



City of Santa Barbara

LAND DEVELOPMENT TEAM OVERSIGHT SUBCOMMITTEE MINUTES

OCTOBER 26, 2023

2:30 P.M.
David Gebhard Public Meeting Room
630 Garden Street
SantaBarbaraCA.gov

SUBCOMMITTEE MEMBERS:

Eric Friedman, Chair
Alejandra Gutierrez, City Council
Mike Jordan, City Council

STAFF:

Eli Isaacson, Community Development Director
Tina Dye, Chief Building Official
Allison DeBusk, City Planner
Ellen Kokinda, Design Review Supervisor
Greta Walters, Administrative Assistant

CALL TO ORDER

Chair Friedman called the meeting to order at 2:30 P.M.

I. ROLL CALL

Chair Eric Friedman, Council Member Gutierrez (at 2:43 p.m.), Councilmember Jordan

Absent: None

STAFF PRESENT

Eli Isaacson, Community Development Director
Tina Dye, Chief Building Official
Allison DeBusk, City Planner
Marck Aguilar, Administrative Analyst II
Brenda Beltz, Administrative Analyst II
Ellen Kokinda, Design Review Supervisor
Rosie Dyste, Project Planner
Dana Falk, Project Planner
Ted Hamilton-Rolle, Project Planner
Mary Ternovskaya, Senior Commission Secretary

II. PRELIMINARY MATTERS

A. Announcements:

1. Mr. Isaacson announced the following:

- a. The Community Development (CD) Department has had recent staffing changes. The City Planner position has been filled by Allison DeBusk, and the Senior Planner role has been filled by Megan Arciniega, who will serve as the Development Review Supervisor. He also noted that Brenda Beltz has been promoted to a Planning Analyst position. Community Development also has open positions, partly due to these three promotions. Additionally, there are vacancies for Senior Plan Check Engineer, Senior Plan Check Examiner, and the newly created Ombudsperson position.
- b. The third and final draft of the Housing Element has been released to the public and will be sent to the California Department of Housing and Community Development (HCD).
- c. CD will bring several items to Council before year's end, including affordable housing projects and a discussion about the Average Unit-Size Density (AUD) program.

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

Public comment opened at 2:34 P.M.

The following individuals spoke:

1. Rose Wills
2. Michael Marzolla

Public comment closed at 2:38 P.M.

C. Review, consideration, and approval of the Land Development Team Oversight Subcommittee minutes:

Motion: Approve the minutes of the Land Development Team Oversight Subcommittee meeting of April 19, 2023, as submitted.

Public comment on the minutes opened at 2:39 P.M., and as no one wished to speak, it closed.

Action: Jordan/Friedman, 2/0/0. Motion carried.

III. AGENDA ITEMS

A. Updates to Technology Used for Planning and Permitting

Actual time: 2:40 p.m.

Present: Marck Aguilar, Business Analyst; and Tina Dye, Chief Building Official

Staff comments: Mr. Aguilar described several improvements to CD's permitting and planning process. He explained that the City is shifting to SB Connect software to manage incoming compliance questions and complaints. Mr. Aguilar shared the benefits of SB Connect and described the timeline for transitioning from email and phone to the mobile application for submitting complaints.

Mr. Aguilar also described an online permit/application decision tool that enables customers to determine whether their project requires a permit and what type of permit might be needed by answering a series of brief questions on the City's website. Starting in November, the permit/application decision tool will be rolled out for on-demand permitting questions, then will be introduced to the Public Works Department and Planning Division.

Additionally, Mr. Aguilar described a new process that will allow customers to request building inspections using Accela Citizen Access (ACA) rather than phone or email. This transition is planned to occur before the end of the calendar year.

Mr. Aguilar also noted that permit applicants now receive an automated confirmation of receipt when submitting an application.

Public comment opened at 2:50 p.m.

The following individual spoke:

1. Fred Sweeney

Public comment closed at 2:53 p.m.

Committee comments:

Chair Friedman stated that the automatic e-mail replies are a positive tool. He stated that some members of the public are not yet fully digital and will want personal service. He suggested that the transition period should be extended.

