

## Appendix C

### Public Participation Summary

Public participation is an important component of the planning process in Carpinteria, and this update to the Housing Element has provided residents and other interested parties numerous opportunities for involvement. The following section describes the City's efforts to ensure broad public engagement, particularly by persons and organizations representing the interests of lower-income households and persons with special needs, and describes how public comments were incorporated into this Housing Element. All materials published by the City were made available in both English and Spanish.

Stakeholder notification list. At the outset a stakeholder list was compiled including persons and organizations representing the interests of lower-income households and persons with disabilities and other special needs (see Table C-1).

Housing Element website and FAQ. A Housing Element web page was created on the City website<sup>4028</sup> and a *Housing Element Frequently Asked Questions* was prepared (Figure C-1) and posted on the website.

Public meetings. Over the course of the project a total of \_\_\_ public meetings were held to discuss the Housing Element update. Public notices, agendas and materials for all City Housing Element meetings were posted on the website and at City Hall in advance of each meeting and also sent directly by mail or email to the list of stakeholders, which included housing advocates and non-profit organizations representing the interests of lower-income persons and special needs groups. Notices of public hearings were also published in the local newspaper as required by law.

For each public meeting the City offered reasonable accommodation for persons with disabilities to assist them in participating in the meeting, including the availability of transcription of meeting minutes for non-English speakers. Transcribed minutes were made available by the City and may also be easily translated into many other languages via free web applications such as Translate.Google.com. Real-time transcription of the meetings was available using web applications such as Live Transcribe or Live Caption. Video of each public meeting is also posted on the City website at <https://carpinteriaca.gov/city-hall/agendas-meetings/>.



**SAVE THE DATE**

# South Coast Housing Workshop

**Wednesday • June 22, 2022 • 4-6pm**  
 Santa Barbara Central Library • Faulkner Gallery  
 40 East Anapamu Street

Come learn about the Housing Element process, regional needs, and local challenges. You will have the opportunity to discuss solutions to South Coast housing challenges with local representatives. This event will include a panel discussion and breakout groups for each jurisdiction.

**Register now to be entered to win Amazon gift cards.**

Register at [bit.ly/southcoasthousing](http://bit.ly/southcoasthousing)  
 Livestream [bit.ly/housing-livestream](http://bit.ly/housing-livestream)

Logos: City of Goleta, County of Santa Barbara, County of San Diego, County of Santa Cruz, Santa Barbara Foundation



**RESERVE LA FECHA**

# Taller Sobre Vivienda en la Costa del Condado

**Miércoles • 22 de Junio, 2022 • 4-6pm**  
 Biblioteca Central de Santa Bárbara • Galería Faulkner  
 40 East Anapamu Street

Venga a aprender sobre el Proceso de Elemento de Vivienda, las necesidades regionales, y los desafíos locales. Tendrá la oportunidad de discutir soluciones a los retos de vivienda de la Costa Sur del Condado con representantes locales. Este evento incluirá un panel de discusión y grupos de trabajo para cada jurisdicción.

**Regístrese ahora para participar en el sorteo de tarjetas de regalo de Amazon.**

Regístrese en [bit.ly/southcoasthousing](http://bit.ly/southcoasthousing)  
 Transmisión en vivo [bit.ly/housing-livestream](http://bit.ly/housing-livestream)

Logos: City of Goleta, County of Santa Barbara, County of San Diego, County of Santa Cruz, Santa Barbara Foundation

<sup>4028</sup> <https://carpinteriaca.gov/city-hall/community-development/planning/housing-element-update/>

The initial public meeting for the Housing Element update was a Planning Commission study session conducted on June 6, 2022. Interested parties had the option of attending in persons or remotely, which allowed those with mobility issues a convenient way to participate. The purpose of the meeting was to introduce the Housing Element update process to the community and City Planning Commission. The presentation included State requirements, an overview of the Housing Element update process, key housing issues to be addressed, current housing needs, the Regional Housing Needs Assessment, potential constraints to housing, and opportunities for public participation. Comments during the study session included the following:

- ADUs are an important source of housing and should be encouraged but they are expensive to build – does the City have any leverage to encourage affordable ADUs?
- The City should confirm the current capacity for housing before amending zoning
- Concern about housing development in the unincorporated area adjacent to the city
- Density higher than 25 units/acre may be appropriate to encourage more housing development
- How would sea level rise affect housing capacity?
- It is important to maintain land for industrial use to preserve jobs and avoid becoming a bedroom community
- Taller buildings may be appropriate in some locations
- Working from home has become much more common – how does that affect housing demand?

On June 22, 2022 a South Coast Housing Workshop was conducted at the Santa Barbara Central Library. The workshop was jointly sponsored by the County of Santa Barbara, the City of Santa Barbara, the City of Carpinteria, the City of Goleta and the Santa Barbara Foundation. The workshop included a presentation, a panel discussion and breakout group discussions for each jurisdiction.

A second Planning Commission public meeting was conducted on August 1, 2022. Interested parties had the option of attending in persons or remotely. The focus of this meeting was identifying potential options and locations for expanding housing development opportunities. Potential strategies included adding a housing overlay zone in areas where zoning does not currently allow housing and increasing allowable densities. A representative from Peoples Self Help Housing attended the meeting and provided information regarding affordable housing development and options for increasing development opportunities in Carpinteria.

The initial public review draft Housing Element was then prepared and posted for public review on October 10, 2022. Notice of the availability of the draft Housing Element was sent to all parties on the stakeholder list (Table C-1). The draft element was reviewed at a joint public meeting conducted by the City Council and Planning Commission on October 17, 2022. Comments at that meeting are summarized in Table C-2 and included concerns about how future sea level rise will impact housing supply and the importance of ADUs and the Residential Overlay in creating additional housing opportunities to accommodate regional housing needs.

After the required public review period pursuant to Government Code Sec. 65585 the draft Housing Element was submitted to the Department of Housing and Community Development (HCD) for review on November 23, 2022 pursuant to Government Code Sec. 65585(b). HCD's comment letter was provided on February 21, 2023.

After receiving HCD's review letter, a revised draft Housing Element was prepared and posted for public review on March 16, 2023. Notice of the availability of the revised Housing Element was sent to all parties on the stakeholder list (Table C-1).

On March 20, 2023 the Planning Commission conducted a public hearing to review the revised Housing Element and receive public comments. At the conclusion of the hearing the Planning Commission [REDACTED].

On April 10, 2023 the City Council conducted a public hearing to review the revised Housing Element, Planning Commission recommendations, and receive public comments. At the conclusion of the hearing the City Council

In addition to public comments offered at public meetings, the City received written comments from California YIMBY, the Grey Panthers Santa Barbara Network, ~~Eddie Siegel,~~ the Carpinteria Valley Association ~~and Russell Ruiz,~~ Peoples Self Help Housing, and several individuals. Copies of those letters are provided below.

Table C-2 provides a summary of public comments received on the draft Housing Element and how those comments have been addressed.

**Table C-1  
Housing Element Stakeholder List**

<a href="#">Carpinteria 6th Housing Element Stakeholder List Master Mailing List</a>		<a href="#">Coastal View News</a> <a href="#">Attn: Debra Herrick</a> <a href="#">4856 Carpinteria Avenue</a> <a href="#">Carpinteria, CA 93013</a>
Home Builders Association of the Central Coast P.O. Box 748 San Luis Obispo, CA 93406	California Rural Legal Assistance 2050 S Broadway, Suite G Santa Maria, CA 93454	Housing Authority of Santa Barbara County 815 West Ocean Ave. Lompoc, CA 93436
Santa Barbara County Housing Trust Fund P.O. Box 60909 Santa Barbara, CA 93160	Santa Barbara Contractors Association 914 A Santa Barbara St. PO Box 23409 Santa Barbara, CA 93121	Coastal Housing Coalition P.O. Box 50807 Santa Barbara, CA 93150
Legal Aid Foundation of Santa Barbara County 301 E. Canon Perdido St. Santa Barbara, CA 93101	League of Women Voters 328 E. Carrillo St., Ste. A Santa Barbara, CA 93101	SB Association of Realtors 1415 Chapala St. Santa Barbara, CA 93101
New Beginnings Counseling Center 324 E. Carrillo St., Ste. C Santa Barbara, CA 93101 <a href="mailto:kschwarz@sbnbcc.org">kschwarz@sbnbcc.org</a>	Transition House 425 E. Cota St. Santa Barbara, CA 93101	Peoples' Self Help Housing 26 E. Victoria St. Santa Barbara, CA 93101 <a href="mailto:info@pshhc.org">info@pshhc.org</a>
Chance Housing 13 E. Haley St. Santa Barbara, CA 93101	Santa Barbara Community Housing Corp 11 E. Haley St. Santa Barbara, CA 93101	AIA Santa Barbara Chapter 229 E. Victoria St. Santa Barbara, CA 93101
The Towbes Group, Inc. 21 E. Victoria St., Ste. 200 Santa Barbara, CA 93101	City of Santa Barbara Com Development Dept. P.O. Box 1990 Santa Barbara, CA 93102	Habitat for Humanity of Southern Santa Barbara County P.O. Box 176 Goleta, CA 93116
S.B. County, Planning and Development 123 East Anapamu St. Santa Barbara, CA 93101	Tri-Counties Regional Center 520 East Montecito St. Santa Barbara, CA 93103	Central Coast Collaborative on Homelessness P.O. Box 1990 Santa Barbara, CA 93102

