



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: July 3, 2014
AGENDA DATE: July 10, 2014
PROJECT ADDRESS: 121 E. Mason Street (MST2014-00115)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470, extension 4550
 Renee Brooke, AICP, Senior Planner *RLB*
 Daniel Gullett, Project Planner *DTG*

I. CONCEPT REVIEW

The City received a request from the applicant for a concept review of a proposed mixed-use project on a 1.75 acre site in the Funk Zone, consisting of partial demolition of existing structures, and construction of a residential and commercial building complex with 64 residential apartments (including ten units affordable to low-income households) with an average unit size of 905 square feet making up approximately 62,278 square feet of proposed floor area; approximately 28,359 square feet of building area dedicated to restaurant, commercial recreational, and ocean-oriented commercial uses; approximately 12,154 square feet of building area dedicated to arts-related industrial/manufacturing uses, and approximately 11,356 square feet of building area providing 30-40 hotel rooms. The proposed project includes four-story buildings and a maximum building height of approximately 55 feet.

The current project description differs from the project shown in the plan set dated March 12, 2014, which was provided to the Planning Commission.

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the applicant and staff with feedback and direction regarding the proposed land use and design. The opinions of the Planning Commission may change or there may be ordinance or policy changes that could affect the project that would result in requests for future project design changes.

No formal action on the development proposal will be taken at the concept review meeting, nor will any determination be made regarding environmental review of the proposed project.

II. REQUIRED APPLICATIONS

As proposed, the discretionary applications required for this project are:

- A. A Lot Area Modification to allow for 64 apartment units for a 35% residential density bonus (SBMC §28.92.110);
- B. A Parking Modification to provide less than the required number of parking spaces (SBMC §28.92.110);

- C. A Development Plan to allow the construction of 18,879 square feet of net new nonresidential development (SBMC Chapter 28.85);
- D. A Coastal Development Permit to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060); and
- E. A Local Coastal Program Amendment to allow for a hotel use and allow the development to exceed the height limit of three stories and 45 feet.

The applicant has indicated that the project will be designed to be consistent with State Density Bonus Law, which allows up to 35% residential density bonus in addition to limited concessions, incentives, and development standard waivers and reductions. If the project is consistent with State Density Bonus Law, a Lot Area Modification would not be required and Local Coastal Plan Amendment may not be needed if requests are granted for concessions, incentives and development standard waivers and reductions.

III. RECOMMENDATION

The proposed project is being presented to the Planning Commission for concept review and comments only. No formal action may be taken on the project at this hearing. Staff recommends that the Commission review the proposed project, consider the issues outlined in this report, and provide comments and direction.



Figure 1: Project Vicinity

IV. SITE INFORMATION

Applicant:	Mesa Lane Partners	
Architect:	Dan Weber	
Property Owner:	SOMO SB, LLC	
Site Information		
APNs: 033-084-001, -004, -005, -006, -007	Lot Area: 1.75 acres	
Local Coastal Plan: Ocean-Oriented Commercial	Zoning: Ocean-Oriented Commercial Zone / Coastal Overlay Zone	
Existing Use: Commercial/Industrial	Topography: Relatively Flat	
Adjacent Land Uses		
North – Residential/Commercial	East – Commercial/Industrial	
South – Union Pacific Railroad	West – Residential/Commercial	

V. BACKGROUND

A. OC ZONE

The property is located in the Ocean-Oriented Commercial (OC) Zone, created in 2005. The Zoning Ordinance states the OC Zone “strives to achieve a balanced use of the City’s Waterfront and maintain the small scale, local character that is unique to the Waterfront area.” The OC Zone general description further states that “land uses shall be encouraged in this zone that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live” and that “this zone is intended to foster a vital, mixed use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities.”

The OC Zone limits uses on the subject property to ocean-dependent and ocean-oriented uses; commercial recreational uses; arts related uses; restaurants; residential; small stores; and similar uses the Planning Commission finds consistent with the intent of zone. On the subject property, the OC Zone replaced the former zoning of Hotel and Related Commerce Zone (HRC-2) and hotel use is no longer allowed on this property with current zoning regulations. If the proposed hotel use is not allowed as a zoning concession under the State Density Bonus Law (see discussion in Section B., below), staff believes that the City would need to seek approval of the Coastal Commission to amend the City’s Local Coastal Program to allow such a use on this site.

The OC Zone provides a 45 foot and three story height limit and allows up to 70% of the floor area of a project to be residential. The OC Zone has no minimum building setbacks from property lines for any uses, but requires minimum outdoor living space area to be provided for residential units consistent with the R-3 Zone standards. The Average Unit-Size Density (AUD) Incentive Program, adopted in 2013, has not been certified by the Coastal Commission, so the residential densities provided by the Variable Density Program (SBMC §28.21.080) remain in effect. Variable Density allows up to 27 dwelling units per acre, depending on the number of bedrooms per unit.

B. STATE DENSITY BONUS LAW

The applicant's letter to the Planning Commission (Exhibit A) and prior conversations with City staff indicate that the project will be designed at a density consistent with State Density Bonus Law (Gov. Code Sections 65915-65918), which allows up to 35% density bonus.

The amount of density bonus allowed is based on the percentage of affordable units and the income level. In this case, up to 64 residential units would be allowed on the site with 35% bonus density if at least six units are price-restricted to very low income households, ten units are price-restricted to low income households, or 19 units are price-restricted to moderate income households. The minimum period for price-restricted rents is 30 years.

At the affordability levels currently proposed, State Density Bonus Law also requires the City to provide up to two concessions or incentives requested by an applicant. Concessions and incentives include reductions in site development standards, approval of mixed-use zoning, and other incentives or concessions that result in identifiable, financially sufficient, and actual cost reductions. The City must grant the requested concessions or incentives unless the City finds that (1) a concession or incentive is not required to provide for rents of the affordable units; (2) a concession or incentive would have a specific unmitigated adverse impact on public health and safety, the physical environment, or a property listed in the California Register of Historical Resources; or (3) a concession or incentive is contrary to state or federal law.

In addition, State Density Bonus Law provides for waivers and reductions of development standards (e.g., height limits, setbacks, open space, residential parking ratio) where development standards physically preclude construction of a development at a density and affordability level available through State Density Bonus Law.

The applicant has identified the proposed hotel use and use of the AUD Incentive Program for the project's density calculation as requested concessions or incentives. The applicant also identified that development standard reductions related to building height, number of stories, and parking would be requested.

Community Development Department and City Attorney's Office staff have had initial conversations with the applicant regarding the appropriateness of these requests and no final determinations have been made. If the project is designed to qualify for State Density Bonus Law, any concessions, incentives, and development standard waivers and reductions granted would be allowed by right with the project. In all cases however, approval of a Coastal Development Permit and Development Plan would be required from the Planning Commission.

C. PRE-APPLICATION REVIEW

The applicant submitted the current proposal for review by the City Pre-application Review Team (PRT) earlier this year. The May 30, 2014 pre-application review letter is attached as Exhibit C. Significant comments from the PRT review are included in the issue areas section below.

D. DESIGN REVIEW

This project was conceptually reviewed by the Architectural Board of Review (ABR) on April 14, 2014 (meeting minutes are attached as Exhibit D). Individual ABR members were enthusiastic for the overall program. ABR supported a fourth story but asked the applicant to further study the relationship between building heights and open spaces and to study reducing the height of some portions of the buildings surrounding the grain tower. ABR also asked for perspective renderings of the project.

E. FUNK ZONE ARTIST VILLAGE

In conjunction with the Santa Barbara Foundation, the applicant is proposing an interim, temporary project intended to support the arts community by providing artist work space and exhibition space using modified shipping containers. The Funk Zone Artist Village would be located on a portion of the site fronting Gray Avenue. Staff anticipates that the temporary project will require Staff Hearing Officer approval of a Coastal Development Permit and a Development Plan, ABR approval, and building permits.

VI. ISSUE AREAS

Staff recommends that the Planning Commission focus on the following issue areas for this concept review:

A. COASTAL ACT AND LOCAL COASTAL PROGRAM CONSISTENCY

To approve a Coastal Development Permit, the Planning Commission must find that the project is consistent with the Coastal Act and the Local Coastal Program. Coastal Act and Local Coastal Plan policies relevant to the proposed project are included as Exhibit E of this staff report. Those policies address circulation, parking, housing, neighborhood character, visual aesthetics, recreation, and visitor-serving uses. The OC Zone regulations (SBMC Chapter 28.71) are provided in Exhibit F.

B. PUBLIC IMPROVEMENTS

The project proposes a street design concept with one-way traffic circulation from Yanonali Street along Gray Avenue, Mason Street and Santa Barbara Street. The proposed design would enhance pedestrian access with new sidewalks and paseos and is expected to result in additional on-street parking. However, the current proposal does not provide adequate width for angled parking on both sides of the street and necessary emergency access. City Transportation Planning and Transportation Engineering staff expressed general support for the proposed circulation change and will work with the applicant on geometrics and design details. A property dedication may be required to provide additional public right-of-way. The applicant also proposes a new MTD bus stop on Yanonali Street near Gray Avenue.

C. PARKING

Although the public improvements would provide for additional public parking within the City right-of-way, the Zoning Ordinance and the Local Coastal Plan require that new development provide off-street parking to meet the parking needs of the development. The applicant is proposing a combination of standard parking and space-efficient parking machines that would store automobiles vertically while the vehicles are not in use. The project also includes bus passes for residents and a pilot project for a car-share program.

As proposed, the number of parking spaces would not meet the minimum requirements of the Zoning Ordinance. Unless residential parking is provided at ratios specified in State Density Bonus Law, or the project receives a parking incentive or concession consistent with State Density Bonus Law, a Parking Modification would be required to provide less than the required number of spaces. To approve a Parking Modification, the Planning Commission must find that the project does not increase the demand for parking space or loading space in the immediate area and is consistent with the purpose and intent of the Zoning Ordinance. Staff usually can support parking modifications when the parking demand is met with on-site parking provided. Staff requested a parking demand study to substantiate any reduction in parking from the Zoning Ordinance requirements.

D. ENVIRONMENTAL REVIEW

Staff also requested additional information from the applicant in the following resource areas to evaluate the impacts of the proposed development.

Traffic and Circulation

The project site is in an area with limited options for traffic circulation and near General Plan-identified impacted intersections on Garden Street. Since increased traffic demand is expected from the proposed redevelopment of the site, a traffic analysis is necessary to assess the impacts of the project. The Nonresidential Growth Management Program limits the Planning Commission's ability to override any unmitigated project-specific traffic impacts for new non-residential floor area.

Historic Structures/Sites Report

Staff requested a Phase I Historic Structures/Sites report to evaluate existing development on the project site and any potential historic impacts of the project.

Archaeology

Due to the project's location in a potentially sensitive archaeological area, staff requested a Phase I Archaeology Report to evaluate the site and potential impacts of the project.

Visual Simulations

Staff requested visual simulations of the project to assess potential visual impacts and consistency with aesthetic policies.

Stormwater Management

The project is subject to the Tier 3 requirements of the City's Storm Water Management Program, which require onsite capture and treatment of stormwater for the entire project site. A hydrology/storm water report is needed to demonstrate that the project meets these requirements.

VII. NEXT STEPS

Following the Planning Commission concept review, the applicant would continue to work with staff on conformance with State Density Bonus Law, prepare a formal application for review by the Development Application Review Team, and bring additional requested

information and project revisions to ABR for continued concept review. Upon acceptance of a complete project application, staff would commence environmental review. The project would be scheduled for future public hearings before the Planning Commission during the environmental and application review period.

Exhibits:

- A. Applicant's letter, dated June 23, 2014
- B. Conceptual Site Plan and Elevations dated March 12, 2014
- C. Staff Pre-application Review Letter dated May 30, 2014
- D. ABR Minutes of April 14, 2014
- E. Relevant Coastal Act and Local Coastal Plan Policies
- F. SBMC Chapter 28.71 (Ocean Oriented Commercial Zone)

**Santa Barbara Planning Commission
C/O: Daniel Gullett, Senior Planner
City of Santa Barbara, Community Development Department
630 Garden Street
Santa Barbara, CA 93101**

June 23, 2014

RE: 121 East Mason Street | Planning Commission Concept Review

Honorable Santa Barbara Planning Commission,

Mesa Lane Partners is pleased to submit for concept review, comment and feedback, an opportunity to support and cultivate the arts, culture, and urban renewal already underway in Santa Barbara's ocean-oriented industrial commercial community. The proposed conceptual redevelopment plan aims to (1) provide urgently needed workforce rental housing; (2) provide affordable workspace for creatives, artisans and micro-entrepreneurs; and (3) enhance Santa Barbara's unique ocean-oriented arts, business, and industrial district.

The proposed project has been designed to conform to the existing Variable Density Ordinance in the City's certified Local Coastal Program as well as comply with the newly adopted Average Unit Density Ordinance. The project includes the adaptive reuse of five (5) existing structures and the construction of an ensemble of new mixed-use buildings. The project is comprised of approximately 28,359 square feet of general ocean-oriented commercial space, 12,154 square feet of ocean-oriented creative industrial/manufacturing space, sixty-four (64) residential units on the second and third floors, and an ocean oriented boutique hotel with approximately 30-40 rooms consisting of more than 10,000 square feet on the rooftop with an outdoor gym, pool and lounge area.

As proposed, the project offers affordable, subsidized space for non-profit arts organizations and for-profit galleries, more than 30 percent open space, the preservation of at least five existing buildings, night and weekend neighborhood-activation, public parking, bike facilities and sustainable, transit-oriented design. The project includes several beneficial aspects for the community including its mixed-use nature, the provision of rental housing units affordable by design, the provision of rental housing units restricted to low-income families, a purpose-built artist collaborative workshop featuring affordable artist and micro-entrepreneur studio spaces, and a new public arts and ocean oriented boutique hotel with a community garden, pool, and gym facilities.

The project would seek to obtain a LEED (Leadership in Environmental and Energy Design)

Rating upon build-out. This includes exceeding Title 24 requirements by at least 40% and using innovative building and systems designs at the forefront of sustainability.

If fully realized, the benefits of the proposed project will reach far beyond the residents, artists, and business owners living and working in the project. Many new opportunities will be created for small business owners and entrepreneurs to enhance the growing business district and enhance the economic vitality of the Downtown/Waterfront area. The new housing stock will support the growing demand for rental housing within the City and the emerging housing needs of nearby companies like Sonos. The project's aesthetic will create an enduring community icon that makes a bold statement about the environment, arts and culture and cutting-edge design sensibilities. The project's arts-focus will provide supportive services for the local artist culture and will create a permanent home for the creative arts in Santa Barbara.

