



AGENDA

PLANNING COMMISSION MEETING MONDAY, MARCH 14, 2016

6:00 P.M.
City Hall – Council Chambers
130 Cremona Drive, Suite B
Goleta, California

Members of the Planning Commission

Eric Onnen, Chair
Gregory C. Jenkins, Vice Chair
Brent Daniels, Commissioner
Ed Fuller, Commissioner
Katie Maynard, Commissioner

Jennifer Carman, Secretary
Winnie Cai, Deputy City Attorney
Linda Gregory, Recording Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL OF PLANNING COMMISSION

PUBLIC FORUM

At this time the public shall have an opportunity to comment on any non-agenda item relevant to the jurisdiction of the City. It is requested that each speaker complete a "Speaker Request Form" and submit it to the Recording Clerk. Reasonable time limits are imposed on each topic and each speaker. In accordance with the provisions of the Ralph M. Brown Act (GC § 54950 et seq.), no action or discussion may take place by the Commission on any item not on the posted agenda. The Commission may respond to statements made or questions asked, and may direct the staff to report back on the topic at a future meeting.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

A. ADMINISTRATIVE AGENDA

A.1 Planning Commission Minutes for the Planning Commission Meeting of February 8, 2016 (continued from February 22, 2016)

Recommendation:

Approve the Planning Commission minutes for the meeting of February 8, 2016.

A.2 Planning Commission Minutes for the Planning Commission Meeting of February 22, 2016

Recommendation:

Approve the Planning Commission minutes for the meeting of February 22, 2016.

A.3 Planning Commission Minutes for the Special Planning Commission Meeting of February 29, 2016

Recommendation:

Approve the Planning Commission minutes for the special meeting of February 29, 2016.

B. PUBLIC WORKSHOP

B.1 Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts

Recommendation:

It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts - Chapters 17.38: Oil and Gas, 17.39: Parking and Loading (except 19.39.070(A)(3) Recreational Vehicle Parking/Storage), 17.40: Performance Standards, 17.41: Signs, and 17.42 Standards for Specific Uses and Activities.

C. DIRECTOR'S REPORT

D. PLANNING COMMISSION COMMENTS

E. ADJOURNMENT

The public shall have an opportunity to comment on agenda items as each item is considered by the Planning Commission and prior to action being taken. It is requested that speakers complete a "Speaker Request Form" and submit it to the Recording Clerk prior to addressing the Planning Commission. Administrative Reports relating to the agenda are available at City Offices located at 130 Cremona Drive, Suite B, Goleta, California and on the City's website.

Americans with Disabilities Act: In compliance with the ADA, if special assistance is needed to participate in a Planning Commission meeting (including assisted listening devices), please contact the City Clerk's office at (805) 961-7505. Notification at least 72 hours prior to the meeting helps to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

A special meeting of the Planning Commission is scheduled for Monday, March 21, 2016. The next regular meeting of the Planning Commission is scheduled for Monday, March 28, 2016. The next regular meeting of the City Council is scheduled for Tuesday, March 15, 2016. Please check the city's website (www.cityofgoleta.org) for additional meetings of the Planning Commission or City Council that could occur between now and the next regularly scheduled meeting.

City website address: www.cityofgoleta.org Telephone Number: **805.961.7500** E-mail: Cityhall@cityofgoleta.org



**UNAPPROVED – WITH AMENDMENTS
PLANNING COMMISSION
MEETING MINUTES
Monday, February 08, 2016**

6:00 PM
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the Planning Commission

Eric Onnen, Chair

Gregory C. Jenkins, Vice Chair

Brent Daniels, Commissioner

Ed Fuller, Commissioner

Katie Maynard, Commissioner

Jennifer Carman, Secretary

Winnie Cai, Deputy City Attorney

Linda Gregory, Recording Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:00 p.m. by Chair Onnen, followed by the Pledge of Allegiance.

ROLL CALL OF PLANNING COMMISSION

Present: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels

*Commissioner Fuller, Commissioner Maynard

*Commissioner Fuller entered the meeting at 6:04 p.m.

Absent: None.

Staff present: Jennifer Carman, Director of Planning and Environmental Review; Anne Wells, Advance Planning Manager; Martha Miller, consultant, RRM Design Group; Winnie Cai, Deputy City Attorney; and Linda Gregory, Recording Clerk.

PUBLIC FORUM

Dick Thurston commented with regard to the RV parking proposal. He noted that his RV has been converted into an emergency preparedness vehicle with food and supplies and it needs to be parked in his driveway ready for evacuation.

Peter Love commented that his RV is used frequently and it would be a hardship to not park it in his driveway or nearby. Also, there is a lack of affordable and reasonable storage space in the area. He suggested distinguishing between RVs that are operable and used regularly and those RVs that are inoperable, used for storage, or used illegally as living quarters. He also commented that he is appalled at the growth in the City and concerned that there is not much open space left.

Lisa B. Love commented that she believes property owners should not be told what can be stored on their property.

Robin Towe commented that her family has an RV that is used for family day trips and her mother also has an RV parked in her own driveway nearby. She noted that her driveway was expanded to accommodate RV parking and it received approval from the City. She requested modeling a law after Paso Robles that would allow RV parking as long as it fits in the driveway and does not obstruct the sidewalk.

John DiBenedetto commented that most people have moved their boats off the street and that it is very difficult to find boat storage that is secure. His boat is parked on his property in the Ellwood Shores area and he does not see it as a problem in his neighborhood. He requested access to information that would help better understand the source and intent for the parking proposal.

Carol Newman commented that she owns a boat that is being used and believes she should have the right to park it in her driveway.

Mr. Newman requested information with regard to the purpose of the proposal and recommended considering what is reasonable for the community as it is already developed. He noted that most of the homes in the area do not have enough driveway space to park the boats any further away from the curb.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

A. ADMINISTRATIVE AGENDA

A.1 Planning Commission Minutes for the Planning Commission Meeting of January 25, 2016

Approve the Planning Commission minutes for the meeting of January 25, 2016.

[A.1 Planning Commission Minutes for the Planning Commission Meeting of January 25, 2016](#)

MOTION: Vice Chair Jenkins/Commissioner Fuller to continue to February 22, 2016, the Planning Commission minutes for January 25, 2016.

VOTE: Motion approved by the following unanimous voice vote:
Ayes: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels, Commission Fuller, and Commissioner Maynard.
Noes: None.

B. PUBLIC WORKSHOP

B.1 Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts

It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts.

[B.1 Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts](#)

[B.1 Att. 1](#)

[B.1 Att. 2](#)

Staff speakers:

Anne Wells, Advance Planning Manager

Martha Miller, consultant, RRM Design Group

Jennifer Carman, Director of Planning and Environmental Review

Anne Wells, Advance Planning Manager, introduced the agenda item.

The staff report was presented by Martha Miller, consultant, RRM Design Group.

Chair Onnen opened the workshop for public comments at 6:34 p.m.

Speakers:

Cecilia Brown stated that she submitted her comments in written form. She also commented: 1) requested regulations and time limitations for pods for storage and construction purposes; 2) requirements are needed for agricultural buffers and she suggested reviewing the County's

ordinance; 3) she did not see corresponding policies in the Zoning Ordinance from General Plan Policy CE 7 regarding beach habitats.

Dr. Ingeborg Cox commented: 1) questioned the timeline for the Draft Supplemental Environmental Impact Report (SEIR) with regard to the review of the New Zoning Ordinance; 2) expressed concern that accessory heights and setbacks will affect neighbor's privacy, and that accessory structures may be creating a second dwelling unit; 3) requested the correct rear and side yard setback in 17.25.040; 4) the language in 17.25.050.C is confusing; 5) 17.25.060 does not state that substandard lots need to be subject to same setback requirements as standard lots; 6) questioned why backyard fences are not mentioned in 17.25.080; 7) questioned where the sidewalk is in Figure 17.25.080.A; 8) upper-story setbacks in mixed use development is confusing with regard to heights; 9) 17.26.040 needs to address violations; 10) 17.28.030 should not require the reader to refer to another code, and she questioned the numbers for affordable units; 11) questioned who is the approving authority for 17.29.060, and questioned whether the incentive would affect setback requirements; 12) the Director should not be the authority to approve changes in the size of inclusionary units or reducing the cost of the interior amenity level; 13) the City Council or Planning Commission should review adjustments and waivers in 17.29.110; 14) questioned whether the City would regulate vegetation removal if there is no development; 15) the Planning Commission or City Council, not Zoning Administrator, should regulate projects within or adjacent to ESHAs.

Rev. Doug Miller, representing the Greater Santa Barbara Clergy Association, commented: 1) requested clarification in the Zoning Ordinance that there is an even split between extremely low and very low-income households with regard to the inclusionary housing affordability level; and 2) expressed concern that the 9:00 am to 9:00 p.m. limit in Community Assembly will be a hardship and requested that there will be no time limits for worship.

Steve Fort, representing Suzanne Elledge Permitting and Planning Services (SEPPS), commented: 1) in general, suggested an openness to some flexibility and reaction to the merits of each project; 2) suggested addressing items such as guest houses, artist studios, hobby and music rooms, under Accessory Structures; and questioned if accessory structures can be stacked or combined with other structures; 3) consider allowing an accessory structure not to be demolished but re-used if a property owner sells the property; 4) it could be confining for a development when there is a requirement for a type of room with regard to upper story setbacks in a mixed use project; 5) suggested reviewing the language in the agricultural buffer section with the County Recorder and County Surveyor; 6) the screening and buffering of common lot lines

seems burdensome for single family residence owners; 7) requested more detail in the Stormwater Management chapter with regard to requirements based on the scale of a project; 8) questioned why there needs to be a limit for the distance for a land transfer with regard to the land dedication option in the inclusionary housing chapter; 9) requested staff look at the logistics of approval requirements in the land dedication section that could be burdensome in the future; 10) suggested considering that some of the requirements for restoration and monitoring plans may not be applicable to every type of project; and 11) the fuel management zone requirement with regard to ESHAs may be burdensome for smaller lots.

Chair Onnen closed the public comment portion of the workshop at 6:55 p.m.

Staff responded to questions from the public speakers and Planning Commission.

Commissioner Maynard requested when the boat and RV parking sections are reviewed that staff highlight the differences between the existing and proposed Zoning Ordinance for comparison.

The Planning Commission reviewed Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts.

17.25.020 Commissioner Maynard expressed concerns about realistically enforcing accessory structures with regard to habitation.

17.25.020 Vice Chair Jenkins appreciates the language indicating the provisions do not apply to Secondary Dwelling Units.

17.25.020.A Vice Chair Jenkins recommended adding additional items to the list of accessory structures including artist studios.

17.25.020.B Vice Chair Jenkins questioned why the requirement in the old ordinance for a minimum distance of five feet between a main structure and accessory structure has been eliminated.

17.25.020.B.2 Chair Onnen questioned whether it would be a necessity to remove any on-site improvements should either of the lots be sold separately.

17.25.020.B.3 Vice Chair Jenkins suggested considering a provision to allow for an extension of one year for a temporary accessory structure in connection with the construction of the development.

17.25.020.C Vice Chair Jenkins requested staff look at language to consider preclusions to certain amenities with regard to illegal secondary dwelling unit concerns. He noted that some other jurisdictions allow a half-bath (a toilet and a sink) rather than a shower, and may only allow one washer and one dryer per home.

17.25.020.C Commissioner Fuller commented that he does not have a concern with permitting a shower in an accessory structure.

17.25.020.D.1.b Commissioner Fuller expressed concern about the three foot setback with regard to allowing separate rooms to be particularly close to neighbors.

17.25.020.D.1.b Vice Chair Jenkins would support a three foot rear yard setback but noted three feet is close for the side yard setback and should be studied.

17.25.020.E.1 Chair Onnen believes the 12 foot maximum height is of concern, noting that some accessory structures such as motorhome canopy covers would exceed 12 feet in height.

17.25.020.E.1 Commissioner Fuller suggested considering taller accessory structures being set back further than shorter accessory structures.

17.25.030 Chair Onnen noted that the requirements for buffers adjacent to agricultural districts seems well spelled out.

17.25.030 Commissioner Maynard recommended a specific minimum distance for the agricultural buffers as it is done for creeks and ESHAs.

