



City of Santa Barbara Planning Division

PLANNING COMMISSION MINUTES

November 13, 2008

CALL TO ORDER:

Vice-Chair Stella Larson called the meeting to order at 1:07 P.M.

ROLL CALL:

Present:

Vice-Chair Stella Larson

Commissioners Bruce Bartlett, Charmaine Jacobs, John Jostes, Addison S. Thompson and Harwood A. White, Jr.

Commissioner Bartlett arrived at 1:08 P.M

Commissioner Jacobs arrived at 1:15 P.M.

Absent:

Commissioner George C. Myers

STAFF PRESENT:

Paul Casey, Community Development Director

Bettie Weiss, City Planner

John Ledbetter, Principal Planner

N. Scott Vincent, Assistant City Attorney

Rob Dayton, Principal Transportation Planner

Barbara Shelton, Project Planner/Environmental Analyst

Peggy Burbank, Project Planner

Beatriz Gularte, Project Planner

Irma Unzueta, Project Planner

Max McCumber, Planning Intern

Julie Rodriguez, Planning Commission Secretary

I. PRELIMINARY MATTERS:

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

None.

B. Announcements and appeals.

Ms. Weiss announced that City Council had considered steps for the Upper State Street Study Program at its meeting on Tuesday.

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

Vice-Chair Larson opened the public hearing at 1:10 P.M. and, with no one wishing to speak, closed the hearing.

Vice Chair Larson welcomed UCSB students from Bob Wilkenson's environmental studies class who were in the audience.

II. ACTION ITEM:

ACTUAL TIME: 1:11 P.M.

**PLAN SANTA BARBARA (PLANSB) GENERAL PLAN FRAMEWORK:
REVISED DRAFT POLICY PREFERENCES**

A. Staff Presentation

- a. Desired Outcome: Unanimous recommendation to City Council on *REVISED Draft Policy Preferences Report* as drafted
- b. Overall Approach
- c. Overview of changes to *REVISED Draft Policy Preferences Report* and Alternatives Analysis outline

B. Questions from Commission

C. Public Hearing

D. Planning Commission Recommendations on REVISED Draft Policy Preferences Report (November, 2008)

E. Preliminary Comments on EIR Alternative Analysis outline

Case Planners: John Ledbetter, Principal Planner; Barbara Shelton, Project Planner/Environmental Analyst

Email: JLedbetter@SantaBarbaraCA.gov; BShelton@SantaBarbaraCA.gov

Bettie Weiss, City Planner, gave introductory remarks summarizing Staff's activity-to-date and introduced John Ledbetter, Principal Planner, who gave the Staff Presentation.

Mr. Ledbetter clarified two Planning Commissioners questions about the location of Secondary Dwelling Unit Locations on the map and acknowledged one Commissioner's request to have the legend indicate single-family zoned areas. In addition, one Commissioner asked that the map reflect permitted secondary dwelling units.

Vice Chair Larson opened the public hearing at 1:40 P.M.

The following gave public comment:

1. Judy Orias, President, Allied Neighborhood Association, read a letter into the record and stated that smart growth does not work in a city of our size. Advocated for a ballot-box vote on any General Plan revisions that affect growth.
2. Judy Orias, Secretary, Hidden Valley Association, requested that the Hidden Valley area be removed from being on the second dwelling unit map given the traffic and fire safety challenges attributed to the geographic limitations of the Hidden Valley area, as well as the density of retirement communities.
3. Sheila Lodge, Citizens Planning Association (CPA), submitted written comment and summarized comments made about future commercial and residential growth. and asked the Commission to consider the renewal of Measure E restrictions and that residential growth to be capped at about 40,005 dwelling units.
4. Paul Hernadi, Citizens Planning Association, continued CPA's comments, specifically commenting on air quality and energy conservation. CPA is pleased with the proposed policy calling for a 500 square foot proposed setback from Highway 101 and for funding a program to monitor emission levels. Remains concerned with the lack of site specific monitoring of the proposed mobility oriented development area (MODA) that is further remote from the highway. Cautioned against policies that may be counterproductive, citing H14 and ER37. H14 would allow a shared electric gas and water meter between the principle single-family residence and secondary unit and could burden resources. ER37's relaxed noise standards could contribute to increased energy consumption if residents kept windows closed and opted for air conditioning.
5. Mary Louise Days, Citizens Planning Association, concluded CPA's written comments and spoke specifically on environmental and economic sustainability. She objected to draft policy CH10 because it favors retaining a 60' height limit for Downtown Santa Barbara. Feels that the city should not have a policy preference that is less sustainable than a policy that may be approved in a ballot measure next November. The environmental analysis for Plan Santa Barbara should explore if police and fire are adequate for our day-time population. Supports all draft policies that promote living within our resources and promote a job and housing balance.
6. Steve Moss, Metropolitan Transit District (MTD), submitted a written letter and expressed support for the City's innovative elements included in the Draft Policy Preferences Report, such as the MODA concept and expansion of California's "yield to bus" program. He added that many of the improvements will require public subsidy and asked that funding be kept in mind. MTD is supportive of coordination on both local and regional transit.
7. Gil Barry, Allied Neighborhood Association, suggested the General Plan have two time periods: a short range time period to 2030 that would determine the 2,200 unit rate of growth and density; and a long range time period to 2050 to set zoning capacity to meet RHNA allocation requirements. Recommends that Measure E be set at 1,000,000 square feet over the next 20 year planning period.