Project Background

Recognizing that the project's success would depend largely on its ability to meet the goals and vision of the community, Mesa Lane Partners engaged numerous local stakeholder groups early in the design process to discuss and collaborate on the community's vision for the future and vitality of the Funk Zone. Our project incorporates feedback from meetings with many local community members. The following groups were involved in the visioning process:

Adjoining Property Owners/Neighbors
Funk Zone Residents
Funk Zone Business Owners
Funk Zone Artists
Funk Zone Neighborhood Association
City of Santa Barbara Transportation Department
City of Santa Barbara Community Development, Housing and Human Services Department
City of Santa Barbara Community Development, Planning Department
City of Santa Barbara Waterfront Department
City of Santa Barbara Public Works, Downtown Parking Department
City of Santa Barbara Downtown Parking Committee
City of Santa Barbara City Administrator
City of Santa Barbara City Councilmembers
City of Santa Barbara Mayor
Santa Barbara City College Office of the President
County of Santa Barbara Arts Commission
California Coastal Commission Staff
Creative Collaboration Network
Santa Barbara Arts Collaborative
Arts Fund for Santa Barbara

Santa Barbara Foundation
Hutton Parker Foundation
Social Venture Partners, Santa Barbara
Santa Barbara HUB
Community Environmental Council
Downtown Business Organization

Project Goals and Objectives

Foster the Arts - The Funk Zone has become a hub for arts and culture in Santa Barbara. Following recent redevelopment and improvements in the neighborhood, space for the artistic community has begun to decline as they are increasingly being “priced out” of the neighborhood. This project aims to support the arts community and provide an opportunity for the arts to remain in the Funk Zone by providing authentic and affordable space where artists, entrepreneurs, and artisans can work, share ideas, and prosper.

Keep it Funky - One of the most common values expressed by members of the community was the importance of preserving the whimsy character that currently exists in the neighborhood. The proposed project strives to reflect the unique, creative atmosphere and celebrate the history of the neighborhood with thoughtful design, affordability, and a vibrant mix of uses.

Deep Green - The project will be a model for sustainable building practices that embrace smart growth principles and moves toward the objective of carbon neutrality. The project aims to help decrease dependence on the automobile and embrace the project’s centralized downtown location as an opportunity for a more pedestrian and bicycle oriented community. Special care has been taken to restore the health of the soil and water at the project site and prevent pollution run-off into the ocean. Sustainability levels beyond the benchmark of LEED will be achieved by utilizing a number of environmentally sustainable strategies that not only offer conservation benefits, but also maximize occupant health and comfort.

Engage Community - Mesa Lane Partners conducted extensive public outreach to engage community stakeholders early in the visioning and programming discussions to ensure a collaborative and transparent, community-driven planning and design process. Engaging the public in the design process allowed the project to be designed to best suit the needs of current and future residents and tenants and the community at large. Incorporating feedback into the design plans is essential to the success of the project by instilling a community-wide sense of ownership.

Create Opportunity - The project seeks to recognize the diversity of the community by providing a range of housing opportunities that will be affordable by design to meet a wide range of community demographics. Space for new and existing local businesses and artists will provide

opportunities for them to continue to thrive and contribute to the local economy. The City block will become a true mixed-use community, with places to live, work, play and learn. Engaging public spaces throughout the project will encourage interaction among neighbors, visitors and residents.

Conceptual Program

Ground Floor

The ground floor program includes a wide variety of uses made up of maritime/ocean focused commercial and light creative/industrial arts space, totaling approximately 28,061 square feet. Several of the existing structures and facades will be reused to maintain the character of the site and numerous paseos, plazas and ample open space will be incorporated to make the site extremely pedestrian friendly. The sidewalk and streetscape will be enlivened with open-air seating, public art and businesses that remain open into the evening.

Ocean-oriented commercial uses on the ground floor will include a seafood restaurant and cafe spaces with outdoor dining, surf board shops, outdoor apparel retailers, a gym, a covered outdoor marketplace/bazaar, a large outdoor plaza with al fresco seating ideal for night time movie screenings and community events.

The light creative/industrial arts component of the project will occur primarily on the ground floor, and consist of an artist collaborative workshop and individual artist studios, as well as several light-manufacturing tenants on the ground floor such as surfboard shapers and a bakery. Approximately 12,154 square feet on the ground floor is allocated toward the creative industrial component.

Artist Collaborative Component

The Arts Collaborative will be a light industrial arts use that will provide low-cost shared and private studio space to area artists in residence. The Arts Collaborative will create an authentic, creative community where artists, entrepreneurs, and artisans can work, share ideas, and prosper. The Arts Collaborative will be a large shared artist workshop/incubator space, with below-market rent for use of shared workshop space and equipment for artists and creatives.

During the entitlement process for this project, a temporary pop-up arts community called the Funk Zone Artist Village (FZAV), will be erected on the site. The FZAV will be made up of pre-fabricated container structures and will provide affordable space for artists, micro entrepreneurs, craftspeople, and purveyors of artisan foods to work and practice their craft. The exterior of the structures will be commissioned by local artists

and the village will become an outdoor art museum and a revolving modern art exhibition. Once the development is built, the FZAV will move into the Arts Collaborative component of the permanent development project.

The FZAV is proposed as a separate project and is undergoing a permitting process separate from 121 E. Mason. The project will go to ABR for design approval and Staff Hearing Officer for a Coastal Development Permit for a project under 3,000 square feet.

Second Floor

The primary use on the second floor is residential, with thirty-two (32) residential units made up of a mix of studios, one bedroom, and two bedroom units. Most units will include a full balcony or Juliet balcony. Interior finishes will be simple yet contemporary, and will be affordable to a wide variety of price points. Additionally, the second floor includes 12,452 square feet of ocean oriented commercial space, well suited for an art gallery or a small gymnasium. The second floor also contains a Residential Amenity space (1,307 square feet) and a “Club Unit” (794 square feet).

Third Floor

The third floor program includes thirty-two (32) residential units, made up of a mix of studios, one bedroom, and two bedroom units. Also on the third floor is ancillary space for the rooftop hotel facility including utility space, management offices, and rentable space, making up approximately 1,356 square feet of ocean oriented commercial space.

Rooftop

The project proposes an ocean-oriented boutique hotel with approximately thirty to forty (30-40) rooms to be constructed on the rooftop of the mixed-use buildings. The hotel will provide a range of rooms and prices in order to serve visitors of all income levels. In addition, the hotel will provide ancillary amenities for guests, building residents, and the community including a fitness center, pool and lounge area. The hotel would encompass more than 10,000 square feet on the rooftop as well as an additional 1,356 square feet of utility space on the third floor for staff and management offices.

The project seeks to allow the proposed hotel accommodations as a developer concession under the State Bonus Density Law as discussed in detail below. The ocean-oriented boutique hotel will provide unique alternative overnight accommodations for visitors of the Funk Zone neighborhood and the use is consistent with the intent of the OC Zone and the bohemian, creative culture and character of the Funk Zone neighborhood.

Nonresidential Program

The nonresidential program is made up of general ocean-oriented commercial, restaurant and cafe space, light industrial arts uses and a unique ocean-oriented rooftop boutique hotel. The proposed non-residential program area is approximately 50,584 square feet total.

There is currently approximately 31,705 square feet of existing non-residential floor area on the site. When combined with the allowed new additions under the Nonresidential Growth Management Program (18,879 square feet), the total allowed nonresidential area is 50,584 square feet. The graph below summarizes our initial nonresidential program calculations; however, we are currently working with staff and performing additional research to revise our calculations based on staff comments and the City’s Non-Residential GMP.

NON-RESIDENTIAL GROWTH MANAGEMENT CALCULATIONS					
APN	Lot Area (nsf)	Minor Addition: 1,000 SF	Small Addition: 2,000 SF	Vacant Property: 25% of lot area	Total new SF allowed
33-084-001	5341	1,000	2000	1335	4,335
33-084-007	5088	1,000	2000	1272	4,272
33-084-006	5088	1,000	2000	1272	4,272
33-084-004	9996	1,000	2000	0	3,000
33-084-005	9996	1,000	2000	0	3,000
TOTAL ADDITIONAL ALLOWED NONRESIDENTIAL SF NON RES. GROWTH MANAGEMENT PROGRAM					18,879
TOTAL EXISTING SF RECOGNIZED BY CITY IN 4/13/2000 PRT LETTER					31,705
TOTAL ALLOWED NON-RESIDENTIAL SF					50,584

Residential Program

The project proposes to provide both market-rate workforce apartment housing and deed restricted affordable housing. The residential component consists of a base apartment density of forty-seven (47) units, of those units, ten (10) units or 21% of the base density units, are proposed to be deed restricted affordable units at the Low Income level for families earning 80% of the area median income as calculated by the California State Department of Housing and Urban Development for high cost areas. The project contemplates using the State Density Bonus Housing Law to provide an increased density of 35% to build a total of sixty-four (64) residential apartment units, in addition to two (2) residential guest amenity units. The residential units have an average size of approximately 905 square feet; and the total proposed residential area is approximately 62,678 square feet, or 48% of the total project floor area.

Average Unit Density and Variable Density

Zoning standards within the Variable Density Ordinance state that one studio unit per 1,600 square feet of lot area is permitted. Alternatively, the City's Average Unit Density Program Map identifies this project site as "Ocean Related/Medium High Density, 15-27 units per acre." Under the respective standards, forty-seven (47) studio base density units (Variable Density) or forty-seven (47) one, two, or three-bedroom base density units (AUD) are permitted, provided the average residential unit is no more than 905 square feet. **The proposed project contemplates using incentive concessions mandated by the State Bonus Density Housing Law as a mechanism to be fully compliant with both ordinances.**

The matrix on the following page summarizes the project's compliance with both the Average Unit Density Ordinance and the Variable Density Ordinance, while maintaining the same amount of building area in both scenarios:

PROPOSED RESIDENTIAL PROGRAM			
Residential Apartment Program	Allowed Under Average Unit Density Ordinance	Allowed Under Variable Density Ordinance	Proposed Project
Base Density Units	1.75 acres x 27 d.u. per acre = 47 Units	1.75 acres x 27 d.u. per acre = 47 Studio Units	"Bonus Density *developer Incentive" to permit units of any type =47 Units
Low Income Units (21%)	10 Units	10 Units	10 Units
Bonus Density Units	35% Bonus Density Units. 47 Units x 35% = 17 Additional Units	35% Bonus Density Units. 47 Units x 35% = 17 Additional Units	35% Bonus Density Units. 47 Units x 35% = 17 Additional Units
Total Units	47 Base Density Units + 17 Bonus Density Units = 64 Total Residential Units	47 Base Density Units + 17 Bonus Density Units = 64 Total Residential Units	47 Base Density Units + 17 Bonus Density Units = 64 Total Residential Units
Average Area/Unit (SF)	905 Avg. SF	No Size Limit	Approx 905 SF
Total Residential Area (SF)			62,678 SF
Residential Percentage of Total Floor Area	Per Section 28.71.020: residential use is permitted where the residential use will not exceed 70 percent of the total building floor area of the development project	Per Section 28.71.020: residential use is permitted where the residential use will not exceed 70 percent of the total building floor area of the development project	48%
Affordable Program			
Low Income Units	10 Units	10 Units	10 Units
Percent of Base Density	21%	21%	21%
Commercial/Industrial Program			
Total Commercial Area (SF)	Detailed calculation of existing and allowed new addition area in Non-Res GMP calculation chart, pending further research and revisions	Detailed calculation of existing and allowed new addition area in Non-Res GMP calculation chart, pending further research and revisions	28,359 SF General Comm/Retail +10,000 SF Hotel =38,430 SF
Total Industrial/Mfg Area (SF)	Detailed calculation of existing and allowed new addition area in Non-Res GMP calculation chart, pending further revisions	Detailed calculation of existing and allowed new addition area in Non-Res GMP calculation chart, pending further revisions	12,154 SF
Total Commercial/Industrial Program (SF)	31,705 SF existing non-res area +18,879 SF new non-res area = 50,584 SF	31,705 SF existing non-res area +18,879 SF new non-res area = 50,584 SF	50,584 SF
Parking and Utility areas			
Total Parking and Utility Areas			18,086 SF
TOTAL PROJECT SIZE			131,348 SF Total Project Area

Discussions with City staff, community groups, and housing officials have suggested the priority need is rental housing within the City. Given the current demand for affordable rental housing, our preference is to provide as much housing as possible, with units that are more affordable by design for the growing workforce population in Santa Barbara.

California State Bonus Density Law

The residential component of the project consists of a base apartment density of forty-seven (47) units. Of those units, ten (10) units, or 21% of the base density, are proposed to be deed restricted affordable units at the Low-income level for families earning 80% of the area median income as calculated by the California State Department of Housing and Urban Development for high cost areas.

Per the State Density Bonus Law, the project is thus entitled to receive a 35% density bonus above the base density permitted by local zoning code, allowing an additional seventeen (17) units, and bringing the total number of residential units of the proposed project to sixty-four (64). The residential units will have an average size of approximately 905 square feet; and the total proposed residential area is approximately 62,678 square feet, or 48% of the total project floor area.

In addition, because the project proposes the development of at least 20% of the base density as affordable units restricted to Low-Income households, it is eligible to be granted two (2) mandatory development incentives/concessions as chosen by the developer. (California Government Code §65915(d)(2)(B))

The proposed project requests the following development incentives:

- 1) **To allow the applicability of the City's Average Unit Density Ordinance.** This concession is necessary to allow the construction of residential units of other types, rather than exclusively studio units, while maintaining an average unit size of no more than 905 square feet. In addition, the AUD ordinance allows a height limit of forty-five (45') feet and four (4) stories in the OC zone. Taking into account the high cost of land in the coastal region and increasing construction costs, the additional rental revenue realized by providing a broader mix of unit types will accomplish two goals. One, it will help meet the high demand for various types of rental apartments in the City; and two, it will allow the project to meet its threshold returns to make the construction and on-going operation of the project with affordable housing units economically feasible. Should the project be required to provide all studio units, it could not generate adequate revenue to justify the upfront capital costs of development. Thus, the project requests the application of the City's AUD ordinance as a developer concession under the State Density Bonus Law.

- 2) **To allow hotel use in the underlying zone.** This concession would allow the project to include an approximately 30-40 room boutique hotel as a mixed-use component in conjunction with the affordable housing project. The California State Density Bonus Law §65915(1)(2) allows as a developer concession the “approval of mixed-use zoning in conjunction with the project if commercial, office, industrial or other land uses will reduce the cost of the housing development.” This concession is necessary as it generates sufficient revenue required to make the affordable housing mixed-use project economically feasible. The hotel use is the best performing asset of the development and will help to cross-collateralize the construction and long-term operation of the income-restricted affordable units provided on-site.