Commissioner Maynard recommended the buffer adjacent to agricultural Districts be determined by the Planning Commission rather than the Zoning Administrator, but based on the advice of the Zoning Administrator.

Commissioner Maynard requested more language about allowable uses in the buffers adjacent to Agricultural Districts.

17.25.030 Commissioner Fuller expressed concern that it would seem appropriate to have the agricultural buffer on the agricultural property and not the neighbor's property.

17.25.030.A.2 Commissioner Maynard questioned how the application process for pesticides and fertilizers would be considered because it would have an effect on neighbors.

Table 17.25.040 Vice Chair Jenkins requested clarification whether bay windows are cantilevered or at floor level, noting there can be a difference.

Chair Onnen expressed concern about regulating recreational activities with regard to the projection regulation for basketball rims and backboards.

Figure 17.25.040 Vice Chair Jenkins recommended adding ", or rear lot line." at the end of the requirement indicating no projection is permitted beyond Max. 3 ft. from the interior lot line.

Table 17.25.040 Commissioner Fuller suggested for clarification adding "setback" with regard to the projection requirement into the Rear Yard.

17.25.050.D Chair Onnen expressed concern about requiring a Conditional Use Permit which is a burden to the owner of a property for a modification.

Table 17.25.070 Commissioner Maynard would like to see the energy production facilities allowed the same maximum heights as mechanical equipment penthouses, for example.

Commissioner Daniels questioned why there are two blank spaces in the table with regard to rooftop open space features.

Vice Chair Jenkins suggested that architectural elements such as spires, bell towers, and domes should be added to the chimneys and decorative features category because they are similar. Also, he recommends using the 20% of base district height limit requirement rather than 5 feet.

17.25.080 Vice Chair Jenkins questioned whether 42" picket fences on property lines will be regulated.

Commissioner Fuller commented that 17.25.080 seems to be design guidelines and questioned whether design guidelines will be included in the Zoning Ordinance.

Figure 17.25.080(A) Commissioner Daniels commented that it was difficult to process the information in Figure 17.25.080(A).

17.25.080.C.2 Commissioner Fuller commented in his opinion the use of concrete block is undesirable in construction.

Vice Chair Jenkins commented that Commissioner Fuller's comment regarding concrete block is a design issue to be referred to the DRB.

Commissioner Maynard echoed the important difference between design guidelines and zoning.

17.25.090 Commissioner Maynard questioned whether the level of specificity for interior room types is necessary.

Commissioner Fuller commented that the specificity of room types is appropriate with regard to mixed use development. For example, having a sleeping room further back from a commercial or office building next door.

Vice Chair Jenkins questioned whether the specificity of room types is necessary and if it is enforceable.

17.25.100 Commissioner Fuller recommended adding by definition pods and containers in the first sentence. Possibly add trailers, if appropriate.

17.25.100 Vice Chair Jenkins requested clarification regarding allowing vehicles to park in the driveway and also clarifying inoperable vehicles.

17.25.100 Commissioner Maynard requested consideration with regard to accommodating vehicles that are being worked on within the driveway and noted she would not have a concern.

17.25.110.D.9 Commissioner Maynard questioned whether a filter to catch any large pieces of litter needs to be added to a drain that connects to the sanitary sewer system.

Commissioner Maynard recommended adding a reference to 17.25.170 Stormwater Management which includes Stormwater Management Requirements for trash storage areas.

Chair Onnen commented that a cover would be needed over the trash enclosure area if there is drainage that connects to the sanitary sewer system. He noted that it could be difficult to add drainage that connects from the floor of a trash enclosure in an existing situation.

Vice Chair Jenkins agreed with Chair Onnen that a cover would be needed if there is drainage connecting to the sanitary sewer system.

17.25.110.D.10 Commissioner Fuller suggested adding language that identifies the zones or locations where the requirement that the trash enclosure must have an adequate base to support a truck weight of at least 62,000 pounds would be applicable.

Commissioner Maynard suggested considering adding language that refers to the definition of the Sustainable Living Research Site.

Table 17.25.140(A) Commissioner Fuller suggested eliminating the requirement for Type 1 screening for a proposed Single-Use Residential adjoining a Single-Use residential because property owners may not want to plant trees.

Commissioner Fuller suggested there would need to be a requirement for buffers between Commercial Use adjoining Multiple-Use Residential.

Vice Chair Jenkins observed that specific plant materials, the location, and number of trees for buffers are design guidelines with regard to landscaping.

Table 17.25.140(B) Vice Chair Jenkins recommended clarification in the table with regard to the number of trees and shrubs required. If both trees and shrubs are required, it should be depicted in the diagram below Table 17.25.140(B).

17.25.140.C Commissioner Fuller commented that he does not agree with reducing the buffer requirement for a property when the property is adjacent to a property with an existing equivalent landscape buffer.

Commissioner Maynard would not want a second buffer to be required if an equivalent buffer exists on the adjacent lot.

Commissioner Fuller commented that it may be appropriate to reduce both buffer requirements for adjacent property owners.

17.25.140.E Commissioner Fuller commented that he would not support concrete blocks or concrete panels; however, it is a design guideline.

Commissioner Fuller recommended requiring some form of graffiti-resistant coating on screening walls.

17.25.150.A.2 Vice Chair Jenkins recommended removing “or” at the end of the sentence because the Zoning Administrator would not be addressing condominium conversions.

17.25.150.B.4 Commissioner Maynard agreed with prohibiting the use of wood for the purpose of screening if it is related to fire safety.

Vice Chair Jenkins recommended wood be allowed as a screening material, noting that wood could be fire-proofed.

17.25.150.B.1 through 4 Commissioner Daniels suggested that these requirements could be design guidelines.

17.25.150.C.1.a Vice Chair Jenkins commented that he believes requiring roof mounted screening to be constructed as an encompassing monolithic unit is restrictive and limits creative design.

Commissioner Maynard recommended consideration be given to the screening of roof-mounted solar equipment and the relation to solar panels that are at an angle.

Figure 17.25.150.C.1 Vice Chair Jenkins suggested adding “or a series of architecturally similar screening units”.

17.25.150.C.2 Commissioner Maynard requested consideration with regard to ground-mounted solar equipment

17.25.150.C.3 Vice Chair Jenkins recommended adding examples of fire-related elements in parentheses.

17.25.160.A Commissioner Fuller believes there should be some design review with regard to the photovoltaic solar energy systems extending up to five feet above the zoning district in which it is located.

Commissioner Maynard commented that she believes the height of solar energy systems should match the height allowed for mechanical equipment, penthouses, and staircases. (Referring back to Page IV-7).

17.25.160.B Commissioner Fuller thinks that allowing solar panels installed lower than three feet in any property line would be okay.

17.25.170.A Commissioner Maynard requested more information about Best Management Practices spelled out because it seems vague.

Vice Chair Jenkins requested a definition of “nonpoint sources”. Also, the last sentence in the first paragraph seems awkward and wordy.

17.25.170.A.1 Vice Chair Jenkins recommended changing “and” to “or”.

Vice Chair Jenkins questioned whether 17.25.170 A.1 through 6 applies to residential development as well.

17.25.180.C Vice Chair Jenkins recommended consistency in numbers and words.

17.25.180.A Commissioner Maynard requested clarification and will communicate with staff with regard to Swimming Pools and Spas, Exclusive Use.

Commissioner Fuller commented that the term “infeasible” is a variable standard and the decision should be at a higher level than the Zoning Administrator.

Commissioner Maynard agreed with Commissioner Fuller’s comment.

17.26.020.C.5 Vice Chair Jenkins suggested removing “or” at the end of the sentence.

17.26.020.C.6.b Vice Chair Jenkins questioned where the 75-year setback issue is addressed with regard to locating the residence at the same location, with regard to the demolition and reconstruction of a single-family residence.

Commissioner Maynard recommended adding language with regard to emergencies on a property to address the same concerns.

17.26.020.C.6.d Typo: remove the word “a” in front of “seaward”.

17.26.020.C.6.e Vice Chair Jenkins recommended measuring from the interior surface of the structure. He questioned whether the attic is included or excluded when measuring from the exterior surface.

17.26.040.B.2.c Vice Chair Jenkins commented that the minimum clearance for an accessway is too short for equestrian use.

17.27.020 Typo: Change “costal” to “coastal”.

17.27.040 Commissioner Maynard wanted to make sure that language in the General Plan Policy OS 3.4 with regard to coastal access amenities is encouraged in this section.

17.27.040.D Commissioner Fuller suggested changing “must” to “may”.

Commissioner Maynard noted that the view protection standard Policy VH 1.3 in the General Plan with regard to fully shielded lighting is not included in this section. She expressed concern about changing too much of the language in this section which comes from the General Plan. She supports keeping “must be used, where applicable”.

17.27.040.D.3 Commissioner Fuller expressed concern that the limitation of the use of reflective materials would limit the use of windows.

Commissioner Maynard requested that “height” be added, which was included in the General Plan, to read “Limitations of height and use”.

17.27.040.D.4 Vice Chair Jenkins suggested changing the language from “clustering” to “careful selection” of building sites and structures.

17.27.040.D.5 Commissioner Fuller does not support shared vehicular access to minimize curb cuts. He noted that shared driveways have been considered undesirable.

17.27.040.D.7 Commissioner Fuller commented that this requirement may have the unintended consequences of encouraging flower or fruit colored buildings, such as California poppy orange, lemon yellow, hibiscus red, etc.

Recess held from 8:15 p.m. to 8:20 p.m.

17.28.030.B.11 Vice Chair Jenkins requested definitions of “Target Units” and “use restriction period”.

17.28.030.B.8 Commissioner Fuller requested clarification regarding the recipient of the distribution of accrued equity for for-sale units.

17.28.030.C.2 Commissioner Maynard requested adding that the City would give notice to the public via the website, social media, or other methods.

Commissioner Fuller noted that the in-lieu payment for two to four units can be a heavy burden. He also suggested it would be more appropriate to have an additional requirement for ten units.

17.29.040.B Commissioner Maynard requested consistency with 17.29.050.B.1 On-site Option, Fractional Units.

17.29.050.A.2.a(1)i; and 17.29.050.A.2.b(1)i Commissioner Maynard believes these percentages are in line with State law and recommended keeping these percentages and not lessen any of these requirements.

17.29.050.A.2.c(5) Commissioner Maynard believes the tradeoffs should be approved by both the City Council and Planning Commission.

Vice Chair Jenkins supports retaining the Zoning Administrator to allow for approval of the tradeoff, noting there is an appeal process.

17.29.050.D Commissioner Maynard requested clarification with regard to how it equates to units; and also whether the transferred land requirement of one-quarter mile is regulated by law because she would support widening the distance.

17.29.050.F Commissioner Maynard requested additional clarification when discussing tradeoffs.

17.29.070 .C.2 Commissioner Maynard proposed a legal question as to whether the rental could be required to be at an affordable rate.

17.29.090.C Commissioner Fuller questioned whether having the affordability restrictions survive foreclosure would be a stumbling block for financing.

17.29.100.B Commissioner Maynard requested clarification regarding the decision process.

17.29.100.B.2 Commissioner Fuller does not believe this section titled Interior is appropriate and should be removed.

Commissioner Maynard does not agree with removing this section.

Table 17.29.090(A) Vice Chair Jenkins requested clarification with regard to the definitions for types of bathrooms.

17.30 Vice Chair Jenkins suggested that a reference with regard to historically significant structures might be helpful to the public.

17.31.010 Commissioner Maynard recommended that the following policies from the General Plan Conservation Element CE 4.2 should be included in the Purpose section: 1) #12, conserve soil resources as the foundation of resource production and minimize erosion in other soil depletion processes; and 2) minimize emissions of atmospheric pollutants as a result from new development within Goleta.

17.31.010.E Commissioner Maynard requested that the following language from the General Plan be added: “in quantity adequate to supply natural eco system processes and functions”.

17.31.030 Commissioner Maynard requested clarification whether the definition of a development would include vegetation removal if no structure is being added.

Vice Chair Jenkins suggested that staff consider the development of an overlay identifying existing homes that would be affected by the 100-foot ESHA buffer if considering an addition.

