



**City of Santa Barbara**  
Planning Division

**Memorandum**

**DATE:** August 22, 2024

**TO:** Planning Commissioners

**FROM:** Rosie Dyste, Project Planner

**SUBJECT:** Objective Design and Development Standards and Amendments to Title 30

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The purpose of this memo is to respond to the Planning Commission's motion of August 8, 2024 continuing review of the Title 25 Objective Design and Development Standards (ODDS) (Exhibit A) and amendments to the Title 30 Zoning Ordinance (Exhibit B) to the Special Hearing date of August 29, 2024. The motion included recommended amendments to the ODDS and Title 30. Staff's responses to the items in the motion are listed below.

**1. Move definitions specific to the ODDS to a definition chapter in Title 25.**

Definitions specific to the ODDS were added to new Chapter 25.08 Definitions. Additionally, staff identified a few definitions that were no longer relevant to either Title 25 or Title 30, and those were removed (Exhibit C Additional Edits).

**2. Add a footnote to Table 25.01.040.A (General Plan Land Use Designations Correlated to ODDS Zones), defining the Zones.**

Chapter 25.01 Introduction, Table 25.01.040.A, 25.01.050.A, and 25.01.060.A were revised to change the zone abbreviations to full names.

**3. Clarify that State Density Bonus incentives/concessions or waivers are applicable in ODDS.**

No amendment is needed as the ODDS already includes this clarification in the following locations:

Chapter 25.01 Introduction, Section 25.01.070 (Applicability), Subsection C. 2. states that development standard waivers, concessions, or incentives granted pursuant to State Density Bonus Law are allowed.

Chapter 25.02 Zones, Section 25.02.030 (General Requirements), Subsection D. Density states that ODDS projects may exceed General Plan maximum density by using State or City density bonus in compliance with Chapter 30.145 (Affordable Housing and Density Bonus Incentives) or Section 28.87.400 (Density Bonus and Development Incentives).

**4. Change the Community Open Space Plaza dimensions from 50' x 50' minimum to a dimension in one direction and a square footage minimum.**

Section 25.03.160 (Large Site Standards) D. Community Open Space, 7. Plaza (a) was amended to require a minimum of 2,500 square feet in area (about 3 percent of a two-acre parcel) and a minimum clear length and width dimension of 30 feet.

**5. Remove the Contemporary Style Group as an allowed style in the Eastside and Westside neighborhoods.**

Section 25.01.120 (Architectural Styles Map - ODDS-ASM) was amended to remove the Contemporary Style group as a style choice in the Eastside and Westside neighborhoods generally.

However, the boundary of the Westside neighborhood was not defined at the hearing. It was assumed to be inclusive of the Westside, Lower West, and West Beach neighborhoods as delineated in the General Plan. Staff is requesting specific direction and clarity from the Commission to provide feedback as to whether the Contemporary Style group should be retained or removed from other nearby areas within the City. See Exhibit D for further options to edit the ODDS-ASM map.

**6. Tighten the definition of Top of Bank in Title 30 Section 30.15.040 (Determining Creek Top of Bank).**

Creek top of bank is determined by the creek channel geometry. The amendment to Section 30.15.040 (Determining Creek Top of Bank) is proposed to ensure that there is an objective methodology for measuring top of bank in the event that a project using the objective design review process is proposed on a parcel adjacent to Mission Creek (currently, that is the only inland creek with a required development limitation area where the top of bank would come into play).

As noted in the Planning Commission Staff Report Addendum provided on August 8, 2024, Figure 30.15.040: Determining Top of Bank was replaced with a clarified version and creeks related definitions were added to 30.300.030 "C".

Concurrently, the Creeks Division is working on a separate amendment to Title 22 that will include the creek top of bank methodology and citywide creek buffers, equivalent to the previously adopted coastal creek buffers in the 2019 Coastal Land Use Plan. This work effort will include public outreach and input scheduled for fall 2024, which will provide opportunities to tighten the definition of creek top of bank if needed. Section 30.15.040 (Determining Creek Top of Bank) will be replaced when the Title 22 amendments are adopted, therefore staff is not recommending any changes to the definition of creek top of bank at this time.

#### **7. Prioritize affordable housing if possible.**

The ODDS provide objective standards for multi-unit and mixed-use housing projects but do not address housing costs. Housing affordability is determined through separate processes including the City's inclusionary housing ordinances, projects eligible for streamlined ministerial approval per state law, or State or City density bonus provisions. Housing Element Program HE-12: Prioritize Deed-Restricted Affordable Housing includes efforts to streamline processing for affordable housing projects, and implementation of that Program is forthcoming.

#### **8. Amend the Courtyard building type to allow an interior courtyard.**

Chapter 25.04 Building Types refers to Courtyards in two ways: 1) Section 25.04.110 (Medium Courtyard) and Section 25.04.130 (Large Courtyard) Building Types and 2) and Figure 25.04.150.1 the "L", "U" and "O" Massing Types. The courtyard massing type is allowed for certain buildings that are not identified as "courtyards". Upon further review, staff identified amendments to the massing types rather than the building type as the best location to clarify that interior courtyards are allowed. The amendment was made to Section 25.04.150 (Massing Types) to clarify that the massing types may be rotated to any site orientation, thus allowing for an interior courtyard with the Courtyard Building Types or other building types that choose to use the "L", "U" or "O" Courtyard massing shape.

#### **9. Retain the 90-year affordable housing covenant in Title 30.**

Section 30.175.050 (Parking Exceptions and Reductions) Subsection A. Affordable and Senior Housing 2. Recorded Covenant was amended to remove the strikethrough of the last sentence and clarify that affordability shall continue for a minimum of 90 years from the initial occupancy of the residential unit, "unless otherwise stipulated". This additional language covers those instances where state law preempts the City's standard covenant timeline.

**10. Meet with the Housing Authority and other housing developers to determine if there are adjustments that could be made to the ODDS.**

Staff met with Rob Fredericks and Dale Aazam of the Housing Authority, Lonnie Roy of On Design Architects, Andrew Fuller of Presidio Capital Partners, and Peter Lewis. Several other developers were contacted but declined to meet or did not respond.

None of the participants had specific suggestions to adjust the ODDS at this time. The main themes expressed in the meetings included:

- Appreciate the predictability of using the ODDS.
- Would consider using the ODDS for future projects, especially if density bonus incentives/concessions or waivers are available as needed.
- Design review board comments can improve project design.
- Affordable housing projects should receive priority processing.
- Late hits from staff during the review process that changes design is particularly challenging.
- In favor of the objective design review process if it reduces risk and the time to receive project entitlement.
- The City should commit to being responsive and assisting the first applicants using the ODDS.

**11. Return to Planning Commission with a status report after x months or after x amount of projects, whichever comes first, after adoption of the ODDS.**

Given the time it may take for applicants to understand and use the ODDS, staff intends to return to the Planning Commission with a status report in two years after the effective date of the ODDS or after ten approved projects, whichever comes first. In the interim, staff is researching efficient ways to document user comments on the ODDS and to conduct outreach to applicants after adoption to determine if there are specific reasons applicants are opting out of using the ODDS.

Exhibits

- A. Title 25 Objective Design and Development Standards
- B. Title 30 Zoning Ordinance Amendments
- C. Additional Edits
- D. ODDS-ASM Map Recommendations