In addition, hotel uses are allowed by conditional use permit in parts of the OC zone district and in overlay zones that are within one or two blocks of the proposed project site. Hotel uses are also considered a priority use in the Coastal Zone. Furthermore, Santa Barbara Municipal Code §28.71.010 states that “land uses shall be encouraged in the [OC] zone that maintain and enhance the desirability of the Waterfront as a place to work, visit and live,” and that “this zone is intended to foster a vital, mixed-use neighborhood and preserve and protect the coastal environment in terms of light, air and visual amenities.”

The proposed hotel will contribute to the vitality of the neighborhood by increasing day-and night-time activity, benefitting the local artists and businesses operating in the area. In addition, the Funk Zone is increasingly becoming a desirable place to visit and recreate; however, there are limited options for overnight accommodations within the Funk Zone. A hotel on this site will enable visitors to be centrally located within the Funk Zone and in close proximity to the many art galleries, restaurants, wineries and other amenities located in the community. The hotel will also provide a range of rooms and prices in order to serve visitors of all income levels and is intended to serve as an alternative to the many high-end luxury hotels located in the harbor and Waterfront area. The proposed hotel will further establish this neighborhood as a primary destination for arts and culture within the City. The ocean-oriented hotel use is, thus, consistent with the intent of the OC zone and its proposed design and construction will contribute to, and help maintain, the bohemian, creative culture and character of the Funk Zone neighborhood.

Finally, Government Code §65915(k) states that “the granting of a concession shall not be interpreted to require a general plan amendment, local coastal plan amendment, zone change or other discretionary approval.” Therefore, once the Planning Commission makes its approval of the project, there is not a requirement to process a local coastal plan amendment or zone change to allow the hotel use.

In addition, per the State Density Bonus Law §65915(e), a city cannot apply a development standard that will physically preclude the construction of a density bonus project at the density or with the concessions/incentives allowed in the Law. These modifications do not reduce or increase the amount of incentives/concessions an applicant is eligible for under the Law. The project requests two (2) waivers/modifications of development standards:

- 1) **To increase the height limit from a maximum of 45 feet to a maximum of 60 feet.** This modification is necessary to allow the physical construction of the project at the proposed densities and with the requested concessions while maintaining the high quality architectural design, large amount of public open space and common areas and general ocean-oriented character of the proposed project. The concept design contemplates the construction of an eighteen foot (18') ceiling plate on the ground floor, two twelve foot (12') ceiling plates for the primarily residential second and third floors, and thirteen foot (13') roof for rooftop uses.

The increased height limit will allow the proposed ocean-oriented hotel, as requested as a developer concession above, to be located on the roof of the mixed-use buildings. A fourth story is allowed in the OC zone per the City's AUD ordinance. In addition, the AUD ordinance provides various incentives, including an increased height limit of sixty (60') feet, for projects in certain zones which exhibit exemplary architecture, achieve high quality designs and ensure a high level of livability for residents with particular attention to quality design features such as ample air, light, and ceiling plate heights. The proposed project meets the design criteria and considerations required for granting this AUD incentive in other zones and requests that it be afforded the same height limit increase as a modification to a development standard under the State Density Bonus law.

- 2) **To reduce the amount of required parking.** This modification is necessary to build the project at the proposed densities and with the requested concessions while maintaining the scale, architectural quality and large amount of open space as contemplated in the proposed design. Providing the total number of required parking spaces on-site would require the construction of a large multi-story parking garage which would make the project both economically and physically infeasible.

The project proposes a comprehensive parking and alternative transportation strategy to address the multimodal bicycle, pedestrian and automobile transportation trend in the Funk Zone area as well as supplement the parking that currently exists in the neighborhood. The proposed parking program, discussed in further detail below, incorporates innovative strategies intended to decrease patrons' reliance on autonomous vehicles and concomitant parking including providing bus passes for residents and a proposed pilot project of a new city-wide car-sharing program. Santa Barbara Municipal

Code §28.90.001.D of the Santa Barbara Municipal Code establishes that “a property owner may receive a parking modification by filing and approving a program for alternative transportation modes.”

In addition, the project will make substantial improvements to the streets surrounding the property, converting the Gray-Mason-Santa Barbara Street corridor into a one-way street loop, and adding new on-street parking spaces within the Santa Barbara and Gray Street right-of-way. The streetscape will be transformed into a more pedestrian friendly environment and provide new public parking for the neighborhood as well as off-site parking for the project. Furthermore, the project site has an existing direct pedestrian connection to the public parking lot located at Garden Street and Cabrillo Street. The site is within walking distance of this lot and it is anticipated that visitors of the project’s commercial uses will park in this lot and visit other attractions in the Funk Zone neighborhood and the beach. Santa Barbara Municipal Code §28.90.001.R allows parking for commercial and mixed-use developments to be located off-site.

The project meets the goals and intent of numerous City policies with respect to its alternative transportation and parking program and reducing vehicular greenhouse gas emissions and requests a reduction in the total parking required on-site as a development standard waiver under the State Density Bonus Law.

Parking Program

The project proposes a comprehensive parking and alternative transportation strategy to address the multimodal bicycle, pedestrian and automobile transportation trend in the Funk Zone area as well as supplement the parking that currently exists in the neighborhood. The proposed parking program incorporates innovative strategies intended to decrease future occupant’s reliance on autonomous vehicles and concomitant parking, as well as extensive alternative transportation options.

The parking program includes the use of automated robotic parking stackers to hide and reduce the footprint of vehicle parking, a community wide car-sharing program, a valet program, extensive bicycle parking and the creation of approximately 30% additional street parking spaces than currently exist. Alternative transportation strategies include bus passes for residents, a proposed collaboration pilot project with the City of Santa Barbara Transportation Department and its proposed new City-wide car-sharing program, and encouraged use of public transit within less than one-quarter mile from the site.

The project proposes to convert the Gray-Mason-Santa Barbara Street corridor into a one-way street loop, and add angled parking spaces within the Santa Barbara and Gray Street right-of-way. The project proposes to add thirty-two (32) new angled parking spaces, in addition to the 83

existing on-street parking spaces that currently serve the property. The streetscape will be transformed into a more pedestrian friendly environment and provide new public parking for the neighborhood as well as off-site parking for the project. The newly created public parking spaces presents the opportunity for the City to install parking meters and enjoy new parking revenue from visitors of the Funk Zone.

If additional parking is deemed necessary, Mesa Lane Partners will engage in further discussions with the Waterfront Department with respect to nighttime conjunctive use of the adjacent Garden-Cabrillo parking lot. The Garden-Cabrillo lot has a total of 207 spaces, and statistically has a daytime usage of approximately 41% over the course of the year. Nighttime use of the Garden-Cabrillo lot is lower statistically than during the day, presenting the opportunity for conjunctive use for residents of the project and additional parking revenue for the City.

We are currently working on a parking demand study to determine the total amount of parking spaces required on-site.

Alternative Transportation Program

The project will provide 100 secured bicycle spaces for residential tenants as well as an additional 130 bicycle parking spaces in the public right of way to serve the public and the employees of the commercial spaces, for a total of 230 bicycle spaces.

The project is served by four (4) Santa Barbara MTD stops within one-quarter mile. Riders are able to transfer from the Waterfront Line to Line 20 or 1, each with a direct connection to the Downtown Transit Center, allowing accessibility to nearly anywhere in the Santa Barbara area. In cooperation with the Santa Barbara MTD, the project is proposing one (1) new bus stop at the Yanonali-Gray Street intersection. Additionally, the project is located just one-third (1/3) mile from the Regional Amtrak Station (SBA), providing accessibility to rail and bus transit outside of the Santa Barbara area.

Additionally, three (3) car-share vehicles would be provided for use by residents and visitors to the commercial uses. As shown in numerous studies, car-sharing programs have proved to be an effective strategy to reduce the need to autonomous vehicles. Studies of North American car-share programs have shown that on average each car-share vehicle replaces twenty-five (25) parked vehicles through participants either giving up their personal vehicle or foregoing a vehicle purchase. The three (3) car-share vehicles will replace a total of (75) parked vehicles. The project will work in collaboration with the City of Santa Barbara Transportation Department toward future plans to incorporate their City-wide car-sharing program at the project site and encourage visitors and residents alike to utilize vehicles when visiting the area.

Residential Parking

Pursuant to Section 28.90.100, the project is eligible for a 50% reduction in residential parking requirements if residential uses occupies up to 50% of the development. The residential use in this project occupies approximately 48% of the development. On-site parking spaces will be provided for residential use in covered, on-site spaces.

Discretionary Approval Being Sought

Discretionary approval from the Planning Commission would be sought for a Coastal Development Permit, a Development Plan, and the approval of the requested development concessions and waivers under the State Density Bonus Law.

Design Approval is being sought from the Architectural Review Board.

Upon initial analysis, we anticipate the project will be eligible for the CEQA exemption and/or streamlining for infill projects pursuant to CEQA Statute 15195 and/or 15183.3 respectively. We will continue to work with staff to minimize any potential environmental impacts.

Previous Communication with City Staff & Committees

Numerous meetings with City Staff and Officials have helped shape the design and direction of the project. Mesa Lane Partners began meetings with Community Development Department Planning Staff in April 2013 and have been working collaboratively for over fourteen (14) months. Mesa Lane Partners engaged Planning Staff to view our early conceptual massing model and provide design input and suggestions for potential uses that share the City's vision for the Funk Zone.

Staff from the Community Development Department, including Housing Staff, was contacted in regards to the design of our affordable housing program. Housing Staff provided a better understanding of the affordable housing needs in the City, and a general understanding of how to apply the State-mandated Bonus Density Law with this project.

Early discussions with the Transportation Department suggested a preference for greater focus on alternative transportation. Recent communication with Transportation steered us toward the conversion of the Gray-Mason-Santa Barbara cul-de-sac into a one-way street and creating a parking lot environment on the streetscape with the addition of new angled parking on Gray and Santa Barbara Street.

The general consensus from meetings with City Staff and Officials is that rental housing is in high demand and should be a priority; the preservation of the unique character of the Funk Zone

neighborhood is important; and a unique parking solution for vehicles and bicycles must be considered to support the growing use of the Funk Zone neighborhood.

We recently received initial comments and feedback from staff during our PRT application review and meeting. Some of the issues identified during that process included revisiting the calculation of the non-residential floor area for which the project is eligible under the City's Non-Residential Growth Management Plan; preparing a Phase 1 Historical Structures/Sites and Archaeological Report; and preparing a parking demand study. We will continue to work with staff in preparation for our formal DART submittal, to refine the proposed program based on an updated analysis of the non-residential floor area allocation, and to provide additional information to support the request for proposed concessions under the State Density Bonus Law.

The proposed project hopes to further the goals and objectives and meet the needs of the community with a striking design sensibility. Having actively engaged the community from the earliest stages of the project's planning, Mesa Lane Partners is pleased to present a project that will undoubtedly redevelop this City block in a positive and responsible manner. Thank you for your time and consideration.

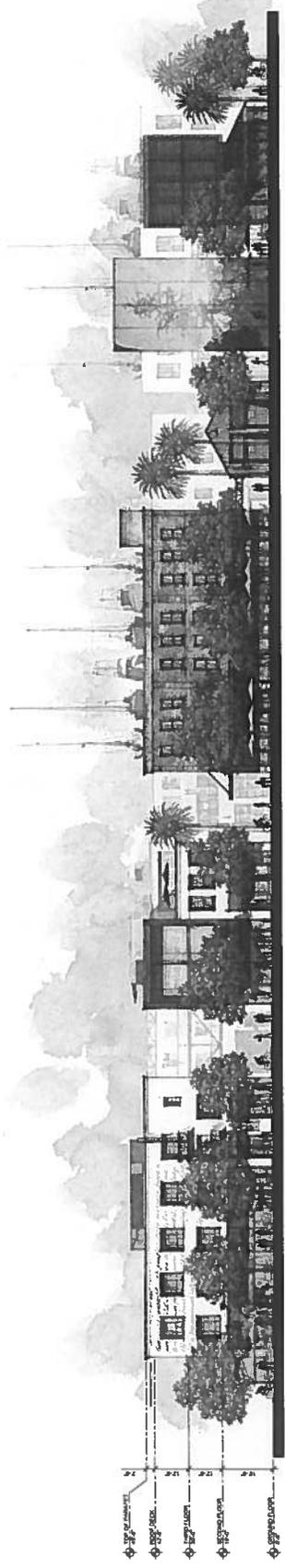
Sincerely,

Mesa Lane Partners

121 E. Mason Street

Dani Webster
 ARCHITECT
 2000 W. 10TH ST.
 ANAHEIM, CA 92801
 (714) 771-1111

121 E. MASON STREET
 SANTA BARBARA, CALIFORNIA 93101



WEST ELEVATION (GRAY ANTWOOD) 01

NO.	REVISIONS	DATE
1	REVISED	
2	REVISED	
3	REVISED	
4	REVISED	
5	REVISED	
6	REVISED	
7	REVISED	
8	REVISED	
9	REVISED	
10	REVISED	

A201
 CONCEPTUAL
 ELEVATIONS



WEST ELEVATION (CASCADIA SERIES) 02



City of Santa Barbara

Planning Division

PRE-APPLICATION REVIEW TEAM COMMENTS

May 30, 2014

SOMO SB, LLC
ATTN: Tony Tomasello
P.O. Box 92251
Santa Barbara, CA 93190

SUBJECT: 121 E. MASON STREET, MST2014-00115, APNS 033-084-001, -004, -005, -006, -007

**PRT MEETING DATE: TUESDAY, JUNE 3, 2014, FROM 2:00 P.M. TO 3:00 P.M.,
630 GARDEN STREET, CD 2ND FLOOR CONFERENCE ROOM.**

Dear Mr. Tomasello:

I. INTRODUCTION/PROJECT DESCRIPTION

The purpose of this review is to assist you with the City's review process including Development Application Review Team (DART) application requirements, and to identify significant issues relevant to the project. This letter will outline our preliminary comments on your proposal. Please review this letter carefully prior to our scheduled meeting date; we will answer your questions at that time. The specificity of our comments varies depending on the amount of information available at this time. In many cases, more issues arise at later steps in the process. However, our intent is to provide applicants with as much feedback and direction as possible at this pre-application step in the process.

Staff from various City Departments/Divisions have reviewed your conceptual plans and correspondence for the subject project.

The project consists of partial demolition of existing structures and a new residential and commercial mixed-use development comprising 66 residential apartment units (including ten affordable density bonus units), approximately 28,359 square feet of ocean-oriented commercial building area, 12,154 square feet of industrial/manufacturing building area, and 10,071 square feet of building area for recreation facilities and overnight accommodations on the 1.75 acre site.