17.31.030.B Vice Chair Jenkins recommended consideration be given for a compromise with regard to the biological study requirement if the footprint of the proposed development is outside of the 100 foot ESHA buffer.

17.31.050 Commissioner Maynard questioned whether the difference in the language in the General Plan (“within or adjacent to an ESHA”) and in this section (“which could cause intentional impact to an ESHA”) is intentional or clarified.

17.31.050.A Commissioner Daniels recommended that the biologist provide a specific width requirement with regard to wildlife corridors rather than the language “sufficient width”.

17.31.050.C Commissioner Daniels recommended more specific language rather than “whenever feasible”, with regard to supporting wildlife habitat in order to facilitate enforcement.

Commissioner Maynard agrees with adding more specific language in 17.31.050.A and 17.31.050.C.

17.31.050.K.2 Vice Chair Jenkins commented that the fence height of 40 inches high seems somewhat low.

17.31.050.K.3 Vice Chair Jenkins observed that raccoons would be able to access trash cans considering the 14-inch space between the ground and the bottom fence rail. **He suggested clarification would be useful information for property owners.**

Commissioner Maynard recommended clarity with regard to how the standards for fences in different sections interplay.

17.31.050.H Commissioner Daniels recommended that the specific types of grading be clarified.

17.31.060.B Commissioner Maynard supports the public comment encouraging prohibiting rather than minimizing the use of insecticides, herbicides or other toxic substances.

17.31.070.A.1 Commissioner Maynard requested clarification regarding who is the reviewing authority with regard to the Streamside Protection Area (SPA). She would like to see both the City Council and Planning Commissioner comment.

Commissioner Maynard recommended clarification that underground digging not be allowed within the Streamside Protection Area buffer.

Commissioner Maynard supported the public comment that suggested increasing the exception to the 100 foot SPA from less than 25 feet wide to less than 50 feet wide.

Chair Onnen commented that he does not support changing the minimum setback exception to the SPA buffer.

Commissioner Daniels commented that it is important to have information for reference from the Department of Fish and Wildlife with regard to mitigation for creek restoration.

17.31.080 Commissioner Maynard questioned whether the language from the General Plan Policy CE 3.1 appears somewhere else in the Zoning Code or if it could appear in 17.31.080 to be consistent with the General Plan with regard to Protection of Wetlands in the Coastal Zone.

Commissioner Daniels commented that useful information should be available from the Department of Fish and Wildlife regarding wetlands outside the Coastal Zone.

17.31.080.B Commissioner Maynard requested clarification regarding the approving authority with regard to the wetland buffers in the Coastal Zone.

17.31.090.A Commissioner Maynard requested clarification regarding the approving authority with regard to wetlands outside the Coastal Zone.

17.31.140.C Commissioner Maynard suggested a reference to the Tree Protection Ordinance when appropriate.

Commissioner Maynard suggested for consideration including a ratio for adding new trees to replace the removal of a tree, for example, a ratio of 3 to 1.

17.31.170.A.3 Commissioner Daniels recommended clarification regarding who would be allowed to prune vegetation within Monarch Butterfly ESHAs.

17.31.180.B Commissioner Maynard recommended that the following language from General Plan Policy CE 7.8 be included for consistency: “new structures must be prohibited on bluff faces except for stairs, ramps, or trails to provide public beach access” with regard to the Seabird Nest Areas.

C. DIRECTOR'S REPORT

Jennifer Carman, Director of Planning and Environmental Review, reported:

- 1) A special meeting of the Planning Commission will be held on Monday, February 29, 2016. The agenda will not include items for the Draft Zoning Ordinance review.
- 2) On February 2, 2016, the City Council introduced the Water Efficiency Landscape Ordinance. The final reading will be on February 16, 2016.
- 3) The City Council will consider a proposed Sphere of Influence expansion at its meeting on February 16, 2016.
- 4) The DRB is scheduled to comment on Chapter 17.35 Landscaping and Chapter 17.36 Lighting of the Draft Zoning Ordinance at its meeting on February 9, 2016.
- 5) The Draft Supplemental Environmental Impact Report (SEIR) for the New Zoning Ordinance is available at the library.

D. PLANNING COMMISSION COMMENTS

Commissioner Maynard requested staff provide the Planning Commissioners with the timeline for the Draft Supplemental Environmental Impact Report (SEIR) for the New Zoning Ordinance.

E. ADJOURNMENT

Adjournment at 9:15 p.m.



**UNAPPROVED
PLANNING COMMISSION
MEETING MINUTES
Monday, February 22, 2016**

6:00 PM
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the Planning Commission

Eric Onnen, Chair

Gregory C. Jenkins, Vice Chair

Brent Daniels, Commissioner

Ed Fuller, Commissioner

Katie Maynard, Commissioner

Jennifer Carman, Secretary

Winnie Cai, Deputy City Attorney

Linda Gregory, Recording Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:00 p.m. by Chair Onnen, followed by the Pledge of Allegiance.

ROLL CALL OF PLANNING COMMISSION

Present: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels,
Commissioner Fuller, Commissioner Maynard

Absent: None

Staff present: Jennifer Carman, Director of Planning and Environmental Review; Anne Wells, Advance Planning Manager; Martha Miller, consultant, RRM Design Group; Winnie Cai, Deputy City Attorney; and Linda Gregory, Recording Clerk.

PUBLIC FORUM

Gary Vandeman commented that he believes significant changes in the New Zoning Ordinance should be made known.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

A. ADMINISTRATIVE AGENDA

A.1 Planning Commission Minutes for the Planning Commission Meeting of January 25, 2016 (continued from February 8, 2016)

Approve the Planning Commission minutes for the meeting of January, 25, 2016.

[A.1 Planning Commission Minutes for the Planning Commission Meeting of January 25, 2016](#)

MOTION: Vice Chair Jenkins/Commissioner Fuller to approve the Planning Commission minutes for the meeting of January, 25, 2016, as amended.

VOTE: Motion approved by the following unanimous voice vote: Ayes: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels, Commissioner Fuller, Commissioner Maynard. Noes: None.

A.2 Planning Commission Minutes for the Planning Commission Meeting of February 8, 2016

Approve the Planning Commission minutes for the meeting of February 8, 2016.

[A.2 Planning Commission Minutes for the Planning Commission Meeting of February 8, 2016](#)

By consensus, the Planning Commission continued approval of the Planning Commission meeting minutes for February 8, 2016, to March 14, 2016, with amendments.

B. PUBLIC WORKSHOP

B.1 Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts

It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts - Chapters 17.32: Floodplain Management, 17.33: Hazards,

17.35: Landscaping, 17.36: Lighting, 17.37: Nonconforming Uses and Structures, 17.38: Oil and Gas Facilities, and 17.39: Parking and Loading.

[B.1 Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts](#)

[B.1 Attachment 1](#)

[B.1 Attachment 2](#)

[B.1 Attachment 3](#)

Staff speakers:

Anne Wells, Advance Planning Manager

Martha Miller, consultant, RRM Design Group

Jennifer Carman, Director of Planning and Environmental Review

Anne Wells, Advance Planning Manager, introduced the agenda item.

The staff report was presented by Martha Miller, consultant, RRM Design Group.

Chair Onnen opened the workshop for public comments at 6:38 p.m.

Dr. Ingeborg Cox commented: 1) some changes are needed in Chapter 17.37 if nonconforming uses in the City impact the public health and safety; 2) if a parcel is legal nonconforming and it is sold, the designation should be changed to the use it was zoned for and not continue to be nonconforming indefinitely; 3) any changes to nonconforming industrial uses such as minor enlargements, extensions, expansions, or structural alterations should not be allowed unless there is a CUP, and limited exception determinations should not be the process, and it should be discussed by the Planning Commission, and also language should be added to 17.37.040.B that the materials will be distributed to the Planning Commission prior to the hearing and the public needs to be notified; 4) if an existing oil and gas well does any type of new exploration like fracking or slant drilling into unexplored areas it should be defined as new production, noting that the Planning Commission should review; 5) if a facility has been nonconforming for a total of ten years, the use should be terminated; 6) a termination order of a nonconforming use should not be modified; 7) an illegal nonconforming building or structure that is damaged should not be able to be restored unless the restoration is to make it to a safe conforming use; 8) nonconforming structures should not be allowed to be enlarged or extended, and any alterations should be approved by

the Design Review Board and Planning Commission, not the Zoning Administrator; 9) modifications and expansions of an existing oil and gas facility should go through the entire permitting process; 10) required setbacks for oil and gas pipelines from ESHAs have not been mentioned and should be at least 100 feet and added to the 17.38.050.B.2 Required Setback; 11) a CUP with an EIR should be required if an existing facility wants to modify or expand the premises; and 12) ESHAs like Bell Canyon Creek need to be mentioned and the setbacks required by the Coastal Commission need to be put in writing in 17.38.040.I Grading and Drainage.

Maruja Clensay, SEPPS, commented: 1) with regard to 17.35.050, the opportunity to provide an alternative compliance plan for flexibility to develop a landscape plan based on the merits of each site or project is appreciated; 2) suggested including language in Chapter 17.37 indicating that by the nature of this new Zoning Ordinance being adopted some nonconforming uses and structures may be created; 3) questioned if there has been an analysis of potential nonconforming situations that may be created and have the property or business owners been notified; for example, consider how increasing the parking demand for retail may impact a business owner if wanting to make improvements and cannot conform to the parking regulations; 4) there seems to be some inconsistency with the language in 17.37.030.D Expansion of Nonconforming Uses and in 17.37.030.D.5.c Required Findings with regard to nonconforming uses and consistency with the General Plan; 5) consider adding job creation and job retention as one of the benefits in 17.37.040.C Benefit Assessment; and 6) 17.37.050 consider what may trigger the termination of nonconforming use and perhaps include the criteria needed to meet that determination.

Cecilia Brown, representing the Goodland Coalition, commented: 1) she believes the lighting standards in the Draft New Zoning Ordinance are out of date and need to be in conformance with Title 24 of the California Building Code; 2) while the Dark Sky concept in the General Plan is still important and relevant, there are also Backlight, Uplight and Glare (BUG) ratings that are now in place; and 3) she would be happy to participate in the effort to rewrite sections of the Ordinance to be in conformance with Title 24, noting she was the co-author of the lighting guidelines written ten years ago.

Fermina Murray commented: 1) there are studies showing that ecological consequences of artificial night lighting disturbs the health of amphibians, mammals, and people; 2) lighting near creeks can disturb the reproductive process of butterflies, salamanders and frogs; 3) she believes the lighting chapter needs to comply with Title 24 and make lighting for the safety of

people and the enhancement of the species, animals and plants in the community; 4) she would be happy to participate in a workshop with regard to complying with Title 24; and 5) landscaping and development chapters need to protect all existing specimen trees and the character of different areas in the City, and consider the City's urban forest.

Michael Iza commented: 1) he believes there are inconsistencies and errors in the Draft New Zoning Ordinance with different zones that need to be fleshed out before the Ordinance is adopted; 2) the timeline should not be compressed into a three-month period for public review because the public needs adequate time to review and comment; 3) he suggested that the City consider holding a separate review process meeting where there is adequate time for public input that can assist in the final version; and 4) he suggested the City have an informal kiosk (for example, at Camino Real, Marketplace, Old Town, Calle Real, and common public places) to collect public feedback on the Draft New Zoning Ordinance.

Barbara Remick commented that she owns a travel trailer used for her business which she parks in her driveway because it is convenient and safer than having to drive to a storage lot. She noted there are waiting lists for expensive storage.

Jeff Wayco requested consideration that not allowing parking for recreational vehicles will deprive generations to come from recreation as well as not having a vehicle close for use in emergencies.

Dana Trout commented that his family moved to Goleta in 1968 and they do like many things happening in Goleta but the RV parking regulations are not one of them.

Pam Finchum commented that she believes she should be able to park her motor home on her property.

Michael Leu commented that he believes unless there is sufficient, available, and reasonably-priced local storage for 300 or more RVs, the local restriction of RV parking should not be given serious consideration. He noted RVs represent a personal investment and that some overlap the front yard setback. He is also concerned regarding the inconvenience of parking off-site and the negative effect with regard to the use for emergency disaster preparedness.

