



**JOINT COMMITTEE MEETING
Staff Notes**

Monday, August 29, 2016

9:00 A.M.

COMMITTEE MEMBERS: HARWOOD "BENDY" WHITE, COUNCILMEMBER, *Chair*
JOHN CAMPANELLA, PLANNING COMMISSIONER
MICHAEL JORDAN, PLANNING COMMISSIONER
SHEILA LODGE, PLANNING COMMISSIONER
CATHY MURILLO, MAYOR PRO TEMPORE
JUNE PUJO, PLANNING COMMISSIONER, *Alternate*

STAFF: DANNY KATO, SENIOR PLANNER
MARCK AGUILAR, PROJECT PLANNER
BRENDA BELTZ, ASSOCIATE PLANNER
SCOTT VINCENT, ASSISTANT CITY ATTORNEY
JULIE RODRIGUEZ, PLANNING COMMISSION SECRETARY

ATTENDANCE:

Members Present: Council Member Bendy White, Planning Commissioner John Campanella, Planning Commissioner Sheila Lodge, Planning Commission June Pujo, *Alternate* and Council Member Cathy Murillo

Members Absent: Planning Commissioner Michael Jordan

Staff Present: Marck Aguilar, Danny Kato, Brenda Beltz, Julie Rodriguez, and Scott Vincent. Also present were, Dan Gullett, Supervising Transportation Planner, Rob Dayton, Principal Transportation Planner, and Renee Brooke, City Planner.

Consultant: Martha Miller

STAFF OVERVIEW:

Staff explained that the purpose of the meeting was for staff and the new consultant to continue to gather input from the committee members regarding their comments to Module 3: Administration, Parking, and Temporary Uses.

PUBLIC COMMENT:

None.

MODULE THREE DISCUSSION ITEMS:**FIRST PUBLIC COMMENT:**Joe Rution, Allied Neighborhood Association:

- Stated that the original intent of the NZO process was housekeeping but the scope sweep does not allow enough individual attention to substantive changes. Public input is diluted. He suggested that policy matters and substantive changes get the attention they deserve.

Krista Pleiser, Santa Barbara Association of Realtors:

- Supports Staff recommendation “Option 2” to retain Minor Zoning Exceptions (MZE) as exceptions in the Zoning Inspection Report (ZIR) Chapter.

Trish Allen, Suzanne Elledge Planning and Permitting Services, Inc.:

- Submitted a letter with suggestions. Her written comments focus on the parking ordinance and whether it is going far enough.
- She appreciates the module process in splitting up the ordinance into separate modules. Staff is going in the right direction.
- Perhaps we can go a little bit further with changing uses. If the property is nonconforming and there is a change of use, it is difficult for that change of use to be parked with the current requirement. Supports Option 2: Parking ratio of 1 space per 250 square feet for Food Service land uses.

The Committee and Staff discussed and affirmed the scope of the NZO process and the flow of the process as it moves to the Planning Commission and Ordinance Committee. The Joint Committee requested that staff highlight proposed NZO policy changes in the Planning Commission staff report and identify what has been addressed from the original NZO project scope. Pujo noted that the NZO effort has stayed close to the original scope and asked if the structure of the hearing process could allow additional flexibility for focused discussion. Mr. Kato responded that the Joint Committee technical meetings with the public serve as the forum for focused discussion.

1. ADMINISTRATION**QUESTIONS:**

- Which of the following three options does the Committee prefer?

Option 1: Use NZO and Minor Modification

Option 2: Retain Minor “left-over” MZE items in ZIR Chapter as Exceptions

Option 3: Retain MZE as-is within NZO, also keep NZO as drafted.

MOTION Murillo/Pujo

Support staff recommendation of Option 2. Retain Minor “left-over” MZE items in ZIR Chapter as Exceptions.

Ayes 5 Noes 0

2. **RULES OF MEASUREMENT**

COMMITTEE'S COMMENTS:

Commissioner Pujo:

- Commented on Page 5 of the Staff Report and suggested that the discrepancy between existing grade and natural grade be clarified.
- Also on Page 5 of the Staff Report, suggested that in the second paragraph that reads, "Building height is measured from every point..." that the word 'exterior' be added before "opposite perimeter walls".
- Struggling with the roof parapet. There are times when they work well with roofs. She is not sure if the top of a roof parapet in the height should be excluded.