II. COMMENTS AND ISSUES

- 1. OC Zone Uses and Regulations.** The proposed redevelopment project generally appears in line with the overall intent of the Ocean-Oriented Commercial (OC) Zone to provide for a vital, mixed-use neighborhood that supports arts related uses. However, additional information is needed to confirm that the proposed uses are consistent with the uses allowed in the OC Zone. The project includes a hotel use, which the OC Zone does not provide as an allowed or conditional use for the subject property. Since the rooftop bar, gym, trailers, shipping containers, and boats count as a story and toward building

height, the project does not conform to the maximum height limit (45 feet) or number of stories (3) for the OC Zone. Staff understands that the applicant is exploring using concessions, incentives, and waivers of development standards provided by California Bonus Density Law. Alternatively, or in addition, a Local Coastal Program amendment could be pursued to allow the proposed development.

2. **City Density Bonus.** The project is proposed with 66 units, which is a density bonus of 40%. California Density Bonus Law applies to projects with no more than 35% density bonus. State concessions, incentives, and development standard reductions and waivers are only allowed by right under California Density Bonus Law. If you seek additional density beyond the density allowed with state law, please discuss your proposal further with City Housing Staff. Please be advised, under the City's Density Bonus program, incentives/zoning modifications to provide land uses that do not conform to zoning and requests to exceed allowed height limits are not available.
3. **State Density Bonus.** If the project is redesigned to conform to California Density Bonus Law standards, provide a specific list of requested concessions, incentives, and development standard reductions and waivers. Please also provide information demonstrating that the requested concessions and incentives are necessary to provide for the affordable rents of the low income apartments, and information demonstrating that development standard reductions and waivers are required because those development standards physically preclude construction of a development with the proposed density and affordability provided in California Density Bonus Law.
4. **Coastal Act and Local Coastal Program.** To approve the Coastal Development Permit for this project, the Planning Commission must find that the project is consistent with both policies of the California Coastal Act and the policies, regulations and guidelines of the City's Local Coastal Program. Some relevant policies from the Coastal Act and the City's Coastal Land Use Plan are included in an attachment. Please include a discussion of the project's consistency with the following policies with your application submittal.
 - (a) **Recreational Open Space.** Local Coastal Plan Policy 3.13 states that developers shall be required to provide on-site recreational open space and parking for new users generated by any development of vacant or underdeveloped properties inland of Cabrillo Boulevard. While the project provides recreational outdoor space for the hotel use and other non-residential uses, it appears that the required outdoor living space is not provided for the residential units.
 - (b) **Parking.** Local Coastal Plan Policy 3.3 states that new development proposals in the coastal zone which could generate new recreational users (residents or visitors) shall provide adequate off-street parking to serve the present and future needs of the development.

- (c) **Neighborhood Character.** Local Coastal Plan Policy 5.3 states that new development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhoods shall not be permitted.
 - (d) **Hotel Room Prices.** Local Coastal Plan Policy 4.4 states that new hotel/motel development shall, where feasible, provide a range of rooms and room prices in order to serve all income ranges. That policy also encourages lower cost restaurants or restaurants with a wide range of prices.
- 5. **Parking Modification.** As explained below, the proposed project requires a Parking Modification to provide less than the minimum number of Zoning Ordinance-required parking spaces. To approve a Parking Modification, the Planning Commission must find that project will not cause an increase in the demand for parking space or loading space in the area. A Parking Demand Study examining all proposed uses will be required to substantiate a request for on-site parking reduction. While the project proposes to substantially increase on-street parking, which will be an overall benefit to the area, the Zoning Ordinance and Local Coastal Plan specifically require that new development provide off street parking to meet the needs of the project.
- 6. **Design Guidelines.** Applicable design guidelines for this project include the Urban Design Guidelines, Outdoor Lighting and Streetlight Design Guidelines, Waterfront Area Design Guidelines, and Architectural Board of Review Guidelines. Also applicable are the Waterfront Area Aesthetic Criteria, which are related to Visual Coastal Policy. The Waterfront Area Design Guidelines state that all developments should incorporate significant and/or skyline trees on site. Staff recommends that large skyline and large canopy trees be included onsite in the landscape design. The Waterfront Area Design Guidelines also call for designs to accommodate mechanical equipment and trash/recycling areas as integral parts of the project. Locations for backflow prevention devices should also be considered early in the review process. The Urban Design Guidelines require that corner buildings be designed to enhance the character and pedestrian activities of the entire intersection. At the April 14th concept review, ABR members encouraged that the new building proposed at the corner of Yanonali and Gray Avenue include open space and pedestrian activation. The Urban Design Guidelines provide guidance for design of paseos, courtyards, plazas, placitas, and transit stops. Please review and consider these guidelines in the design of the related spaces.
- 7. **Lot Merger.** A Lot Merger is necessary for the proposed development. The Lot Merger is a ministerial review and approval that would follow all Planning Commission and ABR approvals.

8. **Nonresidential Growth Management Program (GMP).** Effective April 11, 2013, until December 31, 2033, the amount of new nonresidential floor area available for nonresidential construction projects shall be restricted to no more than one-million three-hundred fifty thousand (1,350,000) square feet. SBMC Chapter 28.85 implements the GMP and provides details on the allocation of nonresidential square footage each year, categories of nonresidential square footage and development areas. Depending on where the project is located and at what time of year the application is submitted, the project may not be eligible for a nonresidential square footage allocation. Small additions are limited to twenty thousand (20,000) square feet per calendar year. Small addition allocations are made at the time of submittal of a complete Planning Commission application. If you decide to increase the square footage of your project during the DART process, contact your planner prior to submitting your revisions.
9. **Street Tree Removal and Plantings.** The removal of trees in the City right-of-way requires a permit from the Parks and Recreation Department (SBMC Chapter 15.20). Approval from the Street Tree Advisory Committee and Parks and Recreation Commission is required prior to application completeness. Please contact Tim Downey, the City Urban Forest Superintendent, with the request to remove trees in the right of way and to receive information on the designated tree species and appropriate number, spacing, and method of new plantings. Mr. Downey can be reached at tdowney@santabarbaraca.gov and 564-5592.
10. **Storm Drain.** There is a large-diameter shallow storm drain along the Santa Barbara Street frontage, which will likely affect the design of street improvements along Santa Barbara Street.
11. **EV Readiness.** The City's Climate Action Plan and the 2014 EV Readiness Plan encourage the wiring and the provision of electric vehicle charging stations in new development.
12. **Solar Energy.** General Plan Policy ER6 encourages consideration of solar energy system installations early in the review process so that building roof forms can be designed to optimally integrate panels with the buildings.

General Plan implementation strategy ER6.6 encourages the provision of a minimum of the equivalent of a 2kw photovoltaic system per unit and the equivalent of 5 watts of photovoltaic for every square foot of commercial, or a system designed to meet a minimum of 30% of the average projected energy demand for the use, whichever is lower.

Please refer to the City of Santa Barbara Solar Energy System Design Guidelines for information on solar energy system designs, which are eligible for design awards presented by the City Council.
13. **Climate Change.** The Coastal Commission has provided Draft Sea Level Rise Policy Guidance. In addition, the City's Climate Action Plan includes

guidelines for individual projects in Appendix C and the City's General Plan includes the following related policies and implementation actions:

- (a) Policy ER1. As applicable, private development and public facilities and services may be required to incorporate measures to minimize contributions to climate change and to adapt to climate changes anticipated to occur within the life of each project.
- (b) Implementation Strategy ER1.2. Require new development, redevelopment and substantial remodels to demonstrate how the project will support the City in attaining regional GHG vehicular emissions reduction targets. The Santa Barbara region has targets of zero net increase (from 2005 levels) in per capita GHG vehicular emissions in 2020 and 2035. These regional targets were adopted in 2010 by the Santa Barbara County Association of Governments (SBCAG) and the California Air Resources Board (CARB) pursuant to SB 375.
- (c) Policy ER4. New public and private development or substantial redevelopment or reuse projects shall estimate the useful life of proposed structures, and, in conjunction with available information about established hazard potential attributable to climate change, incorporate adaptation measures in the design, siting and location of the structures.

Staff will evaluate your project with the best available information when your project is submitted. With your application submittal, please estimate the usable life of the proposed project.

14. **FZAV.** During the pre-application review period, City staff became aware of the temporary Funk Zone Artist Village (FZAV) project on this same site. This letter does not address permitting of the FZAV project and the applicant is in ongoing discussions with City staff regarding a permit process for that concept.
15. **PC Concept Review.** Staff strongly recommends a Planning Commission Concept Review of this project at this stage to provide early feedback on the proposal. A Concept Review is tentatively scheduled for a Planning Commission Conceptual Review on July 10th. Please submit a letter to the Planning Commission, the Concept Review application fee, and ten sets of plans at least three weeks prior to this hearing.

III. APPLICATIONS REQUIRED

Based on the information submitted, the required applications would be:

A. Planning Division

1. A Parking Modification to allow less than the required number of parking spaces (SBMC §28.92.110.A);
2. A Lot Area Modification to allow residential density beyond the 47 studio units allowed with Variable Density or the 35% density bonus allowed under California Density Bonus Law (SBMC §28.92.110.A);

3. A Coastal Development Permit to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060); and
 4. A Development Plan to allow the construction of 18,879 square feet of net new non-residential floor area (SBMC §28.85.030).
- B. Engineering Division
1. Water and Sewer Service Connections.
 2. Lot Merger.
- C. Transportation Division
1. Waiver of Parking Standards due to the stacked parking proposed.
- D. Building & Safety Division
1. Building Permits.

IV. REQUIRED ADDITIONAL INFORMATION FOR APPLICATION SUBMITTAL

Staff has identified the following additional information as necessary in order to adequately review the proposed development project. Please ensure that your formal application submittal contains at least the following:

- A. Planning Division
1. **Non-residential Growth Management Program.** Please provide a detailed breakdown of existing, permitted net floor area for staff review and confirmation prior to submitting formal development applications.
 2. **DART Submittal Packet.** Please provide all information requested in the Development Application Review Team submittal packet.
 3. **PRT Review Letter.** Indicating how each of the comments contained in this letter have been addressed.
 4. **Proposed Uses.** Please provide additional detail on each of the proposed non-residential uses with clear indication of location, floor area, and allowed use in the OC Zone or by some other means. Some uses like "residential amenity," "club unit," "outdoor market," and "commercial" and "commercial recreational" must be better defined.
 5. **Parking Modification.** The calculations for the required parking incorrectly assume that the project would benefit from a credit from the current parking deficiency. SBMC Subsection 28.90.001.B requires that parking be brought up to current standards with an enlargement of more than 50% of net floor area for a lot. The provided parking calculations also assume that the requirement for each unit would be at the studio rate of 1.25 spaces per unit. The Multiple Residential Unit rates provided in SBMC Subsection 28.90.001.G.3 apply based on the number of bedrooms per unit. Define the restaurant areas and report the number of indoor and outdoor seats provided. Provide a complete breakdown of uses with floor areas and parking rates. Development and use of tenant spaces will be limited based on the information provided to the Planning Commission.

6. **Storm Water Management Program (SWMP).** This project must comply with Tier 3 storm water requirements. Tier 3 projects are required to construct storm water BMPs onsite that will meet the treatment, peak runoff discharge rate, and volume reduction requirements for the entire project site (not just redeveloped area). See Chapter 6 of the Storm Water BMP Guidance Manual for more information about meeting Tier 3 project requirements. The Guidance Manual can be found here:

<http://www.santabarbaraca.gov/gov/depts/parksrec/creeks/quality/storm.asp>

A hydrology/storm water report is required. The hydrology/storm water report items should include:

- (a) A description of the existing site and proposed project (map optional)
- (b) Site assessment (see Chapter 2 of the BMP Guidance Manual)
- (c) BMP Selection and associated capacities (see Appendix C and Appendix D of BMP Guidance Manual for sizing methodologies and worksheets)
- (d) Soil report including infiltration testing results (see Chapter 3 of the BMP Guidance Manual for methodology)
- (e) Storm Water Calculations (including narrative summary). See Appendix C in the Guidance Manual.
- (f) Summary and Conclusions (must include confirmation that total BMP capacities meet/exceed the post-development runoff requirements.)

Show proposed BMPs on the plans. Proposed BMPs should comply with specifications described in Chapter 6 of the BMP Guidance Manual. Include cross-section details of proposed BMPs as well.

Indicate where storm water from all proposed hardscape will flow (i.e. clearly show how all hardscape will be treated by proposed BMPs).

Please consider implementing natural filtration devices, such as swale-like landscaping, rain gardens, other bioretention designs or permeable paving that allows infiltration of storm water into the soil for water quality treatment. These types of passive/natural capture and filtration design options are recommended as opposed to mechanical or proprietary device options, which pose maintenance problems, may not treat for all of the pollutants of concern, and often do not treat runoff as efficiently. Please refer to the City's Storm Water BMP Guidance Manual.

7. **Historic Structures/Sites Report.** This property is located in the City's Demolition Review Study Area and contains buildings more than 50 years old that have not yet been sufficiently analyzed for potential historic significance. Therefore, a Historic Structures/Sites Report prepared by a City-qualified historian is required. The report must identify and assess the significance of any historic structures and/or sites; evaluate the project impacts on any significant resources; and propose measures to mitigate any potentially adverse impacts. That report must be reviewed and accepted by the Historic Landmarks

Commission prior to application completeness. A list of City-qualified historians is attached.

8. **Phase I Archaeology Report.** According to the City's Master Environmental Assessment maps, the project site is located within a Prehistoric Watercourse Buffer and the Hispanic, American, and Early 20th Century Sensitivity Zones. Therefore, a Phase I Archaeology Report is required. The Phase I report must be reviewed and accepted by the Historic Landmarks Commission prior to application completeness.
9. **Noise.** Please provide specification sheets on the parking machines reporting noise generation. The Noise Element has a maximum interior exposure of 45 Ldn for residential and 50 Ldn for retail and restaurants from exterior sources. The Municipal Code also has a maximum threshold of 60 CNEL from mechanical equipment at adjacent property lines for properties used for residential purposes. The pre-application letter mentions the use of the outdoor plaza for night time community screenings. Please note that the Noise Ordinance also limits sound amplification to music and the human voice with a maximum noise level at or beyond the property line of 60 dBA from 7 am – 10 pm and 50 dBA from 10 pm - 7am. Additional information may be required to show that the development is consistent with these standards.
10. **Groundwater Contamination.** Submit documentation on the status of the cleanup of the groundwater contamination from Santa Barbara County Public Health Department and the Regional Water Quality Control Board.
11. **Geotechnical Report.** The Potential Liquefaction Hazard Zone Map shows this site to be location within a High Potential Liquefaction Hazard Zone. Please have a qualified licensed geologist or geotechnical engineer conduct a full site investigation with design recommendations to be incorporated into the project.
12. **Dewatering.** If any subsurface parking if proposed, please provide site specific evidence that groundwater is significantly below the level of the proposed underground garage so that no form of dewatering will be needed for construction or operation, or provide evidence that the building is designed to withstand hydrostatic pressure and seepage from potentially high groundwater in the area so that the building would not necessitate any dewatering once built and operating. If dewatering would be necessary, a study prepared by a California Professional Geologist or a Certified Hydrogeologist shall be submitted for review. The study shall include:
 - (a) An analysis of the amount and quality of the groundwater proposed for dewatering.
 - (b) An analysis of groundwater contamination known to exist in the project area that could be drawn to the project site during dewatering.
 - (c) A description of the method of dewatering disposal. If filtering or treatment prior to release is required it should be described and the location of needed facilities identified. If both sewer treatment and pipeline capacity is sufficient, construction dewatering will be routed to

the sewer treatment plant. If there is insufficient sewer treatment or line capacity and the existing drainage system is proposed for discharge, an analysis of the environmental impacts of disposing the expected amount and quality of the water on the existing water resources and drainage system, including but not limited to system capacity (including the adequacy of the existing drainage and the need for and size of temporary storage), all downstream receiving waters, and sensitive species within them is required.

