



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 8, 2008

TO: Mayor and Councilmembers & Planning Commission

FROM: Community Development Department, Planning Division

SUBJECT: Semi-Annual Joint Meeting, Planning Division Major Workload Review

RECOMMENDATION:

That Council hold a joint work session with the Planning Commission to receive status reports and discuss major work program activities, underway and pending, in the Planning Division, including:

1. Discussion of Interim Plan Santa Barbara Zoning and Design Ordinance and potential building height Charter amendment;
2. Status report on Staff and Planning Commission recommendations to Council for Plan Santa Barbara; and
3. Planning Division workload priorities, pending and unassigned projects.

DISCUSSION:

Joint work sessions with the Council and Planning Commission are scheduled by the Planning Division every six months for a briefing on the status of major projects, discussion of potential new issues and priorities, and to maintain a high level of communication. The Chairs of the Architectural Board of Review (ABR) and Historic Landmarks Commission (HLC) are invited as well. There may also be discussion of adjustments and priority changes made to the Division work program due to staff resource shifts, new assignments, and other factors.

A primary goal of the work session is for Staff to communicate with the Council and Planning Commission to share a broad understanding of the multiple priorities and status of other important work that is active, pending, or on a back burner. Adjustments in priorities occur when issues heat up and efforts are made to improve a program. The feedback from Council and Planning Commission received at these work sessions is very valuable for staying on track or making changes as necessary.

1. Interim Zoning and Design Ordinance. The Ordinance Committee has held two discussions regarding the Interim Ordinance and issues considered include:

possible new standards for mixed-use and commercial projects for new front yard setbacks, a wedding cake floor ratio concept, and increased landscaping and open space requirements. Also discussed were unit size limits and building heights (see Attachments 1 & 2). For this joint meeting, staff believes the issue of whether Council should consider a possible Charter amendment related to building height, in addition to, or instead of an Interim Ordinance, needs to be discussed. Staff intends on putting an item on the full Council Agenda for direction following the discussion at the joint meeting.

2. Status Report on Plan Santa Barbara. The Planning Commission has held meetings over three days (Sept. 10, 11 and 25) to consider the Plan SB Policy Preferences Report and to develop its recommendation to Council. The input from the public on September 10 was once again very good as we have received great input throughout the PlanSB process.

The Planning Commission provided substantial comment and direction to Staff to revise the "project description" set of policies and range of growth scenarios to be studied and requested that Staff return to the Commission with a final review of the report before it is submitted to Council. Staff intends on scheduling that meeting with the Commission on November 13. Since this was the date previously scheduled for Council review, staff will prepare an updated schedule to be reviewed at the joint meeting.

3. Planning Division Workload Priorities.
 - The P3 objectives for the Planning Division include a number of major assignments in the Design Review and Historic Preservation Program and we are taking a fresh look at the priorities to complete some tasks that have been outstanding for some time (Mills Act, surveys, historic districts, update of El Pueblo Viejo design guidelines, and designations).
 - Another important project that has yet to be funded and scheduled is the Upper State Street Guidelines and Transit Corridor Feasibility Study. The Finance Committee will be considering various options on how and when to proceed with these projects on October 21st.
 - Pending ordinances that are currently unassigned include the revisions to the Tenant Displacement Assistance Ordinance (TDAO), condominium conversions ordinance amendments, and the next phase of zoning ordinance amendments (such as changes to hedge and fence regulations). With the new assignment of the Interim Ordinance and various staff changes, these projects are on hold.

RECOMMENDATION:

Staff will make brief presentations on each of the three topics included in this report. It is recommended that the Council and Planning Commission engage in discussion and provide feedback as necessary for Staff to proceed with the identified priorities.

BUDGET/FINANCIAL INFORMATION:

The purpose of the work session is for information updates on the status of major work programs. If Council direction or allocation of funds is necessary for the projects, then the Council action is scheduled at a regular Council meeting.

- ATTACHMENTS:**
1. Ordinance Committee Report and exhibit Charts for Interim Ordinance (9-23-08)
 2. Development Standards Table (9-30-08)

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SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: September 23, 2008

TO: Ordinance Committee

FROM: Planning Division, Community Development Department

SUBJECT: *PlanSB* Interim Zoning And Design Ordinance

RECOMMENDATION:

That the Ordinance Committee begin discussions and provide initial direction to staff on issues and standards addressed in a possible interim ordinance applicable to new buildings in the commercial zones with a 60-foot height limit and where residential uses are allowed.