Commissioner Lodge:

- Does not want to exclude roof parapets in the building height.

Commissioner Campanella:

- Questioned whether fractions are also applied to inclusionary housing. Staff will follow up with a response.

Commissioner White:

- Wants to keep it the way it is and not exclude parapets.

3. **DEFINITIONS**

COMMITTEE'S COMMENTS:

Commissioner Lodge:

- Suggested that the term "community apartment" be reviewed for circular reference to civil code.

Commissioner Campanella:

- Asked for clarification of the term 'blockface'. Staff exemplified the definition on a flipchart diagram. Consider removal if not applicable elsewhere in the ordinance.

Commissioner Pujo:

- Supported removal of development standards out of the definitions.

Commissioner White:

- Commissioner White concurred with Pujo.

Committee Chair White acknowledged a letter received from Art Ludwig that provided definitions to help the committee.

Committee Chair White called for a recess at 10:05 a.m. and reconvened the meeting at 10:18 a.m. Introductions were made of all present.

SECOND PUBLIC COMMENT: Committee Chair White acknowledged two letters received by the Community Environmental Council and Detty Peikert.

Ben Werner, Sustainable Living Resources Initiative (SLRI):

- Stated that the SLRI provides flexibility and accountability. He finds that it is hard for the Planning Commission to approve a project when there is no accounting for impacts to the community. Recommends formation of a sustainable living research committee.

Art Ludwig:

- Submitted a handout and thanked the committee for its work.
- He is trying to build two tiny sustainable adobe units and wants to see permitting obstacles removed.
- He encouraged all to: 1) support staff to include all sustainable tools that can be managed; 2) support staff to follow on work product for any key tools that do not make it into the current NZO revision; and 3) include a mechanism that can account for actual quantitative project impacts.

Chiji Ochiagha, SLRI:

- Encouraged everyone to support adoption of the SLRI Ordinance. Supports higher housing density and reduced parking requirements.

Joe Andrulaitis, Andrulaitis Nixon Architects: Asked that parking restrictions in the funk zone be reconsidered and that nonconforming parking credits be kept. It is a shame to tear down old buildings to put parking onsite.

- Include entire funk zone in the Central Business District (CDB). Look at ways to utilize under parked beach areas at the beach for the funk zone.

Faye Cox:

- Supports SLRI
- Spoke to the housing crisis we have in not being able to employers to attract employees.
- Advocated for car sharing exploration and consideration.

Ellen Bildsten, Bildsten Architecture:

- Spoke in support of the SLRI Ordinance.
- Works often with Average Unit Size Density (AUD) projects and observes that the innovative parking approach makes higher residential unit densities possible.
- Also, concurred with car sharing exploration. Suggests AUD projects include one space for car sharing.

Cameron Gray, Community Environmental Council:

- Submitted a letter.
- Would like to see new requirements in the parking ordinance that require electric charging stations and pre-wiring stubouts installed as part of development and a progressive vision for providing electric vehicle charging for our community.
- Offered support for SLRI Ordinance as a great pathway for innovation.

Phillip Tankosh, Zannon Foundation:

- Spoke in support of the SLIR Ordinance.

Jarrett Gorin, Vanguard Planning, Inc.:

- Concurred with Mr. Andrulaitis comments on Funk Zone.
- Supports Option 2 in the Staff Report: Parking Ratio of 1 space per 250 square feet for Food Service Land Uses. It is a good balance for non-residential parking.
- Requested abolishing the “50% rule” for residential, but keeping for non-residential. It makes sense in commercial projects, but on residential projects, parking demand is not related to the size of the unit. The 50% requirement does not work for small houses.