- (d) Disposing water in the sanitary sewer after construction is complete is prohibited by the Municipal Code. Operational dewatering is not permitted. Instead, foundation and below grade walls must be designed and constructed to withstand the hydrostatic pressure associated with the level of ground water anticipated.
13. **Visual Simulations.** Please provide visual simulations of the project viewed from the beach toward the mountains and from Highway 101 toward the beach.
 14. **Outdoor Living Space.** Show compliance with the Outdoor Living Space requirements in SBMC §28.21.081.
 15. **Trash Recycling.** Show trash/recycling containers and enclosures on the site plan. Note: commercial must be separate from residential, equal capacity for trash and recycling is required, and foodscraps containers will be required for food serving commercial spaces.
 16. **Construction Plan.** In order to evaluate short term construction-related traffic, parking, air quality and noise impacts, provide a construction plan for each phase of construction (e.g. demolition, grading, construction, landscaping) that delineates the following:
 - (a) Estimated number of truck trips;
 - (b) Estimated length of construction time for each phase of construction including hours per day and total days;
 - (c) Types of equipment necessary for each phase and how long they would be used, including hours per day and total days; and
 - (d) Number of construction workers on site daily during each phase; and the location(s) of construction staging and construction worker parking.
 17. **Mechanical Equipment and Backflow Prevention.** Show the general location and consider screening for mechanical equipment and backflow prevention devices.

B. Engineering Division

1. **Rights of Way.** Show and identify all dimensions of Public right-of-way adjacent to subject properties to include but not be limited to existing and proposed widths of roadway, sidewalk, parking areas, edge of pavement, curb and road centerline radius, etc. Show dimensioned section views of Santa Barbara St, Mason St, and Gray Ave Public right-of-ways.

2. **Intersections.** Show and identify with dimensions the existing public right-of-way intersections of Santa Barbara & Yanonali Streets and Gray Avenue & Yanonali Street to include but not be limited to paved roadway width, sidewalk, curb radius, etc.
3. **Streetlights.** Show and identify all existing and proposed Street lights in the Public right-of-way adjacent to subject properties and parking areas.
4. **Utilities.** Show and identify locations of all utilities in the Public right-of-way including but not limited to: water, sanitary sewer, storm drainage, electric, gas, telecommunications, etc.
5. **Water Meters.** Show and identify all proposed domestic and commercial water meter locations.
6. **Title Report.** Provide a Preliminary Title Report dated/issued within 3 months of application submittal.

C. Fire Department

1. **Fire Hydrant.** Show the location and type of existing fire hydrants on plans. Include hydrant number, distance from hydrant to furthest exterior wall by way of access, number and type of outlets provided and gpm flow of hydrant (SBMC Chapter 8.04, Section 507.1).
2. **Commercial Driveway.** Commercial driveway access shall be a minimum of 20 feet in width to within 150 feet of all exterior walls of the structure. There is no parking allowed in this 20 foot space. Commercial access requirements also apply to driveways serving greater than three (3) residential units (SBMC Chapter 8.04, Section 503.1.1 and 503.2.1). This requirement also pertains to any public street supplying access to the building including Grey, Mason, and Santa Barbara Streets.
3. **Mixed-use Addressing.** Mixed-use occupancy signs are required per City of Santa Barbara Municipal Code. Please note on plans that mixed-use addressing will be provided (SBMC §8.04.030, Section 505.1.1).
4. **Project Directory.** A project directory, including a map and listing of all units on the site must be posted at the entrance to the property and must be indicated on the project plans (SBMC 8.04, Section 505.3). This directory may require Sign Committee application and approval.
5. **Knox Box.** Provide a Knox Box for fire department access. Knox Box applications are available at the Santa Barbara City Fire Department Headquarters, 925 Chapala Street, (805) 564-5702 (CFC 506.1).
6. **Fire Sprinklers.** An automatic fire sprinkler system is required for this building under a separate permit. Please place this note on plans (SBMC Chapter 8.04, Section 903.2.20).
7. **Standpipe.** A standpipe system is required for this building and must be provided under a separate permit. Please place this note on plans (CFC 905.3).

8. **Fire Alarm.** A Mixed-Use Fire Alarm system is required. The alarm system must notify all occupants in the event of fire. The system must include automatic smoke detection throughout the entire complex and be provided with a notification system which indicates the presence of residential dwelling units. Please note on plans that a mixed-use fire alarm system will be provided under a separate permit (SBMC Chapter 8.04, Section 907.2.30).

D. Transportation Division

1. **Pedestrian Master Plan.** New multi-family or nonresidential development projects typically include pedestrian improvements in the public right-of-way, and are subject to the guidelines and policies of the Pedestrian Master Plan (http://www.santabarbaraca.gov/gov/depts/pw/transpark/master_plans.asp).
2. **Standards for Parking Design.** For all development, parking on-site shall meet the Standards for Parking Design, which can be found on the City's website at: http://www.santabarbaraca.gov/gov/depts/pw/transpark/project_review.asp
3. **Street Design.** The streets adjacent to the project were designed according to the City of Santa Barbara Standards for Parking Design and presently are not be wide enough to handle all the vehicle types for the area. Staff is supportive of the one-way design concept for the adjacent streets with an all-way stop at Santa Barbara and Yanonali Streets, and will continue working with you on design details for standard compliance.
4. **Parking Angle.** Use a parking angle that is 60 degrees or more for the proposed on-street parking.
5. **Auto Turn.** Provide plans with Auto Turn for larger vehicles.
6. **Parking Requirements.** Provide a statement of the parking requirements and parking provided. We assume that a parking modification will be required, therefore, provide a parking demand study for the proposed project is necessary; please have the parking study initiated with our further input.
7. **Traffic Model.** We anticipate that the project may result in significant project-specific traffic impacts. Therefore, the applicant will be required to provide funding for a traffic model run. The latest cost estimate was \$5,000 for each traffic model run. The City is in negotiations for a contract with the traffic model designer.
8. **Stacked Parking.** Provide more information about the proposed stacked parking. Here are some preliminary questions:
 - (a) Where is the queuing space?
 - (b) How and who will operate the system?
 - (c) How long does it take to retrieve a vehicle?
 - (d) What are peak times for parking?
 - (e) How do pedestrians access the vehicles?

(f) How will it comply with ADA requirements?

9. **Pedestrian Connection to Garden Street.** The Local Coastal Plan, Circulation Element, and the Pedestrian Master Plan encourage and provide guidance for improving pedestrian connections in the coastal zone. Consistent with these policies, staff recommends that improvements to the pedestrian connection between Mason Street and the Garden Street parking lot be made by straightening out the alignment between the parking and the project area. Staff anticipates that people in the area will park in the Garden Street parking lot to access the Waterfront and also this project, parking once and walking to the different attractions in the area.
10. **UPRR Pedestrian Connection.** In addition to the recommended improvements to the pedestrian connection to Garden Street, staff recommends that the project improve the pedestrian connection to and from this proposed development and State Street with a pedestrian connection within the Union Pacific Rail Road right-of-way from the end of Gray Avenue to the vehicular crossing at Anacapa Street for consistency with the Local Coastal Plan, Circulation Element, and the Pedestrian Master Plan.
11. **Roadway Clear Width.** The Fire Department would like a minimum of 20 feet clear area within the roadway (per Fire Department comment No. 2 above). Consider parking lot type arrangements that leave 20 feet clear. Ninety degree parking along one side of the road could be considered. You may want to offer a dedication of right of way to accommodate all of the vehicle and pedestrian improvements desired with the project.

E. Building & Safety Division

1. **Building Codes.** The currently adopted building codes in effect are the 2013 California Building Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Plumbing Code, 2013 California Green Building Code, 2010 California Energy Standards (the 2013 California Energy Standards will be adopted on July 1, 2014) and the City of Santa Barbara Municipal Code #5639.
2. **APCD Clearance.** Prior to the issuance of a building permit, clearance from the Air Pollution Control Department will be required.
3. **Grading & Drainage Plan.** A complete grading & drainage plan with calculations, soils report (geotechnical), geological report, architectural, structural plans and calculations will be required at the time of submittal for Building and Safety Division plan review.
4. **Utility Undergrounding.** All utilities: power, telephones, cable TV, serving the proposed development (including poles located on subject properties) shall be placed underground as required by City of Santa Barbara Municipal Code Chapter 22.38.
5. **Area and Story Requirements.** Allowable area and story requirements per CBC Table 503 must be met for the proposed commercial buildings.

6. **Wall & Opening Protections.** Commercial Building on the same lot (parcel) must comply with CBC 705.3 for required wall and opening protections.
7. **Fire Wall.** Fire wall construction for allowable area increases must provide complete separation and structural stability per CBC 706.
8. **Accessibility.** Accessibility requirements for commercial, multi-family and guest accommodations must be satisfied per CBC 11A & 11B.
9. **Structural Upgrades.** The existing building provision for structural upgrades must be satisfied per CBC Chpt. 34.
10. **Flood Hazard.** This Project is located within a Special Flood Hazard Area (SFHA) as indicated on the Federal Insurance Rate Map. The National Flood Insurance Program (NFIP) requires special construction to mitigate flood damage of new and remodeled structures or additions located in a SFHA. Please review & adhere to the design requirements of City Municipal Code Chapter 22.24 'Floodplain Management' and note that additional design clarification is contained in the NFIP Technical Bulletins TB 1 thru 11. Refer to www.fema.gov/fima/techbul.shtm or copies maybe reviewed at the Building & Safety Division office.

Please apply for a Base Flood Elevation (BFE) determination from the City. A BFE permit is required for each building (even if this project is currently under another permit review). This flood water elevation is necessary for the design of structures in a SFHA to determine the extent of the building's anchoring; construction materials; floor and equipment elevations; and flood proofing (non-residential only).

V. ENVIRONMENTAL REVIEW:

Determining the level of environmental review is dependent on a thorough project description in the applicant letter that provides information about the existing setting (e.g. size of the parcel, amount of development, use of buildings, natural habitat on site, easements, etc.) and the proposed project (e.g. demolition of structures, grading, habitat removal, uses of the site, restoration or structures and/or natural habitat, etc.).

Once the formal application has been received and deemed complete, Staff will begin the environmental review of the subject development application. During this period, you may be contacted to discuss measures to avoid or reduce environmental effects anticipated to result from the proposed project.

VI. FEES

Please be informed that fees are subject to change at a minimum annually (on July 1st). Additionally, any fees required following Planning Commission Approval will be assessed during the Building Plan Check phase and shall be paid prior to issuance of the building permit. Based on the information submitted, the subject project requires the following additional fees for the following reasons:

A. Planning Division

Prior to the application being deemed complete:

Planning Commission Concept Review	\$2,740.00
Coastal Development Permit Fee	\$9,970.00
Local Coastal Program Amendment (if necessary)	\$17,525.00
Development Plan (50,001 sf-100,000 sf)	\$24,850.00
Modifications.....	\$2,220.00 initial, \$1,125.00 each additional
Environmental Review Fee.....	TBD (minimum \$1,975 for a CEQA Exemption)
Mailing List Service Fee.....	\$125.00

Following Planning Commission approval:

LDT Recovery Fee	30% of all Planning Fees
Plan Check Fee	TBD

B. Engineering Division

Following Planning Commission approval:

Voluntary Merger for 3 to 5 lots.....	\$1,813.00
Water Buy In (\$476,299 – \$68,771 credit).....	\$407,528.00
Sewer Buy In (\$390,494 – \$56,383 credit).....	\$334,111.00
Right of Way Improvement fees	TBD

C. Transportation Division

Prior to the application being deemed complete:

Traffic Model Run Fee	\$5,000.00
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Following Planning Commission approval:

Plan Check Fee	\$467.00
Parking Design Waiver Fee	\$226.00
Parking Demand Analysis Fee.....	\$453.00
Traffic AMP Benchmark update for Housing Fee	\$1980.00
Traffic AMP Benchmark update for Non-Residential Fee.....	\$6,300.00

D. Building & Safety Division

Prior to the application being deemed complete:

Base Flood Elevation Determination	\$150.00
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Following Planning Commission approval:

Building Permit and Plan Check Fee.....	TBD
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VII. NEXT STEPS:

1. Planning Commission Concept Review
2. Review of the Historic Structures/Sites Report by Historic Landmarks Commission
3. Second ABR Concept Review

4. Initiation of Local Coastal Program Amendment by the City Council or Planning Commission and/or further discussion with staff regarding the use of California Density Bonus Law
5. Complete other technical studies: archaeology, parking demand, traffic, geotechnical, visual simulations
6. Make an appointment with the case planner to submit a DART application at the Planning & Zoning Counter
7. DART application submitted for completeness review
8. DART application reviewed for completeness by City staff
9. Determination of Environmental Review process. This may include the preparation of an Initial Study and a determination as to whether a Mitigated Negative Declaration or an Environmental Impact Report would be required
10. Planning Commission review
11. City Council Final review any pertinent land development documents, easements, abandonments, rezoning, etc.
12. ABR Project Design and Final Approvals

Please Note: The Planning Commission conducts regular site visits to project sites, generally the Tuesday morning prior to the scheduled hearing date. The Commission has requested that markers be provided on the site for all projects that may have size, bulk and scale, visual impacts or view issues, to provide a basic visual representation of project size and scale.

Please be sure to place stakes at the corners of the proposed new buildings/additions and story poles located at the roof ridge line (the highest point of the roof) and the eave. Any large trees to be protected/removed should also be identified.

Also note that you will also be required to post the public notice on the site in accordance to current noticing requirements.

