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Response to Public Comments

PUBLIC COMMENT	CITY STAFF RESPONSE
General Comments	
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 is 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 were written to provide equal protection and due process, which would 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 by 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 by itself suffice.	Possible revisions TBD if directed by Planning Commission (PC) or City Council (CC). Additionally, City staff continues to work 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 information

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In sum, even in the context of CEQA, which arguably does not impose the same level of substantive obligation on agencies as does the Coastal Act, the courts have strictly interpreted the concept of "economic feasibility" to require a real, independent analysis by the agency and substantial supporting evidence in the record. The case law is clear that reduced profitability does not constitute economic infeasibility; rather, the project must be "truly infeasible" in the sense that lost profitability is sufficiently severe to render the project impractical.	requested by staff and the Review Authority in order to have the substantial evidence in the record to determine infeasibility and to make the findings for approval. This approach allows flexibility in the type of information to be requested and/or required by the City for its review of a project.
Robert Atkinson/SyWest. The proposed Zoning Map changes will subject our property to increased development restrictions. Currently, our property is under the jurisdiction of two zoning designations (both M-S-GOL and M-1), and the new map proposes a change to a more restrictive 'IS Service Industrial' designation over our entire property. If applied in this manner, the new IS designation will negatively impact the development potential of this land and result in reduced opportunities for any redeployment. This degradation in value is primarily attributable to the reduction in the maximum intensity of employment being newly evoked over our entire parcel. We are very interested in understanding what options are available to the City to ensure that any change or updates to current our zoning designation do not reduce the development potential of our property and/or degrade its underlying value. As you are aware, we have an application Deemed Completed for the proposed development of a new industrial complex on our property and we are very concerned about the negative impact these proposed zoning designation changes may have on our current or future tenant negotiations. Please be advised, any reduction in the maximum intensity of employment could result in our proposed development becoming financially infeasible.	No change required. The zoning designation will change to match that which is shown in the City's General Plan Figure 2-1. If the property owner wishes to have a different zone district designation that would allow more intense development, a General Plan Amendment would be required. The change in zoning should not affect the current application, as the development would have had to meet the GP land use designation standards for the zone district that the NZO shows it being designated as.

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Vic Cox. The U.S. Constitutional model of checks and balances is a good one for the City to follow. Reading these and other proposed changes can become so convoluted I wonder what is the main purpose of the change-- confusion or clarity? For example, I think a property owner would prefer setbacks in specific feet compared to allowing the Public Works Dept. to arbitrarily determine the "appropriate vision triangle dimensions for new development" (Sect. 17.24.90-D) and Sect. 17.24.210).	No changes made. Public Works (PW) staff do not apply arbitrary standards. The standards are in State engineering design standards, which are updated periodically and consider several safety variables. This is the reason why a specific numerical development standard are not included in the NZO. Staff believes that deferring to PW and the State for vision clearance standards is best, but is open to further direction from the PC/CC.
Cecilia Brown. When does the pc see the revised sign and lighting ordinance in its entirety? Not just the synopsis of DRB discussion. While your transcription of what occurred at DRB including my comments, was good, it hardly covers all the relevant issues for these two impt ordinances, imo. Nice the photo of different color temps. Disagree on the light trespass issue, maybe not neighborhoods but for commercial development when with new lighting types can achieve 0 footcandles. Public should be happy about rv parking standards. Sure changes complexion of neighborhood character though.	Staff will review all PC and Public comments from the Workshops and integrate edits, as appropriate, prior to release of the Public Hearing Draft prior to its adoption by CC, which is anticipated to be later this year (2019).
Barbara Massey, Workshop #3. Barbara Massey stated that she believes the review process for the Revised Draft New Zoning Ordinance is moving too fast, and also there should be more than three minutes for public comment. Ms. Massey questioned why current public comments are not on the website and also requested that the format for current responses includes the wording that is being responded to. However, she commented that the New Zoning Ordinance is a good draft so far.	All public comments have been posted on the GoletaZoning.com website throughout this process. Additionally, all public comments are cited verbatim and staff responses are broken out by topic area.

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Kathleen Toro. Hello Chair Smith and Planning Commissioner's: I am writing you as I am not able to attend the planning workshops but have many concerns that I would like to address. I am a long time resident of Old Town Goleta whose residential property is adjacent to the General Industrial site on Depot Road. If you have never toured this Industrial Site on the east side of Depot Road towards Alondra Drive you should. It's a mess! Here are things that make living in the area not so pleasant. 1. 1. Drive down the cul de sac end of Alondra Drive and you can see all of the junk, and make shift awning covers from the street. There is no screening to hide any of this junk from our neighborhood view other than a 6ft retaining wall. I have been fighting this problem for over 30 years. I thought any industrial site that is adjacent to residents needs to been screened. 2. 2. Vehicles are repaired, body work done and at times painted in these awning covers. 3. 3. There is no such thing as a setback between my property line and the industrial site on the other side. Whatever they can put up against the retaining wall they will! 4. 4. The worst problem is the smell of auto paint in the evenings when someone is painting their vehicle out in the open. The smell consumes my yard! I would like to know from the Planning Commission what protection is in the general industrial zoning laws that protect residential home owners from hazardous odors, noise from vehicle repairs, setbacks between residential/general industrial property lines and screening from the trash and junk we have to look at. Please consider us Goleta families, our homes, property and the air we breathe and put into the General Industrial Zoning, laws that protect us.	Much of the development in this area being cited by this comment predates the City's incorporation and would therefore be considered nonconforming as to any applicable standards (e.g., setbacks, screening, etc.). However, this area of Goleta is the subject of discussion in General Plan Policy LU 4.6. Any air quality matters should be reported to the County's Air Pollution Control District as a nuisance under Rule 303.

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Heidi Jones. Chapters 17.07-17.12 (Base Zone District Standards and Allowed Uses For all base zone district sections of the draft NZO, the Land Use Regulations sections have redlined/removed language relating to "where specific land use or activity is note defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and subclasses not listed in the table or not found to be substantially similar to the uses below are prohibited." We believe a similar statement must be incorporated back into the NZO to allow the Director to define uses and classifications not specifically listed and/or have the ability to determine that a use conforms with the intent of said zone district. Further, the current Zoning Ordinance includes language in the allowed uses section that stated "uses, buildings, and structures incidental, accessory, and subordinate to permitted uses" which is critical language to include in the NZO as it allows reasonable flexibility in the defined allowed uses that otherwise would have no path forward for consideration. A similar use definition should be added to all land use categories. With over 25 years of land use experience, we at SEPPS have come to understand that each site and each project is unique and often found that not all uses classifications can be explicitly defined and strongly recommend the City maintain the ability to assess a specific project or proposed use classification that is not explicitly listed and be able to make a determination as to its appropriate or similar use or classification. (*Comment submitted twice*).	Comment noted. No changes made. The Director retains the authority to make written determines of the applicability or interpretation of any provision of the NZO, which would include determinations on similar Use Classifications if necessary (see Section 17.02.030(B)). The Director may also refer the determination to the Planning Commission. Further, the NZO allows a great deal of flexibility for accessory uses, which was also the subject of an April 2019 General Plan Amendment (Reso. No. 19-21).

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PUBLIC COMMENT	CITY STAFF RESPONSE
Land Use and Open Space Elements	
Eric Torbet, Workshop #1. Eric Torbet, organic farmer, requested consideration of changes in ordinances for agriculture parcels that would provide flexibility such as allowing multiple owners of a farm, collective ownership, formation of a cooperative farm, individuals living in small homes, and people living on the farm who are not farm employees and can live in Accessory Dwellings on the farm. Mr. Torbet expressed concern that currently small farms are disappearing locally and nationwide, particularly when farms must consist of a single owner. Also, it is hard to find opportunity for potential single ownership because of the cost, and it is difficult to make a profit because of competition from larger entities and farm labor issues.	No changes made. As discussed elsewhere, this issue is similar to Day Care Facilities, in that Planning staff believes that the Farmworker Housing issue is more of a general policy discussion that is more-suitable for the PC and CC to consider and provide direction to staff if changes should be made.
Barbara Massey, Workshop #1. Requested that a policy be added to Page 4 with regard to LU 7.5 which requires a vote of the citizens of Goleta before agricultural land of ten acres or more can be rezoned, and noted she believes it should be in the Zoning Ordinance.	No changes made. There are no development standards in General Plan policy 7.5 to be incorporated into the NZO.
Barbara Massey, Workshop #1. It would be simpler and better protect citizens if the entire New Zoning Ordinance was the same for both inland and coastal areas, with regard to LU-IA-1.	No changes required. As written, the NZO applies to both Coastal and Inland areas of the City.
Vic Cox, Workshop #1. Expressed appreciation for OS 8, Protection of Native American and Paleontological Resources.	Comment noted.
Conservation Element	
Vic Cox, Workshop #1. Commented that he requests that environmental criteria be applied to projects before a project gets started.	No changes required. The development standards of the NZO would always be in effect.
Vic Cox, Workshop #1. Also requested the City consider what it is doing to its own open spaces that diminishes the quality of life.	Comment noted. The City's Open Spaces are managed and maintained by the PW department.

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Safety Element	
Barbara Massey, Workshop #1. Suggested a separate process for the battery storage issue because of the possible hazardous conditions that have recently become known.	No changes made to-date. Currently, battery storage would be included as a "Major Utility." Additionally, this issue is envisioned to be a topic of discussion in a separate work program outside of the NZO.

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Housing Element	
Barbara Massey, Workshop #1. Requested adopting regulations to discourage the conversion of housing into non-residential uses, with regard to HE 1.5.	No changes required. Specific to HE 1.5, the uncommon scenarios in the City where Condos are converted require a Parcel Map, and nearly all conversions of a conforming residential use to non-residential use would require some form of discretionary review. Both of these scenarios would also be subject to CEQA and must be found consistent with all General Plan policies to be approved, including the very specific provisions listed in policy HE 1.5.
Chapter 17.01 Introductory Provisions	
General. Vic Cox, Workshop #1. Questioned the application of rules for the rest of the City of Goleta that are not in the Coastal Zone.	No changes required. The NZO standards apply to the entire City, not just the Coastal Zone. See Section 17.01.040.
General. Dr. Ingeborg Cox, Workshop #1. There needs to be good guidelines in the Zoning Code for the public to understand the agencies that would need to be part of the review process.	Possible changes to be made. Staff is considering adding a subsection in 17.01.040(B) that lists the most common other agencies that may have some form of review authority over projects within the City.

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PUBLIC COMMENT	CITY STAFF RESPONSE
General. **Vic Cox, Workshop #1.** Questioned how a jurisdiction such as APCD would overlap with the Zoning Code;	APCD has jurisdiction over Air Quality and has staff that is trained to analyze and condition a project as needed to ensure public protection. Also, see previous response above.
Section 17.01.040 **Heidi Jones.** On behalf of Suzanne Elledge Planning and Permitting Services, Inc., we appreciate the opportunity to provide comments on the City's Draft NZO Chapter 17.01 – Introductory Provisions, Section 17.01.040, Applicability (E. Project Vesting) The proposed language in this section does not refer or speak to discretionary project approvals (i.e. CUP, Development Plan, etc.). As land use professionals, it is important to define at which point a discretionary action is vested prior to the effective date of the NZO. This section seems to only speak to application of vesting for follow-up building permits. We recommend adding clarification or a separate definition that relates to discretionary actions and vesting of those approvals. (*Comment submitted twice*).	At the direction of the Planning Commission, staff will be revisiting this topic of the NZO. The subsection discussing "vesting" is a matter that Planning staff will continue to discuss with the City Attorney and the City Council. The direction of the Planning Commission was to consider reverting to the 2015 draft language, which seemed to be more fair.

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Section 17.01.040 Ken Alker. The DRAFT Goleta Zoning Ordinance dated November 2015, section 17.01.040 "Applicability", Subsection E "Effect on Projects in the Entitlement Process" reads as follows, "Projects accepted for processing prior to the adoption of this Ordinance may continue to be processed with the previously adopted Title 17 or may utilize the provisions herein." This paragraph is missing from the REVISED DRAFT Goleta Zoning Ordinance dated January 2019. I received a Notice of Application Completeness for Kenwood Village in 2010, long before either of the drafts mentioned above were created. I have already paid for complete architectural plans, numerous studies, a scoping document, and two EIRs all under the guidelines of the current zoning ordinance. It is possible, and highly likely, that the new zoning ordinance will be approved before my Kenwood Village project is approved by City Council. It would be an unfair and unjust hardship for me to have to spend the money and time to redo my entire project under the guidelines of a very different zoning ordinance after having spent years perfecting it under the current ordinance. I do not know how, when, or why this critical paragraph was removed from the current draft, but I implore you to reinstate it in the new zoning ordinance. This is absolutely critical to the processing of my Kenwood Village project. I look forward to your timely response.	See comment above. Additionally, the 2015 draft NZO included language that relied on project Completeness as the benchmark by which a developer was able to choose to process their project under the new NZO development standards or the existing zoning, which will be repealed upon NZO adoption. Staff was given direction to revise the document to include this language back into the NZO as well.

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Section 17.01.040(E) **Steve Fort.** I am emailing to submit a brief comment on NZO Section 17.01.040(E). I may follow this with additional comment upon release of the Hearing Draft of the NZO. The November 2015 Draft NZO included the following language in Section 17.01.040.E Applicability - Project Vesting: "Effect on Projects in the Entitlement Process. Projects accepted for processing prior to the adoption of this Ordinance may continue to be processed with the previously adopted Title 17 or may utilize the provisions herein." This language from the 2015 Draft NZO is deleted in the current draft and replaced with language that applies only to projects that have been issued building permits. I am processing a project for a new synagogue with Chris Noddings. The project is deemed complete, Chris is working on an MND, and we are hoping to get to PC in August. So I am presuming the project will have discretionary approval by PC prior to adoption of the NZO. The January 2019 Draft NZO version of Section 17.01.040(E) does not distinguish between projects that are in process, deemed complete, or approved. It only addresses projects with building permits (also, no mention of grading permits). The synagogue project (and that is only one example), may not have a grading or building permit prior to the NZO being adopted. The way Section 17.01.040(E) currently reads may require the synagogue project to return to the PC for a modification to the height limit (since the subject zoning designation is changing and the height limit is reduced). That is unacceptable and inequitable. And again, this is only one project example. Applicants spend significant resources to get to the point of having an application deemed complete. Also consider the staff time necessary to go back and reassess these projects. I implore staff to do the right thing and recommend to PC and Council to include the language from the previous draft or specify in some manner that projects that are deemed complete are not subject to the NZO.	Comment noted. Staff is reviewing the Section of the NZO that discussed Project Vesting. The revised section that staff will present to the Planning Commission in the Public Release Draft will address projects at the following stages of review: 1. projects under the authority of a different zoning code, 2. previously approved projects under construction, 3. previously approved projects not yet under construction, 4. project applications deemed complete, and 5. project applications deemed incomplete.

Section 17.01.040(E) Steve Fort. Dear Chair Smith and Planning Commissioners: I am writing on behalf of The Towbes Group, Inc. to provide comments on the City of Goleta's Draft New Zoning Ordinance (NZO) dated January 2019. The Towbes Group, Inc. is the applicant for the Heritage Ridge project (Case Numbers 14-049-GPA-VTM-DP— CUP) and has significant concern regarding the language proposed in Section 17.01.040.E Applicability - Project Vesting on page I-3 of the Draft NZO. Our concern is that, as currently drafted, language in this section makes no exception to applicability of the NZO to project applications that have been deemed complete by the City. Instead, the currently proposed draft language only addresses applicability to structures that have been issued building permits. This apparent oversight is of concern for several reasons as follows: The Heritage Ridge application was deemed complete on October 1, 2014 as documented in the enclosed Notice of Application Completeness signed by Mary Chang, Senior Planner. On August 20, 2015 Michael Towbes wrote then Director of Planning and Environmental Review, Jennifer Carman, and specifically asked whether the new zoning ordinance would be in place before the Heritage Ridge project was brought to a decision. Director Carman responded in writing on September 1, 2015 as follows: "The new zoning ordinance will be released for public review before the end of this calendar year and staff hopes that adoption of the document will occur within six months of the time public review commences. With that said. Heritage Ridge will follow the entitlement process currently in place [up to City Council consideration] and the zoning standards currently adopted will be used for zoning compliance." Copies of both letters are enclosed for your reference. We also note that the November 2015 Draft NZO included the following language in Section 17.01.040.E Applicability - Project Vesting: "Effect on Projects in the Entitlement Process. Projects accepted for processing prior to the adoption of this Ordinance may continue to be processed with the previously adopted title 17 or may utilize the provisions herein." This language from the 2015 Draft NGO is deleted in the current draft and replaced with language that applies only to projects that have been issued building permits.	Comment noted. See response above.

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Based on the above referenced written correspondence with the City's Director of Planning and Environmental Review and the language included in the 2015 version of the Draft NZO, The Towbes Group, Inc. proceeded forward with the very reasonable understanding that the existing zoning ordinance would apply to the Heritage Ridge project. A Draft Environments! Impact Report has been completed and draft mitigation measures and conditions of approval are being considered. We anticipate decision maker hearings in 2019. Many applications require the expenditure of a significant amount of money, time, and resources to get deemed complete. The Towbes Group, Inc. has paid for the preparation of an Environmental Impact Report. As currently written, the subject language lacks clarity and fairness for not only the Heritage Ridge project but for other applications that have been deemed complete. We believe it is very reasonable to request the City to proceed in accordance with correspondence issued by the City's Director of Planning and Environmental Review. We request this be accomplished by reinstating the language that was included in the 2015 Draft NZO, perhaps with a clarification to identify that applications that have been deemed complete may continue to be processed with the previously adopted zoning regulations. We appreciate consideration of these comments by the Planning Commission and staff. We hope you agree that it is equitable and reasonable to grant our request that the Heritage Ridge project and other qualifying projects should not be subject to the NZO.	
Chapter 17.03 Rules of Measurement	
Section 17.03.100(B)(1) and (2) Mitchell Menzer. Measurement of Height. Further, the Draft Ordinance changes the method of measuring building height. Under the current Coastal Zoning Ordinance, the height is measured from the building's average finished grade to the mean height of the highest gable of a pitched roof. (Coastal Zoning Ordinance Section 35-58, definition of Building Height.) The Draft Ordinance changes the method to an absolute height limit measured from grade to the top of the building. For buildings on lots sloped less than 10 percent, the height will be measured from the average elevation of the highest and lowest point where exterior walls touch the existing grade of the site prior to	Potential change to be made to subsection (B). Height is defined in the NZO as the distance from existing grade to the top of the structure directly above. Section 17.03.100, Height, may be revised to clarify that the area below the proposed structure is what will be used to

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development to the topmost point of the roof. For buildings on lots with an average slope of 10 percent or more, building height will be measured as the greatest vertical distance from a line established between the highest and lowest points where the exterior walls touch the existing or finished grade, whichever is lower. (Draft Ordinance Section 17.03.100(B)(l) and (2).) As a result of this change, many of the Bacara's buildings may be rendered legal nonconforming as to height. In addition, the Draft Ordinance's measurement method will be difficult to implement at the Bacara, which has numerous buildings located on a single parcel that ranges from flat to slopes of more 10 percent. The Draft Ordinance does not explain how to determine the "average slope" for a parcel as large and varied in terrain as the Bacara. For any individual building, compliance with the height restrictions will vary considerably depending on whether the building is on flat or sloped ground.	determine slope and the applicable measurement to be used for a particular structure and not use the average of the entire "lot." This would account for larger lots with variable terrain and allow for more site-specific protections.

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Section 17.03.100(A) **Barbara Massey.** This exception to the height limit should not be allowed. Heights need to be kept to a minimum to protect views and maintain a more open feeling.	No changes made. The 4:12 exception accounts for existing homes that would otherwise become nonconforming, as well as incentivizes non-flat, sloped roofs on new development.
Section 17.03.100(A) **Barbara Massey.** Barbara Massey spoke in support of keeping the building heights down. Ms. Massey commented as follows: 1) heights need to be kept at a minimum to protect the views and maintain a more open feeling; 2) she does not support a variable height; 3) a three-foot addition in height should not be given for a 4:12 roof pitch; 4) expressed concern regarding the up to 50% in District height standard approved by the Planning Commission; 5) all height modifications should require Planning Commission or City Council hearing; and 6) modifications should be limited to 10%; and 7) the height in all Residential zones should be limited to 25 feet with chimneys limited to the minimum height required by the California Building Code for chimneys, which will hopefully not exceed 25 feet.	Comments noted. 1) No change needed. 2) No change needed. 3) No change made. 4) Commission members gave direction to staff to revisit 50% height Modification. 5) No change made to Review Authority. 6) Height limits with MODs are being revisited with Commission direction to stay between 20% - 30%. 7) The NZO follows the allowable heights as prescribed in the City's General Plan and chimney heights are reviewed by both the DRB and Building Dept. staff.
Section 17.03.140 **Barbara Massey.** It is important to have these requirements on Open Space.	Comment noted.

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Chapter 17.07 Residential Districts	
General. Barbara Massey, Workshop #6. Barbara Massey commented with the following requests: 1) all SR zoned properties should have a Conditional Use Permit requirement for animal keeping and public quasi and public uses as these uses could have serious impacts on adjacent homeowners with traffic, noise, air, and chemical pollution; 2) maximum building heights should be 25 feet for all residential areas; with no provisions for an increase in height; 3) the front setbacks for RP should be 20 feet, the same as the RS district if housing is single family; 4) the front yard setbacks should be 20 feet for the RP district, and the same as the rest of the residential zones; 5) all residential districts should keep the current 15-foot rear setback; 6) Section 17.07.050 should be deleted, noting she believes height increases in residential zones and decreased parking is not what is wanted; 7) mobile homes should be set back 10 feet from another mobile home in any configuration; 8) maximum building heights in CR zones should be 30 feet if next to residential areas; 9) all commercial zones should have a maximum of 5 percent landscaping with an exception for 10 percent in Visitor-Serving; 10) the duration of affordability should be set at the maximum length legally allowable; 11) developers should be required to either provide affordable housing onsite or offsite in the community, and it must be available before the new units are occupied; 12) the tradeoff should be removed, there is no reason for tradeoffs; and 13) more Very-Low and Low units are much-needed.	Comments noted. 1) No change made. The NZO does not recommend requiring a CUP to own and keep a cat or dog. 2) No change made. Height maximums in NZO are derived from the City's General Plan and allowances for Modifications are carried forward from existing practice. 3) Staff is revisiting RP front setback at direction of the Commission. 4) Same comment/response as #3). 5) Staff is revisiting some rear setbacks at direction of the Commission. 6) Changes are being made to this section, but it will not be deleted. 7) No changes made. 8) No changes made. 9) Landscaping requirements are being revisited at the direction of the PC. 10) No changes made. 11) NZO §17.28.050(D) provides the requirements for Inclusionary Housing. 12) No change made, see General Plan policy HE 2.5(g). 13) No change needed.

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PUBLIC COMMENT	CITY STAFF RESPONSE
General. **Barbara Massey.** It is important to review all of the housing standards, not just the ones staff has chosen.	Comment noted.
Table 17.07.020 **Barbara Massey.** All RS zoned properties should have a Conditional Permit requirement for Animal Keeping and Public/Quasi Public uses. These uses could have serious impacts on the adjacent homeowners with traffic, noise, and air and chemical pollution. The public should have the ability to comment on the impacts.	No changes made. The only Public/Quasi-Public use allowed without a Conditional Use Permit is Public Safety Facilities. Animal Keeping is the non-commercial keeping of animals. Requiring a Conditional Use Permit means a homeowner would need a Conditional Use Permit to have one dog or cat.
Table 17.07.020 **Barbara Massey.** Community Assembly should be prohibited in RS zones. Public assembly brings increased traffic and considerable noise into quiet residential areas. It isn't an appropriate location.	No change made. The General Plan Table 2-1 lists Religious Institutions and Public and Quasi-public uses as allowed in R-Sf, R-P, R-MD, and R-HD. The requirement of a Minor CUP is included so that compatibility issues can be addressed.
Section 17.07.020 **Barbara Massey, Workshop #6.** Barbara Massey commented that she believes Community Assembly should be prohibited in RS zones, noting that public assembly brings a lot of traffic and noise, and is inappropriate for a neighborhood area. Ms. Massey also stated that believes a CUP should be required.	No changes made. The potential effects of Community Assembly is why the NZO requires the analysis through a Condition Use Permit and CEQA.
Table 17.07.030 **Ken Alker.** Attached please find my "RS zone district maximum height.pdf" letter dated May 27, 2016 of which we spoke this evening.	The existing DR zone has a stated purpose to "provide standards for traditional multiple residences as well as allowing flexibility and encouraging

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PUBLIC COMMENT	CITY STAFF RESPONSE
Per the letter, I don't think that it is wise to restrict housing to 25'. People today are building two-story homes, and having an arbitrary limit of 25' is going to make for some ugly houses with non-gabled (ie. flat) roofs. When it comes to height, I think people are going to choose function over form in order to get the size home they need, which will result in compromises that won't be architecturally appealing. This is explained in my letter. I'm in a DR zone and would like to keep the height allowance I am current granted (35') for my home, accessory units, and ADU, however, the draft code reduces my allowable height to 25'. I think the others who are in DR zones would appreciate keeping their allowed height as well. Allowing for a 32% modification in height (per tonight's workshop slides) would get us to the 33' stated in my letter, and a 40% modification would get us to the 35' that I am currently allowed to build to. But this would require approvals while, currently, we have that right without seeking approvals. Another solution would be to create an overlay for those who currently have DR zoning. But this should include the other aspects of zoning that people who own property in the DR zones have currently so their property potential (and values) are not decreased by moving them into new more restrictive zones. Another way to tackle this would be what I describe in my letter "Second Dwelling Units.pdf" also dated May 27, 2016 where I suggest allowing multiple ADUs but only on larger lots. This same mechanism could be applied to building heights. My letter suggests allows one ADU per very 10,000 square feet of land. Similarly, retaining the 35' height currently allowed for those of us in DR zones could be extended to anyone with greater than 10,000 square feet of land; we probably all fall into this category. While this isn't my preferred method, it probably has the same result. Those of us with DR zoning have the space, and NEED the utility to build tall barns and other accessory units, and to build ADUs to similar heights. It would be nice to be able to build more than one ADU at greater than 800sqft since we've got the space. In my case, and probably others, there are no views to preserve. I have also attached my "Accessory Structures.pdf" letter dates June 2, 2016 because it, likewise, talks to height in the DR zones. While much of this letter got addressed in the re-write of the zoning code, the height component I need for a future barn was not.	innovation and diversity in the design or residential development by allowing a wide range of densities and housing types while requiring the provisions of a substantial amount of open space within new residential development." Furthermore, the intent is to "ensure comprehensively planned, well designed projects." As part of the adoption of the NZO, the City will realign the zoning of all properties throughout Goleta to match the General Plan's Land Use Plan Map (Figure 2-1). It appears as though the subject lot(s) being discussed in this letter would be re-zoned to RS (Single-Family Residential), which is the current land use of the property. If the property owner desires the same development potential of the DR zone, the NZO Zone District that most-closely matches the DR zone is the RP (Planned Residential) district. Lastly, the RP Zone District also affords a 35-foot maximum height allowance within the Inland area of the City.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Thanks for your consideration.	

Table 17.07.030. Ken Alker. Per the Planning Commission April 18th workshop regarding maximum building height, Commissioners supported up to 35% allowance for single family and 20% for multi-family. Additionally, there was a suggestion to consider if the property is in a canyon, lot size, etc. The property where I live in Goleta is in the DR zone district which has a maximum building height of 35'. I purchased my property with the ability to build to this height, and I would like to continue to have the right to build to this height. I am on a large parcel where I need to store tractors and utility equipment. All four of my immediate neighbors have barns. I store my tractors outdoors, but would like to build an accessory structure when I can afford to do so one day. I would like to be able to build to 35'. I am in a canyon and am surrounded by trees that are much taller than 35'. There are no views to preserve, and no one has access to my land even if there were views to preserve. I am NOT the only person in Goleta in this situation. I understand from a past workshop that it may have been more appropriate to have rezoned properties that are in the DR zone district into the new RP zone district rather than the RS zone district, but the fact is, that was not done, so our properties are now being lumped in with all the smaller lots where some people feel it might not be appropriate to build as high. Requesting a rezone, as was implied, is expensive, requires a general plan change, and takes a long time. This is simply not a practical solution for a home owner who wants to build a 35' accessory structure, ADU, or second home on their property. I still believe that my suggested approach to height as detailed in my May 27, 2016 letter (please re-read that letter) is the best approach. Based on my letter, I feel that people in the RS district should be able to build to at least 33' in order to have attractive gabled two story homes (rather than flat roofs) in order to preserve, and even enhance, the character of Goleta. If the strategy outlined in my 2016 letter is not chosen, and a 25' base height is chosen for the RS zone district, I respect and appreciate the Planning Commission's willingness to allow modifications to 30% (if not 35% as one Commissioner suggested, or even just 32% which gets to the 33' described in my letter). In any case, I request that you add a stipulation that allows building to 35' (or 40% higher than the base district, if using a percentage is more desirable) "by right" on lands that are in the DR zone district. If it is not practical to single out these parcels by creating an overlay, then I suggest allowing 35' on any land that is greater than some minimum size, such as 10,000 square feet as most DR parcels are likely greatly than this and most other parcels that will end up in the RS zone are probably 7,000 square feet, or less. This figure could certainly be made bigger; perhaps 15,000 or even 20,000 square feet.	See response above. As part of the adoption of the NZO, the City will realign the zoning of all properties throughout Goleta to match the General Plan's Land Use Plan Map (Figure 2-1).

