

RESIDENTIAL DENSITY IN MIXED-USE PROJECTS  
Allied Neighborhoods Association  
Policy Statement - September 2007

**Statement**

In the spirit of the city's goal of living within our resources, the Allied Neighborhoods Association opposes the over-development jointly effected by five features of the current application, review, and approval process for large mixed-use projects:

- (1) the routine failure to exclude the commercial component's square footage when calculating the permitted base density of a mixed-use project's residential component;
- (2) the routine inclusion of the square footage of private roads, *de facto* public easements, and other uninhabitable portions of a property when calculating the permitted base density of the project's residential component;
- (3) the routine permission to turn into building bulk all surface space that is freed up by the undergrounding of required onsite parking;
- (4) the routine granting of a density bonus for each required or volunteered middle-income or upper-middle-income affordable unit under the Inclusionary Housing Ordinance; and
- (5) the routine application of the Variable Density Ordinance in the SD-2 overlay zone of the Upper State Street area.

We note that state law does not require any of the five aforementioned policies to be anything but discretionary.

**Discussion**

"Plan Santa Barbara: Living Within Resources" is a good framework to examine city staff's prevailing interpretations of the Municipal Code. Some of these interpretations seem to defy the slow growth principles which emerged from the Impact of Growth study of 1975 and were subsequently codified in City Charter's Section 1507 mandating that the City live within its natural and infrastructural resources.

For example, an unacknowledged upzoning is effected whenever residential density is calculated in mixed-use developments without regard to the floor area occupied by the commercial component. Two pending development proposals may serve to illustrate the consequences of such an interpretation:

- (A) The recently resubmitted State Street Lofts application has been reduced in size: 34 market rate units as "base units" (according to the Variable Density Ordinance) and 10 middle-income and upper-middle-income affordable units as "bonus units" (according to the Inclusionary Housing Ordinance). But the proposed density of the market rate units is still based on the total project site of 62,331 square feet. As a result, a property of 1.43 acres is expected to accommodate 44 residential units IN ADDITION to 6,302 net square feet of commercial space plus the setbacks and parking spaces required of the project's commercial component. This results in about 35 one-bedroom units per acre if

all nonresidential space is subtracted from the total building envelope and in even greater density if the long driving easement connecting State Street and La Cumbre Lane is similarly subtracted.

- (B) Likewise, the density calculations for the residential component of the Sandman Inn redevelopment project are based on the total project site of 194,669 square feet. This means that a property of 4.48 acres is expected to accommodate 73 condominiums with 161 bedrooms IN ADDITION to a three-story hotel with 112 guest rooms plus 18,848 square feet of Non-Room Area including large meeting rooms. By itself, the residential density would be close to 23 units per acre for the 3.25 acres actually occupied by the condominiums, more than half of which feature three bedrooms each. The project's residential density would be even greater if the proposed private road is subtracted from the lot size.

It seems clear that the goal of keeping the city's growth within the scope of our natural and infrastructural resources cannot be reached if such density remains routinely permitted throughout the city's commercial districts. We request, therefore, that Plan Santa Barbara anticipate and preclude the combined unintended consequences of five types of growth-generating policies:

- (1) the automatic (rather than discretionary) failure to exclude the commercial component's square footage when calculating the permitted base density of a mixed-use project's residential component;
- (2) the automatic (rather than discretionary) inclusion of the square footage of private roads, *de facto* public easements, and other uninhabitable portions of a property when calculating the permitted base density of the project's residential component;
- (3) the automatic (rather than discretionary) permission to turn into building bulk all surface space that is freed up by the undergrounding of required onsite parking;
- (4) the automatic (rather than discretionary) granting of a density bonus for each required middle-income or upper-middle-income affordable unit under the Inclusionary Housing Ordinance; and
- (5) the automatic (rather than discretionary) application of the Variable Density Ordinance in the SD-2 overlay zone of the Upper State Street area.

We note that state law does not require any of the five aforementioned policies to be anything but discretionary. Rather than continue to implement them on a routine basis, decision makers ought to retain the authority to WEIGH SITE-SPECIFIC CONSTRAINTS AND PROJECT-SPECIFIC MERITS before waiving the applicable zoning requirements. For example, discretionary authority could be put to excellent creative use when dealing with the combined traffic impact of two major projects hugging the State Street / Hitchcock Way intersection: the Sandman Inn redevelopment just described and the proposed addition to the present Circuit City shopping center a Whole Foods supermarket (replacing Taco Bell) and 15 mostly three-bedroom condominiums. To mitigate or even lessen the predictable increase in traffic, the Planning Commission could condition the two projects on replacing some proposed market-rate and/or inclusionary units by employer-subsidized and employer-administered affordable rentals for hotel and supermarket employees.