Eve Sanford, Santa Barbara Bicycle Coalition:

- Thanked staff for updating bicycle parking requirements with recent adoption of the Bicycle Master Plan.
- Looks forward to seeing more people shifting to riding bicycles.
- Looks forward to working with staff on definitions of long term and short term bicycle parking, including proximity to units and size of the development, and bicycle commuter details.
-

Naomi Greene, East side resident:

- Concerned with impacts that AUD projects will have on parking.
- The East side neighborhood is already very congested.
- Bike lanes are great, but there are many people who do not ride or cannot ride and do not want to drive.
- Suggested looking into shuttle busses or shared taxis on the East side.
- Also suggested looking into parking lots
- Look into alternative and sustainable solutions that do not require using a car.

With no one else wishing to speak, public comment was closed at 10:51 a.m.

4. **PARKING**

FOOD SERVICE USES

QUESTION:

Which of the following three options does the Committee prefer?

Option 1: Use current fast food parking requirements (1/100) for all food service uses.

Option 2: Use retail parking requirements (1/250) for all food service uses.

Option 3: Use one parking ratio (1/150 or 1/200) for all food service and most other general commercial and uses.

COMMENTS:

Council Member White:

- Asked Rob Dayton if the restaurants in the city run in the ITE parking range. Rob Dayton stated that one parking space per 100 square feet would be the demand or one parking space for three seats. People tend to opt for parking based on seating and staff typically finds that there are more seats than

originally proposed. As a result, new restaurants tend to be under parked on that basis, combined with existing non-conforming parking credit.

- Stated that he has seen combination of the modification request coupled with a parking demand study as a tool for development, and used fairly frequently. Mr. Kato was asked if he envisions this pair of tools as a way to park a project to which he responded affirmatively.

Council Member Murillo:

- Industrial businesses on the East side are getting squeezed out because people want to do other things, such as a winery or beer venue. Our building industry finds that the yards with building materials are displaced with materials now having to come from Oxnard, CA. She would like to protect and keep industrial business here in Santa Barbara.
- Referenced page 16 in the Staff Report and the food service parking requirement possibilities. She has heard that while retail is not declining, people are shopping more online and wondered about our vision for Downtown, especially with the lively Funk Zone environment. The food service function and retail function on State Street are an urban planning discussion that is needed. Do we want to easily change retail into food service? Mr. Kato responded that under Option 2 (1/250), retail and food service would be treated the same.

Mr. Dayton offered the example of the successful Average Unit Density (AUD) program and asked the committee give consideration to what land uses are to be encouraged for that will dictate the parking needs.

Commissioner Pujo:

- Asked for clarification of the reduction of parking requirements outside the Central Business District. Mr. Kato responded with staff's intent.
- Asked for clarification on the 1 space per 250 square feet and 1 space per 500 square feet. Mr. Kato explained that the ratios are based on interior floor area.
- Supports Option 2. Agrees with the simplicity and the effect it will have in reuse of buildings.

Council Member White:

- Commented on how service stations are adding convenience stores and eliminating grease racks. Asked how service stations are parked now and whether we park them using the pump sites. He Mr. Kato stated no we do not. We allow 1 space for 250 square foot area of internal floor area and that covers the convenience store.
- Likes the idea of preserving the warehousing by not letting the credits work and keeping flexibility in place

Commissioner Campanella:

- Agrees with Council Member White. He supports Option 2 and taking away the credits for non-conforming.

Commissioner Lodge:

- Supports Option 2. We need to look separately at Funk Zone parking. City Planner Renee Brooke noted that the Funk Zone is in the Coastal Zone. Any changes in the Coastal Zone require an additional layer of approvals.

MOTION Murillo/Lodge

Support Option 2: Use retail parking requirements (1/250) for all food service uses.

Ayes 5 Noes 0

NONCONFORMING PARKING and the FIFTY PERCENT (50%) RULE

Mr. Kato explained the “50% rule” that was raised during the discussion. Regardless of size, single-unit houses require two parking spaces, although not all single-unit houses have them. If a proposal involves additional square footage for a single-unit residence beyond a cumulative 50% of floor area that existed on July 15, 1980 and the parking does not meet the current requirement, then the proposal must include bringing the parking up to code, which means two covered parking spaces total. With the Floor Area Ratio (FAR), there are some allowances.

