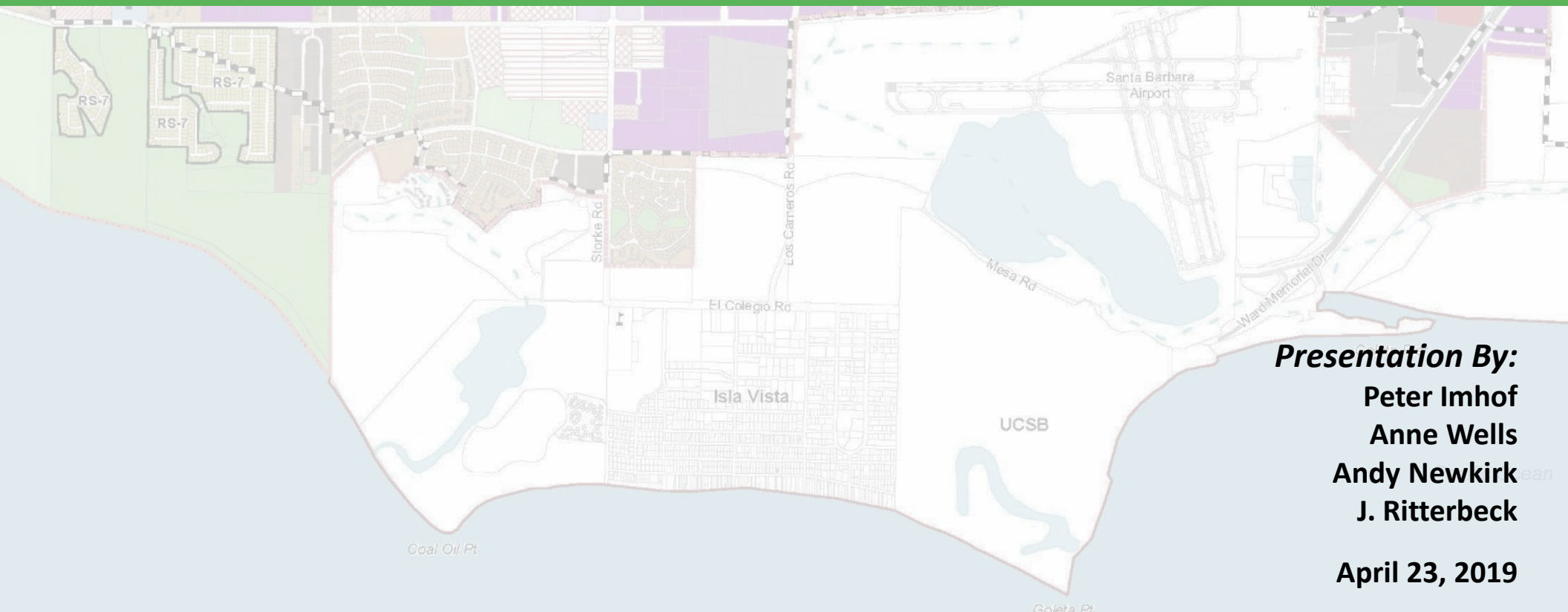




City of Goleta Revised Draft New Zoning Ordinance

Planning Commission Workshop 8 of 9



Presentation By:
Peter Imhof
Anne Wells
Andy Newkirk
J. Ritterbeck

April 23, 2019

Public Outreach

January 31st: Release of Revised Draft NZO

January 22nd – March 12th: Three (3) DRB Hearings

February 4th – 9th: Four (4) NZO Open Houses

- *More Open Houses to be scheduled, if needed*

February 25th – May 9th: Nine (9) PC Workshops

- *Group Stakeholder Meetings to-date:* Environmental Defense Center, SyWest, Ritz Bacara Resort, Goleta Chamber of Commerce
- *Individual Stakeholder Meetings to-date:* B.Massey, W.Tingle, D.Trout, E.Monahan
- *Future Stakeholder Meetings:* Old Town Businesses (April 25th), Goodland Coalition (April 25th)

April 24: City Council Ordinance Review Standing Committee

May 7th: Joint Planning Commission / City Council Workshop

Mid-year → end of 2019: NZO Adoption Packet Prep
& Hearings

Public and Planning Commission Comments

www.GoletaZoning.com

The City of Goleta's New Zoning Ordinance project is a collaborative process that will revise citywide zoning regulations to implement the General Plan, update development and design standards and permitting procedures, and help realize the community's vision for the future - a safe, beautiful, vibrant and livable community with a robust local economy and a sustainable relationship with the environment.

