



Public Comment Received for: General Public Comment

Name of Sender	Distributed prior to hearing	Distributed during the hearing	Distributed after the hearing
1. Kevin Boss	x		
2. Cheri Rae	x		
3. Kevin	x		
4. Lisa Ballantine	x		
5. Bob Johnson and Lisa Reich	x		
6. Cheri Rae			x

From: [Kevin Boss](#)
To: [Community_Development_HLCsecretary](#)
Cc: agrumbine@harrisonsdesign.com
Subject: Fwd: A Parade of Lies--Letter submission
Date: Monday, June 10, 2024 3:18:25 PM

Please distribute this to all HLC Commissioners.

Thanks, Kevin

Begin forwarded message:

From: Kevin Boss <kevin@rivierabarsb.com>
Subject: A Parade of Lies--Letter submission
Date: June 10, 2024 at 2:11:07 PM PDT
To: Jean Yamamura <Jean@independent.com>, marianne@independent.com
Cc: Nick Welsh <nick@independent.com>, Randy Rowse <rrowse@santabarbaraca.gov>, Mike Jordan <mjordan@santabarbaraca.gov>, Oscar Gutierrez <ogutierrez@santabarbaraca.gov>, Meagan Harmon <mharmon@santabarbaraca.gov>, Kristen Sneddon <ksneddon@santabarbaraca.gov>, Eric Friedman <EFriedman@SantaBarbaraCA.gov>, Alejandra Gutierrez <AIGutierrez@santabarbaraca.gov>

A Parade of Lies

The lurid headline of a recent SB Independent Angry Poodle column read “**Specter of Mass Shootings Casts Pall over State Street Parades.**”

<https://www.independent.com/2024/05/30/specter-of-mass-shootings-casts-pall-over-state-street-parades/>

The Poodle writes “As far as **parades** go — another key flashpoint issue — the murmurings I’m hearing are disquieting in the extreme, reflecting the extent to which **paranoia over mass shootings** will forever now intrude into all aspects of city planning. “

What? “Murmurings?” Where the heck did this come from? Not the Police Department, since the Poodle admits, “Full disclosure: I haven’t asked the cops yet to find out.”

We can, however, pretty confidently guess the source of this attempt to quash any community efforts to restore the historic Old Spanish Days Fiesta Parade to State Street for its 100th Anniversary. Or the Solstice Parade. Or the Christmas Parade.

Way back in 2022 at the September 20 City Council Meeting, Council Member Mike Jordan

attempted to enlist SBPD Commander Arroyo in supporting his claims that ANY parades on State Street were a severe “public safety” concern. (09/20/22 CC Meeting Video 01:24:00 mark)

Self-appointed “active shooter” expert Mike Jordan tries to pin Commander Arroyo down and have her state that the PD would recommend NO parades on State Street ever again.

Commander Arroyo refused to agree, instead suggesting that there were security concerns at all venues.

Mr. Jordan’s attempt to justify the permanent closure of State Street with this silly argument was BS back in 2022, and it is BS now.

Think about it--if we can’t have parades on State Street because of security issues caused by large gatherings then we should be canceling all events that cluster large numbers of people exposing them to “mass shootings.”

All Parades canceled forever. No more Bowl Concerts, Granada shows, beach and park festivals, religious gatherings. All should be cancelled if we take Mr. Jordan’s very serious assertions to their logical conclusions.

But we know Mr. Jordan is not serious. We know this because at the same time he argues that State Street is unsafe for large gatherings of people, he has supported the massive increase in Alcoholic Beverage service areas into the street on the lower State Street “promenade,” in the Funk Zone and on other city streets.

The City has had at least one shooting incident, several stabbing attacks, and many other unpublicized alcohol related altercations. County Drunk Driving stats are up.

Not a problem to Mike Jordan, or his colleague Oscar Gutierrez, who has said more than once about safety concerns with the expanded bars on State Street “I don’t see what the problem is, why people are complaining, no one’s been killed—right?”

We also know that for decades, pre-Covid, the PD, Alcoholic Beverage Control, and public safety officials complained openly about the concentration of alcohol venues on Lower State Street.

Why is this no longer a concern?

Surely an even bigger threat to public safety is the unlicensed Food Vendor stands that miraculously appear everywhere. E. Coli and Salmonella are probably greater threats to the public than the Poodle’s Parade “mass shootings.”

We should ask ourselves why City Councilmembers and City Staff feel the need to BS us.