Commissioner Pujo:

- Asked if 1800 square feet was the maximum FAR used on any size lot. Mr. Kato said no and explained how the Floor Area Ratio (FAR) works and how it relates to this particular revision.
- Asked what the parcel size was considered in regard to the 1800 square feet threshold. Mr. Kato provided an explanation on how 1800 was reached.

Council Member Murillo:

- Asked for clarification on the 1800 square feet found in the staff report and the maximum 970 square feet that any unit can be expanded. Mr. Kato explained that 1800 square feet is for a single residential family home. The 970 square feet applies to duplexes and any multi-unit development.

Commissioner Campanella:

- Commented on the number of projects that are non-conforming or illegal and non-conforming, where some units are retained and others are being torn down and redeveloped. As part of the redevelopment, they still must park one unit, even if they get modifications. Mr. Kato concurred.

COMMENTS:

Commissioner Campanella:

- Leave the 50% rule as it is. If something is non-conforming, then you want to offer encouragement for updating it and making it economically feasible.
- Suggested adding a few illustrations.

Commissioner Pujo:

- Agrees with adding up to the 1800 square feet for small houses, without adding additional parking. It encourages upgrading of the smaller houses and avoids tear-downs.
- Does not think that adding 250 square feet as a set number for every property over that. That will not work well with a lot of properties because it is a small addition. For that part, she agrees with Commissioner Campanella on keeping the 50% for larger lots.

Commissioner Lodge:

- Agrees that the 250 square feet is too small, and 50% is too much. She suggests 30%.

Council Member White:

- Going up to 1800 square feet makes sense. 50% is a bit much. Can support Commissioner Lodge’s idea of 30%.
- Supports the approach of two-unit and multi-unit residential development.

Council Member Murillo:

- Agrees that if people have a larger lot, they should add parking.
- Recommends providing illustrations of the standards in support of discussion.

Staff will consider this direction and bring forward to the Planning Commission a revised approach.

BICYCLE PARKING**COMMENTS:**Commissioner Campanella:

- Asked how staff arrived at the demand rates. Dan Gullett, Supervising Transportation Planner, responded that it was reviewed as part of the Bicycle Master Plan.

Commissioner Pujo:

- Inquired about motorcycle parking.
- A missing piece is sub-compact cars that do not require a 10-foot x 20-foot space.

MOTION Campanella/Murrillo

Approve Staff Recommendation

Ayes 5 Noes 0

CENTRAL BUSINESS DISTRICT BOUNDARY**OTHER PARKING****COMMENTS:**Council Member Murillo:

- Asked if this would create gentrification in removing much of the older businesses and bring in new restaurants. Mr. Dayton, explained that this would only allow to keep the parking as it is and allow for multiple uses within those areas.
- The Commercial-Manufacturing (C-M) Zone is not abundant.
- Would like to suggest a parking improvement district in the Funk Zone, as well as on Milpas Street.

Council Member White:

- Would like to have a closer look at land uses in the C-M Zone area where the CBD is proposed to expand.

Commissioner Pujo:

- Agrees with Council Member White on the additional focus needed and with Council Member Murillo on what's going on in that area.

MOTION Murillo/Lodge

Support staff's recommendation at this time for the proposed CBD boundaries with the exception of the C-M Zone. Staff to bring additional analysis of the CBD expansion into the C-M area for Planning Commission discussion.

Ayes 5 Noes 0

OTHER PARKING

OFFSITE PARKING FOR RESIDENTIAL DEVELOPMENT IN COMMERCIAL ZONES

Question #1: Does the Committee support allowing offsite parking for residential uses in mixed-use development?

Question #2: Does the Committee support allowing offsite parking for solely residential uses in commercial zones?

COMMENTS:

Commissioner Lodge:

- Questioned where we would find such parking when we are already built out.

Council Member Murillo:

- Would like to maintain as much flexibility as possible on parking.

Commissioner Campanella:

- Agrees with maintaining flexibility.
- An owner may not have to give up as much space for parking.
- It could reduce construction cost.
- It could help with size, bulk and scale. Instead of a four-story development, the design could be a three-story development with adjacent parking.

