



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

February 5, 2009

#### **CALL TO ORDER:**

Chair Larson called the meeting to order at 1:02 P.M.

#### **I. ROLL CALL:**

##### **Present:**

Chair Stella Larson

Vice-Chair Addison S. Thompson

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

##### **Staff Present:**

N. Scott Vincent, Assistant City Attorney

Bettie Weiss, City Planner

John Ledbetter, Principle Planner – present at 2:14 p.m.

Jaime Limón, Senior Planner

Beatriz Gularte, Project Planner

Gabriela Feliciano, Commission Secretary

##### **Staff Absent:**

Julie Rodriguez, Planning Commission Secretary

#### **II. PRELIMINARY MATTERS:**

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

Ms. Weiss requested that the review and consideration of the draft minutes and resolutions listed in section IV.C. of the agenda be continued to the February 12, 2009, meeting.

**MOTION: Jostes/Lodge**

To postpone the review of the January 8, 2009 draft minutes and resolutions to the February 12, 2009, meeting.

This motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

B. Announcements and appeals.

Ms. Weiss announced that there will be a special Planning Commission/City Council Joint Session on Thursday, February 12, at 9:30 a.m., in the David Gebhard Public Meeting Room. Three topics that will be discussed include the *Plan Santa Barbara* Phase III Work Program, the Alternative Building Height Charter Amendment, and status on the Highway 101 Operational Improvements project.

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

Chair Larson opened the public hearing at 1:05 P.M. and, as no one wished to speak, it was closed.

**ACTUAL TIME: 1:05 P.M.**

III. **DISCUSSION ITEM:**

**ALTERNATIVE BUILDING HEIGHTS CHARTER AMENDMENT**

The City Council has requested input on a possible Charter Amendment that would reduce building height limits in certain commercial zones (C-2, C-M and M-1). Staff will present and solicit input on the design and land use issues associated with reducing the heights from 60-feet to 45-feet in these commercial zones with some exceptions for affordable housing projects, rental housing and community priority uses. The discussion will include a variable front yard setback in the C-2 and C-M zones as well as additional open space requirements for projects that are determined to be exceptions.

Case Planner: Beatriz Gularte, Project Planner  
Email: BGularte@santabarbaraca.gov

Bea Gularte, Project Planner, and Jaime Limón, Senior Planner, gave the Staff presentation.

Chair Larson opened the public hearing at 1:29 P.M.

Chair Larson acknowledged receipt of the following correspondence from the public:

1. Paula Westbury
2. James Micallef
3. Monica DiVito
4. Phoebe Alexiades
5. Santa Barbara Chapter of the American Institute of Architects.

The following people spoke in support of the proposal:

1. Mickey Flacks, Santa Barbara For All, commented that ballot box planning is not the best procedure; those who signed the Citizens' petition are not necessarily aware of what 40, 45, and 60 foot buildings look like; and the intent of the alternative proposal is to provide voters with two options.
2. Debbie Cox-Bolton, Coastal Housing Coalition, commented on the impact that lowering building heights would have on affordable and workforce housing; supportive of alternative to give the public an option; height exemptions should be allowed for units targeted to upper-middle income households; City Council hearings for designation of affordable housing projects would increase fees and ultimately affect price of units; and concept of affordability by design.
3. Brian Cearnal, local architect, commented that the alternative proposal is about the creation of mechanisms, incentives, and exceptions to height for projects that are important to the community, such as a hospital or museum; the difference between 40 feet versus 45 feet is the ability to put a roof and have reasonable space on a building; supportive of variable setback; and supports exemptions without specific details at this time.

The following people spoke against the proposal or expressed concerns:

4. Bill Mahan, Chairman of Save EPV, commented that setbacks and open space issues can be worked out by the Planning Commission and City staff; look carefully at how buildings heights are measured in flood zone; properties on corners should have the open space at the corner to open up views; reviewed history of building heights in Santa Barbara; City Council should not be able to modify building heights; and suggested that the Commission advise City Council against the alternative.
5. Lanny Ebenstein, local resident, expressed concern with possible five or six stories; taller buildings not best course for the City; affordable housing units should be defined; three stories or less is the most affordable type of architecture; and there should be diverse housing in smaller projects throughout the community.
6. Lisa Plowman, Santa Barbara For All, commented that 60 foot buildings concentrated in the downtown area would be the most sustainable; the ten unit threshold is not critical; and additional open space should not take away increased density in a community priority project.
7. Connie Hannah, SB League of Women Voters, commented that the most profit is gained from higher buildings, but it is not what the City needs; the alternative is not needed because the Citizens' alternative would control heights to four stories; details belong in the City ordinances and not in a charter; and need to live within the resources.

Chair Larson closed the public hearing at 2:10 P.M.

Staff responded to the following questions posed by the Planning Commission:

1. Consideration of heights to the eaves as a way to measure building height.
2. Concern that parking drives project design.
3. How two ballot initiatives came about from a year ago.
4. What would happen to other zones if Charter Amendment passes.

