



City of Santa Barbara

NONRESIDENTIAL GROWTH MANAGEMENT PROGRAM (GMP)

COMMON QUESTIONS REGARDING MINOR AND SMALL NONRESIDENTIAL ADDITIONS

What is the Nonresidential Growth Management Program?

On March 12, 2013, the City Council adopted SBMC Chapter 28.85 and Resolution No. 13-010, the City's Nonresidential Growth Management Program (GMP), to manage 1.35 million square feet of nonresidential floor area allowed under the General Plan through 2033.

The 1.35 million square feet is divided into three allocation categories available to different types of projects: Vacant Property, Small Additions, and Community Benefit Projects. Minor Addition (less than 1,000 sq. ft.) is also available but is not subject to the 1.35 million square foot limit. There are other nonresidential floor area categories that can be constructed and are excluded from the 1.35 million square-foot growth limit. The listing and definitions of these categories can be found in SBMC Chapter 28.85, Nonresidential Growth Management Program.

The two most common nonresidential additions to properties are Minor and Small Additions. Frequently asked questions and answers regarding those categories are provided below.

Does the Nonresidential GMP limit residential development?

No. The nonresidential GMP applies only to new non-residential development in the City. The City's General Plan and Zoning Ordinance encourage residential development, especially in and around the Downtown area. Property owners faced with limited commercial development potential under the GMP are encouraged to pursue mixed-use development projects. There are many successful examples of buildings with retail/commercial space on the ground floor with residential units above. Examples of detached residential and non-residential uses that are on the same legal lot also exist in the area.

What is a Minor Addition?

The Santa Barbara Municipal Code (SBMC) §28.85.020.I. defines a Minor Addition as the first 1,000 square feet of new nonresidential floor area over the amount of nonresidential floor area that existed on the lot as of December 6, 1989. This square footage can take the form of new development, an addition to an existing building, or the conversion of residential floor area to a non-residential use.

What properties are eligible for a Minor Addition?

Any legal lot, as permitted by zoning, in the City that has not already received 1,000 square feet of Minor Addition since 1989 is eligible to apply for a Minor Addition. A project developing with only a Minor Addition is not subject to Development Plan (SBMC §28.85.030) review and approval.

What if the project is demolishing and replacing existing square footage?

The demolition and replacement of existing nonresidential floor area of any amount on a site does not need Development Plan approval or an allocation for new square footage. If additional nonresidential floor area is also proposed, the new floor area will have to be allocated from the appropriate category.

What if the project is a Minor Addition in conjunction with another allocation?

Any project that is proposing an addition in excess of 1,000 square feet will need Development Plan approval.

What is a Small Addition?

SBMC §28.85.020.O. defines a Small Addition as 2,000 square feet of new nonresidential floor area over the amount of nonresidential floor area that existed on the lot on December 6, 1989 and any floor area that has been constructed or approved as Minor Addition since December 6, 1989. This development can be in the form of an addition to an existing building, new construction, or the conversion of residential floor area to a non-residential use. The Small Addition category was created to allow for the expansion and growth of existing businesses in the City while maintaining a limit on total non-residential growth.

There is a total of 400,000 square feet of Small Addition space available until the year 2033. This allocation category is unique in that Small Additions are limited to 20,000 total square feet per year. However, the Planning Commission can decide annually whether any unused, expired or withdrawn Small Addition square footage can “roll over” to either the Small Addition or Community Benefit categories. If square footage from previous years rolls over to the following year, this would increase the annual allocation of 20,000 square feet per year.

What properties are eligible for a Small Addition?

Any legal lot, as permitted by zoning, in the Downtown Development Area and Airport Development Area as defined in the Traffic Management Strategy, SBMC §28.85.050 and Exhibit B of Resolution No. 13-010, is eligible to apply for up to 2,000 square feet of non-residential square footage from this category.

However, the 2,000 square foot limit is a cumulative total per legal lot until the year 2033. Small Additions proposed as part of any project adding over 1,000 square feet on the lot are subject to Development Plan review and approval and must not result in any project-specific significant impacts on traffic.

How are Minor and Small Additions used together?

Square footage from the Small and Minor Addition categories are often combined and used together for a single development project. The 2,000 square foot limit per lot on Small Additions, combined with the 1,000 square foot limit per lot on Minor Additions, means that the total new non-residential square footage available per lot from these categories is 3,000 square feet until the year 2033.

