



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION SPECIAL MEETING MINUTES

September 29 and 30, 2010

#### CALL TO ORDER:

Chair Bartlett called the meeting of September 29, 2010 to order at 1:02 P.M., and the meeting of September 30, 2010 to order on 1:03 P.M.

#### I. ROLL CALL

Chair Bruce Bartlett, Vice-Chair John Jostes, Commissioners Charmaine Jacobs, Mike Jordan, Stella Larson, Sheila Lodge, and Deborah L. Schwartz.

Commissioner Jacobs arrived at 1:16 P.M. on September 29, 2010

Commissioner Larson arrived at 1:04 P.M. on September 30, 2010

#### STAFF PRESENT:

Paul Casey, Community Development Director

Bettie Weiss, City Planner

John Ledbetter, Principal Planner

Steve Wiley, City Attorney

N. Scott Vincent, Assistant City Attorney

Rob Dayton, Principal Transportation Planner

Barbara Shelton, Project Planner/Environmental Analyst

Irma Unzueta, Project Planner

Bea Gularte, Project Planner

Julie Rodriguez, Planning Commission Secretary

#### II. PRELIMINARY MATTERS:

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

None.

B. Announcements and appeals.

None.

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

Chair Bartlett opened the public hearing at 1:03 P.M.

Mickey Flacks invited the Commission to a meeting by the Santa Barbara County Affordable Housing Task Force on October 28, 2010 at the Faulkner Gallery at 7 P.M. David Thompson will be the guest speaker on limited equity cooperative development.

With no one else wishing to speak, public comment was closed at 1:04 P.M.

Public comment was reopened at 1:03 P.M. on September 30, 201 and with no one else wishing to speak, was closed.

III. **PLAN SANTA BARBARA PROPOSED GENERAL PLAN AND FINAL ENVIRONMENTAL IMPACT REPORT:**

**ACTUAL TIME: 1:04 P.M.**

*Plan Santa Barbara (Plan SB)* is the planning process to update Santa Barbara's General Plan. The General Plan shapes the City through goals, policies and programs concerning growth management, environment, housing, transportation and land use to best meet our community needs now and in the future.

The *Plan Santa Barbara* General Plan Update documents and the proposed Final Environmental Impact Report include the following:

- General Plan Policy Framework
- Land Use Element and Land Use Map
- Housing Element
- Proposed Final Environmental Impact Report, and Response to Comments

Staff recommends the following Planning Commission actions:

- A. Receive staff presentation, and conduct public hearing to receive comment on proposed Final Environmental Impact Report (FEIR) and September 2010 proposed final General Plan Update documents.
- B. Certify the Final Environmental Impact Report dated September 2010 for the *Plan Santa Barbara* General Plan Update, making the findings below, based on information provided through the EIR process, staff report and Exhibit E.
  1. The FEIR has been completed in compliance with the California Environmental Quality Act (CEQA).
  2. The FEIR was presented to the Planning Commission, and the Commission reviewed and considered the information contained in the FEIR. Pursuant to Government Code §65354, the Commission made recommendations on the adoption of the proposed *PlanSB* General Plan Update to the Santa Barbara City Council, which recommendations have been informed by the Commission's consideration of the FEIR.
  3. The FEIR reflects the Planning Commission's independent judgment and analysis.

- C. Recommend to City Council the inclusion of additional measures in the General Plan Update policies that reflect selected EIR Recommended Measures that would further benefit the environment, as recommended in staff report Exhibit H.
- D. Recommend to City Council, per Government Code §65354, that the 2010 *Plan Santa Barbara* General Plan Update be adopted to include the Introductory Framework and General Plan reorganization, Land Use Element and associated General Plan map, Housing Element, and partial amendments to the remaining six elements.

Case Planner: John Ledbetter, Principal Planner

Email: [info@YouPlanSB.org](mailto:info@YouPlanSB.org)

Phone: (805) 897-2509

Bettie Weiss, City Planner, gave the introduction and introduced the Staff presentations that were given by John Ledbetter, Principal Planner; Rob Dayton, Principal Transportation Planner; and Barbara Shelton, Environmental Analyst.

