist with the current housing crisis. The new municipal code chapter provides for a ministerial approval of Accessory Dwelling Unit (ADU) permits provided standards contained within the code are met. The review of the permit application is conducted by the Planning Director or his designee. The permit is subject to the zoning clearance and building permit process and shall be issued provided that the ADU is consistent with all the requirements and standards contained within the code.

As the ADU ordinance was being implemented, staff recognized there may be some situations where a strict interpretation of the code provisions might be unfair to a particular applicant and contrary to the intent of the ordinance and state law. One such situation envisioned by staff was that a relative of the property owner without having any ownership interest might live in the primary dwelling or the ADU. If the relative was a son or daughter of the property owner, presumably, he or she would have an interest in maintaining the property almost if not as much as the property owner. Additionally, the State has made it clear that permits for ADU's should be issued at the staff level and ADU's should be encouraged. As a result, staff recommended to the Council the codification of a staff level process to permit the further review of an ADU

application that was denied, ministerially, based on a strict interpretation of the ADU ordinance. As a result, the Municipal Code was amended to implement an Administrative Use Permit (AUP). The process would enable an applicant who was denied an ADU due to an inability to meet the standards of the ADU ordinance to apply for an AUP. The process requires an administrative hearing to be conducted by the Planning Director or designee. Based on the evidence received in the application and in the hearing the Planning Director can make a Director's Determination to approve or disapprove the request provided certain findings are made in keeping with 18.72.190 of the code.

Application History

On October 4, 2018, the applicant, Mr. Lupe Alvarez, submitted an application requesting the approval of an Attached Accessory Dwelling Unit at 155 Flowers Ave. The proposed ADU consisted of 695 Sq. Ft. and was to be an accessory to a main dwelling unit consisting of 1017 gross square footage. This application was denied by staff. This disapproval was based on the proposed ADU's non-compliance with Section 18.53.050 Design Standards, Subsection D.2 which requires that a floor area for an attached dwelling unit not exceed 50% of the existing main dwelling unit's living area. The proposed square footage of the ADU was at 68% of main dwelling.

In November, staff reviewed the resubmitted application. The revised application reduced the floor area of the ADU from 695 sq. ft. to 547 sq. ft. The application was denied because the floor area of the proposed ADU was at 54% of the main dwelling unit and thus was still greater than the 50% limitation imposed by the code.

On January 28, 2019, the applicant formally submitted an appeal of the staff's denial of the ADU application to then City Administrator Cruz Ramos. In the letter the applicant cited two requests: that the ADU be permitted and maintained without the recorded covenant required by the Code, and the limitation on square footage ratio to the main dwelling unit be waived since the proposed ADU square footage ratio is just slightly larger than 50%.

In reviewing the applicant's request to eliminate the covenant it was determined the applicant did not intend the ADU or the main unit to be owner occupied. The covenant is required by **Section 18.53.050 Design and development standards B 2**. The purpose of the covenant is to ensure that the intent of the ADU ordinance is to be maintained as long as the ADU continues to exist. The covenant states the accessory dwelling unit shall not be sold separately and that:

- The unit is restricted to the same size;
- The property owner is required to reside in primary dwelling unit or the accessory unit;
- The use of the assessor dwelling unit shall be in effect only as long as the property is in compliance with the provisions of ADU code;
- The declarations are binding upon any successor in ownership of the property; lack of compliance shall be cause for zoning enforcement.

The covenant agreement shall terminate upon removal of the accessory dwelling unit and shall be recorded at the expense of the applicant.

The Owner Occupancy requirement is also found in **Section 18.53.050 Design and development standards B. 1.d.** of the code which states:

Owner- Occupancy. For properties in the R-1 Zone, either the primary dwelling unit or the Accessory Dwelling Unit shall be owner-occupied as a primary dwelling unit and permanent residence by the property owner(s). Exceptions to the owner occupied requirement may be considered on a case by case basis by the Zoning Administrator or designee after an administrative hearing. Upon making written findings that the purpose of the owner- occupancy requirement is met even though the property owner does not reside in either the primary residence or the Accessory Dwelling Unit, the Zoning Administrator may issue a Zoning Permit pursuant to Guadalupe Municipal Code Section 18.12.010. A.

Typically an Administrative Use Permit would not be placed before the Council for consideration. The process would be completed at the staff level. In this case the AUP is being transmitted to Council so that through Council consideration, more direction can be provided for granting exceptions to the owner-occupied requirement. As drafted, the language is very general, as is the language relative to the “making written findings that the purpose of the owner occupant requirement is met.”

Administrative Use Permit Analysis

As noted, in order to approve an AUP and to waive any of the pertinent ADU development standards the Council must make certain findings that granting the waiver will meet the purposes of Chapter 18.53 (Accessory Dwelling Units) and not be detrimental to public health and safety, introduce unreasonable impacts to the immediate neighbors, and would not overburden sewer and water services, or overburden traffic flow.

Consideration of 50% Maximum Floor Area for ADU Attached to Main Dwelling: The applicant originally submitted a proposed plan that demonstrated the floor area was at 695 sq. ft. or 68% of the main dwelling’s floor area. Following the denial of the first submittal the applicant resubmitted the plan showing the ADU floor area reduced to 54% of the main dwelling’s floor area.

Staff conclusion- The premise for both the State and Local ADU legislation is to encourage the development of accessory dwelling units provided certain standards are met. With the redesign the applicant has reduced the floor area of the proposed ADU from 695 sq. ft. to 547 sq. ft. This is a reduction in the ratio from 68% to 54%. The variance of 4% is considered to be tolerable and in keeping with the intent of State and local law. The granting of this waiver is not considered to be detrimental to public health and safety.

Consideration of the Elimination of the Recorded Covenant and the Owner Occupied Requirement: The applicant requested the elimination of the covenant as it incorporates the

owner occupation requirement. The covenant itself provides the assurance that the use of the ADU will be preserved in keeping with the intent of both the State and local legislation.

Relative to the owner-occupied requirement, State law does not require owner occupation of any portion of the property on which an ADU is located. Whether to place this requirement in a local ordinance is left to the local jurisdiction. As noted, the requirement was placed by the Council in the City's ordinance. Presumably the purpose of the owner-occupancy requirement is to increase the likelihood the property owner would have an interest in maintaining the property in better condition and consistent with the characteristics of an R-1 neighborhood. The owner occupancy requirement also ensures that the ownership of the property will remain local. The ADU code does provide the flexibility to grant exceptions but does not provide specific direction.

Staff would recommend that exceptions could be granted based upon a variety of conditions such as:

1. One of the units is occupied by a relative (by blood or marriage) of the owner;
2. One of the units is occupied by a person with less than a majority share of ownership;
3. The property is owned by a person(s) or entity that resides in the City of Guadalupe and owns other rental properties that are maintained in good condition;
4. The property owner (regardless of where he or she lives) is willing (and agrees as a condition of approval of the Administrative Use Permit) that the property will be under the control of a local property management organization.

If the Council agrees that the purpose of the owner-occupancy requirement, is to increase the likelihood the property owner would have an interest in maintaining the property in better condition and consistent with the characteristics of an R-1 neighborhood, and that it remain local, the Council might be able to make findings that these (and other) situations are consistent with this purpose.

The reasons why the above-listed situations could be found to meet the purpose of the owner-occupancy requirement is that all of them are more likely than not to result in a property that is maintained in good condition. A relative can be presumed to have a strong interest in maintaining his or her relative's property if for no other reason than to preserve family relationships. Someone with even a small percentage of ownership in a property can be presumed to be motivated to keep the property in good condition to protect his or her financial investment. If a property owner owns multiple rental properties that are all maintained in good condition and resides in the City, there is a good probability that an ADU/primary dwelling unit would be maintained in the same condition. Finally, if a property owner is willing to agree to hire a property management company to manage the property, the likelihood of the purpose of the owner-occupancy requirement being met is greatly increased. This finding would support finding that a property owner who does not reside locally could still qualify for an exception to the owner-occupancy requirement because the owner would agree to have a local property management company take care of the property.

On the other hand, the Council might see these types of situations as exceptions that “swallow the rule.” In that case, and if the Council agrees that these are situations that might meet the purpose of the owner-occupancy requirement without an owner physically residing at the property, the Council may believe that simply eliminating the owner-occupancy requirement from the City’s ordinance is the better path.

Staff Conclusion: in this case, Staff is of the opinion that the requirement for the recorded covenant should remain in place with the exception of the owner-occupancy requirement. The City could provide a waiver to this standard provided the AUP incorporates the following conditions. With these conditions in place the intent of the owner- occupancy requirement would be met.

1. The subject property is owned by a person who resides within the corporate limits of the City; and
2. The property owner owns other rental properties that are maintained in good condition without nuisances.

This waiver would be granted due to the fact that the granting of the waiver is not considered to be detrimental to the public, health and safety of the community, and consistent with the purpose of the owner-occupancy requirement.

Options available to the Council

The Council has the following options to consider:

1. The Council could choose to adopt the attached resolution conditionally approving the Administrative Use Permit for an Attached Dwelling Unit to be located at 155 Flowers St and incorporating the following conditions:
 - The subject property is owned by a person who resides within the corporate limits of the City; and
 - The property owner owns other rental properties that are maintained in good condition without nuisances.
2. The Council could choose to adopt the attached resolution conditionally approving the Administrative Use Permit for an Attached Dwelling Unit to be located at 155 Flowers St. incorporating different conditions from or added to those noted above; or
3. The Council could by motion deny the Administrative Use Permit for an Attached Dwelling Unit to be located at 155 Flowers Ave. and direct staff to return with a resolution denying the project incorporating the appropriate findings.

4. Additionally, staff may also wish to provide direction to modify the ordinance to reflect definitive circumstance(s) for the provision of exception to the own-occupied requirement, or eliminate the owner-occupancy requirement altogether.

FISCAL IMPACT:

There is no direct fiscal impact to the City for taking an action to approve this Administrative Use Permit. Once the project is completed there may be a very modest positive impact to the General Fund based on a modest increase in taxes resulting from property re-assessment.

ATTACHED:

1. City Council Resolution granting conditional approval of AUP#2018-143ZC for an Attached Accessory Dwelling Unit located at 155 Flowers Ave. Guadalupe CA.
2. Conditions of Approval- AUP #2018- 143ZC- Attached Accessory Unit
3. Public Hearing Notice
4. Letter dated January 28, 2019 from Applicant Appealing Denial of Decision
5. October 14, 2018 Staff Denial of Original Application
6. November 18, 2018 Staff Denial of Revised Application
7. Chapter 18-53 Accessory Dwelling Units
8. Chapter 18.72 Administrative Use Permits

RESOLUTION NO. 2019-18**A RESOLUTION OF THE CITY COUNCIL OF THE CITY GUADALUPE REGARDING AUP #2018-143ZC
CONDITIONALLY APPROVING AN ATTACHED ACCESSORY DWELLING UNIT MAKING A FINDING
THAT THE ATTACHED ACCESSORY DWELLING UNIT IS IN SUBSTANTIAL COMPLINACE WITH THE 50%
LIMITATION AT 547 SQ FT. AND PROVIDING A WAIVER
OF THE OWNER OCCUPANCY REQUIREMENT SUBJECT TO FINDINGS AND CONDITIONS AS
PROVIDED FOR UNDER SECTION 18.53.050 b.1.C**

WHEREAS, the applicant Mr. Lupe Alvarez filed an application for an Attached Accessory Dwelling Unit to be located at 155 Flowers Ave. Guadalupe CA.; and,

WHEREAS, on October 14, 2018, said project was denied by staff and on November 2, 2018, the resubmitted application was denied by staff; and'

WHEREAS, on January 28, 2019, the applicant appealed the staff denials to the City Administrator; and,

WHEREAS, in the review of the appeal the City Administrator identified two remedies requested by the applicant including a request to eliminate the limitation of floor area to 50% of the main dwelling, and a waiver of the owner-occupancy requirement as put forth in **Section 18.53.050 Design and development standards**; and,

WHEREAS, the City Administrator determined that the Administrative Use Permit process as provided in for in Chapter 18.72 of the Municipal Code is appropriate for further consideration of the requested Attached Accessory Dwelling Unit application; and,