VIII. CONTACTS

The following is a list of the contact personnel for the various City departments and/or divisions working on the processing of your application:

- Planning Division, 564-5470, ext. 4550Daniel Gullett, Project Planner
Fire Department, 564-5702.....Ryan DiGuilio, Fire Inspector II
Engineering Division, 564-5363.....Mark Wilde, Supervising Civil Engineer or
Michael Cloonan, Senior Engineering Tech
Transportation Division, 564-5385.....Steve Foley, Supervising Transportation Planner
or Stacey Wilson, Associate Transportation
Planner or Derrick Bailey, Supervising
Transportation Engineer
Building & Safety Division, 564-5485Lonnie Cassidy, Building Inspection/Plan Check
Supervisor

IX. CONCLUSIONS/GENERAL COMMENTS

These comments constitute your PRT review. The project is scheduled for review at a meeting on **June 3, 2014 from 2:00 p.m. to 3:00 p.m.**, with staff from the Planning, Transportation, Engineering, Building & Safety Divisions and the Fire Department. Please review this letter carefully prior to our scheduled meeting date. We will answer your questions on the PRT comments at that time. If you do not feel it is necessary to meet with Staff to discuss the contents of the letter or the project, please call me at (805) 564-5470 by June 2nd. If we do not hear from you by this date, we will assume that you will be attending the scheduled meeting.

Prior to submitting a formal DART application, please make an appointment with me to review the materials and ensure that all of the required items are included in the application package. If you have any general or process questions, please feel free to contact me.

Sincerely,

Daniel Gullett

Daniel Gullett
Project Planner

Attachments:

1. Relevant Coastal Act and Local Coastal Plan Policies
2. Historian List
3. ABR minutes

cc: Planning File
Dan Weber, Architect
Barbara Shelton, Environmental Analyst
Mark Wilde, Supervising Civil Engineer
Michael Cloonan, Senior Engineering Technician
Karen Gumtow, Environmental Services Specialist
Joe Poire, Fire Battalion Chief
Ryan DiGuilio, Fire Inspector II
Steve Foley, Supervising Transportation Planner
Stacey Wilson, Associate Transportation Planner
Derrick V. Bailey, Supervising Transportation Engineer
Lonnie Cassidy, Building Inspection/Plan Check Supervisor
Deirdre Randolph, Community Development Program Supervisor II
Jim Rumbley, Water Resources Specialist

ARCHITECTURAL BOARD OF REVIEW MINUTES

April 14, 2014 Concept Review

121 E MASON ST

OC/SD-3 Zone

Application Number: MST2014-00115

Architect: Dan Weber

Owner: Somo SB, LLC

(Proposal for a new residential and commercial mixed-use development comprising 66 residential apartment units (including ten affordable density bonus units), approximately 28,359 square feet of ocean-oriented commercial building area, 12,154 square feet of industrial/manufacturing building area, and 10,071 square feet of building area for recreation facilities and overnight accommodations on a 1.75 acre site. The project incorporates five existing structures and includes an outdoor gym and rooftop pool.)

(Requires Environmental Assessment and Planning Commission review.)

Actual time: 4:47 p.m.

Present: Dan Weber, Architect; and Neal Dipaola, Owner.

Public comment opened at 5:13 p.m.

- 1) Karl Kras, (member of Funk Zone Neighborhood Association) spoke in support of the proposed project, and of importance of maintaining neighborhood participation; requested breaking up the massing in favor of mixed-use and individual industrial style buildings for a more artistic community; more public open space; bike and pedestrian-friendly amenities; and maintain the variety of sustainable housing.
- 2) Ron Gallo, (President and CEO of Santa Barbara Foundation); spoke in support of the proposed project which is continuing to evolve as an important arts section of Santa Barbara.
- 3) Darcel Elliot, (agent for Das Williams, Rep.); spoke in support of the project.
- 4) Jay Harkrider, support; spoke in support of the project that will include input from local artists and local hotels.
- 5) Nils Hammerbeck spoke in support of the project.

A letter of concerns from Suzanne Martin-Reay was acknowledged.

Public comment closed at 5:26 p.m.

Motion: Continued indefinitely to Full Board with comments:

- 1) Study the relationship between building heights and open spaces.
- 2) Provide perspectives from the corner of E. Yanonali Street and Gray Avenue, and provide transitions from the old to the new on the plans, the heights of neighboring buildings, and shadowing for additional contextual perspective. The Board suggested 3-D modeling might be helpful.
- 3) Prior to the next ABR review, provide Transportation and Fire Department staff review of pedestrian and vehicular safety issues, alley access for parking, turn-around radius, and emergency access and egress (on a one-way street).
- 4) Study reducing the height of some portions of the buildings surrounding the tower.
- 5) Identify existing and proposed buildings on the plans. Add adjacent parcel buildings on the elevations and callout those buildings heights.

Action: Wittausch/Hopkins, 5/0/0. Motion carried. (Gradin/Cung absent).

RELEVANT COASTAL ACT & LOCAL COASTAL PLAN POLICIES

GENERAL POLICIES

Policy 1.2

Where policies within the land use plan overlap, the policy which is the most protective of resources, i.e. land, water, air, etc., shall take precedence.

Policy 1.3

Where there are conflicts between the policies set forth in the land use plan and those set forth in any other element of the City's existing General Plan or existing regulations, the policies of the land use plan take precedence.

RECREATION

INTRODUCTION

An important goal of the Coastal Act of 1976 is to "...maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners." To this end, the Coastal Act contains explicit policies regarding the protection and enhancement of recreational opportunities. These policies are:

Section 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213. Lower cost visitor and recreational facilities ... shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

Section 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

In summary, these policies require:

1. That recreational (or commercial visitor serving) uses be given priority over general commercial industrial or residential uses;
3. That low cost recreation which is open to the public is preferred; and
4. That recreational facilities be sited and designed to avoid adverse impacts of overcrowding or overuse.

In order to address these policies, the City must review both existing and future recreational uses, potentials and constraints in Santa Barbara's coastal zone. A summary of the City of Santa Barbara's resources and issues is presented in Section II which follows.

Issues

Despite the wealth of recreational opportunities located in the City's coastal zone, there are a number of issues which the LCP seeks to resolve. Foremost among these is achieving a balance of recreational uses consistent with the unique shorefront image of Santa Barbara without impacting public service systems and environmental features.

Major coastal recreation issues of concern to the City's LCP are:

Issue 2: Although the City offers extensive coastal recreational opportunities, parking and circulation congestion may discourage full utilization of recreational areas.

Issue 5: There is little remaining undeveloped land in the City's coastal zone. As a result, the City must explore methods of preserving or providing recreational opportunities to meet both existing and future recreational demands consistent with public service and environmental constraints.

Policy 3.3

New development proposals within the coastal zone which could generate new recreational users (residents or visitors) shall provide adequate off-street parking to serve the present and future needs of the development.

Policy 3.4

New development in the coastal zone which may result in significant increased recreational demand and associated circulation impacts shall provide mitigation measures as a condition of development including, if appropriate, provision of bikeways and bike facilities, pedestrian walkways, people mover systems, in lieu fees for more comprehensive circulation projects or other appropriate means of compensation

Policy 3.13

Developers shall be required to provide on-site recreational open space and parking for new users generated by any development of vacant or underdeveloped properties inland of Cabrillo Boulevard.

VISITOR-SERVING USES

INTRODUCTION

Closely related to the provision of access and recreation in the coastal zone is the provision of adequate visitor-serving establishments. The shoreline offers a unique recreational and environmental setting which attracts visitors from across the state and nation. In recognition of the need to provide opportunities for use and enjoyment of the coast for those who do not live within the coastal zone, the Coastal Act contains a comprehensive set of policies regarding visitor-serving uses:

Section 30222. The use of private lands suitable for visitor-serving recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30213. (Part) Lower cost visitor and recreational facilities ... shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Issue Discussion

Tourism plays a critical role in maintaining the economic balance of the City. According to a survey sanctioned by the All Year Round Association¹, the principal reasons for visiting Santa Barbara are “quiet; relaxing; scenery.” Therefore, maintaining Santa Barbara’s tourist economy relies, in part, on the maintenance of Santa Barbara’s relaxing pace and scenery. A primary task of the LCP, then, is to give priority to visitor-serving uses in the coastal zone (as called for by the Coastal Act) while continuing to preserve a low key, relaxing image. Related to this are the following issues:

EXISTING PLANS AND POLICIES

Size, Scale, and Impact on Public Service

While the Coastal Act seeks to encourage visitor-serving uses, it is also important to ensure that such uses do not result in a congested and visually disorienting environment. To maintain the City’s attractive image, the General Plan states that “emphasis shall be placed on the preservation and protection of scenic areas and improvement in the quality of historic, recreational and other tourist and visitor attractions ... rather than on intensive campaigns to increase the quantity of tourist activity.”

In keeping with both the Coastal Act and the General Plan, new visitor-serving development should, at a minimum, be reviewed by the Architectural Board of Review or the Historic Landmarks Commission and be consistent with the LCP “Visual Resources” policies, and be designed to mitigate traffic and parking impacts. To accomplish the latter, it will be necessary to require adequate off-street parking, and, if appropriate, provision of facilities or in lieu fees to mitigate the increased traffic movements resulting from the development.

Adequate open space for visual relief and passive public uses should also be a part of any major visitor-serving development.

Preserving Lower Cost Visitor-Serving Uses

Section 30213 of the Act calls for the protection and encouragement of lower cost visitor-serving uses. Santa Barbara is fortunate in that a diversity of visitor-serving experiences are available to visitors at no cost (free!) such as, public beach and park areas, the Arts and Crafts Show, channel and boat viewing at the Harbor, bird watching at the Bird Refuge, and meandering through small shops and art galleries along Cabrillo Boulevard and State Street. These uses are an integral part of Santa Barbara’s shoreline experience which should be preserved to meet both the intent of the Coastal Act and to provide both visitor and resident recreational opportunities. These uses can be preserved, in part, by: (1) obtaining public dedications and supportive zoning for existing public open spaces; (2) ensuring that new commercial development is visitor-serving in nature; and (3) establishing policies which accommodate and preserve unique opportunities, such as the Art Show and boat viewing in the Harbor.

In addition to visitor-serving recreational uses, preservation of lower cost lodging and restaurants is important. Preservation of lower cost uses can be achieved, in part, by: (1) ensuring that an adequate supply of lodging and restaurant opportunities is available so that demand does not result in exclusive prices; and (2) maintaining and encouraging a range of price and type of lodging units available. Ensuring an adequate supply of overnight lodging and restaurants will require control of conversions of visitor-serving uses to other uses, and encouragement of new visitor serving uses in appropriate areas as demand increases. Similarly, for development of new overnight accommodations, a possible condition of development should require a range of accommodations so that moderate and lower priced lodging continues to be available in Santa Barbara’s coastal zone.

¹ Haug Associates, Inc., Santa Barbara Area Tourism, January, 1974, prepared for All Year Round Association.

Policy 4.1

In order to preserve and encourage visitor-serving commercial uses, appropriate areas along Cabrillo Boulevard, Castillo Street, Garden Street and along State Street shall be designated "Hotel and Related Commerce I (HRC-I)" and "Hotel and Related Commerce II (HRC-II)".

HRC-I designation shall include hotels, motels, other appropriate forms of visitor-serving overnight accommodations. Ancillary commercial uses directly related to the operation of the hotel/motel, and restaurants.

HRC-II designation shall include all uses allowed in HRC-I and such other visitor-serving uses examples such as, but not limited to, restaurants, cafes, art galleries, and commercial recreation establishments. Uses such as car rentals and gas stations will require a conditional use permit.

Action

- As part of the LCP Implementation Program, zoning techniques which distinguish residential uses and hotel/motel uses, and which provide policy guidance regarding conversions which are in conformity with these policies and the Coastal Act shall be developed.

Policy 4.2

New visitor-serving development permitted pursuant to Policy 4.1 shall be:

- (1) Reviewed by the Architectural Board of Review or the Historic Landmarks Commission for compatible architectural design;
- (2) Be consistent with the adopted LCP Visual Quality Policies;
- (3) Provide to the maximum extent feasible, public view corridors, open spaces, and pedestrian (and/or bicycle) walkways and facilities;
- (4) Provide adequate off-street parking to serve the needs generated by the development; and
- (5) Provide measures to mitigate circulation impacts associated with the project, including but not limited to coordination with the Redevelopment Agency's Transportation Plans for the area, provision of in-lieu fees, provision of bicycle facilities, or other appropriate means of mitigation.

Policy 4.3

Public amenities which provide unique lower cost visitor-serving experiences, such as the Arts and Crafts Show, channel and boat viewing at the Harbor, and any other special uses shall be protected and encouraged.

Policy 4.4

New hotel/motel development within the coastal zone shall, where feasible, provide a range of rooms and room prices in order to serve all income ranges. Likewise, lower cost restaurants, or restaurants which provide a wide range of prices, are encouraged.

Policy 4.5

Removal or conversion of existing lower cost visitor-serving uses in areas designated HRC-I, HRC-II and Hotel/Residential shall be prohibited unless the use will be replaced by a facility offering comparable visitor-serving opportunities.

HOUSING

INTRODUCTION

The Housing component of the land use plan is designed to comply with Section 30213 of the Coastal Act.

LCP POLICIES

Policy 5.3

New development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or on-street parking resources of existing residential neighborhoods shall not be permitted.

Policy 5.6

To the maximum extent feasible, taking into account economic, environmental, social, and technological factors, provisions for low- and moderate-income housing in all new residential developments shall be provided.

When the project includes the provision of up to 25 percent of the dwelling units or their equivalent in land dedication for housing opportunities for low- and moderate-income residents, the City shall provide at least two bonus incentives such as:

1. Construction of public improvements.
2. Use of Federal, State or Local revenues to provide land or lower cost financing or where feasible, purchase for management by the Housing Authority.
3. Expediting the development review and permit process.

To ensure that the low- and moderate-income housing remains affordable to persons of low- and moderate-income over time, measures such as resale control, rental agreements, or deed restrictions shall be required for a period of no less than 30 years.

Action

- Develop the necessary ordinance defining the criteria and administrative mechanism for implementing this policy.

HAZARDS

INTRODUCTION

The Coastal Act contains policy intended to reduce potential risks to new development from hazards present in the coastal zone.

Section 30253. New Development shall:

30253. New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

(c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.

(d) Minimize energy consumption and vehicle miles traveled.

(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

VISUAL QUALITY

Section 30251.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

EXISTING PLANS AND POLICIES

Conservation Element

Goals

Protect and enhance the scenic character of the City.

Policies and Implementing Actions

3. New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City.
4. Trees enhance the general appearance of the City's landscape and should be preserved and protected.
 - Mature trees should be integrated into project design rather than removed. The Tree Ordinance should be reviewed to ensure adequate provision for review of protection measures proposed for the preservation of trees in the project design.
 - All feasible options should be exhausted prior to the removal of trees.
 - Major trees removed as a result of development or other property improvement shall be replaced by specimen trees on a minimum one-for-one basis.
 - Private efforts to increase the number of street trees throughout the City should be encouraged.