Or just Lie to us. As happened when State Street Master Planner Tess Harris, City Staff, and

Councilmember Kristen Sneddon lied to the Historic Landmarks Commission at the June 21, 2023 HLC Meeting by emphatically asking them for their recommendations on outdoor dining structures and repeatedly promising to take those recommendations to the next week's City Council Meeting.

They never did so. They never told the rest of the Council or the public at the June 27th Council meeting of the HLC's **unanimous recommendations that all State Street roof structures be removed and all dining structures elsewhere Citywide be completely removed immediately.**

In concert they lied to the HLC, and then mislead their colleagues and the public.

It's all on video: *Historic Landmarks Commission Meeting 06/21/23 Video 00:41:00 mark (approx. 1hr.) City Council Meeting Video 06/27/23 00:51:00 mark (approx. 3hrs.)*

Why the lies and the BS?

Is the State Street "promenade" so important to them?"

Or do they just think we're stupid?

Maybe both?

Public Comment #2

From: [Cheri Rae](#)
To: [Community_Development_HLCsecretary](#)
Subject: letter for commissioners
Date: Wednesday, June 12, 2024 3:48:54 PM

Hi,

Please send the letter below to the HLC commissioners. Thanks so much. Best, Cheri

Dear HLC Commissioners,

Thank you for your concern about the Doremus Stone Pines on Anapamu Street. As a postscript to the cutting down of the trees, I'd like to make you aware of a related issue.



Pictured here is a historic hitching post that, for years, was almost subsumed by the encroaching roots of one of the trees (this one is on the 300 block). Nothing was done about it while the tree was still standing, and now who knows? Yesterday I spoke to a young man who works for the parks department who had no idea about what it was—and was amazed that it was old enough to be used for horses back in the day.

He and his co-worker assured me they would take care when they begin grinding away the roots, but this is quite disturbing—that parks department employees would have no proactive knowledge or guidance about how to proceed with this historic element that has so long been part of the neighborhood. There are others on street as well that deserve attention.

I'm a little sensitive about the issue of hitching posts in this neighborhood. We lost one on nearby Salsipuedes Street at the same time the developer destroyed the original dry-stacked stone wall and clear-cut the historic trees at the former Doremus estate at 601 E. Anapamu Street. The City allowed the developer to simply stick a rectangular piece of sandstone in the parkway and to simply create a new sandstone wall to "mitigate" the loss. Cheap, modern imitations that are an insult to the neighborhood.

Each one of these pieces of history is important to our "community mosaic," as Bernhard Hoffmann termed it. And it's broken up, a bit at a time, when effective

communication, care, and concern does not take place.

Clearly, this collision between living landmarks and cultural artifacts requires much examination and the development of clear policies and procedures among departments, the historic community, review boards, and the public.

Thank you for all you do.

Sincerely,

Cheri Rae

Public Comment #3

From: [Kevin Boss](#)
To: [Community Development HLCsecretary](#)
Cc:
Subject: Fwd: A Parade of Lies--Letter submission
Date: Thursday, June 13, 2024 1:49:44 PM

Sorry, but please pass this along to the Commissioners also.

Thanks, Kevin

Begin forwarded message:

From: Kevin Boss <kevin@rivierabarsb.com>
Subject: Re: A Parade of Lies--Letter submission
Date: June 13, 2024 at 1:43:58 PM PDT
To: Kristen Sneddon <KSneddon@SantaBarbaraCA.gov>
Cc:

Kristen—Stop it.

At HLC you clearly said that YOU wanted clear direction from HLC to take to Council It's on the damn video.

Staff told the Commissioners they would include HLC recommendations in their presentation to Council. Staff gave a thorough presentation with slides of the "public forum" but did not utter a peep about HLC's very emphatic recommendations. It is inconceivable that City Staff, Tess Harris, and you, all independently simply "forgot" the HLC meeting from 6 days prior. There was an obvious and coordinated effort to "hide" the HLC's unanimous recommendations. I'd call it collusion.

Council forced HLC Commissioners Hausz and Ensberg to speak only at "public comment" with a 2 minute limit. City Staff spent quite more than that on a formal presentation on the very informal "public forum." This was BS, considering the promises you made at the 6/21 HLC Meeting.

You, yourself had the opportunity to present the HLC recommendations at the 6/27 Council Meeting during Council Member Reports. You said, "I attended last weeks HLC Meeting—and that's all I'll say about that." (03:57:00)

The reason all this is important is because the 6/27 Council Meeting set the stage for the introduction and passage of Title 31 by Council. Among other things Title 31, passed in September '23, alters the City Charter Section 871 duties and powers of the Historic Landmarks Commission thru at least 2026. For the next few years HLC will be restricted in exercising their Charter power and responsibilities for Design Review in El Pueblo Viejo.