Council Member White:

- Supports maximum flexibility.
- Recalled a De la Guerra Street project that had subterranean parking. There are opportunities for someone to develop subterranean parking and sell space for use.

MOTION Campanella/Pujo

Agree with both Questions #1 and #2.

Ayes 5 Noes 0

ACCESSIBLE PARKING

Question: Does the Committee support requiring accessible parking in addition to a minimum of one parking space per unit in new residential development?

No formal motion was taken, but the Committee unanimously agreed to support requiring accessible parking in addition to a minimum of one parking space per unit in new residential development.

5. **TEMPORARY USES**

COMMENTS:

Council Member Murillo:

- Stated that for some small business vendors, such as a local taco truck, 90 days per year or four hours per day would not work for them. They come in when businesses are closed, park on private property, and pay the property owners a fee to park on their property. Mr. Aguilar said that for vendors that wanted to exceed the four hours a day, or days per year, a performance standard permit would be the mechanism to consider the proposal.
- Inquired why six hours would not be the standard. Mr. Aguilar responded that initially it was three hours and that after receiving input from the mobile vendor community, maximum time on site was raised to four hours.

Commissioner Pujo:

- Inquired on how much time and cost a small business vendor is expending to obtain a performance standard permit.
- Within a 10' setback or on right-of-way, there are some places that work for vendors that are not being addressed at all. Inquired on the rationale for the 10' setback.

Council Member White:

- This is a reasonable step in the right direction and a good measured step.

Council Member Murillo asked Chair White if a member of the public could comment on temporary parking uses, specifically food truck regulations.

Planning Commission Secretary Julie Rodriguez provided Spanish translation for Susana Nava, Grandma's Tamales, who commented on the challenges and hardships she encountered with meeting compliance of current zoning and right of way regulations.

MOTION Lodge/Pujo

Support Staff's recommendations.

Ayes 4 Noes 1 (Murillo)

6. **OPEN YARD****COMMENTS:**Council Member White:

- Prefers to wait until Planning Commission has reviewed this item.

Commissioner Campanella:

- Suggested that perhaps this topic could be covered as a part of future AUD discussions.

Council Member Murillo:

- Would like to give the applicant flexibility and choice.

Commissioner Lodge:

- Does not agree with open space on rooftops.
- There is no space for any landscaping. There is no place that a real tree can be planted.

MOTION Murillo/Pujo

Move discussion to the Planning Commission with allowing the applicant flexibility.

Ayes 2 Noes 3 (Campanella, Lodge White)

The motion failed.

7. **SUBSTAINABLE LIVING RESEARCH INSTITUTE (SLRI)**

Danny Kato recapped meetings held with the Sustainable Living Research Institute and provided examples of how the proposed SLRI Ordinance might work, noting that there would be economic challenges to the success of the approach. The SLRI was not included in the original NZO scope of work and would warrant its own work program.

COMMENTS:

Commissioner Pujo:

- Appreciated that staff looked closely at SLRI and considered it.
- The funding is not insurmountable and is not a new idea.
- It is outside the scope of the NZO, but recognizes that there is community interest.
- Suggested that at the minimum, a work program on how this could be done and what it would take short term be prepared.

Council Member Murillo:

- Stated that Seattle has done this, so there is a model that can be looked at.
- Two Council Members can introduce this to City Council. She would be willing to take this to Council, but Planning staff would need to work on it. Mr. Kato said that it would be a matter of Planning's workload.

Commissioner Campanella

- We are faced with the issue of sustainability
- Asked how the development would be measured, what would be the baseline?
- Suggested looking at applying it to a piece of property and monitoring it.

CONSENSUS: Committee agrees that SLRI is not in the scope of the NZO.

Ayes 5 Noes 0

Mr. Kato said that while the SLRI is not in the scope of the NZO, Council Members could decide to bring forward for discussion at City Council.

Ben Werner, Sustainable Living Research Institute, addressed the Committee requesting that a committee be formed that could develop language for Ordinance adoption. Chair White suggested that the request be taken to the Sustainability Committee.

The next step will be taking Module 3 to the Planning Commission in October.

Committee Chair White adjourned the meeting at 1:21 p.m.