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# Planning Commission Report

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**Planning Commission Meeting: November 28, 2012**

**Agenda Item: 10-A**

To: Planning Commission  
From: Jory Phillips, Deputy Director – Special Projects  
Subject: Zoning Ordinance Update: Mixed-Use and Commercial Development Standards and Design Guidelines

## **Introduction**

Zoning Ordinance Update consultants Dyett & Bhatia have completed a first draft of the development standards for mixed-use and commercial districts in Santa Monica. John Kaliski Architects has concurrently completed a first draft of design guidelines for mixed-use areas. These standards and guidelines will primarily be applicable along boulevards and commercial streets in Santa Monica, excluding the Downtown and the Bergamot planning areas. It is expected that those plans will implement their own standards for height limits, floor area ratios, use requirements, and design guidelines, while primarily relying on the revised Zoning Ordinance for administrative provisions relating to elements such as definitions, measurements, and typical review process requirements.

The standards and guidelines have been drafted to advance the following goals of the Zoning Ordinance Update:

1. Implement the LUCE.
2. Improve the quality of new development and design while allowing creative architectural expression.
3. Provide greater clarity for the community and applicants.
4. Improve permit review by creating new and modifying existing processes.
5. Modernize the Zoning Ordinance.

This report is intended to help frame a discussion with the Planning Commission and public, and to inform staff and the consultant on recommendations for the revised Zoning Ordinance and Design Guidelines. It provides a general summary of the main issues and questions discussed in the attached Mixed-Use and Commercial Development Standards Module, and highlights key background information and policy questions.

## Discussion

### *Vision for the Boulevards*

The LUCE established policies that conserve residential neighborhoods while directing new development and housing to Santa Monica's commercial areas. By allowing new mixed-use development—typically buildings with retail and service uses at the ground level, with housing above—along the streets closest to the EXPO light rail line and those served by a high level of transit, the new Zoning Ordinance will help create complete neighborhoods and integrate land use and transportation, two core framework elements of the LUCE.



Mixed-use and commercial buildings along the boulevards play a key role in fulfilling the concept of residents being able to have access to their daily needs within walking distance. It is important for residents to have easy access to groceries, restaurants, bike shops, small personal training gyms, cafes, pharmacies, bus stops, and light rail stations. Putting new housing above commercial uses provides more customers close by, which helps support a greater variety of uses and improves the overall health of neighborhoods.

The LUCE calls for the physical environment of these mixed-use areas to be walkable and to support transit, bicycling, and other non-auto forms of transportation. The Zoning Ordinance and design guidelines will help implement this through requirements and guidelines for pedestrian improvements along the street, such as wide sidewalks, plazas, and seating areas, as well as requirements and guidelines for ground-floor uses

and design elements that “activate” the street, such as locating buildings adjacent to the sidewalk, transparent storefronts, easily identifiable pedestrian entries, and stoops.

### *Design Guidelines*

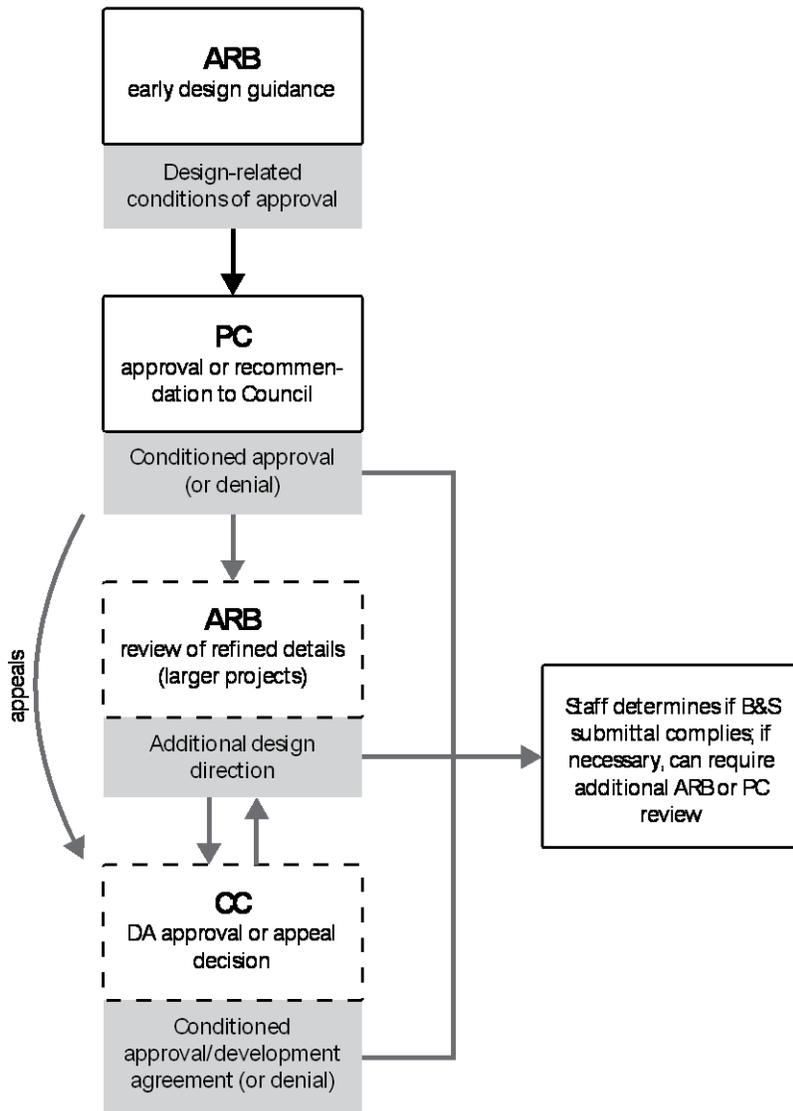
As with the multifamily guidelines presented to the Planning Commission on November 7, 2012 the attached guidelines were prepared in tandem with Zoning Ordinance development standards, based on feedback received from the Planning Commission, Architectural Review Board, design professionals, and the public. The guidelines are based on principles of good urban design and were informed by the LUCE, which expresses many of the principles embodied in the document. The design guidelines are intended to offer ways to address issues of compatibility that at times may be more difficult to address with fixed development standards. They are intended to be complementary to development standards by establishing design objectives and examples of ways the objectives may be achieved, along with the flexible means for creative design solutions.