City Charter amendments are approved by citywide ballots during elections. It is only by hiding the ball that Council was able to alter Section 817 under the guise of a "temporary" emergency. I doubt it is kosher for a California City Charter to be changed by a city council vote alone.

Do whatever the heck you want. But, stop trying to bullshit me.

Best, Kevin

On Jun 13, 2024, at 12:13 PM, Kristen Sneddon <KSneddon@SantaBarbaraCA.gov> wrote:

<https://youtu.be/25R2FeCcOvM>

At 3:34 minutes of the Santa Barbara City Council Meeting of June 27, 2023, you will see Steve Hausz, as designated representative of the HLC, present the recommendations of the HLC to Council for consideration of the item. A member of HLC is the proper presenter of the recommendations of HLC, and his comments were heard in public prior to Council deliberations on the item, on the date described to HLC when they made their recommendations. What you have presented in your email is just how earnestly I sought input from HLC and encouraged them to provide clear recommendations. In the week between the HLC meeting and the Council meeting, I encouraged representatives from HLC to come to Council and share their recommendations themselves, which they did.

I see no need to rescind my comments to the Independent and to the press.

Kristen Sneddon
City of Santa Barbara Councilmember
phone or text: 805-294-6922
ksneddon@santabarabaca.gov

From: Kevin Boss <kevin@rivierabarsb.com>
Sent: Thursday, June 13, 2024 11:34 AM
To: Kristen Sneddon <KSneddon@SantaBarbaraCA.gov>
Cc:
Subject: Re: A Parade of Lies--Letter submission

<maxresdefault.jpeg>

Historic Landmarks Commission - June 21, 2023
youtu.be

Kristen—sorry, but this response to my observations that you and city staff lied to the Historic Landmarks Commission on 6/21/23 is just more BS.

You write: "For the record, this discussion was to receive input for STAFF to present to full Council in subsequent meetings when the item was AGENDIZED FOR COUNCIL." Which is a BS way of saying that someone decided that it would be a good idea to leave the unanimous HLC recommendations OFF of the Council Agenda.

From the 6/27/23 City Council Agenda Report (attached below)—"**On June 20, 2023, staff hosted a community forum to discuss the future of outdoor dining. Concurrently, staff conducted a community survey about outdoor dining. A summary of the community forum and the survey is provided in the staff presentation.**"

How is it that the 6/27 Agenda report and the Staff presentation to Council at that 6/27 meeting included the above discussion, including multiple slides, about the informal "community forum" at the library held just 1 day before the 6/21 HLC meeting? This meeting was held with very short notice, was not recorded, and included public comments, not the considered findings of the HLC, a City Charter established advisory/regulatory board.

Who made the decision to disappear the HLC recommendations? Not sure it matters, but it does not seem likely that staff, Brian Bosse and Sarah Clark would do so on their own, without encouragement from you, the City Council Liaison to the HLC and Tess Harris senior planner in charge of the State Street Advisory Committee. Speaking of which, why was Tess Harris even there? She is the State Street Master Planner, leader of the SSAC. The topic on the HLC Agenda was about State St. Interim Operations. What was her standing at that HLC meeting?

Still the video of the 6/21 HLC meeting (attached below) refutes your claims.

00:41:03—HLC Staffer Ellen Kokinda specifically says that the City Council will be discussing the 3 issues regarding outdoor dining at the "next Tuesday City Council Meeting" (6/27). She also says that Chair Grumbine had requested that HLC Vice-Chair Hausz and Commissioner Ensberg attend that Council Meeting to "share with Council the HLC recommendations."

00:46:23—Brian Bosse says "next Tuesday Council will be looking for guidance on the temporary "parklets" sanctioned by the ERETO on the 3 areas—State St., Private Property, and the Side Streets."

00:50:44—HLC Staff reads Chair Grumbine's letter referring to the 6/27 Council Meeting and says HLC should provide guidance under their City Charter powers. He specifically asks HLC to give guidance to Council on 6/27.

01:03:25—Tess Harris State Street Master Planner says the HLC recommendations will be taken to Council on the next Tuesday, 6/27.

01:11:26—Council Member Kristen Sneddon HLC Liaison speaks as a Public Comment. She says she "really, wants HLC input I really will need on Tuesday (6/27). I want clear direction on whether we will have outdoor dining in public spaces. It's a yes or no question—3 different places. It will be especially helpful if there is very clear input of those 3 different questions."

