



City of Santa Barbara

PLANNING COMMISSION

MINUTES

FEBRUARY 3, 2022

1:00 P.M.

This Meeting was Conducted Electronically
SantaBarbaraCA.gov

COMMISSION MEMBERS:

Gabriel Escobedo, Chair
Roxana Bonderson, Vice Chair
John M. Baucke
Jay D. Higgins
Sheila Lodge
Devon Wardlow
Lesley Wiscomb

STAFF:

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Gillian Fennessy, Commission Secretary

CALL TO ORDER

Chair Escobedo called the meeting to order at 1:00 p.m.

I. ROLL CALL

Chair Gabriel Escobedo, Vice Chair Roxana Bonderson, Commissioners John M. Baucke, Jay D. Higgins (until 4:07 p.m.), Sheila Lodge, Devon Wardlow, and Lesley Wiscomb

STAFF PRESENT

Tava Ostrenger, Assistant City Attorney
Allison DeBusk, Senior Planner
Jessica Metzger, Project Planner
Brenda Beltz, Project Planner
Chelsey Swanson, Project Planner
Janet Ahern, City TV Production Specialist
Gillian Fennessy, Commission Secretary

II. PRELIMINARY MATTERS

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items:

No requests.

B. Announcements and appeals:

No announcements.

C. Review, consideration, and action on the following draft Planning Commission minutes and resolutions:

1. January 13, 2022 Planning Commission Minutes
2. January 20, 2022 Planning Commission Minutes

MOTION: Bonderson / Higgins

Approve the minutes as amended.

The motion carried by the following vote:

Ayes: 7 Noes: 0 Abstain: 0 Absent: 0

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

Public comment opened at 1:07 p.m., and as no one wished to speak, it closed.

Written correspondence from Patricia Reyes Tovan and Melissa Haskell was acknowledged.

III. DISCUSSION ITEM

ACTUAL TIME: 1:09 P.M.

PROPOSED ZONING ORDINANCE AMENDMENTS FOR HOUSING PROJECTS

The Planning Commission will review and provide comments on draft Zoning Ordinance amendments for housing standards, including: Open Yard Amendments, Required Landscaping, and Parking.

Jessica Metzger, Project Planner, gave the Staff presentation. Brenda Beltz, Project Planner and Chelsey Swanson, Project Planner were available to answer questions.

Public comment opened at 1:56 p.m., and the following individuals spoke:

1. Greg Reitz
2. Detlev Peikert
3. Christine Pierron
4. Rob Fredericks

Public comment closed at 2:06 p.m.

Written correspondence from Steve Johnson, Logan Cimino, Brian Miller, Francesca Galt, and Jeff Havlik was acknowledged.

*** THE COMMISSION RECESSED FROM 3:02 TO 3:11 P.M. ***

Open Yard - The following specific questions were posed to the Planning Commission to facilitate discussion on Open Yard:

1. Are the proposed changes to allow more flexibility in open yard requirements acceptable for multi-unit and mixed-use development in all zones?
2. Does the common indoor area meet the intent and purpose of open yards?

Commissioner comments:

Commissioner Wiscomb:

- Believes that Staff has devised requirements that are suitable.
- The requirements are clear and give developers flexibility for open yard.
- The requirements meet the General Plan's LU, LG5.2 and LG13 goals and policies and more of them support the open yard policies.
- Challenged by Question 2.
- Understands the pros and cons of having an indoor area, but the indoor areas don't meet the intent of the City's General Plan policies on open space.
- Common indoor areas can probably give the developer more flexibility and would prefer to see that as an administrative approval for left over areas where open yard can be applied to them because they can't be developed as something else.
- Believes that open yard should be outdoor areas.
- If fellow Commissioners like the idea of indoor areas for open yard, she would like it to be smaller than 600 square feet to get minimal credit toward the open yard requirement of 15% of the lot area.

