

## S A N T A B A R B A R A F O R A L L



April 10, 2013

Honorable Planning Commission Members  
 City of Santa Barbara  
 735 Anacapa Street  
 Santa Barbara, CA 93101

Via email

Re: Proposed Average Unit Density Incentive Program

Honorable Planning Commission Members,

Santa Barbara For All (SB4ALL), a coalition of citizens and civic groups, has been involved in Plan Santa Barbara since 2007 advocating for policies and implementation strategies that will ensure a sustainable and healthy future for our community, affordable housing for our local workforce, and protection of Santa Barbara's historic and environmental resources.

SB4ALL endorsed the original concept of PlanSB developed to improve the jobs/housing balance; to reduce long distance commuting and its associated air pollution, energy use and regional traffic; and to effectively reduce motor vehicle trips. While this document has undergone many changes in the adoption process, the concept of directing future growth towards the urban center and adjacent neighborhoods – as opposed to further development of foothills and outer City edges – has remained the core of the Plan.

Overall we are very supportive of the Draft AUD Program. We do, however, have a few comments that we believe will make the program more flexible and successful in achieving its goal – to produce a greater number of housing that is affordable to the workforce.

We respectfully submit the following comments:

1. Setbacks in the Commercial Zone District: Staff is recommending that mixed use project be required to provide a variable 5 foot front setback because of the inclusion of residential uses. The proposed AUD program would require exclusively residential projects in commercial zone districts to meet the R-3/R-4 setback requirements.

Historically, residential projects in commercial zones that wanted greater setback flexibility, would add a small office or commercial space and this would afford them the commercial setback standards – in most cases zero. This is not necessarily a desirable outcome – particularly if this program is designed to incentivize residential units rather than commercial space. Thus, we recommend that exclusively residential projects in commercial zone districts be required to provide the same setbacks as mixed use projects with the following exception: a 10 foot variable setback would be provided where ground floor residential units face the public street. This proposal is designed to allow community rooms/administrative offices and parking garages to meet the mixed use setback, while also ensuring that there is adequate space between the public realm and the ground floor units.

By revising this language, residential projects would be less likely to add unwanted commercial space to avoid setback requirements. In addition, a comfortable setback would be provided for residential uses, unnecessarily large setbacks would not be required for non-residential uses, and the variability of the setback would provide design flexibility.

2. Outdoor Living Space: Staff is recommending changes to the Outdoor Living Space requirements for mixed use projects to create incentives. For example, a mixed use project that uses the Private Outdoor Living Space method would not be required to provide 10% open space. We suggest that the incentives provided for mixed use projects also be provided to exclusively residential projects in commercial zone districts. Like the setback issue discussed above, if this incentive is limited to mixed use projects it could also compels applicants to add unwanted or unneeded commercial space to take advantage of the incentive. Again, if the goal of the AUD program is to create a greater number of residential units we believe they should be able to avail themselves of a similar incentive package.
3. Building Height: The proposed AUD program includes an exemption to the 45 foot height limitation imposed by the new General Plan for Community Benefit projects and Community Benefit Housing projects where the Planning Commission can make a series of findings with a super majority vote (five votes). As stated now, the exemption cannot be extended for “purely financial reasons”. We are concerned about this limitation. The very purpose of the Design Charrette, which was the genesis of the experimental AUD program, was to demonstrate what type of projects would be financially feasible. This restriction could be problematic for future Community Benefit Housing projects. For example, if a strict 45 foot height limit makes an apartment project financially infeasible this would seem to be counterproductive to one of the key goals of the program – providing more rental housing stock. A project that exceeds the 45 foot height requirement by a few feet would still need to be reviewed and approved by the Planning Commission (5 votes) and would still be required to undergo design review. As such, we believe that the mechanisms are in place to provide rigorous oversight of this

exemption. We recommend that the findings be revised to allow financial infeasibility to be a valid reason to increase the height of a Community Benefit Housing project.

The citizens and civic groups that constitute SB4ALL appreciate the opportunity to help shape the AUD program. We all share the same goal of developing a successful program that will produce a variety of affordable housing opportunities for our workforce.

We've attached our suggested revisions to the draft AUD program.

Sincerely,



Lisa Plowman



Detlev Peikert

Attachment 1: Proposed Policy Revisions

XC: Bettie Weiss, City Planner

## Section 28.20.070 Development Incentives

### B. Setbacks (Pages 12-14)

#### 1. C-2 and C-M Zones

##### a. Front Setback

iii. Lots Developed Exclusively with Residential Uses. Any lot developed exclusively with residential buildings or structures shall ~~provide the R-3/R-4 setback distance as required by Section 28.20.070. B.2. of this chapter~~ observe the following setback: A front setback of ten (10) feet shall be provided where residential units face the public right of way. A front setback of five (5) feet shall be provided for other uses within the structure (e.g. community center, parking garage). A portion of a structure may be located within the required front setback provided the footprint area of the portion of the structure that intrudes into the required front setback is compensated by an equal or greater area that is not covered by any building or structure outside of and adjacent to the same front setback and the setback line. The compensating area shall not be located farther from the adjacent front lot line than one half of the length of the front lot line.

#### 3. All other Zones

b. Lots Developed Exclusively with Residential Uses. Any lot developed exclusively with residential buildings or structures shall ~~provide the R-3/R-4 setback distance as required by Section 28.20.070. B.2. of this chapter~~ observe the following setback: A front setback of ten (10) feet shall be provided where residential units face the public right of way. A front setback of five (5) feet shall be provided for other uses within the structure (e.g. community center, parking garage). A portion of a structure may be located within the required front setback provided the footprint area of the portion of the structure that intrudes into the required front setback is compensated by an equal or greater area that is not covered by any building or structure outside of and adjacent to the same front setback and the setback line. The compensating area shall not be located farther from the adjacent front lot line than one half of the length of the front lot line.

### E. Outdoor Living Space. (Pages 17 and 18)

1. Mixed use projects or exclusively residential projects in commercial zone districts electing to provide outdoor living space pursuant to the private Outdoor Living Space Method specified in

Subsection A of Section 28.21.081 are required to provide the Private Outdoor Living Space as specified in Section 28.21.081.A.1 and the Common Open Area Section 28.21.081.A.3. Mixed use projects or exclusively residential projects in commercial zone districts developed under the Average Unit-Size Density Incentive Program that elect to provide outdoor living space pursuant to the Private Outdoor Living Space Method may, but are not required to, provide the Open Space specified in Section 28.21.081.A.2.

2. Mixed use projects or exclusively residential projects in commercial zone districts electing to provide outdoor living space pursuant to the Common Outdoor Living Space Method specified in Subsection B; however, if the lot is located within one quarter (1/4) mile of a park, the project may reduce the fifteen percent (15%) common outdoor living space requirement to ten percent (10%) of the net lot area. In addition, for projects developed in accordance with the Average Unit-Size Density Incentive Program, the required common outdoor living space may be located at grade or on any floor of the building(s), amending Section 28.21.081.B.4.

### **Section 28.66.050 Building Height**

#### **B. Community Benefit Projects**

1. Demonstrated Need. The application has demonstrated a need for the project to exceed 45 feet in building height ~~that is related to the project's benefit to the community, due to site constraints, or desired architectural qualities, as opposed to a purely financial justification~~ or financial feasibility.