The City has completed outreach activities on the Public Review Draft Zoning Ordinance (NZO) and Map. All comments received on the Public Review Draft were considered collectively. In consideration of public input and guided by the City's adopted General Plan, the Revised Draft NZO was released to the public on January 31, 2019. Release materials include:

- Revised Draft New Zoning Ordinance (NZO)
- Zoning Map
- Zoning Overlay Districts Map
- Overview of Changes
- Response to Planning Commission Comment
- Response to Public Comment
- User's Guide
- Key Issues Guide
- Underline-Strikethrough Revised Draft NZO Comparing Prior Draft

Hard copies are available for viewing at Goleta City Hall (Planning Counter) and at the Goleta Library. Hard copies are also available for purchase at Goleta City Hall (Planning Counter).

Public Comments
Please Note: All comments received will be published on this page.
Submit Public Comments
To submit your comment on the zoning ordinance program, enter your contact information below.

Comments Received
All public comments received for the Zoning Ordinance project have been published below.

2019
Public Comment Log (received by March 31)
Response to Public Comments (received by March 31)
Response to Planning Commission Comments

March
Robert Atkinson - 3/7
Tara Messing - 3/8
Cecilia Brown and Barbara Massey - 3/9
Eileen Monahan - 3/12
Cecilia Brown - 3/15
Eric Torbet - 3/18
Vic Cox - 3/20
Todd Antsiper - 3/21
Barbara Massey - 3/21

February
Cecilia Brown - 2/8
Mica Pollard - 2/8
Cecilia Brown and Barbara Massey - 2/11
Fermine Murray - 2/11
David Low - 2/13
K. Graham - 2/13
Cecilia Brown and Barbara Massey - 2/21
Thomas Totton - 2/21
Mitchell B. Menzer - 2/26
George Relles - 2/28
Barbara Massey - 2/25

January

NOTE: City Responses are *draft* at this point and reflect direction City Staff is considering. The City welcomes additional public comments on any of the issues already raised in this Table and new comments on any topic within the Revised Draft NZO. A Final Response to Planning Commission Comment Table will be released with the Public Hearing Draft.

Response to Planning Commission Comments	
PLANNING COMMISSION COMMENT	CITY STAFF RESPONSE
LU 1.6 - Retail and Other Commercial Centers Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that in LU 1.6, in CC and Old Town categories, there are no minimum common open space or minimum landscaping guidelines in the newest revision of the Zoning Ordinance, but in the 2015 version there were stronger guidelines. She noted this seems inconsistent with the language in LU 1.6, "Goleta's retail areas shall be designed to serve as community focal points and shall include appropriate outdoor gathering places." She believes there is some space in the Community Commercial categories to allow for some landscaping requirements, which she would like to see added.	No change made. Staff reviewed the policy and believes that this policy is best implemented through policy consistency required for the approval of a Development Plan and Design Review, as each project is different and applying an objective standard universally may not be the best approach.
LU 1.9 - Quality and Design in Built Environment Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that she believes the Planning Commission should discuss open space along with LU 1.9, LU 1.2, and LU 3.6, including the definition of open space and goals in creating the open space requirement. The discussion should include: 1) should rooftop gathering areas count as open space? 2) should these spaces be contiguous with the property or can they be separate?; 3) should a community center or building count as open space?; 4) is open space the appropriate term or is it more of a community entity?; 5) how much of the open space can be pavement or a building rather than landscape?; 6) what is an appropriate percentage of plants and whether they have to be real or plastic?; and 7) does asphalt count as open space?	This topic was introduced on March 21, 2019 at Workshop #4, but was not finished. Staff will add this topic to the discussion of Workshop #7 on April 18.
LU 2.2 - Residential Use Densities Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that she is curious about accounts for consistency with the standards for density and building intensity for a residential project (a-h), and about clarifying that a finding needs to be made that the density of a project is appropriate with regard to site constraints.	Public rights-of-way, public easements, floodplains, ESHA, and areas with archaeological or cultural resources are considered when calculating density.

