City of Santa Barbara
Planning Division

PLANNING COMMISSION SPECIAL MEETING MINUTES

March 18, 2016

CALL TO ORDER:

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

I. ROLL CALL

Chair John P. Campanella, Commissioners Jay D. Higgins, Sheila Lodge, and Deborah L. Schwartz.

Absent: Commissioners June Pujo, Mike Jordan, and Addison Thompson

STAFF PRESENT:

Renee Brooke, AICP, City Planner
Beatriz Gularte, Senior Planner
Danny Kato, Senior Planner
N. Scott Vincent, Assistant City Attorney
John Doimas, Deputy City Attorney
Marck Aguilar, Project Planner
Marisela Salinas, Project Planner
Brenda Beltz, Associate Planner
Michelle, Bedard, Assistant Planner
Julie Rodriguez, Planning Commission Secretary

II. PRELIMINARY MATTERS:

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

Chair Campanella opened the public hearing at 1:01 P.M. and, with no one wishing to speak, closed the hearing.

III. WORKSHOP:

ACTUAL TIME: 1:02 P.M.

COMMUNITY/PLANNING COMMISSION WORKSHOP FOR NEW ZONING ORDINANCE EFFORT.

The purpose of the workshop was to present and receive Planning Commission and public input on the **Module#2: Development Standards.** Prior to the 1:00 P.M. Planning Commission meeting, an informal "open house" was held from 11:00 A.M. to 12:30 P.M. where the community was able to view material and ask questions of planners and consultants.

Contact: Marck Aguilar, Project Planner
Email: MAguilar@SantaBarbaraCA.gov Phone: (805) 564-5470, ext. 5399

Marck Aguilar, Project Planner, introduced Martha Miller, Consultant, who gave the Staff presentation. Danny Kato, Senior Planner, was also available to answer the Commission's questions.

Chair Campanella opened the public hearing at 1:08 P.M.

The following people provided comment on Module 2:

1. Trish Allen, Suzanne Elledge Permitting and Planning, noted submittal of a prior letter and commented on meeting minimum lot area density requirements on average slopes that exceed 10% in the single family zones. She suggested consideration of a sliding scale to meet the standard rather than a stepped scale. She requested consideration for clarity in the required creek setbacks. Regarding building height, she asked for the elimination of the number of stories limitation, preferring to have mass, bulk, and scale used instead. Also suggested was a sliding scale for accessory building floor areas.

2. Spencer Seal, Yankee Farm/Braemar Ranch resident, lives on 1.25 acres and supports an amendment for a sliding scale for larger properties to have more space for a secondary structure and garage. This impacts him as he will have three generations of family living on his property and would also be needing a therapy pool on his property. A modification to accomplish this seems burdensome.

With no one else wishing to speak, the public hearing was closed at 1:25 P.M.

Senior Planner Danny Kato responded to the Public Comment stating that changes to density, secondary dwelling units, and Creek setbacks were not in the scope of the new zoning ordinance, due to time constraints. Also, a sliding scale was not considered for accessory buildings as a stepped scale creates more appropriate standard floor area amounts (i.e. 500 sq. ft. as opposed to 499 sq. ft.).

COMMISSIONER'S COMMENTS:

A. **Residential Unit, Building Attachment, Detached Guestrooms & Accessory Building Size** Residential Unit Standards – Studio

- Commissioner Lodge stated that the unit minimums at 220 square feet are small.
- Commissioner Schwartz suggested Staff check with the Santa Barbara Housing Authority and People's Self Help Housing to see if the 220 square feet minimum was acceptable.

2. Building Attachment

None.

3. Detached Guestrooms

None.

4. Accessory Buildings and Garages, Floor Area Increase

- Commissioner Schwartz was concerned with accessory buildings that were large enough to house boats.

Staff acknowledged that it was reviewing accessory building and garage sizes.

B. **Nonconforming Buildings and Uses**

1. Alterations to Nonconforming Buildings

- Commissioner Campanella thought that the revisions made were helpful to applicants going through the design review process.

2. Additions to Nonconforming Structures in Setbacks

None.

3. Nonconforming Garages and Carports Expansion

None.

4. Nonconforming Residential Density – 250 Square Foot Allowance

- Commissioner Schwartz observed open rooms in her travels that are left to the imagination of the home purchaser and can be used for anything (media room, office, etc.), and suggested that Staff offer guidelines for use so as not to lead to a use that Staff was not inclined to support.

5. Substitution of Nonconforming Uses

- Commissioner Schwartz supports Staff's revisions and the clarification of land use compatibility.

6. Buildings Containing Nonconforming Uses

   None.

7. New Definition of Demolition

   None.

8. Replacement and Reconstruction of Nonconforming Nonresidential Buildings

   None.

D. Open Yard and Outdoor Living Space Requirements

1. Open Yard required for lots developed with one or two units:

   - Commissioner Lodge is supportive, if it results in more open space.

2. Lots developed with three or more units or mixed-use development:

   None.

3. Lots developed with Average Unit Size Density (AUD)

   - Commissioner Campanella wanted to see how this proposal changes the AUD program, and noted that Exhibit F (Table: Open Yard Area Comparison) is changing open and private yards.

     Staff is still vetting ideas that may be equivalent or better for AUD.

   - Commissioner Campanella suggested calling in project architects that have gone through the review process and may have input on providing private open yard. He was concerned that having a single standard could have unintended consequences.

     Staff received input from a local architect that agreed that it was not a good idea to go to a single standard and desired more flexibility to make it easier to comply with the standards. Staff will continue to look at this is it goes forward, including consideration of an administrative approval or design waiver that would not require a modification.

