

Allied Neighborhoods Association

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NPO Update Steering Committee
c/o Community Development Department
City of Santa Barbara
630 Garden Street
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HAND DELIVERED

September 27, 2004

Re: Floor Area Ratio ("FAR") and related matters (revised September 27)

Allied Neighborhoods Association is an umbrella organization of neighborhood associations that includes Bel Air Knolls, Braemar, Bungalow Haven, Eastside Study Group, Eucalyptus Hill Association, Foothill Preservation League, Grove Lane Area Neighborhood Association (GLANA), Harbor Hills, Hidden Valley Residents Association, Hitchcock Ranch Association, La Cumbre Park/East San Roque, La Mesa Neighborhood Association, Mission Canyon Association, Marine Terrace, Riviera Association, Samarkand District Improvement Association and Westside Study Group. It is composed of volunteers who have no agenda other than the protection of neighborhoods and the people who live in those neighborhoods. Allied Neighborhoods Association was instrumental in the adoption of the Neighborhood Preservation Ordinance ("NPO" or "Big House Ordinance") in 1991. The NPO required that "The development (single-family residence or house) will be compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and neighborhood." (S.B.M..C. § 22.68.060.E)

Unfortunately, the NPO has not lived up to its expectations. There is a lot of frustration in neighborhoods about "monster houses" that are incompatible with neighborhoods, which has resulted in the reinvigoration of Allied. On September 22, 2004, Allied's Board unanimously adopted the following position on FARs and several related items:

1. There should be a maximum FAR. This maximum FAR would give architects parameters for design and would result in better and more efficient designs. Allied believes that our architects can creatively respond to these limitations in ways that both address the stated desires of property owners and respond to community desires. This maximum FAR would be good for neighborhood compatibility and would help to preserve single-family neighborhoods, especially in light of creation of boarding houses in single-family neighborhoods. Overbuilt

large “single-family” houses lend them to uses as boarding houses.

2. **The FAR should be computed on gross area of the building.** For purposes of measuring or calculating the area of a building, “gross area would include areas within the surrounding exterior walls of a building or portion thereof, including the area occupied by the surrounding walls. In other words, the footprint of the building.

3. **The FAR measurements and calculations should include the entire building, which includes garages.** The “gross area” for buildings should include the entire building and that includes garages.

4. **For purposes of measuring or calculating the gross area of a building for the FAR, the square footage of a building should not include basements where (i) no portion of the basement is visible from the exterior and (ii) all portions of those basements are below lowest point of natural grade on the building’s footprint.** Allied is particularly concerned with visual impacts and sees this as a win/win solution. Expansions could be permitted that have no visual impact upon a neighborhood, yet the property owner would have the ability to obtain additional space. Allied members have observed how light shafts can be used for basements to give a more open effect. This below natural grade concept should not be applicable to sloping lots unless all portions of the basement are entirely below the lowest point on natural grade along the building’s footprint. (Portions of the Riviera and hilly other neighborhoods illustrate this principle.)

5. **There should be no right to obtain exceptions to the FAR restrictions; and if a possibility to obtain exceptions is created, it should have very stringent requirements.** The exceptions should be restricted to a stringent variance procedure rather than the vague and very subjective procedures for zoning modifications. These procedures could be modeled after S.B.M.C. §28.92.013 and could read as follows:

Before a variance may be granted, all of the following shall be shown:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

2. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or vicinity in which the property is located.

3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by other property in the same zone and vicinity.

4. That such variances will be compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and neighborhood.

5. That the granting of such variance will not adversely affect the Comprehensive General Plan.

In other words, single-family zoning should be preserved and exceptions to the FAR requirements should be granted only in exceptional circumstances.

6. The threshold for ABR review should be lowered so that more designs receive scrutiny by the ABR. Too many projects avoid scrutiny by the ABR, some of which are intentionally designed to avoid review.

7. There should be some type of sliding scale for the FAR depending on lot size.

8. The requirements for measuring or calculating the gross area for the FAR reflect buildable area. The FAR should be increased for sloping lots, not merely for all lots in so-called Hillside areas. There are some relatively flat lots in the Riviera and other sloping areas of the City. This would reduce the size, bulk and scale of buildings on slopes. In other words, slope density principles should be applied to sloping lots.

Allied Neighborhoods Association recommendations are direct and are consistent with the “Keep it simple” (KIS) principle. Allied believes that simplified solutions will solve both the real and perceived problems.

Allied will continue to watch the NPO update process and urges you to protect our neighborhoods and the people who live in them.

Sincerely yours,

Board of Directors

Allied Neighborhoods Association