8. Connie Hannah, Vice-President, League of Women Voters, submitted written comment and congratulated the Commission for re-adopting Measure E and appreciates the addition of sustainability to the plan. Supports a Housing Element goal with a proposed 2,000 unit goal, but not higher. Supports Adaptive Management Plan as reasonable to control resources. Suggested reevaluation every 5-7 years to prepare for the review mandated by the State Steinberg Bill.
9. Cathie McCammon, Land Use Consultant, League of Women Voters, appreciated the revisions that Staff has made to the Policy Preferences Report, especially to living within our resources. Document could use clarity in discussing the change from Euclidian development patterns. Cautioned against the encouragement of more granny units citing existing granny units and illegal dwelling units. Concerned with the reduction of parking requirements when transit system infrastructure is fragile due to funding challenges.
10. Cathie McCammon, Co-President, La Mesa Neighborhoods Association, concerned with policy C-8, on page 58, and its potential impact on Cliff Drive. Concerned that a MODA may not be appropriate for the Mesa.
11. Debbie Cox Bulton, Executive Director, Coastal Housing Coalition, supports updated report and the sustainability sections. Asked that Growth Management Policies LG1-LG3 be clear on defining affordable housing as traditionally low and very low, up to work-force housing, and be consistent as defined in the document. Supportive of incentives for employer-sponsored housing and development of granny flats.
12. Lisa Plowman, SB4ALL, spoke about the changes to Measure E suggested in LG7. Believes that the adoption of the TEDR Ordinance brought about redevelopment opportunities where they had not existed, allowing for more development, and also allows square footage to be transferred between properties that could better accommodate the level of development and have less impact on the community. Thinks it is a good tool in the Downtown area for encouraging strong economic vitality. Recommends increasing flexibility in TEDR such as also transferring resource credits in limited circumstances where there are neighboring projects and they can get credit for traffic. If the concern is over square footage that has been banked since the adoption of Measure E, then suggests lowering the commercial growth cap rather than take away a tool that allows for a transfer between two properties.
13. Micki Flacks, SB4ALL, praised Staff and community for participation in the General Plan update process. Very pleased with the sustainability sections of the draft and how it fits in with SB4ALL's principle objectives of protection of the environment, economic well-being, and social equity. Supports the MODA concept and policy LG1. A General Plan update should guide future development not focus on preserving past development. It should include flexibility to adapt to forces of change.
14. Max Josephson recommended 1,000,000 square feet as more sustainable than larger alternatives. Asked that the roads not be changed to two lane roads because it will encourage more automobile traffic. Need more incentives for increasing bus use.

15. Alex Pujo, COAST, commented that sustainability is not the status quo. Supports the Circulation Element section of the report.
16. Faramarz Nabouri, supports more bike racks on buses, suggests a gas tax surcharge to support roads. Supports reduction of single-car use. Supports section on community gardens and asked city to consider edible landscaping on public property.

Chair Larson entered the following comments into the record.

1. Paula Westbury requested that preservation be considered in the General Plan Update.
2. Kellum de Forest was pleased to see a Historic Element in the update; concerned with no reference made to Mills Act and the preservation of landmark structures.
3. Fred Sweeny wrote against encouraging second units within the MODA since it is inconsistent with the General Plan policy for the Upper East.
4. SB4ALL submitted a letter.
5. Cars Are Basic submitted a letter.
6. Christie Schuerch, MA, Coalition for Community Wellness, was pleased that the General Plan Update considers the wellness community's comments and encourages consideration for air quality and respiratory health.