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Staff's response to Planning Commission Comments Version 2 (posted 4/29/19) page 33 speaks to a 20-30% modification of height perhaps with higher height modifications allowed in the RS zone district. This doesn't consider the 35% suggestion from one Planning Commissioner nor does it address the suggestion of allowing even higher heights based upon land location and/or lot size, etc. Please consider these suggestions from our Commissioners as well as my above suggests for the new zoning ordinance.	
Table 17.07.030 **Barbara Massey.** Maximum Building Height should be at 25 ft. for all Residential Districts.	No changes made. Standards on height taken directly from General Plan Land Use Table 2-1.
Table 17.07.030 **Barbara Massey.** The height limit for all Residential districts should be 25 ft. with no provision for an increase in height.	See response above. Existing height Modifications are allowed up to 10% of district standard.
Table 17.07.030 **Barbara Massey.** All Residential districts should keep the current 15 ft. rear yard setbacks.	No changes made. Under existing zoning, rear setbacks are 10 feet in DR and 25 feet in R-1.
Table 17.07.030 **Barbara Massey.** The front setbacks for RP should be 20 ft. the same as the RS district, if the housing is single family dwellings.	At the direction of the PC at Workshop #8, staff will be revising the RS district to require a 20 ft font setback.
Table 17.07.030 **Barbara Massey.** The front yard setback should be 20 ft. for the RP district, the same as the rest of the residential zones.	See response above.
Table 17.07.030 **Barbara Massey.** The staff should quit trying to increase the heights of buildings. The residents of Goleta don't want buildings higher than 25 ft. in the RS zone. Increased heights or decreased parking is not wanted.	No changes made. Most land use designations in the General Plan allow heights greater than 25 feet. In addition, existing Zoning allows some height standards to be modified. Staff is carrying many of these allowances forward in the Draft NZO for further consideration and discussion.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.07.050 **Barbara Massey.** Please don't rename Open Space "Amenity Space". People understand what open space is but amenity means different things to different people. The new regulations are good. The use of the term methodology doesn't seem to be the right word.	No changes currently made. Direction from PC to staff was to retain the term Open Space, but staff will restudy this and work to further clarify its intended function, uses, and how its area is calculated.
Section 17.07.050 **Barbara Massey, Workshop #4.** Barbara Massey commented that calling "Amenity" has too many definitions, and suggested just calling it "Private Open Space". Ms. Massey also commented that she believes an archaeological site is being counted as open space in the proposal for the Heritage Village development.	Comments noted. Staff is exploring options to distinguish the types of "open spaces." An archaeological site may be used as open space.
Section 17.07.050 **Dr. Ingeborg Cox, Workshop #4.** Dr. Ingeborg Cox commented: 1) suggested it would be less confusing to indicate that open space is to be considered for apartments and condominiums because one would consider "open space" as being for private housing; 2) suggested mentioning the size of the housing that is going to be considered in this area; 3) she recalls that originally the bike trails in the Village at Los Carneros project needed to be built so the public would have access to the bike trail for transportation; 4) requested that a definition of medium density with an example be provided in the document; 5) suggested designating 40 percent of the gross area, not the net area; 6) agreed that an open space area is not an amenity, and she agreed with Commissioner Miller's comment; and 7) noted that some areas in Goleta that are used for recreation are sloped areas that flood and are unable to be used, so the people use other parks.	Comments noted. 1) Staff is exploring ways to distinguish types of "open spaces." 2) Heights are proposed case by case. 3) No changes needed. 4) Dwelling Unit Density calculation explained in Section 17.03.070 and RM density shown in Table 17.07.030. 5) No change made. 6) See response 1) above. 7) No change needed. NZO §17.03.140 states that open space must be less than 10% slope to be counted.

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Section 17.07.050 **Barbara Massey, Workshop #4.** George Relles urged that the Planning Commission recommend to the City Council that rooftop space does not count as open space. Mr. Relles expressed concern that allowing rooftop space to count would allow for more development on the ground, or may possibly encourage the building of platforms for rooftop space. He also recommended that open space should be ADA compliant.	Comment noted. Staff will clarify in the NZP that rooftop areas that are gardens, landscaped, etc. are not counted as open space.
Section 17.07.050(A) **Barbara Massey.** 17.07.050 should be deleted. Height increases in residential zones is not wanted.	No changes required. This section discusses Transitional Standards, not increasing overall height allowances in a Zone District. This standard would actually require a reduction in height.
Section 17.07.060(C) **Barbara Massey.** Mobile Home setbacks should be 10 ft. from any other mobile home in all configurations.	No change made. Mobile home setbacks taken from existing Zoning for the MHP district.
Table 17.08.030 **Barbara Massey.** Maximum Building Heights for the CR zone should be 30 ft. it is next to residential areas.	No change made. The CR zone height standard is taken directly from General Plan's Land Use Element Table 2-2.
Table 17.08.030 **Barbara Massey.** All Commercial zones should have a minimum of 5% landscaping with the exception of 10% in VS.	No change currently made. Staff carried forward landscaping requirements from the existing zoning ordinance. Currently, only the CH (5%) and SC (5%) zones have landscaping requirements. However, staff will restudy the issue and is considering adding a 5% landscaping requirement to the CI zone for consistency with existing Zoning standards.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.08 Commercial Districts	
Section 17.08.020 Mitchell Menzer. All of the current uses at the Bacara should continue to be permitted uses in the new Zoning Ordinance. As presently written, the Draft Ordinance allows "Hotels and Motels" as a permitted use in the VS zone and it lists most of the current uses at the Bacara. However, certain present uses such as weddings, wine tasting rooms, spas, swimming pools and fitness centers are not specifically mentioned and we would want those uses to be included in the definition.	No changes made. The Hotels and Motels use includes additional services available to guests or to the general public (e.g., conference rooms, restaurants, bars, personal services, recreation facilities. etc.). Additionally, some other uses may also qualify as allowed accessory uses. Furthermore, CC approved a General Plan Amendment April 2019 that further clarifies allowable Accessory Uses.
Table 17.08.020 Eileen Monahan. Allow all centers by right, or with a Ministerial or Minor Conditional Use Permit Allow childcare centers in the General Commercial zone. Require a CUP in Intersection Commercial with CUP, if necessary.	Possible changes to be made at the direction of the PC/CC. The topic of Day Care Facilities is more of a general policy discussion more-suited for the PC/CC to consider. Staff has reviewed existing standards and is considering proposing to allow Day Care Facilities without a Conditional Use Permit in C-OT, CC, CG, and possibly CR. Staff is also considering recommending reducing the required Conditional Use Permits from Major to Minor.

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Section 17.08.020 **Dr. Ingeborg Cox, Workshop #6.** Dr. Ingeborg Cox stated that mobile vendors who sell and work with food must be checked somehow to ensure they are wearing gloves and are current on Hepatitis A and Hepatitis B immunizations so there is no transmission to the public.	No changes needed. Such issues are not zoning issues, but rather Environmental Health Services regulates these matters.
Table 17.08.010 and 17.09.020. **William Master.** This letter is to request that the City of Goleta add RV Storage to the allowed uses within the Office (BP, OI) and Commercial (CC, Cl, CG) Zoning Districts. There is an extreme shortage of RV storage parking locations in the City of Goleta and the surrounding area. While the City has adopted regulations to prevent parking of RVs and boats on City streets, the City has not provided any realistic opportunity for the development of RV storage lots within the City's Zoning Districts. By adding RV Storage to the allowed uses within the Office (BP, OI) and Commercial (CC, Cl, CG) Zoning Districts, one or more RV storage lots can be established, and City residents will be able to comply with the City's large vehicle parking regulations. RV storage lots ("Vehicle Storage") are currently only allowed in the Service Industrial (IS) and General Industrial (IG) Base Zoning Districts in the Revised Draft New Zoning Ordinance. There are only a few parcels with IS and IG zoning, and these parcels are fully occupied with industrial uses that are intended for these zones. Limiting RV storage lots to these two industrial zones which are in high demand for intense high-impact industrial uses, ensures that no new RV storage lots will be established in the City. This will force RVs back onto City streets or onto the front and side yards of residential and commercial properties. An RV storage lot is a very low impact land use. As RVs and boats are normally parked for days or weeks without use, RV storage lots create very little vehicle traffic or congestion. The only notable potential impact is a minor visual impact, and the current ordinance adequately addresses visual screening of RV parking. Therefore, RV storage is compatible with Commercial and Office Districts which already provide for normal vehicle parking.	No changes made. The NZO has been drafted to align with the Land Use Tables in the General Plan. RV storage lots would be considered Outdoor Storage. Therefore, it would be an allowable use within the C-G (General Commercial), I-S (Service Industrial), and I-G (General Industrial) zones. A developer wishing to create a new RV storage lot would have four options: 1) Look in one of the three zone districts that allow Outdoor Storage. 2) Request a General Plan Amendment to allow the use within other zone districts.

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History of RV Parking in City Prior to the adoption of the Large Vehicle and Trailer Parking Restrictions by the City, RVs, boats and large work trucks were allowed to be parked on the City streets. During the lengthy hearing process for the Large Vehicle parking regulations, the City council heard from many residents that there was inadequate RV storage in the City and the surrounding area to accommodate these large vehicles. The Council encouraged local businesses to develop additional vehicle storage lots within the City to accommodate those vehicles. Unfortunately, due to zoning restrictions, no new vehicle storage lots have been established, and three of the largest vehicle storage lots have been forced to close due to zoning conflicts. The most recent example is the Vehicle Storage lot at 650 Ward Drive which was forced by the City to close due to zoning issues. Consequently, another 150 RVs and boats stored on that lot have been displaced onto City streets and residential property. I have made repeated attempts to locate RV storage lots in Goleta, and to my knowledge there is now only one RV storage lot remaining in the City, and the survival of that single lot is also in question. In conclusion: 1. Over 300 RVs, boats, trailers and work trucks, displaced from closed RV storage lots in Goleta, are in need of vehicle storage locations within the City to enable compliance with the City's Large Vehicle parking regulations. 2. As the current draft zoning ordinance restricts RV storage lots to just a few parcels zoned IS and IG, it is highly unlikely that any more RV storage lots will be developed in the City unless RV storage is allowed in additional Base Zoning Districts. 3. RV storage is a very low impact land use and is compatible with most other zoning districts. 4. By adding RV storage as an allowed use to Office (BP, 01) and Commercial (CC, Cl, CG) Zoning Districts, one or more RV storage lots can be established, and City residents will be able to comply with the City's large vehicle parking restrictions. Thank you for your consideration of this matter.	3) Pursue a Rezone (and General Plan Amendment) to change the current zoning on a parcel to one of the three zone districts that allow Outdoor Storage/RV lots. 4) There may be a potential to have Outdoor Storage as an Accessory Use to a business where it would be customarily incidental to the Primary Use and meet the Accessory Use standards of Section 17.41.040.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.09 Office Districts	
Chapter 17.09 Office Uses **Heidi Jones.** Chapter 17.09 Land Use Regulations – Office Districts, Use Table The land use regulations table, specifically the Office Institutional uses section, does not allow any type of indoor warehousing and storage. There are existing, permitted, office uses within the OI zone district that also have an R&D and technology component (which is allowed in both the BP and OI zone districts). Those components often require some type of indoor warehousing and storage. We believe the table should be revised to add the p4 note which would allow some level of appropriate and associated indoor storage uses within the OI zone district "only if it is in association with a permitting use". The recommend change remains consistent with the Office Institutional (OI) defined purpose and intent "to provide areas for existing and future office-based uses by implementing the Office and Institutional (I-OI) land use designation of the General Plan". Further, the City's General Plan OI general purpose is "intended to provide appropriate locations for a range of employment-creating economic activities, from those based on advanced technology to storage and warehousing, while seeking to minimize traffic congestion, visual, and other impacts on the surrounding residential areas." (*Comment submitted twice*).	Comment noted. No changes currently made, but staff is revisiting the P4 notation to see if the recently adopted Reso. No. 19-21 would effectively make the notation universally applicable or whether a specific reference to associated warehousing and storage should be added. Note: The Uses listed in this table are Primary Uses. Indoor Warehousing and Storage would be permissible as an Accessory Use to a permitted Primary Use.
Chapter 17.09 Office Uses, Use Table. **Heidi Jones.** The land use regulations table, specifically the uses section, allows residential facilities, assisted living uses with approval of a Conditional Use Permit (CUP). Senior Residential Living uses are completely omitted from the draft NZO. We suggest the City consider allowing both of these uses, or define a "Combined Independent/Assisted living facilities" use (without a CUP requirement) given the current zoning designation allows these types uses. The recommended change would remain consistent with the intent of the General Plan given assisted living residential uses are an allowed use in the I-OI General Plan designation. (*Comment submitted twice*).	Chapter 17.09. No changes made. Residential Facilities, Assisted Living is defined in Part VI and would include senior living facilities.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.10 Industrial Districts	
Section 17.10.020 Robert Atkinson/SyWest. Table 17.10.020: Swap Meet and Drive In Movie Theater (Outdoor Entertainment) use should be added to Table 17.10.020 as "P" in the IS Zoning District. These uses have been legally operating on our property since the 1960's providing quality entertainment for local residents and tax revenue to the City. We request these legal uses continue to be allowed as a right in the new Zoning Ordinance.	Possible change to be made to allow Outdoor Entertainment in CR and VS Zone Districts. Swap Meets would not meet a permitted use in any Zone District and therefore, would be subject to Chapter 17.36, Nonconforming Uses and Structures.
Section 17.10.030 Robert Atkinson/SyWest. Side - The changes propose to increase the 'street side' setbacks from 10' to 20' and then require in 17.35.030(A) that the entire area is landscaped. This increased setback will greatly reduce the areas available for the site improvements (parking, bio swales, etc.) as well as the building footprint. Considering the ongoing drought conditions in CA, and the overall industry movement toward decreasing water consumption through irrigation/landscape reduction, a proposed 100% increase in the amount of required landscaping along side streets does not appears to be a prudent or environmentally friendly change. In addition to a straight forward reduction to the size of the setback area as proposed, please consider including in the new ordinance viable alternative for compliance, such as; allowing averages across the setback area, dual use all frontage and interior landscape/bio-swales, exemption for frontages against open space or other types of undevelopable areas, etc.	No changes made to standard setbacks for the zone district. Setbacks are not required to be landscaped under the Revised Draft NZO. Revisions made to Section 17.03.150 to clarify setbacks for irregular lots.
Section 17.10.030 Robert Atkinson/SyWest. Lot coverage requirements were removed from Table 17.10.030 in the Jan 2019 Draft ZO, while the 2016 ZO specified lot coverage requirements. If lot coverage requirements are not applicable in certain zoning districts, then it should be stated in the ZO document.	Revision to be made. Staff will clarify that there is no lot coverage standard for Industrial districts in Table 17.10.030.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Table 17.10.020 **Dr. Ingeborg Cox, Workshop #3.** Dr. Ingeborg Cox stated she does not support child care centers in industrial zones. Dr. Cox noted that particulate matter of 2.5 [microns] can be a health hazard for children depending upon the exposure.	Comment noted. Child care is currently allowed in industrial areas with a Minor CUP. This item was further discussed at Workshop #8.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.12 Open Space and Agricultural Districts	
Section 17.12 **Todd Amspoker, Workshop #4.** Todd Amspoker, attorney representing the Newland Family, owners of the property at the corner of Dearborn and Hollister Avenue, requested that the Planning Commission consider recommending to the City Council that the zoning for this property not be changed to Open Space but that the property owners be allowed to pursue an affordable housing project.	Comment noted. All zoning classifications will match the land use designations within the City's General Plan.
Section 17.12 **Ken Alker, Workshop #4.** Ken Alker, owner of the Kenwood Village project, expressed concern regarding how changes in the New Zoning Ordinance will affect his project that is moving forward.	No changes needed. All current projects would need to comply with both existing zoning and the land use designations within the City's General Plan. The NZO lines zoning up with the General Plan, therefore, there would not be any change to a project.
Chapter 17.16 -AE Airport Environs Overlay District	
Section 17.16.040 **Robert Atkinson/SyWest.** The boundaries of the AE Airport Environs Overlay Zoning District are not consistent with the SBCAG Exhibit A-2 Safety Compatibility Data Map for the Santa Barbara Municipal Airport dated February 2018. For example, the ZO "Clear Zone" extends east over a portion of our property, while Zone 1 in the SBCAG map does not extend over our property. To avoid confusion, the ZO map should be consistent with SBCAG map in both boundary limits and in the Zone types.	No changes made. The NZO includes the currently approved SBCAG safety zones. If/when a new plan is adopted by SBCAG and accepted by the City, the NZO would be updated to reflect that plan.

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Section 17.16.040 **Michael Pollard.** My concern is that the draft Overlay Map imposes burdens on property (such as mine) that do not exist. The RPZ is based upon a mathematical definition in FAR Part 77, and should not be subject to local determination. SBGAG has been working on an update of the ALUP for many years and they may never get around to it. I think the City would be safe, and more fair to affected properties, stating the current condition in the new zoning ordinance instead of waiting for another governmental agency to apply the Federal definition of an RPZ and then amend the zoning ordinance. I do not know of any Federal law or regulation that stops a City from applying the FAA's definition of an RPZ to the area in the City near an airport. I hope we can remove the more severe restrictions imposed on clear zones from portions of properties that are, in fact, not within the clear zone, now and not wait for SBCAG.	No changes made. Staff will discuss the RPZ with SBCAG staff. However, the City's General Plan requires the City to maintain and enforce the plans and policies of the County ALUC (see Safety Element Policy SE 9.1). In addition, the General Plan also includes a map of the Clear Zone (Figure 5-3). The Clear Zone in the Zoning Overlay Map is designed to line up with Figure 5-3.
Chapter 17.24 General Site Regulations	
Section 17.24.080 **Mitchell Menzer.** Height. The Bacara is located in the C-V Resort Visitor Serving Commercial ("C-V") zone. The height limit for structures in the C-V zone is presently 35 feet, and certain features and structures, including chimneys, elevator and stair housings, spires, and similar architectural features and structures, may be up to 50 feet in height. (Coastal Zoning Ordinance Section 35-127(1).) Under the Draft Ordinance, the C-V zone is renamed the Visitor Serving Commercial ("VS") zone and the height limit for structures in the Coastal Zone will remain at 35 feet. However, the permissible height of structures such as chimneys, elevator and stair housings, and architectural features will be reduced or eliminated. For example, chimneys and decorative features will be limited to 20% of the structure height, elevator and stair towers will be limited to 10 feet, and architectural features and projections have been eliminated. (Draft Ordinance Section 17.24.080) As a result, the maximum height of the Bacara buildings under the Draft Ordinance will be less than the currently allowed 50-foot limit and many of the Bacara buildings may exceed the new height limit.	No changes made. Those existing permitted structures exceeding the allowable height would be subject to the NZO standards for Nonconforming structures. New development would be subject to all new development standards that apply to the lot and proposed uses and structures.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.24.080 **Barbara Massey.** The new height exceptions will help prevent view obstructions. A three-foot addition in height shouldn't be given for a 4:12 roof pitch.	No changes made. The 4:12 exception accounts for existing homes that would otherwise become nonconforming, as well as incentivizes non-flat, sloped roofs on new development for aesthetics as well as promoting the use of Solar panels.
Section 17.24.080 **Barbara Massey, Workshop #4.** Barbara Massey spoke in support of keeping the building heights down. Ms. Massey commented as follows: 1) heights need to be kept at a minimum to protect the views and maintain a more open feeling; 2) she does not support a variable height; 3) a three-foot addition in height should not be given for a 4:12 roof pitch; 4) expressed concern regarding the up to 50% in District height standard approved by the Planning Commission; 5) all height modifications should require Planning Commission or City Council hearing; and 6) modifications should be limited to 10%; and 7) the height in all Residential zones should be limited to 25 feet with chimneys limited to the minimum height required by the California Building Code for chimneys, which will hopefully not exceed 25 feet.	Comments noted. 1) No change needed. 2) No change needed. 3) No change made. 4) Commission members gave direction to staff to revisit 50% height Modification. 5) No change made to Review Authority. 6) Height limits with MODs are being revisited with Commission direction to stay between 20% - 30%. 7) The NZO follows the allowable heights as prescribed in the City's General Plan and chimney heights are reviewed by both the DRB and Building Dept. staff.

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Section 17.24.080 **Dr. Ingeborg Cox, Workshop #4.** Dr. Ingeborg Cox supported comments by public speaker Barbara Massey regarding Height. Ms. Cox questioned why oil and gas derricks are included in Section 17.24.080 as she believes it is mentioned in another section. Also, she questioned the identity of the "higher Review Authority" that is mentioned in Section 17.62.020.B.1 and requested clarity.	No changes made. Oil and gas derricks are not discussed in Section 17.24.080 and Chapter 17.37 discusses Oil and Gas facilities, which are generally prohibited. Although Section 17.62.020.B.1 does not discuss review authorities, their hierarchy can be found in Chapter 17.50.
Section 17.24.080 **Ken Alker, Workshop #4.** Ken Alker stated that he disagrees with the previous two public speakers regarding height limitations. Mr. Alker spoke specifically regarding his home that is located in the DR District that will be replaced by the RS District zone. He believes that the 25-foot height is limiting to single-story home. He commented that building a home without a gable roof is difficult and may result in a flat roof. He requested recommending a 25 feet height with a 35 feet maximum, at least for the former DR District. (Mr. Alker noted he submitted a letter dated May 27, 2016).	Comment noted. No changes made.
Barbara Massey, Comments for April 18th PC ZO Workshop. Height. Height modifications should only allow increases up to 10% or 2 feet whichever is less. Under no conditions should a 50% increase in height be permitted. It's what I expected in the previous draft ordinance but certainly not in this one. I hate to even think that we have staff that would suggest this unreasonable increase. This shows a lack of understanding of what Goleta residents want. The only ones supporting increased heights are those who would profit from development that would ruin the quality of life in Goleta. The Storke and Hollister area has already been ruined by the unreasonable height of our two most hated recent projects.	No changes made. Staff has reviewed previously approved developments around the City as part of the proposed NZO standards with the understanding that these projects were either not appealed, or were approved by the City Council, who are elected by a majority vote of Goleta residents. Furthermore, the proposed standards are maximum allowances, not outright entitlements.

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Table 17.24.080 **Barbara Massey.** Chimneys should be limited to the minimum height required by the California Building Code. The section of the Table on Chimneys through domes should be limited to a 10% increase.	No change currently made. Building code gives minimum requirements to allow air flow and updraft suction, the NZO gives maximum allowances. However, staff will revisit the matter to see if reducing the maximum allowance is prudent.

Section 17.24.090 Kathy Wolfe. Dear City of Goleta representatives: I would like to bring your attention to a portion of your new zoning code (17.24.090) regarding hedge height regulation, and our encouragement and affirmation that you enforce such a height restriction. As you may or may not be aware, we have been "complaining" about the hedges around the property at 830 Serenidad Place for several years. These Eugenia hedges, while quite nice hedges at a modest (6'-8') height, are an atrocious eyesore and health and safety hazard at their current 40' + height surrounding the property. I will pinpoint some of the obvious problems they present on our neighborhood: • Their extreme height blocks the sunlight from adjoining properties; the property at 840 Serenidad has already lost all vegetation on their side yard, including the loss of a fine old willow tree, because of the lack of sunshine, and black mold has infested the property (again because of the blocking of the sun). • These trees are unkempt and drop their leaves and red berries all over the sidewalk, causing pedestrians to use the street to walk (rather than slip on the berries); if these berries are "tracked" on the soles of shoes, they cause nasty stains on concrete and carpeting as well. • The extreme height of the trees blocks the view of the back hillside at the top of Serenidad (this hillside is of prime fire concern and is constantly monitored during fire season by the Fire Dept); because residents at the foot of Serenidad are blocked from observing the hillside, they are at a great disadvantage, should there be a fire. • The extreme height of the trees (and the absence of a setback from the sidewalk –they are flush against the sidewalk) blocks the street traffic from cars backing out of their driveways and thus creates a potential traffic and accident problem. • These trees are ill kept and their root base is invading the property at 820 Serenidad, causing damage to their fences and their property (check out the retaining wall between 820 and 830 Serenidad and the way in which these trees are pushing over the wall). The leaves at the base of the trees are never cleared and have promoted a habitat for rats, skunks, and other creatures that are generally not seen in our neighborhood. • During windy days, these extremely large branches have been known to fall on adjoining property roofs and in their yards. • Because of the nature of these solid hedges all around the property, I have been told that it presents not only a fire hazard but also an indefensible space, as fire trucks could not get access to the property, thus jeopardizing all of the houses on this street.	Comment noted. Staff is exploring clarifying language in the NZO so as to ensure that existing hedges are subject to the limitations on height and not subject to Chapter 17.36, Nonconforming Uses and Structures.

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These are just a few of the primary reasons that I believe that a hedge height ordinance is needed in Goleta – it is not just a matter of aesthetics, but also a matter of safety and protecting the quality of life for all residents. I encourage you to drive by 830 Serenidad Place and witness this for yourself. I believe a hedge height ordinance is good for everyone!	
Section 17.24.090(A) Connie Cornwell. To all, I am writing to encourage the city council to approve the new zoning code (17.24.090) for hedge height regulation. As several staff members at the City are well aware (including but not limited to Vyto Adomaitis and Michelle Greene), we have a good example at 830 Serenidad Place of an overgrown, unkempt hedge that is nearing 40 feet tall that the neighbors are unable to do anything about given the City has no code concerning hedge height. Without a code to enforce the hedge height, we on Serenidad Place, have had to endure damage from these overgrown hedges. The house at 840 Serenidad Place have had mold issues and tree and yard damage due to the hedges being so tall they block the sunlight. The house at 820 Serenidad Place has had numerous large branches fall on the roof and fence damage from the oversize hedge pushing over the fence. As the owner of 830 Serenidad Place refuses to trim the hedges, the bordering neighbors have had to spend thousands of dollars trimming the large branches in order to protect their properties. Now the hedges are so tall that tree companies are unable to reach the high overhanging branches that threaten our property. In addition, these hedges block the view of the hillside where we have had two fires. They also block the view of people backing out of their driveways. I also contend that these hedges are a fire hazard, given they are totally unkempt and now include all sorts of different plants. The owner also does not clear the dead leaves at the base of the hedges, which also creates a fire hazard. A zoning code controlling hedge heights would protect neighbors from an abusive, uncaring neighbor and address safety issues. I encourage you to drive by 830 Serenidad Place to see for yourselves the ridiculous height of the hedges. Please adopt this code so the City has the means to deal with this huge problem.	Comment noted. As stated above, Staff is exploring clarifying language in the NZO so as to ensure that existing hedges are subject to the limitations on height and not subject to Chapter 17.36, Nonconforming Uses and Structures.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.24.090(A)(1)(a) **Barbara Massey.** [Fences in] Front and Street Side Setbacks should be reduced to four feet or less.	Comment noted. See response below.
Section 17.24.090 ***Brian Bosky, Workshop #4.*** Brian Bosky requested staff clarify the definitions of a setback and road right-of-way.	No changes needed. Chapter 17.73, List of Terms and Definitions defines each type of "Setback" as well as "Right-of-Way."
Section 17.24.090 ***Dr. Ingeborg Cox, Workshop #4.*** Dr. Ingeborg Cox commented regarding Section 17.24.090.B. as follows: 1) assuming the citation is referring to a wooden fence, if there is a more finished side facing outward in a park, most likely it will increase the area for graffiti; 2) the police need chain link fences to see through into parks, as a wooden fence would block the view; and 3) some homeowners have chain link style fences to be able to see through to the other side.	Comment noted. No changes made. 1) Chain link fence is allowed for parks. 2) See response 1) above. 3) Existing chain link fences in "R" zones would become nonconforming, pursuant to Chapter 17.36.
Barbara Massey, Comments for April 18th PC ZO Workshop. Fences, Freestanding Walls, and Hedges. Fences, Freestanding Walls, and Hedges should be no higher than 4 feet in Front and Street Side setbacks. Six feet may be the current standard [within the] setback but it should be lowered for safety reasons. You certainly don't want a view obstruction taller than you can see over. Also when sitting in a standard car most people aren't higher than about 4 to 4 1/2 feet.	Comment noted. Staff is revisiting the height standard for fences within the front setback and at the direction of the PC, the four-foot height will likely be integrated into the provisions for front setback Public Hearing Draft later this year.