Mr. Aguilar clarified that the Permit/Application Decision tool will be an additional option for customers. Calling, requesting virtual appointments, and dropping in during lobby hours will continue to be avenues for the public to work with staff.

Councilmember Gutierrez stated that the automatic reply email is a great tool that will provide a reply to members of the public who have been waiting on a decision. She acknowledged staff for their work on this effort.

Chair Friedman added that he used SB Connect to report a code compliance issue, received an acknowledgement, and found that the matter was resolved within 48 hours.

B. Update on Single Family Design Board Process Improvements

Actual time: 2:57 p.m.

Present: Ted Hamilton-Rolle, Project Planner; and Ellen Kokinda, Design Review Supervisor

Staff comments: Mr. Hamilton-Rolle explained the Single Family Design Board (SFDB) Process Improvement Goals. Staff is proposing to amend the Municipal Code to reduce the number of projects that go to SFDB. Single-Unit Residential Zones make up 57 percent of the City's land area. The public outreach process began with an online survey of SFDB Applicants. Next, focus groups were held, followed by working groups. There was broad consensus that only projects with the most significant potential for neighborhood compatibility or privacy issues should be reviewed by the full SFDB. Staff reviewed three years of SFDB projects (2019 to 2022) and learned that most projects are triggered for review due to their location in the Hillside Design district, or their being upper-story projects. The data also showed that 45 percent of discretionary applications are alterations only (new fences, re-roofs, and new windows, for example), which stakeholders strongly recommended should be lowest-priority for SFDB to review. With staff's proposed changes to the municipal code, there could be a 51 percent decrease in submitted SFDB projects and, consequently, a proportional increase in administrative approvals. Mr. Hamilton-Rolle explained that the next steps toward reducing SFDB review triggers will include discussions at SFDB, Planning Commission, and Ordinance Committee, followed by Council's determination.

Councilmember Gutierrez requested background on the SFDB and how it was formed.

Mr. Hamilton-Rolle stated that the SFDB was formed in 2007, during a time of significant residential development. The Architectural Board of Review reviewed single-family projects before 2007, and the SFDB was created to mitigate ABR's project review load. Ms. Kokinda added that SFDB's review triggers increased over the years as land use and Staff Hearing Officer matters were shifted to SFDB.

Councilmember Gutierrez asked how long it might take to get a permit for a single family residence if staff's changes are implemented. Ms. Kokinda and Mr. Hamilton-Rolle acknowledged that it was difficult to quantify a time. Ms. Kokinda explained that the improvements would result in fewer items being reviewed over the course of multiple design review hearings, and more resources could then be devoted to administrative approvals of single family projects. Mr. Isaacson added that for major, complex projects, the permitting process would be similar to the current one. Simpler projects would move through the process very quickly, allowing staff, board, and public resources to be focused on complicated projects that require closer scrutiny.

In response to Councilmember Gutierrez's question about the impacts of proposed changes on staff workload, Ms. Kokinda explained that a 51 percent reduction in projects going to SFDB could potentially free up one full staff member to focus on administrative approvals and other Planning work efforts.

Chair Friedman cautioned against reducing triggers for SFDB approval so much that complex projects that should get SFDB approval get routed to staff for administrative approval. He asked staff to describe the process for identifying SFDB triggers and to explain when the public would have input. He also remarked that Council has already given direction to reduce the number of projects going to SFDB.

Mr. Hamilton-Rolle stated that they will get into the details of the specific proposed changes at the SFDB, Planning Commission, Ordinance Committee, and then City Council. He stated that the most substantial conversations will likely occur at Planning Commission and Ordinance Committee in the first half of next year.

Ms. Dyste clarified that Objective Design and Development Standards are for two or more units rather than single-family designs.

Public comment opened at 3:17 p.m. The following individuals spoke:

1. Fred Sweeney on behalf of Leslie Colasse
2. Rose Wills
3. Michael Marzolla

Public comment closed at 3:24 p.m.