Environmental Defense Center  
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Santa Barbara, CA 93101

Housing Authority of the City of Santa  
Barbara  
808 Laguna St.  
Santa Barbara, CA 93101

Santa Barbara County Fire Dept.  
4410 Cathedral Oaks Blvd.  
Santa Barbara, CA 93110

Independent Living Resource Center  
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[Carpinteria Sanitary District  
Attn: Craig Murray  
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[Carpinteria-Summerland Fire Protection  
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Attn: Todd Jenkins  
1140 Eugenia Place, #A  
Carpinteria, CA 93013](#)

[Carpinteria Valley Water District  
Attn: Brian King  
1301 Santa Ynez Avenue  
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[Santa Barbara County Air Pollution  
Control District  
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Review Program  
260 N. San Antonio Road, Suite A  
Santa Barbara, CA 93110-1315](#)

[Southern California Edison  
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10060 Telegraph Rd  
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Santa Barbara County  
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Norman, Charles R Trust  
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San Gabriel Ca 91775

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Park Lane Properties LLC  
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Hdngr Grp Dac LLC  
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Portland Or 97209 2532

Bve, LLC  
190 Serafin Way  
Carpinteria Ca 93013

Gigavac Building, LLC  
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Santa Barbara Ca 93101

Carpinteria Storage Place, Lp  
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Santa Barbara Ca 93150

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Mimaki Properties Lp  
2329 Terra Bella Ln  
Camarillo Ca 93012

Norman, Charles R Family Trust  
8665 Duarte Rd  
San Gabriel Ca 91775

Ksa Coastal, LLC C/O Alexander C  
Deconde  
1465 Sycamore Cyn Rd  
Santa Barbara Ca 93108

Shepard Place Ltd  
Po Box 20130  
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Delwiche Family Trust 6/17/10  
7032 Casitas Pass Rd  
Carpinteria Ca 93013

Berkenmeier, Robert J & Sugiyama,  
Janice M Family Living Trust 3/4/05  
1065 Eugenia Pl  
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Godfrey, James E Trustee  
(For) Godfrey Fam Trust  
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Eugenia Associates Co Robert J Godfrey  
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Gallant, Philip A  
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Hanrahan Residual Trust 9/28/89  
111 Calle Bello  
Santa Barbara Ca 93108

003-870-001

Desandre Living Trust 7/9/15  
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Lizarraga, John Peter & Patricia Trust B  
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Svb Properties  
165 Olive Mill Ln  
Montecito Ca 93108

Eugenia Spaces, LLC  
2886 East Valley Rd  
Santa Barbara Ca 93108 1612

Mallard Partners, LLC  
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Meister, Craig & Sharon Family Trust  
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Carpinteria Ca 93013

Brand Assest Management LLC  
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## Figure C-1 Housing Element FAQ



### Frequently Asked Questions 2023-2031 Housing Element Update

#### I. What is a Housing Element?

State law<sup>1</sup> requires each city to adopt a comprehensive, long-term General Plan for its physical development. General Plans include several “elements” that address various topics. The Carpinteria General Plan<sup>2</sup> is organized into the following elements:

- Land Use
- Community Design
- Circulation
- Open Space, Recreation & Conservation
- Safety
- Noise
- Public Facilities & Services
- Housing

Most portions of city General Plans have a “time horizon” of 20-25 years; however, State law requires that Housing Elements be updated every 8 years. Housing Element planning periods are sometimes referred to as *cycles*. The City’s current Housing Element covers the planning period extending from 2015 to 2023, which is referred to as the “5<sup>th</sup> Housing Element cycle” in reference to the five required updates that have occurred since the comprehensive revision to State Housing Element law in 1980. Every city in the Santa Barbara County Association of Governments (SBCAG) region is required to prepare a Housing Element update for the 6<sup>th</sup> planning cycle, which spans the 2023-2031 period.

State law<sup>3</sup> establishes detailed requirements for Housing Elements, which are summarized in California Government Code Section 65583:

*The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.*

<sup>1</sup> California Government Code Sec. 65300 et seq.

<sup>2</sup> <https://carpinteriacalifornia.gov/city-hall/community-development/planning/>

<sup>3</sup> California Government Code Sec. 65580 et seq.



## 2023 Housing Element FAQ

### 2. What are the most important issues that must be addressed in the Housing Element?

The major issues that must be addressed in the Housing Element are: 1) how City policies, plans and regulations help to meet the region's housing needs for people at all income levels; and 2) how City land use regulations accommodate the special housing needs of persons with disabilities or other difficulties.

- **Accommodating Regional Housing Needs.** Every community is dependent on a variety of low- and moderate-income workers in jobs such as child and elder care, medical support, business and personal services, retail trade, and maintenance. While governmental programs provide funding assistance for affordable housing, city plans and regulations determine the type of housing that can be built. Therefore, a sufficient supply of affordable housing is dependent on both financial assistance and city development regulations.

Under State law<sup>a</sup> all cities are required to plan for additional housing to accommodate population growth and existing housing problems such as overcrowding and high housing cost. State law recognizes that most housing is built by private developers, not cities. However, cities are required to adopt policies, plans, and development regulations to encourage a variety of housing types that are affordable for persons at all income levels, including multi-family rental housing and accessory dwelling units (ADUs). The Regional Housing Needs Assessment (RHNA) is the process by which each jurisdiction's share of new housing needs is determined (see #4 below).

- **Housing for Persons with Special Needs.** Under State law<sup>c</sup> cities must also ensure that their plans and regulations encourage the provision of housing for persons with special needs including:
  - ✓ Reasonable accommodation for persons with disabilities
  - ✓ Transitional and supportive housing
  - ✓ Residential care facilities
  - ✓ Emergency shelters and "navigation centers"

### 3. What is "affordable" housing?

By definition, housing is considered "affordable" when total housing cost, including utilities, is no more than 30% of a household's gross income. State law describes five income categories, which are based on county median income as shown in Table 1.

**Table 1. Household Income Categories**

Income Category	% of County median income
Extremely low	Up to 30%
Very low	30-50%
Low	50-80%
Moderate	80-120%
Above moderate	Over 120%

Source: California Government Code Sec. 65584(f)

<sup>a</sup> California Government Code Sec. 65583

<sup>c</sup> California Government Code Sec. 65583(a)(5)



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Affordable housing costs for all jurisdictions in Santa Barbara County that correspond to these income categories are shown in Table 2. Affordability figures are adjusted each year and are based on family size.

**Table 2. Income Categories and Affordable Housing Costs – Santa Barbara County**

Income Category	Maximum Income	Affordable Rent	Affordable Price (est.)
Extremely low	\$41,900	\$1,048	\$135,000
Very low	\$69,850	\$1,746	\$255,000
Low	\$111,900	\$2,798	\$415,000
Moderate	\$120,100	\$3,003	\$445,000
Above moderate	>\$120,100	>\$3,003	>\$445,000

Assumptions:

-Based on a family of 4 and 2022 State income limits

-30% of gross income for rent or principal, interest, taxes & insurance plus utility allowance

-10% down payment, 5.5% interest, 1.25% taxes & insurance, \$350 HOA dues

Source: Cal. HCD; JHD Planning LLC

## 4. What is the "RHNA" why is it important?

Each California city is required to plan for new housing to accommodate a share of regional needs. RHNA is the process established in State law<sup>6</sup> by which each city's housing needs are determined.

Prior to each Housing Element planning cycle the region's total housing need is determined by the California Department of Housing and Community Development (HCD) based upon economic and demographic trends, existing housing problems such as overcrowding and overpayment, and additional housing needed to ensure reasonable vacancy rates and replace units lost due to demolition or natural disasters. The total housing need for the region is then distributed to cities and counties by SBCAG based upon criteria established in State law.<sup>7</sup>

In January 2021 HCD determined that the total new housing need for the SBCAG region in the 6<sup>th</sup> Housing Element cycle is 24,856 units. SBCAG then prepared a RHNA plan that allocates a share of the RHNA to each jurisdiction in the region.<sup>8</sup> Table 3 shows the RHNA allocations for Carpinteria and the SBCAG region.

**Table 3. 6<sup>th</sup> Cycle RHNA – Carpinteria and SBCAG Region**

	Carpinteria	SBCAG Region
RHNA allocation 2023-2031 (housing units)	901	24,856

Source: SBCAG, 7/15/2021

The RHNA Plan distributes each jurisdiction's total housing need among the income categories shown in Tables 1 and 2 above (the extremely-low and very-low categories are combined for RHNA purposes). The 6<sup>th</sup> cycle RHNA allocation for Carpinteria by income category is shown in Table 4.

<sup>6</sup> California Government Code Sec. 65584 et seq.

<sup>7</sup> California Government Code Sec. 65584(d)

<sup>8</sup> <http://www.sbcaq.org/rhna.html>



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**Table 4. 6<sup>th</sup> RHNA by Income Category - Carpinteria**

Very Low	Low	Moderate	Above Moderate	Total
286	132	135	348	901

Source: SBCAG, 7/15/2021

### 5. Is the RHNA a construction quota or mandate?

The RHNA allocation identifies the amount of additional housing a jurisdiction would require in order to have enough housing at all price levels to fully meet the needs of its existing population plus its expected population growth over the next 8 years while avoiding problems like overcrowding and overpayment. The RHNA is a planning requirement that identifies housing need, *not a construction quota or mandate*. Jurisdictions are not required to build housing or issue permits to achieve their RHNA allocations, but State law establishes specific requirements when housing production falls short of RHNA allocations. One such requirement is streamlined review of housing development applications that meet specific standards.<sup>9</sup> Other than requirements for streamlined permit processing, there are currently no legal or financial penalties imposed on cities that do not achieve their RHNA allocations.