Scott Clark requested that RV parking regulations not be imposed on the older tract homes. He submitted a petition with 310 signatures for the record. His RV is also part of his emergency preparedness plan that includes safety for his pets and noted according to FEMA rules pets are

not allowed in emergency shelters. He suggested the City review regulations from other cities such as Paso Robles, Fullerton, and San Ramon.

Lise Christiansson commented that she does not believe a property owner should be told where or how to store a recreation vehicle. Before her 2015 motor home was purchased, she researched the zoning code and found there were no parking regulations on her property. She suggested RVs be treated like motor vehicles and the City should audit the community to find out the problems. She has created a parking pad to store her RV and doesn't believe it creates a safety hazard or any condition that would affect the public interest or welfare.

David Geoffrion commented that he has observed in his neighborhood that it is almost impossible to get an RV behind a front setback. He has stored an RV on his side yard on a concrete pad with screened fencing since 1980 and he disagrees with this change in zoning. He presented his written comments for the record.

Dennis Kirby, representing Dennis and Lynn Kirby, echoed all comments tonight with regard to recreation vehicle parking regulations. He recommended not trying to fix something that's not broken.

John Nelson commented that he owns a small box truck that he parks in his driveway after being ticketed in front of his house. He expressed opposition to the recreational vehicle parking regulations and expressed concern that others will be inconvenienced emotionally, financially and otherwise.

Kevin Duffy spoke in opposition to the RV parking requirements, noting he is a long-time resident and does not want these regulations for his property.

Note: Dick Thurston advised the Recording Clerk that he had to leave early but he supports the public comments from the speakers with regard to recreational vehicle parking.

Paul McFarlane commented that his neighbors do a great job of storing RVs on their property and he considers it a lifestyle and not a problem. He expressed concern about the system of anonymous complaints.

Gerald Dahlke commented with regard to liberty and justice for all.

Craig Buzzell noted that on his block 9 out of 26 homes have some combinations of RVs, boats, and trailers, and commented that not allowing

RV parking on the front setback does not make sense for the community. Also, he noted that off-site parking would not be affordable for him and it is unavailable.

Becky Hunter agreed with previous comments and does not believe her property should be regulated, and she requested flexibility. She noted her RV is her family's only affordable travel option and it is also used as an emergency kit. Also, the six-foot requirement for a fence is much lower than the height of an RV.

William Tingle noted that most of the homes built in Goleta in the 1950's, 1960's, and 1970's were built on lots large enough to park an RV. He commented that not allowing residents to park RVs is a violation of rights. Also, he questioned the aesthetics of six-foot fences.

Benjamin Ellsworth commented that he appreciates the complexity and value of zoning ordinances. He suggested looking at the format of the community, how the houses are constructed, and the lots are laid out. He is concerned that the regulation applies to recreational vehicles

Fred Petrucci expressed concern that the recreational vehicle parking regulations will create a great hardship for families. He believes a recreational vehicle should be allowed to be parked in a driveway if it will fit in the driveway and is not disabled, not derelict, and is licensed and used. He suggested putting parking regulations on new development and not on old established neighborhoods.

John Bedy commented that he believes there should be consistency with regard to parking vehicles and recreational vehicles in the front setback for single family residences.

Glenn Takaichi agreed with all previous comments. He uses his boat about once or twice a week and cannot find available space locally and noted it is inconvenient to go to Santa Barbara.

Francis C. Arnoult spoke in opposition to the parking requirements for recreational vehicles. He expressed concern that he does not have the ability to park his RV on the side yard.

Carol Neumann commented that she opposes parking regulations regarding what can be put on driveways for older existing homes, as well as basketball hoop requirements.

Laura Donner echoed previous comments. She has been able to store her camping trailer at her home and noted it is expensive and

inconvenient to store out of town. She suggested a nuisance clause to address problems. She has walked in the neighborhood and does not see that the RVs are blocking sidewalks, and also noted that many RVs are much larger than six feet in height.

Wes Herman opposed the recreational vehicle parking requirements and does not believe it is justified for the older existing neighborhoods. He commented as a firefighter in the Goleta Valley for 25 years, he was not impeded by where an RV was parked. He noted an attorney will be hired if the regulation is adopted.

Dale Craig commented that he currently owns a 24-foot RV that does not block anyone's view. He has used the RV to educate his son and also for emergency preparedness to supply service and food for the neighborhood. He noted that finding storage is difficult as well as an inconvenience in money and time.

Chair Onnen noted that Donald W. Boneck submitted an email that will be added to the record.

Chair Onnen closed the public comment portion of the workshop at 7:40 p.m.

The Planning Commission reviewed Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts.

17.39.070.A.2 Vice Chair Jenkins noted a typo with regard to the language "or in at an off-site location" that is confusing.

17.39.070.A.3 Vice Chair Jenkins commented that the situation in Goleta is unique with regard to recreational vehicle parking and agrees that the restriction infringes upon private property rights in this situation.

Vice Chair Jenkins recommended staff consider whether allowing parking in a side yard would block a side yard window which is there for emergency access.

17.39.070.A.3 Commissioner Maynard supports being able to park recreational vehicles in a front driveway outside of the sidewalk. She suggested not making restrictions too prohibitive; not impacting new houses; and possibly considering having recreational vehicles licensed and registered. She noted she heard public comments for consistency between cars and RVs which she believes is a good point. She noted that she has learned from the public comments about the importance of recreational vehicles for entrepreneurs, healthy lifestyles, education for

families, emergency plans, and emergency situations for pets. She learned about the existing situations in the community and its relevance for members of the community, and the independent spirit of the community with regard to their property. Also, she noted concerns were expressed with regard to lack of local storage, hardship from existing investment, and houses may not be designed to meet the existing requirements. She appreciates that the RV community works closely with the City.

17.39.070.A.3 Commissioner Fuller recommended removing the requirement that recreational vehicles cannot be parked within the front yard setback. He believes the recreational vehicles should be confined to paved parking areas. He does not believe there should be a big alteration in the community with respect to the people's use.

17.39.070.A.1 Commissioner Fuller commented that part of the concept with regard to this requirement is to keep vehicles from being parked in a front lawn as a regular parking space.

17.39.070.A.3 Commissioner Daniels questioned whether existing recreational vehicles would be legal nonconforming.

Vice Chair Jenkins commented that he would disagree with grandfathering.

17.39.070.A.3 Chair Onnen agreed that the language needs to be changed with regard to recreation vehicle parking.

17.39.070.A.3.a Commissioner Daniels questioned the source with regard to the requirement that the recreational vehicle cannot exceed 15 feet in height or 36 feet in length.

17.39.070.A.3.b Commissioner Daniels commented that the type of fence is not clarified. He requested staff address public comments that indicate a six-foot fence would not adequately screen recreational vehicles.

17.39.070.A.3.b Commissioner Maynard requested clarification with regard to whether a six-foot fence would make a difference.

Recess held from 7:55 p.m. to 8:00 p.m.

17.32.020 Commissioner Maynard questioned if the applicability section would also include sea-level rise zones as determined by the City's most recent sea-level rise plan rather than focusing just on the FEMA areas of special flood hazards. Also, consider General Plan Safety Element Policy

SE 6.2 in the General Plan regarding applicability. She noted language in the General Plan that the City may require applications of new or expanded development areas with known persistent local urban flooding, and requested additional information.

17.32.030 Vice Chair Jenkins commented that "begins" is not fitting within the sentence.

17.32.040.B.3 Vice Chair Jenkins commented that language needs to be added between "slopes" and "guide".

17.32.080.B.1 Commissioner Maynard recommended adding the language from General Plan Conservation Element Policy CE 7.4, "any such permitted uses shall not degrade the quality of the habitat or cause impacts to birds and other wildlife". In general, this language should be added in the sections with regard to additional expansions in beach and shoreline areas.

17.32.080.B.3 Vice Chair Jenkins commented that this paragraph needs to be reworded for clarity.

17.32.080.B.3 Commissioner Maynard questioned whether the language is State law, or whether there can be further restrictions for new development in wetlands.

17.32.080.C.2.b Commissioner Daniels requested clarification with regard to the term "(e.g., freshwater for freshwater)".

17.33.010 Commissioner Maynard recommended including ecosystems with regard to environmental protection.

17.33.030.A Commissioner Maynard suggested it would be good to include reference to the City's new sea-level rise documents.

17.33.030.A Chair Onnen did not see the correlation with the reference to the "Alquist-Priolo earthquake hazards zones".

17.33.030.B Chair Onnen questioned whether golf courses and greens built on a blufftop would be encumbered by the hazards report.

17.33.040.A Commissioner Maynard recommended adding language to preserve the coastal ecosystems.

17.33.040.C; 17.33.040.C.1 Vice Chair Jenkins expressed concern that the City might be opening up a legal challenge with regard to language in 17.33.040.C and 17.33.040.C.1.

17.33.040.C; 17.33.040.C.1 Commissioner Fuller questioned whether the language is a Coastal Commission requirement, and requested clarification.

17.33.040.C Commissioner Maynard recommended that analysis of all feasible alternatives to coastal armoring be included per General Plan Policy SE 3.7. Also, add language that anything proposed must be compatible with the preservation of the quality of the natural resources.

17.33.040.C.3 Commissioner Maynard recommended adding the language from General Plan Conservation Element Policy CE 7.4 "any such permitted uses shall not degrade the quality of the habitat or cause impacts to birds and other wildlife".

17.33.040.C.3 Commissioner Fuller recommended listing examples of items that are public facilities for clarification.

17.33.040.E.1 Vice Chair Jenkins questioned if there is a definition that helps the public know about the "sea-level rise" and if there is an actual document to reference.

17.33.040.E.1.f Vice Chair Jenkins recommended adding a quantifiable limitation distance with regard to the language "extending the surveying work beyond the site as needed".

17.33.040.E.1.g Commissioner Daniels questioned why tax assessment records are listed with regard to investigation of historic, current, and foreseeable cliff erosion.

17.33.040.E.2 Vice Chair Jenkins suggested adding language at the end of the last sentence: "unless determined necessary by the Army Corps of Engineers or other presiding agency".

17.33.040.F Commissioner Maynard suggested for clarification throughout this chapter that the sea-level rise should be based on what the City has established as the sea-level rise.

17.33.040.F.2.a.(1) Commissioner Maynard suggested that balconies and porches should be better described in terms of setbacks. She noted her concern that there is a potential dangerous safety situation with regard to

balconies that are reaching over the cliffs that are not designed to deal with cliff erosion.

17.33.040.F.2.a.(2).i Chair Onnen questioned whether golf courses, greens, and tee boxes are being unduly restricted.

17.33.040.F.2.a.(2).i Commissioner Daniels recommended adding “engineered” in front of “stairways” for consistency with the previous page.

17.33.040.F.2.a.(2).ii Vice Chair Jenkins questioned whether there should be a quantifiable limitation with regard to the language “minor additions of less than 10 percent of the existing floor area”, with regard to cumulative additions.

17.33.040.F.2.a.(2).ii Commissioner Daniels noted a typo: remove "to". Vice Chair Jenkins recommended checking the hyphen in "soil-".

17.33.040.F.2.c Vice Chair Jenkins suggested changing the language from “drought-tolerant landscaping must be installed” to “only drought-tolerant landscaping will be permitted”, noting a situation where the rights-of-way would remain natural. Commissioner Maynard agreed.

17.33.040.F.2.c Commissioner Maynard repeated her safety concern for those persons using patios and fences with regard to cliff erosion.

17.33.040.G.1 Commissioner Daniels recommended clarification and definition with regard to the City’s grading standards and where grading is located.

17.33.040.G.2 Vice Chair Jenkins commented that the first sentence does not make sense.

17.33.040.G.3 Commissioner Maynard recommended reference to the language in General Plan Policy SE 3.7 that the alternatives analysis should demonstrate that the proposed armoring is the least environmentally damaging alternative.

17.33.050.A Vice Chair Jenkins suggested removing “seismic” because he believes all of Goleta is within a seismic zone and buildings and structures are designed accordingly. He noted that 17.33.050.C addresses seismic better.

17.33.050.C Commissioner Daniels questioned the source for restricting new development not closer than 50 feet to any active or potentially active fault line, and questioned the appropriateness.