01:15:40—HLC Staff encourages Commissioners to send clear guidelines to Council.

01:44:20—Tess Harris again says there are 3 different components and again asks for HLC comments "specific to the 3 areas" for Council.

You and City Staff hid the 6/21 HLC meeting from Council at the 6/27 meeting. You hid their unanimous recommendations that: **1) All State Street dining structure roofs be removed immediately, 2) All side street dining structures (parklets) be removed immediately, 3) All Private Property dining structures and areas be removed immediately.**

At the 6/27 Council Meeting HLC Commissioners Hausz and Ensberg were not allowed to present the HLC recommendations as promised. They instead were only allowed to speak for 2 minutes as part of Public Comment.

You and City Staff "hid the ball." You withheld evidence in a public hearing.

Stop lying. I'm not even sure why it is necessary. There is broad public support for the utopian "promenade" you champion. Not as broad as the bogus, slanted surveys would suggest. But, still, you cannot properly manage a city, or represent your constituents unless you are direct and honest with them.

And they with you.

You should probably request the Independent remove your response to my letter.

Best, Kevin

On Jun 11, 2024, at 12:43 AM, Kristen Sneddon <KSneddon@SantaBarbaraCA.gov> wrote:

For the record, this discussion was to receive input for STAFF to present to full Council in subsequent meetings when the item was AGENDIZED FOR COUNCIL.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 27, 2023

TO: Mayor and Councilmembers

FROM: Downtown Team Division, Public Works Department; Community Development Department

SUBJECT: Continued Closure of State Street Promenade to Motor Vehicles and Direction Regarding Future of Temporary Outdoor Dining Operations Upon Expiration of the Economic Recovery Extension and Transition Ordinance

RECOMMENDATION: That Council:

- A. Direct the City Attorney to prepare an ordinance that will continue closure to motor vehicles on the 500 through 1200 blocks of State Street and continue the revised vehicle configurations on the 400 and 1300 blocks of State Street, until December 31, 2026, or until adoption of the Create State - State Street Master Plan permanent ordinance implementing the traffic pattern recommendation, whichever is earlier;
- B. Direct the City Attorney to prepare an ordinance to continue temporary outdoor business facilities on the 500 through 1300 blocks of State Street, subject to the rules and regulations under Ordinance No. 6055, including maintenance of valid outdoor business facility license agreements and payment of required monthly license fees; and
- C. Direct the Community Development Department to establish submittal requirements and an application deadline for a complete development application under applicable zoning requirements for on-site outdoor facilities and allow on-site outdoor facilities established under Ordinance No. 6055 to remain in place past December 31, 2023, while the application is processed.

EXECUTIVE SUMMARY:

The Economic Recovery Extension and Transition Ordinance (ERETO), authorizing the closure of the State Street Promenade (Promenade) to vehicle traffic, temporary parklets throughout the City of Santa Barbara (City), and temporary expansion of outdoor dining on private property, expires on December 31, 2023. Temporary operations in the public right-of-way were initially authorized in response to restrictions on indoor business operations resulting from the COVID-19 pandemic. The California state government, the federal

Council Agenda Report

Continued Closure of State Street Promenade to Motor Vehicles and Direction Regarding Future of Temporary Outdoor Dining Operations Upon Expiration of the Economic Recovery Extension and Transition Ordinance

June 27, 2023

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government, and the World Health Organization (WHO) have since declared an end to the COVID-19 emergency.

On March 9, 2021, Council directed staff to initiate the planning processes necessary to prepare a master plan and establish an advisory committee for the Create State - State Street Master Plan (Master Plan).

After engaging with stakeholders and community interests, and evaluating safety and circulation concerns, staff recommends continuing the closure of the 500 through 1300 blocks of State Street to motor vehicles and continuing to allow temporary outdoor business facilities on the Promenade as development of the Master Plan proceeds.

As part of a long-term effort, staff also recommends identifying opportunities for sidewalk expansion to safely accommodate permanent outdoor dining in locations throughout the City. If Council adopts the recommended vehicle restriction and accompanying business facilities ordinances, and the ERETO expires on December 31, 2023, temporary outdoor dining in the public right-of-way throughout the City will be eliminated outside of the 500 through 1300 blocks of State Street. Additionally, temporary outdoor dining on private property outside of the 500 through 1300 blocks of State Street will be eliminated unless the owner secures the appropriate permits.