The first 1,000 square feet of development on a lot is considered a Minor Addition in all cases. Any cumulative development on a lot exceeding 1,000 square feet, up to the 3,000 square foot limit, is considered a Small Addition. For example, an addition of 1,000 square feet would be a Minor Addition, while a later addition of 2,000 on the same legal lot would be considered a Small Addition. In this example, the cumulative total of 3,000 square feet per lot has been reached and no further applications could be made for Small or Minor Additions.

There are also cases where square footage for the same addition may be drawn from both categories. For example, a 1,200 square foot addition to a building with no previous additions would use 1,000 square feet of Minor Addition square footage and 200 square feet of Small Addition square footage.

When is a less than 1,000 s.f. addition considered a Small Addition?

When cumulative additions since December 6, 1989 exceed 1,000 square feet per legal lot, any additional development on that legal lot must come from the Small Addition Floor Area category as long as the allocation category is allowed per the Traffic Management Strategy as defined in SBMC §28.85.050 and Exhibit B, Resolution No. 12-010. For example, an addition of 800 square feet to a building with a previous addition of 1,000 square feet would bring the cumulative legal lot total to 1,800 feet. Therefore, even though both additions were less than or equal to 1,000 square feet, the later 800 square foot addition

would be allocated Small Addition Floor Area. If the total proposed project is adding less than 1,000 square feet, a Development Plan is not required, even if the proposal is allocated square footage from the Small Addition category.

Can Small Addition square footage be used with square footage from other categories?

Square footage from the Small Addition Floor Area category can be combined with square footage from the Vacant Property or Community Benefit Development categories as long as the allocation category is allowed per the Traffic Management Strategy as defined in SBMC §28.85.050 and Exhibit B, Resolution No. 13-010. It can also be used in combination with nonresidential floor area excluded from the 1.35 million square-foot development limit (as defined in SBMC §28.85.010.B) and with residential square footage.

How do I apply for a Development Plan for a Small Addition?

The submittal of a **complete** application for review by the Architectural Board of Review, the Historic Landmarks Commission, Staff Hearing Officer, or the Planning Commission will start the process for a square footage allocation. If a project does not require exterior changes (e.g. interior space addition) but requires a Development Plan, the Development Plan findings will be considered by the Architectural Board of Review or Historic Landmarks Commission. An application for only PRT will inform the applicant as to available square footage for the legal lot, however, square footage will not be allocated until application to the appropriate decision making body is made.

It is important to determine at the beginning of the process if an allocation is available to a lot dependent on past allocations and location of the lot in the City.

Please see the attached “Small Addition Allocation Flowchart” which outlines the Small Addition square footage allocation procedure. Planning Division Staff will be able to assist you in determining the type of review that your project requires and the applicable submittal requirements.

Small Additions are subject to Development Plan review and approval findings, as described in SBMC §28.85.040, when the proposal involves new non-residential floor area in excess of 1,000 square feet (as an aggregate total of all development categories). Please see the attached “Development Plan Required for Nonresidential Projects by Size of Project” for a summary of which decision making body makes the Development Plan findings.

What are the required findings for a Development Plan?

- A. The proposed development complies with all provisions of SBMC Title 28; and
- B. The proposed development is consistent with the principles of sound community planning; and
- C. The proposed development will not have a significant adverse impact upon the community's aesthetics or character in that the size, bulk or scale of the development will be compatible with the neighborhood based on Project Compatibility Analysis criteria in SBMC §22.22.145 or 22.68.045; and
- D. The proposed development is consistent with the policies of the City of Santa Barbara Traffic Management Strategy (as approved by City Resolution No. 13-010 dated as of March 12, 2013) as expressed in the allocation allowances specified in SBMC §28.85.050.

What if my proposed project exceeds 3,000 s.f. of new non-residential floor area?

