



City of Santa Barbara
Planning Division

Memorandum

DATE: March 14, 2006

TO: Mayor & Council
Planning Commission

FROM: Bettie Weiss, City Planner *BW*

SUBJECT: BACKGROUND MATERIAL FOR JOINT MEETING DISCUSSION

On March 16, 2006, the Council and Planning Commission will hold a regular bi-annual meeting. Last year the Council and Planning Commission reviewed and approved ordinance amendments to establish the Staff Hearing Officer (SHO) process. Some concern was expressed about the SHO reviewing small (2-4 unit) subdivisions and condominium projects. It was requested that a policy level discussion be held among with the Council, Planning Commission, members of ABR & HLC, and staff to gain a common understanding of the policy basis and standards for these types of projects.

The primary intent of this discussion is learning and dialogue that will help support sound decision making in the current planning process. Planning is a dynamic process and the discretionary element of decision making is very important. The goal is to generate and carry forward a common understanding of city policy basis for more consistent outcomes, while recognizing that differences will exist and the expectation is not for exactness. In particular, the SHO is one person and the Planning Commission is 7 people, therefore, by the very nature of the numbers it is not possible to have the same decision making process.

It is important to recognize that several entities are involved in the review process, including: staff, design review boards, land use decision makers, applicants, neighbors, and others expressing community-wide interests. We are all engaged in the planning process; as such we have ideas, see problems, want to identify possible solutions, etc. In the process of reviewing projects we are called upon to weigh the merits of a project in light of broad community planning principals.

Also, planning is a continuum, because no matter what the moment in time, for example: whether the Housing Element was adopted last year or five years ago; whether SB2030 just started or is over; planning policies will be filled with ideas that are tested and applied & refined through project reviews – it is a constant cycle. One example of this cycle is the City's variable density standard. It may be valuable to

discuss the history of the General Plan policies, Zoning Ordinance, the past & current practices, and consider questions & ideas for future. The focus of this discussion, however, should be on current approaches.

Property owners and project designers seek information on the standards that establish minimum requirements (i.e. setbacks) and others that provide maximum allowances (i.e. density). Although standards play a part in creating good projects, many of us hold the view that it is the City's review process that makes the quality of projects in Santa Barbara we are proud of. Density and design are two critical D words that we address readily and regularly in this process.

Our review and responsibilities overlap, and one goal of this session is to become more comfortable in that relationship. Staff does not only provide guidance on standards, but also interprets policy and makes important recommendations. ABR and HLC do not look at exterior design or aesthetics in a vacuum, the whole site design is critical, sustainable design needs to consider the whole; the exterior mass or visual density of a project has an impact on what the units consist of on the inside. When the subdivision findings are being made by the Commission or SHO, we receive important information from neighbors and the community and all things must be considered in terms of consistency with the policies and goals of the General Plan.

The Attachment includes:

- Zoning Ordinance standards for variable density
- The Residential Condominium Standards, including findings
- Parking Requirements for multiple family and mixed use projects
- Land Use Element discussion regarding density
- Housing Element history sections, constraints, and polices
- General ABR Guidelines

At the work session a brief presentation of this material will be made by Bettie Weiss, City Planner/Staff Hearing Officer and then it is recommended that the Mayor conduct a discussion among the group. The expected outcome is learning and specific action recommendations are not requested.

cc: James L. Armstrong, City Administrator
Steve Wiley, City Attorney
Paul Casey, Community Development Director

RESIDENTIAL POLICIES, GUIDELINES AND STANDARDS

VARIABLE DENSITY STANDARDS – ZONING ORDINANCE

28.21.080 Purpose and Intent

G. Variable Density in Certain Zones. Lots in the R-3, R-4, C-1, C-2, C-M and R-O Zones, as well as lots in the HRC-2 and OC Zones where residential uses are allowed by the Local Coastal Plan, may be used as a building site for more units than permitted in paragraphs B, C, D and E above if the number of bedrooms in the dwelling unit is limited in accord with the following:

- a. Studio unit - one (1) unit per 1,600 square feet of lot area;
- b. 1 bedroom unit - one (1) unit per 1,840 square feet of lot area;
- c. 2 bedroom unit - one (1) unit per 2,320 square feet of lot area;
- d. 3 or more bedroom unit - one (1) unit per 2,800 square feet of lot area.