DISCUSSION:

In response to restrictions on indoor dining during the early months of the COVID-19 pandemic, Council adopted the Emergency Economic Recovery Ordinance No. 5944 on May 27, 2020, authorizing food service businesses to establish temporary outdoor dining areas (parklets) in the public-right-of-way, the closure of State Street to motor vehicles, and the temporary expansion of outdoor dining on private property without permits. Ordinance No. 5944 was amended and extended as Ordinance Nos. 5963 and 5993, before being replaced by ERETO Ordinance No. 6055.

Since the adoption of these ordinances, the COVID-19 pandemic has subsided. California's COVID-19 State of Emergency ended on February 28, 2023. On May 5, 2023, the WHO declared COVID-19 is no longer a global health emergency, and the federal Public Health Emergency for COVID-19 officially ended on May 11, 2023.

As noted above, Council directed staff to initiate the planning process to prepare a Master Plan under the advisory direction of the State Street Advisory Committee and transition from a temporary to a permanent closure of certain blocks of State Street to motor vehicles. This planning process is underway, and a final report from the State Street Advisory Committee is expected in 2024. However, current authorization for the closure of the Promenade to vehicle traffic, temporary outdoor dining areas in the public right-of-way, and temporary expansion of outdoor dining on private property will end when the ERETO expires on December 31, 2023.

Community and Business Interest

Outdoor dining has remained popular even as pandemic restrictions on indoor dining have eased. Many customers have come to expect an outdoor seating option when visiting a restaurant, and many restaurants rely on the income generated by the extra seating capacity as operational costs have risen.

However, not all restaurants have been equal beneficiaries of temporary dining expansions. Businesses on the 500 through 1300 blocks of State Street and the 00 block of West Victoria Street are able to have larger on-street dining facilities than restaurants in other parts of the City due to the full or partial closure of these blocks to vehicular traffic. Some restaurants are not able to construct parklets or provide additional dining expansions due to their location. These restaurants may have lost business to other locations with outdoor facilities. Additionally, extra seating capacity in the public right-of-way has been provided to businesses with parklets free of charge, resulting in an advantage over businesses not able to expand into the public right-of-way.

On June 20, 2023, staff hosted a community forum to discuss the future of outdoor dining. Concurrently, staff conducted a community survey about outdoor dining. A summary of the community forum and the survey is provided in the staff presentation.

Following the creation of the Promenade, Council authorized the development of a Master Plan to revitalize Downtown by developing a new vision for the neighborhood. The Master Planning process has involved extensive community outreach, including a survey receiving over 6,000 responses. 79% of respondents expressed a desire to keep the Promenade closed to motor vehicles. Additionally, 88% indicated they currently come to State Street for food and beverage. In the Master Plan, outdoor dining will be deliberately integrated into the long-term design of State Street, likely in a café-like manner that is portable, flexible, located directly adjacent to restaurant buildings where possible, and blended into the El Pueblo Viejo historic district.

Council, including the members of the State Street Interim Operations Ad Hoc Subcommittee (SSIOAHC), have expressed support for continuing the closure of the Promenade during the Master Planning process and the interim period before redevelopment.

Safety Considerations

Since temporary on-street dining was authorized in May of 2020, there have been two instances of vehicles colliding with parklets and causing major damage. On April 16, 2021, a vehicle swerved out of the travel lane and into a parklet at 428 East Haley Street (Twenty-Four Blackbirds). On April 29, 2023, an alleged drunk driver crashed into the parklet at 15 East Ortega Street (The Press Room). In both instances, the structures were destroyed. Both parklets were unoccupied at the time of the collisions, and no one was injured.

Recommendations

State Street Promenade

The ERETO establishes the Promenade as a pilot program pending completion of the Master Plan and further Council action. It is a temporary program initially authorized under Vehicle Code § 21101 (e) and is now authorized under Vehicle Code §§ 21101 (e) and (f). Council previously directed staff to implement amendments to the Circulation Element of the General Plan to take advantage of the street closure authorized under Vehicle Code § 21101 (g). The SSIOAHC reviewed options for the Promenade and recommended keeping the Promenade closed to motor vehicles and continuing to allow outdoor business facilities during the interim period. Staff recommends Council adopt an ordinance to continue to allow closure of the 500 through 1200 blocks of State Street (the Promenade as defined in the ERETO), and to continue the revised vehicle configurations on the 400 block and 1300 block of State Street. This ordinance would remain in effect until December 31, 2026, or until adoption of the Master Plan permanent ordinance implementing the traffic pattern recommendation in the Master Plan; whichever is earlier. Staff also recommends Council adopt an accompanying ordinance allowing temporary outdoor business facilities on the Promenade, subject to the rules and regulations under the ERETO, including maintenance of valid outdoor business facility license agreements and payment of required monthly license fees. These fees help to defray the overall cost of Promenade operation and maintenance.