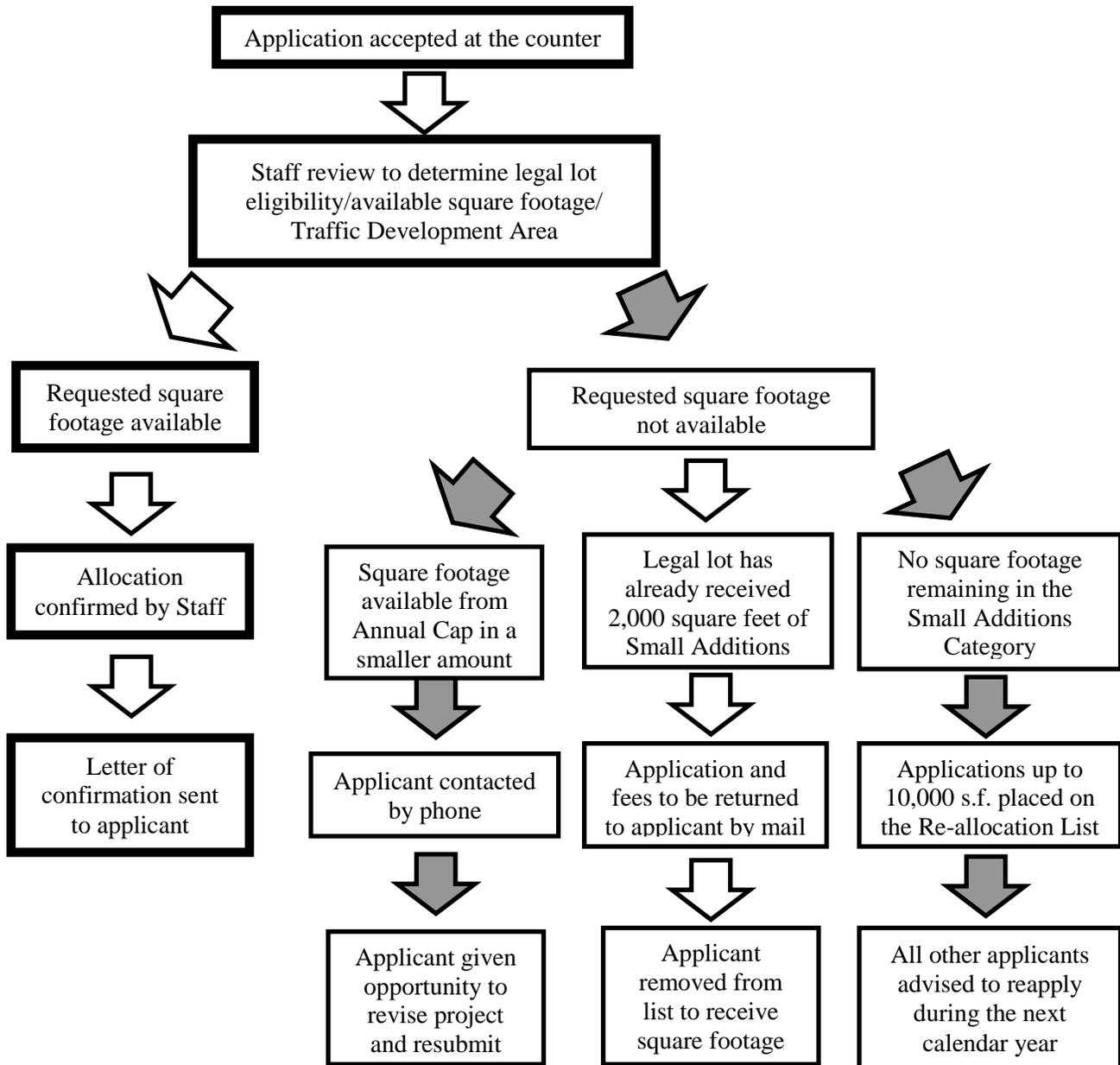
A Development Plan is required and would be reviewed by the Planning Commission. An application for Development Application Review Team (DART) or Pre-Application Review Team (PRT) would be required depending on what other Land Use Permits are required of the application.

For further information regarding the City’s nonresidential Growth Management Program, please contact the Planning Counter at (805) 564-5578.



City of Santa Barbara

GMP SMALL ADDITION ALLOCATION FLOWCHART



Note: Project can receive Concept Review but no action can be taken until the project is allocated square footage.

Boxes with shaded arrows indicate the need to apply for a square footage allocation after January 1 of the next calendar year, unless the project is revised and the square footage proposed does not exceed what is left in the total Small Addition allocation category.



City of Santa Barbara

Allocation Categories by Growth Management Program Development Areas (DA)