### 6. What must the City do to comply with the RHNA?

The Housing Element must analyze the City's potential capacity for additional housing based on an evaluation of land use patterns, development regulations, development constraints (such as infrastructure availability and environmental conditions) and real estate market factors. The analysis must be prepared at a parcel-specific level of detail and identify properties where additional housing could be built consistent with current regulations. This evaluation is referred to as the "sites analysis" and State law requires the analysis to demonstrate that the City has adequate capacity to fully accommodate its RHNA allocation in each income category. If the sites analysis does not demonstrate that adequate capacity exists to fully accommodate the RHNA, the Housing Element must describe what steps will be taken to increase capacity commensurate with the RHNA – typically through amendments to land use and zoning regulations that could facilitate additional housing development.

Under State law, areas that are zoned to allow residential or mixed-use development at a density of at least 20 units/acre in the smaller cities of Santa Barbara County, including Carpinteria, are considered appropriate for affordable housing in the very-low and low income categories. Potential accessory dwelling units (ADUs) can also accommodate future housing need in all income categories.

The sites analysis is one of the most important components of the Housing Element update.

<sup>9</sup> California Government Code Sec. 65913.4 (SB 35 of 2017)



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### 7. Housing development is very expensive in Santa Barbara County. What happens if cities don't achieve their assigned housing needs?

Housing development is very expensive, particularly in coastal areas, and housing that is affordable to low- and moderate-income families typically requires large subsidies. While State housing law is based on the premise that every city has an obligation to use its governmental powers to encourage housing development at all income levels, it is recognized that available financial resources are not sufficient to produce all of the affordable housing needed. Therefore, if a city has adopted appropriate plans and regulations to encourage housing development commensurate with its RHNA allocation, it will not be penalized if actual production does not achieve assigned needs. However, under some circumstances State law requires that cities provide streamlined permit processing of housing developments if housing production falls short of RHNA goals.

### 8. What is "certification" of the Housing Element and why is it important?

The State delegates authority to HCD to review Housing Elements and issue findings regarding the elements' compliance with the law.<sup>10</sup> If HCD issues a finding that the Housing Element is in substantial compliance with State law it is referred to as "certification" of the Housing Element. In 2015, HCD determined that Carpinteria's current Housing Element was in full compliance with State law. The City is now preparing a Housing Element update for the 2023-2031 period.

Housing Element certification is important for two main reasons:

- **Local control.** The General Plan establishes the foundation for the City's land use plans and regulations, and the Housing Element is part of the General Plan. If the City were challenged in court on a land use matter and the Housing Element were found by the court to be out of compliance, the court could order changes to City land use plans and assume control over some City land use decisions. In such circumstances, HCD certification would support the City's legal defense. Recent laws also allow for courts to impose fines if a jurisdiction fails to adopt a compliant Housing Element.<sup>11</sup>
- **Eligibility for grant funds.** Some State grant funds are contingent upon Housing Element certification.

### 9. What is the process and timeline for the Housing Element update adoption and certification?

State law requires every city in Santa Barbara County to prepare a Housing Element update for the 6<sup>th</sup> planning cycle, which spans the 2023-2031 period. The due date for adoption of the revised Housing Element is February 15, 2023. Cities are required to submit a draft Housing Element to HCD for review prior to adoption, and the City must consider HCD's comments in its decision to adopt the Housing Element. After adoption by the City Council, the Housing Element must be submitted for a second review by HCD. If HCD finds

<sup>10</sup> California Government Code Sec. 65585

<sup>11</sup> AB 101 of 2019



### 2023 Housing Element FAQ

that the adopted Housing Element fully complies with the requirements of State law it is referred to as "certification" of the Housing Element (see also #8 above).

#### **10. How can I find out more about the 2023 Housing Element update?**

The City has created a Housing Element webpage (<https://carpinteriaca.gov/city-hall/community-development/housing/>) where meeting notices, draft documents, and other materials will be posted throughout the course of the project.

**Table C-2**  
**Housing Element Public Comment Summary**

Comment	How this comment has been addressed
We have a housing crisis	Yes, the State Legislature has declared there is a housing crisis in California. The programs contained in this Housing Element are intended to address the housing crisis to the extent the City has the ability to do so.
The housing market is strongly influenced by investors	Yes, many factors contribute to housing problems that are beyond the City's control, such as housing speculators and investors, State environmental regulations, State and Federal tax policy, private business decisions, and the cost of labor and materials.
If a site is listed in the inventory, is it required to be developed for affordable housing?	No, the sites inventory only describes where additional housing could be built based on zoning regulations. Property owners will decide if and when development occurs. The City or the State cannot force property owners to develop their property for housing.
Lower-income sites should be located in high opportunity areas to affirmatively further fair housing.	As noted in Appendix D, the entire city is designated by the State as either moderate- or low-resource.
Development should not permanently displace current residents. Housing replacement programs, temporary housing vouchers, right of return, and demolition controls will create stability for renters while allowing new homes to be built for new households and to accommodate the growth associated with RHNA. In your sites inventory and rezoning programs, you should prioritize development on sites with owner-occupied housing & commercial uses over those with existing rent-controlled apartments or other rental housing with lower income residents.	<del>As noted in Appendix B (Sites Inventory) none of the sites identified for future housing development are occupied by residential uses; therefore, no displacement of existing residents will occur.</del> <a href="#">Program 17 in the Housing Plan addresses risk of displacement and includes a commitment to ensure compliance with legal protections and replacement housing requirements for existing tenants who may be displaced by new developments.</a>
The housing element should identify opportunities to create a variety of for-sale housing types and create programs to facilitate property ownership among excluded groups.	The Housing Element supports home ownership through first-time homebuyer programs (Program 20) as well as through the expansion of housing development opportunities (Program 1).
Ensure that a site's density will accommodate the number of homes that are projected to be built. In addition, make sure height limits, setback requirements, FAR, and other controls allow for adequate density and the ability to achieve a site's realistic capacity. This density should be emphasized around jobs and transit and should go beyond the Mullin density in those areas.	As described in Appendix B (Sites Inventory) the analysis of realistic capacity considers development standards such as height and FAR to facilitate development at the assumed densities. In addition, Program 1 stipulates minimum densities for candidate opportunity sites.
Allow residential to be built in areas that are zoned for commercial use.	As described in Program 1 and Appendix B (Sites Inventory) the proposed candidate opportunity sites include areas that are currently zoned for commercial use.
We ask you to prioritize older adults as a specific goal in your Housing Element planning.	The City addresses the needs of seniors in a variety of ways, including compliance with building code accessibility requirements (Municipal Code Title 15), zoning regulations to encourage senior housing, assisted living and residential care facilities and provide

Comment	How this comment has been addressed
<ul style="list-style-type: none"> <li>Define “senior housing” more clearly to include requirements for accessibility and access to services.</li> <li>Zone for more senior housing options to meet senior needs as they progress through the senior housing care continuum.</li> <li>Expand “by right” zones in which senior housing with services is permitted.</li> <li>In commercial zones, expand permitted uses for licensed residential care, with conditional use permits for independent living as a “by right” use.</li> <li>Provide regulatory incentives for builders by adding a regulatory “fast track” incentive for builders on senior housing projects.</li> <li>Assure needed senior housing is located appropriately to transportation options.</li> <li>Older Adults need housing that is accessible and built according to ADA and applicable housing legislation/regulations &amp; specifications. Countywide, 31% aged 60 and over identify as having a disability.</li> </ul>	<p>reasonable accommodation for persons with disabilities (Program 11).</p>
<p><a href="#"><u>Support for R-Overlay to allow additional housing in the downtown commercial core commercial/industrial areas</u></a></p>	<p><a href="#"><u>Program 1 in the Housing Plan includes a zoning amendment on sufficient sites to create additional opportunities for new housing commensurate with the RHNA allocation.</u></a></p>
<p><a href="#"><u>I wanted to let you know how much we continue to appreciate you, your planning staff, the City Manager's leadership and the City's elected officials' support for affordable housing developed and operated by People's Self-Help Housing. Of all the 30+ jurisdictions we work with along the Central Coast region, the City of Carpinteria is a standout, when it comes to championing projects and supporting our residents' success. I was reflecting how the City has provided our multiple properties developed in the Carpinteria so many keys to their success. Most helpful have been development impact fees relief, processing our entitlement approvals in an expedited manner, supporting projects with permanent soft loans, passing through the City's CDBG and HOME allocations, and even donated surplus City land to develop additional units. We so appreciate your and the City's sincere and meaningful contributions to affordable housing!</u></a></p>	<p><a href="#"><u>The City appreciates PSHH support and looks forward to continuing our mutual successful efforts to produce affordable housing in Carpinteria.</u></a></p>

Comment	How this comment has been addressed
<u>When you recently invited me to speak to your City Council on identifying the most critical aspects for promoting more affordable housing, including on which sites within the City could best accompany potential projects, it was clearly very impactful on the decision makers, as evidenced by their engagement and even recommendations for further sites they felt could be potentially added to your inventory. I was so impressed and grateful to be a part of that process. Thanks again for reaching out to us for that purpose.</u>	

## (Modified graphics)



**YIMBY  
LAW**



**CALIFORNIA  
YIMBY**

*February 28, 2022*

### **Policy Recommendations for 6th Cycle Housing Element**

Dear Planning staff:

YIMBY Law submits this letter to share our policy goals and recommendations for the Policies and Programs section of your Housing Element. We appreciate the opportunity to participate in the Housing Element process:

**The Policies and Programs section of the city's Housing Element must respond to data, analysis and findings presented in the Housing Needs section:** We repeatedly see findings that housing prices are high, segregation exists, and there is a lack of housing for special populations, but the Policies and Programs don't respond to these findings or try to change outcomes. The overview of the city's housing environment should set the scene, and the policies and programs should explain what the city is going to do to fix it.