Last Updated April 1, 2019
Version 1 (posted 4/1/19)
Page 1

NOTE: City Responses are *draft* at this point and reflect direction City Staff is considering. The City welcomes additional public comments on any of the issues already raised in this Table and new comments on any topic within the Revised Draft NZO. A Final Response to Public Comment Table will be released with the Public Hearing Draft.

Response to Public Comments	
PUBLIC COMMENT	CITY STAFF RESPONSE
Ben Williams. The current system of relying upon an old zoning ordinance that is inconsistent with the general plan is very confusing to people and discourages people from doing business in Goleta. This is a poor reflection of the organization and effectiveness of our City government and should have been resolved years ago.	Comment noted. No response required.
K. Graham. I found the City's interface to review any of the documents cumbersome. The "summary of changes" was needlessly complicated and jargony.	Comment noted. No response required.
Mitchell Menzer. The Bacara was designed to fit on a challenging site and to create a unique experience with the highest architectural standards. Because of the Bacara's uniqueness, we feel it appropriate to protect it from certain new rules that are intended to apply on a general basis across the City and that could have negative consequences to the Bacara. There are a number of different ways to address the issues noted above, and we would like the opportunity to meet with you to discuss possible solutions to these issues in the near future. We appreciate your consideration of Bacara's concerns and this request and we would like to discuss this with you further. Please let me know when would be convenient for you.	Some revisions to be made for clarifications and to address general concerns; however, although the staff values all of the businesses in our City, the development standards of the NZO will provide equal protection and due process that will apply to all existing and proposed development equally and without special exceptions or provisions for any specific parcel or company.
George Relles. At a zoning workshop I requested a better definition of infeasibility and a hearing where a proponent would have the burden of proof if requesting an exception based on potential infeasibility. I also mentioned that there is CA caselaw expressing the tenet that even proof that a project would be less profitable without certain exceptions being made does not by itself result in a declaration of infeasibility. I'm attaching 2 documents, one a Coastal Commission Opinion and the second, a link to the primary case cited in the Opinion that includes this tenet: I question whether municipalities such as Goleta would be prohibited from including in our zoning code standards and definitions for infeasibility. I believe Goleta should require project proponents to have the burden of proof when requesting a variance or exception based on infeasibility, and that mere reduced profitability should not be self-suffice.	Possible revisions TBD. City staff is currently working with the City Attorney's Office to determine if any changes are necessary to further define/clarify "infeasibility." Generally, the NZO approaches the issue such that the burden is already on the applicant to provide the

Last Updated April 1, 2019
Version 3 (posted 4/1/19)
Page 1

Topics for Discussion

Topics added by PC member request at prior workshops:

- **Workshop #3:** Day Care, “Infeasibility,” Modifications, Exemptions
- **Workshop #4:** ESHA buffers, Grading/Grubbing on AG land
- **Workshop #5:** RV Parking
- **Workshop #6:** Residential setbacks, Developer incentives, Mobile Vendor comparisons
- **Workshop #7:** Maximum lot coverage, minimum Open Space and landscaping for Commercial districts, Transitional standards, City light standards

Topics for Discussion

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- **Workshop #6:** ~~Residential setbacks,~~ **Developer incentives,** *Mobile Vendor comparisons*
- **Workshop #7:** **Maximum lot coverage,** **minimum Open Space** **and landscaping for Commercial districts,** **Transitional standards,** *City light standards*

Workshop #8 Agenda

Staff Overview, Questions, and Comments by Topic:

- Trailers and Recreational Vehicle Parking/Storage
Setback Parking: YES or NO

If time permitting:

