

From: [Gillian Fennessy](#)
To: [Gillian Fennessy](#)
Subject: FW: Last minute thoughts about NZO
Date: Monday, November 04, 2019 3:42:36 PM
Attachments: [City of Goleta NZO comments Nov 5th.doc](#)

From: Cecilia Brown <brownsknight1@cox.net>
Sent: Monday, November 04, 2019 10:29 AM
To: Anne Wells <awells@cityofgoleta.org>
Cc: Peter Imhof <pimhof@cityofgoleta.org>; brownsknight1@cox.net
Subject: Last minute thoughts about NZO

Hi Anne! Getting closer to the goal of getting the NZO approved. Well done to you and your staff for their persistence and dedication to this effort. Hard to believe you've (and several of us) have been at this since 2013!

1. Would you please consider adding more info about just exactly what telecom facilities are regulated by the NZO. From the NZO Chapter 17.42.010 Telecommunication Facilities (p.vi-173) Section A (*in italics below*) seems to pertain to large cell facilities only in the public right of way. Large cell sites also now exist on private property, The FCC didn't change how jurisdictions can regulate large cells on public property, only small cells in the public right of way. Therefore, I proposed a revision for Chapter 17.42.010 subsection A.: These facilities include small cell facilities on private property and large cell facilities on private and public property.

The requirements of this Chapter apply to all telecommunication facilities within the City, not otherwise regulated by the City, pursuant to GMC 12.20, Wireless Facilities in Public Road Rights-of-Way, that transmit and/or receive wireless electromagnetic signals, including but not limited to personal communications services (cellular and paging) and radio and television broadcast facilities.

A. These facilities include small cell facilities on private property and large cell facilities in the public right-of-way.

2. When you brief the council on Tuesday on Planning Commission recommendations on noticing would you please explain, by example, the kinds of projects (e.g. shopping center, industrial building, hotel, small subdivisions) subject to DP, CUPs so the council understands the scope of the proposed notice. It may be the case that you want to limit the 4x8 signs to bigger projects like those I list. That was my intent in requesting the bigger signs. I don't have kind words about the yellow plastic signs, (see attachment) the City uses for notification. Not much notification if what was written on them has since disappeared! Onward to a better kind of sign for noticing!

3. Attached is my comment ltr to the council. Appreciate the consideration of the storypoles in

noticing section, but might need further consideration re: the threshold of “all new buildings over 20ft less single family homes” which might be overly broad. Maybe better the listing I include? (Would have liked PC and DRB to have reviewed this). However, there needs to be a provision for DRB to request storypoles for *any kind* of project if they feel it warrants it. As Peter has said, there will be opportunities in following yearly ZO updates to fix errors. Hope not too many what with all your effort.

Have a great day, and thanks for all.

Cecilia Brown

November, 3, 2019

Re: Comments for Nov 5th City Council Meeting on Adoption of New Zoning Ordinance

Dear Madame Mayor Perotte and Councilmembers,

Congratulations on getting to the adoption phase of the long-awaited zoning ordinance for the City of Goleta. For those of us who have participated in this effort since 2013, we look forward to its conclusion, as I am sure you do too. I want to thank staff for their endurance and robust and inclusive outreach process; the Planning Commission for the detailed and thorough review of the NZO and accommodating those who showed up at many of their hearings to testify. It was a time intensive effort but worth it!

The two items below were not fully addressed by the last Planning Commission hearing, but deserve further consideration. The first item was only introduced at the very end of the last PC hearing with little deliberation. The 2nd item was not considered but needs to be because of its importance to what the lighting ordinance is trying to achieve. Request the material presented below be added to the applicable NZO sections. Thank you for considering my comments. I hope they have been helpful. Cecilia Brown

Section 17.52.050 Noticing.

Story poles as a form of public notification is additive to any other required on site noticing described in this section. Story poles, as a 3-D visual notice, enhance the public's, staff's, and decision maker's understanding of the nature of a project's massing in relationship to its surroundings and how it may affect the viewshed and neighborhood compatibility.

Staff's proposed standard for story poles noticing is: "for all new structures over 20ft in height, except for single unit dwellings." Circumstances may warrant story poles for other projects: consider them for *existing commercial, office, industrial multi-family, mixed use, or single unit dwelling projects where a building height or yard/setback variance or modification or a significant increase in the footprint is requested.*" And, if there is a project undergoing DRB review that doesn't fall into the above categories but DRB believes that story poles are warranted, then that project should be subject to story poles.

Until detailed story pole guidelines and procedures are developed, request this descriptor of the expected outcome for a story pole installation be added where they are mentioned in this section: *three-dimensional, full-scale, silhouette structures that outline the location, bulk and mass that a proposed structure will occupy on a site and which accurately outlines the building's major wall planes, gables and ridges.*

Section 17.35.060 Lighting

This section is a great improvement over the current regulations, particularly with the requirement for a lighting plan. Unfortunately there are some needed numerical development standards missing from the ordinance. Without this information, decision makers can't determine the compliance of an applicant's project lighting with the city's development standards and the intent of the ordinance which is to ensure "Dark Sky" lighting standards.

As an example, the lighting plan requires applicants to provide project "total site lumens." This is important to know in a lighting plan because this information indicates whether the project site is over lighted. So, if the NZO requires the applicant to provide the info, there needs to be a corresponding NZO standard for decision makers to use to see if the project complies with it. **But, there is no NZO standard for "total site lumens."** Decision makers can't evaluate this lighting plan parameter if there is no standard for them to use.

Fortunately, there is a way to remedy this omission. Use the information from the International Dark Sky Association Model Lighting Ordinance (see link below and pages 13 and 25) on how to figure out a standard for total allowed site lumens. Its not rocket science, it just requires the city to make a decision on which standards to use from the MLO and then some easy math to figure out total site lumens for each project when it is reviewed. Therefore, **request the city add a numerical development standard in the lighting ordinance for "total site lumens."**

https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF



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