WHEREAS, the City Administrator has further determined to transmit the Administrative Use Permit #AUP2018-143C to the City Council in order to review and provide direction regarding the issue of the owner-occupied requirement; and,

WHEREAS, the City Administrator has caused a public notice regarding a public hearing to be published in a newspaper of general circulation and the mailing of said notice to all property owners within 300 ft. of the project location; and,

WHEREAS, the noticed public hearing was held on April 9, 2019 by the City Council; and,

WHEREAS, the City Council does hereby make the following findings:

1. Notice has been given in the time and in the manner required by State Law and the City Code.
2. The project as redesigned with the floor area of the attached accessory dwelling unit consisting of 547 sq. ft. is at 54% of the main dwelling floor area, is in substantial compliance with State Law and the City code.
3. The proposed request to waive the Owner-Occupancy requirement as provided under Section 18.53.050 .B1.c is based upon the following:

- i. Government Code Section 65852.2a.1.d provides that an Accessory Dwelling Unit comply with the minimum standards as listed therein. The Guadalupe Zoning Code Chapter 18.53 Accessory Dwelling Unit reflects those standards;
- ii. Government Code Section 65852.2 a.6 provides that a local agency may adopt the requirement of an owner occupancy for either the main dwelling unit or the accessory dwelling;
- iii. The City of Guadalupe adopted Section 18.53.050 B.1.c requiring an owner occupancy of either the main dwelling or the accessory dwelling.;
- iv. City of Guadalupe adopted Section 18.53.050 B.1.c "Owner-Occupancy. For properties in the R-1 zoning district, either the primary dwelling unit or the Accessory Dwelling Unit shall be owner-occupied as a primary dwelling unit and permanent residence by the property owner(s) "Exceptions to the owner-occupied requirement may be considered on a case-by-case basis by the Zoning Administrator or designee after an administrative hearing. Upon making written findings that the purpose of the owner-occupancy requirement is met even though the property owner does not reside in either the primary residence or the Accessory Dwelling Unit, the Zoning Administrator may issue a Zoning Permit pursuant to Guadalupe Municipal Code section 18.12.010 A."
- v. In order to obtain direction concerning the purpose(s) of the owner-occupancy requirement and what types of findings would further that purpose, the City Administrator decided to have the City Council review the request for an exception to the owner-occupancy requirement.
- vi. After due consideration, the City Council finds:
- vii. The subject property is owned by a person who resides within the corporate limits of the City; and
- viii. The property owner owns other rental properties that are maintained in good condition without nuisances.

This written finding ensures that the intent of the owner-occupied requirement will be met.

NOW, THEREFORE, BE IT RESOLVED, The City of Guadalupe City Council determines that:

1. That the AUP#2018-143C is conditionally approved subject to the conditions listed in Exhibit A, attached hereto, provided that:
 - a. The property owner(s) and applicant shall submit affidavits of acceptance of the conditions of approval for this project prior to the issuance of a building permit.
 - b. That this conditional approval is granted subject to the applicant and property owner(s) meeting the requirement incorporated with the conditions of approval incorporated into the conditions of approval.
 - c. That the Administrative Use permit will be revoked by the City, if the conditions of approval contained herein are not complied with and or the activity is deemed a public nuisance due to the activity.
 - d. That the Administrative Use Permit is to be activated within twelve months of approval and failure to do so shall void the action granted by the City Council.

PASSED, APPROVED AND ADOPTED at a regular meeting on the 9th day of April, 2019 by the following vote:

Motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Joice Earleen Raguz, City Clerk of the City of Guadalupe DO HEREBY CERTIFY that the foregoing Resolution, being C.C. **Resolution No. 2019-18**, has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the City Council, held April 9, 2019, and that same was approved and adopted.

ATTEST:

Joice Earleen Raguz, City Clerk

Ariston Julian, Mayor

APPROVED AS TO FORM:

Philip Sinco, City Attorney

Exhibit A
Administrative Use Permit (AUP) #2018- 143ZC
Attached Accessory Dwelling Unit
155 Flower Ave.

1. That the attached accessory dwelling unit shall be no more than a maximum of 547 square feet in floor area.
2. Applicant to prepare a Covenant Agreement to be reviewed and approved by the City Attorney, at the applicant's expense and said Covenant Agreement to be recorded prior to the final inspection of the Building Official.
3. The Covenant agreement shall include the following requirement of Section 18.53.050 B2:
 - A. The Attached Accessory Dwelling unit shall not exceed 547 square feet;
 - B. The Attached Accessory Dwelling Unit shall not be sold separately;
 - C. The property owner has received an exception and is not required to live in either the Accessory Dwelling Unit nor the main dwelling;
 - D. The exception is specific to the current property owner and will not transfer with the property. If a successor in interest does not intend to occupy either the primary dwelling unit or the accessory dwelling unit on the site and wishes to rent both of the units, a new administrative use permit to obtain an exception will have to be obtained.
 - E. The property will be maintained in such a manner that it does not constitute a nuisance that would be subject to the code enforcement of the City;
 - F. The Accessory Dwelling Unit approval shall be in effect so long as the property is in compliance with provisions Section 18.53 Accessory Dwelling Unit;
 - G. The Covenant Agreement shall be binding upon any successor in ownership of the property; lack of compliance shall be cause for zoning enforcement.
 - H. The Covenant Agreement shall terminate upon removal of the Accessory Dwelling Unit.
 - I. The Covenant Agreement shall be recorded by the County Recorder for the County of Santa Barbara at the expense of the property owner.
4. The Accessory Dwelling Unit shall be the subject to the most recent adopted Building Codes.
5. The Accessory Dwelling Unit shall be required to install fire sprinklers if fire sprinklers are required for and exist in the main dwelling unit or unless the Fire Marshall determines that due to special circumstances sprinklers are necessary for life and safety.
6. If existing, the new attached accessory dwelling units, connection fee and /or capacity charge must be proportionate to the burden of the unit on the water or sewer system based on the size of the plumbing fixtures.
7. Growth mitigation fees: Accessory Dwelling Units are required to pay any applicable growth mitigation fees at the time zoning clearance and building permit are requested, if applicable.
8. Private Open Space: the main dwelling unit and the additional dwelling unit shall be provided with a minimum of fifteen (15) feet of usable private open yard area.

CITY OF GUADALUPE
CITY COUNCIL

NOTICE OF PUBLIC HEARING

**Consideration of an Administrative Use Permit following
staff denial of an ADU (2018-143ZC) for Attached Accessory Dwelling Unit
Located at 155 Flowers St. Guadalupe CA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Guadalupe will hold a Public Hearing at:

6:00 p.m., Tuesday, April 9, 2019

in the City Council Chambers, 918 Obispo Street, Guadalupe, California to consider the following matters:

Project Title:	Accessory Dwelling Unit (Alvarez) AUP#2018-143ZC
Project Location:	155 Flowers Street
Lead Agency:	City of Guadalupe
County:	Santa Barbara
Requested Approvals:	Overturn Staff Denial 2018-143-ADU, and Consider Administrative Use Permit

City staff is recommending to the City Council that they consider an Administrative Use Permit following Denial by staff of a proposed accessory dwelling unit to a Main Dwelling Unit located 155 Flowers Street in the City of Guadalupe. One request is for the attached ADU to be greater than 50% of the primary dwelling's size, and the second request is to waive the requirement for the owner to occupy one of the two units onsite.

Copies of the proposed staff report will be available for review on Friday, April 5, 2019 at the City Administrators Office, 918 Obispo Street, Guadalupe, California. Written comments may be sent to, Robert Perrault, Interim City Administrator, 918 Obispo Street, Guadalupe, CA 93434. Further information may be obtained at (805) 356-3891, or through email, rperrault@ci.guadalupe.ca.us.

PLEASE TAKE NOTICE that if you challenge the decision of the City Council, you may be limited to raising only those issues you or someone else raised at public hearings before the City or in written correspondence delivered to the City at, or prior to, the public hearing.

If you require special accommodations to participate in the public hearing, please contact the Administration Department at (805) 356-3891.

March 26, 2019



#4

PROPERTY MANAGEMENT • REAL ESTATE DEVELOPMENT • AG IRRIGATION

RECEIVED

JAN 28 2019

CITY OF GUADALUPE
City Clerk or Deputy Clerk

1/28/2019

Ms. Cruz Ramos
Guadalupe City Administrator
918 Obispo Street
Guadalupe, CA 93434

RE: Appeal for 155 Flower Avenue ADU

Dear Ms. Ramos,

I am formally appealing to the City Administrator the denial by the City of Guadalupe Planning Department for our ADU (Accessory Dwelling Unit), located at 155 Flower Avenue.

Ms. Ramos, as you are aware we have diligently been working on this project for some 6 months now and have not been able to come to a satisfactory resolution. Please allow me to give you some factual background information in order for you to make your final determination:

1. We did not construct this home or the attached partial ADU as it was built by the former owner years ago, with actual permits obtained.
2. In an email dated 1-21-2019 you asked Jake "What is the official process/steps for Mr. Alvarez to follow from start of an application to an administrative hearing if his ADU application is denied?" The actuality is there is no official set policy on appealing, other than an administrative hearing by the City of Guadalupe, Administrator.
3. Two City Planners have reviewed the Guadalupe Municipal Code and have found no official process for our unique appeal situation.
4. Police Chief Cash at your request he has vetted and determine that there will not be a parking issue, as there is ample onsite and street parking on the East side of Flower Ave.
5. Currently in Guadalupe the vacancy factor is between 0% and 0.5%.

In closing Ms. Ramos, as we all know there is a tremendous shortage of clean, safe and affordable housing not only in Guadalupe, but the whole State of California. And actually, Sacramento created the ADUs exactly for this type of situations and others like it due to the lack of housing availability.

Respectfully I am asking you for two things. The first is that you deliberate and determine that our existing ADU can stay without a Deed restriction, and as long as we pay our permit fees. And the second, is that you eliminate the 50% size rule for ADU's, as we are at approximately 5% over the threshold. And we did not build this structure, but it is an existing structure. The lack of a policy has set us back both financially and time wise. I ask that you consider the facts and rule in our favor.



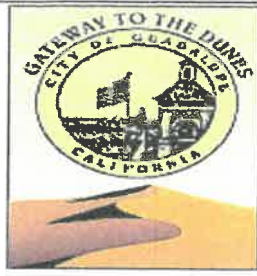
PROPERTY MANAGEMENT • REAL ESTATE DEVELOPMENT • AG IRRIGATION

Sincerely,

A handwritten signature in blue ink, which appears to read "Lupe Alvarez". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Lupe Alvarez

#5



City of Guadalupe, 918 Obispo Street
Guadalupe, CA 93434
 Building and Planning
Tel (805) 356-3891 - Fax (805) 343-5512
 ADMINISTRATIVE PERMIT
 AP#2018-143 ZC - Project: Attached Second Dwelling Unit
 Address: 155 Flower Ave.
 DATED: October 14, 2018
 STAFF MEMBER: Jake Raper, JAS Consultant Planner

Date:

Name - Owner: Applicant Name: AUP Alyareq	
Owner Address: 155 Flower Ave Applicant Address: Same	City: Guadalupe State: CA Zip: 93434 Applicant Address: Same
Owner Phone Number: Applicant Phone Number: Same	Fax Number: N/A
Owner Email: Applicant Email: galvare2012@gmail.com	

Review with Title 18, Zoning Section 18.53 Secondary Housing Unit, Completed and Attached	In compliance with Code	
If YES, sign and send one copy to applicant and one file to building permit file.	Yes	NO
If NO. Either require resubmittal of application (Disapproval) OR condition application and require compliance as part of the building permit process.	NO	

Please be advised that the proposed project as described above and shown on plans prepared by you or your representative has been: **DISAPPROVED**; ~~Approved OR~~ Disapproved as noted below:
 If the application is noted as non-compliance with regulations and criteria and new submittal shall be required and a new fee – recheck fee will be required.

~~Approval OR~~ **Disapproval as Noted:** Per Section 18.53.050 D -2-a-1: Unit Size - a. Floor Area. The floor area of an attached accessory dwelling unit shall not exceed 50% of the existing primary dwelling unit's living area.
 Main Dwelling is 1015 Sq Ft. The proposed ADU conversion is 695 Sq Ft. The floor area % is 68%.