LCP POLICIES

Policy 9.1

The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following:

- (1) Acquisition of land for parks and open space;
- (2) Requiring view easements or corridors in new developments;
- (3) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development;
- (4) Developing a system to evaluate view impairment of new development in the review process.

Actions

- Explore Federal, State, and local funding sources for park and open space acquisition.
- Delineate view corridor locations on new construction/ development plans by additional building limits, building orientation, and setback requirements.
- Establish standards of acceptable view protection to be utilized by developers, City staff, and discretionary bodies to ascertain a project's height, setback, and clustering of buildings.

Policy 9.2

A special design district in the waterfront area, excluding the area mentioned in Policy 9.4, shall have area-wide architecture design standards developed by the Architectural Board of Review for their use in their design review of new development.

Actions

- Form a task force consisting of area businesspersons, property owners, and concerned citizens to develop design guidelines.
- Provide City staff as support for the task force.
- Create a holding pond of the central drainage channel and landscape with native plant material.

Policy 9.3

All new development in the coastal zone shall provide underground utilities and the undergrounding of existing overhead utilities shall be considered high priority.

Action

- The City will work with the utility companies to hasten the undergrounding of utilities in the coastal zone.

CULTURAL RESOURCES

INTRODUCTION

In years past many of the Santa Barbara coastal zone archaeological, paleontological and historic resources have been destroyed to make way for new development. To protect these valuable, nonrenewable resources, a Coastal Act policy pertaining to the protection of archaeological and paleontological resources is as follows:

Section 30244. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Resources Officer, reasonable mitigation measures shall be provided.

The above stated Coastal Act policy does not specifically address the protection of historic resources. Because Santa Barbara has such an abundance of these valuable resources, the discussion of this policy has been expanded to also include historic resources.

General Plan

Contained within the Conservation Element of the General Plan is a Cultural and Historic Resources Section. Applicable goals, policies, and implementing actions of this section are as follows:

Goals

Sites of significant archaeological, historic, or architectural resources will be preserved and protected wherever feasible in order that historic and prehistoric resources will be preserved.

Selected structures which are representative of architectural styles of fifty or more years ago (pre-1925) will be preserved wherever feasible.

Policies and Actions

1. Activities and development which could damage or destroy archaeological, historic, or architectural resources are to be avoided.
 - In the environmental review process, any proposed project which is in an area indicated on the map as "sensitive" will receive further study to determine if archaeological resources are in jeopardy. A preliminary site survey (or a similar study as part of an environmental impact report) shall be conducted in any case where archaeological resources could be threatened.
 - Potential damage to archaeological resources is to be given consideration along with other planning, environmental, social, and economic considerations when making land-use decisions.
 - Publicly owned areas known to contain significant archaeological resources should be preserved by limiting access and/or development which would involve permanent covering or disruption of the sub-surface artifacts.

PUBLIC SERVICES

INTRODUCTION

The applicable Coastal Act Policy states:

Section 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development of uses permitted consistent with the provisions of this division; ... Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

LCP POLICIES

Policy 11.5

All new development in the waterfront area, excepting Stearns Wharf, shall provide adequate off-street parking to fully meet their peak needs. Parking needs for individual developments shall be evaluated on a site-specific basis and at minimum be consistent with City Ordinance requirements.

Actions

- The City shall investigate the creation of a Waterfront Area Parking District.
- The City, through its discretionary review of projects, shall individually evaluate the parking needs of new developments and may, based upon site-specific considerations, require parking in excess of the minimum ordinance requirements.

Policy 11.6

The City shall locate and develop new public and private parking in larger, multi-use facilities wherever feasible in order to minimize street access points, reduce peak parking space requirements, and improve facility control.

Actions

- As part of the on-going, comprehensive Transportation Management Plan and in conjunction with the Redevelopment Agency, the City shall identify, prioritize, and develop additional public parking facilities in the waterfront area.
- As part of the discretionary review of new private developments in the waterfront area, the City shall encourage the development of multi-use parking facilities and reciprocal access agreements to achieve this policy wherever feasible.

Policy 11.13

The City shall cooperate with the Metropolitan Transit District in improving bus service to the waterfront area and coordinate this service with any future shuttle-bus program.

Policy 11.14

The City shall implement the Bikeway Master Plan in the waterfront area in order to encourage the use of the bicycle as an alternative mode of transportation.

Action

- The City shall:

1. Give first priority to developing bike lanes on State Street.
2. Design the State Street and Garden Street freeway undercrossings for bicycle movement and amend the Bicycle Master Plan appropriately to include these extensions.
3. If the Castillo Street/U.S. 101 interchange is improved, provisions shall be made for bicycle movements.
4. Consider using State Street as a lower cost alternative to the Master Plan's proposed bike path along Mission Creek south of U.S. 101.
5. Develop the bike path in the Master Plan from Cabrillo Boulevard through Pershing Park to at least Montecito Street to reduce the need for bike riders to use Castillo Street.
6. Site plans for all developments should be reviewed by the City to ensure that good bicycle access is provided to existing and future bike routes.
7. As an extension of the recommended bike rack inventory/installation program for downtown, provide additional public bike racks in the waterfront area. A total of at least 300 bike rack spaces should be provided in the beach and commercial areas.
8. A City-wide bicycle parking ordinance should be adopted.

Policy 11.15

Pedestrian movement and safety should be encouraged and provided for throughout the area.

Action

Review individual projects or capital improvement projects within the waterfront area to incorporate safe pedestrian movement.

LOCATING NEW DEVELOPMENT

INTRODUCTION

The essence of the local coastal planning process is the locating of new development consistent with the objectives and policies of the Coastal Act. In addition to the previously discussed policy groups of the Act, four additional Coastal policies are directed specifically at the process of locating and planning new development.

Section 30253. New development shall:

- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.
- (4) Minimize energy consumption and vehicle miles traveled.

SUB-COMPONENT ANALYSIS

Component 4: Chapala Street to Santa Barbara Street.

1. Existing Plans and Land Use

Zoning: Commercial/Manufacturing.

General Plan: This area is set aside in the General Plan for Hotel and Related Commerce and Ocean-Oriented Commercial uses. The purpose of the Ocean-Oriented Commercial land use designation is to foster a vital, mixed use neighborhood in the Waterfront. Uses permitted and encouraged are those that contribute to balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses are also encouraged that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. Such uses, include ocean-dependent and ocean-oriented uses, uses that provide commercial recreational opportunities for residents and visitors to the City, restaurants or uses that provide work space for local artists (as defined in the Zoning Ordinance). As of 2004, new residential development must be in a mixed-use context where residential uses comprise no more than 70 percent of the project floor area. Development projects comprised exclusively of units affordable to very low, low or moderate income households shall be exempt from the mixed-use requirements. Any parcel of 5,500 square feet or less in size as of June 2004 which is not contiguous to another adjacent parcel(s) which is held in common ownership with the first parcel shall also be exempt from the mixed-use requirement.

The area bounded by Helena Avenue on the west, Highway 101 on the north, Santa Barbara Street on the east, and Cabrillo boulevard on the south plus parcel No. 033-082-002 at the northwest corner of Helena and Yanonali and the Villa del Mar condominium project at Santa Barbara and Yanonali Streets (excluding parcels fronting on Cabrillo Boulevard or within the Cabrillo Boulevard Plaza Specific Plan area and parcels fronting on Montecito Street) is set-aside in the General Plan for Ocean-Oriented Commercial uses. In the Ocean-Oriented Commercial area located south of the railroad tracks, small hotels (up to six guest rooms) would also be allowed with a Conditional Use Permit.

Parcels fronting on Montecito Street within the area described above, as well as the property at 25-27 East Mason, are set aside in the General Plan for combined Ocean-Oriented Commercial and Hotel and Related Commerce uses except that any residential development shall be subject to the mixed use development standards for Ocean-Oriented Commercial (Residential Uses) established in Chapter 28.71.20 (Ocean-Oriented Commercial Zone) of the certified Local Coastal Program Zoning Ordinance.

The remainder of component 4 sub-area is comprised of parcels fronting along State Street and Cabrillo Boulevard. These parcels are set aside for Hotel and Related Commerce uses.

Land Use: Existing land uses within this component consist of an equal distribution of general commercial and industrial uses, with the majority of visitor serving uses located along Cabrillo Boulevard and State Street. In the eastern section of the component around Santa Barbara - Gray Avenue, there is a scattering of residential uses. The Southern Pacific railroad station is located in the northwest sector of the component, and Mission Creek crosses the area in a southeasterly direction. .

2. Potential Development

The amount of vacant land in this commercial-manufacturing zone is negligible. Redevelopment potential is great in this area. Those projects which would be allowed and/or encouraged by the Redevelopment Plan are the Transportation Center and residential uses east of State Street.

3. Major Coastal Issues

Major coastal issues to be addressed in this component include: protection of the Mission Creek environment; hazards from flooding and the potential for liquefaction; visitor-serving uses; visual quality; and adequate circulation, public transit, and parking facilities in the waterfront (see related policy discussion sections in Chapter 3).

4. LCP Land Use

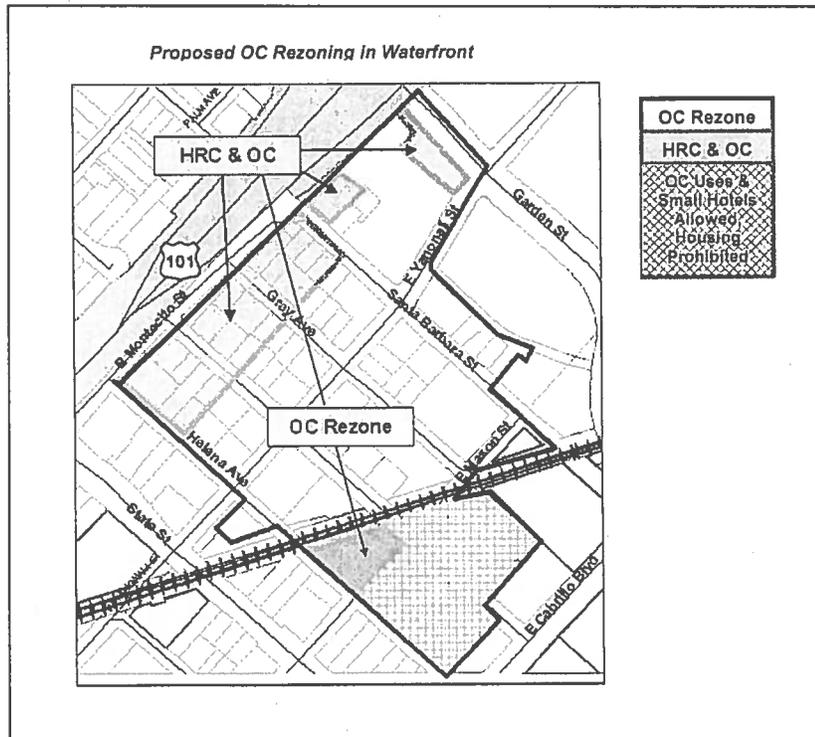
In conformance with the Redevelopment Plan, the areas generally fronting along Cabrillo Boulevard from Chapala Street to Santa Barbara Street, and State Street from Cabrillo Boulevard to the Freeway, shall be classified as "Hotel and Related Commerce II" and zoned for general visitor-serving uses (see "Visitor-Serving Uses" policy discussion).

Consistent with the Coastal Act Policies regarding public access and public services, the provision of a railroad depot/transit center has been planned for many years for the area just south of U.S. 101 and west of State Street. While decisions regarding the plans for a transit center in the waterfront have not been adopted by the City, this concept would be consistent with the land uses proposed for either Components 4 or 5.

In the area east of State Street and north of the existing railroad right-of-way there are no significant coastal related issues. The redevelopment of this area to Ocean-Oriented commercial uses or a mix of HRC and OC uses would generally be consistent with the Coastal Act policies and priorities. The land use designation within the LCP shall be a mixture of HRC II (visitor-serving use) and Ocean-Oriented Commercial, which allows ocean-dependent and ocean-oriented, commercial recreational, arts related (as defined in the Zoning Ordinance), restaurants and residential uses as set forth below. The City will encourage ocean-oriented commercial, commercial recreational, arts related uses or restaurants and residential as a component of mixed use projects within this area.

As shown on the map below, the area between State Street and Helena Avenue is designated HRC II. The area bounded by Helena Avenue on the west, Highway 101 on the north, Santa Barbara Street on the east and the existing railroad right-of-way on the south (excluding parcels fronting and near to Montecito Street between State

Street and Santa Barbara Street) is designated Ocean-Oriented Commercial (OC). The city will encourage visitor-serving uses between State Street and Helena Avenue and mixed use and visitor-serving uses along Montecito Street south of the freeway, and ocean-oriented commercial and residential as a component of mixed use projects within the remaining area.



Parcels fronting on and near to Montecito Street within the area described above, as well as the property at 25-27 East Mason, are designated as a combined Ocean-Oriented Commercial and Hotel and Related Commerce use category except that any residential development shall be subject to the mixed use development standards for Ocean-Oriented Commercial (Residential uses) established in Chapter 28.71.20 (Ocean-Oriented Commercial Zone) of the certified Local Coastal Program Zoning Ordinance.

The railroad corridor in its existing alignment is designated as being screened by a buffer area for visual quality and general aesthetics. If the railroad corridor is realigned under the "SGRN" freeway improvement plan, the existing right-of-way shall be merged into the adjacent land uses which are generally consistent with each other. The "SGRN" railroad alignment will decrease the amount of land designated "Hotel & Residential" just south of U.S. 101.

Proposed new parking facilities are depicted at the Santa Barbara Street/Cabrillo Boulevard site (see "Public Service" discussion in previous chapter).

5. Constraints on Development

As in Component 3, the major constraints to development are the circulation, public transit, and parking problems of the waterfront area (see "Public Services" and the following "Waterfront Area Constraints" discussion).

