



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT
LONG RANGE PLANNING
MEMORANDUM**

Date: December 1, 2014

To: County Planning Commission

From: Matt Schneider, Deputy Director *MS*

Subject: Public Comment on Negative Declaration for 2015-2023 Housing Element Update

On December 3, 2014, the County Planning Commission will conduct a hearing on the 2015-2023 Housing Element Update (Case No. 14GPA-00000-00008) and associated Negative Declaration (Case No. 14NGD-00000-00014). The staff report for this hearing states that P&D received one comment letter on the Negative Declaration (see enclosed comment letter from Kenan Ezal, dated November 11, 2014.) The staff report also states “Staff is currently reviewing the comment letter and will report any possible revisions to the programs at the December 3, 2014 County Planning Commission hearing.”

The comment letter does not address the adequacy of the Negative Declaration. Therefore, staff does not recommend any revisions to the Negative Declaration. However, the letter recommends changes to Programs 1.3, 1.4, 1.14, and 1.16 of the 2015-2023 Housing Element Update.

In part, the comment letter states that Program 1.3 is ambiguous and should be re-written because it is unclear which rezone requirements apply to the Eastern Goleta Valley (via the current update of the Goleta Valley Community Plan) and which apply to other plan areas (via possible future updates of other community plans). Staff agrees with this concern and, as a result, recommends the following revisions to Program 1.3: (1) clarify that Program 1.3 only applies to the Eastern Goleta Valley, and (2) revise the rezone requirements to match the actual number and size of the housing opportunity sites that were evaluated in the Draft EIR (August 2014) for the update of the Goleta Valley Community Plan. The revised Program 1.3 is presented below.

The comment letter also recommends that “Program 1.3 should clearly state that the results [rezones] must abide by the Community Plan [Goleta Valley Community Plan] objectives and policies.” Staff does not recommend any changes based on this comment. The Board of Supervisors will decide next summer which, if any, sites in the Eastern Goleta Valley will be rezoned through the community planning process for the Goleta Valley Community Plan. Therefore, requiring any rezones to “abide” by the pending community plan may preempt the Board of Supervisors’ policy options for the Eastern Goleta Valley.

DRAFT REVISED PROGRAM 1.3

Implement community enhancement and revitalization tools where warranted through the community planning process using strategies that promote affordability by design, such as mixed-use, infill, and adaptive reuse.

Currently, one community plan update is underway for Eastern Goleta Valley that includes two categories of rezones for affordable housing and community revitalization. As part of this community plan update, the County shall evaluate and adopt as appropriate one category of rezones that would allow mixed-use development on 55 parcels covering approximately 28 acres within the Hollister Avenue/State Street commercial corridor. The County shall also evaluate and adopt as appropriate a second category of rezones that would allow residential development at a density of 20 units per acre on seven separate sites that range from approximately 1 to 23 acres in size. This category of rezones shall establish housing opportunities on 20 to 30 acres, if such rezones can be found compatible with surrounding development and serviceable by infrastructure capacity.

Staff also carefully reviewed the comments on Programs 1.4, 1.14, and 1.16. However, staff does not recommend any changes to these programs. We will be prepared to discuss this memorandum and these other comments at the hearing on December 3, 2014.

Enclosure: Comment Letter from Kenan Ezal, dated November 11, 2014

cc: Glenn S. Russell, Ph. D., Director, Planning and Development
Dianne Black, Assistant Director, Planning and Development
Allen Bell, Supervising Planner, Planning and Development

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Bell, Allen

From: Kenan Ezal [Kenan.Ezal@cox.net]
Sent: Tuesday, November 11, 2014 4:02 PM
To: Buck, Oksana
Cc: Brown, Cecilia; Valerie Olson; Wolf, Janet; Barb Kloos; Bell, Allen
Subject: Comments on: Draft Negative Declaration of Housing Element 2015-2023

Hello Ms. Buck,

My name is Kenan Ezal, although I am (apparently) still a member of the Goleta Valley Planning Advisory Committee (GVPAC), I am writing this e-mail solely as a member of our community.