- Day Care
- Residential Setbacks

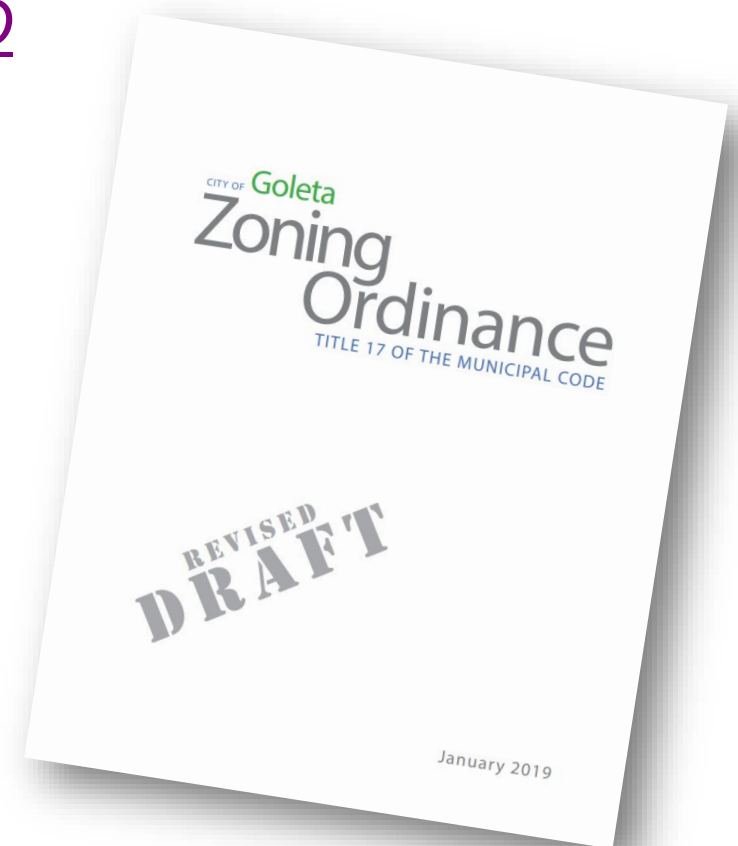
Agenda Suggestion:

Staff presentation

w/Commission questions

Public comment period

Commission discussion



TRAILERS AND RV PARKING/STORAGE

Section 17.38.070(A)(3) (page IV-86)



Existing Zoning Standards

- Inland
 - §35-281.10 – Storage of Trailers as an Accessory Use to a Residential Use
 - Not to exceed 8' width, 13'-6" height, and 40' length
 - Must be screened from view from abutting streets
- Coastal
 - Not specifically discussed or permitted

Revision Background

- **2015 Draft:**
 - No parking/storage in the front setback
 - Maximum dimensions
 - Screening requirements
- **February 22, 2016:** Public & Planning Commission Feedback
- **April 25, 2016:** Review & discuss proposed changes
 - Allow RV parking/storage in any yard (setback) area
 - Prohibit RV overhang on property line or public right-of-way
 - Require current RV registration
 - Prohibit use of any RV for onsite living purposes
 - Require RVs to be parked on approved driveway or other approved parking area w/access provided via a city-approved approach or road
 - Remove RV size limitations and screening requirements

2019 NZO Standards

17.38.070 Location of Required Parking – Residential Uses.

[...]

A.3. Trailers and Recreational Vehicle Parking/Storage. Trailers and recreational vehicles may be parked/stored in any setback area, subject to the following provisions:

- a. The trailer or recreational vehicle must not project into the public right-of-way at any time.
- b. The trailer or recreational vehicle must be operable and have a current year's registration for operation on public streets.
- c. The trailer or recreational vehicle must not be occupied for living purposes.
- d. The trailer or recreational vehicle must be parked on a paved or gravel surface.
- e. Access is provided via a City-approved driveway approach along the street frontage.
- f. The trailer or recreational vehicle may only be parked or stored within the front setback where there is no existing driveway or other access to another portion of the property that can accommodate the trailer or recreational vehicle.



Issues to Consider

Please provide feedback on the following:

1. Allow parking in all setbacks? *
2. Require current registration with DMV?
3. Allowance for RV on-site use for 14 days or less? *
4. Require parking on paved surface? *
5. Require owners to live on site?
6. Require parking to be perpendicular to road?
7. Any other issues?

* Note: Goleta Municipal Code consistency

The background features a light gray line-art map of a city with various street layouts and building footprints. A thick horizontal bar, divided into a green top half and an orange bottom half, spans the width of the page. The text 'PUBLIC COMMENT' is centered over the map and the bar.

