



# Meraki

## Land Use Consulting

### **DUE DILIGENCE/PROPERTY PROFILE SUMMARY MEMO**

4209 & 4213 Carpinteria Ave., APNs: 003-212-025, & -026

#### **PURPOSE**

The subject summary outlines the following:

- Permit history and records review.
- Identify the maximum number of low-income residential rental units.
- Identify the maximum number of condominium units (ownership units).
- Feasibility of lot merger, local and State incentives
- Identification of potential issue areas or physical site constraints.

#### **1. PERMIT HISTORY & RECORDS REVIEW**

A review of the parcel permit records was completed from files available at the City of Carpinteria, First American Title Co., and the County Assessors records. The records did not generate questions about the permit record. The records indicate the following:

4209 Carpinteria Ave. – historical storage yard for miscellaneous commercial uses and office trailers. Historical Conditional Use Permits (CUPs) for plumbing and landscape uses.

4213 Carpinteria Ave.: A 688 sq. ft. 2-bedroom single-family residence and 720 sq. ft. garage.

#### **2. KEY TOPICS OUTLINE**

- a. Maximum Densities
- b. Condominium Units & Inclusionary Housing
- c. Density Bonuses – Local and State
- d. Voluntary Merger
- e. Project Review and Approval Process

##### **a. Maximum Densities (Rental and Condominium Units)**

The maximum number of rental or condominium units is determined by zoning; this Commercially zoned parcel has a Residential overlying with a maximum density of 20 dwelling units an acre. Assuming a Voluntary Merger, a 0.5-acre parcel would have a maximum density of ten (10) units.

An applicant can utilize State Density Bonus Law (SDBL) to increase density as described in Section 3b and could achieve up to fifteen (15) units with the dedication of two (2) very low-income units for a 50% bonus and 2-3 mandatory development standard concessions and waivers (depending on what may be needed). Example scenarios are noted below:

- **A 10-unit condominium** project requiring a dedication of two (2) middle-income affordable units.

- **A 15-unit condominium** project requiring a dedication of two (2) middle-income affordable units and two (2) very-low income and receiving 2-3 mandatory development standard concessions and waivers.
- **A 15-unit rental** project requiring a dedication of two (2) very-low income and receiving 2-3 mandatory development standard concessions and waivers (depending on how many are needed).
- **Any alternative** scenario within the density parameters that is feasible, achievable, and meets development standards. See Section 3b.
- **Special Accessory Dwelling Units (ADUs)** as outlined in the Property Profile Table, Section 1.0.

**b. Condominium Units [Inclusionary Housing](#) & Development Standards**

[Condominium development](#) is achieved via a [Parcel Map subdivision](#) process consistent with the [Subdivision Map Act](#). Condominium maps creating 5 or more parcels require the filing of a Public Report with the Department of Real Estate (DRE) among other requirements (development of Conditions, Covenants & Restrictions/CC&Rs, etc.). The initial Parcel Map creates a single lot map authorizing the creation of a maximum number of condominiums. The associated Condominium map is processed post-approval.

Please be advised that ownership units are subject to the [Inclusionary Housing Requirements](#). Development/Subdivisions of projects of 5 or more units requires a 12%<sup>1</sup> dedication to Middle- Income units (121% AMI). Refer to the [City's Affordable Housing Policies and Procedures Manual](#). Advisory: If a condominium project utilizes SDBL, the project must also comply with the City Inclusionary Housing Requirements (e.g. dedication of affordable units required for both).

**c. Local and State Density Bonus**

[City Density Bonus](#) – Qualifying housing projects of five (5) or more units that provide a dedication of either 10% low-income units or 5% very low-income units qualify for density bonuses consistent with State Law.

[State Density Bonus Law](#) – Qualifying housing projects that provide a dedication of either 10% low-income units or 5% very low-income units qualify for density bonuses and benefit from the associated development standard waivers and concessions available. Depending on how many concessions and waivers are needed, the number of dedicated affordable units may change to achieve the maximum benefits of SDBL. See Advisory Section 3b for additional information.

**d. Voluntary Merger**

This assessment assumes a Voluntary Merger will be processed sequentially or prior to a proposed project to create a single larger parcel.

**e. Project Review and Approval Process**

An all-residential unit project (rental or ownership/condominium) will require environmental review and approval of a [Development Plan \(DP\)](#) and a Coastal Development Permit (CDP) by the City Planning Commission and design review from the City

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<sup>1</sup> Any fractional calculation is rounded up.