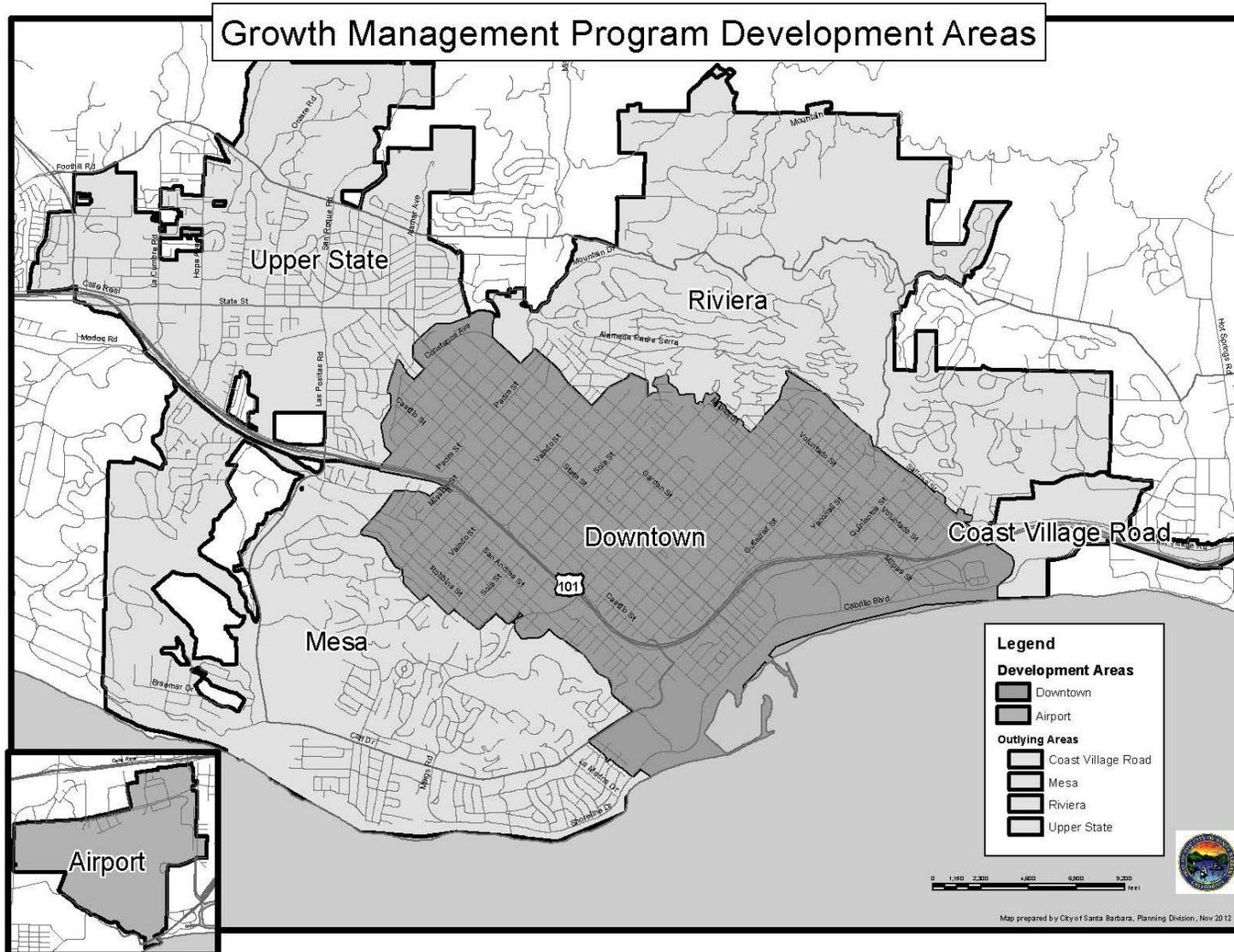
| Allocation Category | Downtown | Overriding Considerations Allowed for Project Specific Traffic Impacts | Upper State Riviera Coast Village Mesa | Overriding Considerations Allowed for Project Specific Traffic Impacts | Airport | Overriding Considerations Allowed for Project Specific Traffic Impacts | Notes - (See attached Map for DAs, and definitions & details in SBMC 28.85 & 28.95 and Reso. No. 13-010) |
|--------------------------------------|----------|--|--|--|---------|--|---|
| Demolish/Rebuild on Site | Yes | Yes | Yes | Yes | Yes | Yes | |
| Prior Approved | Yes | N/A | Yes | N/A | Yes | N/A | Prior App. typically does not need further environmental review. |
| Prior Pending | Yes | No | Yes | No | Yes | Yes | Can be from any "Prior" category." e.g. Small Addition allocated prior to April 11, 2013 could process but under new findings. |
| Prior Approved Specific Plans | Yes | Yes | Yes | Yes | Yes | Yes | Needs to meet definition of Specific Plan. |
| Minor Addition (1,000 s.f. or less) | Yes | Yes | Yes | Yes | Yes | Yes | First 1,000 s.f. since Dec. 6, 1989. |
| Small Addition (1,000 to 3,000 s.f.) | Yes | No | No | No | Yes | Yes | 2,000 s.f. since Dec. 6, 1989. Prior Pending Small Additions can continue process citywide. |
| Vacant .25 of Lot Area | Yes | Yes | Yes | Yes | Yes | Yes | Vacant as of Oct. 1, 1989 |
| Community Benefit Community Priority | Yes | Yes | Yes | Yes | Yes | Yes | Allocation by Council. |