17.33.050.D Typo: remove “to” . Also, check “soil-“.

17.35.01 Vice Chair Jenkins commented that most of 17.35 Landscaping is design guidelines.

17.35 Commissioner Daniels commented that most of 17.35 Landscaping is design guidelines, not land use.

17.35.010.A Commissioner Fuller appreciates the language in the purpose because it supports improving the appearance of the community.

17.35.010.B Commissioner Maynard suggested, based on public comment, elaborating on maintaining the variety of different types of plants and trees that are already in the urban forest.

17.35.010.B Vice Chair Jenkins recommended a definition for “heat island effect”.

17.35.020.B Vice Chair Jenkins recommended changing “shall” to “must”.

Figure 17.35.030.C Commissioner Daniels commented that the figure does not show the measurement for the sidewalk.

17.35.030.E Commissioner Fuller agreed with recommendations from the Design Review Board to better describe “a natural state”, for example as “an undisturbed state” or “indigenous vegetation”.

17.35.040.A Commissioner Daniels questioned whether “utility-housing boxes” refers to utility-mounted vaults, for clarification.

Vice Chair Jenkins suggested the utility-housing box could be a utility box above ground or a transformer.

17.35.040.B Vice Chair Jenkins commented that there needs to be clarification with regard to the language in 17.35.040.B and Figure 17.35.040(B). He recommended changing “toe” to “top” to comply with Figure 17.35.040(B).

17.35.040.B Commissioner Fuller suggested adding the language “where used” with regard to landscaping mounds.

17.35.050.A Commissioner Maynard questioned whether there is a way to limit the percentage of property that is turf and she encouraged looking for ways to promote water efficiency.

17.35.050.A.1.f Commissioner Daniels commented that he cannot agree with the requirement in 17.35.050.A.1.f regarding planting trees offsite. He questioned whether this requirement relates to public or private land.

17.35.050.A.1.g Commissioner Fuller commented that he takes exception to limiting the percent of trees in any one species because uniformity in plantings can look nice.

17.35.050.A.1.g Commissioner Maynard commented that the language is forgiving enough with regard to species diversity; and it is appropriate and worth considering.

17.35.060 Commissioner Daniels commented that the landscaping requirements are specific with so many restrictions. Also, 17.35.060 Landscape Design Principles are design guidelines appropriate for DRB review.

17.35.060.C Vice Chair Jenkins commented that the requirement that landscaping must be designed within the context of the surrounding area seems inappropriate. He questioned how the requirement could be enforced and whether it applies to residential.

17.35.060.C Commissioner Fuller recommended changing “must” to “should” with regard to continuity and connection landscape design principles.

17.35.060.C Commissioner Maynard expressed concern with regard to continuity and connection, noting that it may be difficult to match the landscaping on adjacent properties when planting drought tolerant landscaping because it is a new type of landscaping.

17.35.080 Commissioner Maynard commented that this section is important and well-written.

17.36 Commissioner Daniels commented that the 17.36 Lighting chapter seems to be design guidelines.

17.36 Vice Chair Jenkins suggested this section may be scaled down to planning issues. He also questioned how the lighting section would be trumped by Title 24.

17.36 Commissioner Fuller does not believe that lighting should be prohibited from public rights-of-way because it provides for safety and security that street lighting might not provide.

17.36 Commissioner Maynard commented that the lighting section should refer to Title 24. She requested guidance from staff as to whether the International Dark Sky Association's Backlight, Uplight and Glare (BUG) regulations have been considered as a potential option to be used. She agrees that a lot of the language in 17.36 is design guidelines.

17.36.010 Commissioner Maynard requested adding "and protect local wildlife from negative impacts of lighting" from parts of the General Plan.

17.36.020.A.2 Vice Chair Jenkins questioned the nexus for prohibiting flashing holiday lights on commercial properties.

17.36.020.A.2 Commissioner Maynard believes flashing holiday lights on commercial properties should be allowed.

17.36.030 Commissioner Maynard recommended that laser lights be added as prohibitions.

17.36.030.E Commissioner Maynard suggested more language encouraging or acquiring LEDs on commercial properties, although it may be affected by Title 24 regulations.

17.36.030.F Vice Chair Jenkins suggested some clarification to rule out traffic lights with regard to changing color lights.

17.36.030.F Commissioner Maynard questioned whether this section would restrict opportunity for some of the newest energy efficiency technologies and smart lighting controls; for example, motion sensor lights that intensify as people get closer and fade out as people move away.

17.36.040.A Vice Chair Jenkins suggested removing "must be used" after architecture because it seems redundant within the sentence.

17.36.040.B Commissioner Maynard agrees with DRB comments recommending adding language regarding "smart lighting controls".

17.36.040.C Vice Chair Jenkins requested clarification with regard to the intent of the light shielding.

17.36.040.C.1 Commissioner Fuller noted an inconsistency because 17.36.040.C.1.a.(1) and 17.36.040.C.1.a.(2) both refer to having an opaque top while 17.36.040.C.1.a.(4) does not refer to an opaque top.

17.36.040.C; 17.36-040.C.2 Commissioner Fuller noted a possible inconsistency with regard to language in 17.36.040.C confining direct lighting rays onto adjacent public rights-of-way and language in 17.36.040.C.2 regarding light not shining on adjacent public rights-of-way.

17.36.050.F Commissioner Fuller commented that extra illumination at gas stations and convenience store parking lots is a good idea for extra safety and security.

17.36.050.G Commissioner Maynard suggested consideration for acquiring safety lighting for public bikeways and walkways.

17.37 Commissioner Maynard commented that she believes it is a good idea to notice business owners about nonconforming uses as soon as the Zoning Code is approved.

17.37.030.D Vice Chair Jenkins suggested using "legal nonconforming" where appropriate for consistency.

17.37.030.D.1; 17.37.030.D.3 Commissioner Daniels requested clarification regarding the language referred to in the Building Code and where it is located in the Building Code.

17.37.030.D.1; 17.37.030.D.2; 17.37.030.D.3 Commissioner Fuller recommended for consistency using the language "legal nonconforming use".

17.37.030.D.5.c Commissioner Maynard requested consideration be given to possible inconsistencies in the language with regard to nonconforming uses and noted the difficulty in making this finding.

17.37.030.D.5.h Vice Chair Jenkins noted a typo: change "uses" to "use".

17.37.040.A.2 Commissioner Maynard requested more guidance when the information would be waived. She commented that all information seems valuable and would recommend it only be waived if not applicable.

17.37.040.A.2.c Commissioner Daniels requested the map include a north arrow designation.

17.37.040.A.2.f Vice Chair Jenkins questioned the nexus for requiring estimated expenditures for the improvement and how does it help in the decision-making.

17.37.040.A.2.f Commissioner Fuller commented that the requirement may be related to amortizing an investment.

17.37.040.D.3 Commissioner Maynard suggested including language to add a finding that the overall intensity would not result in additional subsequent parking needs.

17.37.050 Commissioner Maynard requested more guidance and clarity regarding what would trigger the termination situation.

17.37.050 Commissioner Fuller pointed out that he is opposed to the proposed section regarding Termination of Legal Nonconforming Use by City Council and noted he prefers the County's version.

17.37.050.C.1 Commissioner Maynard commented that up to an additional 15 years extension seems like a long time and requested some consideration.

17.37.050.C.1 Vice Chair Jenkins can support the additional 15 years for the modification.

17.37.050.E.1 Commissioner Maynard requested consideration and clarity with regard to timelines for the amortization analysis.

17.37.060.C Commissioner Maynard requested language with regard to some limits as to how much nonconforming structures can be enlarged. Also, consider not allowing nonconforming structures continue to grow over long periods of time.

17.37.060.F Commissioner Maynard suggested consideration with regard to adding provisions for historic landmarks and adding a reference when appropriate.

17.37.060.F.1 Commissioner Daniels recommended global consistency with regard to the term "legal nonconforming".

C. DIRECTOR'S REPORT

Jennifer Carman, Director of Planning and Environmental Review, reported:

- 1) A special meeting of the Planning Commission will be held on Monday, February 29, 2016. The agenda will not include review of the Draft New Zoning Ordinance.
- 2) A special meeting of the Planning Commission is being considered for Monday, March 7, 2016. The next meeting to review the Draft New Zoning Ordinance will be on March 14, 2016.

- 3) A workshop on the New Zoning Ordinance will be held on Saturday, February 27, 2016, from 9:00 a.m. to 4:00 p.m. at the City Hall Council Chambers.

D. PLANNING COMMISSION COMMENTS

Commissioner Maynard commented that she is impressed by all the work that has been done by staff on the New Zoning Ordinance project.

Commissioner Fuller thanked the public for their comments and participation. He noted that written comments are appreciated and helpful.

E. ADJOURNMENT

Adjournment at 9:15 p.m.



**UNAPPROVED
PLANNING COMMISSION
SPECIAL MEETING MINUTES
Monday, February 29, 2016**

6:00 PM
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the Planning Commission

Eric Onnen, Chair

Gregory C. Jenkins, Vice Chair

Brent Daniels, Commissioner

Ed Fuller, Commissioner

Katie Maynard, Commissioner

Jennifer Carman, Secretary

Winnie Cai, Deputy City Attorney

Linda Gregory, Recording Clerk

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:00 p.m. by Chair Onnen, followed by the Pledge of Allegiance.

ROLL CALL OF PLANNING COMMISSION

Present: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels,
Commissioner Fuller, Commissioner Maynard

Absent: None

Staff present: Jennifer Carman, Director of Planning and Environmental Review; Lisa Prasse, Current Planning Manager; Brian Hiefield, Associate Planner; Andy Newkirk, Contract Planner; Jerry Hittleman, Contract Planner; Marti Milan, Principal Civil Engineer; Rosemarie Gaglione, Public Works Director; Winnie Cai, Deputy City Attorney; and Linda Gregory, Recording Clerk.

PUBLIC FORUM

None.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

A. PUBLIC HEARING

- A.1 Verizon Wireless Street Light Cell Site Evergreen Terrace West located on the north side of Cathedral Oaks Road within the City's right-of-way, approximately 160 feet east of Brandon Drive and adjacent to 7580 Cathedral Oaks Road; APN: 079-580-007; Case No. 15-095-CUP**

Recommendation:

Adopt Resolution 16-___, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Approving the Conditional Use Permit for the Verizon Wireless Street Light Cell Site Evergreen Terrace West on the North Side of Cathedral Oaks Road within the Street Right of Way Approximately 160 feet East of Brandon Drive, Case No. 15-095-CUP; adjacent to 7580 Cathedral Oaks Road, APN: 079-580-007."

[A.1 Verizon Wireless Street Light Cell Site Evergreen Terrace West](#)

[A.1 Verizon Wireless Att. 4 Project Plans and Photo Sims](#)

[A.1 Verizon Wireless Att. 5 DRB Minutes](#)

Staff speakers:

Brian Hiefield, Associate Planner
Marti Milan, Principal Civil Engineer

Site visits and ex-parte conversations: Vice Chair Jenkins reported he drove past the site.

The staff report was presented by Brian Hiefield, Associate Planner.

Chair Onnen opened the public hearing at 6:11 p.m.

Public speakers:

Rochelle Rose expressed concern that her condominium unit will look at the facility all of the time. She noted that the Homeowner's Association is against the project. She suggested moving the project up the street where there are no residences and noted there is a lot of open space between the Bacara and Brandon Drive. She invited the Planning Commissioners to view the proposed project site from her condominium unit. (Four photographs were submitted at the meeting).

Sandy Kovanda spoke in opposition to the project because she is concerned about RF exposure from the cell site and noted she has submitted three emails. She stated that she has documentation that proves the equipment cabinet is located on the condominium's private property and also noted that the condominium has a three-foot easement. She requested consideration of her concerns about the project that include: it will lower the property values; it is located on a scenic corridor; there is a requirement for a two-mile separation of substantially visible facilities; light pollution will affect residents, wildlife, and migrating routes including swallows; graffiti could be a potential problem; children play on the slope only 20 feet away; and the RF is too high and should be re-calculated.

Michael Iza requested that alternative underground locations be addressed for this proposed project. He expressed concern that the five-foot tall retainer wall would be placed in front of the property. He commented that this project is located on a scenic corridor and requested exploring minimizing visual impacts. He believes there is a substantial change in this existing facility and questioned if this project complies with FCC regulations.