Architectural Review Board (ARB). Refer to the Condominium development summary in section 2b for the associated map processes; if proposed, a Parcel Map (PM) application would also become a part of the City action. Advisory: new development will be subject to payment of [Development Impact Fees](#).

### PROPERTY PROFILE

Please refer to the property profile summary table below for quick reference to zoning regulations, parcel information, permit history, known physical or site constraints, and associated permit processes. Key information is **highlighted** for further discussion below. In addition, hyperlinks will direct you to source documents (policies, regulations, development standards, permit history, and other pertinent information).

PROPERTY PROFILE SUMMARY		
Section 1.0 Basic Zoning Information (as applicable) <sup>2</sup>		Additional Comments:
Address(es)	<a href="#"><u>4209 &amp; 4213 Carpinteria Ave.</u></a>	Refer to FATCO Records
<a href="#"><u>APN (s)</u></a>	<a href="#"><u>003-212-025, &amp; -026</u></a>	<a href="#"><u>Assessor Map &amp; Assessor Info.</u></a>
Jurisdiction	City of Carpinteria	<a href="#"><u>Coastal Zone Appeals Jurisdiction</u></a>
<a href="#"><u>Zoning</u></a>	<a href="#"><u>Commercial Planned Development with Residential Overlay (CPD/R)</u></a>	<a href="#"><u>See Allowed Uses and Development Standards.</u></a>
<a href="#"><u>General/Comprehensive Plan Land Use Designation</u></a>	<a href="#"><u>General Commercial (GC)</u></a>	
Design District/Review Body	City Architectural Review Board (ARB). See Community Design Element Objectives	<a href="#"><u>Design Sub Area 2 (Downtown.Old Town District).</u></a> <a href="#"><u>See Community Design General Plan Policies.</u></a>
Parcel Area (Gross/Net)	0.26 acres -4209 Carpinteria Ave. (11,325 sq. ft.) <a href="#"><u>0.24 acres -4213 Carpinteria Ave. (10,454 sq. ft.)</u></a>	<b>0.5 acres (21,780 sq. ft.) Total, assuming Voluntary Merger.</b>
Maximum Density	20 dwelling units/acre	<b><a href="#"><u>10 Units - Residential density shall not exceed twenty (20) dwelling units per acre including any density bonus allowances.</u></a></b>
Setbacks		
<i>Front</i>		

<sup>2</sup> The information provided herein has been acquired from available public agency resources and is considered reliable but not guaranteed.

<i>Side (Estero Way)</i>	35 feet from the centerline or 5 feet from the property line, whichever is greater.	
<i>Side (East)</i>	0 feet	
<i>Rear</i>	0 feet	
<b>Maximum Height</b>	30 feet maximum	
<b>Distance Between Buildings</b>		Refer to <a href="#">zoning code requirements</a> .
<a href="#">Landscape Coverage</a>	Landscape coverage not less than 10% of the net lot area	Calculated separately from required Open Space.
<a href="#">Open Space Requirements</a>	Common Open Space not less than 20% of the net lot area	Condominium development requires open space maintenance.
<a href="#">Accessory Dwelling Units (ADU/JADU) Units</a>	<b><i>Multiple Family lots, <a href="#">Special ADUs</a> are allowed</i></b>	<b><i>One (1) Special ADU (Conversion), or, Up to 25% of the existing number of units in non-livable space, or, Two (2) Special ADUs new construction, detached unit(s).</i></b>
<a href="#">Accessory Buildings</a>	Allowed.	Refer to <a href="#">zoning code requirements</a> .
<a href="#">Parking Requirements</a>	See Multi-Family Dwelling Requirements (based on bedroom size). <b><i>SDBL Project = <u>Maximum</u> Requirements are 1 space per studio or 1-bedroom unit, 1.5 for 2- or 3-bedroom units.</i></b>	<b><i>1- Bedroom units = 1 covered space 2- Bedroom units = 1 covered space and 1 space in paved parking area  Visitor Parking = 1 space per every 3 dwelling units</i></b>
<b>Section 2.0 Known Physical/Site Constraints</b>		
<b>Mapped Constraints</b>		
<b><i>Wetland/ESHA</i></b>	Parcel is within 100 feet of Carpinteria Salt Marsh.	<b><i>Refer to <a href="#">General Plan Policies</a> re: height, setbacks/buffer, etc.</i></b>
<b><i>Sea Level Rise</i></b>	See Safety Element	Advisory. A Sea Level Rise Vulnerability Assessment will be a required Technical Study.
<b><i>100-year Floodplain</i></b>	FEMA Zone "A"	Advisory. A Storm Water Management program must be developed for new and replaced impervious surface areas. Refer to <a href="#">City Watershed Management</a> –