Our policy goals are as follows:  
Our policy goals are as follows:

#### **Affirmatively Furthering Fair Housing**

1. **Prioritize rezoning in high resource, historically exclusionary neighborhoods.** Many of the highest resource neighborhoods with the best access to jobs, good schools, and other amenities have histories of exclusion which are still reflected in their zoning. Cities should rezone to allow more housing opportunities in those neighborhoods, particularly those with low Vehicle Miles Traveled, as part of their

#### Housing Elements.

2. **Establish a strong tenant protection ordinance so that new housing benefits everyone.** Development should not permanently displace current residents. Housing replacement programs, temporary housing vouchers, right of return, and demolition controls will create stability for renters while allowing new homes to be built for new households and to accommodate the growth associated with RHNA. In your sites inventory and rezoning programs, you should prioritize development on sites with owner-occupied housing & commercial uses over those with existing rent-controlled apartments or other rental housing with lower income residents.
3. **Support homeownership opportunities for historically excluded groups.** Homeownership continues to be a path to building financial security and inter-generational wealth, which has been systematically denied to many Americans. As a society, we need to make this right by intentionally offering opportunities to communities who have been excluded. The housing element should identify opportunities to create a variety of for-sale housing types and create programs to facilitate property ownership among excluded groups.

#### Site Capacity

4. **Adequately plan for density.** Ensure that a site's density will accommodate the number of homes that are projected to be built. In addition, make sure height limits, setback requirements, FAR, and other controls allow for adequate density and the ability to achieve a site's realistic capacity. Housing will not be feasible if you have a high density paired with low height limits. This density should be emphasized around jobs and transit and should go beyond the Mullin density in those areas.
5. **Provide sufficient zoned capacity to accommodate all income levels, including a minimum No Net Loss buffer of 30%.** Not every site will be developed at maximum density during the eight-year planning period. Identify an ample amount of opportunity sites and zone the sites to accommodate lower-income housing types (usually a statutory minimum of 30 dwelling units per acre) to give the city the best chance at meeting its RHNA.

6. **Use data from the 5th Cycle to calculate the likelihood of development for your 6th Cycle site inventory.** Likelihood of development is a measure of the probability of an inventory site being developed during the planning period. The median likelihood of development across the state is 25%, meaning only one of every four sites will likely be developed during the planning period for the median city. Incorporating the likelihood of development into the zoned capacity will set the city up to successfully achieve their RHNA, making the housing element less of a paper exercise and more of an actionable, functional document.

#### Accessory Dwelling Units

7. **Commit to an automatic mid-cycle adjustment if ADU permitting activity is lower than estimated in the housing element.** We highly recommend complying with HCD's standards of using one of its "safe harbor" methodologies to anticipate future ADU production. However, if the city is optimistic about ADU growth, then creating an automatic mid-cycle adjustment will automatically facilitate alternative housing options (i.e., a rezoning program, removing development constraints, ADU incentives, etc.) if the city falls behind the estimated ADU production.
8. **Incentivize new ADUs, including those that are rent-restricted for moderate- or lower-income households or that are prioritized for households with housing choice vouchers.** Consider offering low- or no-interest loans, forgivable loans, impact fee waivers for ADUs that are 750 square feet or larger, allowances to facilitate two-story and second-story ADU construction, etc.

#### Zoning

9. **Allow residential to be built in areas that are zoned for commercial use.** There are a myriad of ways to do this, but a housing overlay is one common policy. Additionally, consider eliminating new commercial space in mixed-use developments where there is not a strong demand or there is otherwise a glut of commercial space that is unused or frequently vacant.
10. **Allow flexibility in inclusionary zoning.** Cities should require different percentages for different AMI levels. Additionally, we urge cities to incentivize land

dedication to affordable developers in order for market-rate developers to meet their inclusionary requirements. Avoid getting trapped into thinking that the affordable units must be “sprinkled throughout” the market-rate units, or require the market-rate units to look exactly the same as the affordable ones. This should be balanced against not locating all of the affordable units in one place and ghettoizing neighborhoods by creating or perpetuating racially concentrated areas of poverty.

#### **Better Entitlement Process & Reducing Barriers to Development**

- 11. Ensure that the city has a ministerial process for housing permitting, especially multi-family housing, and remove impact fees for deed-restricted housing.** A discretionary process for housing development creates uncertainty and adds to the cost of construction. For example, multi-family housing should not require a conditional use permit or city council approval unless the builder is asking for unique and extraordinary concessions. Right-sizing governmental constraints, entitlement processes, and impact fees will help the city successfully meet its RHNA.
- 12. Reduce parking standards and eliminate parking minimums.** Minimum parking requirements are a major constraint on housing, especially for lower cost housing types. They can cost in excess of \$30,000 per spot and can raise rents by as much as 17%, and eliminating them is particularly important for smaller & other spatially constrained sites. Consider adopting a parking maximum.
- 13. Cap fees on all new housing.** Most construction costs are outside the City's control, but reducing impact fees can demonstrate that a city is serious about building new housing. At a minimum, cities should delay the collection of impact fees until the issuance of the certificate of occupancy to reduce financial impacts on new housing and make the units cheaper by not asking the developer to carry impact fee charges or debt throughout the construction phase.
- 14. Provide local funding.** One of the largest barriers to building new affordable homes is the lack of city/county funds available to assemble sites, provide gap funding, and to pay for dedicated staff. Without new funding, especially at the local level, we will not be able to build more affordable homes. There are three

new revenue streams that should be considered: 1) **Transfer tax**, a one-time payment levied by a jurisdiction on the sale of a home, may be utilized to raise much needed revenue to fund affordable homes; 2) **Vacancy tax** may be collected on vacant land to convince landowners to sell their underutilized properties and be used to fund the construction of affordable homes; 3) **Commercial linkage** fees should be adopted or revisited for increases on new commercial developments.

We urge you to include these policies in your 6th cycle Housing Element.

Best regards,

**Sonja Trauss**

Executive Director

YIMBY Law

[sonja@yimbylaw.org](mailto:sonja@yimbylaw.org)

## Gray Panthers Santa Barbara Network



July 31, 2022

To Whom It May Concern:

### Officers

President  
Richard Solomon

Membership V.P.  
Janice Keller

Secretary  
Gail Marshall

Treasurer  
David Landecker

### Directors

Richard  
Appelbaum  
Josephine Black  
Marty Blum  
Carol Keator  
David Lebell,  
MD  
Susan Rose  
Janet Wolf

As a policy, the Gray Panthers Santa Barbara Network supports housing options that are accessible, affordable and safe for all regardless of gender, health status, access needs, race or ethnicity or economic circumstance.

We ask you to prioritize older adults as a specific goal in your Housing Element planning.

- Define “senior housing” more clearly to include requirements for accessibility and access to services.
- Zone for more senior housing options to meet senior needs as they progress through the senior housing care continuum.
- Expand “by right” zones in which senior housing with services is permitted.
- In commercial zones, expand permitted uses for licensed residential care, with conditional use permits for independent living as a “by right” use.
- Provide regulatory incentives for builders by adding a regulatory “fast track” incentive for builders on senior housing projects.
- Assure needed senior housing is located appropriately to transportation options.

Housing Element Submittal  
July 31, 2022  
Page 2

Older Adults need housing that is accessible and built according to ADA and applicable housing legislation/regulations & specifications. Countywide, 31% aged 60 and over identify as having a disability.

The Gray Panthers Santa Barbara Network was incorporated as a nonprofit Public Benefit Corporation in 2020. Our membership has grown steadily since then and includes residents from all parts of Santa Barbara County. Our mission is to promote social and economic justice and oppose discrimination of all types.

Sincerely,

**Richard Solomon**  
Chair

P.O. Box 1177 Carpinteria, CA 93014 | [info@sbgraypanthers.org](mailto:info@sbgraypanthers.org) | EIN: 85-4402577

**Brian Barrett**

**From:** noreply@granicusideas.com  
**Sent:** Friday, October 14, 2022 12:55 PM  
**To:** Brian Barrett  
**Subject:** New eComment for Special Joint City Council and Planning Commission Meeting

10/17/22 cc/PC

**\*\*EXTERNAL EMAIL\*\***

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## New eComment for Special Joint City Council and Planning Commission Meeting

Russell Ruiz submitted a new eComment.