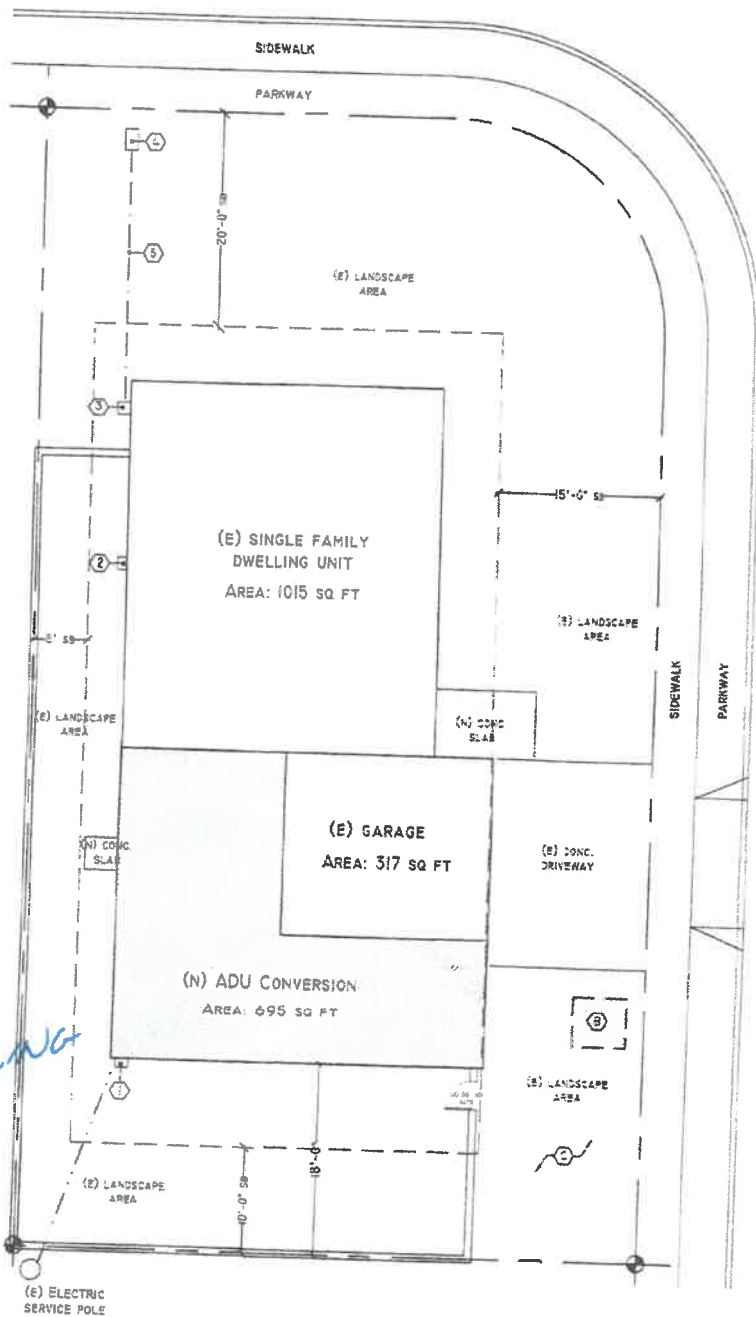
Section 18.53.060 Permit requirements. The Planning Director or designee shall issue zoning clearance to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements in this Chapter are met, as appropriate. Section 18.53.070 Findings: Zoning clearance findings. The ADU shall be consistent with all applicable provisions of Section 18.53. Further, the ADU shall be consistent with applicable provisions of the Guadalupe Municipal Code and applicable sections of the General Plan.


 STAFF NAME: Jake Raper, JAS Consultants
 CC: Building Technician

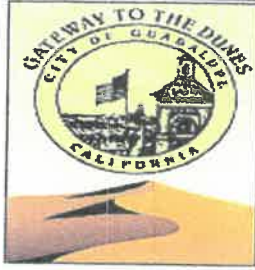
DATE: October 14, 2018

10/14/18
~~APPROVED~~ DENIED
J. White

Proposed ADU
EXCEEDS 50%
OF MAIN DWELLING
MAX SIZE OF
PROPOSED ADU
IS 507 SQ. FT.



SITE PLAN
SCALE 1/8" = 1' - 0"



**City of Guadalupe, 918 Obispo Street
Guadalupe, CA 93434**

Building and Planning

Tel (805) 356-3891 - Fax (805) 343-5512

ADMINISTRATIVE PERMIT

AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

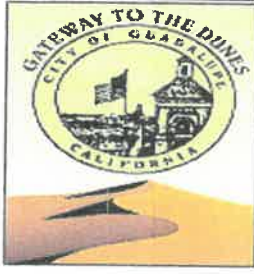
STAFF MEMBER: Jake Raper, JAS Consultant Planner

**CHECK LIST WITH DEVELOPMENT/ARCHITECTURAL STANDARDS,
DEVELOPMENT STANDARDS, AND ZONING CODE REQUIREMENTS
2nd Dwelling Unit – Accessory Dwelling Unit - Section 18.53**

City of Guadalupe – Title 18, Zoning Section 18.53 Secondary Housing Unit. Chapter complies with Government Code Section 65852.2 which provides for cities to set standards for the development of secondary housing units. This chapter implements the City's Housing Element of the General Plan, and its adopted to comply with State law (Government Code Section 65852.2 et. seq.)

Section 18.53.060 Permit requirements.

- A. Accessory Dwelling Units** shall be permitted ministerial through the zoning clearance and building permit process, in compliance with this Chapter within 120 days of the filing of a complete application. The applicant shall be informed within 30 days after submission of an application if the application is complete. The Planning Director or designee shall issue zoning clearance to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements in this Chapter are met, as appropriate. An application for building permit may be submitted at any time during the processing of the ADU application, but under no circumstances shall it be issued prior to zoning clearance approval.
- B. Planning Director.** Requests for an ADU shall be reviewed by the Planning Director or designee.
- C. Other Review Authority.** Requests for an ADU submitted for concurrent review with a discretionary land use application shall continue to be reviewed by the Director or designee and approved subsequent to the discretionary action.



**City of Guadalupe, 918 Obispo Street
Guadalupe, CA 93434**

Building and Planning

Tel (805) 356-3891 - Fax (805) 343-5512

ADMINISTRATIVE PERMIT

AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

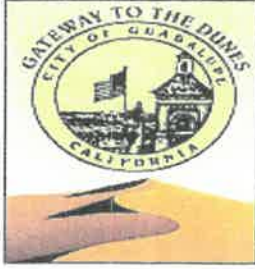
2nd Dwelling Unit - CHECK LIST

INSTRUCTION: Box marked under Yes meets city standards **X**

Box marked No does not meet city standard **X**

NA means not applicable to the proposed project. **X**

YES	NO	NA		CRITERIA	NOTES
			18.53.040	Application requirements	
				A. Application. Requests for an accessory dwelling unit shall be submitted on an application form provided by the Planning Department and shall contain the following information:	
X				1. A plot plan (drawn to scale). Provide dimensions of the perimeter of parcel on which the accessory dwelling unit will be located. Indicate the location and dimensioned setbacks of all existing and proposed structures on the project site and structures located within 50-feet of the project site. All easements, building envelopes, and special requirements of the subdivision as shown on the final map and improvement plans shall be included.	
X				2. Floor Plans. Each room shall be dimensioned and the resulting floor area calculation included. The use of each room shall be identified. The size and location of all windows and doors shall be clearly depicted.	
X				3. Elevation views. Provide north, south, east and west elevations which show all openings, exterior finishes, original and finish grades, stepped footing outline, roof pitch, materials and color board for the existing residence and the proposed accessory dwelling unit.	Elevations for the north and east not provided but waived. The attached accessory unit matches the existing home.



**City of Guadalupe, 918 Obispo Street
Guadalupe, CA 93434**

Building and Planning

Tel (805) 356-3891 - Fax (805) 343-5512

ADMINISTRATIVE PERMIT

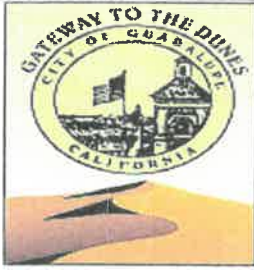
AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

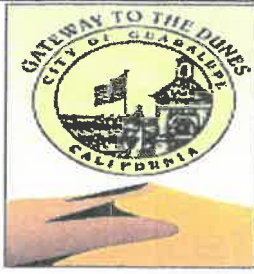
YES	NO	NA		CRITERIA	NOTES
X				4. Cross Section. Provide building cross sections including, but not limited to: structural wall elements, roof, foundation, fireplace and any other sections necessary to illustrate earth-to-wood clearances and floor to ceiling heights.	
X				5. Fees. The fee for review shall be as set forth in the currently adopted fee resolution.	
X				6. Copies. One original and five (5) copies of the application package shall be submitted for each ADU request.	
			SECTION 18.53.050	Design and development standards	
X			A	Accessory structures within existing space. An accessory dwelling unit within an existing structure (e.g. the primary dwelling unit, attached or detached garage or other accessory structure) shall be permitted ministerially with a zoning clearance and building permit if it:	
X				1. Complies with building and safety codes;	
X				2. Provides independent exterior access from the existing residence;	<i>Exterior Entrance is located from the rear yard.</i>
X				3. Provides sufficient side and rear setbacks for fire safety.	
			B.	Accessory structures (attached and detached).	
				1. General.	
				a. Sale of Unit. The unit may not be sold separate from the primary dwelling unit. All conditions of the use permit, restrictive covenants, and other contractual agreements with the City apply to the property.	Restricted Covenant must be recorded



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 Guadalupe, CA 93434

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 Address: 155 Flower Ave.
 DATED: October 14, 2018
 STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
X				b. Rental of Unit. Rental of the accessory dwelling unit is allowed.	
X				c. Owner-Occupancy. For properties in the R-1 zoning district, either the primary dwelling unit or the Accessory Dwelling Unit shall be owner-occupied as a primary dwelling unit and permanent residence by the property owner(s). Exceptions to the owner-occupied requirement may be considered on a case-by-case basis by the Zoning Administrator or designee after an administrative hearing. Upon making written findings that the purpose of the owner-occupancy requirement is met even though the property owner does not reside in either the primary residence or the Accessory Dwelling Unit, the Zoning Administrator may issue a Zoning Permit pursuant to Guadalupe Municipal Code section 18.12.010.A.	Restricted by Covenant to be recorded
X				(i) If the Planning Director or designee determines that neither of the units are occupied by the property owner, and no exception has been granted in (c) above, the ministerial approval of the accessory dwelling unit shall terminate immediately and the unit shall not be rented, leased, or occupied as a separate dwelling.	Required to recorded by a Covenant
X				(ii). For the purposes of this Chapter, the property owner is the majority owner of the property as shown in the most recent Santa Barbara County Assessor's roll. If no majority exists, any property owner of record holding an equal share interest in the property may be deemed the majority property owner.	Required to recorded by a Covenant



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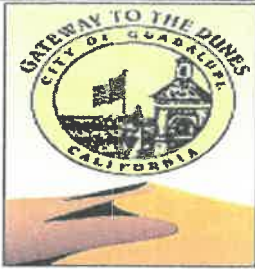
AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
X				2. Covenant Agreement. A covenant agreement is required prior to issuance of a building permit . The covenant agreement shall state that:	<i>Required to recorded by a Covenant</i>
X				a. The accessory dwelling unit shall not be sold separately.	<i>Required to recorded by a Covenant</i>
X				(i) The unit is restricted to the approved size.	<i>695 Square Feet</i>
X				(ii) Notwithstanding (b)(l)(c.) above, the property owner is required to reside in the primary dwelling unit or the accessory dwelling unit.	<i>Required to recorded by a Covenant</i>
X				(iii) The use of the accessory dwelling unit shall be in effect only so long as the property is in compliance with the provisions of this chapter.	<i>Required to recorded by a Covenant</i>
X				(iv) The above declarations are binding upon any successor in ownership of the property; lack of compliance shall be cause for zoning enforcement.	<i>Required to recorded by a Covenant</i>
X				(v) The covenant agreement shall terminate upon removal of the accessory dwelling unit.	<i>Required to recorded by a Covenant</i>
X				(vi)The covenant agreement shall be recorded by the County Recorder for the County of Santa Barbara at the expense of the property owner.	<i>Required to recorded by a Covenant</i>
X			C.	Zoning District. Accessory dwelling units are only allowed on lots that are zoned for residential uses with an existing legal single-family dwelling, or in connection with a proposed single-family dwelling for a vacant lot.	<i>Property is zoned R-1</i>
X				1. Number of Accessory Dwelling Units. Only one accessory dwelling unit shall be allowed for each lot.	<i>Required to recorded by a Covenant</i>