With no one else wishing to speak, the public hearing was closed at 2:30 P.M.

Ms. Weiss will follow up on a Planning Commission question about Charter Section 1507 and the alleged existence of a city policy requiring a public vote on any policies that potentially influence growth. Scott Vincent, Assistant City Attorney, added that the measure was an advisory measure and can be adopted as recommendations to the City Council giving instruction on issues, and unlike a charter amendment does not require any particular action.

Ms. Weiss responded to the Commission's questions about the remaining 1.5 million Measure E square footage and need for reallocation. Stated that while this is an initial assumption, approved and pending projects do not all go forward. The residual square footage is folded into a catch all of economic development. Also need to add in Small Additions. There is a need to redefine for the General Plan Update what happens with pending and approved project square footage; the thought has been to work through a detailed reallocation program with the Commission as a necessary implementing tool. Ms. Weiss also responded to the reconstruction of non-residential growth under LG2 not requiring a Measure E development plan or charter findings, but subject to a discretionary review or CEQA review.

The Commissioners made the following comments:

1. The Commission thanked staff for the excellent document and the process that has led to it, as well as the public participation and valuable input. Some Commissioners felt that

- there were still some outstanding issues, but supported submitting the Draft Policy Preferences Report to City Council and moving onto the Environmental Impact Report. Stated that the General Plan Update process should not take as long to complete as the period of time it is supposed to cover.
2. The Commission thanked the Commission's Subcommittee: Commissioner Jostes for his leadership and Commissioner Thompson for his views and perspective in the evolution of the well-structured draft that has been presented. The plan is well structured, provides a context for planning in the next 20 years, links past policy and recent studies; and articulates a vision for the future. The land use policies coupled with the housing strategies provide assurance to slow growth advocates and those that provide development of affordable housing.
 3. The report provides specific guidance for the MODA and integrates transportation, housing, connectivity, and community character.
 4. Commissioners were supportive of the Adaptive Management framework and felt that it sets a precedent for being proactive in anticipating and responding to changing conditions and outcomes. Two Commissioners commented on how the Adaptive Management component will serve well and become a model for the State. Incremental growth will be small over the next 10 years. Measurement needs to be focused on the new components.
 5. Some Commissioners felt that the non-residential square footage was still too high. Recommended a 1.5 million total square foot figure to balance housing with the goal of having meaningful jobs and housing balance and assure internal consistency of the document with its sustainability principles.
 6. Some Commissioners remained concerned with the sequencing of the Land Use Element and Housing Element. Acknowledged the difficulty in obtaining an extension from State Office of Housing and Community Development for completion of Housing Element, but should not deter completing a Land Use Element.
 7. Objectives are included in the draft need to be fine tuned, revised, and reframed. Wants assurance that that the Commission will have a voice in improving them.
 8. Regarding the EIR focus, one Commissioner does not agree with the 3,000,000 square footage figure, but sees a need to craft alternatives as building blocks to construct a hybrid that may be an environmentally superior alternative, as opposed to x residential and y non-residential.
 9. One Commissioner appreciated the format used in the report and the Historic Resources Section, although feels that the Historic Resources Section is still light and recommended that it be reviewed.
 10. One Commissioner appreciated the new policies: the MODA, sustainable neighborhood plans, and the future adaptive management program that collectively create a new and dynamic General Plan.
 11. Stated that funding will be needed to make the MODA possible. Wants to make sure that money is available for transportation and open space.
 12. One Commissioner appreciated the sustainable components of the plan and noted that while the focus is on the future, the EIR assumptions are based on the past. Wished that EIR alternatives could be analyzed so that they could be cross tabbed differently. Wants to see the results of the EIR before coming up with a preferred alternative.

13. Noticed the elimination of TEDR for non-residential, yet increase of TDR for residential, and feels that the former tool should stay in place to manage non-residential growth. Another Commissioner noted the varied opinions among Commissioners regarding TEDR.
14. The Commission felt that the development community needs to be involved in the question about the TEDR policies.
15. It was recommended that the report objectives need to be more specific and have timelines associated with them, not just left open-ended.
16. Two Commissioners do not support the reference to a 60' height restriction in the document because it is already trumped by the other community design policies in the document. The general consensus of the Commission was agreeable to deleting reference to the current 60-foot building height, but wished to keep Policy CH 10 in the document.