Intensity of Development

Four major resource criteria should be considered when attempting to evaluate the appropriate intensity of potential development in the Waterfront Area. These criteria relate to the resource qualities which presently exist: openness; lack of congestion; naturalness; and rhythm. Specific aspects of each of these criteria which should be considered in evaluating alternative intensities of development include the following:

1. Openness
 - Minimizing visual impacts of building density, scale, mass, and height.
 - Protecting access to the Waterfront area in general by balancing the distribution of coastal resources and urban facilities at levels which maintain the existing degree of openness.
2. Lack of Congestion
 - Protecting and maintaining the status of Cabrillo Boulevard as a scenic drive and grand boulevard by (1) controlling adjacent land uses so that they neither directly or indirectly exit on Cabrillo Boulevard so as to cause a need for additional traffic signals; and (2) focusing pedestrian activity, and facilities generating pedestrians, south of the Boulevard, to avoid the need for pedestrian crossings in the stretch of Cabrillo along Palm Park.
 - Protecting the uncongested quality of the waterfront by locating additional parking facilities to handle peak loads north rather than south of Cabrillo, with provision of shuttle bus service along the waterfront.
3. Naturalness
 - Protecting views to the foothills, mountains and channel within the view corridors along Cabrillo Boulevard with three client populations in mind: motorists and other users of Cabrillo Boulevard as a scenic drive, Palm Park users, and users of adjacent beach areas and public facilities (e.g., bikeway).
 - Protecting the view corridors from excessive building height or mass, intense architectural programming, facade treatment, or activities which detract the natural dominance of these views.
4. Rhythm
 - Protecting, maintaining, and enhancing rhythm and patterns of the waterfront.
 - a) The art show reflects the application of this principle.
 - b) Access to the beach, waterfront facilities, and other activities should proceed on this principle by matching increased demand, such as occurs during summer weekends, with shuttle buses and other forms of mass transit rather than through addition of hard facilities such as parking structures or lots along the waterfront.

Policy 12.2

New developments within the City's Waterfront Area shall be evaluated as to a project's impact upon the areas:

1. Openness;
2. Lack of Congestion;
3. Naturalness; and
4. Rhythm.

LAND USE MAP DESIGNATIONS

A principle objective of the Land Use Plan is to designate the kinds, location, and intensity of uses to be applied to the coastal zone. Policies designed to protect resources and to plan for development have been presented in Chapter 3. The land use designations depicted on the Land Use Plan Map reflect those policies and the discussions of Land Use in this chapter.

The Land Use Plan is intended to amend the City's General Plan. It is, therefore, a planning document. It does not purport to offer specific methods to implement policies; that task will be accomplished in the final phase of the City's Local Coastal Program.

The following is a brief description of the Land Use designations which can be found on the Land Use maps associated with this document.

Ocean-Oriented Commercial

The purpose of the Ocean-Oriented Commercial land use designation is to foster a vital, mixed use neighborhood in the Waterfront. Uses permitted and encouraged are those that contribute to balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses are also encouraged that maintain the desirability of the Waterfront as a place to work, visit, and live. Such uses include ocean-dependent and ocean-oriented uses, uses which provide commercial recreational opportunities for residents and visitors to the City, restaurants or uses which provide work space for local artists (as defined in the Zoning Ordinance). As of 2004, new residential development must be in a mixed-use context where residential uses comprise no more than 70 percent of the project floor area. Development projects comprised exclusively of units affordable to very low, low or moderate income households shall be exempt from the mixed-use requirements. Any parcel of 5,500 square feet or less in size as of June 2004 which is not contiguous to another adjacent parcel(s) which is held in common ownership with the first parcel shall also be exempt for the mixed-use requirement. In the OC area south of the railroad tracks, small hotels (up to 6 guestrooms) would also be allowed with a Conditional Use Permit.

Chapter 28.71
OC Ocean-Oriented Commercial Zone

Sections:

28.71.010	In General.	28.71.050	Development Potential.
28.71.020	Uses Permitted.	28.71.060	Building Height Standards.
28.71.030	Uses Permitted Upon the Issuance of a Conditional Use Permit.	28.71.070	Lot Area, Frontage, and Outdoor Living Space Requirements.
28.71.040	Coastal Zone Review.	28.71.080	Parking Requirements.

28.71.010 In General.

The regulations contained in this Chapter shall apply in the OC Zone unless otherwise provided in this Title. This zone strives to achieve balanced use of the City's Waterfront and maintain the small scale, local character that is unique to the Waterfront area. Land uses shall be encouraged in this zone that maintain and enhance the desirability of the Waterfront as a place to work, visit, and live. This zone is intended to foster a vital, mixed use neighborhood and preserve and protect the coastal environment in terms of light, air, and visual amenities.

Land classified in the OC zone may also be classified in the HRC-2 (Hotel and Related Commerce 2) zone and those land uses authorized within the HRC-2 zone are also allowed uses within the dual OC/HRC-2 zone. (Ord. 5343, 2005.)

28.71.020 Uses Permitted.

Any of the following uses are permitted, provided that such operations, manufacturing, processing, or treatment of products are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, liquids, wastes, noise, vibrations, disturbances, or other similar causes which may impose hazard to life or property:

1. Ocean-dependent and ocean-oriented uses such as:
 - a. Aquaculture facilities.
 - b. Boat and boat trailer rental.
 - c. Marine equipment and accessories manufacturing, sales, repair, storage, or rental.
 - d. Marine-oriented government facilities.
 - e. Marine research and development facilities.
 - f. Offices of businesses engaged in ocean-related activities.
 - g. Boat and sail manufacturing and repair.
 - h. Seafood processing, wholesaling, storage, and related activities.
 - i. Services necessary for commercial fishing activities, including such facilities as net repair areas, ice machines, and storage areas.
 - j. Ocean-oriented educational facilities.
2. Commercial recreational uses such as:
 - a. Bicycle, roller skating, moped, dive gear, boating, surfing, and other recreational equipment rental, sales, manufacturing, and repair.
 - b. Public or private parks or recreational facilities.
3. Arts related uses such as:
 - a. Art galleries (may include sales).
 - b. Art schools.
 - c. Art studios/workspaces (may include sales).
 - d. Blueprinting, photostating, printing, lithographing, or publishing establishments.
 - e. Industrial arts and crafts uses, including, but not limited to, framing, jewelry making, metallurgy, pottery, sculpture, specialty sewing/monogramming, and weaving (industrial arts and crafts uses may include sales).

For the purposes of this Chapter, the term "art" shall be defined as the creative application of a specific skill, the purpose of which is to create objects of form or beauty.

4. Restaurants.
5. Residential Uses.
 - a. Generally. Any use permitted in the R-3 zone is allowed in the area bounded by Helena Avenue on the west, the existing railroad right-of-way on the south, Garden Street on the east and Highway 101 on the north, subject to the restrictions and limitations contained in this Chapter so long as the R-3 use is constructed as a project providing a mix of allowed nonresidential and residential use where the residential use will not exceed 70 percent of the total building floor area of the development project.

Any parcel of 5500 square feet or less in size which exist as of the date of the adoption of the ordinance codifying this amendment to Chapter 28.71 and which is not contiguous to another adjacent parcel(s) which is held in common ownership with the first parcel shall be exempt from the above-described mixed-use requirements.

- b. Affordable Housing Projects. Development projects comprised exclusively of units affordable to very low, low, or moderate income households (as evidenced by the recordation of long-term affordability covenants consistent with the City's Affordable Housing Policies and Procedures) shall be exempt from the above-stated mixed-use requirements for this zone.
 - c. Existing Residential Buildings. Residential buildings which exist at the time of the adoption of the Ordinance enacting this Chapter (as established by the existence of a valid certificate of occupancy issued by the City), shall not be deemed non-conforming to the requirements of this Chapter and such buildings may be rehabilitated or remodeled (but not demolished) and

expanded so long as any such permitted expansion (or expansions in total) does not exceed twenty percent (20%) of the floor area of the existing dwelling unit with the floor area and percentage calculated as of the date of the adoption of the Ordinance enacting this Chapter.

6. Small Stores. Stores that sell liquor, groceries, or food that do not exceed 2,500 square feet in gross floor area.

7. OC Uses Found Consistent. Other ocean-dependent, ocean-oriented, commercial recreational, or arts-related uses that are found to be consistent with the intent of the OC zone by the Planning Commission. (Ord. 5343, 2005.)

28.71.030 Uses Permitted Upon the Issuance of a Conditional Use Permit.

A. Automobile Related Uses. In the OC Zone, automobile rentals and parking lots shall be permitted with a conditional use permit issued in accordance with the provisions of Chapter 28.94 of this Code.

B. Small Hotels. In the OC zone, small hotels shall be permitted upon the issuance of a conditional use permit in the OC zone area designated for "small hotel" on the map attached to this Chapter as Exhibit A subject to the following express limitations:

1. A small hotel may not have more than six (6) guest rooms;

2. The size of each hotel guest room shall be limited to a maximum of 300 square feet of floor area (including hallways, closets, baths, interior circulation and other similar floor area) and the room may not include an individual kitchen area;

3. A common kitchen / dining / lobby area is allowed but may not be located within a guest room;

4. A manager's residential unit is allowed with a maximum of 600 square feet of floor area provided that the manager's unit is located adjacent to, or with immediate access to, the common or lobby area and provided that it not have a separate access from outside the common area.

C. Findings Required for Small Hotels. Planning Commission approval of small hotels in the area of the OC zone for which they are authorized by subsection B hereof shall be subject to all of the following CUP findings:

That the small hotel:

1. will support the goals of the Local Coastal Plan and OC zone to promote a vital, mixed use neighborhood in the Waterfront comprised of a diversity of land uses;

2. is part of a mixed use project and in a mixed use setting within a property having pre-existing legal uses or permitted OC uses;

3. is compatible with the surrounding land uses and OC uses;

4. may include a manager's unit if it is necessary to support the hotel or other improvements on the site;

5. will not be materially detrimental to the public peace, health, safety, comfort and general welfare and will not materially affect property values in the particular neighborhood involved;

6. has a sufficient area for the site and has a design for the facilities of an appropriate magnitude in view of the character of the land and in view of the proposed development that significant detrimental impact on surrounding properties is avoided;

7. will provide adequate access and off-street parking in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time; and

8. will have an appearance (in terms of its arrangement, height, scale, and architectural style of the buildings, location of parking areas, landscaping, and other features) which is compatible with the character of the area. (Ord. 5343, 2005.)

28.71.040 Coastal Zone Review.

All development in the Coastal Overlay Zone (S-D-3) is subject to review pursuant to Chapter 28.44 of this Code. (Ord. 5417, 2007; Ord. 5343, 2005.)

28.71.050 Development Potential.

Notwithstanding any provision of law to the contrary, no application for a land use permit for a nonresidential construction project will be accepted or approved on or after December 6, 1989 unless the project complies with the provisions outlined in Development Plan Approval, Chapter 28.85. (Ord. 5609, 2013; Ord. 5343, 2005.)

28.71.060 Building Height Standards.

No building or structure in the OC zone shall exceed three (3) stories nor exceed forty-five (45) feet in height. (Ord. 5343, 2005.)

28.71.070 Lot Area, Frontage, and Outdoor Living Space Requirements.

A. Lot Area and Frontage Requirements. All buildings or portions thereof used for dwelling purposes shall comply with the lot area and frontage provisions of the R-3 Zone.

B. Outdoor Living Space. All buildings or portions thereof used for dwelling purposes shall comply with the outdoor living space provisions of the R-3 zone. (Ord. 5343, 2005.)

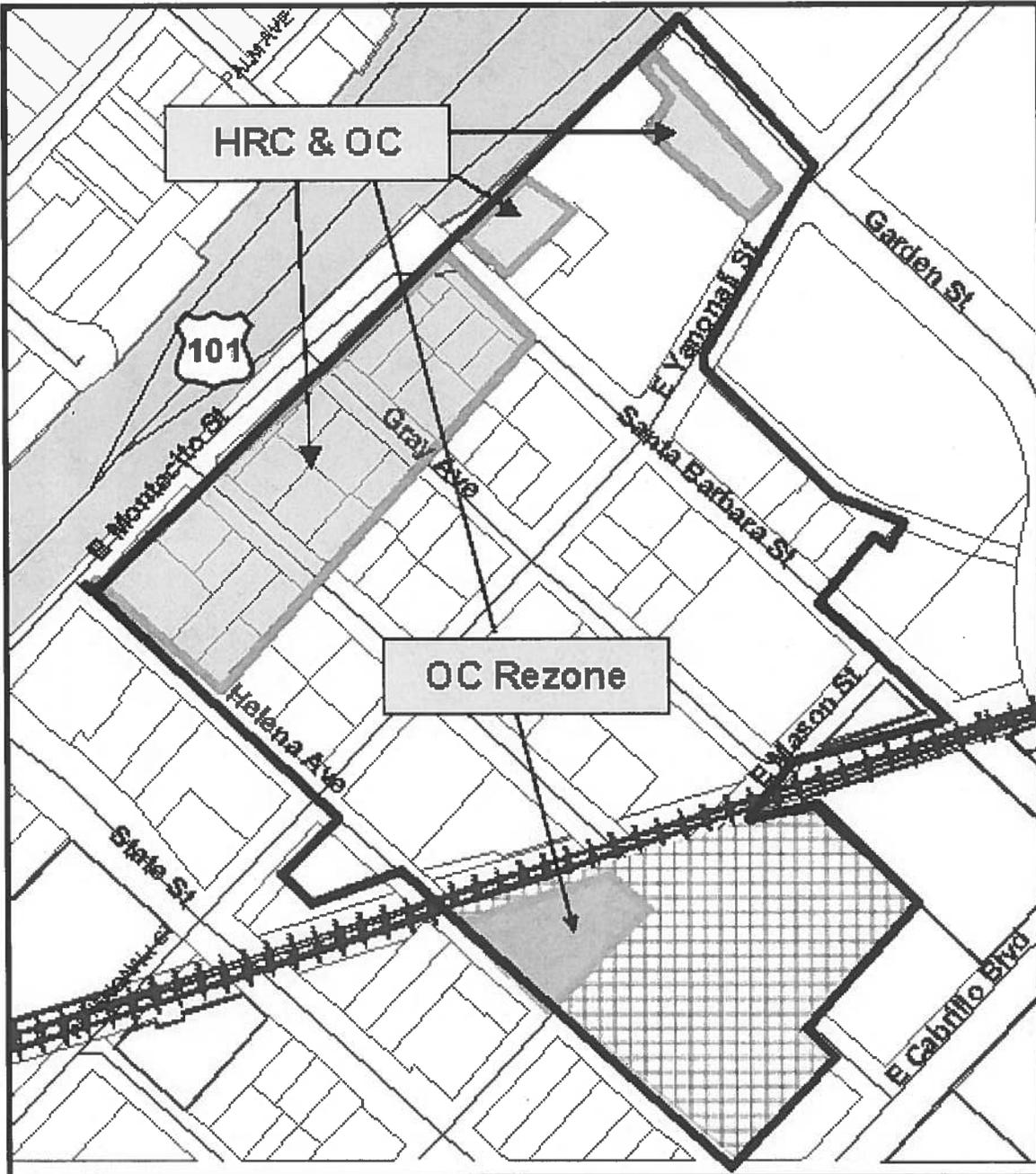
28.71.080 Parking Requirements.

Off-street parking and loading space shall be provided as required in Chapter 28.90 of this title. (Ord. 5343, 2005.)



City of Santa Barbara

O-C REZONE MAP
ADOPTED FEBRUARY 8, 2005



OC Rezone
HRC & OC
OC Uses & Small Hotels Allowed, Housing Prohibited