		<a href="#"><i>Construction &amp; Development</i></a> resources.
<b><i>Union Pacific Railroad (UPRR)</i></b>	UPRR is located immediately adjacent to the southern property line.	Advisory. Future development redevelopment including residential uses will require a technical study (Acoustics Assessment) and will likely result in recommendations and/or mitigation if determined necessary (e.g. sound wall, vent, and window locations and orientations)
<b>Section 3.0 Historic Permits, Existing Conditions of Approval &amp; Title Information (as applicable)</b>		
<b>Existing Permitted Uses &amp; Permit History</b>	4209 Carpinteria Ave. Storage Yard, office trailers and miscellaneous commercial uses.  4213 Carpinteria Ave. Single Family Residential.	4209 Parcel has considered two previous proposals for development. A 2020 proposal for a warehouse/commercial project and a <a href="#"><i>2022 ARB review</i></a> for a mixed-use (commercial/4-unit residential) project.
<b><i>Assessor Records</i></b>	<a href="#"><i>County Assessor Records</i></a>	Assessor Building Records documented for tax purposes; often a source of additional information for the permit records
<b>Miscellaneous</b>		
Development Impact Fees	Advisory	Please refer to the current <b><i>fee schedule</i></b> .
Preliminary Title Report		Title Report not obtained or reviewed.
Site Visit		Completed 3/1/24
<a href="#"><i>Site photos</i></a> /Aerial photos		Aerial Imagery, <a href="#"><i>Google Earth</i></a>

### 3. ADVISORIES

The subject advisories to note include:

- a. Residential Only Development
- b. State Bonus Density Law (SDBL) Incentives, Concessions & Waivers
- c. Senate Bill 330 (SB330)
- d. Senate Bill 35 (SB35)
- e. Assembly Bill 1287 (AB1287)
- f. Senate Bill 684 (SB684)
- g. Objective Design Standards
- h. Conceptual Plan/Pre-Application Review Requirements
- i. Public Improvements – Estero Way

**a. Residential Only Development**

Residential-only development may be considered only if all of the following findings are met:

1. The allowance of residential-only development would encourage rehabilitation of important existing housing stock or the residential use of the subject parcel(s) would result in the production of affordable housing in the community;
2. Residential use on the site would assist the city in maintaining an appropriate balance between jobs and housing;
3. Residential-only use on parcel(s) is compatible with existing and anticipated uses in the area surrounding the site;
4. Mixed use development of the site is inappropriate.

**b. State Density Bonus Law (SDBL)**

*Utilizing State Density Bonus Law* provides the opportunity to increase base density by dedicating rental or ownership units to very-low or low-income categories. Please refer to the [\*Government Code\*](#) and [\*Guide to the California Density Bonus Law\*](#) for additional information. *Sample* density increases are noted below and highlight the maximum densities\*\*:

# of Units (BASE)	% Dedication & Category	# Units Dedicated	Bonus Density % & Number of Concessions	Bonus Density # Units	Total Units
10	5% very-low income	1	20%	2	12
10	10% very-low income	1	32.5% (2)	4	14
10	10% low income	1	20% (2)	2	12
10	13% very-low	2	42.5%	5	15
10	15% very low	2	50% (3)	5	15
10	24% low income	3	50% (3)	5	15

\*\* Subject to changes to SDBL, based on current standards, and income categories available. Calculations are rounded up.

**Mandatory Concessions and Development Standard Waivers:**

In addition, SDBL provides *incentives* via mandatory concessions and development standard waivers, as well as reduced parking requirements. Depending on how many concessions and waivers are needed, the number of dedicated affordable units may change to achieve the maximum benefits of SDBL.

A concession or incentive is defined as:

- A reduction in site development standards or a modification of zoning code or architectural design requirements, such as a reduction in setback or minimum square footage requirements; or
- Approval of mixed-use zoning; or
- Other regulatory incentives or concessions that actually result in identifiable and actual cost reductions.
  - 2 Concessions provided with 10% Very-Low or 10% Low dedication.
  - 3 Concessions provided with 15% Very-Low or 24% Low dedication.