DISCUSSION:

Background

On April 29, 2008, the Council instructed staff and the Ordinance Committee to consider an interim ordinance to address the issue of reduced building height limits and including provisions for setbacks, open space, and variable density availability, and return to Council. The motion included a possible sunset upon adoption of the General Plan Update recommendations and implementing ordinances.

Through the *PlanSB* process, the community in general has expressed the importance of community character, and there is clearly divided opinion on the building height issue. Due to community concerns about the height of buildings being approved, the Save El Pueblo Viejo group began to gather signatures earlier this year to place an initiative on the ballot to lower the maximum building heights. In response to the initiative drive, individuals from various community organizations drafted an Interim Building Regulation Ordinance that was brought to Council on April 29, 2008.

Many in the community believe that adjustments to specific development standards for commercial and mixed use type buildings could achieve desired building forms or heights without a standard height reduction. While *PlanSB* includes many policies relevant to standards for mixed use and commercial buildings, it will be a few years before all of the recommended policies are formally adopted, relevant zoning amendments codified and

implemented. There are a number of larger mixed-use projects in the pipeline, thus the possible need for an interim ordinance to establish some new building design standards based on the recommended policies.

Interim Ordinance Provisions

The motion by council included a number of provisions to be considered for an interim ordinance.

Because the City is seeing a trend of mixed-use developments with more and larger condominium units and taller building heights, staff believes it is advisable to develop an interim ordinance that is more comprehensive with regard to community design issues beyond just building height. A broader interim ordinance could begin the framework for new building design regulations that will be further developed as the Plan SB process continues and detailed development standards are adequately evaluated and implemented.

The attachment shows the existing and recommended standards for commercial zones that currently allow 60 feet and residential uses. The table shows both the *PlanSB* recommended policies as well as possible *PlanSB* Interim Ordinance provisions. These are draft and meant to begin the discussions for developing a possible interim ordinance.

Staff recommends the Ordinance Committee consider the following issues for inclusion in an interim ordinance: height; front yard setbacks; maximum building floor areas; and building maximum unit sizes. We believe this “package” of provisions can successfully address the design, size, bulk and scale issues of pending projects that could go forward over the next couple of years.

While it is understood that these would be interim standards to hold the City over while the *PlanSB* process proceeds to work out implementation details for recommended policies, some other provisions may not be feasible for incorporating into an interim ordinance on a quick time frame. Some of the more complicated and challenging issues may include such issues as density, affordability, and inclusionary requirements. The appropriate range or changes to the method for calculating residential density will be an implementation of recommended general plan policies that will be worked out in the future. Some of the recommended *PlanSB* policies include efforts to encourage more affordable housing; however, those are also implementation measure that will need to be worked out in the future. Some changes to the city’s Inclusionary Housing Ordinance e.g., in lieu fees for projects of 2-9 units, are already being processed through Council, and a more comprehensive look at the inclusionary ordinance would be an implementation of recommended general plan policies. Finally, Community design policies like Form Based Codes in commercial areas throughout the City will not be officially adopted nor implementing ordinances codified in the Municipal Code before 2010.

Process for Interim Ordinance

The full process and schedule to develop and consider a *PlanSB* Interim Zoning and Design Ordinance has not yet been developed by staff. However, at this time we believe the following steps and considerations will be included in the process:

1. Initial Discussions with Ordinance Committee
2. Appointment of PC, ABR, & HLC representatives to follow and participate in the Ordinance Committee reviews
3. Joint Meeting Discussion with Planning Commission and Council tentative scheduled for October 8, 2008
4. Return to Council for further direction
5. Work session or design workshop to consider new standards with drawings, perspectives and other tools
6. Environmental Review
7. Hearings and Action