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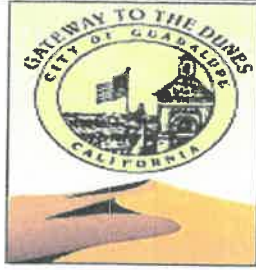
AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

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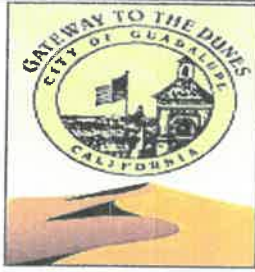
YES	NO	NA		CRITERIA	NOTES
X				2. Unit Types. The accessory dwelling unit may be within the living area of the existing dwelling, attached to the existing dwelling, or detached from the existing dwelling and shall be located on the same lot as the existing dwelling.	
		X		3. Junior accessory dwelling units as defined by Government Code Section 62582.22 are not permitted.	
X				4. Building Codes. Local building code requirements apply to attached and detached accessory dwelling units, as appropriate.	Must comply with Building Codes
X				5. Passageway. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.	
X				6. Fire Sprinklers. Fire sprinklers are not required unless the existing residence is equipped with fire sprinklers, or unless the Fire Marshall determines that due to special circumstances sprinklers are necessary for life and safety. Fire sprinklers may be considered as mitigation for sub-standard Fire Department access or water supply.	Must receive clearance from Fire Department
X				7. Utility Meters. Accessory dwelling units shall not be considered new residential uses for the purpose of calculating utility connection fees or capacity charges, including water and sewer service. Accessory dwelling units contained within an existing residence or an existing accessory structure are not required to install new or separate utility connections or pay a related connection fee or capacity charge. For new attached and detached accessory dwelling units, the connection fee and/or capacity charge must be proportionate to the burden of the unit on the water or sewer system based on the size or the number of plumbing fixtures.	Conversion of an existing room to ADU



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 Address: 155 Flower Ave.
 DATED: October 14, 2018
 STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
X				8. Growth mitigation fees: Accessory dwelling units are required to pay any applicable growth mitigation fees in effect at the time a zoning clearance and building permit are requested.	<i>Building Division to calculate Growth Mitigation Fees if applicable</i>
		X		9. Access. Two-story detached accessory dwelling units shall limit the major access to stairs, decks, entry doors, and windows to the interior of the lot or an alley, and comply with all development standards. Only one (1) curb cut shall be permitted per parcel and no additional driveways or access points shall be created to accommodate the accessory or main dwelling unit.	<i>Single Story conversion of ADU</i>
X				10. Openings. If located outside the standard side and rear yard setbacks for the district, windows which face an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping shall be required to provide screening.	<i>Side and rear yard meets setback criteria</i>
X				11. Private Open Space. The main dwelling unit and the additional dwelling unit shall each be provided with a minimum of fifteen (15) feet by fifteen (15) feet of usable private open yard area.	<i>Refer to Site Plan for yard areas</i>
		X		12. Home Occupations. Home occupations are permitted within an accessory dwelling unit or primary dwelling unit, or both.	
			D.	Building site.	
X				1. Lot Size. The underlying zoning district requirements for the minimum lot size on which an accessory dwelling unit is allowed shall apply.	
				2. Unit Size.	
	X			a. Floor Area. The floor area of an attached accessory dwelling unit shall not exceed 50% of the existing primary dwelling unit's living area. NOTE: ADU cannot exceed 507 square feet. Need to reduce the proposed ADU by 188 square feet in order to comply with this section.	<i>Main Dwelling is 1015 Sq Ft. The proposed ADU conversion is 695 Sq Ft. The floor area % is 68%.</i>



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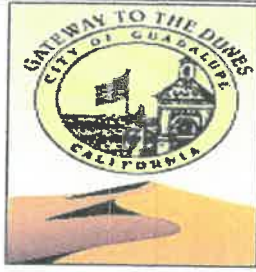
AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
X				b. Notwithstanding (2)(a) above, no ADU shall be larger than 1,200 square feet.	
X				c. Minimum size. The minimum total square footage of the accessory dwelling unit shall be 150 square feet.	
X				3. Site Planning. Accessory dwelling units should be located behind or above the existing dwelling on the site, whenever possible. Designs that significantly alter the street appearance of the existing residence shall be discouraged.	
X				4. Lot Coverage. In no case may any combination of buildings occupy more than 50% of the required rear yard for the district in which it is located, except for units which face an alley.	
X			E.	Height. A detached accessory dwelling unit shall meet the height requirements of its underlying zoning district. An attached accessory dwelling unit may occupy any level of the primary dwelling unit if it is designed as an integral part of the primary dwelling unit.	
			F.	F. Setbacks.	
X				1. Setbacks. No setback shall be required for an existing garage that is converted to an accessory dwelling unit	
X				a. An ADU that is constructed above a garage shall be setback a minimum of five (5) feet from the side and rear lot lines.	
		X		b. Detached ADU: The side yard and rear yard setbacks for construction of detached single-story structures containing an accessory dwelling unit shall be according to the underlying zoning district.	
X				c. Attached ADU: Attached accessory dwelling units that increase the square footage of the existing single-family dwelling shall meet the same setbacks as the primary dwelling unit in the zoning district.	
		X		2. Space between Buildings. The space required between buildings shall be what is required in the underlying zoning district.	



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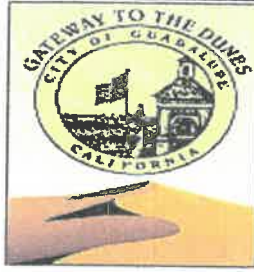
AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
			G.	Parking.	
		X		1. Parking for accessory dwelling units shall be provided at a rate of one parking space per ADU. These spaces shall be provided in conformance with Section 18.60.020.1, except that tandem parking is allowed for ADUs as stated in Government Code Section 65852.2(a)(1)(D)(x) unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions. Notwithstanding the foregoing, tandem parking shall be permitted only if the length of the driveway is sufficient for a vehicle to be parked on the driveway without any encroachment on a sidewalk or street.	
		X		2. Parking requirements for an accessory dwelling unit are in addition to the required parking for the primary dwelling unit.	
				3. ADU parking is not required in the following instances:	Meets 3-c Criteria
		X		a. The accessory dwelling unit is located within one-half mile of public transit.	
		X		b. The accessory dwelling unit is located within any Historic Overlay District that may be in existence at the time a zoning clearance or building permit for an ADU is requested.	
X				c. The accessory dwelling unit is part of the existing single-family residence, or an existing accessory structure (except as provided in (4) below).	



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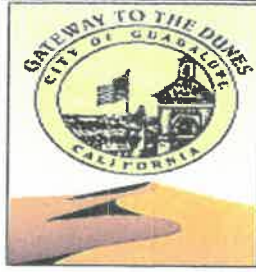
AP#2018-143 ZC - Project: Attached Second Dwelling Unit

Address: 155 Flower Ave.

DATED: October 14, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
		X		6. Replacement Parking. When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement parking shall be provided in conformance with this Chapter and Chapter 18.60 (Off Street Parking). Covered parking is not required.	
		X		7. Covered Parking Design. Any newly constructed covered parking shall conform to architectural and aesthetic standards of the underlying zone.	
X			H.	Architectural and aesthetic standards and compatibility. The accessory dwelling unit's scale, appearance, and character shall be similar to and compatible in design with the primary dwelling unit (e.g. compatible exterior wall materials, window types, door and window trims, roofing materials and roof pitch). Additionally, it shall be visually subordinate to the primary single-family dwelling on the parcel. The exterior entry to the ADU shall clearly appear as a secondary entry when compared to the entry for the primary single-family dwelling.	
		X	I.	Outside stairways. Any stairways leading to a second story ADU shall not be in the front of the primary single-family dwelling, or in an exterior side yard if visible from the public right-of-way. Access to a first story unit or ADA accessible ramp may be permitted in the front of the primary dwelling.	

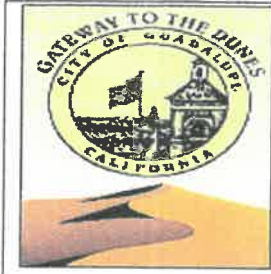


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 ADMINISTRATIVE PERMIT
 AP#2018-143 ZC - Project: Attached Second Dwelling Unit
 Address: 155 Flower Ave.
 DATED: October 14, 2018
 STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
			Section 18.53.060	Permit requirements.	
	X			A. Accessory Dwelling Units shall be permitted ministerially through the zoning clearance and building permit process, in compliance with this Chapter within 120 days of the filing of a complete application. The applicant shall be informed within 30 days after submission of an application if the application is complete. The Planning Director or designee shall issue zoning clearance to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements in this Chapter are met, as appropriate. An application for building permit may be submitted at any time during the processing of the ADU application, but under no circumstances shall it be issued prior to zoning clearance approval.	<i>Size of the proposed ADU exceeds the 50% permitted by Section 18.53.050 (2-D-1-a)</i>
X				B. Planning Director. Requests for an ADU shall be reviewed by the Planning Director or designee.	
		X		C. Other Review Authority. Requests for an ADU submitted for concurrent review with a discretionary land use application shall continue to be reviewed by the Director or designee and approved subsequent to the discretionary action.	
			Section 18.53.070	Findings.	
		X		Zoning clearance findings. The ADU shall be consistent with all applicable provisions of Section 18.53. Further, the ADU shall be consistent with applicable provisions of the Guadalupe Municipal Code and applicable sections of the General Plan.	<i>Size of the proposed ADU exceeds the 50% permitted by Section 18.53.050 (2-D-1-a)</i>

#6



**City of Guadalupe, 918 Obispo Street
Guadalupe, CA 93434**
 Building and Planning
Tel (805) 356-3891 - Fax (805) 343-5512
 ADMINISTRATIVE PERMIT
 AP#2018-143 ZC RESUBMITTAL - Project: Attached Second Dwelling Unit
 Address: 155 Flower Ave.
 DATED: October 14, 2018 – November 2, 2018
 STAFF MEMBER: Jake Raper, JAS Consultant Planner

Date: November 2, 2018

Name - Owner: Applicant Name: AUP Alyareq	
Owner Address: 155 Flower Ave Applicant Address: Same	City: Guadalupe State: CA Zip: 93434 Applicant Address: Same
Owner Phone Number: Applicant Phone Number: Same	Fax Number: N/A
Owner Email: Applicant Email: galvare2012@gmail.com	

Review with Title 18, Zoning Section 18.53 Secondary Housing Unit, Completed and Attached	In compliance with Code	
If YES, sign and send one copy to applicant and one file to building permit file.	Yes	NO
If NO. Either require resubmittal of application (Disapproval) OR condition application and require compliance as part of the building permit process.	NO	

Please be advised that the proposed project as described above and shown on plans prepared by you or your representative has been: **DISAPPROVED**; ~~Approved OR~~ Disapproved as noted below:

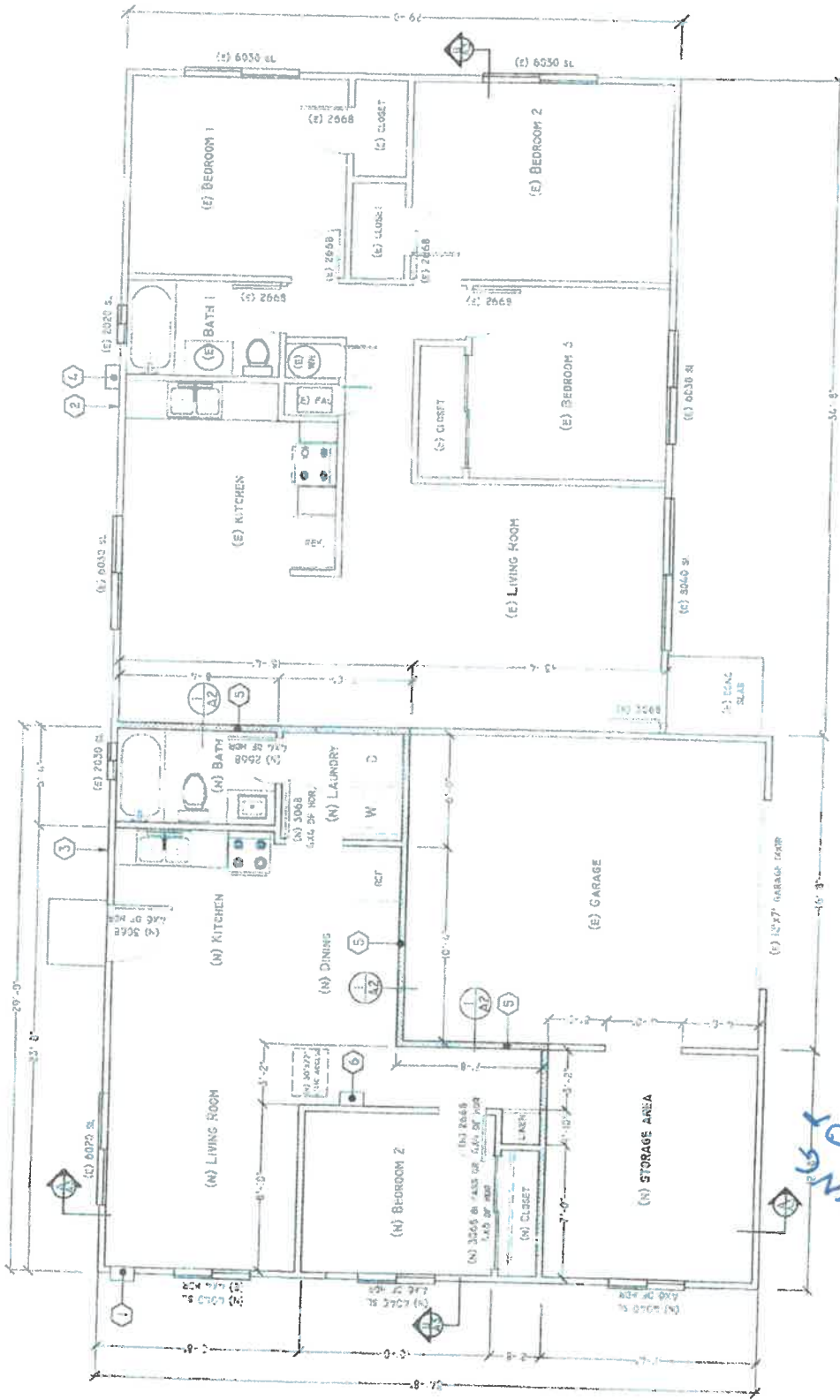
If the application is noted as non-compliance with regulations and criteria and new submittal shall be required and a new fee – recheck fee will be required.

~~Approval OR~~ **Disapproval as Noted:** Per Section 18.53.050 D -2-a-1: Unit Size - a. **Floor Area. The floor area of an attached accessory dwelling unit shall not exceed 50% of the existing primary dwelling unit's living area.**

Main Dwelling is 1015 Sq Ft. The proposed ADU conversion is 547 Sq Ft. The floor area % is 54%. Cannot exceed 507.5 square feet.

Section 18.53.060 Permit requirements. The Planning Director or designee shall issue zoning clearance to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements in this Chapter are met, as appropriate. **Section 18.53.070 Findings:** Zoning clearance findings. The ADU shall be consistent with all applicable provisions of Section 18.53. Further, the ADU shall be consistent with applicable provisions of the Guadalupe Municipal Code and applicable sections of the General Plan.

STAFF NAME: Jake Raper, JAS Consultants **DATE: November 2, 2018**



BUILDING AREA:
 NEW ACCESSORY DWELLING UNIT AREA: 54.7 SQ FT
 NEW STORAGE AREA: 14.8 SQ FT
 EXISTING GARAGE AREA: 317 SQ FT
 EXISTING DWELLING UNIT AREA: 1015 SQ FT

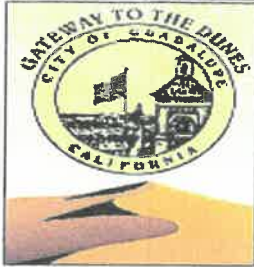
FLOOR PLAN
 SCALE: 1/4" = 1'-0"

**EXCEEDS EXISTING
 LIVING SPACES OF
 MAIN DWELLING**

APPROVED

AP 2018-1432C

**RESUBMITTAL
 AP 2018-1432C
 155 FLOWER ST
 ACCESSORY STRUCTURE**



**City of Guadalupe, 918 Obispo Street
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DATED: October 14, 2018 – November 2, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

**CHECK LIST WITH DEVELOPMENT/ARCHITECTURAL STANDARDS,
DEVELOPMENT STANDARDS, AND ZONING CODE REQUIREMENTS**

2nd Dwelling Unit – Accessory Dwelling Unit - Section 18.53

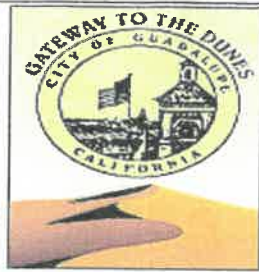
City of Guadalupe – Title 18, Zoning Section 18.53 Secondary Housing Unit. Chapter complies with Government Code Section 65852.2 which provides for cities to set standards for the development of secondary housing units. This chapter implements the City's Housing Element of the General Plan, and its adopted to comply with State law (Government Code Section 65852.2 et. seq.)

Section 18.53.060 Permit requirements.

A. Accessory Dwelling Units shall be permitted ministerial through the zoning clearance and building permit process, in compliance with this Chapter within 120 days of the filing of a complete application. The applicant shall be informed within 30 days after submission of an application if the application is complete. The Planning Director or designee shall issue zoning clearance to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements in this Chapter are met, as appropriate. An application for building permit may be submitted at any time during the processing of the ADU application, but under no circumstances shall it be issued prior to zoning clearance approval.

B. Planning Director. Requests for an ADU shall be reviewed by the Planning Director or designee.

C. Other Review Authority. Requests for an ADU submitted for concurrent review with a discretionary land use application shall continue to be reviewed by the Director or designee and approved subsequent to the discretionary action.



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Address: 155 Flower Ave.**

DATED: October 14, 2018 – November 2, 2018

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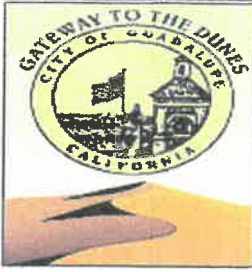
2nd Dwelling Unit – CHECK LIST

INSTRUCTION: Box marked under Yes meets city standards **X**

Box marked No does not meet city standard **X**

NA means not applicable to the proposed project. **X**

YES	NO	NA		CRITERIA	NOTES
			18.53.040	Application requirements	
				A. Application. Requests for an accessory dwelling unit shall be submitted on an application form provided by the Planning Department and shall contain the following information:	
X				1. A plot plan (drawn to scale). Provide dimensions of the perimeter of parcel on which the accessory dwelling unit will be located. Indicate the location and dimensioned setbacks of all existing and proposed structures on the project site and structures located within 50-feet of the project site. All easements, building envelopes, and special requirements of the subdivision as shown on the final map and improvement plans shall be included.	
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X				3. Elevation views. Provide north, south, east and west elevations which show all openings, exterior finishes, original and finish grades, stepped footing outline, roof pitch, materials and color board for the existing residence and the proposed accessory dwelling unit.	Elevations for the north and east not provided but waived. The attached accessory unit matches the existing home.



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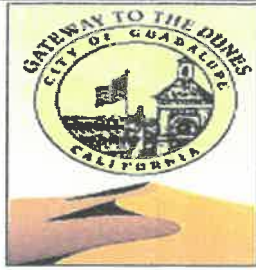
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AP#2018-143 ZC RESUBMITTAL - Project: Attached Second Dwelling Unit
Address: 155 Flower Ave.

DATED: October 14, 2018 – November 2, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
X				4. Cross Section. Provide building cross sections including, but not limited to: structural wall elements, roof, foundation, fireplace and any other sections necessary to illustrate earth-to-wood clearances and floor to ceiling heights.	
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X				1. Complies with building and safety codes;	
X				2. Provides independent exterior access from the existing residence;	<i>Exterior Entrance is located from the rear yard.</i>
X				3. Provides sufficient side and rear setbacks for fire safety.	
			B.	Accessory structures (attached and detached).	
				1. General.	
				a. Sale of Unit. The unit may not be sold separate from the primary dwelling unit. All conditions of the use permit, restrictive covenants, and other contractual agreements with the City apply to the property.	<i>Restricted Covenant must be recorded</i>



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Building and Planning

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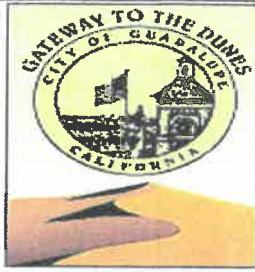
ADMINISTRATIVE PERMIT

AP#2018-143 ZC RESUBMITTAL - Project: Attached Second Dwelling Unit
Address: 155 Flower Ave.

DATED: October 14, 2018 – November 2, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA	CRITERIA	NOTES
X			b. Rental of Unit. Rental of the accessory dwelling unit is allowed.	
X			c. Owner-Occupancy. For properties in the R-1 zoning district, either the primary dwelling unit or the Accessory Dwelling Unit shall be owner-occupied as a primary dwelling unit and permanent residence by the property owner(s). Exceptions to the owner-occupied requirement may be considered on a case-by-case basis by the Zoning Administrator or designee after an administrative hearing. Upon making written findings that the purpose of the owner-occupancy requirement is met even though the property owner does not reside in either the primary residence or the Accessory Dwelling Unit, the Zoning Administrator may issue a Zoning Permit pursuant to Guadalupe Municipal Code section 18.12.010.A.	Restricted by Covenant to be recorded
X			(i) If the Planning Director or designee determines that neither of the units are occupied by the property owner, and no exception has been granted in (c) above, the ministerial approval of the accessory dwelling unit shall terminate immediately and the unit shall not be rented, leased, or occupied as a separate dwelling.	Required to recorded by a Covenant
X			(ii). For the purposes of this Chapter, the property owner is the majority owner of the property as shown in the most recent Santa Barbara County Assessor's roll. If no majority exists, any property owner of record holding an equal share interest in the property may be deemed the majority property owner.	Required to recorded by a Covenant



**City of Guadalupe, 918 Obispo Street
Guadalupe, CA 93434**

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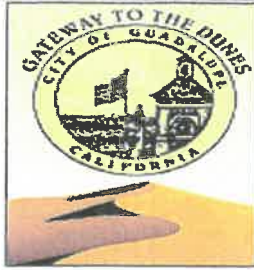
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Address: 155 Flower Ave.