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General. **Dana Trout.** In her letter posted on 4/19/2019 Barbara Massey states: "Fences, Freestanding Walls, and Hedges. Fences, Freestanding Walls, and Hedges should be no higher than 4 feet in Front and Street Side setbacks." I disagree as far as street side setbacks is concerned. Her proposal would place our side and back yards in public view. I regard those areas as for our private use and pleasure. There is no compelling civic reason for subjecting side and back yards of corner lots to public view.	Comment noted. See response above. Staff did not receive consensus direction from the PC to lower the height for street side setbacks.
Section 17.24.090(A)(1)(b) **Barbara Massey.** For more than six feet a Conditional Use Permit should be required.	No change required. The existing standard was carried forward in NZO and no direction was given to make any change.
Section 17.24.090(B) **Barbara Massey.** These limitations on materials are excellent.	Comment noted.
Section 17.24.090(B)(4) **Barbara Massey.** The inclusion of hedges should be the same as the rest.	Comment noted.
Section 17.24.090(D) **Barbara Massey.** Doesn't give any standard and defers to 17.24.210 which has no standards. The current Zoning Ordinance should be used if you don't have anything better.	No changes made. PW department applies engineering design standards which are updated periodically by the State and include several variables. This is the reason why a set development standard is not included in the NZO. Direction from PC was to defer to PW.
Section 17.24.100(A)(1) ***Barbara Massey.*** There should be no exemptions for these grading and grubbing activities. A Conditional Use Permit should be required within and adjacent to ESHAs.	Possible edits to be made. Staff is considering revisions to this section, including a requirement for a Minor CUP if within 100 feet of ESHA.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.24.130 **Barbara Massey.** There should be a time limit on temporary storage of construction materials. If a project is delayed for years or it is part of a property that will have to get approval in the future, the storage should be screened from public view. An example is the wood and junk behind a chain link fence at the Southwest corner of Storke and Santa Felicia.	No changes made. The cited example would be required to meet the screening standards in the NZO.
General. **Barbara Massey, Comments for April 18th PC ZO Workshop.** Outdoor Storage. Temporary storage of construction material should have a 72 hour time limit the same as other materials. Staff was partly incorrect in their response to my comment in stating that "72 hours is the current time limit within the NZO". It clearly states on page IV-10 that it does not apply to temporary storage of construction materials. Vision Clearance and Visibility standards are mentioned but without any indication of what they are or where they can be found. In the current Zoning Ordinance on page 253, it states that it is not less than ten (10) feet at all corners in all zones. This standard could also include driveways. This should be added to 17.24.090 D and 17.24.210. **Questions** 1. The restrictions are not strict enough. People should not be allowed to turn their front yards into storage facilities.	No changes made. See edit above to staff response. Construction materials are exempt from the provisions of Section 17.24.130, but are typically conditioned to have construction areas screened as part of the permit. With regards to vision clearance, as stated at the Workshop, Planning staff is recommending deferring to Public Works staff since vision clearance is site-specific, but would currently include driveways as well. 1. No changes needed as this is already not permitted. See Table 17.24.130.
Section 17.24.210 **Barbara Massey.** There should be clearly stated standards. Staff should work with Public Works and place specific visibility standards in this document. This document shouldn't go to Council for approval without these standards.	No changes made. As discussed above, PW applies the State's engineering design standards.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.27 Density Bonuses and Other Incentives	
Section 17.27.030(B)(7) **Barbara Massey.** The duration of affordability should be set at the maximum that is legally allowed.	Comment noted. The NZO will defer to State law in this matter.
Section 17.27.030(B)(7) **Barbara Massey.** The Density Bonus Agreement Terms of Affordability, 17.27.030 B. 7 should require the maximum duration on the agreement that is legally allowable.	See response above.
Chapter 17.28 Inclusionary Housing	
Section 17.28.050 **Barbara Massey.** The Finding for a lessening of affordability for Inclusionary Housing needs to have an explanation of how less than 45 years is better for the City.	No changes required. This evidence will need to be provided by the applicant to the satisfaction of the Review Authority.
Sections 17.28.050I(1) and 17.28.060(A)(7) **Barbara Massey.** The Tradeoff should be removed. There is no valid reason to be to substitute more profitable units for extremely low and very low income units. More extremely low and very low income units are what are needed.	No changes made. Trade-offs are permissible, pursuant to General Plan Policy HE 2.5(g).
General. **Barbara Massey.** Developers should be required to either provide affordable housing on-site or off-site in the community and it must be available before the new units can be occupied.	Possible edits to be made. Staff will look to provide clarifying language on this issue.

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PUBLIC COMMENT	CITY STAFF RESPONSE
General. **Cheryl Rogers, Workshop #6.** Cheryl Rogers, representing the League of Women Voters, stated that the League is concerned with insufficient affordable housing in the region and commented on the following items: 1) rental housing projects should provide the same 20 percent inclusionary affordable units as for-sale units; 2) requested affordability for 55 years for each rental unit similar to that used for for-sale units under Federal guidelines; 3) in-lieu payments and land transfers from developers who cannot provide on-site affordable units should be designated solely for affordable housing projects and funds be managed by the City in a transparent process; 4) spoke in support of streamlining the permitting for beneficial projects and prioritizing affordable housing projects which include universal design, child care facilities, and other benefits; and 5) the League of Women Voters will provide additional comments regarding the New Zoning Ordinance.	Comment noted. 1) Planning staff was given direction to consider amending General Plan policy HE 2.5 to include rental units. 2) Length of term for affordability requirement are discussed in §17.28.050(C), which states they are "generally 45-55 years but not less than 30," which is consistent with General Plan policy HE 2.5. 3) No changes in NZO needed. 4) No changes needed. Beneficial projects is a separate work program. 5) No changes needed.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.30 Environmentally Sensitive Habitat Areas	
Section 17.30, General. Barbara Massey, Workshop #4. Barbara Massey commented as follows: 1) a minimum for all ESHA buffers should be 50 feet and not lower; 2) the trigger for a biological study should be within 300 feet of an ESHA; 3) requested that a site specific biological studies are required to be up-to-date; 4) performance security should be in the amount of 150 percent of the estimated cost of mitigations; 5) she does not believe that the reduction of the streamside areas to 25 feet is what the citizens of Goleta want, and she requested it be returned to the original 50 feet; 6) minor pruning should be the only item not prohibited in the prohibition of the removal of vegetation; 7) buffers should never be reduced for the Monarch section and should never be less than 100 feet; 8) requested that the language in the Monarch section include the requirements for a survey by an expert in preparation for a plan to protect the specific site in General Plan Policy CE 4.6.a and b; 9) the language "when feasible" and "to the extent feasible" should be removed from all documents; 10) there should be no exemption for the grading and grubbing activities, and a Conditional Use Permit should also be required within and adjacent to ESHAs.	Comment noted. 1) Edits made throughout ESHA chapter to increase initial buffer width. 2) NZO proposes 300 feet. No change needed. 3) No change needed. A current study would be required. 4) No change made. Security required is 125 percent. 5) Reduction to a 25 foot buffer allowed in General Plan policy CE 2.2. 6) No change needed, as this is allowed. 7) Buffer reduction to 50 feet allowed in General Plan policy CE 4.5. 8) No change needed. NZO §17.30.030 requires a Biological study. 9) No change made. Flexibility in some development standards is needed. 10) No changes made.

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Section 17.30.030 Vic Cox. While some improvements over the original draft are noted, such as expansion of the biological assessment zone's trigger to a minimum of 300 feet, loss of open space to built structures within city boundaries over the last 10 years demands that we tighten protections for surviving open spaces, particularly environmentally sensitive habitats (aka ESHAs). Specifically projects like the Village at Los Carneros, where barracks-like residences surround an inadequate common open space, should never again be built. Creek setbacks of less than 200 feet should also be banned. Too much pollution already flows from Goleta's creeks into the Pacific Ocean after strong rains. While some debris may originate in the Los Padres Forest the City must do what it can to reduce its contributions, particularly lethal plastic that ends up in the Pacific Gyre, which is about the size of the state of Texas and growing. Vague language in proposed ordinances could be confusing or twisted to mean something harmful rather than the positive results intended. For example, Sect. 17.30.030 "Initial Site Assessment" states "The City could alter the distance from ESHA that triggers a Biological Study so as to impact fewer projects that may be less likely to impact ESHA, similar to the previous draft NZO." What exactly does that language mean and why cannot it be understood without searching for some previous draft ordinance? When you find that kind of verbiage delete it and replace it with plain English. Too much unclear language, and therefore ambiguous rules, mars several places in the NZO. This is dangerous when combined with an approval system that concentrates too much approval power in one or two staff positions.	No changed made. The City's General Plan policy CE 2.2 provides the requisite creek buffer, which is 100 feet. This same policy allows for that buffer to be reduced to a minimum of 25 feet. For the NZO to fully implement the General Plan, staff must follow those specific standards. The example cited in this comment that refers to "Sect. 17.30.030" is taken from pages 53-54 of the Key Issues Guide, which is a summary discussion and explanation of the approach taken, and not a development standard. As staff notes on page 53, the previous 2015 Draft NZO had a trigger of 100 feet, but the Revised NZO increased it to 300-foot. This increase would capture more lots. Staff is asking for feedback for the public and the PC on this approach.

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Section 17.30.030 **Barbara Massey.** The trigger for a Biological Study should be within 300 feet of an ESHA. 17.30.030 B. should read "an up to date site-specific biological study must be prepared." Too often the studies were done five or more years previously.	No changes made. The NZO trigger for a study is 300 feet. These studies must be current in order to be accepted by staff as part of the project application.
General. **Barbara Massey, Workshop #1.** Requested that the language be added in CE 1.3 Site-Specific Studies that will require an "up-to-date" site-specific biological study.	No changes required. Site-specific studies pursuant to Section 17.30.030 must be current as part of the application submittal; however, these are also used to establish the project "baseline" for purposes of CEQA.
Section 17.30.040(D) **Barbara Massey.** Special care should be taken to not pick a site that has sensitive habitat or a mitigation site itself.	Comment noted.
Section 17.30.040(F) **Barbara Massey.** The performance securities should be in the amount of 150% of the estimated cost of mitigations, cost estimates are always far too low to cover the actual costs. Mitigation costs can be high and there needs to be sufficient money available to complete the mitigation.	No changes made. Normally, 100% of the estimated costs are accepted. Staff increased this to 125% to account for inflation and assumed increases in labor and supply costs. These monies are not intended to be punitive.
Section 17.30.050(J) **Barbara Massey.** The new fencing regulations are good. If homeowners are concerned about animals getting in their yards, they can fence their yards.	Edits to be made. At the direction of the PC, staff will be making edit to remove the fencing requirements of this subsection.

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Section 17.30.060 **Dan McCarter, Workshop #4.** Dan McCarter, president of the Urban Creeks Council, commented that he believes the following issues also need to be discussed for the functionality of the creeks for clean water and habitat: 1) animal poisons because rat poisons have been observed adjacent to ESHA areas, which can kill other animals that would be taking care of the rats, and it is disruptive to the food chain; 2) maintenance of herbicides near ESHAs so ESHA plants are not being killed; 3) lighting should be directed away from ESHAs, or directed downward and outward; 4) plantings in all ESHA areas need to be native low maintenance, drought-tolerant, stabilizing for creek banks, etic; and 5) there needs to be connectivity between pockets of ESHAs and creeks because they all need to flow together so there is communication all the way to estuary area.	Comments noted. 1) No change made as this issue is not a zoning-specific issue. 2) Same response as above, but note that CEQA would evaluate such issues. 3) No change needed. Lighting near ESHA regulated in NZO §17.30.050(E). 4) No changes needed. See NZO §17.30.140 for Native species. 5) No changes needed. See NZO §17.30.140 for wildlife corridors.
Section 17.30.070 **Tara Messing, Environmental Defense Center [EDC].** The language in the draft Zoning Ordinance is nearly identical to the language set forth under Policy CE 2.2 of the Goleta General Plan. We were glad to see that Section 17.31.070 restates the requirement in subsection (b) of Policy CE 2.2, especially "unusable in its entirety," but based on our conversation at our meeting on January 14th, we thought that the Zoning Ordinance would also set forth the process, findings, and evidentiary requirements required before a setback could be reduced. Is this language somewhere else in the Zoning Ordinance?	No changes made. The process is that a Major CUP is required to reduce a required 100-foot buffer (see Chapter 17.57). The findings are those findings listed in Section 17.52.070, Common Procedures – Findings for Approval, and the additional findings in Section 17.57.050, Conditional Use Permits – Required Findings. The evidence is that which is necessary and required by the Review Authority in order to provide the substantial evidence needed to support a decision to allow a reduction.

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Section 17.30.070 **Tara Messing, Environmental Defense Center.** Section 17.30.070 of the City's Revised Draft New Zoning Ordinance requires a minimum 100-foot SPA upland buffer on both sides of a creek, as is consistent with the requirements under Policy CE 2.2 of the City's General Plan. 1. The buffer may be increased or decreased upon a finding that (1) "[t]he project's impacts will not have a significant adverse effect on streamside vegetation or the biotic quality of the stream, and" (2) "[t]here is no feasible alternative siting for development that will avoid the buffer." 2. As presently drafted, however, Section 17.30.070 is void of any process or standards by which to determine whether these factors are met. For this reason, UCC [Urban Creeks Council] and EDC advocate for clear zoning ordinance language which effectively implements Policy CE 2.2. To do so, Section 17.30.070 must set forth a process, required findings, and evidentiary requirements to inform the City's determination of significant adverse effects and infeasibility. This clarity and transparency will benefit not only City decision makers, but also applicants and interested members of the public. In accordance with the CCC's Suggested Modification No. 13 to Eastern Goleta Valley Community Plan LCP Amendment, EDC has drafted proposed revisions to Section 17.30.070. CCC's recommended language is directly relevant and instructive in crafting the City's creek protection ordinance, especially with regards to determining when creek setbacks reductions may be permitted. EDC also recognizes that its proposed language may be applicable to other sections such that the language should have more general applicability. As long as it is clear that the requisite findings and evidence applies to Section 17.30.070 as well, EDC is open to other approaches for incorporating this language in the City's new Zoning Ordinance. We respectfully request that the City consider EDC's revisions and amend Section 17.30.070 based on EDC's proposed language.	Possible edits to be made. Staff is currently reviewing this comment with the City Attorney's Office and can provide a response at a later date. The NZO will be revised to include the details of the process, the required findings (including CEQA findings), and the evidentiary requirements that will be used to inform the Review Authority in their determination of significant adverse effects and infeasibility.
Section 17.30.070 **Tara Messing, Environmental Defense Center.** I am writing on behalf of the Environmental Defense Center ("EDC") and the Santa Barbara Urban Creeks Council ("UCC"). As you may know, EDC is representing UCC and ourselves to advocate for	Comment noted.

Response to Public Comments

PUBLIC COMMENT	CITY STAFF RESPONSE
the adoption of a strong creek protection ordinance in the City's New Zoning Ordinance. We submitted a comment letter dated March 8, 2019 that details our position and includes redline revisions to the provision concerning Streamside Protection Areas, Section 17.30.070 in the New Zoning Ordinance. For your convenience, I have attached our comment letter. We have been meeting with planning staff and the City attorneys about our proposed language, emphasizing that the suggested revisions will likely mirror what the California Coastal Commission will suggest later in the adoption process. On April 11, 2019, we had a very productive meeting with EDC, planning staff, and the City attorneys, Winnie Cai and David Pierucci. At that meeting, Peter Imhof suggested that EDC's language, or something similar, may be better suited as a standalone, general provision in the New Zoning Ordinance so that the language could be more broadly applicable. Section 17.30.070 could then cite to this separate section. EDC agreed to this approach as well. However, after a conversation with the City attorney on May 1, 2019, we realized that additional follow up may be necessary to dispel any concerns. Please see the below email that I sent to the City attorneys and planning staff to address any remaining concerns about EDC's proposed language. The main takeaway is that the California Coastal Commission is going to recommend language similar to EDC's revisions when it comes time for the Commission to certify the New Zoning Ordinance. Incorporating this language now will save the City and its constituents a great deal of time and resources. If you have any questions, please feel free to give me a call at 805-963-1622. Also, please let me know if you prefer that I use a different email address in the future.	
Section 17.30.070 Tara Messing, Environmental Defense Center (EDC). Hi all, In anticipation of the May 7th Joint Planning Commission-City Council meeting, I spoke with Winnie yesterday to touch base after our meeting on April 11, 2019. Based on this conversation, I wanted to provide some points of clarification with regards to our position, most of which is set forth in our comment letter dated March 8, 2019. First, adopting a provision in the new Zoning Ordinance that sets forth a process for making feasibility determinations would not require planning staff to make takings determinations. Legal	Comment noted. Planning staff continues to work with the City Attorney to develop a suitable revision to the NZO within the ESHA section that will apply to any request for a buffer reduction to any type of ESHA.

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counsel would still make a recommendation to the decision-making entity as part of the project review process. Nevertheless, it is still important for the Zoning Ordinance to provide guidance as to these determinations because such a provision would ensure that adequate information is considered consistently in every case and it would provide applicants with a clear understanding of what information must be submitted. Second, our proposed language mirrors the California Coastal Commission's ("CCC") Suggested Modification No. 13 to the Eastern Goleta Valley Community Plan ("EGVCP") LCP Amendment, which was adopted. Furthermore, the EGVCP references the Economically Viable Use Determination language set forth in detail in the County's Coastal Zoning Ordinance at Sections 35-192.4 through 35-192.6. Finally, incorporating language previously recommended by the CCC is strategic because the CCC will have to certify whatever the City proposes. For this reason, in crafting the new Zoning Ordinance, it is important for the City to consider what language the CCC will require later in the adoption process in order to avoid future delays and unexpected surprises. We look forward to continuing to work with you all and speaking with you further at the May 7th meeting. Please let me know if you have any questions.	Staff will also continue the discussion with the EDC to ensure the NZO is capturing all appropriate suggestions and recommended edits.

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Section 17.30.070. **Barbara Massey, Workshop #1.** Recommended that the SPA buffer requirement in 17.30.070.B.1 should be no less than 50 feet instead of 25, and noted she believes everything else under ESHA is 50 feet.	See response above.
Section 17.30.070. **Anne Burdette, Workshop #4.** Anne Burdette, secretary of the Urban Creeks Council, urged development of an ordinance that effectively implements the creek protection policies requiring a minimum 100-foot creek setbacks. She noted exemptions to the setback have been approved in the past without analyzing feasibility. She stated that Goleta's creeks provide the habitat for many threatened or endangered species such as the steelhead trout, red-legged frog, and the western pond turtle. She expressed concern that development too close to the creek will result in bank erosion, pollution and other damage which overall will make the area less optimal habitat for these organisms, and will subject property and residents to flooding, debris flows, and other hazards. Ms. Burdette noted that once a riparian eco-system is damaged, it is extremely difficult to restore it back to its natural state. She also spoke in support of protecting the natural eco-systems for people in the community to be able to explore. Staff responded to comments from the public speakers and Planning Commissioners.	Comment noted. Entire ESHA Chapter has been revisited and re-analyzed to strengthen the ESHA protections, while keeping consistent with the City's General Plan.

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Section 17.30.070. **Brian Trautwein, Workshop #4.** Brian Trautwein, environmental analyst and watershed program director with the Environmental Defense Center (EDC), representing EDC and the Urban Creeks Council, commented regarding the creek setback issue in Section 17.30.070 as follows: 1) studies indicate that the 100-foot setback is the bare minimum needed to protect water quality and creek habitat; 2) setbacks include vegetation, leaf litter, and soil which filter out and break down pollutants such as oil and grease sediment, fertilizers and harmful pathogens in order to protect the clean water and minimize water pollution; 3) setbacks protect habitats for nesting birds including birds of prey such as the white tailed kite which has also been lost because its habitat has been nearly eliminated; 4) setbacks minimize impacts to endangered species as steelhead trout in the creeks; 5) setbacks protect life and property from flooding given climate change and the increase in fires and floods; and 6) setbacks reduce the adverse impacts of noise, lighting, and non-native species on adjacent creek habitats. Mr. Trautwein stated that in 2014 EDC conducted an analysis of setbacks, focusing on setbacks imposed for developments by prior City decision-makers, and found creekside projects were approved without addressing General Plan Policy CE 2.2. Mr. Trautwein stated that a letter was drafted to the City summarizing the research and findings. Mr. Trautwein noted that after meeting with the City and other environmental groups he determined that there is no clear process for making determinations of feasibility with regard to creek setbacks. Mr. Trautwein also stated that in 2018 the EDC worked with the Urban Creeks Council and the City of Goleta to develop a creek protection ordinance that sets forth a process for determining feasibility for the 100-foot setback, which he believes must be applied both equally in the both in the coastal zone and inland areas.	Comments noted. See response above regarding upcoming ESHA chapter revisions.

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Section 17.30.070. **Tara Messing, Workshop #4.** Tara Messing, staff attorney with the EDC, stated that the EDC submitted proposed revisions to Section 17.30.070 to the City on March 8, 2019, that would set forth a process to determine whether the factors are met to determine feasibility for the 100-foot setback. Ms. Messing believes the proposed revisions will provide clarity and transparency that will benefit the City, applicants, and interested members of the public. Ms. Messing noted that the proposed revisions mirrors suggested modifications previously made by the California Coastal Commission such as for the Eastern Goleta Valley Community Plan. She recognized that the proposed language, or something similar, may be applicable to other sections of the ordinance as long as it is clear that the requested findings also apply to Section 17.30.070.	Comments noted. See response above regarding upcoming ESHA chapter revisions.
Section 17.30.070(B) **George Relles, Workshop #4.** George Relles suggested that the word "default" be removed with regard to "100-foot default setback" in Section 17.30.070.B and replaced with the word "minimum" or, if not, "default minimum" because he believes "minimum" fits better and that this would be true throughout the document. Mr. Relles also suggested that the document mentions what the 100 feet setback is being measured from for clarity. Mr. Relles supported comments from the EDC.	No change needed. The term "default" is not used in the NZO with respect to ESHA buffers, but was used only in a presentation slide for descriptive purposes. Additionally, the buffer measurements are described in Section 17.30.070.B and all buffers rely upon the analysis of the biological study and staff analysis.

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Section 17.30.070(B) **Dr. Ingeborg Cox, Workshop #4.** Dr. Ingeborg Cox commented: 1) requested clarification regarding the four factors that could adjust the stream setback in Section 17.30.070.B: 2) questioned whether staff could make the decision with regard to reviewing the language allowing for SPA buffer reduction to further clarify in what instances staff could approve a reduction in Section 17.30.07.B; 3) she believes 100-feet should be the bare minimum for setbacks (and agreed with the comments from public speakers Brian Trautwein and George Relles); 4) staff should not have authority to review the language allowing for SPA buffer reduction which she believes should go to the Planning Commission or City Council, and not the Planning Director or Zoning Administrator; 5) requested clarification regarding who is the person in the City who could alter the distance from ESHA that triggers a Biological Study in Section 17.30.030; 6) noted a typo of "ESHA"; and 7) requested clarification of the type of material that is planned for the fencing in Section 17.30.070.J.	Comments noted. 1) ESHA chapter has been revised to clarify reduction possibilities for various types of ESHA. 2) Buffer reductions require approval of a Conditional Use Permit, which is not a staff-level decision. 3) Edits made to clarify buffers are minimums. 4) Buffer reductions require approval of a Conditional Use Permit, which is a discretionary action. 5) No alterations to the distance from ESHA that triggers a Biological Study are provided for in the NZO. 6) No "ESHA" typo found. No change. 7) Appropriate fencing would be part of CEQA analysis and determination.
Section 17.30.110. **Brian Trautwein.** I wanted to call your attention to the NZO revisions in Section 17.30.110 which specify a 3:1 maximum and a 2:1 minimum mitigation ratio for fill of wetlands in the coastal zone and inland area. The California Coastal Commission requires 4:1 minimum for wetlands, as evidenced by the Gaviota Plan and Eastern Goleta Valley Community Plan. For example, see the California Coastal Commission's Suggested Modification #2 to the Gaviota Plan, Policy NS-11: Restoration (Coastal) below: Policy NS-11: Restoration. (COASTAL) In cases where adverse impacts to biological resources as a result of new development cannot be avoided and impacts have been minimized, restoration shall be required. A minimum replacement ratio of 3:1 shall be required to compensate for adverse impacts	No changes made. The ratios used within this Section are taken directly from General Plan Policy CE 3.6.

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to native habitat areas or biological resources, except that mitigation for impacts to wetlands shall be a minimum 4:1 ratio. Where onsite restoration is infeasible, the most proximal and in-kind offsite restoration shall be required. Preservation in perpetuity for conservation and/or open space purposes of areas subject to restoration shall be required as a condition of the CDP and notice of such restriction shall be provided to property owners through a recorded deed restriction or Notice to Property Owner. Just wanted to flag this issue as an FYI. Please let us know if you have any questions.	
Section 17.30.140(B) **Barbara Massey.** Coastal Bluff, Coastal Sage Scrub, and Chaparral ESHA should have a minimum buffer of 50 feet.	No changes made. Buffer remains "at least 25 feet" as discussed in General Plan policy CE 5.3.
Section 17.30.150 **Barbara Massey.** Native Oak Woodlands and Savannas should have a buffer of not less than 50 feet. Minimum buffer should be 50 feet everywhere in all ESHAs.	Possible edit to be made. Staff revisit issue any may recommend an increased buffer from 25 feet to 50 feet.
Section 17.30.180(B)(3) **Barbara Massey.** Minor pruning should be the only exception to the prohibition of the removal of vegetation.	No changes made.
Section 17.30.180(C)(2) **Barbara Massey.** This buffer shouldn't be reduced for any reason. The buffer should never be less than 100 feet.	No changes made. These provisions are taken directly from General Plan policy CE 4.5.
Section 17.30.180(D) **Barbara Massey.** This should include the General Plan requirement for a survey by an expert and preparation of a plan to protect the specific site. This is General Plan CE 4.6 a. and b.	No changes required. A biological study would be required to have the components discussed in General Plan Policy 4.6.

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Section 17.30.190, Barbara Massey 17.30.190I(1) The wording "when feasible" should be removed. This severely weakens the protection. 17.30.190 I(2) The wording "to the extent feasible" should be removed. This severely weakens the protection.	Edits to be made. At direction of PC, staff will be removing the "feasible" phrasing from this Section.
Chapter 17.32 Hazards	
General. Barbara Massey, Workshop #1. Questioned whether the City has a fault line map for the public to view, with regard to 17.32.050 Geologic Hazards.	No changes required. A fault lines map is included in the City's General Plan as Figure 5-1.
Chapter 17.34 Landscaping	
17.35.030(B) Landscaping- Unused Areas Robert Atkinson/SyWest. This section states that "All visible areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, must be landscaped or left in an undisturbed state provided there is adequate vegetation to prevent erosion and the area is adequately maintained for weed control and fuel maintenance." We recommend that this requirement is exempt for properties with previous site improvements or add "existing paving" after vegetation.	Edit to be made. Staff will be recommending a clarification to the NZO that this section applies to "All visible, undeveloped areas of a project site."

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Chapter 17.35 Lighting	
General. Cecilia Brown and Barbara Massey. The DRB is responsible for reviewing outdoor lighting. There needs to be a way for them to do that and that is through a lighting plan. They review such plans now and adding a section on lighting plans would codify that practice. To assist in thinking about what requirements might be on the lighting plan, and there may be others required under the California building Code, the City of Goleta Outdoor Lighting Guidelines has a list of what is required and are repeated below as an example [example omitted from this table]. Request a new section be added to the lighting ordinance so that DRB can do their review of lighting projects.	Edit to be made. Staff will recommend a change to include new section (17.35.060), which would require that a developer provide a Lighting Plan for City review.
General. Cecilia Brown and Barbara Massey. The DRB is responsible for reviewing outdoor lighting. There needs to be a way for them to do that and that is through a lighting plan. They review such plans now and adding a section on lighting plans would codify that practice. Either add a section in the lighting ordinance for requirement for outdoor lighting plans or implement approved guidelines for lighting plans. Below [omitted] are some standards that could be used for such plans.	Edit to be made. See response above.
General. Brian Boisky. To staff and commissioners, As led lighting is becoming the standard for lighting parking lots, sidewalks etc., they can be very bright and distracting when driving on the city streets at night. The examples I notice are; the new tall area lights at the remodeled Fairview Car wash. They are very dominant when coming down the overpass on Fairview from Hollister. They are predominate when looking from The Fairview shopping center towards the car wash. Can the height of these poles, angle of the light beam and the "Non- shielding" fact be addressed when changing the new zoning ordinances. The light beam pointing towards traffic on Hollister at Big Brand Tires is very distracting at night. The lights that light the lot of Roberts Body Shop on Fairview are very bright and distracting when looking down from the overpass going up from the Hollister side. There should be a rule that all night lighting should be shielded, including the city street lights. Thanks for all you are doing.	Edit to be made. Staff will recommend adding a new Section (17.35.060), which would require a lighting plan for City review. The lighting plan would include details for light fixtures to verify that they comply with lighting standards, including being directed downward, fully shielded and full cut-off to prevent light trespass or glare.

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General. **Edward Fuller.** Commenter provided the *Illuminating Engineering Society's Model Lighting Ordinance with User's Guide* for Staff's review.	Materials received and noted.