Meeting: Special Joint City Council and Planning Commission Meeting

Item: 1. Public Release of the DRAFT 2023-2031 Housing Element Update

eComment: A lot to digest there. I look forward to seeing the Staff presentation at the meeting. As most of you know I am a lifetime Local and controlled growth advocate. I have literally been involved in local development all my Life. My father and grandfather were successful South Coast building contractors. I called myself a water and land use attorney. I have been involved in local planning matters since 1985. I have great confidence in our City Planning Staff but your Council has to give them direction on what the detail of our policies will be. I will keep this short for today but my current concern with these housing policies is the reduction or even elimination of parking requirements. In LA or Sacramento that may be appropriate planning but not in the City of Carpinteria. I hope you direct Staff to compromise our parking requirements to the minimum possible. Particularly in Carpinteria the argument that Downtown you can reduce or eliminate parking requirements for high density housing is a myth. People living Downtown in Carpinteria are not going to be walking to work in most cases. They will use cars and they need to have somewhere to park them other than on neighborhood streets where parking is already constrained. I am very concerned about what I heard from our Consultant on the Downtown T planning. High density small units in second stories of commercial properties with no required parking for those units. In my opinion, a very bad idea. That's it for today.

[View and Analyze eComments](#)

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**From:** Edward Siegel <edwardsiegel@gmail.com>  
**Sent:** Sunday, October 16, 2022 5:44 PM  
**To:** Steve Goggia <steveg@carpinteriaca.gov>; Public Comment <PublicComment@carpinteriaca.gov>  
**Cc:** HousingElements@hcd.ca.gov; HousingElements@yimbylaw.org  
**Subject:** Carpinteria Housing Element Feedback

**\*\*EXTERNAL EMAIL\*\***

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Dear Carpinteria City Council and Staff,

My name is Eddie Siegel. My family moved to Carpinteria when I was about 4 years old, and I lived there until I left for college. My childhood home, a perfectly normal 3bd house in Seacoast Village, has doubled in value since my parents sold it in 2014, according to Zillow. Not unrelatedly I, like all of my childhood friends, no longer live in Carp.

First, I want to applaud the small but mighty city staff for putting together a thoughtful, detailed, time-intensive document. The Housing Element provides over double the zoned capacity above the RHNA target in its site inventory which is much more than Goleta or Santa Barbara provided in theirs.

However, I believe the current plan can be improved for both current and future city residents as well as making it more likely to meet HCD guidelines.

**Problems with the R-Overlay**

The City seeks to reach its RHNA goal of 901 units, up from 184 units built in the last cycle, primarily via new a zoning overlay on the east edges of the city on farming and commercial land. Roughly 70% of the ~2200 units in the site inventory are slotted to be built here.

The chosen area is far from downtown and is primarily commercial office space. This is problematic:

- 
- 
- Even though Carpinteria is a small city, these new residents won't be able to walk to do most of their errands, whereas they could if it was closer to downtown. Our beautiful city should be seeking to get as much walkable density as it can.
- 
- 
- 
- The city might not be Affirmatively Furthering Fair Housing by sequestering nearly all its planned higher density low income housing away from \$1m single families homes and next to a mobile/manufactured home park and other lower-cost housing. On Zillow today, all of the housing options near the main R-Overlay area are ~\$550k, compared to \$1m+ in the rest of the city.
- 
- 
- 
- Tearing down in-use commercial for an out-of-the way development next to a freeway is a risky proposition.
- Even with a 2x buffer on RHNA numbers, the city should provide explicit likelihood of development in its Site Inventory to show it feels confident that some of these units are going to get development.
- 

#### Unclear zoning guidance for the R-Overlay and Multifamily

The city should clearly define objective, by-right standards for multi-family development. In the R-Overlay zone the city is relying on for the majority of its site inventory, requirements are unclear and appear to be up for negotiation, driving up uncertainty in the development process and reducing the likelihood units get built at all, or at the density the city needs to hit its targets. The city states it *"has provided incentives for developers to facilitate inclusionary requirements."* It provides no explicit incentives and says it is all up to negotiation.

FAR, lot coverage, and minimum lot size standards for the R-Overlay district are undefined. The city notes that in negotiations it "may include" some incentives but provides no guidance on how likely or what the possible maximums might be. This does not give much certainty to prospective developers who may wish to build there. The city could provide minimum guarantees with density bonuses, and allow developers to negotiate above and beyond that for especially high-quality projects.

#### Reduce Parking and Height Restrictions

The R-Overlay zoning code sets 30ft height limits and requirements of 1-2 parking spots per unit. The city would see more affordable housing developed at a faster pace if it relaxed these requirements.

With height limits, the city has chosen to put the majority of units in a formerly commercial area. There are few existing resident's views that are blocked, and the area would be perfect for taller multi-family buildings. Taller buildings also would require smaller building footprints, giving developers flexibility to have more open space.

The city notes that "Impacts of the parking standards on housing cost and supply are minimal." The state of California disagrees – it passed AB 2097 this year due to strong evidence that minimum parking requirements

## (Added graphics)

drive up building costs and contribute to climate change. If it is true, it is because the city's lot coverage requirements are so burdensome that parking is a drop in the bucket.

### **Broaden to Downtown and RH-1 zones**

Lastly, I suggest the City look to where nearly all of the 77 in progress units it seeks to count towards its RHNA progress are – near the downtown commercial core and adjacent RH-1 areas. These are the areas people want to live, walkable to the beach, supermarkets, restaurants and other amenities. If the city believes full commercial parks are likely to be torn down to build dense affordable housing, it can easily apply the same logic to parcels that are going to be more desirable to be lived in. The city should explore zoning incentives for denser housing near Linden Ave and Carp Ave.

### **Hurry Up Your Timing**

If my math and understanding of the law is correct, the city is cutting it very close to its deadline to have an approved housing element. With a 30-day public comment period starting Oct 10, and a 90-day review window by HCD, that leaves only 10 days to incorporate public feedback and have it be approved by the city before the Feb 15 deadline, and that is assuming HCD approves the first draft. Upon Feb 15 if Carpinteria doesn't have an approved housing element, in addition to losing homeless and affordable housing money, anyone can begin to submit projects under the Builders Remedy, which ignore local zoning. This is already starting to happen in fellow beach towns [Santa Maria](#) and [Redondo Beach](#). Goleta, along with dozens of other municipalities, had their first draft rejected. Dozens are currently out of compliance. The city should swiftly review feedback and send a quality housing element to HCD.

Thank you for your hard work and consideration,

Eddie Siegel

(Added graphics)



*Protecting the beauty & natural  
resources of our valley since 1964*

City of Carpinteria  
5775 Carpinteria Ave.  
Carpinteria, CA 93013

## Carpinteria Valley Association

PO Box 27, Carpinteria, CA 93014    [CarpinteriaValleyAssociation.org](http://CarpinteriaValleyAssociation.org)

Oct 17, 2022

### Re: Agenda Item #1: Public Release of the DRAFT 2023-2031 Housing Element Update

Members of the City Council and Planning Commission:

In the draft update, under Program Category #1, the second goal listed is:

"Maintain a jobs-housing balance or ratio within the 0.75 to 1.25 range suggested by the Santa Barbara County Association of Governments."

Table I-9 lists the Employment of city residents and includes the statistic that the civilian employed population 16 years and over is 6,648 city residents. This is the number of people who live here who work somewhere, not the number of jobs in the City.

However, nowhere in this report can I find data on the number of jobs in the City of Carpinteria. Without that info, it is not possible to determine if the jobs-housing balance is within the 0.75 to 1.25 range. Therefore, it is impossible to make any evaluation about the second goal of Program Category #1. That data needs to be broken down by job sector so we have some idea of income and what housing would be within reach for workers in each sector.

Further, without information about the jobs-housing balance, critical information is missing for making the most important decision in this process: which of the sites listed in Table B-5 as "Candidate Opportunity Sites" should be selected to make up the shortfall shown in the Land Inventory Summary in Table B-1.

If we are short on jobs, we must be very careful what commercial or industrial parcels we add a residential overlay to.

We strongly urge you to ensure accurate data on both parts of the jobs-housing balance are available to you and to the public as soon as possible to appropriately inform the Housing Element Update.

One last point to consider in selecting what parcels to add a residential overlay to: It is of paramount importance that we protect the urban boundary by maintaining transitional land uses between high density residential and agricultural lands. If we don't do that, we are inviting the County to show up with more inappropriate proposals to expand our urban boundary like they have done at the north end of Bailard Avenue.

Thank you,

Mike Wondolowski  
President  
Carpinteria Valley Association  
[mwondo@cox.net](mailto:mwondo@cox.net)

## (Added graphics)

### Steve Goggia

---

**From:** Brent Freitas <bbf@eyeofthedaygdc.com>  
**Sent:** Friday, October 28, 2022 11:39 AM  
**To:** Steve Goggia  
**Cc:** Jon Friedman  
**Subject:** 4620 Carpinteria Avenue

**\*\*EXTERNAL EMAIL\*\***

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Hi Steve. We certainly support your efforts to overlay our property with high density residential use. What is of importance is the densities that will be allowed which I'm sure you understand. We don't want to get stuck or penalized moving forward with an alternative development if mixed use residential does not work financially. We look forward to moving forward and communicating with you and Planning. Regards, Brent

Brent Freitas  
President  
Eye of the Day, Inc.