Melissa Samarin of Sequoia Deployment Services, agent, on behalf of Verizon Wireless, LLC, responded to questions from the Planning Commission and public speakers.

Staff responded to questions from the Planning Commission.

Marti Milan, Principal Civil Engineer, responded to questions from the Planning Commission.

The Planning Commission deliberated.

MOTION: Vice Chair Jenkins/Commissioner Fuller to continue Item A.1, Verizon Wireless Street Light Cell Site Evergreen Terrace West located on the north side of Cathedral Oaks Road within the City's right-of-way, approximately 160 feet east of Brandon Drive and adjacent to 7580 Cathedral Oaks

Road; APN 079-580-007; Case no. 15-095-CUP, to a future date. .

VOTE: Motion approved by the following unanimous voice vote:
Ayes: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels, Commissioner Fuller, and Commissioner Maynard.
Noes: None.

A.2 PRC 421 Access Road Maintenance and Repair Project: APNs 079-210-059 (Sandpiper Golf Course) and 079-210-042 (Ellwood Onshore Facility); Case No. 15-004-DP and 15-003-CDP

Adopt Planning Commission Resolution 16-___, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Adopting the Final Mitigated Negative Declaration, Adopting the Mitigation Monitoring and Reporting Program, and Approving the Development Plan and Coastal Development Permit for the PRC 421 Access Road Maintenance and Repair Project (Case No. 15-004-DP and 15-003-CDP); State Oil and Gas Lease No. PRC 421 Access Road, which is on APNs 079-210-059 (Sandpiper Golf Course) and 079-210-042 (Ellwood Onshore Facility)."

[A.2 PRC 421 Access Road Maintenance and Repair Project](#)

[A.2 PRC 421 Access Road Att. 1 Ex. 1 Final MND](#)

[A.2 PRC 421 Access Road Att. 1 Ex. 2-5](#)

Staff speakers:

Anne Wells, Advance Planning Manager

Jerry Hittleman, Rincon Consultants Inc., Contract Planner

Site visits and ex-parte conversations: Commissioner Maynard reported that she spoke with Dr. Ingeborg Cox and the conversation was consistent with comments presented in writing by Dr. Cox. Commissioner Maynard submitted the written comments. Vice Chair Jenkins reported a site visit with Anne Wells, Advance Planning Manager, and the applicant. Chair Onnen reported he has visited the site many times.

Anne Wells, Advance Planning Manager, introduced the agenda item.

The staff report was presented by Jerry Hittleman, Rincon Consultants Inc., Contract Planner.

Staff responded to questions from the Planning Commissioners.

Keith Wenal, Venoco, Inc., responded to questions on behalf of the applicant.

Chair Onnen opened the public hearing at 8:13 p.m.

No speakers.

Chair Onnen closed the public hearing at 8:14 p.m.

MOTION: Vice Chair Jenkins/Commissioner Daniels to adopt Planning Commission Resolution 16-01, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Adopting the Final Mitigated Negative Declaration, Adopting the Mitigation Monitoring and Reporting Program, and Approving the Development Plan and Coastal Development Permit for the PRC 421 Access Road Maintenance and Repair Project (Case No. 15-004-DP and 15-003-CDP); State Oil and Gas Lease No. PRC 421 Access Road, which is on APNs 079-210-059 (Sandpiper Golf Course) and 079-210-042 (Ellwood Onshore Facility)."

VOTE: Motion approved by the following voice vote: Ayes: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels, and Commissioner Fuller. Noes: Commissioner Maynard.

Commissioner Maynard commented that her concern is regarding inconsistency with Safety Element Policy 3.7 in the General Plan.

B. DISCUSSION/ACTION

B.1 General Plan Annual Report 2015

Adopt Planning Commission Resolution 16-___, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Recommending to the City Council Approval of the General Plan/Coastal Land Use Plan 2015 Progress Report for Submittal to the Governor's Office of Planning and Research and California Department of Housing and Community Development."

[B.1 General Plan Annual Report 2015](#)

Staff speakers:

Anne Wells, Advance Planning Manager

Andy Newkirk, Contract Planner

Rosemarie Gaglione, Public Works Director

Anne Wells, Advance Planning Manager, introduced the agenda item.

The staff report was presented by Andy Newkirk, Contract Planner.

Staff responded to questions from the Planning Commission.

Rosemarie Gaglione, Public Works Director, responded to questions.

MOTION: Commissioner Maynard/Commissioner Daniels to adopt Planning Commission Resolution 16-02, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Recommending to the City Council Approval of the General Plan/Coastal Land Use Plan 2015 Progress Report for Submittal to the Governor's Office of Planning and Research and California Department of Housing and Community Development."

VOTE: Motion approved by the following unanimous voice vote:
Ayes: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels, Commissioner Fuller, and Commissioner Maynard.
Noes: None.

C. DIRECTOR'S REPORT

Jennifer Carman, Director of Planning and Environmental Review, reported:

1. There will not be a special Planning Commission meeting on March 7, 2016.
2. There was good attendance at the Draft New Zoning Ordinance workshop held on Saturday, February 27, 2016. All Planning Department staff were in attendance and the workshop provided a good opportunity to connect with the community.

D. PLANNING COMMISSION COMMENTS

Chair Onnen reported that he attended the Draft New Zoning Ordinance workshop on February 27, 2016, and noted it was well-staffed with multiple stations to accommodate the participants from the community.

Commission Maynard acknowledged and thanked staff for the amount of work done over the past year as was evident in the General Plan Annual Report 2015.

E. ADJOURNMENT

Adjournment at 8:38 p.m.



Agenda Item B.1
PUBLIC WORKSHOP
Meeting Date: March 14, 2016

TO: Planning Commission Chair and Members

FROM: Jennifer Carman, Planning & Environmental Review Director
Anne Wells, Advance Planning Manager

SUBJECT: Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts

RECOMMENDATION:

It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts - Chapters 17.38: Oil and Gas, 17.39: Parking and Loading (except 19.39.070(A)(3) Recreational Vehicle Parking/Storage), 17.40: Performance Standards, 17.41: Signs, and 17.42 Standards for Specific Uses and Activities.

BACKGROUND:

The City initiated the Zoning Ordinance Project (Project) with the purpose of preparing new zoning regulations that are consistent with and reflective of the City's adopted General Plan. Public outreach on the development of new zoning regulations occurred from October 2013 through November 2014. Following public outreach, staff and consultant reviewed public and Planning Commission input and prepared a Draft Zoning Ordinance for public review. The Draft Ordinance was released in November, 2015 along with a User's Guide and a table comparing the existing with draft zoning standards. All materials for past and current public meetings, background materials, and the Draft Zoning Ordinance are available at www.GoletaZoning.com.

The Planning Commission initiated the workshop process on the City's first Draft Zoning Ordinance in early January. A list of past workshops, meeting minutes, and summaries detailing public and Commission comments is provided below:

Workshop Number	Date	Subject	Meeting Minutes and Comment Summary
Workshop 1	1-11-16	Part I: General Provisions	Minutes: Agenda Item A.1 (1-25) Summary: Agenda Item B.1 (1-25)
Workshop 2	1-25-16	Part II Base Zoning Districts and Part III Overlay Districts	Minutes: Agenda Item A.1 (2-8) and Agenda Item A.1 (2-22) Summary: Agenda Item B.1 (2-8)
Workshop 3	2-8-16	Part IVa Regulations Applying to Multiple Districts	Minutes: Agenda Item A.2 (2-22) and Agenda Item A.1 (3-14) Summary: Agenda Item B.1 (2-22)
Workshop 4	2-22-16	Part IVb Regulations Applying to Multiple Districts	Minutes: Agenda Item A.2 (3-14) Summary: Agenda Item B.1 (3-14)

Note: All staff reports, meeting minutes, and meeting summaries are posted on GoletaZoning.com.

A summary of requests for clarification or additional information from the February 22, 2016 workshop comments are provided below:

17.39.070(A)(3), Recreational Vehicle Parking/Storage: At the Commission's request, staff is researching alternative recreational vehicle parking/storage regulations. Examples of some of the standards that staff is researching include regulations that would support recreational vehicle parking/storage while ensuring that the vehicles are parked in approved driveways, are operable with current registration, are not used for living purposes, and do not hang onto public right-of-way. Alternative language will be presented to the Commission at the completion of the workshop process.

17.32.020, Applicability: Chapter 17.32, Floodplain Management applies to all areas of special flood hazards designated by the Federal Emergency Management Agency (FEMA). When FEMA updates these designations to reflect changed conditions or new information, the provisions of this chapter would apply to the updated designations. Areas identified as potentially subject to other hazards, including those related to sea level rise, are subject to the provisions of 17.33, Hazards.

17.33.030, Hazards Evaluation Report: In the Initial Site Assessment, resource maps, aerial photographs, site inspection, and the City's hazards maps must be reviewed. This includes information on coastal hazards related to sea level rise. References to specific reports are not included as the review must utilize best available information and specific reports may become outdated or be superseded by other information over time. The City of Goleta is not within the Alquist-Priolo earthquake hazard zone. The text of the Draft Zoning Ordinance will be updated accordingly. Golf courses located on a bluff top, near the shoreline, or potentially subject to geologic or other hazards must be designed and sited to minimize potential environmental hazards. The text of the Draft Zoning Ordinance will be updated to clarify that a hazards report is not required for golf course greens, traps, tee boxes, trails, signage, benches, and other

minor structures associated with passive recreational uses such as signs and benches.

17.33.040(E)(1), Geotechnical Report: The geotechnical report must consider, describe and analyze a number of factors as set forth in this section, including extending the surveying work beyond the project site as needed to depict unusual geomorphic conditions that might affect the site. There is not a set distance of how far the surveying work would need to extend. Rather, it is determined on a site-by-site basis. The report is required to be prepared by a licensed civil engineer with expertise in coastal engineering.

Tax assessment records are required to be reviewed as part of the geotechnical report as they may contain historic information regarding the change in property boundaries due to erosion or the historic location and existence of structures and other site improvements.

17.33.040(G)(2), Storm Drainage Devices: One example of a storm drainage device located over a bluff face but constructed so that drainage water will not spill over or onto the bluff face is a drainpipe that runs down the bluff face with the outlet located beyond the toe of the bluff. The drainage device carries the water over the bluff face rather than allowing the water to spill over or onto the bluff face.

Chapter 17.36, Lighting. BUG stands for “Backlight”, “Uplight”, and “Glare.” It is a rating system to evaluate luminaire optical performance related to light trespass, sky glow, and high angle brightness control. The rating system was developed to address light emitted in all directions from a luminaire, versus the shielding description of full cutoff, cutoff, semi-cutoff, and non cutoff which addresses light emitted up into the sky. BUG ratings are based on zonal lumen calculations from photometric testing procedures approved by the Illuminating Engineering Society for outdoor luminaires (LM-31 or LM-35). BUG typically cannot be used for residential luminaires unless they have been photometrically tested.

17.37.030(D), Expansion of Nonconforming Uses. Where this section states “may expand the floor area it occupies”, it is in reference to a nonconforming use within an existing structure. Therefore, where allowed, the nonconforming use could expand the floor area it occupies *within the existing structure*. There is no numerical limit stated as the floor area of the existing structure would vary.

17.37.040(A)(2), Information Required. The information requirements listed would only be waived by the Zoning Administrator when clearly not applicable to the specific request. The Zoning Administrator would distribute submitted materials to City and County Departments for a 30-day application completeness review. If additional information is needed, it would be requested prior to the application being accepted for processing.

17.37.050, Termination of Nonconforming Uses: The City Council would determine whether or not to terminate a nonconforming use.

17.37.060, Nonconforming Structure: There is no limit on additions to nonconforming structures provided the addition is consistent with all current rules and regulations.

In addition to the Planning Commission workshops, the Design Review Board (DRB) considered Chapters 17.35 Landscaping and 17.36 Lighting of the Draft Zoning Ordinance and provided feedback to staff at their meeting on January 26, 2016. On February 9, 2016, DRB reviewed design standards in Chapter 17.07 Residential Districts. On February 23, 2016, DRB reviewed standards in Non-Residential Districts in Part II. Meeting minutes for these DRB meetings were previously provided to the Planning Commission as attachments to staff reports.

