

From Judith Mayer for the City of Arcata Planning Commission, September 27, 2022
 Considerations for the Gateway Area Plan's proposed "Community Benefits" program

General considerations:

1. The Planning Commission should discuss and decide on an appropriate process with which to address development of a Community Benefits program as a measure to implement the Gateway Area Plan, and its associated Form Based Code proposals. This should be a deliberative process, not just a series of yes-or-no votes.
2. ONLY features that benefit the community at large, or particular underserved groups or environments within it, should be promoted through "community benefits" incentives.
3. The Planning Commission should determine whether development proposals involving use of the "community benefits" program fulfill the requirements of objective program standards. City Staff should monitor continuing compliance with those standards as projects are built and managed over time. Staff should bring proposed changes that might reduce or jeopardize the project's compliance with those standards before the Planning Commission to assess whether the project still qualifies for "benefits" credit or approval streamlining. Staff should monitor compliance, and periodically report on benefits program use to the Planning Commission. Staff should identify aspects of the program that should be updated as local goals, and local, state, and federal standards change.
4. Only features not otherwise required or paid for under local, state, or federal law or programs qualify for "community benefits" incentives or streamlined approval.
5. Qualifying "community benefits" should not pose significant risks to safety or to environmental features or processes. (Example: No "benefits" points for sports facilities such as ropes courses; or for buildings requiring extraordinary construction techniques in hazard zones.)
6. Remember that the GAP process may become a precedent for other Community Benefits development incentive programs implemented under future General Plan amendments.

My own concerns:

1. Benefits credit should be "weighted" according to their value to the public, rather than their costs to the developer. Not all amenities that appear in the Draft GAP should be included. Some "amenities" proposed as "community benefits" in the Draft GAP should actually be required.
2. Buildings over 4 stories equivalent height including roof-mounted equipment should provide designated community benefits. I hope Arcata will approve a maximum building height equivalent to 6 stories, including roof-mounted equipment. Since this would eliminate the Draft's proposed Tier 3 and Tier 4 incentive levels, those levels should be "geared down" to provide leverage for designated benefits in lower buildings (5 & 6 story equivalent height).
3. Cal Poly could conceivably acquire land and build above 6 stories, and not subject to the Gateway's form based code, or other land use permission from the City. The GAP should include policies explaining the City's expectations for the university's voluntary provision of community-wide benefits linked to university developments in the Gateway.
4. Things that should NOT be counted as "community benefits" for GAP incentives:
 - o Density is not a community benefit in-and-of-itself, so features that are mainly density-increasing must demonstrate other community benefits.

- Any feature that is a City-wide, Gateway-wide, or other government requirement for new development. (*Periodic Staff review the GAP's Community Benefits program should propose updates to the Planning Commission regarding benefit program changes.*)
- Features fully paid for by other subsidies (avoid “double-dipping”). But GAP “community benefits” credit may be used for features above-and-beyond other subsidies’ payments
- Relocation costs for projects that displace existing residents
- Features or activities that will likely “pay for themselves” through business profits (e.g., no “community benefits” credits for private dining businesses in private buildings, or which encroach on public rights-of-way). *If the City does opt to consider these for “community benefit” credit, they should be relatively lower-value / lower-priority subsidies, beyond their job-creation potential.*

Community Amenities to be considered for “Community Benefits” incentives:

Housing Creation:

- *Residential density in-and-of-itself is NOT a community amenity.* (Delete Policy GA-3j from the draft plan.) Gateway high densities should provide significant community benefits. For the purpose of calculating density-related housing amenities, a single-resident efficiency apartment, “group quarters” dorm room, or SRO is not equivalent to a 3-bedroom family dwelling, regardless of how the state RHNA counts it.
- Affordability: Benefits credit at varied levels should provide incentives for projects with a high portion or large number of dwelling units affordable to very low, low, and moderate income residents, including below-market-rate rental & owner-occupied dwellings. (Benefit credit levels should be adjusted as Citywide or Statewide requirements change.)
- Diverse housing & tenure types: Projects that mix housing types and dwelling sizes, designed to house people of varying income levels and household structures, and with mixed tenure types (owners & renters)
- Purpose-built special needs housing: Projects that include housing with size, cost, and facilities appropriate for students, seniors, mobility-impaired residents, or artists/ craft workers / small businesses using live-work opportunities
- Projects that enable cooperatives, co-housing, live/work businesses, and other innovative tenure models that support affordability
- Rent-stabilized housing (specify minimum period, occupancy conditions, & continuity if ownership changes)
- Low-income-qualified deed restricted housing for purchase, possible community land trust holdings
- On-site management for large projects (this is should eventually be built into City-wide standards – Once it’s City-wide, it will no longer count as a “benefit” incentive in GAP)

Arts and Culture:

- “Benefits” credit designation should be guided by Arcata’s Strategic Arts Plan.
- Incentives should reward only features in publicly accessible areas, or visible from them.
- Input from cultural organizations should advise a City-designated committee subject to the City Council, and Brown Act openness and transparency rules and processes

Open Space: (Consider this also Open Space, Conservation, and Restoration)

The City should act now to identify resources to acquire open space for public use, conservation, and future public facilities in specific locations. (GAP Draft Fig. 7 map is a good start.) Do not depend on the upper “Tiers” of Community Benefits incentives to provide the most significant public open spaces.