Existing lots with less than 5,000 square feet of lot area size, shall not be used as a building site under this sub-paragraph for more than two (2) dwelling units. This sub-paragraph shall be applicable in the R-3, R-4, C-1, C-2, C-M, R-O, HRC-2 and OC Zones and not in any other zone. (Ord. 5343, 2005; Ord. 4772, 1992; Ord. 3950 §1, 1978; Ord. 3753, 1975.)

Note: 1992 applied specifically to commercial zones.

RESIDENTIAL CONDOMINIUM DEVELOPMENT

27.13.030 Purpose and Intent.

The City Council finds and determines that residential condominiums differ from apartments in numerous respects and, for the benefit of public health, safety and welfare, such projects, which are subject to the subdivision regulations of the State of California, should be treated differently from apartments. The City Council, therefore, declares its express intent to treat such projects differently from apartment and like structures and to adopt development standards for the protection of the community and the purchasers of condominiums to:

- (a) insure that condominium developments achieve a high quality appearance and safety, and are consistent with the goals of the City's General Plan and conform with the density requirements of the General Plan's Land Use Element; and
- (b) attempt to provide a reasonable variety of choice for type and location of housing in Santa Barbara; and
- (c) establish criteria for development of condominiums. (Ord. 4058, 1980.)

27.13.040 Where Permitted.

A. Condominium projects may be permitted in the single-family residential zones subject to the issuance of a Conditional Use Permit as set forth in Chapter 28.36 of this Code. Condominium projects may be permitted in the R-2, R-3 and R-4 zones subject to the requirements and standards set forth in this Chapter. In addition, condominium projects may be permitted in all other zones where appropriate and generally permitted except in the C-X and M-1 zones.

27.13.060 Physical Standards for Condominiums.

In addition to the requirements of the zone in which a project is located, the following standards shall be required for all condominium projects:

1. **Parking.** The off-street parking requirements for a condominium development shall be in accordance with Chapter 28.90.100 of this Code.
2. **Private Storage Space.** Each unit shall have at least 300 cubic feet of enclosed, weatherproofed and lockable private storage space provided in one location in addition to the guest, linen, pantry, and clothes closets that are customarily provided. This requirement may be waived for a unit if an enclosed garage is provided for that unit.
3. **Utility Metering.**
 - (a) The consumption of gas and electricity within each unit shall be separately metered so that the unit's owner can be separately billed for each utility.
 - (b) A water shut-off valve shall be provided for each unit or for each plumbing fixture.
 - (c) Each unit having individual meter(s) or heater(s) shall have access to its meter(s) and heater(s) which shall not require entry through another unit.
 - (d) Each unit shall have its own panel, or access thereto, for all electrical circuits which serve the unit.
 - (e) An exception may be granted to the above restrictions when heat or power is provided by means of solar energy.
4. **Laundry Facilities.** A laundry shall be provided in each unit; or if common laundry areas are provided, such facilities shall consist of not less than one automatic washer and one dryer for each five (5) units or a fraction thereof.
5. **Public Improvement Districts.** The applicant shall waive the right, through deed restriction, to protest the formation of public improvement districts as deemed appropriate by the Advisory Agency.
6. **Density.** The maximum number of dwellings may not exceed the zone in which the project is located (including slope density requirements where applicable).
7. **Unit Size.** The enclosed living or habitable area of each unit shall be not less than 400 square feet.
8. **Outdoor Living Space.** Outdoor living space shall be provided as set forth in Section 28.18.060 for R-2 zoned lots and Section 28.21.081 for R-3 or less restrictive zoned lots of this Code pertaining to outdoor living space.
9. **Storage of Recreational Vehicles.** The provision for storage space of recreational vehicles shall be determined by the Advisory Agency at the time of the approval of the tentative map. (Ord. 5380, 2005; Ord. 4912, 1995; Ord. 4085, 1980; Ord. 4058, 1980.)