On March 8, DRB reviewed Chapter 17.42 Parking and Loading. DRB encouraged flexibility for landscaping requirements and parking lot layout. DRB provided staff with replacement text for Chapter 17.41 Signs. While not specifically reviewed at the meeting, the replacement sign standards are the same standards DRB provided to staff in 2004. DRB Member Schneider previously submitted the same replacement text in a comment letter dated February 12, 2016. The DRB meeting minutes will include a more detailed summary of the meeting, including the contents of the replacement sign language. The meeting minutes will be provided to the Commission as part of the staff report for the next zoning workshop.

Open Houses were hosted by City staff on January 27 and February 27, 2016 at which times valuable feedback from the public were received. Comment summaries from the Open Houses are provided on the City's project website at GoletaZoning.com. A third open house will occur on April 7, 2016 from 6:00 pm-8:00 pm in Council Chambers.

DISCUSSION:

This Planning Commission public workshop is the fifth in a series of workshops to review the content of the Draft Zoning Ordinance. Staff will provide the public and Planning Commission with an overview of Part IV Regulations Applying in Multiple Districts (Attachment 1). This part of the Draft Zoning Ordinance contains general standards that apply to multiple zoning districts such as regulations for parking and loading, signs, lighting, landscaping, and wireless telecommunications facilities. This part also includes a chapter devoted to standards for specific land uses, such as emergency shelters, home occupations, personal storage facilities and temporary uses. Due to the length of Part IV, the following five chapters will be reviewed at the workshop:

- 17.38 Oil and Gas
- 17.39 Parking and Loading (except 17.39.070(A)(3) Recreational Vehicle Parking/Storage)
- 17.40 Performance Standards
- 17.41 Signs
- 17.42 Standards for Specific Uses and Activities

The materials listed above were posted on the project website (GoletaZoning.com) and emailed to the Zoning Ordinance email listserve on February 25, 2016 to ensure that the Commission and public had access to the material well in advance of the workshop.

NEXT STEPS:

A Special Planning Commission meeting will be held on March 21, 2016. A sixth workshop will occur at this meeting at which time staff will present a summary of the remainder of Part IV Regulations Applying to Multiple Districts and the next Part in the Draft Zoning Ordinance, Part V Administration and Permits, for Commission and public input. Refer to Attachment 2 for a workshop schedule, including the proposed content to be reviewed by workshop.

Approved By:

Prepared By:

Jennifer Carman
Planning Commission Secretary

Anne Wells
Advance Planning Manager

ATTACHMENTS:

1. Public Review Draft Zoning Ordinance: Part IV Regulations Applying to Multiple Districts – Chapters 17.38: Oil and Gas, 17.39: Parking and Loading (except 17.39.070(A)(3) Recreational Vehicle Parking/Storage), 17.40: Performance Standards, 17.41: Signs, and 17.42 Standards for Specific Uses and Activities
2. Draft Zoning Ordinance Workshop and Open House Schedule

Attachment 1

Public Review Draft Zoning Ordinance:

Part IV Regulations Applying to Multiple Districts – Chapters 17.38: Oil and Gas, 17.39: Parking and Loading (except 17.39.070(A)(3) Recreational Vehicle Parking/Storage), 17.40: Performance Standards, 17.41: Signs, and 17.42 Standards for Specific Uses and Activities

Note: Attachment 1 materials are available for download at GoletaZoning.com

Chapter 17.38 Oil and Gas Facilities

Sections:

17.38.010	Purpose
17.38.020	Applicability
17.38.030	Permit Requirements
17.26.040	Development Standards
17.38.050	Oil and Gas Pipelines
17.38.060	Abandonment and Removal Procedures for Oil and Gas Facilities
17.26.070	Deferral of Abandonment

17.38.010 Purpose

This Chapter outlines regulations for those onshore and offshore oil and gas facilities that are identified in the General Plan and Local Coastal Program; identifies the types of permits and approvals required for operation and abandonment/decommissioning of those facilities; provides regulations for the operation of oil and gas facilities; and describes the requirements for modifications or alterations of existing oil and gas facilities, consistent with the General Plan and Local Coastal Program and with the provisions described in Chapter 17.37, Nonconforming Uses and Structures.

17.38.020 Applicability

The regulations of this Chapter apply to oil and gas production from onshore and offshore facilities, including all equipment, structures, and appurtenances necessary for the exploration, development, production, processing, treatment, decommissioning, and shipment of oil and gas resources. These regulations must also be applied in accordance with the provisions of Chapter 25B of the Goleta Municipal Code regarding any change in owner, operator, or guarantor for certain oil and gas facilities.

17.38.030 Permit Requirements

Planning Commission approval of a Conditional Use Permit is required to establish any oil and gas facility use within the City of Goleta. For modification to and/or expansion of an existing facility, a Limited Exception Determination by the Planning Commission is required pursuant to Chapter 17.37, Nonconforming Uses and Structures.

- A. **Required Findings.** In addition to any findings required under Chapter 17.55, Use Permits, and satisfaction of the development standards described in § 17.38.040, a Conditional Use Permit for oil and gas facilities will only be approved or conditionally approved if the Planning Commission makes the following findings:

1. Consolidation or collocation within or adjacent to an existing processing facility to accommodate the proposed production is not feasible or is more environmentally damaging;
2. There are no feasible alternative locations or less environmentally damaging alternative locations for the proposed oil and gas facility, as determined through environmental review under the California Environmental Quality Act; and
3. The owner or operator of the proposed facility has mitigated any significant adverse effects on any adjacent parcels and the scenic resources of the surrounding area to the maximum extent feasible.

If a Limited Exception Determination is being requested under the provisions of § 17.37.040, the findings listed in § 17.37.040.D govern.

17.38.040 Development Standards

The following development standards apply to all of the oil and gas facilities described in § 17.38.020.

- A. **Height Limit.** Structures must not exceed a height of 45 feet, except as modified by a condition of the Conditional Use Permit, in accordance with Chapter 17.55. In such case, the increase to the specified height limit must be based on a Commission determination that the increased height is essential to operations, would not significantly impact scenic resources, and that no reasonable alternative configuration is feasible.
- B. **Setbacks.** New facilities must meet the setback standards of the zones where they are sited and, in addition, cannot be within 500 feet of either the mean high tide line, or an occupied residential use.
- C. **Authority to Construct.** The applicant must receive "authority to construct" from the Air Pollution Control District and obtain a Coastal Development Permit, if in the Coastal Zone.
- D. **Oil Storage Capacity.** Oil storage capacity must be limited to the amount necessary to conduct operations, and no long-term storage is allowed without explicit approval in the Conditional Use Permit.
- E. **Noise and Vibration.** Machinery used in production and/or processing must be designed and housed to ensure that noise and vibration will be reduced the maximum extent feasible. Drilling or production operations which are within or adjacent to an R or C District must not exceed a maximum daytime exterior noise level of 65 dB(A) CNEL at the project property boundary and must not be conducted between the hours of 9:00 p.m. and 7:00 a.m. of any day, unless all noise-generating facilities are sufficiently insulated to reduce the exterior night-time level to 50 dB(A) CNEL at any portion of the project property boundary.

- F. **Odors, Fumes, Gases, Liquids, and Smoke.** Any offensive odors, fumes, noxious gases, liquids, or smoke (i.e., visible combustion products, not including steam) generated at the facility, other than from motor vehicles, that are detectable outside the facility boundary are prohibited.
- G. **Exterior Color.** Permanent structures and equipment must be painted a neutral color to blend with natural surroundings.
- H. **Delivery Hours.** Except in an emergency, materials, equipment, tools, or pipe used for drilling, plant operations, or transport, must not be delivered to or removed from an oil and gas facility within or through streets within an R District between the hours of 7:00 p.m. and 7:00 a.m.
- I. **Grading and Drainage.** Grading and alteration of natural drainages, watersheds, and hillsides must be minimized to the maximum extent feasible. Where grading and alteration of natural drainages, watersheds, or hillsides is required to carry out a project, adequate mitigation must be required, including use of landform grading techniques, temporary vegetation, seeding, mulching, or other suitable stabilization to minimize impacts to affected areas. All cut-and-fill slopes must utilize landform grading techniques and be stabilized immediately with planting of native grasses and shrubs or appropriate non-native plants. Significant impacts to surface water due to short-term sedimentation of streams must be mitigated to the maximum extent feasible through adequate erosion and sediment controls, including containment of loose soil.
- J. **Site Restoration.** A site-specific restoration, erosion control, and revegetation plan must be prepared for areas impacted by construction.
- K. **Adequate Water Source.** Proposed development must have adequate public and private services and resources, including a reliable long-term source of water. The applicant must provide an “unconditional” will-serve letter or contract for service from the Goleta Water District or other appropriate source of water deemed acceptable by the City.
- L. **Safe Conduct of Activities.** All activities must be conducted in such a manner so as not to be injurious to the health, safety, or welfare of persons who may be present in the vicinity of the facility.
- M. **Contingency Plans.** An Emergency Response Plan, Fire Protection Plan, Hazardous Materials and Waste Management Plan, Oil Spill Contingency Plan, and Hydrogen Sulfide Incident Plan must be prepared for the facility. Additional contingency plans (e.g., Flood Control Plan) may be required on a project-by-project basis.
- N. **Spills.** Effective containment and clean-up must be provided for all accidental spills that occur.
- O. **Performance Security.** To ensure that abandonment is carried out, a performance security must be posted by the owner/operator before issuance of any permits in an

amount of 125 percent of the estimated cost of obtaining the required permits, implementing abandonment and decommissioning procedures, and restoring the site. The financial surety will be returned to the owner/operator upon successful abandonment and restoration of the site.

17.38.050 Oil and Gas Pipelines

This Section describes oil and gas operation pipelines that are subject to regulation and provides standards for their location and operation.

- A. **Applicability.** The regulations in this Section apply to:
1. Pipelines that extend outside an oil and gas facility (i.e., transmission and distribution lines).
 2. Pipelines transporting oil and gas or related content from or to an offshore area.
 3. Facilities related to the pipeline, including simple, in-line pump stations and oil storage.
- B. **Development Standards.** In addition to the applicable standards outlined in § 17.38.040, the following development standards apply to oil and gas pipelines:
1. **Location of Pipeline Corridor.** No new oil and gas pipelines and storage facilities, except for transmission and distribution facilities of a Public Utilities Commission (PUC)-regulated utility, will be approved within the City, unless there is no feasible or less environmentally damaging alternative location for a proposed pipeline. Alterations or replacement of existing pipelines or segments of pipelines will be limited to the minimum necessary to ensure safety or prevent environmental damage. Applicants must consult with the federal Office of Pipeline Safety or the California Public Utilities Commission as appropriate.
 2. **Required Setback.** A minimum setback of 25 feet measured from each side of the gas gathering and transmission pipelines is required. Exceptions to this requirement include:
 - a. Corridor-type locations, such as pipelines within roads and highways, other pipelines, bicycle and pedestrian paths, utilities, and appurtenances of corridors located into public rights-of-way;
 - b. Pipeline endpoints and interconnecting pipelines;
 - c. Replacement of a public utility pipeline with a functionally equivalent pipeline;

- d. Instances where this requirement is pre-empted by State or federal law; and
 - e. Instances where the City finds the 25-foot setback poses an undue hardship to proposed development, provided that any reduced setback is not less than 15 feet, measured from each side of the pipeline.
3. **Survey Required.** Except for pipelines exempted from a Coastal Development Permit under Public Resources Code § 30610(c) and (e) of the California Coastal Act as defined by the State Coastal Commission's Interpretive Guidelines, a survey must be conducted along the route of any pipeline to determine what, if any, coastal resources may be impacted by the construction and operation of a pipeline. The applicant must pay the costs of this survey. The survey may be conducted as part of environmental review as required under the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.) for a particular project.
 4. **Pipeline Marking and Warning.** New pipelines or relocation of existing pipelines must include measures to clearly warn outside parties about the presence of the pipeline, including proper marking of the right-of-way with signage and use of brightly colored warning tape approximately one foot above buried pipelines, where feasible.
 5. **Revegetation and Habitat Restoration.**
 - a. *Submittal of Revegetation and/or Habitat Restoration Plan.* The applicant must submit a revegetation plan with all applications to modify, abandon, or change the production level or pipeline location. The plan must also include provisions for restoration of habitats that will be disturbed by construction or operation procedures and a monitoring plan to assess progress in returning the site to pre-construction conditions. The Planning Commission must review and approve all revegetation and/or habitat restoration plans prior to commencement of construction.
 - b. *Performance Security.* For projects in which a revegetation plan and/or habitat restoration plan has been prepared, a performance security must be provided in an amount sufficient to ensure completion of all requirements of the approved revegetation and/or restoration program, and will be released upon satisfactory completion and success of the plantings.
 - c. *Annual Surveys to Assess Effectiveness.* For projects for which a revegetation plan and/or habitat restoration plan has been prepared, the affected pipeline segment must be resurveyed 12 months after completion of construction to assess the effectiveness of the revegetation and restoration program. Subsequent surveys must be

completed and submitted to the Zoning Administrator on an annual basis to demonstrate progress in returning the site to pre-construction conditions, until such time that the Zoning Administrator determines that additional monitoring is no longer necessary.

