

From: [Kitty Bednar](#)
To: [City Clerk Group](#)
Subject: December 3, 2019, Council Meeting, Item D-2
Date: Monday, December 02, 2019 12:49:55 PM
Attachments: [CUsersKittyDocumentsMy CompositionsNZO Comments for Council.rtf](#)

Please forward the attached comments to Mayor Perotte and Councilmembers.

Thank you

Kitty Bednar
5701 Gato Avenue
Comments on NZO, December 3, 2019 Goleta City Council Meeting

Mayor Perotte and Councilmembers:

Below are several comments and questions that I have concerning the New Zoning Code.

- (1) Review of city projects. I agree with speakers at your last meeting (and the Planning Commissioners) who stated that city projects should undergo the same review process that private projects receive. Staff workshops and the environmental review process are not sufficient for members of the public to make their issues known

The workshops and outreach that staff conduct are informative and valuable, but the workshops are not official in the same sense that a review board, commission, or council meeting would be. They are not noticed in the same way, they are not televised, there is no video or audio available on the internet, and there are no minutes. The only way to know for sure what transpired is to have attended. Asking other attendees or staff what happened is problematic: not everyone identifies the same issues as important. Sometimes it's the whole of the dialogue that is important.

The environmental review process is a structured one that does not address the merits of a project. Responding to an environmental impact report takes place within a closed universe. There are required topics to be addressed, and other topics are simply not relevant.

- (2) The new code severely limits the use of chain-link fencing (17-24.090 C-1 below). Two explanations have been given for the ban: (1) it's not aesthetically appealing and (2) it is too rural or agrarian in nature. There are more reasons for choosing a particular fencing material than aesthetics, such as defining boundaries, keeping children and pet in and intruders out, etc. Additionally, Goleta celebrates its agricultural past every year with the Lemon Festival and past and current development projects have been praised for their use of design elements reminiscent of our agricultural past. Why ban chain link as too agrarian?
- (3) Also, the new code places some limitations on concrete/masonry block. Are the two limitations on fencing materials in 17.24.090 C-1 and C-2 the only limitations, so that all other types of fencing materials are allowable?

17.24.090

C -1 Limitation on Chain-Link Fencing. Chain-link fencing may only be used:

- a. As temporary fencing for a construction project.
- b. In non-residential districts when not visible from a public street.
- c. For sports courts, parks, swimming pools, and other areas open to the general public.

C-2. Limitation on Concrete/Masonry Block. Plain, concrete block may not be the primary material along arterial streets. Concrete block must be split-face or finished with stucco and capped with a decorative cap or other decorative material.

- (4) Should the language in 17.24.210.A.2 (below) be clarified? It does not appear to define a "triangle." Perhaps an illustration would help.

17.24.210 Vision Clearance

A. Clearance Triangle. No wall, fence, or other structure may be erected, and no hedge, shrub, tree or other growth shall be maintained that will materially impede vision clearance within the road right-of-way for vehicular traffic, cyclists, and pedestrians.

1. **Corner Lots.** A hazard exists when a structure or vegetation exceeds the height of three feet within a triangle formed by the intersecting property lines nearest the streets and a straight line joining such property lines at points which are ten feet from the point of intersection, measured along such property lines.

2. **Driveways.** A hazard exists when a structure or vegetation exceeds the height of three feet within the triangle. *The triangle is measured along the property line with roadway frontage from which access to the lot is taken and extends ten feet parallel to the public right-of-way and ten feet parallel to the driveway on both sides. (emphasis added)*

- (5) Should “permeable” in 17.38.030.D below be “impermeable”? Or do the words asphalt and concrete, and masonry describe interlocking pavers, which then might be permeable?

17.38.030 General Provisions (PARKING)

D. **Materials.** All areas on which parking or loading occurs, including both required and additional parking, must be paved with a minimum of two inches of asphalt, concrete, interlocking masonry pavers, or other *permeable* material on a suitable base and may not be on grassy lawn areas unless using a form of grassblock or grasscrete. (emphasis added)

- (6) Old Town is not the place to be granting parking reductions unless and until the parking assessment district noted in 17.38.060 is created. The provision in 17.38.050 will do nothing to relieve parking pressures on Old Town streets

17.38.050 Parking Reductions

D. **OT District Redevelopment.** In the OT District, where existing development with nonconforming parking is replaced with new development or a change of use, the new development or change of use **shall** receive a parking credit equal to the number of required automobile parking spaces unmet by the previous development or use. (emphasis added)

- (7) Should the second occurrence of “is” in 17.40.060 I 1 be “in”?

17.40.060 General Provisions for All Sign Types

I. **Changeable Copy.** The use of changeable copy on signage is subject to Design Review and may only be permitted in accordance with the following regulations.

1. **Electronic Copy.** Electronic changeable copy is only allowed in non-residential districts and as follows:

- (8) Are the two sections cited below compatible? That is, should 17.58.020.B.2. also reference fences in interior side setback and rear setbacks, which—according to 17.24.090 B.1.a—are exempt from permitting requirements (and presumably Design Review) if they are eight feet or less?

17.58.020 Exemptions

B. The following development is exempt from Design Review, except when part of a larger development project under review by the City, which is subject to this Chapter:

1. Decks that are less than 30 inches above grade;
2. Fences or walls six feet or less in height and gateposts of eight feet or less in height, that are not considered integral to the design of a structure (e.g., perimeter fences);

17.24.090 Fences, Freestanding Walls, and Hedges

B. **Permit Requirements.**

1. **Interior Side Setbacks and Rear Setbacks.** Within interior side setbacks and rear setbacks, or along the exterior boundaries of such setbacks, fences and freestanding walls may be allowed based on the following standards. Columns, gateposts, pilasters and entry lights may exceed the maximum height by two feet.

a. *Eight Feet or Less.* Exempt.

b. *More than Eight Feet.* Land Use Permit or Coastal Development Permit.

3. ***Other Parcel Locations.*** If located outside of required setbacks, the maximum height for fences and freestanding walls is eight feet, unless a higher fence or wall height is allowed pursuant to Design Review Approval.

Thank you for your time and consideration.