27.13.080 Findings.

The Advisory Agency shall review each condominium development as to its effect upon sound community planning, the ecological, cultural, and aesthetic qualities of the community, on the community's public health, safety, and welfare. The Advisory Agency shall not approve a condominium development unless it finds that:

- (a) There is compliance with all provisions of this Chapter; and
- (b) The proposed development is consistent with the General Plan of the City of Santa Barbara; and
- (c) The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic,

parking and other community facilities and resources. (Ord. 5380, 2005; Ord. 4498, 1988; Ord. 4058, 1980.)

PARKING REQUIREMENTS

28.90.100

3. Multiple Residential Unit.
 - a. Studio: one and one quarter (1-1/4) spaces per residential unit.
 - b. One bedroom: one and one-half (1-1/2) spaces per residential unit.
 - c. Two (2) or more bedrooms: two (2) spaces per residential unit.
 - d. When there are six (6) or more residential units on a lot or parcel, one (1) space for every four residential units shall be provided for guests.
 - e. When the parking referred to in Subsections 28.90.100.G.3.a-d. is provided for a condominium, community apartment or stock cooperative, at least one parking space that is in a garage or carport shall be allocated to each residential unit.

H. Mixed Use Developments.

1. Residential Uses. Parking spaces shall be provided in accordance with Subsection 28.90.100.G, subject to the following exceptions:
 - a. In any mixed use development, where residential uses occupy up to fifty percent (50%) of the development, residential parking requirements may be reduced by fifty percent (50%) and covered parking will not be required, although it will be encouraged. If the residential use is changed to a non-residential use, the full number of parking spaces as required in this Chapter shall be added.
 - b. In the delineated areas of the Central Business District (CBD) shown on the map (Figure A) which is part of this code, the residential parking requirement for mixed use developments is one uncovered parking space per dwelling unit, and guest parking is not required. If the residential use is changed to a non-residential use, the full number of parking spaces as required in this Chapter shall be added.

LAND USE ELEMENT

Text Description Regarding: Private Land Uses, Residential Areas

“Another technique is the variation in density in relation to the size of a unit and the occupancy potentials. The intent of establishing density controls is to limit the intensity of development and activity on the land. In situations where a dwelling unit may yield fewer persons than a normal or average unit, such as in a public housing project for senior citizens, densities in terms of dwelling units per acre may be allowed to increase beyond those limits recommended by the General Plan without causing an inappropriate increase in the intensity of activities.

In implementing these or other techniques, care must be taken that the regulatory measures adopted are not only designed to permit the beneficial variations from standards desired, but will be effective in preventing inappropriate relationships between neighboring land uses and will provide adequate safeguards against abuse of the privileges.”

“Also during the 1970s, the City revised the Zoning Ordinance to allow the use of variable density in the R-3 and R-4 zones. The variable density ordinance calculates densities by the number of bedrooms per unit and increased the theoretical maximum buildout in the R-3 and R-4 zones. As a result of these policy decisions, in the 1985 Master Water Plan, the theoretical maximum residential buildout for the City was recalculated to include residential units in commercial zones and variable density units. It was estimated to result in approximately 40,000 units for all areas within existing City boundaries and zoning.”

1970’s Housing Element Policy Discussion

“New density regulations specifying the number of bedrooms per acre or the number of square feet of enclosed living space per acre be written which will more accurately reflect the population impact of multiple-family developments. The intent of the ordinances to encourage the construction of small, more affordable dwelling units to make the multiple zoning ordinance more responsive to the adopted population goal of 85,000.”

2004 HOUSING ELEMENT

History Chapter

Variable Density Ordinance

“Later, it was realized that the downzoning had created a bias in the Zoning Ordinance that made it more profitable to build large units than small ones and that the City was “losing” smaller, more affordable units. In addition, commercial development increased while residential development did not. In order to reverse this trend, in 1977 the City adopted an amendment to the Zoning Ordinance, which is referred to as the Variable Density Ordinance. This Ordinance allows densities based on the number of bedrooms/acre in multifamily zones; the highest density can be achieved with studios, the lowest with three or more bedroom units. The Variable Density Ordinance only applied to the R-3 and R-4 zones. In commercial and industrial zones, properties were allowed residential densities equivalent to those of the R-2 zone (generally one dwelling unit/3,500 square feet of lot area).”