DATED: October 14, 2018 – November 2, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
X				2. Covenant Agreement. A covenant agreement is required prior to issuance of a building permit . The covenant agreement shall state that:	<i>Required to recorded by a Covenant</i>
X				a. The accessory dwelling unit shall not be sold separately.	<i>Required to recorded by a Covenant</i>
	X			(i) The unit is restricted to the approved size.	<i>Unit to be reduced to 507 Square Feet</i>
X				(ii) Notwithstanding (b)(1)(c.) above, the property owner is required to reside in the primary dwelling unit or the accessory dwelling unit.	<i>Required to recorded by a Covenant</i>
X				(iii) The use of the accessory dwelling unit shall be in effect only so long as the property is in compliance with the provisions of this chapter.	<i>Required to recorded by a Covenant</i>
X				(iv) The above declarations are binding upon any successor in ownership of the property; lack of compliance shall be cause for zoning enforcement.	<i>Required to recorded by a Covenant</i>
X				(v) The covenant agreement shall terminate upon removal of the accessory dwelling unit.	<i>Required to recorded by a Covenant</i>
X				(vi) The covenant agreement shall be recorded by the County Recorder for the County of Santa Barbara at the expense of the property owner.	<i>Required to recorded by a Covenant</i>
X			C.	Zoning District. Accessory dwelling units are only allowed on lots that are zoned for residential uses with an existing legal single-family dwelling, or in connection with a proposed single-family dwelling for a vacant lot.	<i>Property is zoned R-1</i>
X				1. Number of Accessory Dwelling Units. Only one accessory dwelling unit shall be allowed for each lot.	<i>Required to recorded by a Covenant</i>



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YES	NO	NA		CRITERIA	NOTES
X				2. Unit Types. The accessory dwelling unit may be within the living area of the existing dwelling, attached to the existing dwelling, or detached from the existing dwelling and shall be located on the same lot as the existing dwelling.	
		X		3. Junior accessory dwelling units as defined by Government Code Section 62582.22 are not permitted.	
X				4. Building Codes. Local building code requirements apply to attached and detached accessory dwelling units, as appropriate.	Must comply with Building Codes
X				5. Passageway. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.	
X				6. Fire Sprinklers. Fire sprinklers are not required unless the existing residence is equipped with fire sprinklers, or unless the Fire Marshall determines that due to special circumstances sprinklers are necessary for life and safety. Fire sprinklers may be considered as mitigation for sub-standard Fire Department access or water supply.	Must receive clearance from Fire Department
X				7. Utility Meters. Accessory dwelling units shall not be considered new residential uses for the purpose of calculating utility connection fees or capacity charges, including water and sewer service. Accessory dwelling units contained within an existing residence or an existing accessory structure are not required to install new or separate utility connections or pay a related connection fee or capacity charge. For new attached and detached accessory dwelling units, the connection fee and/or capacity charge must be proportionate to the burden of the unit on the water or sewer system based on the size or the number of plumbing fixtures.	Conversion of an existing room to ADU



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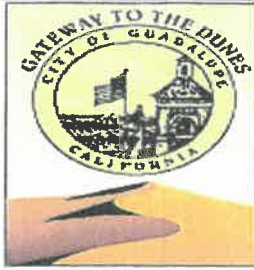
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Address: 155 Flower Ave.

DATED: October 14, 2018 – November 2, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
X				8. Growth mitigation fees: Accessory dwelling units are required to pay any applicable growth mitigation fees in effect at the time a zoning clearance and building permit are requested.	<i>Building Division to calculate Growth Mitigation Fees if applicable</i>
		X		9. Access. Two-story detached accessory dwelling units shall limit the major access to stairs, decks, entry doors, and windows to the interior of the lot or an alley, and comply with all development standards. Only one (1) curb cut shall be permitted per parcel and no additional driveways or access points shall be created to accommodate the accessory or main dwelling unit.	<i>Single Story conversion of ADU</i>
X				10. Openings. If located outside the standard side and rear yard setbacks for the district, windows which face an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping shall be required to provide screening.	<i>Side and rear yard meets setback criteria</i>
X				11. Private Open Space. The main dwelling unit and the additional dwelling unit shall each be provided with a minimum of fifteen (15) feet by fifteen (15) feet of usable private open yard area.	<i>Refer to Site Plan for yard areas</i>
		X		12. Home Occupations. Home occupations are permitted within an accessory dwelling unit or primary dwelling unit, or both.	
			D.	Building site.	
X				1. Lot Size. The underlying zoning district requirements for the minimum lot size on which an accessory dwelling unit is allowed shall apply.	
				2. Unit Size.	
	X			<p>a. Floor Area. The floor area of an attached accessory dwelling unit shall not exceed 50% of the existing primary dwelling unit's living area.</p> <p>NOTE: ADU cannot exceed 507 square feet. Need to reduce the proposed ADU by 40 square feet in order to comply with this section.</p>	<i>Main Dwelling is 1015 Sq Ft. The proposed ADU conversion is 547 Sq Ft. The floor area % is 54%.</i>



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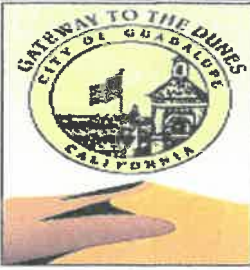
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YES	NO	NA		CRITERIA	NOTES
X				b. Notwithstanding (2)(a) above, no ADU shall be larger than 1,200 square feet.	
X				c. Minimum size. The minimum total square footage of the accessory dwelling unit shall be 150 square feet.	
X				3. Site Planning. Accessory dwelling units should be located behind or above the existing dwelling on the site, whenever possible. Designs that significantly alter the street appearance of the existing residence shall be discouraged.	
X				4. Lot Coverage. In no case may any combination of buildings occupy more than 50% of the required rear yard for the district in which it is located, except for units which face an alley.	
X			E.	Height. A detached accessory dwelling unit shall meet the height requirements of its underlying zoning district. An attached accessory dwelling unit may occupy any level of the primary dwelling unit if it is designed as an integral part of the primary dwelling unit.	
			F.	F. Setbacks.	
X				1. Setbacks. No setback shall be required for an existing garage that is converted to an accessory dwelling unit	
X				a. An ADU that is constructed above a garage shall be setback a minimum of five (5) feet from the side and rear lot lines.	
		X		b. Detached ADU: The side yard and rear yard setbacks for construction of detached single-story structures containing an accessory dwelling unit shall be according to the underlying zoning district.	
X				c. Attached ADU: Attached accessory dwelling units that increase the square footage of the existing single-family dwelling shall meet the same setbacks as the primary dwelling unit in the zoning district.	
		X		2. Space between Buildings. The space required between buildings shall be what is required in the underlying zoning district.	



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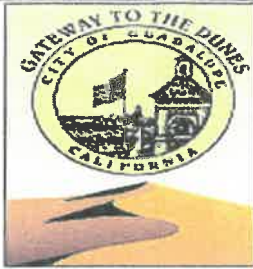
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Address: 155 Flower Ave.

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YES	NO	NA		CRITERIA	NOTES
			G.	Parking.	
		X		1. Parking for accessory dwelling units shall be provided at a rate of one parking space per ADU. These spaces shall be provided in conformance with Section 18.60.020.1, except that tandem parking is allowed for ADUs as stated in Government Code Section 65852.2(a)(1)(D)(x) unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions. Notwithstanding the foregoing, tandem parking shall be permitted only if the length of the driveway is sufficient for a vehicle to be parked on the driveway without any encroachment on a sidewalk or street.	
		X		2. Parking requirements for an accessory dwelling unit are in addition to the required parking for the primary dwelling unit.	
				3. ADU parking is not required in the following instances:	Meets 3-c Criteria
		X		a. The accessory dwelling unit is located within one-half mile of public transit.	
		X		b. The accessory dwelling unit is located within any Historic Overlay District that may be in existence at the time a zoning clearance or building permit for an ADU is requested.	
X				c. The accessory dwelling unit is part of the existing single-family residence, or an existing accessory structure (except as provided in (4) below).	



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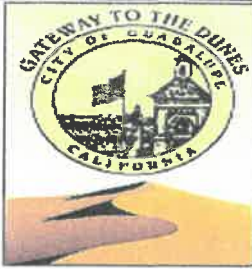
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Address: 155 Flower Ave.

DATED: October 14, 2018 – November 2, 2018

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YES	NO	NA		CRITERIA	NOTES
		X		6. Replacement Parking. When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement parking shall be provided in conformance with this Chapter and Chapter 18.60 (Off Street Parking). Covered parking is not required.	
		X		7. Covered Parking Design. Any newly constructed covered parking shall conform to architectural and aesthetic standards of the underlying zone.	
X			H.	Architectural and aesthetic standards and compatibility. The accessory dwelling unit's scale, appearance, and character shall be similar to and compatible in design with the primary dwelling unit (e.g. compatible exterior wall materials, window types, door and window trims, roofing materials and roof pitch). Additionally, it shall be visually subordinate to the primary single-family dwelling on the parcel. The exterior entry to the ADU shall clearly appear as a secondary entry when compared to the entry for the primary single-family dwelling.	
		X	I.	Outside stairways. Any stairways leading to a second story ADU shall not be in the front of the primary single-family dwelling, or in an exterior side yard if visible from the public right-of-way. Access to a first story unit or ADA accessible ramp may be permitted in the front of the primary dwelling.	



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DATED: October 14, 2018 – November 2, 2018

STAFF MEMBER: Jake Raper, JAS Consultant Planner

YES	NO	NA		CRITERIA	NOTES
			Section 18.53.060	Permit requirements.	
	X			A. Accessory Dwelling Units shall be permitted ministerially through the zoning clearance and building permit process, in compliance with this Chapter within 120 days of the filing of a complete application. The applicant shall be informed within 30 days after submission of an application if the application is complete. The Planning Director or designee shall issue zoning clearance to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements in this Chapter are met, as appropriate. An application for building permit may be submitted at any time during the processing of the ADU application, but under no circumstances shall it be issued prior to zoning clearance approval.	<i>Size of the proposed ADU exceeds the 50% permitted by Section 18.53.050 (2-D-1-a)</i>
X				B. Planning Director. Requests for an ADU shall be reviewed by the Planning Director or designee.	
		X		C. Other Review Authority. Requests for an ADU submitted for concurrent review with a discretionary land use application shall continue to be reviewed by the Director or designee and approved subsequent to the discretionary action.	
			Section 18.53.070	Findings.	
		X		Zoning clearance findings. The ADU shall be consistent with all applicable provisions of Section 18.53. Further, the ADU shall be consistent with applicable provisions of the Guadalupe Municipal Code and applicable sections of the General Plan.	<i>Size of the proposed ADU exceeds the 50% permitted by Section 18.53.050 (2-D-1-a)</i>

Chapter 18.53 ACCESSORY DWELLING UNITS (Ord 473 6-12-2018)**18.53.010 Purpose and intent**

The purpose of this chapter is to comply with Government Code Section 65852.2 which provides for cities to set standards for the development of accessory dwelling units (ADU) so as to increase the supply of smaller and affordable housing while ensuring that they remain compatible with the existing neighborhood. Accessory dwelling units are considered to be a residential use, consistent with the General Plan objectives and zoning regulations, and enhance housing opportunities, including near transit on single family lots. This chapter is intended to implement the City's Housing Element of the General Plan, and is adopted to comply with State law (Government Code Section 65852.2), by allowing accessory dwelling units through ministerial review in all Residential Districts, subject to meeting the standards prescribed below.

18.53.020 Regulations designated.

- A. The provisions of this Chapter apply to all lots that are zoned residential (R-1, R-1 (SP), R-1-M, R-2, and R-3) and are occupied with one single family dwelling unit or vacant with approved plans for the construction of a single family dwelling unit.
- B. Accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and are a residential use that is consistent with the existing general plan and zoning designation for the lot.
- C. R-2 and R-3 zones. Property owners living in R-2 and R-3 zones with an existing single family structure on site may elect to build an accessory dwelling unit. In addition, if an R-2 or R3 lot is vacant and the property owner proposed to construct a single family dwelling on the lot, an accessory dwelling unit may also be constructed. However, if an R-2 or R-3 lot has a single family structure with an accessory dwelling unit or approved plans issued by the Planning Department to construct a single family structure with an accessory dwelling unit, and if the property owner applies to build any additional units, each unit, including the single family structure and the accessory dwelling unit, will be subject to all zoning requirements and development standards for R-2 and/or R-3 zones.

18.53.030 Definitions.

A. An "accessory dwelling unit, (ADU)" is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a primary dwelling unit is situated. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined in Section 17958.1 of Health and Safety Code

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

B. The term "existing structure," for the purposes of defining an allowable space that can be converted to an accessory dwelling unit means, within the four walls and roofline of any structure legally existing on or after January 1, 2017 that can be made safely habitable under local building codes at the determination of the building official

C. "Living area" means the interior habitable area of a dwelling unit, including basements and attics, not including the garage or any nonhabitable accessory structure.

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

E. "Public transit" means a public transit corridor as defined by Health and Safety CodeSection 50093.5, which is that area within one-half mile of a route on which the level of service is at or above the average for the transit system as a whole, according to the transit operator serving the area, and on which regularly scheduled public mass transit service stops are located a, or within one-half mile of an existing or planned public mass transit guideway or busway station, or within one-half mile of a multimodal transportation terminal serving public mass transit operations.