The GAP process should address retaining and further developing L Street linear park features, regardless of whether L Street becomes part of a K/L one-way couplet.

Community benefits credit should provide incentives for:

- Permanent *transfer* of land to City ownership for use as public open space in priority locations
- Significant public open space *easements* dedicated to the City in priority locations, & linked to ped & cycle networks
- On-site *publicly accessible* recreation facilities, including playground equipment; sports courts; benches, picnic tables & shelters; drinking fountains; public toilet facilities
- “Daylighting” waterways within private holdings, contributing funds for stream or wetland restoration and maintenance above and beyond resources provided through grants, or required by City-wide parkland dedication or in-lieu fees etc.
- Landscaping or maintenance by project management adjacent to wetlands or creeks, under City-designated standards

“Green” Building, Sustainability, & Resilience:

Expect upgrading of city-wide & state standards – “benefits” points should be significantly better than those, with periodic review & updating of standards.

- Graduated benefits credit for highest levels of “sustainable” design certification (LEED or other)
- Energy-efficient “net zero” design, construction & operation for an entire project
- “Carbon negative” design, construction & operation may receive greater credit (projects that produce more electricity or other power than they use)
- On-site stormwater management significantly beyond City-wide requirements (Low Impact Development); water retention & recharge features, “rain gardens,” rooftop gardens, etc
- Purpose-built waste collection & recycling areas (beyond City-wide requirements)
- Technology & design to stringently limit wastewater discharges to City sewers – incentives to adopt new technologies (zero-discharge toilets; onsite greywater recycling; etc)
- Beyond-minimum dark-night lighting & window treatments; bird-safe & bird-friendly construction
- Specified types of publicly accessible landscape features (see form based code), including additional street trees beyond FBC, greenscaped building frontages or “devil strips,” community garden spaces (not just for residents).
- Remediation of toxic contamination and land degradation caused by previous uses, above costs compensated by government programs, under gov’t supervision and standards
- Project provision of emergency off-grid electricity access open to the public during emergency events (priority for medical equipment charging or plug-in); commercial kitchens available for emergency food distribution, spaces for emergency medical triage, & public assembly points (Red Cross & CA standards)

Transportation & mobility: Active movement & other features to minimize car impacts:

- Bus stop & rider shelter facilities beyond those required City-wide or by the Gateway code
- Project-provided bus passes to residents (specify min # years)
- Cycle facilities beyond City-wide or FBC requirements (indoor or covered safe cycle storage; public access bike racks not in City right-of-way)
- Electric vehicle charging stations beyond basic city or state requirements & not encroaching on public right-of-way
- Streetside benches / tables accessible to public, but not blocking public right-of-way
- Dedicated ped/ cycle easements or land transfers linked to City/ Regional networks
- Underground parking in low-risk locations

Enhanced Architectural Features and Exterior Design:

The GAP-linked form based code will specify minimum design requirements. “Community benefits” would designate types of design features beyond those. “Benefits” criteria are likely to change over a 20+ year plan horizon.

- Underground utilities not paid for by others or required throughout Gateway or Citywide
- Interesting & attractive articulated rooflines; articulated facades, balconies, streetside porches
- Pedestrian sheltering (awnings; 2nd-story overhangs or cantilevers with public access beneath)
- Universal design & access features, above & beyond ADA or upgraded City-wide requirements
- Public access features adjoining project “interior” spaces (open courtyards, unfenced apartment yards, U-shaped frontages, etc.)
- Culturally or regionally significant design features (TBD)
- Design features that serve both aesthetic and sustainability/ resilience purposes

Retail and Job Creation: (& provision of essential services):

“Community Benefits” credit should be given for benefits that neighborhood residents will use and afford, not just to attract businesses that create jobs or pay property owners. Attracting business and employment not dependent on abundant parking is problematic. Benefit “points” should not go to luxury-serving businesses largely unaffordable for neighborhood residents or workers. (I do not believe that creating spaces for profitable rooftop or outdoor dining should receive benefits credits as community amenities.)

- Purpose-built spaces for children’s day-care, services for Seniors
- Health-care facilities & social services that generate relatively little parking demand
- Non-chain, street level retail that will generate relatively little parking demand
- Commercial uses that accommodate delivery vehicles off-street
- Cultural & event spaces with appropriate means to limit parking demand