Committee comments:

1. Councilmember Jordan stated that applying administrative approval relies on capable staff members. He proposed having an “out” that allows the City or the applicant to refer projects to a hearing. He expressed support for having regular community members participating on SFDB and commented that zoning allows much of the project designs that raise concern among neighbors. He expressed support for finding ways to take non-contentious projects to staff.
2. Councilmember Gutierrez agreed with Councilmember Jordan. She stated that this item is very relevant to her district and she thinks this is a great process improvement.
3. Chair Friedman stated that this is a great project. He added that he would like Mr. Isaacson to look into extra noticing and increasing the time between agenda posting and the hearing date.

C. Average Unity-Size Density (AUD) Progress Report and Trial Period

Actual time: 3:31 p.m.

Present: Allison DeBusk, City Planner, City of Santa Barbara

Staff comments: Ms. DeBusk stated that the purpose of today’s discussion is to highlight some of the data in the Average Unit-Size Density (AUD) Incentive Program Progress Report, and to provide the committee with some of staff’s takeaways over the past ten years. She provided background on the AUD program, whose goals are to encourage smaller units and higher densities in some areas of the city, locate units close to transit hubs and services, and encourage workforce housing. The program is set to expire on February 15, 2024.

Among other key takeaways, Ms. DeBusk said staff learned that the AUD program has resulted in smaller units, though not a greater number of units. Additionally, it has created housing attainable by middle- and upper-middle-income households and has met locational objectives. She noted, however, that few projects have achieved their maximum allowed density. In order to meet the state’s Regional Housing Needs Allocation numbers, the rate of housing needs to increase significantly.

Mr. Friedman asked questions about the possibility of directing in-lieu housing fees to the Local Housing Trust Fund to support affordable housing, and asked whether developers tend to create fewer than ten units to avoid providing affordable units. Mr. Jordan asked if developers would rather pay in-lieu fees than create affordable units in order to avoid the ongoing compliance required to manage affordable units. Mr. Isaacson said this is often true and noted that the City is considering working with a consultant to assess whether current in-lieu fees need to be adjusted. Mr. Jordan asked if the City's complicated design process inhibits allowed density. Ms. DeBusk explained that the recent Housing Accountability Act prohibits reducing the number of units proposed by an applicant unless there's a health and safety issue. Ms. Gutierrez expressed concern about insufficient parking in neighborhoods with increased density, and asked if staff must respond to AUD applicants within a certain timeframe. Ms. DeBusk confirmed that the City adheres to Permit Streamlining Act deadlines.

Public comment opened at 4:04 p.m., and as no one wished to speak, it closed.

Committee comments:

1. Councilmember Jordan stated that he likes having no expiration date for the AUD program and would like to see the annual rate of housing production increase significantly. He said he would like to see targeted affordability with no cap on density and a required minimum density. Mr. Jordan stated that more education is needed on the design process. He also recommended incentivizing all rental housing, revising zones that allow both hotels and housing to favor multi-family housing, and developing projects on available city properties.
2. Councilmember Gutierrez stated that she also wants to increase housing production and would like to remove the AUD program's expiration date. She stated that the annual rate of housing production should include significant changes/amendments and would like to see better communication with the public when they have questions regarding the law.
3. Councilmember Friedman stated that he supports not having an expiration for the program. He said that he wants to move the needle all the way to the right [toward increased housing production] with an emphasis on affordable housing—including housing affordable to middle incomes. He does not agree with having no cap on density, fearing that it will create a new base density. He is also concerned about increased value of land, which could lead to more land speculation, especially among investment firms. He stated that he is open to discussing FAR¹ again at Council and is open to changing zoning where it is a combination of residential and hotels. He said he wants to understand the parking issue more, especially the impact among east and west side, but he acknowledged that options are limited because of state mandates.

IV. ADJOURNMENT

Chair Friedman adjourned the meeting at 4:17 P.M.

¹ Floor to Lot Area Ratio (FAR), which is a formula for determining how much square footage can be built on a lot. FAR is defined by the City as the net floor area of the buildings on a lot divided by the net lot area.