4620 Carpinteria Avenue  
Carpinteria, Ca 903013

Phone: 805-566-6500 ext. 100  
Cell: 805-895-3007

(Added graphics)



November 15, 2022

Steve Goggia  
Community Development Director  
City of Carpinteria  
5775 Carpinteria Avenue  
Carpinteria, CA, 93013

Via email: [SteveG@carpinteriaca.gov](mailto:SteveG@carpinteriaca.gov)

SUBJECT: 2023-2031 Draft Housing Element – Proposed Housing Overlay  
Letter of Support (6380 Via Real, Carpinteria, CA)

Dear Mr. Goggia:

RPG Pacifica is the property owner of the vacant 8.46-acre lot located at 6380 Via Real, Carpinteria, CA, otherwise known as the Lagunitas property. As you are aware, we recently had been pursuing the construction of an entitled office project on the property. With the demand for office space continuing to evolve in a post-COVID world, it does not appear that there will be sufficient demand from the market to justify the development of the current entitled office project. We were excited, therefore, to learn of the City of Carpinteria's recent efforts to introduce a Housing Overlay for our property as well as other commercial/ industrial areas within the City as part of its Housing Element Update.

We wish to express our support of the proposed Housing Overlay at densities of 20-24 units/acre or greater. We appreciate that the Overlay is not a mandate and would not result in any legal non-conforming issues for either existing or proposed commercial developments, but would allow a property owner the option to consider housing as a potential use of his or her property in support of the City's and State's goals to provide additional residential opportunities within the City of Carpinteria.

Please let this letter serve as an indication of our support for the City's efforts to have its Housing Element (with the Housing Overlay) be certified by the California Department of Housing and Community Development as well as its implementation of any related Local Coastal Plan/ zoning changes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Leonard".

Steve Leonard  
President

Cc: Troy White, *TW Land Planning & Development, LLC*

315 S. Coast Hwy 101, Ste U-12, Encinitas, CA 92024  
[www.rafpg.com](http://www.rafpg.com)

## (Added graphics)

**Steve Goggia**

---

**Subject:** Carpinteria Candidate Site No. 1

**From:** bryan <ikamim@hotmail.com>

**Sent:** Friday, November 18, 2022 8:45 AM

**To:** Steve Goggia <steveg@carpinteriaca.gov>

**Subject:** Re: Carpinteria Candidate Site No. 1

Sent from my iPhone

Dear Mr. Goggia,

I am the owner of your Draft Housing Element Candidate Opportunity Site # 1, APNs 001-080-040, -002, and -030. My three parcels total approximately 15.8 acres, and are currently in avocado production. I appreciate your reaching out to inform me of the October 13<sup>th</sup> ZOOM webinar and the October 17<sup>th</sup> Special Joint Meeting of the Planning Commission and City Council. I wholeheartedly support the City's efforts to apply a residential only overlay on my property as it would allow a high density residential use should my agricultural operations cease to make sense financially. I look forward to continued communication as this process moves ahead.

Yours,

Bryan Mimaki

## (Added graphics)

**Steve Goggia**

---

**Subject:** FW: Could you please forward this to the appropriate channels

**From:** Justin Klentner <justin@westernbuiltconstruction.com>  
**Sent:** Friday, November 18, 2022 12:59 PM  
**To:** Steve Goggia <steveg@ci.carpinteria.ca.us>  
**Subject:** Could you please forward this to the appropriate channels

**\*\*EXTERNAL EMAIL\*\***

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Dear Mr. Goggia,

I am the owner of the Draft Housing Element Candidate Opportunity Site #17, APN 003-251-021, a nearly one acre parcel with a mixed commercial and low density residential split zoning designations. The site is currently used as an equipment rental yard, although I am exploring the potential of a mixed use residential and commercial redevelopment of the entire site. I totally support the City's efforts to apply a residential only overlay on my property as it would allow a much needed high density residential use in Carpinteria's downtown district.

Without this overlay I don't see how we can ever get the housing needs that our community so desperately needs.

Thank you for your time.

Justin Klentner

(Modified graphics) bute to climate change. If it is true, it is because the city's lot coverage that parking is a drop in the bucket.

#### **Broaden to Downtown and RH-1 zones**

Lastly, I suggest the City look to where nearly all of the 77 in progress units it seeks to count towards its RHNA progress are – near the downtown commercial core and adjacent RH-1 areas. These are the areas people want to live, walkable to the beach, supermarkets, restaurants and other amenities. If the city believes full commercial parks are likely to be torn down to build dense affordable housing, it can easily apply the same logic to parcels that are going to be more desirable to be lived in. The city should explore zoning incentives for denser housing near Linden Ave and Carp Ave.

#### **Hurry Up Your Timing**

If my math and understanding of the law is correct, the city is cutting it very close to its deadline to have an approved housing element. With a 30-day public comment period starting Oct 10, and a 90-day review window by HCD, that leaves only 10 days to incorporate public feedback and have it be approved by the city before the Feb 15 deadline, and that is assuming HCD approves the first draft. Upon Feb 15 if Carpinteria doesn't have an approved housing element, in addition to losing homeless and affordable housing money, anyone can begin to submit projects under the Builders Remedy, which ignore local zoning. This is already starting to happen in fellow beach towns, Santa Maria and Redondo Beach. Goleta, along with dozens of other municipalities, had their first draft rejected. Dozens are currently out of compliance. The city should swiftly review feedback and send a quality housing element to HCD.

Thank you for your hard work and consideration,

Eddie Siegel

## (Added graphics)



CALIFORNIANS FOR  
HOMEOWNERSHIP



YIMBY  
LAW



January 20, 2023

Dave Durlinger  
City Manager, City of Carpinteria  
Email: daved@carpinteriaca.gov

RE: Failure to Timely Engage in the Sixth Cycle Housing Element Process

Dear Mr. Durlinger:

YIMBY Law, Californians for Homeownership, and the California Housing Defense Fund are 501(c)(3) organizations devoted to using impact litigation and other legal tools to address California's housing crisis. We are writing to express serious concerns about the City's failure to timely engage in the process of developing its revised housing element. Because the City cannot legally meet the deadline for adopting its sixth cycle housing element update, we may initiate litigation against the City on or shortly after February 16, 2023 to compel the City to comply with housing element law.

We want to ensure that the City understands its obligations under state law. The City is required to adopt its sixth cycle housing element update by February 15, 2023.<sup>1</sup> The City must also submit an initial draft to the Department of Housing and Community Development (HCD) "at least 90 days prior to adoption."<sup>2</sup> Thus, in order to timely adopt a sixth cycle housing element, the City was required to submit a draft housing element to HCD by November 17, 2022. It did not do so.

Because the City will not be able to lawfully adopt a sixth cycle housing element update by February 15, 2023, it will be immediately subject to litigation under Government Code Section 65750 *et seq.* Housing element litigation is given near-complete priority in the court system.<sup>3</sup> If we are forced to litigate, in addition to being ordered to adopt a housing element on a short timeline,<sup>4</sup> the City could also face a number of serious penalties. For example, the court could suspend permitting in the City,<sup>5</sup> and it could judicially approve housing development projects within the City.<sup>6</sup> The court could impose these penalties while the litigation is pending, even before reaching a final decision.<sup>7</sup> And a successful plaintiff can obtain attorneys' fees under Code of Civil Procedure Section 1021.5.

<sup>1</sup> Gov. Code § 65588(e)(3)(A).

<sup>2</sup> Gov. Code § 65585(b)(1).

<sup>3</sup> Gov. Code § 65752.

<sup>4</sup> Gov. Code § 65754.

<sup>5</sup> Gov. Code § 65755(a)(1).

<sup>6</sup> Gov. Code § 65755(a)(4).

<sup>7</sup> Gov. Code § 65757.

## (Modified graphics)

Each of our organizations has a long track record of successful litigation against local agencies that violate state housing laws. Californians for Homeownership, in particular, has filed ten lawsuits in Southern California this year over violations of housing element law, including lawsuits against eight cities for failing to timely adopt housing elements. And all three organizations intend to seek strict enforcement of the deadlines for housing element adoption in the Bay Area, including through litigation if necessary. We assure you: this is not an empty threat.

But we are writing to offer the City an alternative to litigation. Our organizations will forego immediate litigation against the City if the City signs the acknowledgement provided below, without modification. If the City would like to take advantage of this compromise offer, please send the signed acknowledgement to [boardsmedem@yimbylaw.org](mailto:boardsmedem@yimbylaw.org) by February 14, 2023. Please do not respond with a summary of the reasons the City's housing element will be tardy; we are familiar with the full range of explanations, having engaged in this process for over a year in Southern California. If the City would like to avoid litigation, it can do so by providing a signed acknowledgement, not a letter explaining why its process has taken so long.

If you have any questions, please do not hesitate to reach out to us by sending an email to [keith@yimbylaw.org](mailto:keith@yimbylaw.org), [mat@calforhomes.org](mailto:mat@calforhomes.org), and [dylan@calhdf.org](mailto:dylan@calhdf.org).

Sincerely,



Keith Diggs  
*YIMBY Law*



Matthew Gelfand  
*Californians for  
Homeownership*

Dylan Casey  
*California Housing  
Defense Fund*

cc: Steve Goggia, Comm. Dev. Dir. (by email to [steveg@carpinteriaca.gov](mailto:steveg@carpinteriaca.gov))  
Jena Shoaf Acos, Esq., City Attorney (by email to [jacos@bhfs.com](mailto:jacos@bhfs.com))  
City Council (by email to Brian Barrett, City Clerk, [brianb@carpinteriaca.gov](mailto:brianb@carpinteriaca.gov))

## (Added graphics)

### ACKNOWLEDGMENT

The City of Carpinteria hereby acknowledges that it cannot timely adopt a sixth cycle revised housing element of its general plan within the deadline set forth in Government Code Section 65588, and that its housing element will therefore not be in substantial compliance with Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code, starting on February 16, 2023.