Daniel Gira, AMEC Earth and Environmental, Inc., consultant to the city, was available to answer questions on the FEIR.

#### **FINAL ENVIRONMENTAL IMPACT REPORT:**

Scott Vincent, Assistant City Attorney and Steve Wiley, City Attorney provided clarification of California Environmental Quality Act (CEQA) guidelines for certifying the Final Environmental Document.

Chair Bartlett opened the public hearing at 2:32 P.M.

The following people provided public comment:

1. Norbert Dall, representing Thomas Felkay, commented on aspects of the EIR he considered were deficient, and submitted a letter with four requests regarding impacts and policy applications to a specified property.
2. Megan Birney, Community Environmental Council, supported the June Planning Commission hybrid alternative, which was widely supported by the community.
3. Ginny Brush, Arts Commission, asked for inclusion of a Master Plan for Arts and Culture in the General Plan.
4. Mickey Flacks, SB4All, supported the hybrid alternative previously presented by the Planning Commission to City Council, and expressed concern that the FEIR has veered away from the that hybrid model.
5. John Campanella supported the Additional Housing Alternative over the hybrid presented by the Planning Commission to City Council.
6. Barbara Fosbrink, California State Parks, expressed concern with the protection of historic structures and the adoption of a Historic Resource Element. Submitted a written letter with recommendations.

7. Hillary Blackerby, Transportation and Circulation Committee Member (TCC), stated the TCC unanimously finds the hybrid alternative without the Transportation Demand Management (TDM) policies is environmentally inferior and not consistent with the Circulation Element.
8. David Prichett, TCC Member, felt that advancing a project alternative with so many Class I impacts for traffic congestion is inconsistent with the Circulation Element. Requested that the Planning Commission find one alternative as the environmentally superior alternative.
9. Connie Hannah, League of Women Voters, was concerned with the potential to raise density in some areas up to 68 units/acre with variable density, density overlays and bonuses, and inclusionary units, and the greater ramifications it could bring to the ability to live within our resources.
10. Bill Marks supported the lower nonresidential figure of 1,000,000 s.f., to address jobs/housing imbalance and commuter crunch, and advocated for more Metropolitan Transit District (MTD) options along State Street.
11. LeeAnne French, Executive Director, Citizens Planning Association (CPA), requested more time to review the documents, and proposed that only the Medium High 15-25 density be designated, and consider 100% bonus density overlay for rental and employer housing.
12. Paul Hernadi, Citizens Planning Association (CPA), read from a letter submitted from CPA into the record.
13. Mary Louise Days, CPA, commented on Circulation Element policies, Historic Resources Element, requested a delay on EIR certification to allow more review time.
14. Cathie McCammon, Allied Neighborhood Association, opposed the High Density in the 27-45 du/acre range. She liked the direction the hybrid is going, and the changes for TDM policies. She asked for more reviewing time before EIR certification.
15. Eddie Harris, President, Santa Barbara Urban Creeks Council, agreed with the comments submitted by City Creeks Division and Brian Troutwein, and urged the inclusion of the recommended mitigation measures in Exhibit H of the Staff Report, "EIR Recommended Measures Needing Determination for Inclusion in the General Plan".
16. Debbie Cox Bultan, Coastal Housing Coalition, considered the Additional Housing Alternative as the best alternative in the EIR, but supported the Planning Commission's hybrid as a fair and reasonable compromise to meet PlanSB's goals.
17. Joe Rution asked the Planning Commission to limit density increases to projects that are assured to yield substantial numbers of affordable housing units, as small market units may not go to the work force.
18. Brian Troutwein, Environmental Defense Center (EDC), supports the Staff recommendation for inclusion of FEIR recommended measures in Exhibit H of the staff report, especially measures for creeks and watersheds.

Ed France, TCC Vice-Chair, and Susan Keller submitted requests to speak but were unable to remain for the comment period.

With no one else wishing to speak, the public hearing was closed at 3:26 P.M.

Chair Bartlett called a recess and reconvened the meeting at 3:49 PM.

The Planning Commission took a dinner recess at 5:40 P.M. and reconvened at 6:20 P.M.

Much deliberation took place after which Staff agreed to respond to the Planning Commission's request for new language additions to the FEIR to be reviewed the next day.

The meeting was adjourned at 7:20 P.M. and reconvened at 1:00 PM on Thursday, September 30, 2010.

**ACTUAL TIME: 1:03 P.M. ON THURSDAY, SEPTEMBER 30, 2010**

Chair Bartlett reopened the special meeting at 1:03 P.M. on Thursday, September 30, 2010.

Staff reviewed the new language additions to a new Hybrid Alternative in the FEIR and where they would be located.

Some of the Planning Commissioners asked for the Final EIR to explicitly designate the alternative that minimizes class I impacts to serve as an environmentally superior alternative.

With the addition of new information to the Environmental Impact Report (EIR), Chair Bartlett re-opened public comment at 1:28 P.M. and the following people gave comment:

1. Robert Dall, representing Thomas Felkay, submitted written comments and asked that they be made part of the record. He emphasized that there is no finite language therefore there is not a complete EIR report to be certified. Asked the Planning Commission to join others in reiterating that the Commission ask for a finite complete document.
2. Kellam de Forest submitted written comments and read them into the record.
3. LeeAnne French, Executive Director, Citizens Planning Association (CPA), would like to see a ranking of the different options with and without TDM principles.

With no one else wishing to speak, the public hearing was closed at 1:35 P.M.

**MOTION: Jostes/Jacobs**

**Assigned Resolution No. 013-10**

Certify the Final Environmental Impact Report dated September 2010 for the *Plan Santa Barbara* General Plan Update based on the changes that Staff has made in response to concerns voiced by the Commission; information provided through the EIR process; and the three CEQA findings in Exhibit E of the Staff Report dated September 16, 2010.

This motion carried by the following vote:

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

Chair Bartlett announced the ten calendar day appeal period.

**PLAN SANTA BARBARA GENERAL PLAN UPDATE:**

John Ledbetter, Principal Planner, gave the Staff presentation that began at 2:30 P.M.

Chair Bartlett opened the public comment hearing at 4:09 P.M. for comments on the General Plan Update. The following people gave comment:

1. Kellam de Forrest commented on mitigating Class I impacts and offered suggestions.
2. Connie Hannah, League of Women Voters, commented on density issues. The League supports CPA's suggestions to reserve the higher density for employer-built housing.

With no one else wishing to speak, Chair Bartlett closed the hearing at 4:15 P.M. and called for a recess, resuming the meeting at 4:32 P.M. Commission deliberation followed.

Chair Bartlett called for a dinner recess at 5:45 P.M. and reconvened the meeting at 6:20 P.M.

Commissioner Jostes called for a series of straw polls:

**STRAW POLL #1:**

Support the policy provisions as a package with:

- The Non-residential growth limited to 1,353,000 s.f. over the next 20 years;
- Average Unit Size densities at the Medium High and High land use designations;
- Rental/Employer Housing Overlay Option 2 with the following modifications:
  - Pull back the northwestern boundary of the overlay to Sola Street, east of Highway 101 and to Pedregosa, west of Highway 101.
  - Include the CM zone from Anacapa Street to the C2 zone bordering Milpas Street.
- Accept the Upper Eastside recommendations for LG 17-4 regarding institutional uses as a City-wide policy with the implementation strategy to apply such a requirement to the Upper Eastside as a first step;
- Support a super majority requirement of the Planning Commission for building heights above 45 feet.

Ayes: 5 Noes: 2 (Jacobs, Lodge)

With added discussion, the Planning Commission reconsidered its poll after Commissioner Jacobs requested that the rental overlay on Upper State Street mirror the SD-2 zone. Commissioner Jacobs also indicated that the De la Vina area is not a good place to put the rental overlay at this time.

Commissioner Jacobs then reconsidered her position providing “soft support” with the added emphasis on historic resources protection. Commissioner Jacobs remained concerned that smaller unit sizes that were not included in the straw vote and wanted to see a recommendation to that effect.

The straw poll was revised to include:

- Removal of the overlay west of Highway 101 from Kentia down to Pedregosa. On the East side of Highway 101, it is removed between State Street and the Freeway from the Mission corridor down to the north side of Sola Street. Additional overlay areas area added along the Haley-Cota CM zone from Anacapa all the way to the commercial zones adjacent to Milpas Street. On Upper State Street, removal of the overlay from the De la Vina/State Street area pulling it back to Las Positas Road.