1300 Block of State Street

The 1300 block of State Street is adjacent to the northern boundary of the Promenade. When the Promenade opened, this block was temporarily reconfigured to a one-way street going northbound with diagonal parking on the west side and temporary outdoor dining facilities on both sides of the street. To access the Promenade, vehicles travel southbound on State Street and turn left on Sola Street and right on Anacapa Street.

Sola Street is currently under construction as part of the Westside Community Paseos Project to be bike friendly and connect the Westside, Oak Park, West Downtown, Upper East, Laguna, and Eastside neighborhoods to Downtown. Community input and the Council-adopted 2016 Bicycle Master Plan determined Sola Street to be a strong east-west route through Downtown.

The current left-turn traffic movement onto Sola Street from State Street may potentially increase traffic volume. To be designated as bike friendly, roadway volumes need to be less than 3,000 vehicles per day on Sola Street. If the threshold is hit, the 1300 block of State Street must return to its original two-way vehicular traffic, or the current one-way vehicular traffic layout must extend to the 1400 block of State Street for left-turn traffic to move to Micheltorena Street. The staff recommendation is to keep the temporary roadway configuration on the 1300 block the same until staff can evaluate the traffic volume on Sola Street after the Westside Community Paseos Project is constructed.

Regardless of future roadway configurations of the 1300 block, there are opportunities in the long term under the Master Planning effort to expand the sidewalks on this block and enhance them to match the Promenade's sidewalks or future design. Ideally, the sidewalk in front of the Arlington Theater and adjacent restaurants on the west side of the street should be widened for outdoor dining and to enhance the vitality of this block as part of Downtown's Theatre District. On-street parking in this area may be limited, but City Lots 5 and 6 are adjacent to the block.

Outdoor Business Facilities on Private Property

Staff recommends a return to standard City review and permitting processes for outdoor business facilities on private property when the ERETO expires on December 31, 2023. Businesses wishing to permanently expand their outdoor business facilities past this date must apply for the required permits and approvals through the Community Development Department and will be subject to all applicable municipal code requirements. For businesses that currently have temporary expanded outdoor facilities, Staff recommends that Council establish a grace period allowing these businesses to submit a complete application and remain in operation while their application is processed by the City. All other unpermitted outdoor business facilities must be removed before the ERETO expires on December 31, 2023. It should be noted that the end of the state and federal COVID-19 emergency may reinstate the application and/or enforcement of previous building code requirements (e.g., restroom facilities) and permitting requirements (e.g., California Coastal Act, Department of Alcoholic Beverage Control licenses, etc.).

Parklets in the Public Right-Of-Way

The City Engineer and the City Principal Traffic Engineer have determined continuing a parklet program on streets open to vehicular traffic should include placement of substantial safety barriers (K-rail or similar) around all sides of each parklet. The space occupied by these safety barriers would leave very little space for a dining operation, create significant accessibility issues, and be aesthetically cumbersome, thus making on-street parklets impractical in most situations.

Given the popularity of outdoor dining, staff recommends evaluating opportunities to expand sidewalks to accommodate permanent outdoor dining, where feasible, through an update to the Pedestrian and Bicycle Master Plans. The City would need to apply for grant funding for these planning efforts, which will take one to two years to complete and would include a list of community-requested active transportation capital projects for the next 15 years. It is anticipated that widened sidewalks for pedestrian amenities like outdoor dining will be very costly (in the millions) due to utility relocations, drainage and stormwater compliance, and Americans with Disabilities Act (ADA) compliance. Staff also recommends reviewing the City's Outdoor Dining License Agreement program to determine opportunities to expand this very successful program.

00 Block of West Victoria Street

Staff recommends returning the 00 block of West Victoria Street back to its original configuration to balance traffic congestion across the other State Street cross streets. The outdoor dining facilities will need to be removed by December 31, 2023, with the expiration of the ERETO. As part of the Master Plan, there are future opportunities to expand sidewalks on this block. Sidewalk expansion would result in the trade-off of eliminating some or all of the on-street parking and loading zones for deliveries and accessibility, with the exception of preserving loading adjacent to the Ensemble Theatre. The longer-term configuration of this block and other cross streets are part of the Master Planning effort.

BUDGET/FINANCIAL INFORMATION:

Administration of the temporary outdoor dining program on public right-of-way and on private property requires considerable staff time. Phasing out temporary operations will enable staff to direct attention to other priority projects including ADA enforcement, Promenade daily operation and maintenance, and maintenance of ten parking lots and five parking structures totaling over 3,000 public parking spaces and managing the City's Ambassador program. As part of the approved Fiscal Year 2024 budget, Downtown Parking does not have the resources or staffing to develop, implement and manage an outdoor dining program beyond the existing program on the Promenade. At the same time, the end of temporary outdoor dining may result in a slight decrease in tax revenues due to reduced restaurant seating capacity.

PREPARED BY: Brian J. Bosse, Downtown Team Manager/SC/nv

SUBMITTED BY: Clifford M. Maurer, P.E., Public Works Director
Elias Isaacson, Community Development Director

APPROVED BY: City Administrator's Office

Public Comment #4

From: [Lisa Ballantine](#)
To: [Community Development HLCsecretary](#); [Kelly R. McAdoo](#); [Randy Rowse](#); [Kristen Sneddon](#); [Eric Friedman](#); [Alejandra Gutierrez](#); [Oscar Gutierrez](#); [Meagan Harmon](#); [Mike Jordan](#); [Cheri Rae](#)
Subject: Lack of Process re Removal of Landmark Italian Stone Pine Trees
Date: Thursday, June 13, 2024 4:26:46 PM

You don't often get email from lisa@ballantinelaw.com. [Learn why this is important](#)

All,

As an update, I learned today that the woman in the Parks and Recreation department that is directing the cutting of the trees is Kristin Bain (she is also a heavy equipment operator as I saw her driving one).

In my conversation today, she said that she determined that the three trees on East Anapamu Street should be removed because they were "dangerous." I have never been provided any report or writing that had declared those trees were imminently dangerous, or threatening. I had asked Nathan Slack to involve the community regarding any decisions about the Italian Stone Pine trees, and he assured me that the City would involve the community. Today, I learned that she [Kristin] has complete discretion to make the decision to remove 100-year old Landmark trees. (These trees have been essentially ignored by the City for the most part in the last 15 years, with little care provided, aside from the irrigades installed during the drought.) I asked her for written reports, and she stated that she made no written reports, that she does not write reports, and that she does not have to put anything in writing. Therefore the "Assessment Reports" referred to in the City's website do not exist, at least not in writing. I suspected that, since we never received any written reports from Superintendent Nathan Slack despite multiple requests by e-mail, nor did any appear on the City's website.

There has been a fundamental lack of process by the Parks and Recreation Department in ordering their staff to remove these Landmark Trees when they made their press release on May 21, with no regard to the City's Urban Forest Management Plan, including its failure to allow the Street Tree Advisory Committee or any long-time residents of the Santa Barbara community such as the Pearl Chase Society, to have input on any proposals to remove historic trees. The way that the Parks and Recreation Department has conducted itself is an insult to many members of the Santa Barbara community that have spent countless hours trying to protect our historic resources, some who have passed, who deeply care(d) about our historical resources, including our trees and landscape.

The Park and Recreation Department needs to follow a process, and this City Council needs to ensure that it does, including by allowing the Historic Landmarks Commission to play a role in managing our historical landscape in the City.

Thank you very much for your time on this issue.

Lisa Ballantine

From: [L Johnson](#)
To: [Community Development HLCsecretary](#)
Subject: Damaged wall at 1615 Lasuen Road Santa Barbara
Date: Tuesday, June 25, 2024 4:52:45 PM
Attachments: [Signature Block.png](#)

You don't often get email from bobjohnson@alum.mt.edu. [Learn why this is important](#)

Dear Secretary,

I know we are a few minutes late submitting this material for tomorrow's meeting, but we hope it can at least be noted. We did not learn of this deadline until a half hour ago.

Attached are 3 photos of a section of the old stone wall on Lasuen Road which was damaged in a "hit and run" incident on the evening of June 10.

If possible, could you circulate these photos to members of the Commission.

We don't know how to proceed with this, but will be in further touch as soon as we learn what to do.

Thank you,

Bob Johnson and Lisa Reich



Damaged section at 1615 Lasuen Rd



Closeup at different angle



Lateral stones from the top of the wall, now 15 feet below in the barranca. Each large one weighs hundreds of pounds.