5. Determining how currently pending and approved projects would be affected if amendment passes.
6. Confirmed that the OM-1 zone is a coastal zone designation and is outside of El Pueblo Viejo Landmark District.
7. Deciding that a project is a community priority by providing affordable housing should be based on levels of income and percentage of affordable units. It should not reference the inclusionary ordinance because it could change.
8. The details of how the five foot variable setback would work in conjunction with the Pedestrian Master Plan have not been determined.
9. The measure that receives the greater number of votes would trump the other with respect to the charter amendment. If neither prevails, it would remain as status quo.

**\*\* THE COMMISSION RECESSED FROM 2:48 P.M. TO 3:10 P.M. \*\***

The Commission made the following general comments:

**Alternative Charter Amendment:**

1. At least two Commissioners did not agree with having an alternative charter amendment.
2. At least three Commissioners believe having an alternative charter amendment to allow the people to choose is appropriate.
3. The charter language should be simple and easy to understand, but not open to different interpretations than what was intended.
4. An alternative charter amendment proposal should strive to accomplish the same underlying principles that the Save EPV lays out: living smaller and more efficiently, and with a continuing respect for the historic and cultural values that make Santa Barbara special.

**Variable setbacks:**

1. At least two Commissioners support the concept of a variable setback to be in the zoning ordinance, but not in the charter. The process should be similar to the Neighborhood Preservation Ordinance (NPO) update process.
2. The Interim Building Regulations Ordinance ad hoc committee intended that additional open space apply to all projects.
3. There is a need to improve proposed projects and create more open space, greater livability and healthier living environments.
4. Open space at ground level should support canopy trees.
5. The proposed setback and open space standards should proceed regardless of the result of the building height charter amendment proposals.

**Height:**

1. At least two Commissioners support a 45 foot height limit.
2. El Pueblo Viejo Landmark District exists to preserve the historic architectural style for which Santa Barbara is famous.
3. At least two Commissioners suggested further investigation on how building height is measured. Measuring to the ridge line is of concern because of the possible unintended consequences.
4. The permitted height should be brought down to a three story maximum.

5. The 40 and 45 foot height limit more than amply allows the allowable density. Density can be increased with modest size units and provide affordable housing that is closer to being affordable in the downtown.
6. Certain areas need to continue having a 60 foot height limit, such as the airport and maybe a portion of State Street.
7. The community character will be changed with the increasing number of tall buildings in the City.
8. The community may not be able to provide the resources and the infrastructure needed in the long term to support higher buildings.
9. Creating great architecture would be assisted by setting height limits that provide architects guidance ahead of time. Setting height limits also assists review boards.
10. There is an inherent clash between two city policies: one to conserve historic resources and the other to make the downtown core the densest in the community. These two policies cannot coexist.
11. The basic character of the City should be kept attractive to protect the City's main industry. Tourists come for relief of tall buildings.

**Community priority:**

1. Community priority can be a complicated issue for voters to make a decision. The ballot should be kept as simple as possible.
2. Inclusionary housing has had some unintended consequences. Although affordable housing in mixed-use projects is required, it is not necessarily what families want to buy and live in.
3. The 30% affordable housing requirement does not provide a net public benefit to the community. The creation of more market rate units exacerbates the housing imbalance problem because more services are needed for the remaining 70% upscale, larger units.
4. An example of a community benefit would be a municipal building with a tight relationship to the functioning of the City. The exception would be rental housing, such as Section 8 rentals.
5. Exceptions to a 45 foot height limit would have to be based on community necessity.
6. The project would have to be "impact-neutral" with regard to the jobs/housing balance.
7. In the EPV, there should be a demonstrated linkage to the existing downtown employment opportunities for proposed housing.
8. Rental units should not convert to condominiums.

**ACTUAL TIME: 4:13 P.M.**

**IV. ADMINISTRATIVE AGENDA:**

- A. Committee and Liaison Reports.
  1. Chair Larson reported attending the Historic Landmarks Commission meeting where the Alternative Height Limit Charter Amendment was also discussed.

2. Ms. Weiss announced that the following would be considered at the City Council meeting on Tuesday, February 10:
  - a. 535 E. Montecito Street project;
  - b. Preliminary economic development allocation for the vacant car dealership on Hitchcock Way;
  - c. Update of the Streetlight Standards; and
  - d. State Street and De la Vina Street intersection.

B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.080.

None was given.

C. Action on the review and consideration of the following Draft Minutes and Resolutions was continued to the February 12, 2009, meeting:

- a. Draft Minutes of January 8, 2009
- b. Resolution 001-09  
600 Block of State Street and 119 E. Cota Street
- c. Resolution 002-09  
1600 Cecil Cook Place
- d. Resolution 003-09  
3885 and 3887 State Street

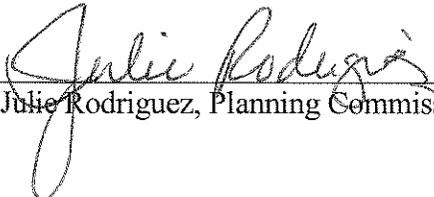
By the earlier vote of the Commission, the draft minutes and resolutions of January 8, 2009 were continued to January 12, 2009.

V. **ADJOURNMENT:**

Chair Larson adjourned the meeting at 4:16 P.M.

Prepared by Gabriela Feliciano, Commission Secretary

Submitted by,

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary