



# City of Santa Barbara

## Planning Division

### PLANNING COMMISSION MINUTES

July 26, 2012

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

Chair Lodge called the meeting to order at 1:01 P.M.

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

Chair Sheila Lodge, Vice Chair Mike Jordan, Commissioners Bruce Bartlett, John P. Campanella, Stella Larson, Deborah L. Schwartz, and Addison Thompson.

#### **STAFF PRESENT:**

Bettie Weiss, City Planner  
John Ledbetter, Principal Planner  
Jaime Limón, Senior Planner  
N. Scott Vincent, Assistant City Attorney  
Heather Baker, Project Planner  
Irma Unzueta, Project Planner  
Nicole Hernandez, City Historian  
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.  
Ms. Weiss announced that at Tuesday's City Council meeting, the Council approved the Planning Commission's recommendation for the annexation of the properties at 4151 Foothill Road and 681 Cienegitas Road and that the annexation will be moving forward.
- C. Comments from members of the public pertaining to items not on this agenda.  
Chair Lodge opened the public hearing at 1:03 P.M. and, with no one wishing to speak, closed the hearing.

**III. DISCUSSION ITEMS:**

**ACTUAL TIME: 1:03 P.M.**

**A. COASTAL HOUSING COALITION HOUSING CONFERENCE SUMMARY**

Mickey Flacks, Coastal Housing Coalition, will provide the Planning Commission with a summary of the Coastal Housing Coalition Housing Conference that took place on June 1, 2012.

Case Planner: John Ledbetter, Principal Planner

Email: JLedbetter@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 2569

Mickey Flacks, Coastal Housing Coalition, gave the presentation.

Detlev Peikert, Peikert Group, gave a presentation on employer housing and a model that allowed for smaller employers to offer employer sponsored housing.

The Commission was appreciative of the two presentations and their timeliness as they prepared to review the Average Unit-Size Density Incentive Program.

**ACTUAL TIME: 1:58 P.M.**

**B. HEARING TO DISCUSS ORDINANCE AMENDMENTS RELATED TO THE AVERAGE UNIT-SIZE DENSITY INCENTIVE PROGRAM**

On April 10, 2011, the City Council initiated amendments to Title 28 of the Municipal Code to implement the Average Unit-Size Density Incentive Program. The Average Unit-Size Density Incentive Program allows increased residential densities and reduced parking requirements in most multi-family and commercial zones. The Average Unit-Size Density Incentive Program is intended to replace the existing Variable Density Program, and will require amendments to Title 28 of the Municipal Code. The purpose of the meeting is to discuss with the Planning Commission key components related to the implementation of the Average Unit-Size Density Incentive Program as directed by policies in both the Land Use and Housing Elements of the General Plan and Council Resolution No. 09-058. Staff requests Planning Commission review and discussion of the key components in order to proceed with the preparation of ordinance amendment language.

Case Planner: John Ledbetter, Principal Planner

Email: JLedbetter@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 2569

Irma Unzueta, Project Planner, gave the Staff presentation.

Chair Lodge opened the public hearing at 2:20 P.M.

The following people provided public comment:

1. Lisa Plowman, Santa Barbara for All, acknowledged Staff's work and supports the Average Unit Density (AUD) program, but remains concerned with how the inclusionary requirement for employer housing will work. Advocated flexibility with developers and being open to change as the program develops. Encouraged staff to move the AUD program forward in its current form.
2. Mickey Flacks, Coastal Housing Coalition, commented that limited equity co-op's do not work well for low-income people, and are designed to work better for moderate to middle income people. This was largely due to buyers needing to make an initial investment and being able to meet unforeseen expenses associated with home ownership. Suggestions included: employer sponsored co-ops that can require, in perpetuity, that the unit must be employer owned, or sell back the unit to the co-op when no longer employed; an employee consortium could operate as a lender or loan guarantor; and that State Government eliminate the red-tape for co-ops.

With no one else wishing to speak, the public hearing was closed at 2:25 P.M.

**Straw Poll:**

Under the Employer Sponsored Housing Program, would the Commission like to see the AUD program develop with some affordability requirement?

Ayes: 0 Noes: 7

Commissioner's comments:

1. Commissioner Jordan felt that not including inclusionary standards or targets is a better way to go because employers would already be working toward the goal of affordable housing on their own. Supports the use of covenants to restrict affordability of units, but does not support setting a price point for employer. Agrees with average unit size ranges as proposed and requested that exceptions be explored to address nonconformities that might result with the implementation of the AUD Program.
2. Commissioner Lodge felt that applying inclusionary requirements would make it more difficult and expensive, but thought there should be some kind of price level standards included in the program. Expressed concern with the proposal to eliminate the 10% open space requirement for mixed use projects and the resulting percentage of open space that would remain.
3. Commissioner Bartlett believes that restricting Floor Area Ratio's (FAR's) and requiring inclusionary units as well will be a disincentive to employers. He would like to see all units at a below market rate rather

- than isolate 15% of units at a discounted rate. Otherwise, it would create an inequity for people living in the units.
4. Commissioner Larson does not support requiring inclusionary units and felt that employers will figure out affordability, depending on wages the employer will pay. This should not be written in a way that takes away incentives for employers building employee housing.
  5. Commissioner Schwartz was concerned with leaving the community's objectives to the lending/investment/employer sector alone and felt that a tool was needed to insure that affordable or middle income housing would remain in perpetuity.
  6. Commissioner Campanella was concerned that two sets of regulations are being imposed on employers: inclusionary requirements and development agreements that would create difficulty. He felt that there has to be some consideration that we are addressing the needs of a variety of employers, not just a few. Would recommend not selecting a price point at this time.
  7. Commissioner Thompson felt that applying the inclusionary requirement to employer housing would be a disincentive.

Chair Lodge read two letters into the record from Chance, Inc., and the Oak Park Neighborhood Association.

Chair Lodge called a recess at 3:47 P.M., and reconvened the meeting at 4:00 P.M.

#### **IV. RECOMMENDATION TO CITY COUNCIL:**

**ACTUAL TIME: 4:00 P.M.**

#### **PROPOSED HISTORIC RESOURCES ELEMENT**

The purpose of this hearing was for the Planning Commission to provide a recommendation regarding the proposed Historic Resources Element to the City Council. The draft document is available on-line at: [www.santabarbaraca.gov/Resident/Major\\_Planning\\_Efforts/Historic\\_Resources\\_Element/](http://www.santabarbaraca.gov/Resident/Major_Planning_Efforts/Historic_Resources_Element/)

A Council authorized HRE Task Force has drafted a new HRE with an introduction, goals, policies and implementation actions for consideration, as well as an appendix. Staff has supported the HRE Task Force drafting process and has reviewed the current draft document, as well as provided a map of historic districts in the document. All of the topics covered by the existing Historic Resources Framework and existing Cultural Resources Section of the existing Conservation Element are covered in the proposed HRE. Additional more detailed goals, policies and implementation items are included in the proposed HRE. The new HRE is to supersede the Cultural and Historic Resources section of the existing General Plan Conservation Element. The existing HRE Framework was adopted by Council in December 2011, and was reviewed by the Planning Commission starting on April 28<sup>th</sup>, 2010 and in all subsequent Planning Commission reviews of the General Plan documents.

The City of Santa Barbara invites public comment on the Proposed Historic Resources Element to the email address below or to the Planning Division office at P.O. Box 1990 (630 Garden Street), Santa Barbara, CA 93102. The Plan will be subsequently forwarded to City Council for adoption.

Case Planner: Heather Baker, Project Planner  
Email: HBaker@SantaBarbaraCA.gov

Phone: 805-564-5470, ext. 4599

Heather Baker, Project Planner, gave the Staff presentation.

Chair Lodge opened the public hearing at 4:20 P.M.

The following people provided public comment:

1. Lee Moldaver acknowledged the support of Commissioners Larson and Lodge on the HRE Task Force and encouraged support for the HRE.
2. Mickey Flacks, Santa Barbara for All, felt that the document was not clear and commented that the language could be interpreted to stop development of anything. One primary goal of PlanSB is sustainability by having people who work in Santa Barbara live in Santa Barbara. Housing inhabited by people of modest means should not be considered a threat to historic landmarks. Urged that the document be reviewed piece by piece so that it is not prejudiced or discriminatory to people of poor or moderate means, white people, or people of Spanish heritage.
3. Joe Rution, Santa Barbara Conservancy and the Bungalow Haven Neighborhood Association, read a letter from the Santa Barbara Conservancy into the record that supported the HRE as an incredible addition to the General Plan. Stated that to interpret the document as being against affordable housing is incorrect.
4. Mary Louise Days, Pearl Chase Society and Citizens Planning Association, expressed support for the HRE, and stated that the language disputed by Santa Barbara for All is already in the existing General Plan, as adopted by the City Council and that the current HRE simply carries that language forward.
5. Lisa Plowman, Santa Barbara for All, sees the document as being on a collision course with providing affordable housing and preserving historical resources. Suggested looking at densities on a case by case basis. Buffers are not needed to the extent outlined in the HRE since the HLC is already implementing a tough process. Neighborhood policies and identifying neighborhoods as historic is far-reaching and has unintended consequences that have not been thought about. Suggested that instead of a 100' buffer, the wording 'directly adjacent to' be considered.

With no one else wishing to speak, the public hearing was closed at 4:36 P.M.

Commissioner's comments:

1. Commissioner Schwartz was concerned about document wording inconsistencies, and referenced examples. Asked for time to have the language reviewed. Scott

- Vincent of the City Attorney's Office responded that his assumption is that variations in wording in the HRE were intentional by the HRE Task Force in order to have different meanings for various items in the document.
2. Commissioner Larson affirmed that the intent of the HRE is to protect important historic resources and neighborhood areas for the next 30-50 years, and that the HRE as written does not discriminate against anyone. Strongly felt that density can coexist with preservation. She strongly urged that the PC recommend the document for adoption.
  3. Commissioner Thompson acknowledged the effort made by the HRE Task Force and agreed with Commissioner Schwartz's comments on the document language. Felt that the use of "possible actions to be considered" prefacing every implementation plan is weak wording and demotes every action to a suggestion. Commissioner Lodge added that the phrase was included in all elements of the adopted general plan at the direction of the City Council and that the proposed HRE is simply being consistent with the rest of the general plan in using that phrase.
  4. Commissioner Campanella suggested a site visit that showed an example with one resource that qualifies for the suggested 100' buffer and one that qualifies for the 250' as a way to help the development community see how it would be implemented. Noted that the language in HR 2.10 references "parcels" within 100', then later references "developments" within 100'.
  5. Chair Lodge acknowledged HRE Task Force members present, including Chair Judy Orias, Vice-Chair Fermina Murray, and Mary Louise Days. She stated that the document had been carefully gone over multiple times by the HRE Task Force and the staff including the City Attorney's Office, and stated that the document is ready for adoption by Council. Mary Louise Days restated the goal of the HRE as insuring respectful and compatible development near historic resources.
  6. Commissioner Bartlett was concerned with the protection of landmarks at the expense of being able to build future landmarks. Felt that all periods of our history should be celebrated with each period treated with respect. Questioned use of the word "buffer" and stressed looking at the context in which it is used; suggested "sensitivity zone" as a possible replacement term. Cited page 13 HR2.9 as talking about creating a residential TDR program and felt that the wording should apply to areas that are being designated as a buffer area. Overall, thought that the HRE needs some work in tightening up the language, but is close.
  7. Commissioner Schwartz felt that the challenge remained in defining terms such as "compatible" and "respectful", as the HRE moves forward.

**MOTION: Larson/Thompson**

**Assigned Resolution No. 011-12**

Recommend the proposed HRE be forwarded to City Council.

This motion carried by the following vote:

Ayes: 4 Noes: 3 (Bartlett, Jordan, Schwartz) Abstain: 0 Absent: 0

V. ADMINISTRATIVE AGENDA

ACTUAL TIME: 5:46 P.M.

D. Committee and Liaison Reports.

1. Staff Hearing Officer Liaison Report

Commissioner Larson reported on the Staff Hearing Officer meeting held on July 25, 2012.

2. Other Committee and Liaison Reports

a. Commissioner Larson reported on the Historic Landmarks Committee of July 25, 2012.

b. Commissioner Campanella reported on the Parking Committee.

c. Commissioner Bartlett reported on the ABR meeting of July 23, 2012.

d. Commissioner Larson asked the Commission to review the copy received of the Safe Passages report.

e. Commissioner Lodge reported on the Harbor Commission meeting of July 19, 2012.

VI. ADJOURNMENT

Chair Lodge adjourned the meeting at 5:50 P.M.

Submitted by,

  
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Julie Rodriguez, Planning Commission Secretary