Commissioner Bonderson:

- The direction that staff is going allows for flexibility in the open yard requirement.
- Pleased to see the direction that staff is going in, but would like to provide some recommendations, as she doesn't think it's there yet.
- The private open yard definition should be updated/expanded because it conflicts with the direction Staff is trying to go.
- Private open yard and common open yard have very different purposes.
- Private open yard has to change with new smaller affordable housing options that are being put forth in the community.
- Can't expect a 300 square foot studio to have a 60 square foot balcony; therefore, it needs to be more relative to size of unit.
- Advocates for smaller open yard for smaller units, even if it is just a Juliet balconies, or having the opportunity to have french doors or sliding doors in order to have a small outdoor space to provide light and air and to give opportunities to smaller units to have access to the outdoors. An example of this is the Lobero building by Julia Morgan located on Anacapa Street.
- Flexibility on a site by site constraint should be considered. Recommends an administrative decision rather than a Modification.
- Appreciated hearing more about the type of recreational space that can be found indoors, whether that is the gym or any kind of recreation room.
- Believes that if the Commission chooses to include common indoor areas, the definition should be redefined so that the definition under the purpose A3 is able to cover and clarify the different options.

- Agrees with Commissioner Wiscomb in regard to defining indoor recreational space with a square footage and a clarification that makes it clear that it does not accommodate or achieve the goals of Open Yard because outdoor open yard space is needed.
- Strongly believes that wherever the open yard can be found, landscape should be encouraged; therefore, the two should overlap.
-

Commissioner Lodge:

- In response to Question 1, she is generally in agreement with where staff is going.
- Open yard is incredibly important because it is people's opportunity to be in the part of Santa Barbara that makes it special.
- Concerned about the chart showing the Existing vs. Proposed Open Yard Standards.
- The private open yard is 6x10 feet, which may be a bit out of scale for a micro unit, but is the smallest size one could have if two people would like to stand outside; furthermore, to go 10x10 feet for common open yard as the upper level, it seems too small assuming two people at minimum will be utilizing it.
- The 10x10 feet for common open yard does not seem adequate.
- In response to Question 2, common indoor area does not meet the intent or purpose of open yard.
- Believes that we forget what the importance of the urban forest is to the City of Santa Barbara.
- The City is a tree city and has been for decades.
- Trees are a vital part of a healthy interrelationship between people and the outdoors and so she would not support allowing any use of common indoor areas to meet the intent and purpose of open yards.

Commissioner Wardlow:

- Yes to Question 1.
- Agrees with the intent and the direction that Staff is going.
- Appreciates Staff taking the time to implement changes that are going to allow for more flexibility.
- On Question 2, agrees with Commissioner Lodge as the intent of common indoor area is not aligned with open space.
- If developers are allowed to swap outdoor space for indoor space, it will increase the cost of the unit because it can be marketed as a gym or another amenity; furthermore, it goes against the broader goal of ensuring that any development is compatible with and beneficial to the surrounding community.
- Ensuring that developers invest in the outdoor space is important to the residents and the broader community.

Commissioner Higgins:

- With respect to Question 1, likes where the proposed changes are going, but would like to see more flexibility if possible.
- Would like to give applicants more options to combine open yard and landscaping where needed; for example, all of the standards into one or several different areas like landscaping, open yard, and setbacks.
- Believes that we have to pick what we are trying to do first and then go from there; for example, if we are trying to incentivize housing and keep it relatively affordable then there should be less amenities indoors and outdoors.

- Believes that it is okay if there is a little less open yard area in some of these projects and that there will be more affordability in these housing projects because there will be more units marketed for less.

Commissioner Baucke:

- Believes that the 15% as proposed with the different ways to address it is reasonable and allows for flexibility.
- Agrees with issues brought up by fellow Commissioners on the common indoor area.
- Agrees that common indoor area does not meet the intent of the open yard.
- Believes that Juliet balconies are a great idea, but needs to be clear as to the depth of them and to state it as an exception.
- Believes that the minimums on the ground floor should be 8 feet and not 6 feet.
- Upper floor balconies should be 6 feet if they are going to be usable because many builders will build stuff that is not usable.
- Agrees with the intent to allow more flexibility and how staff is approaching it.