PUBLIC COMMENT

DAY CARE FACILITIES

Table 17.07.020 (page II-3)

Table 17.08.020 (page II-10)

Table 17.09.020 (page II-18)

Table 17.10.020 (page II-23)

Table 17.11.020 (page II-28)

Table 17.12.020 (page II-31)

LARGE FAMILY DAY CARE HOMES

Table 17.07.020 (page II-2)

Section 17.41.130 (page IV-137)



Santa Barbara	TOTAL LICENSED	TOTAL CAPACITY
Adoption Agency	1	
Adult Day Program	18	997
Adult Residential	40	233
Day Care Center	148	6,358
Family Day Care Home	399	4,317
FFA Certified Home	76	
Foster Family Agency	1	6
Foster Family Sub-Agency	4	54
Group Home	7	44
Home Care Organization	21	
Infant Center	24	507
Residential Care Elderly	117	2,061
Residential Care Elderly-Continuing Care	5	1,677
Residential Care Facility - ill	1	8
Resource Family Home	6	
School-Age Day Care	21	1,240
Social Rehab	4	44
Total -Santa Barbara	893	17,546

Facility Name	Address	Zip	Status
ABSOLUTE RESIDENTIAL CARE	435 REX PLACE	93117	Licensed
CASA BEAUMONT	571 BEAUMONT WAY	93117	Licensed
CASA NAOMI - BRADFORD HOME	7779 BRADFORD DRIVE	93117	Licensed
CASA NAOMI-CATHEDRAL OAKS HOME	6181 VERDURA DRIVE	93117	Licensed
CASA SALISBURY	264 SALISBURY AVE	93117	Pending
DEVEREUX FOUNDATION - WEISMAN CENTER (RCFE)	6960 DEVEREUX WAY	93117	Licensed
EDELWEISS HOME FOR THE ELDERLY	7067 ARMSTRONG ROAD	93117	Licensed
GOOD SHEPHERD, LLC, THE	6268 ABERDEEN AVE	93117	Pending
MARIPOSA AT ELLWOOD SHORES	190 VIAJERO DR	93117	Licensed

Day Care Facilities - Draft NZO

Day Care Facility. Establishments providing non-medical care for persons on a less than 24-hour basis other than Family Day Care. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California. (Page VI-6)

Use	RS	RP	RM	RH	RM HP	CR	CC	OT	VS	CI	CG	BP	OI	IS	IG	AG	OS PR	OS AR	PQ
GP: Public and Quasi-public Uses	X	X	X	X	-	X	X	X	-	X	X	X	X	X	X	-	-	-	-
NZO: Day Care Facility	MU	MU	MU	MU	-	MU	MU	MU	-	CU	CU	MU	MU	CU	CU	MU	-	-	P



Day Care Facilities - Potential Revisions

- Make a permitted use in C-OT, CC, and CG
 - Current zoning allows w/no permit required in C-1, C-2, C-3, and CN, but w/specific use standards (e.g., 30 student max)
- Consider adding specific use standards
- Remove from AG allowance, per General Plan
- Allow w/Minor CUP rather than Major CUP in other zones
 - Current zoning allowance in all zones with a Minor CUP

Use	RS	RP	RM	RH	RM HP	CR	CC	OT	VS	CI	CG	BP	OI	IS	IG	AG	OS PR	OS AR	PQ
GP: Public and Quasi-public Uses	X	X	X	X	-	X	X	X	-	X	X	X	X	X	X	-	-	-	-
NZO: Day Care Facility	MU	MU	MU	MU	-	MU	<u>P</u>	<u>P</u>	-	<u>MU</u>	<u>P</u>	MU	MU	<u>MU</u>	<u>MU</u>	-	-	-	P

Large Family Day Care – Draft NZO

Family Day Care. A State-licensed home which regularly provides care, protection, and supervision of children under 18 years of age in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, as further defined and permitted pursuant to the California Health and Safety Code (HSC) and other applicable State Regulations.

Large. As defined in California HSC, Section 1597.465 (Care of up to 14 children).