F. "Majority owner" means the owner that holds more than an equal share of the property. **18.53.040 Application requirements**

G. A. Application. Requests for an accessory dwelling unit shall be submitted on an application form provided by the Planning Department and shall contain the following information:

1. A plot plan (drawn to scale). Provide dimensions of the perimeter of parcel on which the accessory dwelling unit will be located. Indicate the location and dimensioned setbacks of all existing and proposed structures on the project site and structures located within 50-feet of the project site. All easements, building envelopes, and special requirements of the subdivision as shown on the final map and improvement plans shall be included.

2. Floor Plans. Each room shall be dimensioned and the resulting floor area calculation included. The use of each room shall be identified. The size and location of all windows and doors shall be clearly depicted.

3. Elevation views. Provide north, south, east and west elevations which show all openings, exterior finishes, original and finish grades, stepped footing outline, roof pitch, materials and color board for the existing residence and the proposed accessory dwelling unit.
4. Cross Section. Provide building cross sections including, but not limited to: structural wall elements, roof, foundation, fireplace and any other sections necessary to illustrate earth-to-wood clearances and floor to ceiling heights.
5. Fees. The fee for review shall be as set forth in the currently adopted fee resolution.
6. Copies. One original and five (5) copies of the application package shall be submitted for each ADU request.

Section 18.53.050 Design and development standards.

A. Accessory structures within existing space. An accessory dwelling unit within an existing structure (e.g. the primary dwelling unit, attached or detached garage or other accessory structure) shall be permitted ministerially with a zoning clearance and building permit if it:

1. Complies with building and safety codes;
2. Provides independent exterior access from the existing residence;
3. Provides sufficient side and rear setbacks for fire safety.

B. Accessory structures (attached and detached).

1. General.

a. Sale of Unit. The unit may not be sold separate from the primary dwelling unit. All conditions of the use permit, restrictive covenants, and other contractual agreements with the City apply to the property.

b. Rental of Unit. Rental of the accessory dwelling unit is allowed.

c. Owner-Occupancy. For properties in the R-1 zoning district, either the primary dwelling unit or the Accessory Dwelling Unit shall be owner-occupied as a primary dwelling unit and permanent residence by the property owner(s). Exceptions to the owner-occupied requirement may be considered on a case-by-case basis by the Zoning Administrator or designee after an administrative hearing. Upon making written findings that the purpose of the owner-occupancy requirement is met even though the property owner does not reside in either the primary residence or the Accessory Dwelling Unit, the Zoning Administrator may issue a Zoning Permit pursuant to Guadalupe Municipal Code section 18.12.010.A.

(i) If the Planning Director or designee determines that neither of the units are occupied by the property owner, and no exception has been granted in (c) above, the ministerial approval of the accessory dwelling unit shall terminate immediately and the unit shall not be rented, leased, or occupied as a separate dwelling.

(ii). For the purposes of this Chapter, the property owner is the majority owner of the property as shown in the most recent Santa Barbara County Assessor's roll. If no majority exists, any property owner of record holding an equal share interest in the property may be deemed the majority property owner.

2. Covenant Agreement. A covenant agreement is required prior to issuance of a building permit. The covenant agreement shall state that

a. The accessory dwelling unit shall not be sold separately.

(i) The unit is restricted to the approved size.

(ii) Notwithstanding (b)(1)(c.) above, the property owner is required to reside in the primary dwelling unit or the accessory dwelling unit.

(iii) The use of the accessory dwelling unit shall be in effect only so long as the property is in compliance with the provisions of this chapter.

(iv) The above declarations are binding upon any successor in ownership of the property; lack of compliance shall be cause for zoning enforcement.

(v) The covenant agreement shall terminate upon removal of the accessory dwelling unit.

(vi) The covenant agreement shall be recorded by the County Recorder for the County of Santa Barbara at the expense of the property owner.

C. Zoning District. Accessory dwelling units are only allowed on lots that are zoned for residential uses with an existing legal single-family dwelling, or in connection with a proposed single-family dwelling for a vacant lot.

1. Number of Accessory Dwelling Units. Only one accessory dwelling unit shall be allowed for each lot.

2. Unit Types. The accessory dwelling unit may be within the living area of the existing dwelling, attached to the existing dwelling, or detached from the existing dwelling and shall be located on the same lot as the existing dwelling.

3. Junior accessory dwelling units as defined by Government Code Section 62582.22 are not permitted.

4. Building Codes. Local building code requirements apply to attached and detached accessory dwelling units, as appropriate.

5. Passageway. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

6. Fire Sprinklers. Fire sprinklers are not required unless the existing residence is equipped with fire sprinklers, or unless the Fire Marshall determines that due to special circumstances sprinklers are necessary for life and safety. Fire sprinklers may be considered as mitigation for sub-standard Fire Department access or water supply.

7. Utility Meters. Accessory dwelling units shall not be considered new residential uses for the purpose of calculating utility connection fees or capacity charges, including water and sewer service. Accessory dwelling units contained within an existing residence or an existing accessory structure are not required to install new or separate utility connections, or pay a related connection fee or capacity charge. For new attached and detached accessory dwelling units, the connection fee and/or capacity charge must be proportionate to the burden of the unit on the water or sewer system based on the size or the number of plumbing fixtures.
8. Growth mitigation fees: Accessory dwelling units are required to pay any applicable growth mitigation fees in effect at the time a zoning clearance and building permit are requested.
9. Access. Two-story detached accessory dwelling units shall limit the major access to stairs, decks, entry doors, and windows to the interior of the lot or an alley, and comply with all development standards. Only one (1) curb cut shall be permitted per parcel and no additional driveways or access points shall be created to accommodate the accessory or main dwelling unit.
10. Openings. If located outside the standard side and rear yard setbacks for the district, windows which face an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping shall be required to provide screening.
11. Private Open Space. The main dwelling unit and the additional dwelling unit shall each be provided with a minimum of fifteen (15) feet by fifteen (15) feet of usable private open yard area.
12. Home Occupations. Home occupations are permitted within an accessory dwelling unit or primary dwelling unit, or both.

D. Building site.

1. Lot Size. The underlying zoning district requirements for the minimum lot size on which an accessory dwelling unit is allowed shall apply.
2. Unit Size.
 - a. Floor Area. The floor area of an attached accessory dwelling unit shall not exceed 50% of the existing primary dwelling unit's living area.
 - b. Notwithstanding (2)(a) above, no ADU shall be larger than 1,200 square feet.
 - c. Minimum size. The minimum total square footage of the accessory dwelling unit shall be 150 square feet.
3. Site Planning. Accessory dwelling units should be located behind or above the existing dwelling on the site, whenever possible. Designs that significantly alter the street appearance of the existing residence shall be discouraged.

4. Lot Coverage. In no case may any combination of buildings occupy more than 50% of the required rear yard for the district in which it is located, except for units which face an alley.

E. Height. A detached accessory dwelling unit shall meet the height requirements of its underlying zoning district. An attached accessory dwelling unit may occupy any level of the primary dwelling unit if it is designed as an integral part of the primary dwelling unit.

F. Setbacks.

1. Setbacks. No setback shall be required for an existing garage that is converted to an accessory dwelling unit

a. An ADU that is constructed above a garage shall be setback a minimum of five (5) feet from the side and rear lot lines.

b. Detached ADU: The side yard and rear yard setbacks for construction of detached single-story structures containing an accessory dwelling unit shall be according to the underlying zoning district.

c. Attached ADU: Attached accessory dwelling units that increase the square footage of the existing single-family dwelling shall meet the same setbacks as the primary dwelling unit in the zoning district.

2. Space between Buildings. The space required between buildings shall be what is required in the underlying zoning district.

G. Parking.

1. Parking for accessory dwelling units shall be provided at a rate of one parking space per ADU. These spaces shall be provided in conformance with Section 18.60.020.1, except that tandem parking is allowed for ADUs as stated in Government Code Section 65852.2(a)(1)(D)(x) unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions. Notwithstanding the foregoing, tandem parking shall be permitted only if the length of the driveway is sufficient for a vehicle to be parked on the driveway without any encroachment on a sidewalk or street.

2. Parking requirements for an accessory dwelling unit are in addition to the required parking for the primary dwelling unit.

3. ADU parking is not required in the following instances:

a. The accessory dwelling unit is located within one-half mile of public transit.

b. The accessory dwelling unit is located within any Historic Overlay District that may be in existence at the time a zoning clearance or building permit for an ADU is requested.

c. The accessory dwelling unit is part of the existing single family residence, or an existing accessory structure (except as provided in (4) below).

4. Replacement Parking. When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement parking shall be provided in conformance with this Chapter and Chapterl 8.60 (Off Street Parking). Covered parking is not required.

5. Covered Parking Design. Any newly constructed covered parking shall conform to architectural and aesthetic standards of the underlying zone.

H. Architectural and aesthetic standards and compatibility. The accessory dwelling unit's scale, appearance, and character shall be similar to and compatible in design with the primary dwelling unit (e.g. compatible exterior wall materials, window types, door and window trims, roofing materials and roof pitch). Additionally, it shall be visually subordinate to the primary single-family dwelling on the parcel. The exterior entry to the ADU shall clearly appear as a secondary entry when compared to the entry for the primary single-family dwelling.

I. Outside stairways. Any stairways leading to a second story ADU shall not be in the front of the primary single-family dwelling, or in an exterior side yard if visible from the public right-of-way. Access to a first story unit or ADA accessible ramp may be permitted in the front of the primary dwelling.

Section 18.53.060 Permit requirements.

A. Accessory Dwelling Units shall be permitted ministerially through the zoning clearance and building permit process, in compliance with this Chapter within 120 days of the filing of a complete application. The applicant shall be informed within 30 days after submission of an application if the application is complete. The Planning Director or designee shall issue zoning clearance to establish an accessory dwelling unit in compliance with this Chapter if all applicable requirements in this Chapter are met, as appropriate. An application for building permit may be submitted at any time during the processing of the ADU application, but under no circumstances shall it be issued prior to zoning clearance approval.

B. Planning Director. Requests for an ADU shall be reviewed by the Planning Director or designee.

C. Other Review Authority. Requests for an ADU submitted for concurrent review with a discretionary land use application shall continue to be reviewed by the Director or designee and approved subsequent to the discretionary action.

Section 18.53.070 Findings.

Zoning clearance findings. The ADU shall be consistent with all applicable provisions of Section 18.53. Further, the ADU shall be consistent with applicable provisions of the Guadalupe Municipal Code and applicable sections of the General Plan.

~~18.53.080 Existing non-conforming ADUs. (Ord 473-6-12-2018)~~

~~This chapter shall not validate any existing illegal additional dwelling unit(s). An application for an administrative permit review may be made to convert an unpermitted additional dwelling unit to a conforming legal accessory dwelling unit, and the standards and requirements for the conversion shall be the same as for a newly proposed accessory dwelling unit.~~

18.53.080 Existing non-conforming ADUs. (Ord 473 6-12-2018)

This chapter shall not validate any existing illegal additional dwelling unit(s). The standards and requirements for the conversion shall be the same as for a newly proposed accessory dwelling unit, but an application for an administrative use permit review may be made under the provisions set forth in Chapter 18.72 of the Guadalupe Municipal Code if the unit does not comply with the standards or requirements in Section 18.53.050.

18.53.090 Review process for accessory dwelling unit not complying with development standards.

An accessory dwelling unit that does not comply with standards or requirements in Section 18.53.050 may be permitted with an administrative use permit as provided in Section 18.72.150, *et seq.* (Administrative Use Permits).

18.53.100 Appeals of Planning Director or designee's decision.

Appeals of any Planning Director or designee final decisions under this chapter to the City Council shall be permitted and shall conform to the requirements of Chapter 18.80 for such appeals.

Article IV. Chapter 18.72 Administrative Use Permits (Ord 2018-475 9-11-2018)**18.72.150 Issuance conditions:**

Administrative use permits (AUP) are limited to permit applications for an Accessory Dwelling Unit and shall be issued only if the findings identified in Section 18.72.190 can be made. The Planning Director or designee shall impose such conditions as deemed necessary to serve the purposes of this title, and may require tangible guarantees or evidence that such conditions are being or will be complied with.