As a result, the City acknowledges that, starting February 16, 2023 and until such time as the City adopts a housing element that is substantially compliant with Article 10.6, it will be prohibited from rejecting any housing development project based on subdivision (d)(1) or (d)(5) of the Housing Accountability Act (HAA), Government Code Section 65589.5. The City acknowledges that this means that, unless another exception within subdivision (d) applies, the City is prohibited from using its general plan and zoning standards to reject an application that meets the affordability requirements described in subdivision (h)(3) of the HAA.

The public, including without limitation any applicant to develop any project involving residential units, may rely on this Acknowledgment as the City's binding commitment to comply with the provisions of state law described above. The City agrees that, should litigation arise regarding the City's decision on any such project that is the subject of an application or preliminary application submitted between February 16, 2023 and the City's adoption of a substantially compliant housing element, the City will be estopped from relying on subdivision (d)(1) or (d)(5) of the HAA.

DATED: \_\_\_\_\_, 2023

CITY OF CARPINTERIA

By: \_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Name]

Its: \_\_\_\_\_  
[Title]

(Added graphics) [jinetht@pshhc.org](mailto:jinetht@pshhc.org)

Sent: Monday, January 30, 2023 4:39 PM

To: Steve Goggia <[steveg@carpinteriaca.gov](mailto:steveg@carpinteriaca.gov)>

Subject: PSHH appreciates City of Carpinteria's ongoing support of affordable housing!

Hi Steve,

It was great to see you in the Joint Cities-County of Santa Barbara Affordable Housing Task Force Group last week. I wanted to let you know how much we continue to appreciate you, your planning staff, the City Manager's leadership and the City's elected officials' support for affordable housing developed and operated by People's Self-Help Housing. Of all the 30+ jurisdictions we work with along the Central Coast region, the City of Carpinteria is a standout, when it comes to championing projects and supporting our residents' success. I was reflecting how the City has provided our multiple properties developed in the Carpinteria so many keys to their success. Most helpful have been development impact fees relief, processing our entitlement approvals in an expedited manner, supporting projects with permanent soft loans, passing through the City's CDBG and HOME allocations, and even donated surplus City land to develop additional units. We so appreciate your and the City's sincere and meaningful contributions to affordable housing!

I wanted to update you too, on recent conversations we have had with the commercial developer who is proposing a new tourist serving project in the City. Though they had not contemplated providing any housing, much less onsite deed restricted affordable housing to serve lower-income earning households, they have now reached out to us for that purpose. We are now negotiating an agreement with them to develop a project on land they intend to carve out for that purpose. It's our understanding that this is a direct response to your encouragement of them to consider including affordable housing in their proposal,

(Added graphics) requirement for them to do so! I think that's a testament to the in to encourage more affordable housing.

I'm also writing to you at this time since I know you are working on your Housing Element. When you recently invited me to speak to your City Council on identifying the most critical aspects for promoting more affordable housing, including on which sites within the City could best accompany potential projects, it was clearly very impactful on the decision makers, as evidenced by their engagement and even recommendations for further sites they felt could be potentially added to your inventory. I was so impressed and grateful to be a part of that process. Thanks again for reaching out to us for that purpose. As you continue your Housing Element update, perhaps it would be of value to share these comments with HCD reviewers. If so, please feel free to! I know Paul McDougall at HCD is familiar with our work, since we have been very active in the Central Coast region for over 50 years, developing over 3,000 affordable units for lower-income earning households over the years. We try to let HCD know who the model jurisdictions are who support affordable housing, whenever we have the opportunity. And the City of Carpinteria is definitely exemplary.



Kenneth Trigueiro  
CEO & President  
1060 Kendall Rd  
San Luis Obispo, CA 93401  
Office (805) 540-2453



We build affordable homes with site-based services that offer opportunities to change lives and strengthen communities on the Central Coast of California.

(Added graphics)

Victor and Susan Schaff  
2000 Cravens Lane  
Carpinteria, CA 93013  
805.331.4808



March 6, 2023

Planning Commission and City Council  
City of Carpinteria  
5775 Carpinteria Avenue  
Carpinteria, CA 93013  
Attn: Steve Goggia, Nick Bobroff

Re: 6155 and 6175 Carpinteria Avenue

Ladies and Gentleman:

I am Victor Schaff, resident of the City of Carpinteria and owner of the above referenced properties. The 6155 site is currently leased to S & S Seed Company which I founded and recently sold, and the 6175 site is vacant land. Per the attached more detailed presentation, I hereby request that these properties be added to those included in the Residential Overlay of the City of Carpinteria (2023-2031) Draft Housing Element.

While this specific request is directly related to and intended to enhance the Draft Housing Element, of significance is the fact that the current housing rental vacancy rate in Santa Barbara is a tight 1.7%, compelling evidence of an imbalance between supply and demand. This imbalance caused 2022 rental rates to increase by 9% with pressure for an even greater increase in 2023. Home sale prices increased by 13.2%, driven by a similar imbalance in supply and demand.

As a long standing member of our community, I personally favor mandated construction of "affordable" housing as defined by the state, and will commit to a minimum of 20% "affordable" for any project we develop. Still a primary driving force to achieve general housing affordability is for supply to be in balance with demand.

In contrast, as discussed in greater detail in the accompanying presentation, there is no demand in the market area for additional business park space. This will cause the 6175 site to remain vacant land, and when the S & S lease expires in two years on the 6155 site for it to potentially be empty buildings.

I respectfully request your positive consideration of the above.

Sincerely,

A handwritten signature in blue ink that appears to read "Victor Schaff".

Victor Schaff

## (Added graphics)

### **RESIDENTIAL OVERLAY PRESENTATION- 6155, 6175 CARPINTERIA AVENUE**

On behalf of Victor Schaff, owner of 6155 and 6175 Carpinteria Avenue in the city of Carpinteria, the undersigned proposes that these two properties be included among those designated within the city's HCD proposed Housing Element to be rezoned with a residential overlay zone.

#### **The Properties**

The two referenced properties are currently zoned M-RP, and are part of Bluffs Area II within the City of Carpinteria General Plan and Local Coastal Plan. 6175 Carpinteria Avenue is vacant and is 3.62 gross acres. It has never had structures built upon it. 6155 Carpinteria Avenue is 2.94 gross acres and contains approximately 48,000 square feet of structures which house the office and warehouse facilities of S&S Seed Company.

Victor Schaff, the owner of both properties, is a long-time resident of Carpinteria. He is the founder of S&S Seed Company. Within the last year he has sold the company to a third party and no longer has a role in the

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company. The company now leases 6155 Carpinteria Avenue from Mr. Schaff, but will likely vacate the property in the near future.

### **City of Carpinteria Housing Element**

The City of Carpinteria is in the process of seeking certification of its 2023-2031 State of California Housing Element. A first draft of the Housing Element has been submitted to State HCD, and the city is awaiting response. The city anticipates that it will not receive certification with this first draft, but rather will be required to make certain additions, modifications, and edits, and then submit a second draft for review.

One of the components of the current draft is a proposal that certain specific parcels within the city become the subject of a multi-family residential overlay zone (Residential Overlay). Several of these parcels are currently zoned M-RP, the same as the two subject properties. The owner of the two subject parcels hereby requests that the two subject parcels be included among those to be rezoned by adding them to the Residential Overlay.

## (Added graphics)

### **Conceptual Project Diagram and Site Plan**

As a tool for the city decision making bodies and for them to visualize the type of residential project which might be realized on these properties we have included herewith a diagrammatic site plan illustrating the possible site usage. We wish to emphasize that this site plan is not intended to be in any way architectural design or a proposed project, but simply to assist in the evaluation of the two sites becoming appropriate for the Residential Overlay.

The site plan illustrates a potential 130 residential units comprised of studio, 1 bedroom, 2 bedroom, and 3-4 bedroom townhome units. The intent is that all city zoning codes would be adhered to. In addition, a minimum 20% of the units will be affordable.

As illustrated on the site plan, one characteristic which is included, and we would welcome as a condition of the residential overlay zone, is significant photovoltaic solar generation. With relatively low two to three story structures considerable roof area as a percentage of building area can be achieved. Coupling this with west/southwest sloping roofs, much power generating

## (Added graphics)

capacity is possible. The project could be a model example.

Please see the site diagram, axonometric, and cross sections for further detail.

### **Rationale for These Sites Becoming Residential**

The City of Carpinteria is in the midst of the process of obtaining certification of its 2023-2031 Housing Element as mandated by the state. Inclusion of these two sites in the list of residential overlay sites could become a significant positive to the Housing Element.

The owner of the sites is a long-time local resident, has the financial capacity to embark on development of the sites, and, in principle, wishes to do so. He has complete individual authority regarding all actions taken regarding them.