ATTACHMENT: Table With Standards For Commercial Zones

PREPARED BY: Beatriz E. Gularte, Project Planner

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office

STANDARDS FOR COMMERCIAL ZONES THAT ALLOW RESIDENTIAL USES

	Existing Zoning Ordinance Regulations	Save El Pueblo Viejo Initiative	Plan SB Recommended Policies	Possible PlanSB Interim Ordinance¹
Building Height - In C-2 and C-M Commercial Zones That Currently Allow 60 Feet	4 stories / 60' ² <i>Charter is 60 feet for industrial, manufacturing and commercial zones</i>	40' in El Pueblo Viejo and 45 feet in all other commercial zones	60' w/reduction next to historic structures and residential zones	60' height limit and study a buffer where increased setbacks would apply when adjacent to residential zones and listed historic resources.
Front Yard Setbacks – 100% Residential in Commercial Zones	10' – 20'		-Variable, both average setback and varying setbacks across zones. -Setback for landscaping consistent w/ Pedestrian Master Plan & to accommodate planting of significant trees -Form Based Codes	No change from existing
Front Yard Setbacks – Commercial & Mixed Use in Commercial Zones	10' – 20' C-2, C-M – None		-Variable -Setback for landscaping consistent w/ Pedestrian Master Plan & to accommodate planting of significant trees -Form Based Codes	In C-2, C-M Zones Only: 5' average setback along building frontage with exception of street frontage on State Street and the first blocks East and West of State Street between Montecito and Victoria Streets. All other commercial zones to remain the same
Interior & Rear Yard Setbacks – 100% Residential in Commercial Zones	6' – 10' or ½ the building height if adjacent to residentially zoned property		No changes proposed, could be part of Form Based Codes	No change from existing
Interior & Rear Yard Setbacks – Commercial & Mixed Use in Commercial Zones	R-O, C-O – 6' - 10' or ½ the building height if adjacent to residentially zoned property Other commercial zones - None, unless adjacent to residential zoned property then 10' or ½ the building height		No changes proposed, could be part of Form Based Codes	No change from existing

¹ These possible standards are for purposes of discussion only and need design work and community, decision maker input before any formal recommendation is made.

² Building height immediately adjacent to residential zones shall not exceed that allowed in the most restrictive adjacent residential zone for that part of the structure constructed within a distance of 30 feet or ½ the height of the proposed structure, whichever is less. Note, multi-family height is 45 feet, and single-family and R-2 are 30 feet.

STANDARDS FOR COMMERCIAL ZONES THAT ALLOW RESIDENTIAL USES

	Existing Zoning Ordinance Regulations	Save El Pueblo Viejo Initiative	Plan SB Recommended Policies	Possible PlanSB Interim Ordinance ¹
Building Maximum Floor Area in C-2 and C-M Zones	None		To be determined	100% - 1 st & 2 nd story 60% - 70% - 3 rd story 40% - 4 th story (Note likely 3 rd and 4 th story would be percent of building area on 1 st floor)
Open Space – 100% Residential in Commercial Zones	Private – 60’ – 160’ and 10% on grade common area (w/15’ X15’ area, flexible location); Or Common – 15% of total lot area (on grade)		-To be determined in recommended multi-family design guidelines -Within ½ mile radius, on site, or fee contribution toward future parks	No change from existing
Open Space – Commercial and Mixed Use in Commercial Zones	<u>Commercial</u> – none <u>Mixed Use</u> – Private – 60’ – 160’ and 10% on grade common area (w/15’ X15’ area, flexible location); Or Common 15% of total lot area (on grade)		-Need new open space standards -Common useable open space on site for mixed use residents (flexible where provided)	No change when 100% commercial use, but allow flexibility in location of common open space if using the 15% option for mixed use projects.
Unit Size	400 sq. ft. minimum size 150 sq. ft. for SRO (low income)		-Smaller -Establish standards for average unit sizes -Maximum unit sizes -2 tier maximum unit size related to density	This would apply in <u>all</u> zones where residential use is allowed with exception of R-2, Two Family and One-Family Zones: Maximum Unit Sizes Studio – 1,100 1 Bdrm – 1,300 2 Bdrm – 1,650 3 Bdrm – 1,950 Sizes, based on approximately 70% of variable lot area required, rounded.