Ayes: 6 Noes: 1 (Lodge)

**STRAW POLL #2:**

Recommendation to City Council for the support of higher densities with smaller units, as written in the proposed Land Use Element on pages 60-61 of the Santa Barbara General Plan Proposed Final Update, September 2010.

Ayes: 7 Noes: 0

**STRAW POLL #3:**

Recommendation that the City Council maintain the full range of options for robust Transportation Demand Management (TDM) with the understanding that components such as parking pricing be applied only with community support and to feasibly maintain the economic vitality of the downtown in the face of unavoidably significant intersection and roadway constraints, should traffic conditions further degrade. The City already has a number of programs in place, such as the Pedestrian Master Plan, Transit Planning, and collaboration with the Metropolitan Transit District (MTD) that can have positive effects on reducing congestion. Urge City Council not to foreclose options at this point but rather to give those options further consideration if and when they have value to manage transportation capacity while at the same time fostering economic vitality.

Ayes: 7 Noes: 0

**STRAW POLL #4:**

Recommendation to City Council to relax second unit standards adjacent to transit/commercial and consider relaxing standards City-wide on a neighborhood by neighborhood basis where neighborhood support is evident. Recommend including the square footage of the proposed second units within the Neighborhood Preservation Ordinance Floor Area Ratio (FAR) limitations.

Bettie Weiss, City Planner, suggested the Commission look at Policy H15 on pages 204-205 of the Housing Element in the Santa Barbara General Plan Proposed Final Update, September 2010 that changed the policy language in response to the City Council and has been drafted.

Ayes: 7 Noes: 0

**STRAW POLL #5:**

Recommended accepting Staff's recommendations found in Exhibit H, "EIR Recommended Mitigation Measures" to be included in the General Plan Update, with Commissioner Jacobs's suggestion that the language in Staff Report Exhibit H, Page 10 of 14, paragraph 2 of RM VIS-2 Community Character be included in the recommendations.

Ayes: 7 Noes: 0

Staff reviewed all changes in language that would be made to the Land Use Element as documented in Exhibit H of the Staff Report.

**STRAW POLL #6:**

Recommendation to City Council to preserve the 60 dB exterior noise threshold in single-family residential zones and apply 65 dB to multi-family and non-residential zones in the Noise Element.

Ayes: 7 Noes: 0

**MOTION: Jostes/Schwartz**

**Assigned Resolution No. 014-10**

Recommend to City Council, per Government Code §65354, adopting the changes suggested by the Planning Commission regarding textual changes in the text of the Draft 2010 *Plan Santa Barbara* General Plan Update, and recommended mitigation measures as reflected by the straw polls taken.

This motion carried by the following vote:

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



**MOTION: Jostes/Jacobs**

**Assigned Resolution No. 014-10**

Recommend to City Council to adopt the proposed Final General Plan Update including a package of Planning Commission policy recommendations reflected in the first straw poll that ranged from density to the protection of Historic Resources, supplemented by the language pertaining to support for higher densities (Straw Poll #2), transportation demand management (Straw Poll #3), and second units (Straw Poll #4) .

This motion carried by the following vote:

Ayes: 6 Noes: 1 (Lodge) Abstain: 0 Absent: 0

Commissioner Jostes requested that in preparing its report to City Council that Staff minimize any ambiguities with the Planning Commission's recommended policy language and the hybrid that is covered in Volume 4 of the Final Environmental Impact Report (FEIR) and that Staff concentrate on articulating the Planning Commission's recommended policy language in compliance with the Commission's original objectives made on June 3, 2010 and found in the six bullet points of section 2.1 of Volume 4 of the FEIR.

**VII. ADJOURNMENT**

Chair Bartlett adjourned the meeting of September 29, 2010 at 7:20 P.M. and reconvened at 1:03 P.M. on September 30, 2010. The meeting of September 30, 2010 was adjourned at 9:11 P.M.

Submitted by,

  
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Julie Rodriguez, Planning Commission Secretary