Chair Escobedo:

- Yes to Question 1.
- Struggled with open yard in the past because of the lack of flexibility.
- No to Question 2.
- Agrees with Commissioner Higgins that if the goal is to maximize housing, incentivizing indoor amenities is not the way to get there.

Landscaping - The following specific questions were posed to the Planning Commission to facilitate discussion on Landscaping:

1. Do you agree that landscaping guidelines should be codified to create a baseline for certain projects?
2. Trees
 - a) Do you think a tree should be required in the front yard or
 - b) One tree per 800 square feet of open yard anywhere on the site or
 - c) Should the number and type of trees be left up to the architect, designer, or homeowner who prepares the plans?
3. Do you have any other feedback, additions, or subtractions to the ordinance based on public comment?

Commissioner comments:

Commissioner Lodge:

- Yes to Question 1.
- A tree should be required in the front yard, specifically a canopy tree and not a palm tree because palm trees don't provide the same benefits as a canopy tree.
- One tree per 800 square feet of open yard is fine.
- Believes that the number and type of trees should not be left up to the architect, designer, or homeowner.
- The more trees the better and it needs to be spelled out as it is proposed.
- The City's Urban Forest Master Plan estimates that the Urban Forest contains over 320,000 trees and only 10% of those are on public property and the rest are on private

property; therefore, this shows how important it is to have requirements that there be trees on private property to maintain the urban forest.

- Likes Commissioner Bauke's idea of a waiver for front yard tree requirement.

Commissioner Wiscomb:

- Yes to Question 1. Agrees that landscaping guidelines should be codified because it gives process improvement clarity and objectivity.
- General Plan policies including LU goals, LG12.3 and H16.8 support codifying the landscape guidelines.
- As the liaison for the Parks and Recreation Commission and the Street Tree Advisory Committee, she has seen lots of situations where a front yard tree would conflict with a street tree already in place. For example, the jacarandas on Mission Street or the Magnolias on Bath Street.
- On some smaller lots, the front yard is consumed by the branches and the shading of the area by an existing canopy street tree.
- The City should encourage street trees because there is an Urban Forest Master Plan that has areas where street trees are needed to benefit everyone.
- There are too many conflicts with requiring trees in the front yard.
- Agrees with having one tree per 800 square feet of open yard anywhere on the site and that it will enhance at-grade open yard spaces.
- Agrees with Commissioner Lodge on canopy trees and that canopy trees could be emphasized, but there are probably some areas of the City where it might be more appropriate to plant palm trees for continuity.
- Believes that the type of trees should be left up to the architect, designer, or homeowner.
- Appreciates the addition of landscaping requirements.
- Although the Commission did not receive any public comments for today's meeting regarding landscaping, they have in the past, and in Parks and Recreation Commission meetings where the benefits of trees have come into play.
- Amenable to putting in a waiver process for requiring a tree in the front yard to be determined by staff.

Commissioner Bonderson:

- Agrees and supports codifying landscaping.
- Strongly believes that it is important to update the section and provide new language to clarify how the planting and replacing of trees can and should be done.
- The current language is confusing and doesn't seem to be applicable to all sites.
- Believes that it is important to spend more time on this with the landscape architects and practitioners that know this area best.
- Doesn't think that it is in the Commission's purview to direct the planting of trees.
- It should be the purview of a certified arborist or a landscape architect to look at the site, the street beyond the setback, and the context of the neighborhood in order to decide what tree implementation belongs on the site.
- Allowing the overlap between open yard and landscaping is good because it provides more flexibility, objectivity, and creativity. However, it needs to be clearer about the dimensions.
- Sharing landscape obligations with the open yard is excellent.
- Believes that it is really important to be clearer and to make the language as deliberate as possible to clarify dimensions.