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General. Cecilia Brown. Dear Chair Smith and Planning Commissioners, Before the pc Thursday night is a consideration of setting a color temp standard for city streetlights. I believe this is a matter for public works, not the planning commission. The zoning ordinance deals with land use matters, not lamp standards for city owned street lights. Please explain the basis for your review. Lacking in your packet/staff report is any info on this topic other than showing of manufactures availability for streetlight lamps of a certain color temperature. This is insufficient information upon which to base any discussion or even make a recommendation. Here is what I know: I attended the public works hearing before city council several months ago dealing with replacing the high-pressure sodium SCE lights in the neighborhoods with city owned LED ones where the topic of color temperature was raised. At that time, public works staff indicated they understood the desire for 2800K temp for the neighborhoods for the new streetlights. And that a higher color temp lamp for street lights at intersections and other places needing the bluer, whiter light was warranted. It wasn't the case that one standard would apply citywide anyway. Thus the one standard of 3000k temperature you are considering isn't necessarily appropriate. Lastly, it is my understanding that the color temp standard is undergoing review and could be changed based on several factors according to city engineer with whom I spoke today. Therefore I don't believe it warrants your further consideration at this time. However, if the planning commission feels the need to provide public works with a recommendation outside of the zoning ordinance consideration or even to the city council which will be making a decision on the streetlight issue, it should be of a broad nature to reflect the public testimony during your hearings about dark sky lighting standards in the lighting ordinance and the preference for using color temperatures appropriate to the particular setting of where the light is to be used and not overlighting the area. Or you could just dismiss this issue as not being applicable to your purview. And have a shorter meeting. You deserve it. Thank you for considering my comments. Pls provide me background info/authority for pc making this recommended.	Comment noted. The intent of the Kelvin standard is for private development. City facilities are specifically exempted from the light standards of Chapter 17.35, pursuant to Section 17.35.030(A)(3). Staff will explore the Kelvin standards further with the DRB in order to determine whether this standard remain in the NZO, or if it is better-suited to be included in a separate document, such as the DRB Design Guidelines.

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Section 17.35.020(A) **Cecilia Brown and Barbara Massey.** Recommend a new exemption for LED string lighting on trees be considered.	No changes made. These types of lights would also be subject to standard that they must be shielded. City concern over cumulative effect and impact.
Section 17.35.020(A)(4) **Cecilia Brown and Barbara Massey.** Other jurisdictions, like the county and school districts, need to be included in this section. See the draft ZO with more complete language	No changes required. The City will apply sign standards, where allowed under applicable law, to all signs within the City.
Section 17.35.020(A)(4) **Cecilia Brown and Barbara Massey.** Need to include other jurisdictions in this section, like the county and school districts, etc.	No changes required. See response above.
Section 17.35.020(A)(5) **Cecilia Brown and Barbara Massey.** What holiday period is being considered here, it is not clear, it is Valentine's Day, July 4th? The draft zoning ordinance language about limiting the use of holiday lights during the holidays at year end needs to be restored.	No changes required. The City will not be codifying recognized holidays due to free speech and religious protections.
Section 17.35.030 **Cecilia Brown and Barbara Massey.** There should be a prohibition on unshielded string bulb lighting like that seen on the patio of the Goodland Hotel. Request prohibition of this kind of unshielded lighting be added to this section.	No changes required. These types of lights would be subject to standard that they must be shielded.

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Section 17.35.030 **Cecilia Brown and Barbara Massey.** Request is to add additional prohibited types of lighting Add to E. Other Light Types. Light Bulb Strings. External displays which consist of unshielded light bulbs, festoons, and strings of open light bulbs. These kinds of lights are not dark sky compliant.	No changes made. These types of lights would also be subject to standard that they must be shielded. However, staff is considering recommending an allowance for string lighting in residential districts, based on DRB feedback, with restrictions to ensure there are no cumulative impacts.
Section 17.35.030 **Cecilia Brown and Barbara Massey.** Add in section E. Other Light Types. Light Bulb Strings. External displays which consist of unshielded light bulbs, festoons, and strings of open light bulbs. The reason for this request is that these kinds of lights are not dark sky compliant. The DRB approved such a light string for the rooftop bar on the Rincon Palms, but at the time of their review, there was a covering over the light bulbs. Note that the Sign Ordinance, Section 17.40.060 L prohibits unshielded light bulbs for sign illumination. If unshielded light bulbs are prohibited for signs, why would they be allowed in other applications?	No change required. These types of lights would also be subject to standard that they must be shielded. If lighting is approved as shielded, they must remain shielded in order to be in compliance with the approved plans.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.35.040(C) **Cecilia Brown and Barbara Massey.** The language in Section 17.35.040C Light Trespass: (All lighting must be directed downward and shielded to prevent light trespass and glare onto adjacent properties….) doesn't reflect nor is it consistent with the language used in the General Plan Visual Resource section (see below) which requires lighting to be "Fully Shielded, full cut-off, and…to prevent sky glow" and to be consistent with the ZO language in Chapter 17.58 Design Review where findings the DRB needs to be make in their project review is "dark sky compliant exterior lighting" (section 17.58.030 B. 10) and "all exterior lighting….is dark sky compliant" (Section 17.58.060 I). References: General Plan policies: VH 1.4 Protection of Mountain and Foothill Views. [GP/CP] and VH 1.5 Protection of Open Space View use the following language for lightening: Downcast, fully shielded, full cut off lighting of the minimum intensity needed for the purpose. Another emphasis on "Dark Sky" lighting standards is found in policy VH 4.12 Lighting: A. Fixtures shall be fully shielded and have full cut off lights to minimize visibility from public viewing areas and prevent light pollution into residential areas or other sensitive uses such as wildlife habitats or migration routes. B. Direct upward light emission shall be avoided to protect views of the night sky." Request change in Section 17.35.040C to be consistent with General Plan and other zoning ordinance policies. Light Trespass wording must be changed to "All lights must be directed downward, and fully shielded and full-cut off to prevent light trespass or glare onto adjacent properties and to prevent sky glow."	Edit to be made. Staff will be revising this Section to mirror the City's General Plan Policy VH 4.12 language that requires lighting be "full cut-off."
Section 17.35.040(C) **Cecilia Brown and Barbara Massey.** Background for reference: The General Plan policies (VH 1.4 and VH 1.5) dealing with protection of views use the following language regarding lighting: Downcast, fully shielded, full cut off lighting of the minimum intensity needed for the purpose. Another emphasis on "Dark Sky" lighting standards is found in policy VH 4.12 Lighting: A. Fixtures shall be fully shielded and have full cut off lights to minimize visibility from public viewing areas and prevent light pollution into residential areas or other sensitive uses such as wildlife habitats or migration routes. B. Direct upward light emission shall be avoided to protect views of the night sky."	Edit to be made. See response above.

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The language in Section 17.35.040C Light Trespass: (All lighting must be directed downward and shielded to prevent light trespass and glare onto adjacent properties….) doesn't reflect nor is it consistent with the language used in the General Plan Visual Resource policies (see above) which requires lighting to be "Fully Shielded, full cutoff, and…to prevent sky glow. Now is it consistent with the ZO language in Chapter 17.58 Design Review where findings the DRB needs to be make in their project review is "dark sky compliant exterior lighting" (section 17.58.030 B. 10) and "all exterior lighting….is dark sky compliant" (Section 17.58.060 I). Therefore, in Section 17.35.040C we request that the language in this section be made consistent with General Plan policies and other Zoning Ordinance policies as follows: "All lights must be directed downward, and fully shielded and full-cut off to prevent light trespass or glare onto adjacent properties and to prevent sky glow."	
Section 17.35.040(C) ***Jim Henry.*** I see no requirement for directionality of lighting; i.e. hooding to illuminate the street, but avoid light pollution. In my neighborhood, recent drought has resulted in the loss of many trees that used to "hood" the existing street lamps. Without the mature trees, my yard and home is flooded with light from the streetlights across the street and others within line of sight. This seems in conflict with guidelines about light pollution.	No changes required. Lighting directional standards are discussed in Section 17.35.040(C), Light Trespass, with the requirement to be directed downward, fully shielded to prevent light trespass or glare onto adjacent properties. Staff will be adding the phrase "full cut-off" to this standard as well.

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Section 17.35.040(D) **Cecilia Brown and Barbara Massey.** The language in this section states that the color temperature of each lamp must not exceed 3,000K. Request review how was this standard chosen and for what use? To have 3,000K in anything but parking lot lighting is excessive. City will be using 2800K in streets lighting in their new street lights replacing SCE street lights.	No changes required. 3,000 Kelvin is a Dark Sky Compliant standard that keeps the color in the warmer yellow and orange wavelengths of the spectrum of visible light and below the under cooler white and blue wavelengths.
Section 17.35.040(D) **Thomas Totton.** Please consider this link to information on LED lighting from the International Dark-Sky Association: https://www.darksky.org/our-work/lighting/lighting-for-citizens/led-guide/ as it seems important to incorporate into Goleta lighting standards restrictions on the "blue light" end of the spectrum. This also helps astronomers to filter out a narrower band of wavelengths, although all star light wavelengths are important for discrimination of various stellar characteristics.	No change required. Limiting the lighting temperature to 3,000 Kelvin and below is excluding blue light *de facto*. Blue light wavelength begins at >4,500 Kelvin.
Section 17.35.040(D) **Cecilia Brown and Barbara Massey.** The language in this section states that the color temperature of each lamp must not exceed 3,000K. Request review how was this standard chosen and for what application? To have 3,000K in anything but parking lot lighting is excessive. City will be using 2800K in streets lighting in their new street lights replacing SCE street lights.	No changes required. See responses above.
Section 17.35.050(D)(1) **Cecilia Brown and Barbara Massey.** How was the 5.0 foot-candle determination made? Is this based on the use of LED lighting standards or some older types of lighting? Request review this standard and change to a more relevant standard.	No changes required. The 5.0 foot-candle standard is taken from the City's Design Review Guidelines Lighting standards (see page 9). The standards were adopted, but uncodified. Additionally, this standard would apply to all forms of lighting.

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Section 17.35.050(D)(1) **Cecilia Brown and Barbara Massey.** How was the 5.0 foot-candle determination made? This foot-candle may be too bright for certain applications. Request review this standard and change to a more relevant standard for various applications.	No change required. See response above.

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PUBLIC COMMENT	CITY STAFF RESPONSE
General. **Barbara Massey, Comments for April 8th PC ZO Workshop.** The use of gas lights has been added to the outside of a structure recently and there should be some discussion and regulation of these fixtures.	Gas lights would be subject to the same standards as all other lights.
General. **Barbara Massey, Comments for April 8th PC ZO Workshop.** When temporary exemptions are requested, the reason for the request should be included.	Edit to be made to require the reason why the exemption is being requested.
General. **Barbara Massey, Comments for April 8th PC ZO Workshop.** Strings of lights should be prohibited.	Comment noted. No changes made.
General. **Barbara Massey, Comments for April 8th PC ZO Workshop.** 4) An Outdoor Lighting Plan is required and there should be a list of submittal requirements in the ordinance.	Edit to be made to require lighting plan. List of submittal requirements included.
General. **Barbara Massey, Comments for April 8th PC ZO Workshop.** There should be some discussion of limiting the height of field lights in stadiums. They are a serious and unnecessary night sky and neighborhood light intrusion caused by the excessive height. There should be a limit on the brightness of the lights. There should also be a requirement for a mandatory night time shutoff at 11 PM.	Stadium lighting is subject to same standards as all other lights and the height limits of the base Zone District, the brightness is discussed in Chapter 17.35 and Section .030 requires them to be shut off by 11:00 pm.

Chapter 17.35. Cecilia Brown. First of all, congratulations on completion of all the planning commission workshops. Surely this effort has been a test of endurance and fortitude for all the planning staff involved, but who nonetheless remained enthusiast until the end. Appreciate the accessibility of staff to the public throughout. The benefit of your robust outreach strategy is there seems to be more community interest and participation (even beyond the RV issue) in city land use issues. This is really good for the community, so thanks for all. Since I was unable to stay for Thursday's planning commission workshop and their discussion on lighting, I would appreciate your accepting my comments below. At a previous planning commission hearing on lighting, I was left with the impression that staff was going to incorporate some of the language and considerations from the International DarkSky Association (IDA) Model Lighting Ordinance (MLO), https://www.ies.org/product/model-lighting-ordinance-mlo-with-users-guide/ I would hope this is the case since this MLO provides current thinking on lighting standards, particularly the use of lighting zones to delineate appropriate light levels in various kinds of land uses (i.e., residential, commercial, etc., see page 5 of the MLO). If this scheme has not already been incorporated into the proposed final lighting ordinance, I request its addition. There is much value in this approach since one of its purposes is to eliminate overlighting and to promote dark sky standards, among other worthy considerations to long to address here. Interestingly, no where in the MLO is there any one standard used for the correlated color temperature of lighting. While there is a place in a lighting ordinance for discussing the effects of color temperature, I believe it is inappropriate to codify a single numerical standard. One standard such as 3000K won't work everywhere. It all depends upon the site and the purpose of the lighting. Higher color temperature lamps are currently found in shopping center parking lots, like the Calle Real Center which recently upgraded their parking lot lighting to LEDs. It is not 3000k by the looks of the whitish bluish light coming from the luminaires. Other lighting in commercial uses like car dealer parking lots and under gas station canopies probably have and need higher color temperature lamps also. It is a worthy intention to limit the blue rich light in white LEDs because of their effect on human health and in preserving dark sky standards in the city. Rather than codifying one numerical standard in the ZO, I would think it would be preferable to have a section discussing LED color temperature, its applicability in certain sites/situations and the reasons for limitations on very high color temperatures. To assist DRB decisionmakers who review lighting plans in making findings, I	The Model Lighting Ordinance was a resource used by staff when drafting the new Lighting standards within the NZO. Although staff is considering removing the 3000 Kelvin temperature standard from the NZO, the PC gave general direction to staff to review the appropriateness of keeping this temperature maximum in the zoning code.

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PUBLIC COMMENT	CITY STAFF RESPONSE
recommend the addition of such language in a revised DRB finding. (I've taken the liberty of proposing a complete revision to the exterior lighting finding since the current one needs updating and included is a section on LEDs.)	
Chapter 17.36 Nonconforming Uses and Structures	
Section 17.36.050(D) Mitchell Menzer. Legal Nonconforming Buildings. If the Bacara buildings are rendered legal nonconforming, the Bacara is very concerned about its ability to reconstruct any building that is substantially damaged or destroyed. The Bacara will wish to restore any damaged building to its original condition as quickly as possible in order to return the building to use and to minimize disruption of its operations. Under the Draft Zoning Ordinance, if the cost of repair or reconstruction exceeds 75% of the replacement cost of the damaged building, it may not be restored unless the Planning Commission approves a Conditional Use Permit and the building satisfies all of the standards in effect at the time of the damage. (Draft Ordinance Section 17.36.050(D).) The requirement of the Conditional Use Permit and the application of new standards will be time consuming and burdensome.	Possible changes to be made. Options and potential changes are currently being considered that may include edits in Chapter 17.59 and Section 17.52.100.

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General. Vic Cox. A basic question I've yet to hear answered by staff is will these proposed new rules apply to existing residences, developments, etc. or will they be exempted or "grandfathered"? Also, will owners be required to conform to the plethora of new standards when they sell to new owners?	No changes required. As has been discussed at our Open Houses, within the Key Issues Guide, and as discussed in detail at Workshops #2 and #3, existing structures and uses that do not meet the new NZO standards would be considered nonconforming, which is commonly known as "grandfathered." This allows them to continue to exist as well as to be bought and sold "as-is."
General. Vic Cox, Workshop #1. The Ellwood Onshore Facility (EOF) should be a part of the New Zoning Code, in his opinion; and	No changes made. The EOF would be subject to Chapter 17.36, Nonconforming Uses and Structures.
General. Dr. Ingeborg Cox, Workshop #3. Dr. Ingeborg Cox pointed out that if the Ellwood Onshore Facility (EOF) can continue to exist and something could still happen there.	Comment noted. See response above.
Chapter 17.37 Oil and Gas Facilities	
Section 17.37.03 (C)(4) Barbara Massey. 17.37.030 C.4 should be deleted. In Oil and Gas Pipeline corridors setbacks should never be less than 25 ft. There is no hardship that could justify less than 25 ft. The General Plan will need to be amended to fix this mistake. Since the pipelines go through residential areas 25 ft. setbacks should be increased to 100 ft. for the protection of the homeowners.	No changes made. This Section is taken directly from General Plan Policy SE 8.13(e).

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	Furthermore, Staff does not agree that this is a mistake that needs fixed.
Section 17.37.030(C)(4)(e) **Barbara Massey, Workshop #6.** Barbara Massey requested that Section 17.37.030.C.4.e be deleted, noting that she believes that an oil pipeline corridor setback should never be less than 25 feet. Also, she believes the setbacks should be increased to 100 feet for pipelines that go through residential areas for the protection of the residents. Ms. Massey commented that battery storage is a new issue that needs to be processed as a unique land use issue with its own regulations; and due to the associate health and safety issues it should be limited to industrial zones, and also prohibited as an accessory use.	Comment noted. No change made.
Battery Storage **Dr. Ingeborg Cox, Workshop #6.** Dr. Ingeborg Cox commented with regard to battery storage facilities: 1) battery storage facilities should not be placed near multi-family residential areas, senior living facilities, and elementary schools, specifically if all of these facilities are located all together and nearby; 2) she believes battery storage facilities should not be un-manned, noting if there is a high pressure gas line nearby, there could be a major disaster if there is a runaway event; 3) in her opinion, a General Plan Amendment should not be used to place battery storage facilities in these areas she just mentioned; 4) a Major CUP with an EIR should be required, but not a Minor CUP; and 5) noted that in a runaway event there would be concerns regarding a toxic plume that could endanger residents and water runoff from battling the event that would be hazardous and could cause an environmental disaster if the water enters into creeks and storm drains.	Comment noted. No changes made to NZO with regard to Battery Storage other than add it to the definition of Major Utilities.

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Chapter 17.38 Parking and Loading - General	
General. **Barbara Massey, Workshop #1.** Regarding TE 2 Transportation Demand Management, reducing parking does nothing to reduce traffic or pollution, but does cause problems because cars need to drive around looking for parking spaces and take up parking spaces on the street;	No changes required. Comment noted.
General. **Barbara Massey, Workshop #1.** Reducing on-site parking is not a valid incentive that will help the problem but will increase parking problems for others;	No changes required. Comment noted.
General. **Barbara Massey, Workshop #1.** Regarding TE 9 Parking, there will be an increased need for parking when the shortage of parking is combined with the increasing population;	No changes required. Comment noted.
General. **Barbara Massey, Workshop #1.** Regarding TE 13 Mitigating Traffic Impacts of Development, inadequate transportation infrastructure and failure to maintain infrastructure will get worse partly due to inadequate in-lieu fees; and	No changes required. Comment noted.
General. **Barbara Massey, Workshop #1.** 5) Regarding TE-IA-5, the General Plan expected RDA money is no longer available.	No changes required. Correct.

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17.38.040 K. Graham. In fact, the only useful information I could glean was that the City "encouraged" alternate sources of transportation so they were scaling back required parking spaces for new projects. As encouraging as they may be, this has no impact on who owns and drives a car. Even in my residential neighborhood, Coronado Dr., we consistently have people from the apartment complexes of Ellwood Beach Drive and the mobile home park using street parking in this area. Not providing realistic parking for any new development will just exacerbate this problem over the entire city, and not just my neighborhood.	Comment noted.
Section 17.38.040(A)(2) Mitchell Menzer. Parking. The Draft Ordinance proposes to significantly increase parking requirements for hotels from the current requirement of one space per guest room and one space per five employees (Coastal Zoning Ordinance Section 35-110), to one space per guest room and one space per employee (Draft Ordinance Section 17.38.040(A)(2)). The Draft Ordinance would result in a five -fold increase in the number of parking spaces for employees. Because the peak employee count can be high at certain times, the new parking requirement will likely render the Bacara legal nonconforming as to parking. The Bacara's current parking capacity has adequately served the property's parking demands during the entire period of its operation, and there is no basis for increasing the amount of parking required for the hotel. Rather, the increasing use of ridesharing services such as Uber and Lyft, and availability of other alternatives to cars, such as shuttles, indicates that the parking requirements could actually be reduced, since not every guest room or employee uses a car that requires parking upon the premises.	Revisions made to better align the parking standard with existing requirements.

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Table 17.38.040(A)(2): **Eileen Monahan.** Parking for centers –There is a constant battle for space between cars and children. During the development process, space that should be available for children – the facility and/or the playground, is required for parking of cars, and other regulations such as setbacks and parking lot design. Consider parking in this light and create the smallest footprint possible. Allow for modification plans from the applicant such as parking based on drop off/pick up schedules, age ranges of children, and number of siblings, that are specific to the program. Encourage the use of loading/unloading zones and temporary parking places in lieu of permanent spaces, as well as off-site parking for staff within a specified number of feet from the facility.	Staff will review whether any parking requirement changes are warranted.
Table 17.38.040(A)(2) **Edward Fuller.** Please distribute to Planning Commissioners and staff, and place in the record. https://www.commercialrealestate.loans/commercial-real-estate-glossary/parking-ratio What is a Parking Ratio in Commercial Real Estate? A parking ratio is a statistic that takes the number of available parking spaces, typically for an office property, and divides it by the property's entire gross leasable area (GLA). This ratio is most commonly expressed per every 1,000 sq. ft. of property, i.e. a 20,000 sq. ft. office building with 100 parking spaces would have a parking ratio of 5 (spaces per 1,000 sq. ft.). Cities often have requirements for minimum parking ratios, which may be vary based on property type; for example, retail projects may require a higher parking ratio than industrial developments. Higher Parking Ratios Can Be More Desirable, But Also More Expensive. In most cases, the higher a building's parking ratio, the more desirable it will be for potential tenants. For example, class A office buildings may often have a higher parking ratio than class B buildings, though this can vary greatly between individual projects. Despite their benefits to tenants, higher parking ratios also typically lead to higher CAM, or common area maintenance fees, since office building tenants usually pay rent on their portion of a building's common areas, which often include parking spaces. Office Parking Ratios May Be Increasing. Research suggests that office building tenants are asking for more parking-- and many developers are responding by adding more parking spaces to their current developments, increasing their parking ratios. While the most common office building parking ratio is currently around 4 (spots per 1,000 sq. ft.), many tenants have been asking for ratios of 5 or 6.	Comment noted.

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Though adding parking spots can be expensive ($2,000 to $6,000 per space for surface lots, $12,000 to $25,000 for garages), developers are often seeing this as an investment that may be able to improve the long term occupancy of their projects. Parking Must Be In Compliance With The Americans With Disabilities Act. In addition to making sure that their parking ratio is sufficient for local regulations (and is enough to keep tenants happy) developers interested in building new properties must take into account the Americans with Disabilities Act (ADA) when designing or planning a parking lot. For the first 100 parking spots, there must be 1 handicapped spot per 25 spots. Beyond that, handicapped parking requirements include: 101-150 Spots: 5 handicapped spots 151-200 Spots: 6 handicapped spots 201-300 Spots: 7 handicapped spots 301-400 Spots: 8 handicapped spots 401-500 Spots: 9 handicapped spots https://blog.vts.com/crowded-parking/ **Increased Office Density is Causing Real Trouble for Parking Lots** Liz Wolf, Freelance Writer, VTS As companies squeeze more employees into less office space – in an effort to increase efficiency and productivity — landlords are facing a dilemma: How can they accommodate increased parking demands? And, what happens if a space becomes unleasable because of inadequate parking? This quandary is especially true in suburban markets not served well by mass transit where employees are dependent on cars. These buildings' parking lots are becoming clogged, and landlords are looking for creative solutions. **What's driving the space reduction?**	

CHAPTER 8
GENERAL PROVISIONS

SECTION 801
OFF-STREET PARKING

801.1 General.
Off-street parking shall be provided in compliance with this chapter where any building is erected, altered, enlarged, converted or increased in size or capacity.

801.2 Parking space requirements.
Parking spaces shall be in accordance with Sections 801.2.1 through 801.2.4.

801.2.1 Required number.
The off-street parking spaces required for each use permitted by this code shall be not less than that found in Table 801.2.1, provided that any fractional parking space be computed as a whole space.

TABLE 801.2.1
OFF-STREET PARKING SCHEDULE

USE	NUMBER OF PARKING SPACES REQUIRED
Assembly	1 per 300 gross square feet
Dwelling unit	2 per dwelling unit
Health club	1 per 100 gross square feet
Hotel/motel	1 per sleeping unit plus 1 per 500 square feet of common area
Industry	1 per 500 square feet
Medical office	1 per 200 gross square feet
Office	1 per 300 gross square feet
Restaurant	1 per 100 gross square feet
Retail	1 per 200 gross square feet
School	1 per 3.5 seats in assembly rooms plus 1 per faculty member
Warehouse	1 per 500 gross square feet

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PUBLIC COMMENT	CITY STAFF RESPONSE
In addition to cost savings, today's employee work habits are spurring the downsizing of office space. Collaborative, flexible workspaces are replacing big, private offices and fancy conference rooms. "It's been an easy transition because, just as companies are trying to get more efficient and save money, millennials are more open to the idea of less hierarchy in real estate," Christian Beaudoin, director of corporate research for JLL in Chicago, told VTS in an interview. "So those two trends have combined at the same time — companies trying to save money and millennials entering the workforce, who value compensation and freedom and flexibility more than they do a big office." But just how much less office space are we talking? Pre-recession, 250 square feet per employee was the standard in office space. Today, that's been slashed to around 175 square feet or less, with projections estimating a drop to an average of 151 square feet per employee by 2017. That's a significant reduction in space, and Beaudoin said that such density takes a toll on office buildings that were not designed to handle these increased demands. It not only impacts parking, but also building's elevators, restrooms and utilities. What can landlords do? Before the trend of shrinking office space, a parking ratio of four stalls per 1,000 square feet was sufficient for most tenant parking space requirements. However, buildings today may need six or even seven parking spots per 1,000 square feet to accommodate the more packed offices. To manage this greater density, landlords are exploring several options including: *Build more spaces.* Some building owners are accommodating needs by building parking decks on top of surface parking lots. Of course, that's not cheap - it could cost around $100 per-square-foot to build that deck. If building parking decks aren't feasible, landlords are also exploring the use of adjacent lots. In one Chicago suburb example, Principal Real Estate Investors demolished 68,000 square feet of warehouse space of a nearly 200,000-square-foot building to create more parking for tenant CVS Caremark Corp. *Shuttle tenants.* "Owners are experimenting with the idea of shuttles," Beaudoin said. "If there's an off-site parking lot like at a shopping mall or a nearby stadium, they can shuttle people in with a shuttle bus. Also, owners are looking at encouraging the use of public transportation, at least as close	

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as they can get to the site and then bussing from there to the actual building." Carpooling and biking are also encouraged, and many office buildings have bike racks and locker rooms/showers if they're near a trail system. These ideas may work well for millennials, who drive less and own fewer cars than previous generations. They prefer to bike, car-share, walk and use public transportation. According to the Department of Transportation and American Automobile Association, miles traveled by car for people 34 or younger dropped 23% and the percentage of high school seniors with driver's licenses dropped 73% between 1996 and 2010. *Acquire new assets with better parking.* As new office development is starting up again in some markets, developers are paying close attention to parking ratios. "Markets like Phoenix are seeing new suburban office development, and they're building parking spaces of six spots per 1,000 square feet," Beaudoin said. Landlords may look to acquire these assets to mitigate future challenges. Looking ahead Further down the road, the importance of on-site parking might be less significant. Driverless cars could have a huge impact on office parking lots. Although these cars are still being tested, it's believed that they will be available for average consumers to purchase in the next decade. With self-driving vehicles, people won't have to follow current parking routines. For example, rather than park at the office, they could park at a distant, centralized lot and call for the car when they're ready to leave. This trend could eliminate parking lots as we know them today.	
Table 17.38.040(A)(2) **Barbara Massey.** The on-site parking for a single unit dwelling should be 3 spaces for a dwelling over 3,000 sq. ft. This is the current Ordinance 03-05, 8/4/2003 and should be retained. We thought this was a very important and needed space.	No changes made. The elimination of the third parking spot was intended to provide more flexibility in development.
Section 17.38.040(D) **Barbara Massey.** Credits for on-street spaces in Old Town should be removed. Old Town businesses are already being hurt by lack of adequate parking and property owners must be required to provide the necessary parking on their property or at an off-site location.	Possible edits to be made. Staff considering recommendation to remove this reduction based on PC feedback and include with a broader discussion of Old Town.