L. Robert Johnson bobjohnson@alum.mit.edu
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From: [Cheri Rae](#)
To: [Community_Development_HLCsecretary](#)
Subject: Today's public comments
Date: Wednesday, June 26, 2024 5:47:10 PM
Attachments: [1.png](#)
[2.png](#)
[3.png](#)
[4.png](#)

Dear HLC Secretary,

Below I've pasted my public comments that I delivered today, along with the images that were shown on camera. Please distribute them to each and every HLC member, and if you would be so kind to notify me when that was done, I'd be most appreciative.

Thanks so much.

All best,

Cheri Rae

Dear HLC Commissioners,

Below are my public comments from 6/26/24 for your consideration. The point of all this is that there are many good ideas for policies and procedures to protect our historic resources, but they are just not followed. I have added a couple of additional comments in brackets.

Thank you for granting me additional time to finish my comments, and for all you do to keep Santa Barbara Santa Barbara.

Good afternoon.

I appreciate the opportunity to speak here, about matters of historic importance.

As we've seen with the recent sad saga of the Doremus Stone Pines, open processes have been ignored, so that even designated City Historic Landmarks—and those who work to protect them—are no longer treated with proper respect. It's not just the trees on Anapamu Street that need our attention.

Neighborhood-defining cultural resources have also been damaged, lost, disregarded, even when the public does everything possible to protect them. Even with the City Council-approved Urban Forest Management Plan and the Lower

Riviera Special Design District Guidelines in place. A few examples:

#1 It's been a year since a neighbor intervened to save these stamped sidewalk pieces, but despite multiple requests, this is how they remain, unstable, unattractive and broken. This is in a neighborhood that receives a lot of foot traffic in the dark after Bowl performances; it's not really safe, not to mention the lack of aesthetics. We were told that bricks or concrete might be used as a better surrounds than mulch for these artifacts, but we're still waiting for the City to address this.)

#1 Lower Riviera Design District Guidelines

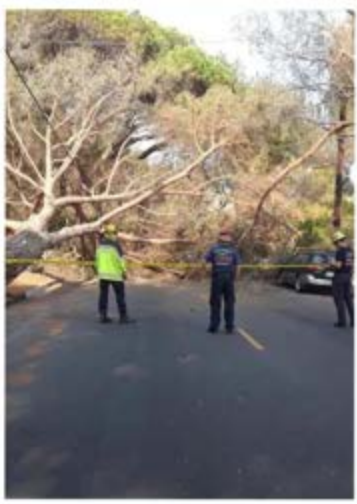


9.2 PUBLIC WORKS: STREETS, SIDEWALKS & PUBLIC AREAS

Preservation of
cement masons
or street name
sidewalk stamps
is encouraged
where feasible.

#2 According to both documents and the historic designation of the Stone Pines, lost trees are to be replaced with like trees.

#2 Lower Riviera Design District Guidelines



9.2 PUBLIC WORKS: STREETS, SIDEWALKS & PUBLIC AREAS

Traditional patterns
of street trees
should be
maintained, and lost
trees replaced.



#3 And hitching posts need to be protected. Note: A slab of sandstone does not replace the hitching post that once stood here, despite the developer's disregard for it.

#3 Lower Riviera Design District Guidelines

**9.4 HISTORICAL
STREETSCAPE FEATURES**
A. Historic features, such
as stone carriage steps
and horse hitching posts
and the
like,
should be preserved.



#4 And stone walls must be preserved; the historic dry-stacked wall was bulldozed to make way for modern, uniform sandstone blocks. [The modern part is a half-block long on Salsipuedes from the historic Doremus property.]

#4 Lower Riviera Design District Guidelines

9.3 Original historically appropriate fences and masonry walls should be preserved, in original appearance whenever possible.



ORIGINAL

NOT

Who enforces historic preservation? Who protects these delightful details in our neighborhoods and on our city streets?

The non-profit community long dedicated to this work simply can no longer keep up to meet the need. Neither can we depend solely on interested parties to have the time or capacity to save the neighborhood.

We who value our historic resources cannot just react to damage, after the fact. We must initiate and innovate a way to teach a new generation of residents and workers to become conscientious stewards of this special place.

Our City leadership and staff, in collaborative partnership with learned HLC and community members, must prioritize the protection and preservation of—and education about—our living landmarks, stonework and other historic resources that comprise “our community mosaic” as Bernhard Hoffmann termed it.

“In the midst of every crisis lies great opportunity,” said Albert Einstein. The current tree crisis offers an opportunity for greater proactivity, cooperation, and a re-thinking of who we are and what we value in a community that once revered its history and its landmarks.

How we respond now will determine whether in the future people say, “I am so glad they did that,” or they say, “Why in the world did they let that happen?” Let us choose wisely.

Thank you.