The 6175 Carpinteria Avenue site was recently acquired by Victor Schaff. In recent years, and under previous ownership, considerable preliminary entitlement work was performed by various survey, geologic, environmental, traffic, etc. consultants per the direction

## (Added graphics)

of Barton Myers Associates, architect, and The McGregor Company, developer, and in communication and cooperation with city staff. Much of this preliminary work might be applicable to future projects, both on this site and 6155, thus potentially saving future time and effort. Mr. Schaff has access to all this work and may choose to utilize these entities related to a future project.

The sites are ideally located for residential development. They are in Bluffs Area II of the city's Local Coastal Plan. They are immediately adjacent to the 53 acre Carpinteria Bluffs Nature Park offering a variety of recreational uses for residents, thus offering an ideal adjacency for residential use.

The sites benefit from highly desirable accessibility and transportation infrastructure to serve the local community and more regional workforce. Bus service along Carpinteria Avenue, dedicated bike lanes, and the immediately adjacent highway 101/1 corridor exist and are regularly being improved.

Currently, the two sites are the only missing links to the Carpinteria Bluffs Trail, forcing users to detour, having to walk along the edge of Carpinteria Avenue and across the

## (Added graphics)

unimproved site. Any development of the sites would assure the inclusion of the trail in these locations, thus making the trail continuous.

The sites, being located on the bluffs, are well above sea level, and as such will never be subject to the potential impacts of rising sea level.

Given the immediate adjacency to the park, we would like to explore including within any development a community building which would be shared by the new residents and the community at large.

The to-date envisioned usage of these sites would have been “business park” similar to the existing buildings to the east. However, with major reduction in demand for such uses, partly driven by the pandemic, and with numerous companies now realizing their need for space has considerably lessened due to a much larger percentage of at-home and other out-of-office work, there is no need for additional business park space. Procore is a typical example, which continues to be a growing company, but rather than needing more space as they thought they would a few years ago, they now actually have had sub-lease space available.

(Added graphics)

Respectfully submitted,  
The McGregor Company  
By William T. McGregor

Land Area	Parcel 40 - 2.94 acres
	Parcel 32 - 3.62 acres
	TOTAL: 6.56 acres
	20 units/acres yields 131 units

<div> <div>90'</div> <div>75'</div> <div>75'</div> <div>90'</div> </div>	<div> <div>25'</div> <div>40'</div> <div>25'</div> <div>40'</div> </div>
<div> <div>STUDIO</div> <div>1-BED</div> <div>2-BED</div> <div>2-BED</div> </div>	<div> <div>TH</div> <div>TH</div> <div>TH</div> <div>TH</div> </div>
<div> <div>STUDIO - 400SF</div> <div>1 Bedroom - 600SF</div> <div>2 Bedroom - 900SF</div> <div>2-Story Building</div> <div>11 Units per Building Average</div> <div>Approx. 110 Apartment Units - 64,000SF</div> </div>	<div> <div>Townhome Block</div> <div>3-4 Bedroom - 2,000SF</div> <div>2-Story + Basement Garage Level</div> <div>1 Unit per Building</div> <div>20 Townhome Units - 40,000SF</div> <div>Approx. 130 Units Total - 104,000SF Total</div> </div>

<div> <div>100'</div> <div>45'</div> <div>100'</div> <div>45'</div> </div>	<div> <div>COMMUNITY CENTER</div> </div>
<div> <div>Approx. 8,000SF Total</div> </div>	<div> <div>Community Center</div> </div>

6175 Carp.

Parcel 40

2.94 acres

6175 Carp.

Parcel 32

3.62 acres

Site Plan

1/8" = 1'-0"

0

50'

100'

200'

NORTH

⬆

Carpinteria Avenue

A1.0 - Block Study

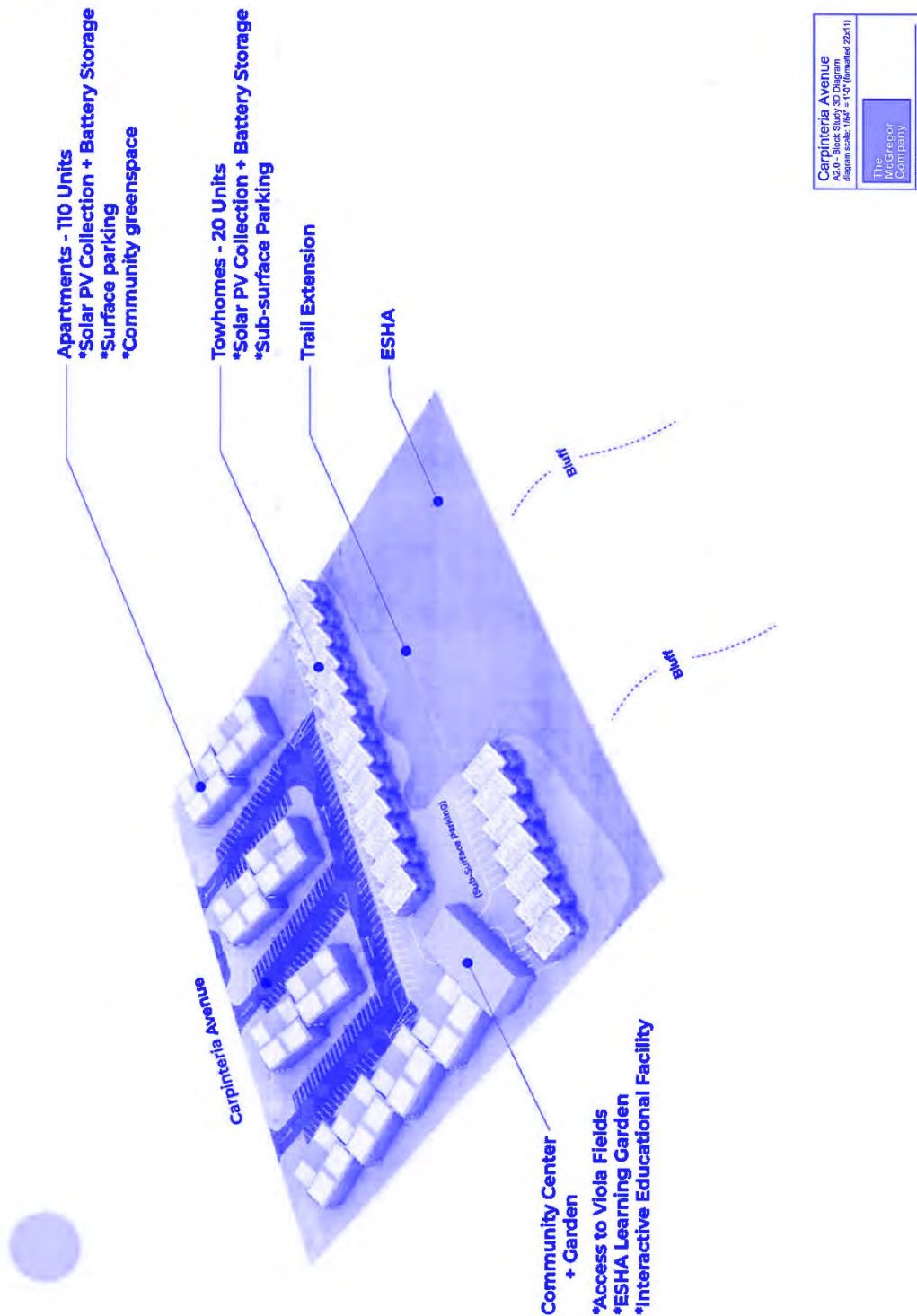
Diagram Scale: 1/8" = 1'-0" (Worksheet 22a11)

The

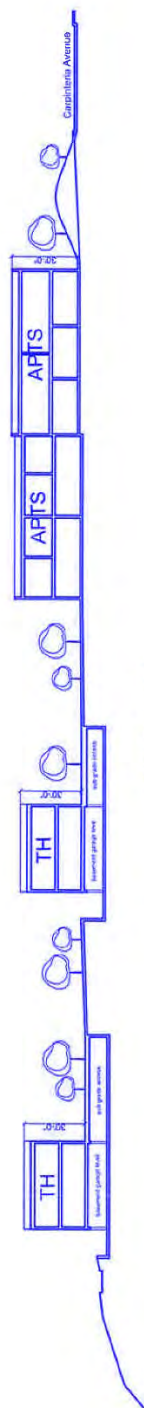
McGraw-Hill

Company

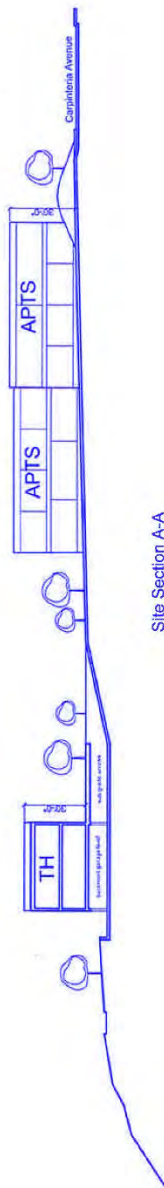
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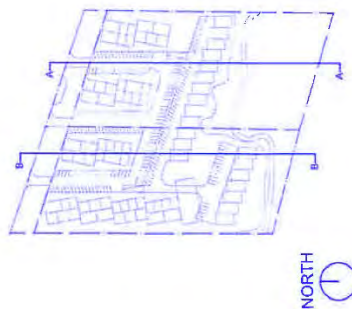
Site Section B-B



Site Section A-A

Site Sections  
1/8" = 1'-0"

25' 50' 100'



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