Constraints Chapter

General Location & Environmental Characteristics – Commercial & Multi-Family Zones

The City’s Commercial and Multi-family zones are located in the Downtown Grid. The City’s Urban Design Guidelines, adopted in 1999, describe the grid are as:

“The traditional center of Santa Barbara and the South Coast is the grid. The grid is the City’s strength. The grid contains a diverse mix of residential and non-residential land uses. Its residential areas have easily accessible neighborhood services. The topography allows for walking, biking or using transit and there are numerous travel routes to every destination.” (Page 14 of Urban Design Guidelines)

Residential development is allowed in most commercial zones at the R-3 / R-4 multi-family residential development densities. Allowable R-3 / R-4 densities range from 15 to 27 units per acre depending on the unit types and use of variable density.

Goals & Policies Chapter

Policy 2.4: Every effort shall be made to preserve those structures which are either architecturally significant, historically important or both. These buildings contribute to the atmosphere of historic Santa Barbara giving the neighborhoods a sense of history, character and variety.

GOAL 3: NEIGHBORHOOD COMPATIBILITY AND IMPROVEMENT

Protect existing neighborhood character while encouraging compatible infill development.

Policy 3.1: Establish programs to address infrastructure and service needs while continuing to encourage infill development.

Policy 3.3: New development in or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood.

Implementation Strategies

3.3.1 Allow small scale neighborhood serving commercial uses in residential areas if supported by surrounding property owners. Ensure that the character of the surrounding neighborhood is protected. (Circ. Element Strategy 13.5.2)

3.3.2 Review and update findings for approving new housing projects or additions to existing housing developments to consider appropriate size, bulk and scale for higher density projects in multi-family zones following, or in conjunction with HE strategies 5.1.7 (Affordable Housing Design Guidelines) and 5.2.6 (Multi-family Design Guidelines).

3.3.3 Consider allowing increased densities along transit and transportation corridors.

GOAL 4: NEW HOUSING DEVELOPMENT

Through the public and private sector, assist in the production of new housing opportunities which vary sufficiently in type and affordability to meet the needs of all economic and social groups, with special emphasis on housing that meets the needs of very low, low, and moderate income and special needs households.

Policy 4.1: Pursue all opportunities to construct new housing units that are affordable to low- and moderate-income owners and renters.

Implementation Strategies

4.1.1 Continue to solicit proposals for low- and moderate-income projects from private sponsors and develop programs to assist in their implementation.

4.1.2 Continue to provide bonus density units above levels required by State law, to be reviewed on a case-by-case basis. See Appendix A for information on how the City's Affordable Housing and Density Bonus Programs work.

4.1.3 Continue to assist the development of infill housing including financial and management incentives in cooperation with the Housing Authority and private developers to use underutilized and small vacant parcels of land for new low and moderate income housing opportunities.

4.1.4 Continue to support special procedures for development, permitting, construction and early occupancy of "sweat equity" projects.

- 4.1.5 Encourage the construction of three bedroom and larger rental and ownership units for low- and moderate-income families.
- 4.1.8 Continue to implement the Municipal Code's Condominium Conversion Ordinance to provide a opportunity for entry-level home ownership in a variety of locations while maintaining a supply of rental housing for low and moderate income persons.
- 4.1.10 Support the development of infill residential projects in the City.

Policy 4.3: Given limited remaining land resources, the City shall concentrate efforts to develop housing on vacant infill sites and redevelopment of opportunity sites in commercials and residential zones with priority for commercial and mixed-use development.