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Section 17.38.040(D) **Barbara Massey.** City streets should not be permitted to be used to meet off-site parking requirements.	See response above.
Section 17.38.050 **Barbara Massey.** No, parking reductions are not appropriate. Lack of sufficient parking is a serious problem in much of Goleta. There are not valid reasons for reductions.	Comment noted. Staff is considering revisions of these reduction standards and in some cases potentially eliminating them.
Section 17.38.050 **Barbara Massey.** Parking reductions should only be allowed as part of a Discretionary Review.	Comment noted.
Section 17.38.050(A) **Barbara Massey.** Transportation Demand Management is questionable, usually more credit is given than the actual reduction achieved.	Comment noted. Reduction would be reviewed on a case-by-case basis.
Section 17.38.050(B) **Barbara Massey.** Transit's Accessibility doesn't mean that it will be used instead of cars. Many people run errands or shop at lunch or on the way home and need the cars to carry things. There is more reliance on cars because we don't have an adequate transit system. Both the routes and hours of our transit system are very limited.	Comment noted. The reduction would only be granted where adequate service is provided.
Section 17.38.050(E) **Barbara Massey.** Parking reductions for Old Town Redevelopment is the wrong thing to do. This is the time to improve Old Town, not continue the substandard parking that hurts the entire community.	As noted above, Staff considering removing this reduction based on PC feedback and include with a broader discussion of Old Town.
Section 17.38.080 **Barbara Massey.** Yes, bicycle parking requirements seem adequate.	Comment noted.
Section 17.38. 080 **Jeff Hornbuckle.** Hi Andy, Thanks for reviewing our bike parking requirements. It seems that 1 bike parking space per 10 vehicular spaces is excessive for a hotel use. The City of Santa Barbara requires 1 bicycle space for every 20 guest rooms, with 50% of those for long term and 50% for short term.	Comment noted. Bike parking requirements in the NZO are intended to promote the goals of the City's recently adopted Bike and Ped

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This is essentially half of what we would be required to provide, and seems to be more practical. In our specific case, we have 132 guest rooms and therefore would need to provide 7 bike parking spaces. Is this revised bike parking requirement something that we can pursue?	Master Plan. However, staff will reanalyze the requirement for all uses to see if revisions are warranted.
Section 17.38.100(J) Barbara Massey. The potential for adding solar to parking lot covers should be encouraged but not with any reduction in the number of spaces.	No changes required. Adding a solar installation would not result in an allowed reduction in parking.
Chapter 17.38 Parking and Loading - Trailers and Recreational Vehicles	
General. Jim Fox. Commenter provided photos of RVs and Trailers around the City.	Comment/Photos noted.
General. Charlene Marie and John DiBenedetto. Commenter provided a photo of their home with a boat parked in front. Commented that they would like to keep the boat where it is.	Comment/Photo noted.
General. Rebecca Hunter. Attention: Workshop on Recreational Vehicles (Planning Commissioners/Zoning). I pay taxes. My driveway is MINE. Do not ban recreational vehicles/RVs, Travel Trailers from our property or driveways. Thank you.	Comment noted.
General. Peder Lenvik. The section of the proposed zoning ordinance concerning parking and storage of trailers or other recreational vehicles was already debated and the community members overwhelmingly disagreed with the restrictions. The restrictions are unreasonable and unnecessary.	Comment noted. Planning staff discussed the trailer/RV parking topic with the PC and Public at Workshop #8 on April 23, 2019. Any/all appropriate edits will be integrated into the Public Hearing Draft NZO, which will be released later in 2019 prior to the adoption hearings (currently projected to be in late 2019).

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General. Francis C. Arnoult. Members of the City of Goleta Planning Commission and others, My wife and I are residents in the City of Goleta and we have lived here in this same location for approximately 40 years. We are RV vehicle owners and we park our RV in our driveway. We have been RV owners, off and on for the entire time that we have lived in Goleta. And we would like to continue to keep our RV vehicle parked in our driveway. The zoning changes that you are considering might prohibit this. There are, in the City of Goleta, some particularly egregious examples of uses a property's front and/or side yard space by the home owners (or possibly renters). These home owners (or renters) are storing RV camping trailers, RV motorhomes, boat & boat trailers, storage containers (of the ocean cargo type), off-road vehicles, and often multiple copies of these items in the "set back" spaces. I know of at least one example near my neighborhood. They are an eyesore and they could degrade the property value in that location. My RV vehicle on my property is NOT like these. My RV vehicle occupies one of three parking spaces on the paved driveway surface that was part of the original construction of the house. I try diligently to prevent my RV vehicle from being an eyesore (unless, of course, your personal view is that any RV vehicle is an eyesore). My vehicle is not derelict and I use for camping almost monthly. Yes, the egregious examples of use of the front/side setbacks on a property should be control and regulated. But, PLEASE, do NOT solve this problem by banning all recreational vehicles from being parked on private property. I believe that it would be possible to develop zoning ordinances could address the problem issues without effectively banning all RV parking. Please try to work out a reasonable set of zoning regulations that will accommodate RV parking on the home owner property.	Comment noted. See response above.
General. Julie Salinas. I would like to voice my support of any ordinance that prohibits RVs in driveways. We have people in our neighborhood with RVs and families living in the RVs, complete with illegal wires running from the house to get electricity. It really makes the neighborhood look trashy. I realize there is a vocal component of people in favor of it, so I wanted to be sure you knew that there are some of us opposed. The reason they want to be able to keep the RVs is because they charge rent to families living in them.	Comment noted. Living restrictions for RVs will be added to limit it to 14 days in a six-month period in order to bring NZO into consistency with the City's Municipal Code as it relates to Nuisances.

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General. Comments for 4-23-19 Planning Commission Workshop. Michael Leu. It was disappointing and, frankly, even a bit disheartening to watch some portions of the video of the 4/8/19 Planning Commission proceedings. It gives the appearance that some commission members are of a mindset that all the meetings, evidence, discussion, and analysis conducted over the past year on the subject of RV parking and storage are of no import to the decision process on this matter. The following are the facts and conclusions, not speculations, that were fully discussed and documented during past actions on this topic and underlie the most recent draft zoning proposal. • Contrary to some unsupported speculation at the 4/8/19 workshop, RV storage on private property has been going on in the current manner for longer than the city of Goleta has existed, and there have been few, if any, complaints. Updating the zoning ordinance is an admirable goal. Creating major new hardships for ordinary citizens in order to resolve complaints and problems that are minor or don't even exist is not. Nor should the many be penalized in an attempt to thwart individualized abuse of a right by a very few. • A large number of Goleta citizens own RV's or trailers, and recreating with them is an affordable plus to quality of life for many. There simply are no RV storage lots or available spaces in the area in and around Goleta, and current city policies virtually prohibit them in every practical sense. Merely thinking about changing some of those policies at some time in the future does not solve the problem, and implementing restrictive zoning without a solution already in place is fundamentally unfair. • RV and trailer parking on the streets, except for very limited loading and unloading activities, was eliminated through an ordinance a few years ago. • There are very limited storage opportunities anywhere within 35 or 40 miles of Goleta. The added cost and burden on the environment for four additional trips between Goleta and some distant lot simply to prepare for and return from a short family vacation is hard to justify and, with the RV or trailer located outside the immediate area, its utility as an element of a family's disaster preparedness (another major goal of the city) is destroyed. • The size, geometry, and layout of a large majority of residential lots in Goleta renders them unusable for RV and trailer storage if strict side or front setback prohibitions are imposed.	Comment noted.

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This would effectively prohibit the vast majority of property owners from parking them on their properties, while possibly favoring a few affluent owners with oversize lots. • If RV's and trailers cannot be stored on residential properties or nearby, the only practical alternative for owners will be to (try to) sell them. This will deprive Goleta citizens of an affordable vacation and recreation source and of a potentially significant disaster response tool. Additionally, if the only answer is to sell, then there will be no market to purchase them, because otherwise potential local buyers will be facing the same issue. Thus, those owners lose quality of life and are also faced with significant forced financial losses. I encourage those new commission members who are not familiar with that history and the data and rationale supporting it to make the effort to become so. The potential ramifications of overly restrictive regulation are significant. The most recent proposed draft zoning ordinance does not solve all of the world's problems, but it is a reasonable compromise that addresses and considers virtually all of the myriad issues that surround RV parking and storage, while avoiding the imposition of unnecessary hardships on anyone. The Planning Commission needs to show proper respect for all the information, reflection, and hard work that led to the staff's current draft proposal and approve it as presented. There is no need to reinvent the wheel when the current version best meets the real needs of the community. We would truly like Goleta to remain a good land in which to reside.	

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General. **Jim Fox.** I'm writing you regarding the proposed zoning for RV parking and storage. I realize that this is a contentious subject that has been on the table for more than 3 years and that several members of the Commission, Board and Council have left and new members have now been seated. The issues regarding this subject have not changed: 1. Tract lots are small and were not intended for the parking of an RV on the property. The vast majority of Goleta's residential parcels are not the larger ranchette type properties, which would more readily accommodate the parking of an RV without having as much of a negative impact on the neighbors or the neighborhood. Have you ever gone to a new tract that a developer had for sale and the model homes had an RV in the front yard or where the developer put a 40' long, 13' tall, 8' wide RV at the property line between two houses to show you how nice it looks or how the RV enhances the neighborhood? 2. Setbacks were created to avoid clutter and congestion and to provide space and openness between homes, provide air flow circulation, access for utility and emergency responders and to provide view corridors for the residents. 3. Goleta has a Design Review Board. What is the point of having a DRB that works to approve a great looking neighborhood compatible house, remodel or addition, only to have, at the completion of the project 1 or more RV's in the front, back and/or side yards including the setbacks? The proposed zoning change seems inconsistent with what the DRB is trying to accomplish. 4. When people buy houses they know that they are subject to and protected by zoning ordinances. That is how "property rights" are created and maintained. One of those ordinances on the books for many years (most likely decades) and still currently on the books and was in effect in Goleta last week, last month, last year and today is the ordinance that addresses RV storage. A large issue is that the ordinance was not enforced. "Complaint driven enforcement" of the ordinance wasn't and isn't the solution, it is the problem. People thought or think that it is their "property right" or that they are "entitled" to park/store RV's anywhere on their property, when in fact in many cases it is a zoning violation, it just wasn't reported or enforced. 5. The majority of Goleta residents (the silent majority) do not have an RV at their home, yet ALL of Goleta's residents will be affected by your decision. Before this portion of the ordinance is finalized and sent to City Council, I encourage you to drive and take a field trip through all of the Goleta neighborhoods to see how RV's are being stored, see if they	Comment noted. Planning staff discussed the trailer/RV parking topic with the PC and Public at Workshop #8 on April 23, 2019. Any/all appropriate edits will be integrated into the Public Hearing Draft NZO, which will be released later in 2019 prior to the adoption hearings (currently projected to be in late 2019).

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are in compliance with the current ordinance now in effect and then project the effects of a relaxation of the ordinance. It might make you ask yourselves if that is what you want for Goleta. I hope that your decision is based on what is best for all of Goleta and not on which group is more vocal. My position is that the current codified ordinance that is now in place regarding this issue should be maintained and enforced for the benefit of ALL of Goleta residents.	
Section 17.38.070(A)(3) Dana Trout. I think we need to approach the issue of RV and trailer parking as being part of the issue of vehicle parking in general. Also, one of the reasons the issue of RV and trailer parking is such a hot button is because far too much is covered by the terms. The people who hate RVs and trailers often have in mind those that range from large to behemoth, while those owners of much smaller RVs and trailers which attract no attention at all become ensnared in the draconian proposals. Add to this that some parts of the City, such as where I live, about 50% of the properties have an RV or trailer of some description, many of which are about the size of a passenger vehicle. In fact, a significant number are indistinguishable from a passenger vehicle except for the seam on the rooftop that shows it is a "pop-top" camper. Many settled in Goleta precisely because it was much more lightly regulated than elsewhere -- I certainly did. If I wanted all the rules of a HOA I would have chosen such a community, but I don't and I didn't. It's not only old-timers like me that value the light regulation and have some sort of trailer or RV -- many of my neighbors who have moved here in the last few years also own them. Perhaps Goleta should consider the fact that different neighborhoods have different tastes and needs. Even though I am in favor for letting RVs and trailers remain I do agree that there are limits: 1. There is such a thing as too large -- but that goes for other vehicles as well. I am no fan of quad-cab long-bed pickups. My thought is if a vehicle cannot fit in the driveway without encroaching on the sidewalk it doesn't belong here.	Comment noted. Planning staff will be reviewing the trailer/RV parking section and making revisions to the Draft NZO in response to public comments and PC input. As noted above, any/all appropriate edits will be integrated into the Public Hearing Draft NZO, which will be released later in 2019 prior to the adoption hearings (currently projected to be in late 2019).

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2. Dead storage should be discouraged. A trailer or RV or any other vehicle is fine as long as it actually gets used for travel from time to time. 3. Moldering decay should also be discouraged, but we do not currently do that for houses or yards so it is premature to do that for only RVs and trailers. I think the requirement that the vehicles actually be used for travel will largely alleviate the problem. 4. Yet another issue is that the City has approved the repurposing of many properties that were used for long-term parking; currently there is only one such facility in the City and it is full. It is also my understanding that the City would be very happy to have that facility be repurposed. 5. In order to solve these problems I propose we change our thinking. 6. Parking is an issue, regardless of what we call a vehicle. To that end let's drop the terminology of RV and trailer and just look at the issue of where to put the vehicles. 7. The current NZO snatches up many smaller vehicles, such as tent trailers, motorcycle trailers, even bike trailers, and tries to treat them the same as 40-foot diesel pushers. They aren't the same, they don't have the same impact, and many times are ferreted away in garages or back yards completely out of sight. Because they are so low neighbors don't see them over the fence -- they are pretty much invisible. I believe they should be regulated only as any other potential impediment (scaffolding, ladders, etc.) would be. 8. Then there are those vehicles that are larger but small enough to fit in standard covered parking just like a standard passenger vehicle. I contend they should be treated like a standard passenger vehicle. 9. For those vehicles that are larger still, but smaller than an "accessory structure", why not treat them like an accessory structure, with the same limits on area, height, and setbacks? 10. Even larger vehicles are already owned and parked on many properties. It is certainly unfair to suddenly regulate them off the property without somehow providing an appropriate place for them to be stored. So here's my proposal--- Vehicle On-Property Parking. If the vehicle (including RVs and trailers) is no larger than a standard passenger vehicle (no more than 18 feet long, 7 feet 6 inches wide, 7 feet 6 inches tall), it is treated as a standard vehicle in terms of parking, both on and off the property. That	

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means it may be parked on the street as well as in the driveway or covered parking area. If parked on the street it must obey all the parking rules, including moving for street cleaning as well as the 72-hour maximum parking time. If the owner wishes the vehicle to be treated differently than a standard vehicle, or if the vehicle is larger than a standard passenger vehicle, it may be placed anywhere on the property with the following restrictions: 1. It must comply with the size and location requirements of an "accessory structure" as described in 17.24.020 Accessory Structures. 2. It must be parked on a gravel or paved surface. 3. It must be removed from the property for at least 14 days every trailing 18 months. The days do not have to be contiguous. 4. It must have access to the street. If the vehicle exceeds the limitations imposed by Accessory Structures, or there is no suitable accessory structure-like location with access to the street, the owner may purchase a City permit to allow front yard parking, but with the following restrictions: 1. The vehicle must be parked perpendicular to the street and fit entirely within the front yard without obstructing the sidewalk. 2. For fire and other first-responder safety the vehicle may not block side yard access. 3. The vehicle must be removed from the property for at least 14 days every trailing 18 months. The days do not have to be contiguous. The permit fee is based on vehicle volume. Initially the price of the permit is $0.03 per cubic foot. For example, the fee for a vehicle which is 19 feet long, 7 feet 6 inches wide, and 10 feet tall will be $42.75 per month. Once the City of Goleta has approved suitable storage lot(s) for occasional-use vehicles, and spaces at such lots are available, the City permit fee will increase by 10% per month. Once the lot(s) fill up	

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the permit fee will cease increasing until such time as space becomes available for a period of more than 30 days in existing or new lots within the City of Goleta.	
Section 17.38.070(A)(3) **Barbara Massey.** The provision to allow a trailer or RV to be parked or stored within the front setback should be removed. A neighbor's yard should not be allowed to become a vehicle storage area. RVs should be prohibited in the front setbacks. At the very minimum all RVs stored on residential property must be screened from view by a six foot fence.	Possible edits to be made. See response above.
Section 17.38.070(A)(3) **Barbara Massey.** The majority of Goleta citizens do not want RV parking and storage in the front setback. Just because the RV owners are well organized and show up at public hearings doesn't mean they represent the citizens of Goleta.	Possible edits to be made. See response above.
Section 17.38.070(A)(3) **David Low.** I am concerned about the new RV parking restrictions. I live on a corner lot such that my driveway is not visible by my neighbors. I am thinking of purchasing a camper van (Mercedes van - based) that I will park on my driveway, but I think the new ordinance will prevent me from doing this. This will not be unsightly, and the camper will not be much larger than a large SUV. If the new ordinance prevents this for me or my neighbors then I am very much against it. I can see regulating really large RV parking, but not relatively small camper vans that can also be used for everyday travel.	Possible edits to be made. See responses above.
Section 17.38.070(A)(3) **Dana Trout.** I have a problem with the proposed Zoning Ordinance relating to parking of RVs and trailers on residential property. Here is the relevant text from the current proposed Zoning Ordinance: 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.	Possible edits to be made. See response above.

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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. I want to focus on provisions (d) and (e). I would first like to note that in the Ellwood area there are roughly 1 to 3 RV pads per block already installed. The majority of these pads meet provision (d), but not (e) -- they "jump the curb" instead of using the property's driveway. I would also like to remind the Commission that RVs and travel trailers, even when used extensively for trips, do not often make the journey between the street and parking pad. Unlike cars which go in and out of a driveway almost daily, RVs and trailers tend to be away from home for days or weeks at a time. Thus most RVs make the journey between the street and parking area at most only several times a month. My first question is why "jumping the curb" is disallowed for RVs and trailers in light of the fact that they so seldom need to do so. My second question is how you intend to handle all the property owners that already have pads that meet provision (d), but not (e). They have already installed proper parking, often at significant expense, that was code-compliant at the time of installation. These owners typically also use temporary removable ramps to ease the shock to their RVs and/or trailers, which has the salutary effect of also lessening the pounding on the pavement and curb as the RV jumps the curb. If you wish to claim that "jumping the curb" causes rapid deterioration of either streets or curbs, I would like to see documentation of cases where this has occurred in Goleta. I walk and ride through many Goleta neighborhoods and have seen many deteriorated streets, but the deterioration I've seen is due to other factors, including tree roots, heavy traffic, and delayed maintenance. If you wish to claim that the RV or trailer would be entering the street from an unexpected location, be advised that most already-existing pads are either adjacent to the property's driveway or the neighbor's driveway, but due to the turning radius of the vehicle it is not accessible from a driveway. I have a question about Provision (f): it states "... other access to another portion of the property that can accommodate the trailer or recreational vehicle." However, Provision (e) is quite adamant that "Access is provided via a City-approved driveway approach along the street frontage." So what other access do you have in mind?	

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Section 17.38.070(A)(3) **William Tingle.** My wife and I attended the zoning ordinance meeting last night with our main interest being Section 17.38.070(A) (3) dealing with RV parking. It was a surprise to us that more RV owners did attend but we agree with the statement made at the workshop that most likely they were satisfied with the new wording and felt no need to be there, in fact after talking with you and reading the new wording we almost did not attend ourselves. Unfortunately, they should have been there for this important issue. Instead only a few disgruntled people were in attendance. Our concern is where does this go from here? We were confused about what the next steps will be in regards to this portion of the zoning ordinance. Can you please clarify with us where this goes from here and also if those who attended the original meetings or who have submitted comments will be notified and how that will happen. We tried to verify some of the complaints and I would like to share with you what I found: 1. If I remember correctly Jamie Pierce stated there was a large RV parked next to her house which could fall down on her property. The only thing we could see was that she lives on a corner and there is a camper stored on top of saw horses stabilized by four legs or, camper stands. The camper is stored on the street side of the residence located behind her house and if it did fall there is no way it could fall on her property. 2. Barbara Massey complained about RV's and that they should not be parked anywhere in or near the front yards. Barbara Massey, I she lives in Winchester Canyon in a newer PUD that has HOA governing all the homes in the subdivision. Point in question, there are NO RV's allowed in her neighborhood period! that would mean she is not directly affected in anyway by RV parking. 3. James & Michelle Fox bought a huge fifth wheel and parked it on the street because they had no room on their property to park an RV. When the city enforced NO RV Parking on the street this forced them to store it, which as they said, they did at Lake Cachuma. She also stated it was expensive which is why they sold their fifth wheel. Now since they can't have an RV which they had to store on the street they complain about those who do have RV's which they store on their property. It was my feeling they all want to turn Goleta into another Santa Barbara.	Possible edits to be made. See response above. Additionally, Staff encourages all interested parties to sign up for email notifications for all future public outreach on the NZO. At Workshop #8, staff revisited the RV topic with the public and the PC members to further discuss the issues around Trailer and RV parking. Staff also reviewed our records for all comments received during the outreach efforts associated with the prior 2015 Public Release Draft NZO. Staff has added many new email addresses to our email notification list in an effort to let those who commented on RVs in 2016 know that the matter is being discussed again as part of the 2019 Draft NZO release.

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From everyone I talk with very few people want to turn the City of Goleta into another Santa Barbara where you almost have to have a permit and approval from the city to paint your bathroom a different color. In my opinion most people in Goleta would like to see Goleta remain a place where the average person can buy a house built in the 60's or 70's and enjoy their little piece of land unlike the new high density developments popping up which have little or no land and come with HOA's with endless restrictions. We would like to thank you for the many hours of hard work you all put in on the zoning ordinance revisions and the time you spent explaining the RV parking portion to us. Please let us know what direction this issue will take and the process it will go through.	
Section 17.38.070(A)(3) Laura and Bernie Donner. We are writing to you in favor of the RV parking ordinance as posted on Feb 13, 2019, and as outlined below. I believe that by asking residents to park their operational RV on a gravel/paved surface within the front setback, as long as it doesn't project into the public right-of-way, is a sound decision that allows for us to maintain our vehicle on our property, in a way that is considerate of the surrounding neighborhood. The summary of the RV parking section in the February draft ordinances states: 17.38.070 Location of Required Parking A. Residential Uses. 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.	Comments noted.

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Reading this, it seems that I may keep my RV in my side driveway area, assuming it complies with what is stated. I spoke at a Planning Commission meeting in February of 2016 on this topic, as well. My husband and I bought a home in Goleta particularly because we were storing our camping trailer in Oxnard while living in Santa Barbara. Our home in Santa Barbara did not accommodate our trailer, which was a hardship for us, travelling about an hour to go get our trailer in order to even plan to leave on a trip. Back in 2004, it was costing us $70 per month to store our trailer in Oxnard. When we were looking for a new home in 2005, one huge criteria for us was finding a home where we could store our camping trailer. This was as a convenience for us, as well as a way to save monthly fees. Luckily we were able to find a lovely home that met all our needs. An additional benefit to having our camping trailer at home was apparent to us during the Gap Fire, because we could prepare to evacuate and also provide for ourselves during a local emergency such as this. Having recreational vehicles in home driveways would alleviate some of the burden that the City might need to provide for its citizens in a future emergency. My husband and I walk through our neighborhood at least twice daily as we walk our dog. I see RV's and boats parked in driveways for the homes that have them. They do not block the sidewalks or public access. In fact, most of the RV's I see are carefully stored. If there are problems with a particular homeowner or RV, I imagine a "nuisance clause" of some sort would allow for problems to be addressed as they arise, rather than making the rules more restrictive for everyone—which will unfairly impact the many citizens of Goleta who are not creating a nuisance with their RVs.	
General. **Pam Finchum.** Please consider to have RV's on our private property. We have worked with the city council a few years ago to keep our RV's on our property's do not change this back. Please consider doing what is right for the property owns of the city of Goleta which they voted in.	Comment noted.
General. **Pam Finchum.** My name is Pam Finchum. My husband and I live on San Jano Drive. We own our home. We have been living here for the past 34+ years. We have been planning our home improvements that so that someday we could own a motorhome. This took a while but we finally	Comment noted.

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purchased one. We improved our driveway to accommodate this motorhome. We have paid taxes on this home and we should be able to park what we own where we want, on our private property. We worked to help make Goleta a city so that Santa Barbara County doesn't have any say on what goes into Goleta and it is no longer a dumping ground for the county. We have overcrowding all over Goleta and parking is a big problem in our area because people are living 8-16 or more in a house of which they all pay rent. Maybe the City could get a hotel tax from the people whom are renting people those rooms. What I am saying is we are good neighbors and stay in our space which we pay property tax for, which is a corner lot. This means we pay more property tax for the corner lot. I hope we can come to some agreement allowing home owners their rights to park their RV's on their property as tax payers in the City of Goleta.	The intent of the NZO is to provide allowances for the parking of personal property on [private] real property.
General. Valerie Davis. We have lived in peace and harmony in our neighborhood for 25 years. We now find ourselves being bullied with rules and regulations from the City of Goleta that now sees itself as a homeowners association! It would seem with the increased gang and drug activity coming into the area, not to mention the traffic issues, and poor business planning that there would be enough to do rather than worry about or dictate what residents park in their own private driveways!	Comment noted. See response above.
General. Gary Vandeman. I object to the proliferation of massive RV's in my Residential neighborhood. We need to stop, and reverse, this trend. I am opposed to the storage of these "Recreation" vehicles in Residential neighborhoods. I suspect that the only people in favor of them are the owners themselves. Non-owners have different levels of acceptance. Most of us will not complain because we want to get along with them. Many will even hold their tongues and sign petitions in support of what they really do not want. After all, we are all neighbors, right? Residents that want to store RVs need to find a community that is built to support them. They should not expect the neighbors to tolerate boisterous behavior, blighted homes, or Mobile Homes that intrude on the existing character of my Residential Zoned neighborhood. I object to the growing number of "Recreational" vehicles being stored on Residential properties for a variety of reasons:	Comment noted. This topic has been and will continue to be discussed within the Workshops, Public Open Houses, and future PC/CC Public Hearings. The intent of the NZO is to provide allowances for the parking of personal property (i.e., vehicles of all types) on [private] real property.

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• By virtue of their amenities, they are actually mobile homes. • Size/mass overwhelm the residential homes. The change the character of the neighborhood. • They become ancillary dwellings. • They reduce the number of available street parking spaces because the RV The number of paved spaces available for frequently used vehicles, per residence, should not be less than zoning requires. • Infrequently used vehicles/devices/structures must be stored offsite. • Many were moved onto the property to avoid the Goleta street parking ordinances. • If they are larger than a full size car, they should not be allowed. I would wish for an ordinance that permits smaller vehicles to be stored on the property. Temporary is difficult to define, but small boat trailers, removed Pick-up sized campers, Utility Trailers, and tent trailers should be permitted. These communities were constructed, by building codes, with garages, and with driveways for accessing the garages. The driveways allowed space for additional parking. But families have come to use the garages for storage or extra living space, just as attics and basements have been used in other parts of the country. We have come to rely on the driveways as primary parking. This is not likely to change as we "consumers" continue to consume, bringing home ever more stuff. This is similar to the battle that the SB harbor had with houseboats. Actual vessels were deprived of a berth by the presence of what any reasonable person would call a house. The meanings of words are twisted to fit the situation. Thank you for your consideration, and for recognizing the problem.	
General. Becky Hunter. We have enjoyed MANY years of camping in our family's TRAILER, parked on our driveway. Please do not remove our rights as tax-paying homeowners. We did not join an HOA, and do not wish to be part of one. To clarify, we did not camp on our driveway!	Comment noted. As stated above, the intent of the NZO is to provide allowances for the parking of personal property on [private] real property.

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General. **Kelli Tajima.** This new ordinance attempting to ban RVs and Trailers in driveways etc is a terrible idea. While I can certainly understand the intent behind it I believe it is unfair for the city to decide what homeowners can do on their own property. I absolutely do not support the city council passing this ordinance.	No changes made. The text of the NZO does not include a recommendation for a ban on RVs and trailers in driveways.
General. **David Johnson.** My name is David Johnson and I reside at 6223 Avenida Ganso. For the last 30plus years I have stored an RV on my property partially within the set back. The current zoning allowing this has been in effect since the 60's. I strongly believe any attempt by the Planning Commission to limit this right is in effect a taking of property rights and it will cause great hardships to hundreds of City property owners. If this attempt is made I'm sure it will be a subject of significant litigation. I implore the Commission to leave the draft as is. We in Goleta enjoy a lot of freedom of use of our property and cringe at the thought of more government in our lives. I spent 19 years of my life in government as Public Works Director for the City of Santa Barbara. I have seen lots of good some bad and a little ugly. Changing the setback rules in existence for the last 50 plus years Would be ugly!	Comment noted. See response above.
General. **Andy Eggendorfer.** This is in regards of the workshop Apr. 23/2019 RV/Trailer parking. After I took a small count on 6 streets in the area I live and found 38 RV's parked at single home properties, I assume there are at least 200 + in Goleta. Each RV owner made a large investment in there unit and there are no RV storage places in the area or even the County, I propose the following solution. 1. One RV on each property - to protect RV owners investment and respect for neighbors. 2. RV must be licensed up to date and in good working condition – to prevent junk RV storage. 3. Not to protrude into public space – such as walkways, bikeways or other. 4. RV's must be unoccupied – to prevent making a rental out of it. 5. RV can be stored on street a max. of 48 hr. per month – to allow time for maintenance of property and short time visitors.	Comment noted. This topic has been and will continue to be discussed within the Workshops, Public Open Houses, and future PC/CC Public Hearings. The intent of the NZO is to provide allowances for the parking of personal property (i.e., vehicles of all types) on [private] real property.

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6. If more than 1 RV parking is desired, the RV owner should get written consent of 3 Neighbors on each side of the property and 6 Neighbors across the property – to prevent any negative discourse in the neighborhood. 7. An effort should be made to hide the visibility of the RV form Neighbors and public as much as can be expected. I hope this will be helpful in your effort to propose an Ordinance regarding RV parking and have a minimum impact on citizens property rights. If you have any questions, I will be at the meeting on Apr. 23 or call me at 805 967 0754.	
General. Jim Fox. I am writing regarding the proposed zoning for RV's and storage and am requesting that you NOT change the current zoning requirements. This proposed ordinance allowing RV's in setbacks, which provide air flow, open space and privacy between homes that are close together on small lots, will most undoubtedly open the door for additional zoning changes to be requested for other uses as well. I would think it reasonable to be able to use the setbacks for anything at this point if this is going to be allowed. I was a responsible RV owner until 11/18, always stored off site. I urge you to please consider this when deciding on this important proposed change and take a drive around and see for yourselves how these neighborhoods have turned into storage facilities, not what we bought 40 years ago.	Comment noted. See response above.