- Advocate for more flexibility on the minimum dimensions to be able to use the site to get the open space needed, especially when it comes to private open space.
- Would rather provide an outdoor space that is much smaller than the currently required 60 square feet than to not design with private outdoor space at all, which is a limitation with the current code.
- Believes that there should be a happy medium where we can't make the dimensions 6x10 feet, but would like to provide some aspect of outdoor space. Suggested a smaller minimum dimension to be studied.
- Would like to suggest that the landscape be allowed to count on multiple levels of a multi-story building to get beautiful landscaped open spaces on multiple levels.
- Before any landscape guidelines be codified, more work is needed.
- The way it is written it seems that the proposed guidelines misunderstood replacement ratios and it is not clear how the landscape implementation and long term maintenance might be recommended as part of the ordinance.
- Research into successful guidelines from other jurisdictions should be part of that exercise as well as organizing workshops to spend more time with landscape architects and other experts in the community to help create the consensus and at least to codify the requirements.
- In the landscape section of the code there could perhaps be a reference to the section 22.11.050 Alterations to Approved Landscape Plans to let them know that there is an enforcement to long term maintenance.

Commissioner Baucke:

- Yes to Question 1.
- Cross referencing to stormwater and tree sections of the code would be very helpful.
- Reference to the Street Tree Public Realms Standards would be helpful.
- References back to any bio-filtration requirements the City has in those ordinances accordingly would be helpful.
- If the City wants to take an aggressive stand on Climate Action, we need to be taking as much action toward planting as many trees as possible.
- Yes to Question 2.A, but with a waiver process [as described below].
- Yes to Question 2.B, but having a waiver process that is similar to the language in the Staff Report which allows city arborists to make determinations that it is infeasible due to growing conditions, slope proximity, other trees, and space limitations. But only in cases where those findings can be made should you be waiving a requirement of trees because if we are serious about climate action goals for carbon reduction, trees are very important.
- Believes that the number and type, other than the basic minimum requirement, should be up to the Design Review process and either the architect, designer, or homeowner.
- Suggests that the City start thinking more globally as to what an appropriate landscape pallet is for particular areas within the City.
- A City-wide approach is not recommended because there are many variations, instead suggests some kind of neighborhood by neighborhood landscape concept that corresponds to the master plan for street trees.

Commissioner Higgins:

- Yes to Question 1.
- No to Question 2.a. Does not believe a tree should be required in the front yard.
- Yes to one tree per 800 square feet.

- In response to Question 2, appreciates Commissioner Wiscomb's comments in that there may be conflicts and the more we prescribe about tree planting the more constraints there will be on the process.
- Yes to Question 2.c. Prefers to leave the decision of where landscaping goes up to architect's discretion.
- Believes that this isn't a tree planting ordinance, instead this is a housing ordinance and would like to focus on what is important for the City and prioritize that.

Commissioner Wardlow:

- Yes to Question 1 and agrees with the comments made by fellow Commissioners.
- Would like to codify landscaping, especially as the community faces a lot of changes from the State, to make sure the City still has their standards in place as we have less authority over the discretionary aspects of this.
- In response to Question 2, agrees with Commissioner Higgins in that she would not want to require more burdens on the applicants.
- Agrees with Commissioner Lodge on the importance of trees, but is hopeful that in working with Parks and Recreation Department and other aspects we can achieve this goal as well.
- In response to Question 3, agrees with the remarks made by Higgins.
- Likes the concept of a waiver as an option for tree planting.

Chair Escobedo:

- Yes to Question 1.
- Agrees that we should require one tree in the front yard and one tree per 800 square feet of open yard with the added process of applying for a waiver if not feasible.
- Would like Staff to continue to get landscape architect feedback throughout this process.
- Interested in multi-level landscaping and green roofs counting towards landscaping.

Parking - The following specific questions were posed to the Planning Commission to facilitate discussion on Parking:

AUD Projects vs. Other Multi-Unit Projects

1. Should all types of multi-unit housing, including condominiums and rental housing, have the same off-street parking requirements?
2. Should a higher parking requirement be maintained in the USS Overlay Zone?

Guest Parking

3. Do you agree with eliminating guest parking for all multi-unit development in the Central Business District (CBD)?
4. For larger projects or in some city locations, should the guest parking requirement be reduced or eliminated through discretionary review?