Implementation Strategies

- 4.3.1 Continue to offer and encourage early staff predevelopment consultations for opportunity sites and mixed use projects.
- 4.3.2 Continue to offer property profile services in the Planning Division that explain development potential and constraints for parcels in the City.
- 4.3.3 Continue to train and advise Planning and Zoning staff to encourage property owners and agents to take advantage of residential infill opportunities and mixed use.
- 4.3.4 Direct Building and Safety Staff to research new ways to meet UBC requirements for mixed-use projects.
- 4.3.5 Study the potential for possible residential reuse of existing nonresidential buildings for housing.
- 4.3.6 Develop standards for live/work projects.

Policy 4.4: Ensure that new market-rate residential development is consistent with City housing goals.

Implementation Strategies

- 4.4.1 Review and evaluate development standards in the R-3 / R-4 zone. These standards also apply to residential development in commercial zones. Issues to consider include:
 - Reducing the minimum unit size in R-3 / R-4 and commercial zones to 300 square feet;
 - Establishing minimum required densities;
 - Allowing increased densities for smaller, rental units and apartments;
 - Changing the variable density provisions to require more, smaller units and to discourage the development of large, high-end condominiums in multi-family and commercial zones;
 - Developing incentives for "rental combination units" (condo-duplexes) in which condominium subdivisions include owner occupied units with an attached rental unit sold as a single entity (e.g., Laguna Court project), and
 - Changes to how and where open space requirements can be met.
- 4.4.2 Consider adopting an inclusionary housing program to meet the housing needs of those not currently served by City Housing and Redevelopment Agency programs.

4.4.3 Develop zoning standards to encourage Single Room Occupancy and / or Efficiency Units.

4.4.4 Continue to identify and pursue new strategies to encourage the development of mixed-use projects. (Circ. Element 13.3.2)

Policy 5.2: Implement changes to development standards to be more flexible for housing projects, especially rental or affordable housing projects, where appropriate.

Implementation Strategies

- Consider incremental changes to the Zoning Ordinance parking requirements such as:
 - Allowing tandem parking
 - Providing more flexibility for constrained sites (e.g., allowing for more than one maneuver, use of car stacking devices or other space saving measures)
 - Eliminating guest parking requirements for housing in Downtown commercial area
 - Rounding down when calculating parking requirements.
 - Consistent with the Circulation Element Strategy 13.2.2 (b), consider amending the Zoning Ordinance to reduce parking requirements for properties near major transit corridors if it can be demonstrated that a negative impact will not occur.
 - Consider amending the Zoning Ordinance to change how, where and the extent of outdoor living space, yard and setback requirements for housing in commercial zones.
 - Adopt Multi-family Housing Design Guidelines. Address issues of coordination between the Architectural Board of Review (ABR), the Historic Landmarks Commission (HLC) and the Planning Commission (PC). Identify areas where additional staff authority could be given for administrative approvals.
 - Create a Staff Hearing Officer to implement administrative approvals.
 - Change the Noise Element exterior standards in commercial areas to 65 dba.
 - Develop and maintain a system for use of the City's Master Environmental Assessment Document as a means of expediting the environmental review process consistent with State law regarding housing.
 - On an ongoing basis, evaluate the current development review system and make recommendations for methods of improvement.
- 4.4.5 Continue to assist in the development of mixed use projects through such methods as, but not limited to:
- Land use policies
 - Modified development standards, and
 - Public-private partnerships and/or financial support, where a City Council finding of General Plan consistency can be made.(Circulation Element 13.3.3)
- 4.4.6 Allow residential parking in public parking lots for mixed-use development after ensuring that there is adequate capacity to serve existing uses. (Circulation Element 8.5.2)

GOAL 5: REDUCE GOVERNMENTAL CONSTRAINTS

Where appropriate and legally possible, reduce or remove governmental constraints to the maintenance, improvement, and development of housing.

Policy 5.2: Implement changes to development standards to be more flexible for housing projects, especially rental or affordable housing projects, where appropriate.