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General. Ken Symer. 50 years ago my Mom and Dad brought me to Goleta and a new home. Over the years I've seen many changes, some good some bad. I've raised three great kids here in Goleta and we've enjoyed camping in our various RV's since the early 80's. Now adults, all of the kids continue to enjoy outdoor life and camping with their own kids. When I purchased my Goleta home some 17 years ago having space to park my RV was a major consideration. I found the right property, which wasn't in very good shape but had the space that I needed. After countless hours of work on the home and property, as well as thousands of dollars I have a nice property that suits my needs and is not offensive to others, in fact it is much nicer to look at now then it ever was before WITHOUT the RV! I do not wish to see changes that will cause many to be affected for the few that have found (and presented photos of) the worst case scenario. We live here in this great place because of the freedoms it gives us to pursue our active lifestyle, enjoy our kids, grandchildren and hopefully retirement. Thank you for your careful consideration on this important issue.	Comment noted.
General. Don McDermott. I am hoping the city will resist the sizeable but minority group of residents that are organized and lobbying to allow recreational vehicles to further junk-up our neighborhoods. The efforts of the residents to sway the processes has been forceful but I believe most people in the City do not want to change the ordinance. Please do not reward the efforts of this group and their zoning violations. Please do not ignore the problems created by the vehicles, including, safety, blight, ingress and egress issues, sightline problems by adjacent properties and even noise (covered vehicles disturbing neighbors on windy days.) Although the RV group expressed seemingly valid points for the justification of their violations some were really making excuses and blaming their neighbors for their own negligent behaviors, even to the point of suggesting those in disagreement should move. Again please do not legitimize what most of these recreational vehicle owners are doing, again storing their junk, often multiple RVs on our small and unaccommodating residential lots.	Comment noted.

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General. Scott Clark. Last night's workshop discussed paved vs gravel driveways. I have worked at a lot of remote areas of the county and have driven on many driveways and private roads that were approved by the Santa Barbara County Fire Dept as All Weather driveways/roads. You can check with these standards. I believe compacted road base (6" of gravel and sand) over 6' of compacted soil is acceptable still? Let me know if this is ok for RV parking or if not, why? Thanks again for your detailed research and expertise,	Possible edits to be made. However, the issue is not really about whether the gravel surface is an accepted material within the County. The issue is that the GMC Nuisance language requires the area to be "paved" if parking/storing an RV in the front setback. As such, staff sought a point of reference for widely applied standards for "paved" in the County, which is where the County Fire standards were cited. County Fire standards. Additionally, this was why staff added an asterisk to the PPT slide on three of the specific issues discussed at Workshop #8. We wanted to note that depending on the direction we receive from the Planning Commission (and later from the City Council), staff will need to make sure that the language of the Municipal Code is consistent.
General. Ken McAllister. I was born and raised in Goleta. Both my parents were born and raised in Goleta. I've lived in my current house since ~ 1960. For the last 40 years, we've always had either a trailer or a boat in the driveway. In all that time, I've never heard the slightest rumor of RV parking restrictions. Why now? I went to great expense in creating a paved section off the driveway to safely store my RV	Comment noted. As discussed above, this topic has been and will continue to be discussed within

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on my private property. Beyond the obvious personal (family) enjoyment of using the RV for its intended purpose, mine also doubles as a disaster preparedness system. Having my RV parked in some lot and unavailable to me in time of crisis is simply not an option. Living in the SB area, disaster preparedness is not an option but a reality. I specifically purchased an RV that has twice the normal water capacity…. I know all the families in the immediate area are going to be happy when I can offer them some water. I get that using an RV as overflow living space is not a good idea and would support a ban on "living" in an RV, however, during the recent Holiday Fire as well as both the Montecito fire and flood, I was able to offer my trailer as temporary relief for friends. This would not have been possible with the trailer sitting in a storage area. To have someone tell me that I can no longer park my RV on my private property because "it doesn't look pretty"… well, that's just crazy. To be clear, I do not support the City Council passing this ordinance.	the Workshops, Public Open Houses, and future PC/CC Public Hearings. Since the City incorporated, there have been RV parking restrictions within the City, albeit, not enforced. The intent of the NZO is to provide allowances for the parking of personal property (i.e., vehicles of all types) on [private] real property. The 2019 Draft NZO does not propose any ban on parking RVs on private property.
General. **Rickie Smith**. Dear Council Members, I just read that the city is considering banning recreational vehicles on private property via this article: https://www.keyt.com/news/santa-barbara-s-county/goleta-considers-private-property-parking-ban-for-recreational-vehicles/1072175666 As a resident of Goleta I must tell you how appalled I am by this and I strongly urge you to oppose this. My husband and I own a camping trailer. We live in a townhouse without parking for recreational vehicles, so we had to park it at a lot. That lot, on Ward Boulevard, recently closed last November, forcing us to move the trailer to Lompoc, which is incredibly inconvenient. As we consider purchasing a new home in Goleta, one of our considerations is the option for parking our trailer. Please don't take away that option. Due to that lot closure, owners don't have any other options. There isn't enough space in Goleta to park the recreational vehicles owned by people who don't have the option to park in their own property, let alone every single recreational vehicle.	Comment noted. As discussed above, the intent of the NZO is to provide allowances for the parking of personal property (i.e., vehicles of all types) on [private] real property. The 2019 Draft NZO does not propose any ban on parking RVs on private property. The referenced KEYT news report appears to have entirely omitted the detail that the context of the discussion is parking in the Front Setback.

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General. Jaime Pierce. My years on the design review boards for the City of Goleta and Santa Barbara City influence me as to how I view the RV/Trailer issue, that being from the perspective of "neighborhood compatibility". Neighborhood views are important to a lot of people. A person whose used to looking out their kitchen window daily, then suddenly finds they are looking at a RV blocking sunlight and views might likely see this as a big problem and sadly at this point with vague city ordinances and no guidelines it's a problem between neighbors. Each property is different and should be treated as such, having City "guidelines" available in an effort to reach a more equitable situation between neighbors effected could help everyone involved. Guidelines for the ordinances showing more suitable scenarios for RV/Trailer locations, giving visuals and descriptions of various lot layouts i.e.: corner, center, end lots, and typical lengths of driveways. Driveways do seem to be a more desirable place for people to store RV's/trailers in most cases as they are perpendicular to the street, avoiding dominate views of a full length trailer. Having them in the driveway mostly effects the people who own them being that they are not in side yards effecting other neighbor's views. Beyond views, a couple safety concerns come to my mind: having some kind of distance between the sidewalk and the RV when parked in the driveway and perhaps another way of thinking about a setback rather than the proposed 20' property line setbacks. Maybe an opportunity for compromise. This comes from the concern for needing some distance that could allow a person to move out of the way if the RV started rolling towards the sidewalk. For example if the owner forgot to put tire-blocks down or the RV, had bad breaks, or if a camper fell off its blocks. Perhaps a percentage of a driveway length to be a set-back rule, with a minimum set distance for safety? Another safety concern is having the proper compaction under a trailer/camper. It is difficult to tell if there is a compacted sub grade under only gravel. I appreciate the opportunity to speak in letter-form versus feeling compelled to speak at a previous meeting and not having been prepared. It's a daunting task having to consider the needs of the community and keeping neighborhood compatibility in mind. The Board's efforts are appreciated.	Comment noted.

General. Wes Herman. My name is Wes Herman and I am a retired Santa Barbara County Fire Dept. Captain. I first took up residence in old town Goleta in 1965 as a student at UCSB. I have owned several properties in the Goleta Area. I currently reside in my home on Pismo Beach Circle in the Santa Barbara Shores Tract where I have lived since 1984. I appreciate the opportunity to provide my views on the proposal to revise the zoning ordinance. I am particularly interested in the proposal to change the way we have been able to use our properties for decades here in Goleta. The, "Historical and Traditional," practice of parking our various trailers, RVs, Boat trailers, tool and utility trailers, automobile restoration project vehicles, etc. has been a very valuable enhancement to the use and enjoyment of our homes and private property here in the Goodland. Recently, several storage lots where some folks have paid a monthly stipend to store such trailers and vehicles have been zoned out of existence. Existing lots for that type of storage have raised their prices due to the pressures of supply and demand. The inconvenience of having to travel to remote locations to recover our trailers, RV's, etc. would consume valuable time and result in more road miles traveled to and from those locations. this would increase traffic on our already crowded roadways. There is a principle in law referred to as, "Past Practices and Procedures," which dictates that activities, uses, and long standing practices have a legal standing due to their continued function over time. The City is well over a decade old now. We citizens value and wish to express our appreciation to the founders, the civic officers and employees of our wonderful little city. The time, dedication, energy and intelligence you provide for the good of all of we citizens continues to preserve the intrinsic value of our homes and community here in Goleta. The long standing practice of storing our various vehicles on our own private property here in Goleta is a use we have enjoyed, uninterrupted for decades. It is a use of definite financial value that amounts to thousands of dollars over the years. Were the Planning Commission or City Council to pass an ordinance denying us this long standing use, it would be considered a, "Taking," of value, under California law, or so we have been advised. I have spoken with dozens of my fellow Goletans, and we all agree we would be forced to seek legal counsel and action if a more restrictive ordinance was proposed or enacted by the City. If there was an overriding concern involving dozens of complaints or health and safety issues which had occurred over the past several decades due to the storage of our accessory vehicles on our private properties, we might view this issue differently. In discussions with City personnel we have learned that no great uproar or flood of complaints has occurred over the period of time since the City was incorporated. We sincerely appreciate the City's efforts to codify the ordinances and guidelines which preserve the unique character of our lovely little city. We look forward to working with the Council and	Comment noted.

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Commission as this process is moved forward. Thank you for the opportunity to comment and share the views of myself and hundreds of my fellow Goletans.	
General. Adam Smith. I am a homeowner in Goleta and I am writing to say NO on a private parking ban on RVs/Trailers/Boats. This is just unacceptable - for numerous reasons. Firstly, it is private property. The home is private property & so is the RV/Trailer/boat/etc. Secondly, there is ZERO alternative options to park these types of vehicles anywhere in the local area. We currently live in a condo without room for parking our trailer, so when AAA storage closed late last year, we were forced to start storing it in Lompoc - 1 hour away! This is very inconvenient. We are considering moving to new house where we could park our trailer at home, which means we would NOT choose a home in Goleta. I am not unreasonable. I understand that neighbors may not like an eyesore in the driveway across the street. So, some restrictions are understandable - such as a requirement for current DMV registration. But there is NO WAY this is acceptable when the closest storage facility is at least an hour away. And would be an added monthly cost for any resident who currently parks at home. To help put this in perspective, I suggest the City open and operate a residents-only RV/Trailer/Boat storage facility - WITHOUT ANY NEW TAX REVENUE. I suspect you may feel that idea is unreasonable. Perhaps you now understand how we RV/trailer/boat owners feel. (*Comment submitted twice*).	Comment noted.
General. Michele Fox. I am again writing regarding the proposed zoning for RV parking and storage in Goleta. My objections to RV parking within setbacks and front yards have previously been expressed. Setbacks were created to provide space between homes for distance, privacy, airflow and a feeling of openness. We have lived in our 60 year old home on a small lot for 40 years, which was certainly not designed with RV storage in mind, let alone considering the size of RV's today. I had also previously stated that we were owners of a 33 foot 5 wheel trailer which we purchased in the Fall of 2005 and owned until November 2018, which was ALWAYS stored off site, the last 3 years at Lake Cachuma's storage facility. We never parked it on the street unless loading or unloading for a trip, and only during allowable hours and obtained a permit from the City to do so after the parking	Commented noted. Staff is looking into possible revisions to the NZO that would limit the number of Trailers/RVs that could be stored on a site outside of an enclosed building. Additionally, although "Tiny Homes" are classified as RVs, they are a different class of RV that is licensed differently through the CA DMV. Therefore, such

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ordinance went into effect a few years ago requiring this, which I am sure is documented in City records under our name. When we purchased our RV we never intended to park it on our property and understood that this would greatly impact the aesthetics of our neighborhood as well as the small amount of setback space we currently have between our homes. Additionally, an individual who I will not name unless requested to do so, stated in a recent letter to the City, based on false information he received, that our RV was stored on the street, which was completely false. Any neighbor on our street could attest to this that this information was false. I would also like you to consider the following in your decision making process: Since the new zoning proposal would allow RV's to be parked within setbacks, both side and front, as well as front yards, it would also allow Tiny Homes on Wheels to be parked there as well. Tiny Homes on Wheels (3 examples attached) qualify as RV's, are towable, therefore can be used for trips, meet size standards, are registered through the DMV, and do not require permitting. This would allow individuals to use them as extra buildings on property, obscure the wheels with shrubbery so they look like a house or cabin, not have to go through a permit process or planning department review for building and pay no fees to the city. This would allow individuals to have an additional building (or buildings) on their property without having to go through any permitting. This also opens the door for individuals who do not own RV's to request other uses for setbacks as well. As I asked when speaking before the Planning Commission on April 8, 2019, will individuals who do not live in the city of Goleta be able to park them on property of homes in Goleta? Is there a limit on the amount of RV's that can be stored on property in Goleta? This proposed ordinance affects all of us, not just the RV owners who are not the majority of Goleta residents. Because individuals got together as a special interest group to voice their concerns regarding changing the already existing and UNINFORCED ordinance does not mean they are the majority of homeowners in Goleta who want this change. When speaking before the Planning Commission on April 8, 2019, I read the City of Santa Barbara's current ordinance and there was a little laughter. I find that even though we live in Goleta, we are part of Santa Barbara and I would like to see the beauty of our neighborhoods remain unchanged and not become overburdened storage yards. The City of Santa Barbara's ordinance states as follows as of 4/8/2019:	structures would be regulated as an Accessory Structure, not a vehicle. Staff will look to make any requisite clarifications to Part VI, General Terms, to provide additional clarity toward this. Regarding enforcement of the NZO regulations, the City currently has a practice of responding to complaints on private property, rather than active monitoring and pursuing violations. The NZO will not change this practice.

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"OUTDOOR STORAGE.- No portion of any front yard or any setback, required open yard or front porch shall be used for storage or parking of motor vehicles, trailers, airplanes, boats, parts of any of the foregoing appliances, loose rubbish or garbage, Junk, tents, building materials, compost pile or any similar item for a period of 48 hours or more consecutive hours except as provided below: Storage established as a permitted use with a permit or approval provided in this Title. Construction materials for use on the same premises may be stored during the time that a valid permit is in effect for construction on the premises." Therefore, I am urging you to keep the current codified ordinance maintained and "ACTIVELY" enforce it rather than to relax the standard and rely on "COMPLAINT DRIVEN" enforcement which is not only ineffective, but pits neighbor against neighbor. Relaxing the standard grants additional property rights to some residents who are RV owners, but at the same time degrades the existing property rights currently applicable to the entire community. Thank you for your consideration of my request.	

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Chapter 17.39 Performance Standards	
17.39.080 Robert Atkinson/SyWest. Noise- The change proposes to lower the maximum allowable noise levels from 75 dBL to 70 dBL. There are no sensitive receptors or residential in the vicinity, and we are abutting a state highway, Highway 217, where ambient noise levels already exceed the proposed new noise levels. Further, due to the industrial nature of our current zoning and the fact that all property surrounding are industrial zoned, we do not believe any change is necessary, and that noise standards in the IS District should be consistent with standards in the IG District.	No changes made. These standards are taken directly from Table 9-2 of the City's General Plan.
Chapter 17.40 Signs	
General Cecilia Brown. The sign ordinance is much improved and greatly detailed. While this is good it means it will require much careful review to understand the changes from the antiquated County ordinance the City adopted because they are considerable. So, I request the City allow another opportunity for public to share their comments to DRB on this ordinance at later dates. There should be multiple reviews planned not just one. The review of this section of the ZO is being rushed and deserves unhurried and careful attention. I am concerned that the city hasn't allowed enough time for the public to review the sign ordinance. The decision makers who understand signs and are responsible for reviewing and approving them in the city, The DRB, meet Tues Feb 12th to do their review. And this meeting occurs just barely a week after the ZO rollout. Having just gotten my copy of the revised ZO and barely time to read it much less consider the changes, there isn't sufficient time to thoroughly review and understand the 20 page review and understand the 20 pages of sign ordinance standards to prepare for this meeting or even comment on them thru written or verbal testimony.	Comment noted. After releasing the Revised Draft NZO in January 2019, the public was afforded the opportunity to share ideas on the NZO to the DRB on three occasions (February 12 & 26, and March 12, 2019), with the last meeting focusing particularly on Signage. Signs is also a key issue that was discussed at the Workshop #5 on April 8th. As such, this gave the public over seven weeks to review the 20 pages of Sign standards and provide feedback.

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General **Cecilia Brown and Barbara Massey.** City's current ordinance and what is in the proposed sign ordinance. These differences need to be known in order for decision-makers and the public to understand the implications of what is being proposed (e.g., Are there changes in square footage allowances from what currently exists?). And some signs proposed in the draft ordinance were eliminated. In some cases, proposed ordinance language is contrary to the policies in the General Plan. Below are those policies against which proposed regulatory language must be vetted. If the standards don't meet these policies, then they must be eliminated or changed in order that the proposed sign ordinance is consistent with the General Plan. General Plan Policies regarding signage Policy VH 1.4 Minimize structural intrusion into the skyline Policy VH 2.3 for development along scenic corridors… (101 and Hollister) limit height and size of structures and minimize usage of signs Policy VH 3.7 Community Design Character mentions that "character is enhanced through the use of restrained and tasteful signage that conveys an orderly and attractive appearance and enhances city image Policy VH 4.13 Signage c. Goodland Hotel views ....or streetscape. Protrusion of signs and/or sign structures into the skyline should be minimized. f. Internally illuminated cabinet signs shall be prohibited g. Billboards and other off-premise signs prohibited	No changes made. This public comment lists a number of General Plan policies but fails to demonstrate or provide examples of how the Revised Draft NZO standards are contrary to those policy standards. Furthermore, these policies from the General Plan are subjective in nature and are therefore not included within the objective development standards of the City's Zoning Ordinance. Such subjective analysis and decision-making is best left to those Review Authorities with discretion over these projects.

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General **Cecilia Brown and Barbara Massey.** Why is there no mention of Old Town guidelines in the proposed sign ordinance? This needs to be corrected... There is a General Plan Policy VH 4.2 Old Town which applies. It states that all design shall be consistent with the three pages of the sign guidelines in the Old Town Heritage District Architecture and Design Guidelines.	No changes made to Chapter 17.40. The Goleta Old Town Heritage District Architecture and Design Guidelines are included in the Scope of Design Review which must be reviewed. In addition, the -OTH Overlay District states that all structures and development with the Overlay are subject to design review by DRB and the project must be consistent with the Architecture and Design Guidelines. Clarification to be added in Chapter 17.19 to make clear that signs are included in "all structures and development."
General **Barbara Massey.** I have a question about the sign ordinance. Are the big plastic balls on tall rods that are both single and grouped considered poles signs? If not are they covered in another prohibited category? They should be prohibited. They bob around in the wind and are very distracting.	The plastic balls in question would be classified as "Wind Movement Devices" or "Attention-getting Devices," which are prohibited signs within subsection 17.40.040(P) of the NZO.
General **Cecilia Brown** https://www.latimes.com/opinion/editorials/la-ed-marijuana-signs-rand-20190622-story.html Madame Mayor, WIth a recent editorial from LA Times as background, is the city planning on limiting cannabis storefront signage/advertising? Dont recall anything in revised sign ordinance, but if city wants to have limitations, adding it to sign ordinance now would be an ideal time.	All signage would be regulated by NZO Chapter 17.40, Signs, including the requirement for DRB review, pursuant to Chapter 17.58, Design Review.

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17.40.030 **Cecilia Brown and Barbara Massey.** Equipment signs: Why was this section eliminated in the draft ZO? What is occurring is that advertising signs are appearing on gas station pumps, like the small TVs on the gas station pumps at the Gas Depots. These kinds of signs are pure advertising, have nothing to do with equipment identification and add to the visual clutter of the area...	No changes made. Equipment signs were not eliminated but were instead simply removed from the *exempt* section and therefore require City review and approval.
17.40.030 **Cecilia Brown and Barbara Massey.** Window Signs in Commercial Areas. The draft ordinance restricted signage on commercial window signs as follows: "In non-residential zones, window signs not exceeding 10 percent of the area of the window and transparent door frontage on any building façade (were exempted). Any sign either hung within two feet of a window or attached to a display located within two feet of a window is considered a window sign and must be counted as part of the permitted signage." The proliferation of all kinds of signs on non-residential storefronts, most of which are primarily advertising, add clutter to shopkeeper's windows, degrade the streetscape and allow accidence of sign area promulgated elsewhere in the ordinance, and is contrary to the General Plan policy about ionizing signage... Explain why this important standard for signs in non-residential areas was eliminated?"	No changes made. The 2015 Public Draft NZO did not restrict this type of signage to 10%. Rather, up to 10% of window signage was *exempt* from the standards of the Chapter. The 2019 Revised Draft NZO counts this type of signage as a Wall Sign and subject to review and approval as part of the overall allowable advertising space/signage for the business.

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17.40.030(D) **Cecilia Brown and Barbara Massey.** Construction signs: Where were the numerical standards obtained? Please review the standard for 8ft max height for construction signs in non-residential areas. This seems excessive.	Possible changes to be made. Staff may recommend that the Commercial numerical standard be reduced to 20 sq. ft. Although these standards in the 2019 NZO are the same that were in the 2015 Draft NZO, the commercial size was larger than the current standard of 8 sq. ft for all zone districts. The larger commercial size (32 sq. ft) was intended to account for the larger size of the commercial properties, but could be reduced if the PC/CC would like. Staff recommends considering a size up to 20 sq. ft, which would match the existing Institutional Signs size limit and with a 6-foot max height in non-residential, but 8 sq. ft/5ft max height in residential areas.
17.40.030(E) **Cecilia Brown and Barbara Massey.** Directional Signs: The draft ordinance had a better definition of directional signs, why was it changed? This one in the revised ordinance is too truncated to know what is allowed on a directional sign. Reinstate the draft ordinance language.	No changes made. Definition of "Directional Sign" moved to Part 6, definitions.
17.40.030(H) **Cecilia Brown.** I think there should be a category "regulatory signs" and they should be in the exempt category. For example, Service dogs allowed, the handicap sign with a wheelchair against the blue background, a no smoking sign, the CA health hazard warning sign, FDIC and a SPIC sign on a bank window (these are required by fed regulatory agencies to be displayed on store/doorfronts), etc.	No changes made. All of the signs listed in this comment fall into the category of Government Signs.

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17.40.030(H) **Cecilia Brown.** Also what about an exempt sign indicating a store is open or closed? Another type of wall sign that shouldn't be counted against the business sign allowances.	Possible edit to be made. Staff may recommend a revision be made to include "Door Signs" and to add the term to Part 6, Definitions under Sign Types.
17.40.030(H) **Cecilia Brown and Barbara Massey.** Government Signs. The draft allowed other types of regulatory signs needed on commercial establishment windows and doors. Why was this information deleted?	No changes made. The text for Government Signs in the two drafts of the NZO are identical.
17.40.040 **Cecilia Brown and Barbara Massey.** Add to this section the prohibition of Billboards and other off-premise signs.	Possible revision to be made. Staff may recommend that a revision be made to include billboards in subsection (C), General Advertising for Hire.
Section 17.40.040 **Barbara Massey.** Prohibited signs should include: A-frame signs – cheap signs that fall over, obstruct, and clutter the public right of way. Light Bulb Strings – strings of unshielded or bare light bulbs. Roof Signs – signs on rooftop structures such as penthouses, walls, or mechanical enclosures. Window signs – any sign attached to the inside or outside of the windows and doors.	No changes made. These sign types are either prohibited or regulated in this Chapter.
Section 17.40.040 **Barbara Massey.** Also there should be a prohibition of any sign within five feet of a fire hydrant, street sign, or traffic signal.	No changes made. Non-governmental signs are already prohibited win the public right-of-way and on public property (See 17.40.040(I)).

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Section 17.40.040(A) **Barbara Massey.** There is no discussion of the number of colors that can be used and whether animation or movement will be prohibited.	No changes required. Section 1740.040(A) prohibits Animated signs. If appropriate, a sign could use multiple colors, as approved by the DRB.
17.40.040(L) **Cecilia Brown and Barbara Massey.** Add to L. Roof Signs. "Signs on rooftops structures such as penthouses, walls, or mechanical enclosures.	Possible edits to be made. Staff may recommend that revisions be made to include prohibitions on roof-top signs.
17.40.040(O) **Cecilia Brown and Barbara Massey.** Add to O. "Signs within five feet of a fire hydrant, street sign, or traffic signal."	Possible edits to be made. Staff may recommend that revisions be made to include fire hydrants in subsection (M)(3), Signs Creating Traffic Hazards or Affecting Pedestrian Safety; however, the signs in these locations would be within the road right-of-way and already prohibited in subsection (I).
Section 17.40.060(I) **Cecilia Brown.** As a follow on to my Monday meeting with you and initial inquiry about LED signs in the revised ZO, I was on so very happy when I read in the sign ordinance that the use of electronic changeable copy signs was much limited as compared to the last iteration of the ZO. This was an important and necessary change. Hurrah! Thank you!	Comment noted.

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Section 17.40.060(I) **Cecilia Brown.** There is no mention of what colors can be used on the electronic changeable copy sign. One color, multiple colors in the changeable copy? Copy need not change but color many times over the day could. I think your intent is for one color for the sign, like the gas station pricing signs, but this needs to be clear and specified. I am against the color changes because it goes against the standard for allowing the copy to change only twice a day.	Possible edits to be made. Staff may recommend that revisions be made to include language that no changes in light color is permitted without review and approval by DRB.
Section 17.40.060(I)(1) **Cecilia Brown and Barbara Massey.** Color: what color is allowed for electronic changeable copy signs? One color, like the red in the gas fuel pricing signs or the theater marquee sign or white in the time and temp signs. The intent should be just one color for the changeable copy. Prohibit color changes throughout the day for the electronic changeable copy signs...	See response above.
Section 17.40.060(I) **Barbara Massey.** Changeable Electronic Copy signs should be prohibited in scenic corridors. It is General Plan Policy VH 2.3 to minimize the use of signage along scenic corridors. Changeable copy signs are inappropriate along Cathedral Oaks, Hollister, and Highway 101.	No changes require. All signs will be limited in height, and use, consistent with VH 2.3(d & i) and require discretionary review before the DRB.
Section 17.40.060(I)(1) **Cecilia Brown and Barbara Massey.** Prohibition in certain areas: There is a General Policy Plan policy to minimize the use of signage along scenic corridors (i.e., Hollister Ave). Changeable copy signs should be prohibited along these corridors.	No changes made. GP policy VH-3.7 does not provide a nexus to prohibit any form of signage. GP Policy VH 4.13 provides the nexus to prohibit only cabinet/can signs and billboard/off-premises signs.

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Section 17.40.060(I)(1) **Cecilia Brown and Barbara Massey.** There is no mention of the glare from any of these LED electronic changeable copy signs because of the intensity and quantity of LED lights as in the gas pricing signs, like the one at the Fuel Depot. Request you address this in the ordinance.	No changes required. Glare is addressed the subsection (L), Illumination. Additionally, external light sources are subject to the standards in Chapter 17.35, Lighting.
Section 17.40.060(I)(1)(a) **Cecilia Brown.** I think there needs to be some review of the following: Besides gas stations and indoor theater marquee signs, there are currently time and temp changeable copy signs in the city which need to be considered. And they change copy more frequently than 2x per day, an ordinance standard. (Maybe they are listed elsewhere and I missed it, there is much to review.)	No changes required. See Section 17.40.080(G), Time and Temperature Devices. There are no timing standards for these types of devices within the NZO.
Section 17.40.060(I)(1)(a) **Cecilia Brown and Barbara Massey.** Besides gas stations, indoor theater marquee signs, there are time and temperature signs in the city, these later types of signs need to be included in this section, particularly because they change copy more frequently than the 2x per day, an ordinance standard.	See response above.
Section 17.40.060(I)(1)(a)(iii) **Cecilia Brown.** The limitation of these signs to quasi public uses (the text of the ordinance uses the word semi-public use, see p. iv-117 and should be changed for consistency) was fortunately tempered by the requirement for at least 400ft street frontage of the particular use and in non residential districts. Well thought out.	Possible edits to be made. Staff may recommend that revisions be made to change “Semi-“ to “Quasi-“, otherwise, no response required.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.40.060(I)(1)(c) **Cecilia Brown.** There are existing gas station pricing signs and marquee signs which are currently higher than the 10ft height limit of the ordinance. Believe that the 10ft height standard for a sign for a quasi public use that meets the ordinance standards might mean a pole sign, which isn't allowed, or a 10 FT freestanding sign, which in most instances is not appropriate and most likely not be approved by the DRB. Pls review the 10ft height limitations for each kind of sign.	No changes made. The 10-foot height limit is for Changeable Copy signs for Service Stations, Indoor Theatres, and Public/Quasi-Public uses. Service stations may only have 25sf of advertising and 50% of that may be Electronic Copy.
Section 17.40.060(I)(1)(c) **Cecilia Brown and Barbara Massey.** Height: Existing fuel pricing signs and marquee signs are currently higher than the 10ft height limit of the ordinance.	No changes made. Existing signs that exceed the 10-foot height limit are subject to Chapter 17.36, Nonconforming Uses and Structures.