Allocation Categories by Growth Management Program Development Areas

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|--|-----------------|---|---|---|----------------|---|---|
| Community Benefit Economic Development | Yes | No | No | No | Yes | Yes | Allocation by Council. Prior Pending Econ. Dev. additions can continue process citywide. |
| TEDR <1,000 | Yes | Yes | Yes | Yes | Yes | Yes | Transfer only within same DA. Downtown can receive from other DAs. |
| TEDRs Including hotel room transfers | Yes | No | Yes | No | Yes | Yes | Transfers only within same DA. Downtown can receive from other DAs. |
| Hotel Room for Room Replacement <u>On-Site</u> | Yes | Yes | Yes | Yes | Yes | Yes | |
| City Government Buildings Government Displacement | Yes | Yes | Yes | Yes | Yes | Yes | |
| Public Utility Facilities | Yes | Yes | Yes | Yes | Yes | Yes | Floor area of Public Utility constitutes floor area for purposes of Development Plan review. |
| Planned Development – New Automobile Sales in PD Zone. | N/A | N/A | Yes | Yes | N/A | N/A | This is a very specific allocation category for new auto sales dealerships in the PD Zone Only. |



City of Santa Barbara GMP Development Areas Map





City of Santa Barbara

Development Plan Required for Nonresidential Projects by Size of Project¹

| Project Size ² | Dev. Plan Approval (DPA) Req'd | Findings Made by ABR, HLC, SHO or PC (see Notes) | Notes |
|--|--------------------------------|--|---|
| 1,000 s.f. or less | No | N/A | <ul style="list-style-type: none"> ABR or HLC is not required for an interior addition of 1,000 s.f. or less with no exterior changes. PC or SHO could be required for other land use decisions but a Development Plan is not required if the project addition is 1,000 s.f. or less. |
| +1,000 – 3,000 s.f. | Yes | ABR or HLC | <ul style="list-style-type: none"> Also includes interior floor area additions with no exterior changes. ABR or HLC makes Development Plan findings <u>if no other land use permit is needed.</u> SHO makes Development Plan findings if other SHO land use decision is needed. PC makes Development Plan findings if other PC land use decision is needed (e.g. more than 5 condos, CUP, etc.) |
| +3,000 s.f. or more | Yes | PC | |
| Demo/Replace Same s.f. or Less | No | N/A | <ul style="list-style-type: none"> PC or SHO could be required for other land use decisions but no Development Plan is required if the project is demolishing and replacing the same amount of floor area on site. |
| TEDR 1,000 s.f. or less | No | N/A | <ul style="list-style-type: none"> PC or SHO could be required for other land use decisions but no Development Plan is required if the project addition is 1,000 s.f. or less. Requires PRT |
| TEDRs 1,000 s.f. or greater | Yes | PC | <ul style="list-style-type: none"> Development Plan is required by PC for sending and receiving site. |
| Hotel Room for Room Replacement on site | No | N/A | <ul style="list-style-type: none"> Development Plan is not required if only replacing the rooms. Other hotel square footage is subject to review depending on the size of the expansion. Any hotel expansion in addition to the rooms would require Development Plan review based on project size. |
| Hotel Room for Room Replacement off site (TEDR) | Yes | PC | <ul style="list-style-type: none"> Development Plan required for sending and receiving site. |
| Regional Public Utility Facilities Greater than 3,000 s.f. | Yes | PC | <ul style="list-style-type: none"> For structures 3,000 s.f. or greater. If less than 3,000 s.f., Development Plan could be granted by other decision making body depending if no other land use permits needed (e.g. modifications or CUP) |

¹This is a *typical* process when adding new nonresidential square feet under SBMC Chapters 28.85 or 28.95. Projects located in the Coastal Zone or zones that require a Development Plan by the Planning Commission or for any other reason specified in SBMC 28.85.030 could require review at the Planning Commission level.

²Project size includes floor area as an aggregate total of all allocation categories (i.e., once more than 1,000 s.f. are proposed from any combined allocation categories a Development Plan is required).