Covered Parking

6. Do you agree with eliminating the covered parking requirement for all single- and two-unit development? Including 3+ bedrooms.
7. Do you agree with eliminating the covered parking requirement for condominiums, community apartments, and stock cooperatives going forward?

Commissioner comments:

Commissioner Higgins:

- Yes to Question 1.
- Would like to keep it simple.
- There was an effort a while back with respect to commercial parking in the City's New Zoning Ordinance [Title 30] to simplify what kinds and how much parking is required for restaurants in general without measuring seats and taking the burden off of Staff to have to interpret something different for different areas and make it easier for applicants, Commissioners, and City Council members to understand.
- In response to Question 2, doesn't think we need higher parking in different parts of town.
- Would like to remind everyone listening that it is okay to incentivize certain kinds of housing development because we do have a wide variety in the market place already and the existing housing stock is fairly diverse and are flushed with parking areas.
- In order to prioritize housing, the result may not come with a lot of parking or any parking which is fine if we are trying to incentivize housing units and give a certain kind of renter or buyer the opportunity to get into a house, unit, or condominium that doesn't have all the amenities that we may all be used to, inclusive of parking.
- Thinks we should try reducing parking, and it can always be amended if something terrible happens.
- Less or no parking brings the price of the unit down or the cost of the condo down, so we should experiment with that.
- In favor of eliminating guest parking.
- Believes we are trying to put standards together that don't require discretionary review, but if the standards are set and the applicant wants to do something different they can apply for discretionary permit with all of the potential waivers of the standards.
- Agrees with eliminating covered parking.

Commissioner Baucke:

- Concerned with the unintended consequences of the AUD waiver of parking requirements and the corresponding requirement of additional affordable housing.
- Believes that the reduced parking requirement has created a higher land value because the parking reduction was not a trade-off for affordability at the same time.
- Believes that we need to trade incentives for affordable housing that is regulated with deed restrictions.
- We cannot build our way to affordability.
- Would not change anything outside the CBD at this time unless there is a requirement for additional affordable housing that corresponds with it.
- If there are areas in the City that aren't already impacted and don't have parking problems then maybe those areas can be considered, but at the moment there are lots of areas in the city with significant parking problems and we would be making the situation worse and not get the affordable housing that we are trying to obtain.
- The same thought process goes for guest parking.
- Guest parking should be a requirement and the developer wants to waive it, it needs to come with corresponding affordability, especially in the Downtown.
- For larger projects there should be the ability to have a conversation about eliminating parking, but it has to be in conjunction with affordability.
- Believes that covered parking should be left up to the market.

- Covered parking is something that at certain price points the buyers are going to want, but it doesn't have to be required, so it should be up to developers for the appropriate way to do that.
- In response to Question 7, it should be treated the same between covered parking requirements for condos, apartments, and cooperatives leaving the market to determine which format they want because you don't want to add cost if you don't have to, especially if you are trying to prioritize affordability.

Commissioner Lodge:

- Agrees with Commissioner Baucke.
- The incentives that have already been given have been huge and we need to demand affordability first before we do any more.

Commissioner Wiscomb:

- Agrees with Commissioner Baucke's comments.
- Incentives are being put ahead of affordability.
- Has spoken with people who have been highly impacted by the developments that have gone in and the impacts to street parking and it's really taken a toll on some neighborhoods.
- Likes what has been done in CBD.
- Okay with eliminating guest parking in CBD because of the Downtown parking lots.
- Believes that we need to put the brakes on this and perhaps tie any sort of reduction in parking to affordability.
- Believes that Commissioner Baucke's comments on leaving it to the market are important because some developers will build parking at more than the minimum and some will not and this gives some stability to where we are since we don't know what the developer's market looks like.
- There are some neighborhoods that are so impacted by parking that we really need to take a good look at this before giving more incentives.
- In terms of covered parking, it is market driven and developers should be able to develop covered or uncovered whatever their cost constraints are and what market they are targeting.
- Not sure that we are going to get a lot more affordable units by giving more incentives at this point.