18.72.160 Application — Information required Application for an AUP shall be made in writing by the majority owner. A copy of the application for Accessory Dwelling Unit (ADU) may be considered the official application for an AUP at the

18.72.170 Application Fee No additional fee shall be required to process an AUP once the ADU processing fee has been paid.

18.72.180 Application — Director Determination. Upon receipt of the application for an administrative use permit, the Planning Director or designee shall evaluate the request and determine if the findings listed in Section 18.72.090 can be made to approve the request.

18.72.180 Application — Director Determination. Upon receipt of the application for an administrative use permit, the Planning Director or designee shall evaluate the request and determine if the findings listed in Section 18.72.090 can be made to approve the request.

18.72.190 Findings for Approval

A. In order to approve an administrative use permit under Section 18.53.080 to waive any development standard or other requirement set forth in Section 18.53.050, the Planning Director or designee shall make specific findings that granting the waiver will meet the purposes of Chapter 18.53 (Accessory Dwelling Units) and this title and not be detrimental to public health and safety, introduce unreasonable adverse impacts to the immediate neighbors, and would not overburden sewer and water services, or overburden traffic flow.

B. In order to deny an administrative use permit under Section 18.53.080, the Planning Director or designee shall find that the ADU would be detrimental to the public health and safety, would introduce unreasonable adverse impacts to the immediate neighbors, would overburden sewer and water services, or overburden traffic flow.

C. In order to approve an administrative use permit under Section 18.53.080 to waive any development standard or other requirement set forth in Section 18.53.050, the Planning Director or designee shall make specific findings that granting the waiver will meet the purposes of Chapter 18.53 (Accessory Dwelling Units) and this title and not be detrimental to public health and safety, introduce unreasonable adverse impacts to the immediate neighbors, and would not overburden sewer and water services, or overburden traffic flow.

D. In order to deny an administrative use permit under Section 18.53.080, the Planning Director or designee shall find that the ADU would be detrimental to the public health and safety, would introduce unreasonable adverse impacts to the immediate neighbors, would overburden sewer and water services, or overburden traffic flow.

18.72.200 Administrative Hearing Prior to issuing an administrative use permit under this chapter, the Planning Director or designee shall cause an administrative hearing to be noticed and held in the following manner:

A. Notice of hearing. Notice of a public hearing shall contain the information required by Government Code Section 65094 and any additional information the Director deems appropriate. In addition, the notice shall declare that the application for the administrative use permit will be acted on without a public hearing if no request for a hearing is made.

B. Method of notice/distribution. Notice of public hearings shall be given as provided by Government Code Section 65091.

C. Public hearing. A public hearing on an administrative use permit shall occur only when a hearing is requested by the applicant or other interested person(s). This request shall be made in writing to the Planning Director or designee no later than seven days after the date of the public notice. In the event a public hearing is requested, the hearing on the administrative use permit shall be held on the date and time as defined in the public notice. At the request of the project applicant and/or at the discretion of the Planning Director or designee, a public hearing may be continued from time to time, but notice of the further hearings may be required to be provided again in in the same manner as provided by subsection A.

D. Conduct of hearing. At the public hearing, interested persons may present information and testimony relevant to a decision on the proposed AUP.

E. Final decision. Immediately after the conclusion of public testimony in the case of a public hearing, or no sooner than the date of the meeting specified in the public notice required by subsection A, the Planning Director or designee shall announce the final decision, continue the decision to a future date, or announce that the matter will be referred to the City Council for a final decision

Chapter 18.80 Appeals (2018-Ord 2018-475 9-11-2018)

18.80.010 Appeal open to all persons.

Any person may appeal to the City Council any order, requirement, decision or determination of the Planning Commission, Planning Director or designee in the manner provided in this chapter.

18.80.020 Method and filing—Public hearing.

Appeals shall be made in writing and filed with the City Clerk within 10 days after the final action of the Planning Commission, Planning Director or designee. Upon receipt of notice of such appeal, the City Clerk shall set a time within 30 days after the receipt of such appeal for the public hearing on the appeal. Notice of the hearing shall be given as set forth in Chapter 18.12 of this title. The City Clerk shall also notify the Planning Commission, Planning Director or designee of such appeal.

18.80.030 Planning Commission, Planning Director or designee report preparation.

The Planning Commission, Planning Director or designee upon receipt of the notice of appeal, shall prepare a report of the facts pertaining to the decision of the Planning Commission, Planning Director or designee and shall submit such report to the City Council along with the reason for the Commission's, Planning Director or designee's action.

18.80.040 City Council action.

The City Council shall refer any matter back to the Planning Commission, Planning Director or designee if any evidence is presented to the Council that was not presented to the Planning Commission, Planning Director or designee.

18.80.050 Public hearing—City Council determination.

At the close of the public hearing, the City Council may affirm, revise or modify the decision of the Planning Commission, Planning Director or designee. If

the Council does not take any action on the appeal within 60 days after the filing thereof, the Commission's, Planning Director or designee's action shall be deemed affirmed.

**REPORT TO THE GUADALUPE CITY COUNCIL
City Council Agenda of April 9, 2019**



Prepared by:
Robert Perrault, Interim City Administrator

SUBJECT: CONTINUED CITY SUPPORT OF THE GUADALUPE LIBRARY STATUS REPORT

RECOMMENDATION:

RECEIVE REPORT AND PROVIDE STAFF WITH DIRECTION AS NECESSARY

BACKGROUND:

On March 9th staff presented the Council with a discussion regarding options for the continued funding of the lease for the Guadalupe Library in FY- 19-20. In the recent past the Library has been funded through a combination of funds from the Pasadera Project and an allocation from the County. The lease payment for the Library amount to \$1,950 per month or \$23,400 per year. At the end of the discussion the Council directed staff to return with a status report on the advances provided the Library Fund from Capital Facilities Funds 76, revenues received from the Pasadera Project and the status of the Library Fund. Outlined below is the requested status report. The amounts noted in this report are preliminary and are subject to confirmation through the completion of the Audit and a review by the Interim Finance Director.

I Advances Made from Fund 76 to the Library:

<u>Date/ Fiscal Year</u>	<u>Amount</u>
FY-13-14	\$20,000
11-03-16	20,000
6-14-16	5,000
9-15-16	5,000
12-09-16	5,000
03-03-17	5,000
05-25-17	5,000
07-06-18	4336
9-04-18	<u>3072</u>
Total:	(\$72,408)

III. Pasadera Development Fee Contributions and Credits:

In accordance with Exhibit B of Development Agreement the Pasadera Project is required to contribute \$200.00 per residential unit constructed, for the Library.

In accordance with the development agreement Pasadera contributed a total of \$300,000, upfront, in 2 initial payments of \$150, 000. These initial deposits were used to pay the following fees per unit: \$2812.00 for impact fees and \$200.00 for Library fees. This amount was sufficient to pay these fees for the first 99 homes constructed. For the Library this contribution resulted in a credit against the advances to the Library of **\$19,800**.

Since the completion of the initial 99 homes, there have been an additional 142 Certificates of Occupancy issued resulting in an additional payment of Library fees at \$200.00 per unit. This has resulted in a credit of \$28,400 against the advances posted to the Library (142 x\$200.00= \$28,400).

III. Summary of Library Advances / Credits:

Total Advances:	(\$72,408)
Credits initial Contribution:	19,800
Fees recent home completions:	<u>28,400</u>
Remaining Advance Balance:	(\$ 24,208)

Summary Conclusion:

The Advances to the Library from Fund 76 still outweigh the revenues/ credits received from the Pasadera Project resulting in an estimated negative balance of (\$24,208). It will take the completion of 120 homes to resolve the negative balance. Once this occurs a positive flow of cash will be deposited in the Library Fund. It should be noted there is an estimated 35 homes under construction and will receive certificates of occupancy in the near future.

The issue of funding the Library lease and from what source will continue to be a topic for discussion dealt with as a part of the budget process.

REPORT TO THE GUADALUPE CITY COUNCIL
City Council Agenda of April 9, 2019



Prepared by:
Robert Perrault, Interim City Administrator

**SUBJECT: CONSIDERATION OF COUNCIL MEMBER APPOINTMENTS TO GUADALUPE
RESILIENCE COMMUNITY PLAN LEADERSHIP BOARD**

RECOMMENDATION:

The Council by motion appoint the Mayor and one additional member of the Council to the Leadership Board for the Guadalupe Community Plan Leadership Board.

BACKGROUND:

During the Council meeting held on February 26, 2019 Mr. Thomas Brandeberry CEO for Rural Community Development Corporation (RCDCC) provided the Council with an overview of the Community Resilience Planning Process. With the assistance of RCDCC the City/ Community will be completing a Resilience Plan for the Community / City. This effort is being funded with a planning grant from the Community Development Block Grant Program

The Resilience planning effort will serve as an umbrella for the community planning activities that are already underway including the multi- model transportation planning and the Guadalupe Trail to the Beach planning effort. Once completed, the Resilience Plan will provide the City and Community a future road map for dealing with the challenges faced by the community. As a part of his presentation Mr. Brandeberry introduced the concept of a Leadership Board or team that would be instrumental in facilitation and implementation of the Plan. In his presentation he noted a Leadership Team that would consist of the Mayor, City Administrator, Police Chief, Public Works Director, and Fire Captain. Staff is recommending the Council representation to the Board be formalized with the Council appointing the Mayor and broadened to include one additional Council person as your representatives to this effort. Appointing the council membership would create a formal tie to the Planning effort and create a reporting mechanism while avoiding any potential Brown Act violations.

FISCAL IMPACT:

There is no fiscal impact resulting from making these appointments.

Meet Me at the Park Play Space Grant	
Description	<p>The National Recreation and Park Association and The Walt Disney Company have come together to improve access to outdoor play through the Meet Me at the Park Play Spaces Grant Program. Thanks to a \$1 million donation from Disney, grant funding is available to provide communities with increased access to inclusive play spaces in local parks for children and families.</p> <p>The purpose of this grant opportunity is to fund innovative and scalable projects that transform parks and improve access to inclusive play spaces for kids (aged 3-11) and their families. The intent is to create replicable model projects that provide strategies and lessons learned for application by a wide range of communities.</p>
Deadline	April 12, 2019 at 11:59 PM ET
Eligibility Information	<ul style="list-style-type: none"> • The applicant must be a local government park and recreation agency, (e.g., municipal park and recreation department, tribal recreation department, park district, etc.) • The project must take place at a publicly-owned site(s) in an underserved community. • Significant progress towards the project outcomes must be demonstrated by August 17, 2019. An interim report will be due to NRPA on this date. • All projects must be completed by December 13, 2019 • A required final report will be due on December 31, 2019 (template to be provided) • Opportunities for volunteerism in association with the project for members of the local community and Disney employees must be provided. • The project must be promoted locally through the agency's own communication channels and on social media. • Grantees will be required to administer surveys and collect data from at least 25 people at the project site (tablet or laptop may be required). • Eight of the selected grantees will be required to conduct a more in-depth evaluation to assess and understand how the project led to increased activity, community, connection to nature and other benefits. Evaluation tools and training will be provided to selected grantees
Project Eligibility	<p>Projects should fit into one or more of the following categories:</p> <ul style="list-style-type: none"> • Mobile play vehicle or pop-up play equipment, for example, that can travel to multiple locations and be put in use temporarily. • Trail and walking path enhancements that increase visibility and accessibility, add elements of play, and/or improve way-finding that guides and encourages kids to walk the trail or path. • Play spaces, nature play spaces, pocket-play spaces, and/or inclusive play spaces that bring unique play features to new or revitalized public spaces. • Sport field/court enhancements that improve or create unique sports fields or courts that encourage community use, small-sided play, and/or creative games in places that lack opportunities for formal sports participation. • Nature and Science, Technology, Engineering and Mathematics (STEM) Based Play Spaces, nature play spaces, and pocket-play spaces that incorporate STEM learning loose play features to new or

	revitalized parks
Project Amounts	Total Funding Available: \$750,000 Number of Grants: 25 Grant Amount: \$30,000 each
Match Requirements	A 1:1 match is required . Eligible matching funds can include cash, staff time, construction costs and design fees.
Website	https://www.nrpa.org/our-work/partnerships/initiatives/meet-me-at-the-park/

O'Connell Park - Walking Path

Legend

- Community Park
- Feature 1
- Jack O'Connell Park