- An unlimited amount of development standard waivers can be requested (setbacks, lot coverage, open space requirements, height, etc.).
- **Parking Maximums**: with SDBL projects, local jurisdiction cannot require more than the following parking ratios: 1/space per Studio/1-bedroom, 1.5 spaces per 2 & 3

**Term (rentals)**: required rent restriction for 55 years, not exceeding 30% x 50% AMI for very-low income, not exceeding 30% x 60% AMI for low income. Must include utility allowance. The ***Area Median Income (AMI) for FY 2023 = \$107,300.00***

***c. Senate Bill 330 (SB330) – Vesting Rights***

Senate Bill 330 provides vesting rights for multi-unit residential projects (among others) pursuant to the Housing Crisis Act 2019. SB 330 “prohibits local jurisdictions from enacting new laws that would have the effect of reducing the legal limit on new housing within their borders or delay new housing via administrative or other regulatory barriers”.

A **Preliminary Application** is required to be submitted to the City and is valid for 180 days until a full Development Plan application is submitted. SB330 is effective until January 1, 2025. The benefit of SB330 allows a housing developer to “freeze” the applicable fees and development standards that apply to their project while they assemble the rest of the material necessary for a full application submittal. In addition, it limits public hearings to five (5) and requires that Projects must commence construction within 2-1/2 years of final approval. **Advisory**: The City of Carpinteria does not have an SB330 application. Please refer to the application submittal requirements as described in the County application, which is consistent with State law. It is recommended that a housing project submit a *City Master Application* specifically for SB330 at the appropriate time to ensure a City action. This should be done prior to the filing of a Development Plan.

***d. Senate Bill 35 (SB35) – Affordable Housing Streamlined Approval***

Senate Bill 35 provides a streamlined permit process for qualifying multi-unit housing projects that include lower-income units and exempts projects from discretionary review if deemed consistent with objective design and zoning standards. Qualifying projects must provide 50% of the total units to the low-income category (80% AMI).

***e. Senate Bill 684 (SB684)***

Senate Bill 684, also known as the Faster Housing Approval Streamline Act, is a California law intended to increase housing affordability by streamlining the approval process for certain developments. Smaller housing projects of 10 units or less and located on parcels that are 5 acres or less in size qualify for streamlined permit processing. The unit types are not dictated in the bill. The local jurisdiction would have the ability to approve a project ministerially without a public hearing or discretionary review. The bill passed the Senate in March of 2023, was amended in September 2023, and is pending an Assembly vote in March of 2024. Refer to the **California Legislative Information** website to track the status of the bill.

***f. Assembly Bill 1287 (AB1287)***

The Governor approved three amendments in 2023 to Density Bonus Law that create a new stackable density bonus for projects that provide the maximum number of units to obtain a 50% bonus density and agrees to include an additional percentage for very-low or moderate units. For example, if a project provides 1-2 very-low or 2-3 low-income units to achieve a 50% density bonus and commits to providing additional very-low or moderate units, density bonus

can be obtained up to 85%. The amendments to the Density Bonus Law take effect on January 1, 2024.

***g. Objective Design Standards for Multi-Unit Development***

A qualifying multi-unit housing project per *Government Code 65913.4* benefits from streamlined permitting processes which includes a Design Review exemption whereas a project is not subject to separate design review, e.g., Design Review Board (DRB) when consistency with the *Objective Design Review Standards* is demonstrated. Advisory: it is my understanding the City of Carpinteria has yet to develop these standards and DRB review will be required until such time the City develops these regulations.

***h. Conceptual Plan/Pre-Application Review Requirements***

A Pre-Application review process is highly recommended at the time a project conceptual plan is developed. This provides the benefit of obtaining early feedback from the Planning Commission.

***i. Estero Way Public Improvements***

A new development project on these parcels will trigger public improvement requirements on Estero Way to include City standard curb, gutter and sidewalk installations. An associated Road Encroachment Permit will be required to facilitate these improvements. Consultation with a civil engineer is recommended.

Please contact me if you have any questions or require additional information; at [Heidi@merakilanduseconsulting.com](mailto:Heidi@merakilanduseconsulting.com), or, at 805-252-4851.

Sincerely,  
MERAKE LAND USE CONSULTING, LLC.



Heidi Jones, AICP  
Owner & Principal



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