Use	RS	RP	RM	RH	RM HP	CR	CC	OT	VS	CI	CG	BP	OI	IS	IG	AG	OS PR	OS AR	PQ
Not Matched																			
NZO: Family Day Care, Large	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-



Large Family Day Care – Potential Revisions

17.41.130 Family Day Care Homes, Large...

~~A. Permit Required. Where allowed pursuant to Table 17.07.020, Land Use Regulations – Residential Districts, a Land Use Permit is required.~~

~~ED. Passenger Loading. Curbside loading is presumed adequate for drop-off and pick-up of children. However, where the Review Authority has evaluated a particular Large Family Day Care home and has determined that curbside loading is not adequate, a passenger loading plan will be required. Vehicles dropping off and picking up children must not:~~

- ~~1. Double-park at any time;~~
- ~~2. Block the driveways of neighboring houses; or~~
- ~~3. Use driveways of neighboring houses to turn around.~~

Day Care Uses

Please consider the following:

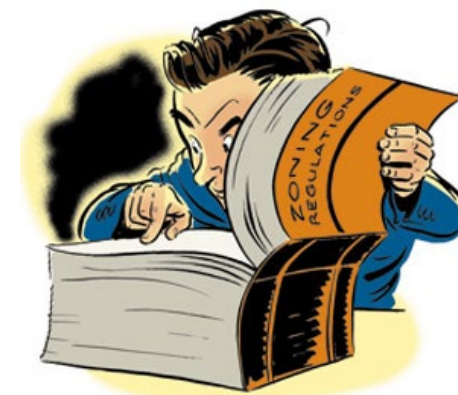
1. Allow Day Care Facilities without a CUP in certain Commercial Zones?
2. Reduce Major CUPs to Minor CUPs?
3. Remove Land Use Permit requirement for Large Family Day Care?
4. Are there any other issues within this topic that need to be discussed?

PART II

Residential Setbacks



Draft NZO Standards

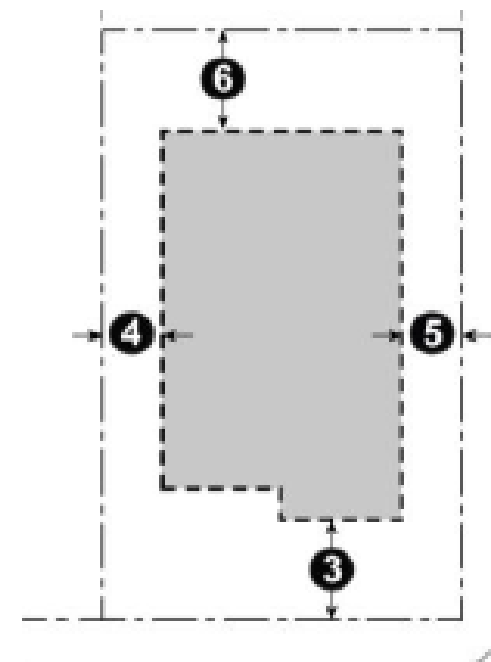


2015
Draft

TABLE 17.07.030: DEVELOPMENT REGULATIONS—RESIDENTIAL DISTRICTS							
	District					Additional Regulations	#
	RS	RP	RM	RH	RHMP		
Building Form and Location							
Setbacks (ft.)	For RHMP, the setback standards apply to the perimeter of the Mobile Home Park.						
Front	20	-	20	20	20		③
Interior Side	5	5	5	5	5	(A)	④
Street Side	5	5	5	5	5	(A)	⑤
Rear	20(A)	10	10	10	15		⑥

TABLE 17.07.030: DEVELOPMENT REGULATIONS— RESIDENTIAL DISTRICTS							
	District					Additional Regulations	#
	RS	RP	RM	RH	RMHP		
Minimum Setbacks (ft.)	For RMHP, the setback standards apply to the perimeter of the Mobile Home Park. Setbacks from individual mobile homes are provided in Sec. 17.07.060(C).						
Front	20	N/A	20	20	20	(B)	③
Interior Side	10% of lot width; min 5, max 10	10	10	10	15	(C)	④
Street Side	10	<ul style="list-style-type: none"> Lots less than 100 feet in width: 20% of lot width, min 10 Lots 100 feet or more in width: Same as required front setback 				(B)	⑤
Rear	25(D)	10	10	10	15	(E)	⑥

2019
Draft



Primary Street

Residential Setbacks

Please consider the following:

1. Add back 20' front setback in RP?
2. Are there any other issues within this topic that need to be discussed?

NEXT STEPS



Workshop Schedule

April 24th: City Council Ordinance Standing Committee

May 7th: Joint Planning Commission / City Council Workshop

May 9th: Workshop #9 – PC-requested topics discussion / Wrap-up

Additional Workshops or Open Houses, if needed

Mid-year → end of 2019: NZO Adoption Packet Prep & Hearings