STRAW VOTE: White/

Request that CH-10 be revised to state a preference for a lower height allowance of four stories and compatibility and sensitivity to surrounding structures, adjacent to residential zone neighborhoods.

Motion died for lack of second.

STRAW VOTE: Jostes/White

Change the 1.5 million square footage reference in LG2, subparagraph a, from 1.5 to 1.0 million understanding that that would amend the preferred project as listed in the alternatives from 1.5 of Measure E to 1.0 of Measure E and still retaining the .5 of non-Measure E as a part of the description.

Ayes: 4 Noes: 2 (Bartlett, Jacobs) Abstain: 0 Absent: 1 (Myers)

Commissioner Jacobs was fine with changing the language in alternatives policy 1, but could not support making a change in commercial square footage without having heard input from the development community.

After listening to the Commission's comments, Commissioner Jostes withdrew the motion of the straw vote, in favor of capturing the essence of the discussion in a cover memo to include looking at a smaller growth number for jobs housing, realizing that such a direction could be a concern for stakeholders in the community who have not yet had an opportunity to respond. The Commission's consensus was to express views without changing policy, leave numbers as they exist, and highlight preferences in the transmittal.

Commissioner Bartlett sought discussion on the inclusion of 60' heights and TEDR in the cover letter.

Commissioner White stated that TEDR is a large unknown potential of undeveloped square footage in the community but is not inventoried in the General Plan Update. Hence, it is not

included in the 1.5 million figure and needs to be reviewed since the figure is obviously more than 1.5 million square feet.

Commissioner Jacobs noted that TEDR has been previously discussed, most recently at the Joint CC/PC meeting, and is less comfortable changing the policy when the total non-residential square footage amount is reduced by .5 million square feet. TEDR and commercial square footage fits in with economic plan of city; to change it would have an impact on the city's economic vitality.

Commissioner Thompson supported keeping LG7 and noted that there will be other opportunities for the community to weigh in; this is neither the Land Use Element nor the Environmental Impact Study. While Commissioner Jacobs suggested restoration of TEDR to be studied separately, Commissioners Bartlett and White differed in opinion.

MOTION Jostes/Thompson

Assigned Resolution No. 039-08

Planning Commission recommend that the City Council accept the Draft Revised Policy Preferences Report and initiate the formal Environmental Impact Review process, based upon the vision, goals, objectives, and policies contained therein, including the change to the building height in CH10.

Although Commissioners Jacobs and Bartlett supported the motion, both remained concerned with the TEDR.

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

MOTION: Jostes/Thompson

Assigned Resolution No. 039-08

Planning Commission authorize the Subcommittee to draft a letter capturing the discussion of concerns as articulated by the Commission's comments and forward recommendations to the City Council.

Commissioner Bartlett requested that LG7 TEDR comments be included in the letter. Commissioner Jostes agreed to review and include all comments made.

Commissioner Jacobs asked that sequencing of the Land Use Element with the Housing Element be included in the cover memo and that dates be added to the objectives.

The consensus of the Commission was agreeable to having the memo written by the subcommittee.

This motion carried by the following vote:

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

MOTION Jostes/Thompson

Assigned Resolution No. 039-08

The Planning Commission forward the basic EIR alternatives, contained in Exhibit C of the Staff Report, with the understanding that they be constructed to respond to the need to identify a more functional approach to identifying an environmentally superior alternative should one exist.

This motion carried by the following vote:

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

III. ADMINISTRATIVE AGENDA

ACTUAL TIME: 4:08 P.M.

A. Committee and Liaison Reports.

1. Commissioner Larson reported on the Historic Landmark Committee's meeting and stated that the El Encanto project will return to Planning Commission in December.

B. Review of the decisions of the Staff Hearing Officer in accordance with SBMC §28.92.026.

None were requested.

C. Action on the review and consideration of the following Draft Minutes and Resolutions:

- d. Draft Minutes of October 16, 2008
- e. Resolution 037-08
600-800 Block of Milpas Street
- f. Resolution 0038-08
15 South Hope Avenue

MOTION: Jostes/White Approve the minutes and resolutions as corrected.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: As noted. Absent: 2 (Bartlett, Myers)

Commissioner Bartlett abstained from the Minutes of October 16, 2008 and Resolution 037-08

VII. ADJOURNMENT

Chair Myers adjourned the meeting at 4:14 P.M.

Submitted by,

Julie Rodriguez, Planning Commission Secretary