Commissioner Wardlow:

- Yes to Question 1.
- No to Question 2.
- Yes to Question 3.
- In response to Question 4, going through discretionary review is the best option.
- Generally believes that we need to be moving away from parking.
- Yes to Question 6 and 7.

Commissioner Bonderson:

- Strongly agrees and is interested in the perspective Commissioner Baucke presented.
- In response to Question 1, doesn't agree that all types should be the same due to the fact that not all areas of town or their on street parking are the same.

- Believes that there needs to be an on-street parking impact study in the areas outside of the CBD that have not yet been looked at before an all-encompassing ordinance is applied.
- Different types of housing may require different types of parking.
- As we start removing parking spots and guest spots, which might go to the homeowners and renters, it is important to consider those that may not have the option to walk far distances and need support.
- Can't agree fully with this as it needs to be vetted and studied before making decisions in different areas of town.
- Doesn't have a problem with eliminating guest parking in the CBD because there are options and parking is available; however, it would not be appropriate outside of that zone because we don't know how available street parking is and how some areas are more impacted than others.
- For larger projects and in some city locations, discretionary review should be allowed for exceptions and for requests for changes that are out of the ordinary.
- Doesn't have a problem whether parking is covered or not as long as parking is available and appropriate for the area.
- Believes that condominiums for home ownership should be different than community apartments, rentals, or affordable housing.
- Affordable housing should have a completely different requirement and provide incentives.
- We want to support housing and allow for more opportunity; therefore, it is important to follow the market and look at each individual area or the constraints of the site and having the opportunity to have modifications, discretionary review, and exceptions.
- The ADU ordinance has implemented the idea that if the development of that ADU on the property is located within half mile of transit, that new unit wouldn't require parking and that is something to consider to support reduced parking.
- Believes that public transportation goes hand-in-hand with the decisions on parking.

Chair Escobedo:

- Interested in the idea of higher inclusionary with incentives like this where we have lower parking, but needs to think about it more.
- Persuaded by the fact that we need to start building toward infrastructure that is less focused on cars and vehicles and if we are thinking about climate change this could be a big win.
- Also persuaded that these requirements apply to the Housing Authority as well.
- Yes to Question 1 because it makes it simpler for Staff and it makes it a simpler process to have the parking requirements the same for all types of multi-unit housing.
- No to Question 2.
- Yes to Question 3.
- Not the biggest fan of using a discretionary process, but this is where that higher affordability and higher inclusionary percentage comes into play with incentives like these.
- With higher inclusionary, you can eliminate guest parking much more objectively and get something in return and would prefer that versus discretionary review.
- Yes to Question 6 and 7.
- Believes that there is validity in Commissioner Baucke's comment about the increase in land prices and incentives and the tradeoff between them.

- As we move ahead with the Multi-Unit Housing policies throughout the year, he believes that the Commission as a whole would like to see the tradeoffs incorporated in way we approach policy in the update to the AUD program and if it is replaced.
- Interested to hear from Staff and in future staff reports how we can create some of those tradeoffs.

Other Comments:

Commissioner Wiscomb:

- Recommends that consideration be given to expanding the AUD program to include smaller efficiency units in the CBD.
- If there was a sliding scale that allows developers to do smaller efficiency units of 250-400 square feet then we can expand the maximum dwelling units per acre and perhaps double it.

IV. ADMINISTRATIVE AGENDA

ACTUAL TIME: 4:42 P.M.

A. Committee and Liaison Reports:

1. Staff Hearing Officer Liaison Report

Ms. DeBusk reported on the January 26, 2022 Staff Hearing Officer meeting.

2. Other Committee and Liaison Reports

a. Commissioner Baucke announced that the next Design Standards Working Group meeting will be held on February 11, 2022.

b. Commissioner Wiscomb announced that the next Plaza De La Guerra Subcommittee meeting will be tentatively held on February 11, 2022.

V. ADJOURNMENT

Chair Escobedo adjourned the meeting at 4:45 p.m.

Submitted by,

Gillian Fennessy

Gillian Fennessy, Commission Secretary