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Section 17.40.060(I)(1)(c) **Cecilia Brown and Barbara Massey.** Also, height for an electronic changeable copy sign for a public/quasi public use (change language in draft ordinance from semi-public use to quasi public since no definition for semi-public use) not might mean a freestanding sign at 10ft. This is too tall and not in accordance with general plan standards addressed elsewhere. Review these standards.	Possible edits to be made. Staff may recommend that revisions be made so "Semi-" is changed to "Quasi-" and prohibited Pole Sign clarified to be those exceeding six feet in overall height.
Section 17.40.060(K) **Cecilia Brown and Barbara Massey.** Description of materials isn't sufficient to prohibit signs to be made of less than durable materials. Now, some signs are being covered up with plastic-like covers when sign face needs to be updated to a new tenant or sign content changed, like the sign covering the cabinet sign pole sign at Calle Real and Kellogg. There needs to be explicit language to prohibit the use of less than durable materials for signs. There was such language in the draft ordinance. Request add additional standard for sign materials.	No changes made. The broad discussion in the NZO for materials is to leave this within the discretion of the DRB to determine appropriateness of materials used. Staff does not believe the City should be codifying specific materials or attempt to enumerate all possible types that exist or could be developed in the future.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.40.080 **Cecilia Brown and Barbara Massey.** Missing from this or any section in the ordinance is the provision for "Menu Board for drive through restaurants" sign in the current ordinance. These kinds of signs are in use in the City and need to be added to the proposed ordinance. Even though there won't be many drive-through restaurants in the future, standards for such signs must be allowed. Request that Menu Boards be added to proposed sign ordinance. Below are some standards from the SB County ordinance 35.38.100e. p. 3-79 that could be used for review... 1. Not to exceed two on-site single face signs 2. Locations limited to adjacent vehicle queuing lane for the service point of the drive-through 3. Free standing menu board shall not exceed eight feet in height as measured from the finished elevation of the vehicle queuing lane. 4. Menu board wall signs shall not exceed the height of the eave of the roof over the wall on which the sign is located 5. 5. Not to exceed 36 square feet total in combined area of both signs unless a sign modification.	Possible edits to be made. Staff may recommend that revisions be made to include Menu Boards in 17.40.090(D) and provide standards for Location, Max. Number, Max. Size, Max. Height, Illumination, and Noise.
Section 17.40.090 **Cecilia Brown and Barbara Massey.** A-Frame Signs These are portable signs and not allowed per section 17.40.040. Resolve the discrepancy of prohibiting and then allowing them in this section. Prohibit these signs in the public right of way or on any walkway on private property.	Possible edits to be made. Staff may recommend that revisions be made to narrow the prohibition in 17.40.040 to those located within the public road right-of-way without an Encroachment Permit.
Section 17.40.090 **Barbara Massey.** A-frame signs should be deleted from 17.40.090. If you are considering A-frame signs under A.2., it should be stated that A-frame signs are prohibited in the public right of way.	See response above.

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Section 17.40.090(C) **Cecilia Brown and Barbara Massey.** If a freestanding sign is allowed to be 4ft tall and a max 100sq, feet for sign area, then that means the length would be 25ft. Or if the sign is allowed to be 6ft area dimensions need to be reviewed since not appropriate considering General Plan visual policy standards to "minimize signage." Review max area for dimensions.	No changes made. These are the maximums and may be suitable for large industrial areas, (e.g., Cabrillo Business Park).
Section 17.40.110(A) **Cecilia Brown and Barbara Massey.** Does this section include allowance for a new sign face if there is no other maintenance or repair needed on the sign? DRB has allowed and reviewed throughout its history a new sign face on pole signs, which are prohibited under this ordinance. Address when a new sign face is allowed on legal non-conforming signs.	No changes made. New sign faces are permissible on nonconforming signs, as this is a protected speech issue and settled case law.
Section 17.40.100 **Barbara Massey.** Overall Sign Plan has no section on Required Submittal. A list of submittal requirements should be in the ordinance.	No changes made. The NZO typically does not list submittal requirements. These will be included in the application forms.
General. *Workshop #5 Question: NZO will create numerous nonconforming signs in Commercial areas.* **Barbara Massey.** This is fine because there is much that is unwanted now because people have taken advantage of lack of an adequate sign ordinance.	Comment noted.
General. *Workshop #5 Question: Any changes to Exempt or Prohibited Signs?* **Barbara Massey.** Already mentioned	Comment noted.
Chapter 17.41 Standards for Specific Uses and Activities	
General. **Barbara Massey.** Battery Storage is a new issue that needs to be processed as a unique land use issue with its own regulations. Due to the associated health and safety issues, it should be limited to Industrial zones. Battery storage should be prohibited from being an Accessory Use also.	No changes made. Battery storage as a primary land use is being evaluated by Planning staff and is not currently included in the NZO.

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PUBLIC COMMENT	CITY STAFF RESPONSE
General. **Barbara Massey, Workshop #6.** Barbara Massey commented that battery storage facilities should be added to the list of prohibited accessory uses.	Comment noted. No change made except to add Battery Storage to definition of "Major Utilities."
17.41.030 Accessory Dwelling Units **George Relles, Workshop #6.** George Relles commented that he believes the "granny units" should be owner occupied as long as possible, and at least 10 years if allowed under state law. He expressed a concern over the duplexification of Goleta. Mr. Relles recommended a conservative approach initially with regard to the number of ADUs built in Goleta. Mr. Relles noted there are already "granny units" and converted garages in the city and problems can be dealt with by enforcement.	Comment noted. No changes to be made to the ADU section of the NZO as this matter was just passed by the City Council to comply with State law.
17.41.030 Accessory Dwelling Units **Ken Alker, Workshop #6.** Ken Alker pointed out that he believes the height limit should be preserved at 35 feet, at least on the DR properties because that height is needed in that area. He requested allowing multiple ADUs on properties that were DR zoned; allowing more than 800 square feet; and allowing both guest housing and ADUs. (Mr. Alker noted his comments are included in several letters he has submitted previously). He questioned how the 5-year owner-occupancy requirement for ADUs is enforced. Also, he spoke in support of considering small-scale units, noting there are a lot of people in Goleta who could use an inexpensive place to live and many use bicycles for transportation.	Comment noted. See response above.
17.41.030 Accessory Dwelling Units **Dr. Ingeborg Cox, Workshop #6.** Dr. Ingeborg Cox agreed with a comment from George Relles that ADUs should be owner-occupied. She spoke in support of restricting affordable housing for the maximum amount of years possible, and suggested that permanent affordability would be the best. Also, she suggested a conservative approach initially to the amount of ADUs permitted. Dr. Cox requested stopping the building of units close to the freeway that the units because of health concerns, including exposure to PM 2.5. She noted that she does not believe that open spaces that are close to the freeway are open spaces, in her opinion. She agreed with the comment today from public speaker Barbara Massey supporting a 25-foot height limit in all residential areas.	Comments noted. No changes to ADU section, terms for affordable housing, allowance for housing or open space near/adjacent to Hwy 101, or height limits.

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17.41.030 Accessory Dwelling Units **Dr. Ingeborg Cox, Workshop #6.** Dr. Ingeborg Cox commented that the Accessory Use Size should be less than 25 percent of the space, such as approximately 10 or 15 percent, for the Total Structure or Tenant Space that is less than 1,000 square feet of floor area.	Comment noted. No change made.
17.41.030 Accessory Dwelling Units **Jason Chapman, Workshop #6.** Jason Chapman commented with regard to addressing the need for housing in Goleta and addressing commuter traffic issues: as follows: 1) allowing more density, including in the RS district by ADUs, would be a way to provide more housing slowly; 2) he would be open to the owner-occupancy requirement though he is not sure about the process and feasibility; 3) supported the parking reduction for the small-scale incentive units and suggested the developer should participate in mitigating for the reduced parking by supporting transit; and 4) supported including rental units in the inclusionary housing requirements.	Comments noted. No changes needed.
17.41.030 Accessory Dwelling Units **Don McDermott.** I was stunned to learn, after the fact, that the State had circumvented local processes. I understand clearly that we have an economic model that creates a housing shortage, if not a crisis. Still I do believe this State mandate will not address the housing problem because the economic model stays the same. And there is no requirement for ADUs to meet any affordability requirement. I believe the mandate could actually create escalating housing prices while destroying the quality of life we expect to have in the Single Family Residential zone. I understand that the State imposed limitations and restrictions, still I am hoping The City of Goleta will update its own ordinance with the strictest limitations that can be legally defensible. Lastly, I do not think that illegal units should necessarily be grandfathered in, and certainly not without a penalty.	No changes required. The City adopted a local ADU Ordinance in June of 2018. Planning staff will carry forward that ordinance and integrate those development standards and any changes to the State law into the Public Release Draft NZO later in 2019 as the project moves to adoption hearings.
17.41.030 Accessory Dwelling Units **Erik Moore.** Hi, I attended the open house yesterday and forgot to leave a comment/suggestion. The max size for an accessory dwelling is currently drafted at 800sq ft or half the dwelling size, whichever is smaller. I would support a simple max size of 800sq ft. As an example, my home is only 1180 sq ft. An 800 sq ft second master suite or upstairs to a garage conversion could be larger than the 590 sq ft	Comment noted. The City's discussion around ADUs was concluded in 2018 with the adoption of the ADU Ordinance. The NZO proposes

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allowed by my dwelling size. The total sq feet at the 800 sq ft max would still be less than 2000sq ft: a modest modern home size. Please consider this alteration. Thank You	to incorporate the existing ADU Ordinance as currently written.
Section 17.41.040 Accessory Uses **Barbara Massey.** Battery storage should be added to the list of uses prohibited from being an Accessory Uses. A CUP should be required in Residential zones and in Commercial adjacent to Residential zones.	No changes made. Small residential solar arrays will have battery storage associated and should not be prohibited.
Section 17.41.060 Animal Keeping **Steve VanDenburgh.** Is it too late to make a comment on the new Zoning Ordinance the City is developing? My comment is specifically on the keeping of roosters in City limits. It's allowed under the ordinance inherited from the County, from what I can tell. My comment would be that, 17 or so years into incorporation, there's been enough time for people who own roosters to have fair warning that they now live in a city. I can understand allowing them during a transition period after cityhood was approved, but we are 17 years into cityhood. I deal with a neighbor that owns roosters along with hens. Working from home and sleeping are disrupted by the roosters. There's a popular impression that roosters crow at dawn. Roosters crow whenever they want to crow – like all day. I have no problem with the hens for eggs, etc., but most cities like Santa Barbara, have included something like this in their ordinance, and Goleta should do the same: ROOSTERS. It shall be unlawful to keep or maintain a rooster. (Santa Barbara Ord. 5459, 2008; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985.)	Comment noted. No change needed. Rooster are a prohibited animal within the City, pursuant to NZO Section 17.41.060(C).
Section 17.41.090 Cannabis Uses **Michael Cheng, Workshop #3.** Michael Cheng expressed concern regarding the concentration of applications for cannabis shops in Goleta Old Town.	Comment noted.
Section 17.41.090 Cannabis Uses **Don McDermott.** I am concerned that areas within our City's control as well as our County's jurisdiction may allow commercial grows and processing that will negatively affect air quality with odors. While traveling through Carpinteria I often notice the skunk-like odor and it is my	Comment noted. The City's Cannabis Ordinance is a separate effort apart from the NZO, but

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understanding that many residents are finding the odors difficult to live with. It seems to me that a larger buffer zone is necessary unless there is a technical solution.	will be integrated into the NZO once completed.

Section 17.41.130 Family Day Care Homes, Large Jacqui Banta. Dear City Council and Planning Commission members, As a local child advocate, I want to let you know how thrilled I am that you are reviewing ways that the city can help pave the way for more child care in Goleta. It is desperately needed, not just for residents, but for the employees of the existing and future businesses that operate here. We know that working parents want only the best for their children. Child care can be one of the greatest challenges that you will have in raising your child. We know that you want your children to be safe and have fun while they learn at their child care. Nothing is worse than worrying about your child when you are at your job. Family Child Care Steps to Quality Program is designed to support a provider's commitment to creating a high quality child care program. Research shows that children thrive in high quality child care. In an effort to increase high quality child care in Santa Barbara County, Children's Resource & Referral has created this Program to focus on four elements of success: Education of the Provider; High Quality Environments; Strong Business Practices; and Relationships. At Children's Resource & Referral, we are often witness to the many obstacles that prevent potential Child Care Providers in obtaining their license such as start-up costs, certifications, permits…etc. Not to mention, the challenges families face in finding affordable, high-quality child care programs for their children (specifically infants). Children's Resource & Referral works diligently to support Providers and Families, but continue to face challenges with cost and accessibility. Specifically, I strongly support: • Making large family child care "by right" like small family child care • Allowing child care centers in more zones, and reducing the permit requirements as much as possible. • Including child care in the Beneficial Projects category • The City's focus on child care policies, and identifying ways to encourage more child care. The changes that are being made now, with the changes to the zoning policies and development fees and the assignment of planning staff time will certainly have an impact that will provide a benefit for a long time. Please continue to go deeper to really make a difference. There are many experts in this county, and many models you can follow that will help ensure the policies are solid, and actually do increase child care spaces. I urge you to continue to review all the ways that the city can influence the development of child care resources in the community.	Comment noted. Staff has received direction from the Planning Commission, the public, and members of the City Council to further explore ways the City could revise the NZO to provide more flexibility and ease of permitting all forms of Day Care facilities within Goleta.

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Section 17.41.130 Family Day Care Homes, Large **Cheri Diaz.** My name is Cheri Diaz, founding director of Hope 4 Kids Early Learning Centers. First, thank you for listening to us during the last council meeting. I was pleasantly surprised and filled with hope that our thoughts and words landed on such open minds and hearts. I appreciate your work for Goleta and am impressed and excited that child care is on the agenda again. 1. Remove fees and, in fact, provide incentives, subsidies or building/financial grants to directors or business owners wanting to start a child care business. 2. Eliminate permits, the permitting process, the fees, anything that detours, delays or prevents a child care operator from starting a child care center. 3. Provide housing assistance to early childhood education teachers who meet a certain educational standard (12 ECE units, maybe an AA in Early Childhood) AND can provide evidence that they have been working at a local child care facility for a certain amount of time. Maybe there is a reconfirmation process every 6 months or so based on paycheck stubs or a letter from the employer. 4. Lastly, promote respecting the very field of early childhood education. We are not babysitters. We are highly educated professionals who shape the minds, the thoughts, the actions, the planning, the very executive function of the brains that will one day lead this city. So help me and help all early childhood education professionals be seen, respected and treated as the educated, trained, and hard-working professionals we are.	Staff returned to Planning Commission at Workshop #8 to further discuss Child Care. Staff does not expect to change the use names. The intent of the NZO is to have broad use definitions so there is not a proliferation of separate uses that are all regulated the same way.

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Section 17.41.130 Family Day Care Homes, Large **Eileen Monahan.** Streamline the process and reduce or eliminate costs for anyone who is willing to do what it takes to start or expand a child care center or family child care home in Goleta. Offer incentives or encouragement to all child care applicants, as well as to developers to include child care space in their nonresidential or residential projects. Use the terms Family Child Care and Child Care Facility instead of Day Care – this distinguishes child care from adult day care and pet day care and is the more common and up to date term. Designate a City staff person to be the child care expert, to be knowledgeable about child care development, the City's policies, and the process. Plan for child care – study it and include it in discussions throughout the City government, and specifically in the Planning department. At this point, it is in the hands of individual child care providers to see the need and respond, navigating through all the processes and regulations. The City can support its citizens by taking the leadership on this process and creating a plan for child care for Goleta.	See response above.
Section 17.41.130 Family Day Care Homes, Large **Eileen Monahan.** Allow Large Family Child Care by right, as with Small – this simple and efficient change can dramatically expand capacity and save the City and providers a lot of time and money. The Land Use application and Permitting process is a challenge for providers – it is complex, takes time and can be expensive. As the State limits conditions that can be applied locally, providers are able to comply with the ordinance requirements. Many California cities, such as San Diego, San Francisco and San Jose, as well as our own Santa Maria and Lompoc, allow large family child care homes by right and do not find this creates problems, but rather has encouraged the development of many new spaces. Ensure all staff know that family child care is not affected by Conditions, Covenants and Restrictions of a neighborhood association.	Staff returned to Planning Commission at Workshop #8 to further discuss this issue. Staff is exploring possible changes to the NZO that could allow Large Family Day Care without the requirement for a Land Use Permit.
Section 17.41.130 Family Day Care Homes, Large **Eileen Monahan.** Consider an ordinance that allows small child care centers by right when they have met specific criteria, including the number of children who may attend.	See response above.
Section 17.41.130 Large Family Day Care Home **Eileen Monahan, Workshop #3.** Ms. Monahan clarified that there are four conditions that a city can regulate with regard to large family child care centers. Also, she commented that allowing large	See response above.

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family child care by-right is less work for the provider and less work for City staff. She referenced by-right examples from Santa Maria and Lompoc.	
Section 17.41.140 Farmworker Housing **Eric Torbet.** Broaden definition of farmworker housing. Allow for agricultural employee dwellings (AEDs) that do not need to meet the California State definition for Farmworker housing, as was similarly done in the recent Ordinances (No. 5068 & 5069) adopted by the County of Santa Barbara on December 11, 2018. The County found that the permit process to develop AEDs was too onerous, such that few AEDs had been constructed. The City of Goleta's proposed farmworker housing standards are so restrictive that it is unlikely that any farmworker housing would be built.	No changes made. Planning staff believes that this particular discussion around Farmworker Housing is more of a general policy discussion that is more-suitable for the PC/CC to consider and provide direction to staff if changes should be made.
Section 17.41.140 Farmworker Housing **Eric Torbet.** Allow AEDs to house employees working less than full-time on the farm. This would still meet the General Plan policies LU 7.1, LU 7.4, and CE11.10 (Conservation easements could be required with development of AEDs). The General Plan does not define "Farmworker Housing", therefore the NZO could add other types of AEDs that still meet the intent of the General Plan.	No changes made. See staff response above.
Section 17.41.140 Farmworker Housing **Eric Torbet.** Allow housing for multiple owners of the farm. The NZO would need to find that multiple farm owners were similar enough to farmworkers in order to be consistent with General Plan agriculture policies (LU 7).	No changes made. See staff response above.
Section 17.41.160 Home Occupation **Skona Brittain.** Please include my comment amongst your public input: I highly approve of the change in the ordinance about home occupation that gets rid of the artificial limit of 5 clients on the premises at a time and replaces it with conditions about not disturbing neighbors.	Comment noted.
Section 17.41.230 Short-term Vacation Rentals **Don McDermott.** Dear Mayo Perotte and Council Members, https://www.airbnb.com/rooms/30038194	Comment noted.

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So many examples. Not sure about this particular Airbnb. Looks like it could be located in any neighborhood. There are many examples of egregious zoning violations. My neighbors can be very nice but oblivious about zoning indiscretions and transgressions. Some just don't care. Many are simply storing junk in their front yards and side yards. After filling their garages with junk then they will park their cars in front of their neighbors houses and their guests park further away in front of mailboxes, in front of neighbors homes and gardens, at times making it difficult to service homes, get mail delivery, street sweeping, etc. We really need a zoning ordinance and enforcement that establishes hard rules, keeps the peace. Neighbors do not want to confront. The zoning ordinance should keep a high quality and high standard so as not to junk up our neighborhoods. Lastly anyone in the decision making process should recuse themselves if they are currently violating our zoning ordinance with illegal airbnb, garage conversions, and the illegal storage of recreational vehicles.	In addition to this site, the City has a number of active code compliance case addressing unpermitted short-term vacation rental (STVR) properties found on websites like Airbnb and VRBO. The violations for this particular property are the operation of the STVR, the parking of the RV on an unpaved surface in the front yard, and the parking of this inoperable RV (expired registration) in view of the public. The property owner was sent a Notice of Violation on 5/14/19 and given a deadline of 5/31/19 to correct all violations.
Chapter 17.42 Telecommunication Facilities	
General. Denis Franklin. First, let me apologize if I seemed to stop my explanation abruptly at the joint meeting of the Council and Planning Commission at last evening's meeting. Unfamiliar with the timing process, when I heard the one-minute warning tone I thought my time was up that I had to stop speaking. Had I used my final minute I would have explained that I spoke not as a hobbyist, but as a Ham operator with fifty years experience in emergency and disaster communications, including about twenty years of membership on the sheriff's communications teams in Alameda and Maricopa counties. In San Mateo County, because of then being both an emergency physician and a radio technician and operator, in the mid-1970's I was the Project Director of the Emergency Medical Services Project that introduced EMT's, Paramedics, central dispatch and ambulance-to-hospital	Comment noted. Staff will be revisiting the Telecommunication Chapter of the NZO where amateur radio is addressed and make any requisite revisions to address and/or clarify the allowances and accommodations afforded to this type of Use.

radio telemetry in san Mateo County. Here I will try to be succinct. The subject is a bit complicated, both legally and technically, but I will do my best to be informative without wasting your time. I provide the following information because after only two meetings it is clear to me that you are genuinely dedicated to trying to balance the needs of individual property owners against their collective need as citizens of Goleta. I'm sure you all know that Ham radio is used almost every day somewhere in the country for disaster and emergency communications when other more vulnerable systems are damaged and fail. It is being called upon this very day, for example, in areas affected by floods in the midwest. And for more than three months after the hurricane in Puerto Rico, the only communications of any kind were provided by teams of Ham operators who went there, twenty at a time, to help. Therefore, the case of ham radio antenna regulation is very different from that of communications antennas in general. Because of this fact, both the FCC, and the State of California have mandated the following: CA Govt Code § 65850.3 (2017) Any ordinance adopted by the legislative body of a city or county that regulates amateur radio station antenna structures shall allow those structures to be erected at heights and dimensions sufficient to accommodate amateur radio service communications, shall not preclude amateur radio service communications, shall reasonably accommodate amateur radio service communications, and shall constitute the minimum practicable regulation to accomplish the city's or county's legitimate purpose. It is the intent of the Legislature in adding this section to the Government Code, to codify in state law the provisions of Section 97.15 of Title 47 of the Code of Federal Regulations, which expresses the Federal Communications Commission's limited preemption of local regulations governing amateur radio station facilities. (Added by Stats. 2003, Ch. 50, Sec. 1. Effective January 1, 2004.) This constraint relates specifically to the current changes to Goleta's zoning ordinances. The Ninth Circuit Court of Appeals, in Howard v. City of Burlingame, and citing Evans v. Commissioners, City of Boulder and Bodony v. Incorporated Village of Sands Point, said, " … those [ordinances] which establish absolute limitations on antenna height [are] thus facially inconsistent with PRB-1." (The language of the Federal Code of Regulations in FCC rule PRB-1 is that which is repeated above in the California law.) Following passage of the law, a number of court cases have held that cities may not impose a fixed height limit for all ham antennas in a given zone, but must consider such things as the terrain,	

obstructions and the physical dimensions required to allow ham radio operations on ham wavelengths. Moreover, the federal court of appeals has specifically held that applications for ham antennas must be decided on an individual, case-by-case basis after considering the relevant factors. The federal interest stems from the fact that hams often help in emergencies far from their home cities or states, and that each represents therefore not merely a local, but also a national resource. Here I will describe, for those who may wish to understand why hams go to the trouble and expense of putting large antennas up on towers: why ham antennas are the size they are. The length of antennas, and their height above ground are related to the lengths of the radio waves involved. Radio signals are actual ripples or waves, in the electrical and magnetic fields all around us. Like ocean waves, radio waves have an actual physical length, peak-to-peak or valley-to-valley. To send or receive radio signals, an antenna must be exactly half of one wavelength long. Under federal law and by international agreement, Ham radio operators are assigned the use of wavelengths from a fraction of an inch to more 500 feet long, with the most commonly used wavelengths for day-time, long-distance communications being about sixty feet long. Normal police, fire and other municipal radio systems, using wavelengths of about one foot, will only travel as far as the eye can see. Using "repeaters" on mountain-tops can extend the useful range to perhaps fifty miles. By using wavelengths of fifty or sixty feet, however, Ham operators generate signals that can "skip" like a flat rock on water, back and forth between earth and a layer of the ionosphere up about 200 miles, and thus travel great distances, including all the way around the earth. More to the point, ham signals can reach outside the area of even a widespread natural disaster, to provide communications with those in unaffected areas who can provide help. If a Ham antenna, looking something like a big TV antenna, is mounted too low to the ground, it's signals are reflected straight up in the air by the ground, and do not travel, skipping, along the surface of the earth. As in skipping a rock on water, the angle has to be rather flat for it to work. For waves to travel more horizontally, the antenna must be mounted a wavelength or so above the ground. In the case of the frequencies hams must use for emergency and disaster communications, that height is often fifty to eighty feet above the ground. It is this that is referred to in federal and California law as, "heights and dimensions sufficient to accommodate amateur radio service communications". I am sorry to burden you with this technical and legal information at this late stage of your process, But I fear that unless the problem is addressed in the final ordinance and ham antennas are treated	

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as separate from other kinds of antennas, the city may lose costly lawsuits in the future, suits that could have been avoided. If I can provide any further technical information, please feel free to contact me at the above e-mail address or by phone or text.	
Section 17.42.020(A) Denis Franklin. Any ordinance adopted by the legislative body of a city or county that regulates amateur radio station antenna structures shall allow those structures to be erected at heights and dimensions sufficient to accommodate amateur radio service communications, shall not preclude amateur radio service communications, shall reasonably accommodate amateur radio service communications, and shall constitute the minimum practicable regulation to accomplish the city's or county's legitimate purpose. It is the intent of the Legislature in adding this section to the Government Code, to codify in state law the provisions of Section 97.15 of Title 47 of the Code of Federal Regulations, which expresses the Federal Communications Commission's limited preemption of local regulations governing amateur radio station facilities. (Added b/ Stats. 2003, Ch. 50, Sec. 1. Elective January 1, 2004.) In Howard v. City of Burlingame, 1991, the 9th Circuit Court of Appeals distinguished the Burlingame ordinance from those of other cities that were preempted by PRB-1, by saying, "Burlingame's ordinance is clearly distinguishable from those, which establish absolute limitations on antenna height and are thus facially inconsistent with PRB-1. See e.g. Evans v. Commissioners. City of Boulder and Bodony v. Incorporated Village of Sands Point. If Goleta's proposed zoning ordinance specifies a blanket prohibition on antennas, as an "architectural feature", exceeding; 20O o more than the building height limit for the property, that constitutes an absolute limitation on height for that property, and as such, is forbidden by federal and state versions of PRB-1. The 9th Circuit Court of Appeals declined to construct specific dimensional guidelines for handling, "... future applications (for ham antennas) in accordance with PRB-1, and agreed with the F.C.C. that municipalities must evaluate each application on its own merits". I suggest that in the new zoning ordinance, ham radio antennas should not be lumped with "antennas" as an "architectural feature", which suggests that the only consideration may be aesthetic, but that an opportunity for "reasonable accommodation" for the physical requirements" for radio communications, e.g. in emergencies and disasters, be specified in the ordinance. The length of antennas, and their height above ground are	Comment noted. Staff will be revisiting the Telecommunication Chapter of the NZO where amateur radio is addressed and make any requisite revisions to address and/or clarify the allowances and accommodations afforded to this type of Use.

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PUBLIC COMMENT	CITY STAFF RESPONSE
related to the wavelengths of the radio waves involved. Ham radio operators are assigned the use of wavelengths from a fraction of an inch to more 500 feet long, with the most commonly used wavelengths for day-time, long-distance communications being about sixty feet long. In no universe is 42 feet a sufficient height above ground for an antenna intended for long-distance communications for instance, communication with stations outside the immediate zone of a natural disaster. Skip: In a disaster or widespread emergency — fire, flood, earthquake — long-distance communications are often essential. For example, because radio waves often "skip" over the immediate area of the transmitter, locals may not be able to talk to one another, but all my be able to talk to a distant station for the relay of information.	
Section 17.42.020 **Denis Franklin.** Subject: Suggested Language in order to comply with the provisions of Section 97.15 of Title 47 of the Code of Federal Regulations and California Government Code § 65850.3 (2017). Greetings: Whereas higher authority has mandated that amateur (ham) radio stations serve the interests of citizens beyond the boundaries of the city, and even those of the state of California, and has seen fit to protect those national interests in the laws cited in the Subject line, And whereas the laws of physics require that radio antennas must be of a certain size and height in order to provide amateur (ham) radio service communications, Therefore I suggest the following change to section 17.42.020 of the proposed zoning ordinance: 17.42.020 Permit Requirements This Section establishes the permit requirements for all new and existing wireless communications facilities within the City. A. Exempt. The following types of telecommunications facilities ~~that do not exceeding (sic) the maximum height permitted by this Title~~ are exempt for (sic) requiring a zoning permit. 1. Licensed amateur (ham) radio antennas that do not exceed sixty feet in height. ~~and citizen band radios.~~ The following types of telecommunication facilities that do not exceeding the maximum height permitted by this Title are exempt for requiring a zoning permit:	Comment noted. Staff will be revisiting the Telecommunication Chapter of the NZO where amateur radio is addressed and make any requisite revisions to address and/or clarify the allowances and accommodations afforded to this type of Use.