Development Standards for Commercial Zones that Allow Residential Units	
Standard	Existing Regulations That Currently Apply
	<p>PlanSB Interim Ordinance (Presented April 08).</p> <p>100% Residential Bldg.: standard not specified</p> <p>100% Commercial Bldg.: 5% of the net lot area</p> <p>Mixed Use Bldg.: 10% of the net lot area</p> <ul style="list-style-type: none"> All open, adjacent to street at grade and include landscaping, patios and paseos Exempts from open space requirements parcels fronting on State and one block east and west from Cabrillo to Sola Streets.
	<p>PlanSB Interim Ordinance (Presented Sept. 08)</p> <p>100% Residential Bldg.: no change, because existing regulations already require private and common open space and front yard setbacks also apply.</p> <p>100% Commercial Bldg.: no change because recommending a new 5 foot average setback on commercial properties C-2 and C-M zones that do not already have a setback. This setback area could include landscaping, trees, patios, etc. (see below)</p> <p>Mixed Use Bldg.: Same as existing but add flexibility when using the 15% option, able to provide some on upper stories to serve residents.</p>
Open Space	<p>100% Residential Bldg.:</p> <ul style="list-style-type: none"> Private per/unit and 10% on grade common (w/15' X15' area, flexible location); Or Common – 15% of total lot area on grade <p>100% Commercial Bldg.: none (but all except C-2 and C-M have front yard setback requirements of 10'-20' - see below)</p> <p>Mixed Use Bldg.</p> <ul style="list-style-type: none"> Private per/unit and 10% on grade common (w/15' X15' area, flexible location); Or Common – 15% of total lot area on grade
Setbacks	<p>100% Residential Bldg.: Front Yard: 10 – 20 feet</p> <p>Interior and Rear Yards: 6 – 10 feet or ½ bldg. height whichever greater when adjacent to residential zone</p> <p>Commercial and Mixed Use Bldgs.: Front Yard:</p> <ul style="list-style-type: none"> C-2 and C-M – None 10 – 20 feet all other commercial zones <p>Interior and Rear Yards:</p> <ul style="list-style-type: none"> R-O and C-O – 6-10 feet; 10 feet or ½ bldg height when adjacent to residential zone Others - None unless adjacent to residential zone then 10 feet or ½ the building height whichever greater
Setbacks	<p>In C-2 and C-M Zones:</p> <p>5 foot average setback along building frontage with exception of street frontage on State Street and the first blocks East and West of State Street between Montecito and Victoria Streets.</p> <p>No change from existing to interior and rear yard setbacks</p>
Setbacks	<p>In all commercial zones that allow residential:</p> <p>The third and fourth stories shall be setback an average of no less than five feet from the property line facing the public street</p>
Maximum Floor Areas	<p>In all commercial zones that allow residential:</p> <ul style="list-style-type: none"> 1st & 2nd story: -Residential uses shall occupy no more than 80% -of the net lot area 3rd story: 60% of the net lot area 4th story: 45% of the net lot area
Maximum Floor Areas	<p>In C-2 and C-M Zones:</p> <ul style="list-style-type: none"> 1st & 2nd story: 100% of net lot area 3rd story: 60% - 70% of net lot area 4th story: 40% of net lot area

¹ All existing commercial properties EXCEPT C-2 and C-M currently have a 10 – 20 foot setback along the building frontage. C-2 properties that have an SD-2 overlay (Upper State Street) also have a 10-20 foot setback depending on stories. M-1 does not have a setback, however, residential use is not allowed.

Development Standards for Commercial Zones that Allow Residential Units

Standard **Existing Regulations That Currently Apply** **Interim Ordinance (Presented April 08).** **PlanSB Interim Ordinance (Presented Sept. 08)**

<p>Height</p>	<p>C-2, C-M: 60 feet Building height immediately adjacent to residential zones(s) cannot exceed adjacent residential zone for a certain distance. (Note, R-3/R-4 has 45 foot height limit, and R-2 has 30 foot height limit) Other Commercial Zones: 45 feet Building height immediately adjacent to residential zones(s) cannot exceed adjacent residential zone for a certain distance. Definition: The maximum vertical height of a building or structure at all points measured from natural or finished grade, whichever is lower. Architectural elements that do not add floor area to a building, such as chimneys, vents, antennae, and towers, are not considered a part of the height of the building, but all portions of the roof are included.</p>	<p>In all commercial zones that allow residential: Maximum 40 feet. Towers, stairwells, and elevator shafts shall be considered architectural projects and shall not be subject to this height requirement. Parapet walls within 10 feet of front property line shall not exceed 40 feet. Maximum 52 feet if 30% of the residential units are affordable to households earning 200% or less of AMI. Definition: Height measured from the adjacent natural grade to top of the uppermost horizontal plate height of habitable space.</p>	<p>In C-2 and C-M Zones: 60 feet maximum and study a buffer where reduced building heights would apply when adjacent to residential zones and listed historic structures; Or 45 feet with additional allowed height up to 60 feet with Council designated Community Priority development and/or higher affordability (also to be determined by Council). Definition: No proposed change.</p>
<p>Unit Size</p>	<p>400 sq. ft. minimum size 150 sq. ft. for SRO (low income)</p>	<p>Not included</p>	<p>This would apply in <u>all</u> zones where residential use is allowed with exception of R-2, Two Family and One-Family Zones: Maximum Unit Sizes Studio – 1,100 1 Bdrm – 1,300 2 Bdrm – 1,650 3 Bdrm – 1,950 Sizes, based on approximately 70% of variable lot area required, rounded.</p>