   - Commissioner Schwartz does not support changing out any element in the AUD program that would make it difficult to adequately evaluate the program.

   - Commissioner Lodge wondered why the AUD ordinance was not included in the overlay zones.

     The AUD Ordinance is a "place-holder" so it is not included in Module 2 but will be incorporated into the Final Review Draft.

E. Other Ordinance Changes

1. Distance Between Residential Buildings on the Same Lot

   None.

2. Elimination of Building Story Maximum

   - Commissioner Campanella stated that this was significant in that an additional floor helps to reduce construction costs overall, especially if heights are the same.
   - Commissioner Campanella added that if there is any kind of bonus density, it is easier to process that bonus density within the 45 feet, than having to come up with State Bonus density considerations that might support increasing the height from 45 feet to 55 feet for an extra floor of units.
   - Commissioner Schwartz stated that this is a practical approach and she is supportive.

3. Variability in Maximum Height, Setbacks, and Distance Between Buildings

   None.

1. Multi-Unit Residential Zones: Parking Setback

   None.

2. Multi-Unit Residential Zones: Rear Setback

   - Commissioner Campanella supports the proposed elimination of "rear setback" and the resulting setback change for the second and higher building stories.
   - Commissioner Schwartz likes that we are moving away from a block look and that this is an improvement on a visual basis. She stated that Staff changes were going in the right direction.
   - Commissioner Lodge stated that this would create a two-story block on the lower level instead of a two-story block on the upper level and preferred more openness.

Chair Campanella requested a break at 3:12 P.M. and reconvened the hearing at 3:22 P.M.

MODULE 1: USE REGULATIONS – FOLLOW UP

1. Mobile Food Trucks

Chair Campanella opened the public hearing at 3:22 P.M.

The following people provided comment on Mobile Food Vendors:

1. Susan Nava, Grandma's Tamales, required Spanish translation. While staff offered to translate for her, she was unable to remain for the duration of the meeting. Her concerns relate to mobile food vendors and Staff will follow up and contact her for her comments.

2. Planning Commission Secretary Julie Rodriguez acknowledged that Susan Nava requested to speak, but was unable to remain for the duration of the meeting. Staff would follow up with contacting her for her comments.
3. Sam Guzman wanted clarification of mobile food vending versus mobile retail vending. He wanted the NZO to include retail in mobile vending, as the State of California has done. No one has reached out to include mobile retail in the workshops.
4. Brian Parks, Georgia's Smokehouse, was at the last workshop and appreciates that many of the comments that were voiced were taken into consideration in the draft. Noted that there are no longer time of day restrictions. Requested clarification in the distance section regarding the 500 foot distance between another vendor on private property and how it would apply to events where multiple vendors are invited on one property, such as the Earth Day Festival, Pacific Pride Festival, etc.

   Staff responded that they are developing temporary use permits that can allow some flexibility to address situations with multiple vendors on one site, or extended hours. This will all be covered in the next module.

   John Doimas, Deputy City Attorney addressed some of the public's questions regarding vending on public streets [not a component of NZO]. A review of the ordinance is underway. A public workshop was held with some of the street vendors to determine the concerns and issues of interest. The next step is to complete final revisions to the ordinance and go before the Ordinance Committee in a few weeks. This meeting will be noticed and allow for public comment. If the ordinance changes are approved, then the revised ordinance will go to City Council.

5. David Reynoso, Dave's Dogs, was concerned that trailers have to be motorized, and push carts and standalone trailers are not allowed. He owns two solar powered mobile trailer units that hitch to his truck that have been approved by the Health Department of Santa Barbara. They have low, efficient, solar-powered LED lights. The NZO will impact his business.

   Staff responded that under the peddler ordinance this is not allowed, but staff is reviewing the ordinance for potential flexibility in these situations. The concern was in mobile units being unhitched from trailers and left for long periods of time.

6. Mauricio Garces was concerned with the 90 day per year restriction and wondered if there would be any flexibility. He has use of a site now.

   Staff stated that this consideration was to allow for what is currently not allowed and the 90 days was to establish a limitation that would not make the addition permanent to the site.

With no one else wishing to speak, the public hearing was closed at 3:34 P.M.

- Commissioner Higgins sees the benefit and need for mobile food vendors in areas around town, such as construction sites, and would like to see flexibility in the ordinance in how this will help vendors. He would like Staff to look into how other cities are regulating vendors.
- Commissioner Campanella suggested allowing a certain period of time, such as four hours, where mobile vendors, such as a smoker or pizza oven, can operate as an unhitched standalone unit. It would take up less space than having the hitched vehicle with it.

  Scott Vincent, Assistant City Attorney, stated that a detached unit would bring up a more difficult enforcement issue as it would require a monitor to check the unhitched unit in and out within the four hours. This kind of flexibility could be done through a higher permit fee. If a mobile unit is connected, there is a greater possibility that it will be moved in the time allotted. If it is disconnected from a vehicle, then there is little motivation to have it moved without having a monitor.

2. Seafood Processing in M-C Manufacturing-Commercial Zone (currently C-M Zone)
   None.
3. Accessory Uses in the Manufacturing-Industrial Zone (M-I)

   None.

Staff stated that the next step will be reviewing Module 3, which includes the parking standards, administrative procedures, and definitions, with the Joint NZO Committee in May before returning to the Planning Commission.

Chair Campanella thanked Staff for the presentations and the public for all comments received. The Commission looks forward to reviewing Module 3.

IV. ADJOURNMENT

Chair Campanella adjourned the meeting at 4:08 P.M. to the meeting of April 7, 2016.

Submitted by,

Julie Rodriguez, Planning Commission Secretary