The Mixed-Use Corridor Design Guidelines follow the same outline as the multi-family guidelines: they include background information about the existing context, overall design objectives, and the guidelines themselves. Many of the objectives and guidelines for the mixed-use areas are very similar to those presented for multi-family areas, with the guidelines for mixed-use including additional consideration to foster strong retail and commercial areas, along with transitions to lower-density areas.

The Planning Commission began discussing how the new design guidelines fit into the overall review process for new developments at its November 7, 2012 meeting. At that meeting, staff presented the concept of early review by the Architectural Review Board to provide recommendations related to preliminary design, such as siting, massing, and general urban design compatibility, prior to Planning Commission review.

On November 7, commissioners expressed support for flexible guidelines. Several commissioners were also clear that adding another meeting for project review needs to be approached carefully, and that the process should not become overly cumbersome. Several commissioners also indicated a preference to have environmental and sustainability-related guidelines incorporated into the document.

### Conceptual Development Review Process



### *Flexibility: Modifications and Waivers*

Implementing a system to enable flexibility when it is needed for better design or common-sense situations is a goal of the Zoning Ordinance Update. Many communities use a system to allow minor modifications to development standards, because built environments often have physical intricacies and variations that differ from codified standards. These varying elements can often contribute towards neighborhood character and help create a sense of place. Two examples of this include the existing OP1 zone of the Borderline neighborhood just south of Lincoln, as well as the R2R zone adjacent to the beach, where both lots and structures are smaller than in most of the rest of the city.

An idea that has been discussed by staff, and brought up at the November 7, 2012 Planning Commission meeting, is that of linking requests for development standard modifications or waivers to the objectives of the Design Guidelines. In projects that propose new buildings, the City may want to require that all design objectives be met (excepting those projects that are exceptional enough to meet the “flexibility” objective). If meeting the objectives is compulsory, the City could allow such flexibility in situations where it can be demonstrated that doing so results in design solutions that better meet the objectives in terms of performance. An example of this would be allowing a new structure to be built with similar setbacks as adjacent structures, even if they are smaller than Zoning Ordinance setback requirements, as a means of maintaining the same pattern and scale along a street.

Modifications could be limited up to a certain percentage or amount (e.g. 10% of required open space), while waivers could be available for certain design-related requirements (e.g. upper-story setbacks on one side of a structure). Modifications and waivers could be restricted from certain types of development standards, such as those that affect height, bulk, and density. (Exceptions to height limits would continue to be allowed things like solar panels or chimneys.)

Modifications are particularly important for encouraging remodels and the rehabilitation and reuse of existing structures. Small modifications (e.g. up to 18 inches or 5%, whichever is smaller) to development standards could potentially be made at the staff level without having to meet Design Guideline objectives to help small remodels and similar projects. Defined categories of larger modifications or waivers could be required to obtain ARB and/or PC approval and meet all Design Guideline Objectives to be considered.

Staff and consultants will make specific recommendations related to the waiver and modification process in the Administration module, which is currently scheduled for Planning Commission review in early February 2013.

*Questions for the Planning Commission*

Question 1 – Maximum Heights and Floor Area Ratios (FAR)

An underlying assumption in the draft standards presented is that the heights and FARs that were adopted in the LUCE are appropriate for most areas the city, and generally the draft standards include those as maximum limits. However, staff and consultants understand that some of the maximum heights and FARs in the LUCE may not be entirely desirable in all areas, and particularly in lower-density neighborhood commercial areas.

Staff and consultants have heard from neighbors adjacent to Montana Avenue, Main Street, and Lincoln Boulevard that adopted LUCE FARs are greater than they would prefer to be allowed by the Zoning Ordinance. This raises a broader question: if different maximum heights and FARs are adopted for most or all zones, is the LUCE less meaningful as guiding policy? On the other hand, the LUCE allows larger buildings in places like the Montana Avenue and Main Street commercial areas than what the Zoning Ordinance allows today, which may not be appropriate.