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PUBLIC COMMENT	CITY STAFF RESPONSE
2. Hand-held, mobile, marine, and portable radio transmitters and/or receivers. [… continuing with the list a before] The Exemption for citizens band radio, completely different from ham radio, for which reason the height dimensions are *not* protected by federal and state law, could be reinstated as number 7 on the list. I suggest sixty feet because that is the average height easily justifiable by any ham seeking to erect an antenna. And for those few who may believe they have a technical need for a higher antenna, the zoning permit process still offers an opportunity to offer justification to be evaluated by the planning commission, to be weighed against the legitimate community interest, and either approved or disapproved on a case by case basis as the preemptive federal and state laws require. Naturally the safety and stability of the structure will still be assured by the need to obtain a *building* permit, and the adherence to engineering and building codes that process entails. Again, I hope you find this information and my suggestion helpful. Denis Franklin, MD PS By the way, as you are doubtless aware, the federal and state partial preemption regarding ham antennas do not prohibit antenna restrictions by HomeOwners Associations, which are contractural and not governmental in nature, and to which the homeowner has agreed, upon purchase of the property. DF (*Comment submitted twice*).	
Section 17.42.020 **Denis Franklin.** Greetings: Upon reflection, unless I am mistaken and there is a convention or term of art of which I am not aware, the proper grammar in American English is to exempt a person or an object FROM a requirement, not "for" it. (One is removing the requirement from the person, object or process.) And the phrase should either be, "that do not exceed" or, "not exceeding", but not "that do not exceeding". Therefore I suggest that the wording for 17.42.020 (A) be further changed to:	Comment noted. Staff will be revisiting the Telecommunication Chapter of the NZO where amateur radio is addressed and make any requisite revisions to address and/or clarify the allowances and

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PUBLIC COMMENT	CITY STAFF RESPONSE
Exempt. The following types of telecommunications facilities are exempt for from requiring a zoning permit." 1. Licensed amateur (ham) radio antennas not exceeding sixty feet in height. Likewise, the following types of telecommunication facilities that do not exceeding the maximum height permitted by this Title are exempt for from requiring a zoning permit: 2. Hand-held, mobile, marine, and portable radio transmitters and/or receivers. [… then continuing with the numbered list as before, adding Citizens Band radio as number 7 on the list.] By the way, in the first line of my previous Post Script, the word "preemption" should be plural: "preemptions". Sorry for the oversight. Nowhere more than in the formulation of a law is the necessity for precise language more important. However, I realize that this document is merely a draft, and that these errors would have been corrected in the final proofreading. Or, as we used to joke when I was a newspaper journalist, "preefrooding"	accommodations afforded to this type of Use.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.43 Cultural Resources	
General Dr. Ingeborg Cox, Workshop #1. Believes the archeological sites should be respected, especially in the area of the Bacara, noting there are also Chumash sites where there are cemeteries that need to be addressed	Comment noted. See Chapter 17.43.
Chapter 17.50 Review Authorities	
Section 17.50.050 Barbara Massey, Workshop #2. Commented that she does not see any good reason for a Zoning Administrator and expressed concerns about possible issues when the authority is granted to a single person. She noted that the Zoning Administrator is often not as good at the DRB, PC, and CC at dealing with the public and not as knowledgeable as the Director. Ms. Massey added that she believes the New Zoning Ordinance revised draft is generally very good but feels there are things that are wrong with it.	No changes made. The City currently has a Zoning Administrator, which hold the lowest-level public hearings for development projects. The NZO carries this Review Authority forward.
Section 17.50.060 Dr. Ingeborg Cox, Workshop #2. Commented with regard to the review authority of the Director, that there should be at least one body of persons for the public to go to for review, not just one person, for check and balances.	No changes made. The City currently has a Director, which makes the lowest-level decisions on zoning permit for development projects that do not require a public hearing. The NZO carries this Review Authority forward. The decisions of the Director are appealable to the PC.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.52 Common Procedures	
General **Dr. Ingeborg Cox, Workshop #1**. Questioned what happens if the City of Goleta is violating compatibility in a neighborhood or does not respect private views.	No changes required. See NZO Section 17.52.120, Appeals.
General. **Dr. Ingeborg Cox, Workshop #2.** Noted the AHO would not have an appeal;	Possible edits to be made. AHO will be removed from NZO.
General. **Dr. Ingeborg Cox, Workshop #2.** Expressed concern regarding information that background exposure to environmental stressors can impair children's health and cognitive their development, specifically, reading comprehension; and that schools exposed to high levels of airplane noise are not healthy educational environments;	Comment noted.
General. **Dr. Ingeborg Cox, Workshop #2.** Commented: She believes the Design Review Board should be reviewing height which is important and should not be deleted.	No changes made. DRB would review height as it relates to size, bulk, and scale, but not as to whether it meets the height standards of the NZO.
Section 17.52.050(B) **Dr. Ingeborg Cox, Workshop #2.** Commented: with regard to Chapter 17.52.050 Public Notification, she requested that the rest of the residents of Goleta be notified and not only the people living in the coastal zone	Public noticing would occur both within the Inland and Coastal areas.
General. **Dr. Ingeborg Cox, Workshop #2.** Requested staff update the General Plan documents and the New Zoning Ordinance materials including the amendments and maps at the Goleta Library. Dr. Cox agreed with comments from Barbara Massey, public speaker, regarding Public Notification. (Staff commented that the General Plan documents will be updated at the Goleta Library).	Planning staff has made the updates and the public draft of the City's General Plan at the Goleta Public Library is now up-to-date.

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Section 17.52.050(C)(2) **Barbara Massey, Workshop #2.** Expressed the following concerns: 1) with regard to Chapter 17.52.050.C.2 Newspaper Notice, there is only one newspaper in the area that qualifies as a newspaper of general circulation (the News-Press) but it is not widely read; however, she requested the city use this newspaper because it is better circulation than the current newspaper being used;	Comment noted. This is a general procedural issue for the City Council to consider, rather than a matter for the NZO to codify.
Section 17.52.050(C)(2) **Barbara Massey, Workshop #2.** The noticing area for mailing should be increased to 500 feet for both inland and coastal projects; and	Change to be made to increase noticing area to 500 feet.
Section 17.52.050(C)(2) **Barbara Massey, Workshop #2.** The printing on the yellow noticing signs fades within about five days, and should last for at least two weeks	Change to be made to require on-site notice for 15 days.
17.52.070 **Dr. Ingeborg Cox, Workshop #2.** Commented with regard to Chapter 17.52.070 Findings for Approval that the developer should also bring an up-to-date service letter to verify that water and power are available;	No change needed. An up-to-date services letters would currently be required.
Section 17.52.070(A) **Barbara Massey, Workshop #2.** Commented that she believes the Findings for Approval in Chapter 17.52.070.A Findings for Approval cannot be made at any time now. She believes the roads are substandard, water is lacking, and the Fire Department is not adequate to support additional development.	No changes made.
Section 17.52.070(A) **Dr. Ingeborg Cox, Workshop #2.** Agrees with the comment from Barbara Massey, public speaker, regarding Findings for Approval.	Comment noted.

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Section 17.52.070(A) **Barbara Massey, Workshop #1.** Commented with regard to her concern for a finding of adequate infrastructure and services is a requirement for approval of a project per the General Plan Public Facilities Element policies.	No changes made. It is correct that Common Procedures finding A in Section 17.52.070 is a requirement that the proposed development have adequate infrastructure and services.
Section 17.52.100.A.1.g **Barbara Massey, Workshop #3.** Barbara Massey commented: Changes to Prior Permits and Approvals, Zoning Permit: expressed concern that controversial projects are approved without public review of substantial conformances;	Comment noted.
Section 17.52.100.B.1 **Barbara Massey, Workshop #3.** Barbara Massey commented: Discretionary Approval, Substantial Conformity Determination: there should be a provision that there is no increase in height of the ground level of the site;	Planning staff will review this development threshold further to ensure consistency with other height standards throughout the NZO.
17.52.100.B.2.c Amendments **Barbara Massey, Workshop #3.** Barbara Massey commented: there should be noticing of all amendments	No changes made. Amendments require noticing, pursuant to 17.50.100(B)(2)(d).
17.55.020 Land Use Permit Applicability **Barbara Massey, Workshop #3.** Barbara Massey commented: this permit should be retained;	Comment noted.

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PUBLIC COMMENT	CITY STAFF RESPONSE
General. **Barbara Massey, Workshop #3.** Barbara Massey commented: Lot line adjustments are both useful and provide necessary information on lot division and subdivision developments and should be in the Zoning Ordinance.	No changes made. LLA are governed by State law in the Subdivision Map Act.
General. **Dr. Ingeborg Cox, Workshop #3.** Dr. Ingeborg Cox agreed with comments by Barbara Massey, public speaker. Dr. Cox commented:	Comment noted.
General. **Dr. Ingeborg Cox, Workshop #3.** Dr. Ingeborg Cox agreed with comments by Barbara Massey, public speaker. Dr. Cox commented: Parcel Maps and oil drilling and production plans should not be removed from the Ordinance; and	No changes made.
General. **Dr. Ingeborg Cox, Workshop #3.** Dr. Cox commented: upgrades that do not meet requirements for the limited exception determination need to be acknowledged, and if a project, it may be considered; and the improvement should not result in an expansion or extension of the life of a nonconforming use.	The NZO does not contain a Limited Exception Determination within the Nonconforming Chapter.
Eileen Monahan, Workshop #3. Eileen Monahan commented with regard to how the New Zoning Ordinance can positively affect child care for residents as well as employees of local businesses, as follows: 1. high quality licensed child care allows parents to work and be productive at their jobs and it is also good for children; 2. requested the creation of policies to encourage development of child care rather than create barriers; 3. requested allowing large family child care by right; 4. requested allowing child care centers by right or by the easier Conditional Use Permit; 5. requested allowing child care center in all commercial zones; 6. consider parking regulations that take away space from the child care center; and	Staff will revisit the NZO provisions for Day Care facilities in all aspects that were raised as part of this comment. Staff has reviewed existing standards and is considering allowing Day Care Facilities without a Conditional Use Permit in C-OT, CC, CG, and possibly CR. Staff is also considering reducing the required Conditional Use Permits from Major to Minor.

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7. 7) a letter has been submitted with additional information.	
Section 17.52.120 Appeals **Dr. Ingeborg Cox, Workshop #2.** Dr. Ingeborg Cox requested consideration be given that it may not be financially feasible for persons to hire a professional to identify development and design standards that are required when filing an appeal.	No changes made.
General. **Dr. Ingeborg Cox, Workshop #3.** Dr. Ingeborg Cox commented in her opinion it would be better if the Review Authorities for the Design Review and Development Plan actions are designated in the Review Authority columns to make the information more understandable (Table 17.50.020, Page 22). Dr. Cox questioned if the Director and Zoning Administrator are the same person, how will this be addressed, for example, will a Zoning Administrator be hired?	Possible edits to be made to include a Review Authority table for Design Review. No change to Development Plan Chapter. The City Manager appoints the Zoning Administrator, who is currently also the City's Planning and Environmental Review Director.
Chapter 17.55 Land Use Permits	
Chapter 17.55 **Heidi Jones.** The draft NZO does not include a Time Limits section in the LUP chapter. We recommend the City define in detail a time limits section of this chapter. (*Comment submitted twice*).	No changes made. Timing for all Zoning Permits was moved to Section 17.52.090, Common Procedures – Dates and Timing.
Chapter 17.57 Conditional Use Permits	
Chapter 17.55 **Heidi Jones.** The draft NZO does not include a Time Limits section in the CUP chapter. We recommend the City define in detail a time limits section of this chapter. (*Comment submitted twice*).	Change to be made to add Section for Timing of CUPs.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.58 Design Review	
General **Cecilia Brown and Barbara Massey.** I hope each DRB member was given a hard copy of the proposed zoning to facilitate their review.	Comment noted. Each member of DRB was given a complete binder of the Revised Draft NZO and accompanying materials.
General. **Barbara Massey, Workshop #1.** Commented that she is concerned that pedestrian scale needs to be considered within the scope of design review, and she did not see it mentioned.	Possible edits to be made. Staff looking to include "pedestrian and bicycle access and circulation" to the scope of Design Review.
General. **Barbara Massey, Workshop #1.** Believes the Design Review Board needs to consider the General Plan.	No changes made. The DRB is informed by Planning staff about project consistency with GP policies.
Section 17.58.030.C **Barbara Massey, Workshop #3.** Barbara Massey commented: Substantial Conformity Determination should be noticed;	Comment noted. No changes made.
Section 17.58.050 **Barbara Massey, Workshop #2.** Supported the Design Review Board making a Finding and granting Preliminary Approval of a project so the project has an approval that is appealable when it is forwarded for review by the Planning Commission or City Council.	No changes required. When the DRB takes a Preliminary Action on a project, it would be appealable to the PC.

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Section 17.58.050 ***Cecilia Brown and Barbara Massey.*** The addition of storypoles in the conceptual review process is needed and welcomed. Thank you! However, there needs to be storypole guidelines established to assist in understanding the size, bulk, scale of a project, determining neighborhood comparability, and impacts to views. Please see the link to storypole guidelines from the County of Santa Barbara and a copy provided at end of this document. http://sbcountyplanning.org/PDF/Story%20Pole%20Guidelines%20Final%201-09-09.pdf Request: Develop storypole guidelines to assist applicants in erecting storypoles.	No changes made. Storypole guidelines are being considered as a separate document. Because they would be guidelines and not development standards, they are not appropriate for inclusion within the NZO.
Section 17.58.090 **Cecilia Brown and Barbara Massey.** Reconsider the appeal point in review process: Most valuable to your process for achieving well designed projects is the revised format for review, that is the return to the Conceptual, Preliminary, and Final review sequence. This was the process the DRB used at its inception and used for many years. It worked well. The truncated version later employed didn't achieve its purpose for a variety of reasons. However, when initially used by the DRB, the appeal point was at Preliminary Review, not at Final as currently envisioned. Setting the appeal point at Final Review when working drawings have been made means that should an appeal be filed on project design, the entire set of working drawings may have to be redone. This is time and expense to the applicant. It would be preferable to set the appeal at Preliminary Review when working drawings have not been made but the design has generally been vetted. Usually it is the design elements of the project that are appealed, and these are well known at the end of the Preliminary Review. Request: Change the appeal point for the design review process to Preliminary Review.	Edits to be made. The PC gave staff direction to revise the DRB process. These changes will reflect the input of the public, DRB members, and the PC. Additionally, the appeal point will be at Preliminary action by the DRB.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Section 17.58.060 **Cecilia Brown and Barbara Massey.** Lighting Plan needed in order to assist DRB in making their findings. DRB tasked with reviewing exterior lighting for dark sky compliance. In order to do that DRB needs to see a lighting plan which depicts various aspect of the lighting components for the project (e.g., Cut sheets of proposed fixtures, whether there is light trespass at property boundary, etc.). DRB historically reviewed and currently reviews lighting plans in order to make their dark sky compliant and other findings. Might be impossible without such a plan. Please see my comments on Zoning Ordinance Chapter 17.35 and Request: Add Lighting Plan requirements in Chapter 17.35 Lighting	Possible edits to be made. Staff may recommend that revisions be made to include new section 17.35.060, Lighting Plans, along with a listing of six General Requirements.
Section 17.58.060 **Cecilia Brown.** Revised DRB Findings for Approval Section 17.58.060 Exterior lighting: dark sky compliant; uses the least amount of light needed for the purpose and the site; minimizes offsite impacts and glare; the luminaire is appropriate in design, size, height, location, and properly installed; has adaptive controls like dimmers, timers and motion sensors and is turned off at night; and any LED lighting minimizes blue light emissions.	No changes made to the Design Review finding for exterior lighting since the noted examples are requirements that are discussed within the lighting Chapter.
Chapter 17.58 **Fermina Murray.** Maybe I am missing important introductory principles, but I did not see any introductory statements of purpose, goals, or principles guiding the DRB NZO document. I am requesting you to please include the following ideas for the DRB to consider in their review meeting on Tuesday, February 12, 2019: Goals and Purpose of the Design Guidelines or Design Elements Review: Compatibility of New Development with the Existing Development, Human Scale Character – Visual Relationship Between Development and Pedestrians, Pedestrian Facilities and Amenities, Building Equipment and Service Areas, Findings For Approval.	Possible edits to be made. Staff may recommend that revisions be made to NZO, Section 17.58.010, Applicability, to add "Purpose and." An introductory statement also added that incorporates similar language that is currently within the City's Municipal Code and General Plan. Further, a discussion of the goals of the DRB may be added to the introduction of Section 17.58.050.
General **Barbara Massey, Workshop #1.** With regard to LU 1.8, private views should be considered during review.	No changes required. Private views are considered during Design Review. See Section 17.58.060.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.59 Development Plans	
General **Mitch Menzer.** This letter is in follow up to my letter dated February 26, 2010 regarding the application of the New Zoning Ordinance to the Ritz-Carlton Bacara resort (the "Bacara"). In that letter, I emphasized that there were a number of important areas – including height, parking, and permitted uses – as to which the New Zoning Ordinance could cause the Baraca to be legal non-conforming. As a result, the Baraca would be subject to new approval requirements merely to rebuild the existing buildings. The Baraca was approved as a comprehensive development by the County of Santa Barbara and the California Coastal Commission in 1997 after a lengthy and rigorous approval process and environmental review. The County of Santa Barbara approved a Final Development Plan that was specific to the site as well as a rezoning and Coastal Land Use Plan amendment. The Coastal Commission approved and issued a Coastal Development Permit that encompassed the entire project. In addition, the Baraca was designed for a unique site that consists of significant elevation and grade changes. The Baraca is developed on two parcels, one of which has the hotel, resort and surface parking lot. The other parcel is generally undeveloped, other than tennis courts, an accessory building and a publically accessible parking lot. The developed parcel with the hotel and resort is partially flat and the remainder slopes toward Tecolote Creek, with an approximate 85 foot elevation difference. All of the buildings are designed in a unified Spanish colonial architectural style. In addition, the project was configured to maximize the preservation of environmentally sensitive areas, Native American archaeological sites and open space available for public use. The Baraca is a truly unique project that is unlike any other property in Goleta. The Baraca is one of only three properties zoned Visitor Serving Commercial in Goleta. Of the other two properties, one property is located in the Coastal Zone, is approximately two acres and is not developed. The other site is developed with the Pacifica Suites hotel and is located outside the Coastal Zone.	Comment noted. Staff is reviewing how approved Development Plans will be addressed in the NZO.

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Because of its uniqueness and the County's approval of a comprehensive Final Development Plan, we believe that the Baraca's previous entitlements and its comprehensive Final Development Plan should be honored by grandfathering it under the New Zoning Ordinance. This would allow the Baraca to avoid becoming a legal nonconforming property with the attendant complications that would arise if there was damage to any of the buildings. The New Zoning Ordinance includes a discretionary approval for Development Plans for projects that, due their size and scale, require comprehensive analysis. This is essentially the approval that was granted by the County. We therefore propose that the New Zoning Ordinance include a provision establishing that, as of the date of the New Zoning Ordinance goes into effect, the Final Development Plan for the Baraca approved by the County is deemed approved in all respects as a Development Plan for the purposes of Chapter 17.59 (Development Plans) notwithstanding any deviation from the requirements of the New Zoning Ordinance. We feel that this approach will achieve fair treatment for this unique property in the most straightforward manner. I would be happy to discuss this with you at your convenience.	
Section 17.59.040 Heidi Jones. The draft NZO does not include a Time Limits section in the CUP chapter. We recommend the City define in detail a time limits section of this chapter. Chapter 17.59 Development Plans, Section 17.59.040 (Time Limit). The proposed time limits noted in the Development Plan chapter do not account for long-term master plan projects. For those projects that require a Development Plan approval, there are often long-term, comprehensive master plans associated with them (i.e. private educational or institutional uses) that are phased and built out over 15-30 years' time. The time limits as noted do not discuss the approval vesting obtained with follow-up land use or coastal development permits that typically secure said approvals. We recommend the City define in greater detail the time limits section of this chapter. We thank you for the opportunity to participate in the public review of the draft NZO document. (*Comment submitted twice*).	No changes made. The NZO equivalent to a Master Plan is a Specific Plan, which is addressed in Chapter 17.68. Vesting is addressed in Section 17.03.040(E). Additionally, each approved project will have specific Timing included in detail as a Condition of Approval.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Chapter 17.62 Modifications	
17.62.020 **Barbara Massey.** All height modifications should require Planning Commission or City Council hearing. There should only be up to a 10% increase in the height permitted. It is important that the height in all Residential zones be limited to 25 feet with chimneys limited to the minimum height required by the California Building Code for chimneys. Hopefully this will not exceed 25 feet.	No changes made. As currently written in the NZO, all height modifications would require review by the PC/CC. Staff is reviewing reducing the maximum allowable height modification. This issue will eb discussed further at Workshop #7 on April 18. The NZO allowable height limits per zone district come from the General Plan Land Use Tables. Chimney heights are subject to NZO Table 17.24.080.
17.62.020(B)(1) **Barbara Massey.** The wording "Up to 50% of the maximum of height of structures" should be removed.	Possible edit to be made. Staff is reviewing reducing the max. allowable height modification.
Chapter 17.73 List of Terms and Definitions	
General **Vic Cox, Workshop #1.** Requested staff distinguish between Vertical Access Rights and Lateral Access Rights;	No changes made. Vertical access if that from the first public road to the beach. Lateral access is that along the shoreline. These terms are defined in Part VI of the NZO.
General **Vic Cox, Workshop #1.** Terms are being used that are not familiar to the general public;	No changes required. Any term that may not common and may not be fully understood is included in Part 6, Definitions.

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PUBLIC COMMENT	CITY STAFF RESPONSE
Zoning Map	
General Todd Amspoker. Re: Newland Property, 5533 Hollister Avenue (APN 071-090-036). Dear members of the Planning Commission: This firm represents the Newland Family, owners of the above-reference property. The property is located at the corner of Hollister Avenue and Dearborn Place, just to the west of the interchange between Highway 217 and Hollister Avenue. The subject property has been in the Newland Family for approximately 100 years. It originally was part of a large walnut ranch. Currently there are several old residential cottages on the property, which are rented. The property is designated as "Recreation" in the City's existing General Plan, but is zoned for residential purposes, with a designation of DR-l0. The property is subject to several acquisitions by the City for two major public works projects now proceeding—the Ekwill Fowler Project and Phase II of the San Jose Creek Project. None of the required properties has been acquired yet, although we have been told that offers will be made soon. These two projects, and the property to be acquired for them, will have a devastating impact on the remainder of the property. In particular, the Ekwill Fowler Project includes a traffic roundabout on the southeast corner of the property, which will result in a substantial limitation on vehicular access to the remaining cottages on the property. Our clients intend to make substantial claims for property value and severance damages as a result of these proposed takings. We understand that the City's proposed new zoning ordinance would effect a zoning change of our client's property to Open Space (OS). Our clients are very disappointed that the City intends to take this action, which is for no apparent purpose other than to freeze development so that the property can be acquired cheaply by the City. The property has enjoyed its residential zoning status since the City's incorporation and before, while in County jurisdiction. Our clients therefore have an expectation that this zoning will continue indefinitely into the future.	Staff is currently reviewing this comment with the City Attorney's Office and can provide a response at a later date.

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The ultimate purpose of this letter is not to threaten litigation, although it must be emphasized that if the City continues on its present rezoning efforts, inverse condemnation litigation will undoubtedly result. In addition, there will undoubtedly be eminent domain litigation if the City pursues the pending acquisitions from our clients' property. The purpose of this letter is to describe the manner in which the parties can effectively cooperate with each other to maximize the utility of the subject property, and to avoid litigation. The property is ideally situated for an affordable housing project or a hotel project, and we would like to describe the reasons for this. First, the property is situated adjacent to an affordable housing project on the other side of San Jose Creek. An existing apartment complex is situated immediately to the east. An affordable housing project on the property would therefore be harmonious with existing adjacent uses. Although the City apparently intends to designate the property as open space, we understand that the City has no current plans for any actual park improvements on the property. Rather, there is an existing park immediately to the northwest of the property, and the City recently bought another property to the west of the property, on which another park facility is planned. A development on our client's property could be designed and planned to offer open space amenities next to the Creek, and would be compatible with the existing park and the planned future park to the west. Designating the property as OS would therefore provide no benefit to the City. Our clients would have no incentive to upgrade or modernize the existing old cottages on the property, and the property would continue to be a marginal residential property with no enhanced prospect for improvement. We know that the City is continuing to look for affordable housing options, and is also interested in maximizing potential TOT income which could come from a hotel project. Allowing our client to proceed with these project ideas would also promote a collaborative process to design the new development that would integrate with the City's plans for the roundabout project, and lessen the difficulties caused by the impact of the project on the existing uses of the property. We have enclosed pertinent maps and diagrams which illustrate the points made in this letter. Based upon the foregoing, and on behalf of our clients, we respectfully request that the Planning Commission maintain the existing zoning on the property, and allow our clients to instead proceed	

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PUBLIC COMMENT	CITY STAFF RESPONSE
with a planning process for the property that would enhance the desirability of the area, and would meet the City's needs as well. Our clients intend to proceed with an initial professional evaluation of the property, to determine its net developable area. However, if the City maintains on its present course, this work would not be pursued and the parties would become embroiled in unnecessary litigation. We look forward to working productively with the City on this matter.	

Public Comments added:

1 Ben Williams (1/16)
2 Tara Messing (1/30)
3 Cecilia Brown (2/8)
4 Michael Pollard (2/8)
5 Cecilia Brown & Barbara Massey (2/11)
6 Fermina Murray (2/11)
7 David Low (2/13)
8 K. Graham (2/13)
9 Cecilia Brown & Barbara Massey (2/21)
10 Thomas Totton (2/21)
11 Mitchell Menzer (2/26)
12 George Relles (2/28)
13 Barbara Massey (2/25)
14 Robert Atkinson (3/7)
15 Tara Messing (3/8)
16 Cecilia Brown & Barbara Massey (3/9)
17 Eileen Monahan (3/12)
18 Cecilia Brown (3/15)
19 Eric Torbet (3/18)
20 Vic Cox (3/20)
21 Todd Amspoker (3/21)
22 Barbara Massey (3/21)
23 Robert Atkinson (4/1)
24 Dana Trout (4/7)
25 Cecilia Brown (4/8)
26 Edward Fuller (4/8)
27 Edward Fuller (4/8)
28 Edward Fuller (4/8)
29 Brian Boisky (4/8)
30 Jim Fox (4/9)
31 William Master (4/9)
32 Dana Trout (4/8)
33 William Tingle (4/9)
34 Ken Alker (4/11)
35 Barbara Massey (4/12)
36 Laura & Bernie Donner (4/15)
37 Dana Trout (4/15)
38 Peder Lenvik (4/15)
39 Charlene Marie & John DiBenedetto (4/17)
40 Rebecca Hunter (4/17)
41 Francis Arnoult (4/18)
42 Mitch Menzer (4/17)
43 Kathleen Toro (4/16)
44 Edward Fuller (4/18)
45 Barbara Massey (4/19)
46 Dana Trout (4/21)
47 Michael Leu (4/21)
48 Jim Fox (4/22)
49 Valerie Davis (4/23)
50 Pam Finchum (4/23)
51 Gary Vandeman (4/22)
52 Becky Hunter (4/22)
53 Kelli Tajima (4/22)
54 Dave Johnson (4/22)
55 Andy Eggendorfer (4/20)
56 Jim Fox (4/23)
57 Ken Symer (4/24)
58 Scott Clark (4/24)
59 Ken McAllister (4/25)
60 Rickie Smith (4/25)
61 Tara Messing (5/2)
62 Don McDermott (4/28)
63 Jamie Pierce (5/2)
64 Francis Wesley Herman (5/5)
65 Adam Smith (5/5)
66 Michele Fox (5/6)

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67 Adam Smith (5/5)
68 Jennifer Smith (5/6)
69 Skona Brittain (5/7)
70 Jacqui Banta (5/7)
71 Denis Franklin (5/7)
72 Cheri Diaz (5/7)
73 Heidi Jones (5/7)
74 Heidi Jones (5/7)
75 Denis Franklin (5/8)
76 Jim Henry (5/8)
77 Heidi Jones (5/6)
78 Cecilia Brown (5/9)
79 Ken Alker (5/9)
80 Denis Franklin (5/10)
81 Ken Alker (5/9)
82 Cecilia Brown (5/12)
83 Brian Trautwein (5/13)
84 Denis Franklin (5/13)
85 Don McDermott (5/21)
86 Connie Cornwell (5/30)
87 Erik Moore (5/30)
88 Kathy Wolfe (6/6)
89 Barbara Massey (6/17)
90 Steve Fort (6/20)
91 Cecilia Brown (6/24)
92 Stephen Van Denburgh (7/1)
93 Julie Salinas (7/3)
94 Steve Fort (7/3)

Planning Commission Workshop Public Comments added:

1 Workshop #1 (2/23)
2 Workshop #2 (3/6)
3 Workshop #3 (3/12)
4 Workshop #4 (3/21)
5 Workshop #6 (4/11)