The Draft Housing Element Update does a great job of summarizing the state law, housing needs and constraints of our community. I do, however, have some concerns regarding several of the proposed programs, some of which are carried forward from the prior housing element.

1. Program 1.3 has been carried over from the last Housing Element Update and is fraught with problems. In fact, not only is the wording very specific, but it is (ironically) highly ambiguous.
 - a. For example, Program 1.3 states: *“In the context of the community planning process, the County should consider rezones which would establish housing opportunities on 20-30 acres within the County.”*
 - i. This statement clearly implies that the County is to look for 20-30 acres within the entire County for housing opportunity sites that total 20-30 acres, but not all of it within in each community planning area.
 - ii. However, the policy is also supposed to apply as *“part of the ongoing community planning process.”* So, in the last Goleta Valley Community Plan update, the County interpreted Program 1.3 to mean that the 20-30 acres requirement applied entirely to within the Eastern Goleta Valley area. This means that each time a new community plan update is in process, each community should find 20-30 acres within its own boundaries for housing opportunity sites.
 - iii. This language needs to be clarified so it is crystal clear what each community plan update will be responsible for.
 - b. Under Timeline for Program 1.3, only the Eastern Goleta Valley Community Plan is mentioned. Does this mean that no other communities will be required to follow Program 1.3???
 - c. Within the Program 1.3 housing opportunity sites, the program further states that *“the County should consider establishing sites which are approximately 2-10 acres in size and have an effective density of 20 units an acre.”*
 - i. During the EGVCP update this statement was interpreted to imply that the 2-10 acres had to be continuous. It could not be, for example, two one-acre lots. This is overly restrictive and does not provide sufficient flexibility in planning and doesn't allow mixing of different densities to mitigate the negative effects of high-density housing.
 - d. Program 1.3 also states that the rezones should be considered *“if such rezones can be found compatible with surrounding development and serviceable by infrastructure capacity.”*
 - i. What about compatibility with the Community Plan goals and policies? The Policy should only be considered if the results are compatible with surrounding development and is consistent with the Community Plan goals and policies.
 - ii. For example, conservation of agriculture is an objective of the EGVCP. Yet, Program 1.3 would result in rezoning of agriculture if other policies are not considered.

- e. Overall, Program 1.3 attempts to be precise, but fails. Wouldn't it be better to let the community planners to figure out ways in which to meet the housing needs without such specific (yet ambiguous) language???
- f. Hence:
 - i. Program 1.3 should be re-written with more general wording to provide greater flexibility in planning.
 - ii. Program 1.3 should clearly state that the results must abide by the Community Plan objectives and policies.
- 2. Program 1.4 should also provide incentives for owners of illegal RSUs to come forward and obtain the necessary permits.
- 3. Program 1.14 would increase density by 100% for select projects in specific zones. The proposed program is very general and does not even specify what the specific zones are going to be. I realize that this is only something that "shall" be considered, but I would like to understand the approval process of such a program. Is it purely administrative, or does it have to go through the Planning Commission and Board of Supervisors?
 - a. Does the word "shall" imply that such a program will be adopted, or only that it will be considered for adoption? Without details of such a program the prior possibility cannot be accepted.
- 4. Program 1.16 proposes to modify the Design Residential zone standard to effectively increase developable area. If this is done, it would destroy the original purpose of the DR zone!
 - a. This is a bad idea. The reason is that there are other zone standards that would accomplish the same goal. Changing the DR zone only reduces the type of zones available for planners because they all start to converge to the same (denser) zone definition.
 - b. If another zone is desired, then create a new standard. Don't change an existing one. Creating a new standard provides more flexibility in planning, not less.
 - c. This program also goes the wrong way in that it reduces parking requirements, while increasing density.
- 5. Program 1.17 appears to suggest creating a new zone with a minimum density guaranteed by right. As long as this is a new zone, not a redefinition of an existing one, then this is a good idea.
 - a. Planners should always be given more flexibility, not less. So creating a new zoning standard is ok, but removing or modifying an existing zoning standard is not because it limits flexibility.
 - b. Removing flexibility forces planners to all move in one (possibly undesirable) direction.

Sincerely,

-Kenan Ezal

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