**General Comparison of Heights and FARs for Main Street and Montana Ave**

	Max Height (stories/ft)	Max FAR
<b>Existing Zoning</b>		
C2 – Montana Ave	2/30	0.25 to 0.75, depending on lot size and if 30% project is residential
CM2 – Main Street	2/27	0.8; 1.5 for preferred projects
<b>Proposed Zoning</b>		
NC – Montana Ave	2/32	0.25 to 1.0, depending on lot size, inclusion of residential or a grocery store, or inclusion of affordable housing
NC – Main Street	2/27	Tier 1: 0.8 Tier 2: 1.5
<b>LUCE</b>		
Neighborhood Commercial (NC)	2/32	Tier 1: 1.5; 1.75 with affordable housing (No Tier 2 or Tier 3 specified)

- *When is it appropriate for maximum heights and FARs in the Zoning Ordinance to vary from the LUCE?*
- *Should the updated Ordinance continue to require maximum allowable FAR to decrease as parcel size increases or use other development standards to encourage or require smaller buildings?*

## Question 2 – Calculating Floor Area

The existing zoning ordinance “discounts” the amount of floor area for certain uses and activities as a means to incentivize them. This practice is somewhat at odds with the Tier system adopted in the LUCE. The LUCE includes maximum floor areas for three different tiers of review purview: projects at the Tier 1 level would be allowed the lowest levels of height and FAR and would be approved at the administrative (staff-approved) level. Tier 2 allows taller buildings and more FAR for projects that provide community benefits through a discretionary (Planning Commission approval) process. Finally, Tier 3 allows the highest levels of development only with a Council-approved development agreement and when community benefits are provided. By adopting FARs into the LUCE for different zoning districts, the City has established an expectation of the maximum amounts of building envelope that will be allowed under specific thresholds of review purview.

Continuing to discount floor areas for certain activities, particularly in significant amounts, is problematic under the LUCE’s Tier system. To a large extent, the Tier system itself is a more transparent version of the existing Zoning Ordinance’s floor area discount mechanism. By including community benefits, such as affordable housing, a project may be eligible for Tier 2 or Tier 3 levels of development. While floor area discounts are effective incentives to encourage certain uses, continuing to use them would result in buildings that are larger than what is expressed in the LUCE. Not including floor area discounts helps promote transparency and consistent expectations for maximum building sizes.

The attached consultant report lists a variety of situations where floor areas are currently discounted. Some activities/uses do not necessarily contribute towards increased bulk and density, such as open spaces, plazas, or rooftop parking. Some uses should also be incentivized to be built below-grade, such as storage and parking, by not counting them towards building FAR. There are, however, uses such as bike parking and shower facilities for bike commuters that the City does want to incentivize to be above-grade: one means of doing so is not counting floor area for those areas in parking requirements.

- *Does the Planning Commission agree that the purpose of LUCE FARs is to limit above-grade bulk and density of buildings?*
- *Are Floor Area “discounts” appropriate in the post-LUCE era, when max FARs have been adopted as policy?*
- *What types of uses/activities/situations are the most important to incentivize?*

- *Should we use other methods, such as parking requirement reductions or waivers? What other incentives should be considered?*

### Question 3 – Varying Setbacks to Maximize Light for Residential Uses in Mixed-Use Districts

The attached report on development standards proposes minimum setbacks of five to 15 feet for any building wall containing windows for residential units and facing an interior side or rear yard, to provide light and air for residential units and additional separation for rooms that contain areas that require privacy considerations. The required setbacks would extend three feet on either side of respective windows. The Building Code also requires varying setbacks based on the type of use, percentage of wall openings, and fire ratings, but in much smaller amounts.

- *Are interior setbacks necessary for buildings in mixed-use districts that include residential uses or should standards only apply to buildings that abut residential districts?*

### Question 4 – Building Transparency; Required Openings for Non-Residential Uses

“Transparency requirements” are typically used along street-level, street-facing facades for non-residential uses as a means of helping to ensure that ground-level commercial spaces will be viable and contribute to the life of the street. They typically require a certain percentage of the ground-floor façade facing the street to be composed of fenestrations and doorways that allow a view from the sidewalk outside into the interior of the space.

The attached development standards report lists options such as:

- Require that openings must provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
  - Require that ground-level, street-front facades include windows, doors, or other openings for at least 60 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk.
- *What are appropriate requirements for openings, and how much of the building frontage must be transparent or provide openings to the street?*

### Question 5 – Building Orientation and Entrances

Similar to the above, building orientation and entrance requirements are intended to help make buildings more pedestrian-oriented and to increase the “permeability” between the public realm and the private realm. The Zoning Ordinance can include prescriptive requirements for entrances, and potentially offer other flexible design solutions through design guidelines and the design review process. The attached development standards report explores options such as angling or chamfering buildings on street corners, as well as requirements for clear and separate entries to residential units in mixed-use structures.

- *What sort of “building orientation and entrance” standards should the ordinance include?*

### **Attachments**

- A. Mixed-Use and Commercial Development Standards Module
- B. Draft Multi-family Design Guidelines