Implementation Strategies

Consider incremental changes to the Zoning Ordinance parking requirements such as:

- Allowing tandem parking
- Providing more flexibility for constrained sites (e.g., allowing for more than one maneuver, use of car stacking devices or other space saving measures)
- Eliminating guest parking requirements for housing in Downtown commercial area
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- Consistent with the Circulation Element Strategy 13.2.2 (b), consider amending the Zoning Ordinance to reduce parking requirements for properties near major transit corridors if it can be demonstrated that a negative impact will not occur.
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ABR GUIDELINES

SECTION 1 Site and Neighborhood Considerations

1.1 Relation to Site. Buildings should be designed to relate to site existing landforms and contours and to present an integrated appearance. Over-building of a site may be considered grounds for project denial.

Neighborhood Compatibility

General. In neighborhoods, which possess examples of distinctive architecture, structures and additions should present a harmonious character to not clash or exhibit discord with the particular surrounding neighborhood in which they are placed. Structure elements should be consistent with the best elements

that distinguish the particular neighborhood in which they are proposed. These elements include, but are not limited to:

- mass
- scale
- rooflines
- colors
- textures
- materials

Maintenance of the existing setback and patterns of development in the particular neighborhood is also important.

Neighborhoods Without Distinctive Architecture. In neighborhoods which do not possess examples of distinctive architecture, structures and additions should be designed to lead the neighborhood toward designs, which are harmonious with Santa Barbara's distinctive built environment.

Transitional Areas. When a project is within close proximity to a landmark district, City Landmarks or Structures of Merit, consideration may be given to that district's guidelines [SBMC 22.22.100 B]. In these areas, project design should promote a smooth transition from one usage area or architectural style to the next. Special attention to consistency with the City's Urban Design Guidelines is recommended.

SECTION 2 Guideline Interpretation and Application

The ABR is guided by a set of general goals that define the major concerns and objectives of its review process. These goals are listed on the back side of the cover of this document. These guidelines help to define how ABR carries out the goals.

These Guidelines are designed to provide direction to the ABR members and to the public as a whole; they are not intended to be binding in nature. Although failure to meet the Guidelines can form a basis for denial of a project, non-compliance with these Guidelines shall not be grounds to invalidate any action taken by the ABR, nor shall such non-compliance constitute a cause of action against the City or its officers, employees or agents concerning any matter.

All questions regarding the proper interpretation and application of these Guidelines shall be resolved by the ABR or, upon appeal, the City Council.

Relationship to the General & Coastal Plans. The Santa Barbara General Plan contains policies and direction regarding the visual aspect of development, neighborhood compatibility, and landscaping. General and Coastal Plan policies and direction prevail over both the Zoning Ordinance and ABR Guidelines.

Relationship to Zoning Ordinance. The Zoning Ordinance contains many standards which plans must comply with prior to ABR review. In using the Design Guidelines, Code requirements prevail over the guidelines. These guidelines are intended to augment the Municipal Code by providing guideline details to complement topics in the Code, as well as to provide guidelines on additional topics.

SECTION 9 Architectural Elements - Residential

Architectural elements such as windows, doors, and cornice elements should create a rhythmic composition taking into consideration scale, style and architectural proportion. These elements should be detailed to provide modulation, visual interest and textured relief.

9.1 General.

- A. Architectural Features. Features should enhance the architectural form and style of the house. For example, dormers, bay windows, porches, balconies, and entrance projections can add interest to the home.
- B. Color. Building color should complement architectural details and blend with neighborhoods.
- C. Stucco Texture. Unless otherwise directed by the ABR, stucco should present a smooth, undulating troweled finish. A float sand finish may be acceptable. Rough texture, such as skip trowel or Spanish lace, is unacceptable.
- D. Windows. The pattern of windows and doors should reflect the scale and patterns in the neighborhood.
- E. Reflective Glass Material. In General, deck-railing materials should be selected to be consistent with the architectural style of the structure. The use of decorative glass railings as guardrails or as windscreens is not the preferred material at highly visible locations due to the possible glare associated with these types of installations.

Installations of reflective glass materials will be reviewed to determine if the installation is compatible with the structure and that it does not create significant glare problems.

- F. Cost Consideration. The ABR shall take the total cost of the applicant's design into consideration when reviewing qualified affordable housing projects. The expected cost of certain preferred design elements is to be evaluated to maintain the affordability of residential units.