6. **Safety Measures Required.** Oil and gas operation pipelines that cross fault lines and areas that are susceptible to erosion, sliding, earthquakes, or other geologic events will be subject to additional safety standards, including emergency shut-off or other measures deemed necessary by the City.
7. **Spills.** Where pipeline segments carrying hydrocarbon liquids pass through important coastal resource areas (e.g., recreation, habitat, archaeological, or other areas of significant coastal resource value), automatic shut-off valves and/or other measures deemed necessary by the City must be utilized to minimize the amount of spilled liquids in the sensitive area. The potential for damage in those areas must be minimized by considering spill volumes, duration, and trajectories in the selection of a pipeline corridor. In addition, appropriate measures for spill containment and clean-up (e.g., catch basins to contain a spill) must be included as part of the required emergency response plan.
8. **Equipment/Activities/Use Confined to Right-of-Way.** Equipment and activities must be restricted to the pipeline right-of-way to the maximum extent feasible. Following installation of a pipeline, use of the right-of-way will be restricted to the pipeline easement.
9. **Burial Within Corridor.** Permits for new pipeline construction must require engineering of pipe placement and burial within a corridor to minimize incremental widening of the corridor during subsequent pipeline projects, unless the proposed route is determined to be unacceptable for additional pipelines.
10. **Repair and Replacement of Existing Pipelines.** The repair, replacement, or modification of existing underground oil or gas pipelines will not require a permit, provided that each of the following criteria is met:
 - a. The repair, replacement, or modification activities will not take place in, or require access through, an environmentally sensitive habitat area or other sensitive area identified by the City.
 - b. The repair, replacement, or modification will not result in a substantial increase in volume of oil or gas transported through the pipeline.
 - c. The pipeline, after repair, replacement, or modification will comply with all applicable safety and engineering standards established by State and federal law.

- d. The repair, replacement, or modification will not significantly expand or alter the right-of-way occupied by the existing pipeline.
 - e. The ground surface above the pipeline will be restored to its prior condition (or better) immediately upon completion of work. Where the ground surface was previously vegetated, the pipeline operator will revegetate the surface within three months of the completion of repair and/or replacement.
- C. **Required Findings.** In addition to any findings required under Chapter 17.55, Use Permits, new pipeline construction outside of industrial facilities will not be approved unless the applicable review authority also makes all of the following findings:
- 1. Use of available or planned common-carrier and multiple-user pipelines is not feasible.
 - 2. Pipelines will be constructed, operated, and maintained as common-carrier or multiple-user pipelines, unless the applicable review authority determines it is not feasible, taking into account the reasonably foreseeable needs of other potential shippers.
 - 3. New pipelines are routed in approved corridors that have undergone comprehensive environmental review, unless the applicable review authority determines that these corridors are not available, not safe, not technically feasible, or not the environmentally preferred route for the proposed new pipeline.
 - 4. When a new pipeline route is proposed, it is environmentally preferable to feasible alternative routes.
 - 5. When a new pipeline is proposed, the project's environmental review has analyzed the cumulative impacts that are anticipated to result from locating additional pipelines in that corridor in the future.
 - 6. Concurrent or "shadow" construction has been coordinated with other pipeline projects that are expected to be located in the same corridor where practical.

17.38.060 Abandonment and Removal Procedures for Oil and Gas Facilities

This Section establishes procedures to achieve the timely abandonment and proper removal of applicable oil and gas facilities, reclamation, and final disposition of pipelines in compliance with applicable laws and permits, pursuant to the General Plan/Coastal Land Use Plan. As used in this Section, "abandonment" means the discontinuance of an existing oil and gas facility beyond a stated period of time (12 months) with no evidence of a clear intent on the part of the owner to restart operations of the facility.

- A. **Applicability.** This Section applies to all oil and gas facilities that handle, or at one time handled, natural gas, natural gas liquids, oil, produced water, or waste water that originated from an onshore or offshore reservoir, and any oil and gas pipelines, regardless of whether these uses were permitted in compliance with this Title or any preceding zoning regulations.
- B. **Requirement to File an Application.**
1. **Intentional Abandonment.** The owner or operator of an oil and gas facility must apply for a Demolition and Reclamation Permit upon intentional cessation or abandonment of the facility.
 2. **Other Events that Trigger Submittal of Application.** The owner or operator of an oil and gas facility must apply for a Demolition and Reclamation Permit application, or a request to defer abandonment pursuant to Section 17.38.070, Deferral of Abandonment, upon the occurrence of either of the following:
 - a. **City Permit Requirement.** Any event designated in an existing City permit that would require consideration of abandonment; or
 - b. **Idle Land Use or Business Function.** The facility has not been operated or has become idle for at least 12 months.
 3. **Time Period.** A Demolition and Reclamation Permit application, or a request to defer abandonment pursuant to Section 17.38.070, Deferral of Abandonment, where an applicant seeks to defer abandonment, must be filed within a timely fashion, at least 90 days prior to the date of the proposed intentional abandonment; and no later than 180 days after an event specified in Paragraph (B)(2), Other Events that Trigger Submittal of Application, has occurred.
- C. **Abandonment Plan.** An Abandonment Plan must be submitted to the Planning Commission for review and approval, in conjunction with the application for Demolition and Reclamation, and as part of any request for expansion of production levels for oil and gas.
1. **Contents of Abandonment Plan.** The Abandonment Plan must provide a detailed description of all decommissioning work and site restoration activities, including remediation of soil and groundwater contamination if required by the City or County Fire Department, and the proposed disposition of all materials.

Removal of all facilities and debris is required, unless the Commission finds that their removal would be detrimental to the health, safety, or general welfare of the public or the environment.
 2. **Escrow Deposit/Surety.** As described in § 17.38.040.O, a performance security in an amount of 125 percent of the estimated cost of obtaining the required

permits, implementing abandonment and decommissioning procedures, and restoring the site, must be posted by the owner/operator before issuance of any permits. The financial surety will be returned to the applicant upon successful abandonment and restoration of the site.

D. **Content of Application for a Demolition and Reclamation Permit.** An application for a Demolition and Reclamation Permit must be in a form and content as required by the Zoning Administrator and contain the following:

1. Name, address, and facility owner/operator contact information.
2. Name, address, and general description of the current land use.
3. Gross and net acreage and boundaries of the subject property.
4. Location of all structures (above- and below-ground) proposed to be removed.
5. Location of all structures (above- and below-ground) proposed to be left in place.
6. Location of all utilities on the subject property.
7. Location of all property interests (e.g., easements) held on or adjacent to the subject property that may be affected by demolition or reclamation activities.
8. The type and extent of all known and/or anticipated contamination and proposed remedial actions that will be needed.
9. Location of flood, geologic, seismic, and other hazardous areas.
10. Location of archaeological sites, habitat resources, prime scenic areas, jurisdictional waterbodies, and sensitive vegetation types.
11. Location and use of all structures within 50 feet of the boundaries of the subject property.
12. A proposed decommissioning plan detailing the activities required to remove structures, including the estimated number of workers required on site to decommission the facilities and structures; disposition of the equipment and structures proposed for decommissioning; proposed method for transporting equipment, structures, and estimated quantities of debris from the site, and the disposal location; the number of haul trips required; and a proposed schedule for the decommissioning activities.
13. A waste-management plan to maximize recycling and minimize waste material.
14. Evidence of all permits required by other overseeing agencies for any activities associated with decommissioning or reclamation of the site.

15. A proposed grading and drainage plan.
 16. A proposed plan to convert the site to natural conditions or to another proposed land use, including a detailed restoration schedule.
 17. A statement of intent regarding the disposition of utilities associated with operation of the facility (e.g., fire protection, power, sewage disposal, transportation, water).
 18. Measures that will be implemented to prevent or minimize nuisance effects (e.g., dust, fumes, glare, smoke, traffic congestion, noise/vibration) and to prevent danger to life and property.
 19. Any other information deemed necessary by the Zoning Administrator.
- E. **Processing of Demolition and Reclamation Permit.** The Demolition and Reclamation Permit shall be accepted and processed concurrently, in the same manner as a Conditional Use Permit, pursuant to Chapter 17.53, Common Procedures, and Chapter 17.55, Use Permits.
- F. **Findings Required for Demolition and Reclamation Permit.** Approval of a Demolition and Reclamation Permit requires that all of the following findings are made:
1. **Mitigation of Adverse Impacts.** Significant adverse impacts to the environment resulting from demolition and reclamation of the site will be mitigated to a less-than-significant level, unless it is shown that impacts cannot feasibly be mitigated, in which case they will be mitigated to the maximum extent feasible.
 2. **Streets and Highways.** Streets and highway capacity is adequate and they are properly designed to carry the type and quantity of traffic generated by the demolition and reclamation activities.
 3. **Conformance with Requirements of Other Entities.** Conditions for assessment or remediation of soil or water contamination at the subject site fully conform to the permitting processes and requirements of the Regional Water Quality Control Board and County Fire Department.
 4. **Protection of Health, Safety, and Welfare.** The proposed reclamation activities will not be detrimental to the comfort, convenience, health, safety, and general welfare of the neighborhood, or be incompatible with the surrounding area.
 5. **Restoration to Natural Conditions.** The subject site will be restored to natural conditions unless areas within the site are subject to approved development, in which case restoration and landscaping of these areas will conform to the newly permitted development. In cases where development is proposed but not yet permitted, restoration of affected areas to natural conditions may be waived,

provided an application for development has been accepted as complete within two years of issuance of the Demolition and Reclamation Permit, and the permittee has posted financial assurances acceptable to the Planning Commission to ensure restoration to natural conditions if the proposed development is not permitted and/or constructed.

For purposes of this finding, the Commission may allow abandonment in place of specific improvements (e.g., emergency access roads or retaining walls) if the Commission finds that their removal would be detrimental to the health, safety, or general welfare of the public or the environment (e.g., undesired destabilization of slopes due to removal of a retaining wall or eliminating a needed public evacuation route).

6. **Public Access or Use.** The proposed reclamation will leave the subject site in a condition that is compatible with any existing easements or dedications for public access through or public use of a portion of the property.
 7. **Completion of Post-Closure Activities.** The permit conditions contain specific enforceable requirements to ensure the timely closure of the site and completion of post-closure activities.
- G. **Conditions Required for Decommissioning and Reclamation.**
1. **Time Period for Decommissioning.** The owner/operator must commence the decommissioning activities within two years of the cessation of operations and must complete removal of all oil and gas facilities within two years following the start of the decommissioning project.
 2. **Protection of Sensitive Habitat.** The owner/operator must implement interim measures to protect any sensitive habitat areas located within the boundaries of project site, as well as those that may be affected on adjacent properties by noise, air emissions, or other effects resulting from demolition and reclamation activities.
 3. **Monitoring to Ensure Compliance.** The demolition and reclamation activities will be monitored by a qualified individual, funded by the facility owner or operator and retained by the City, to ensure compliance with those conditions designed to mitigate anticipated significant adverse effects on the environment and to provide recommendations in instances where effects were not anticipated or mitigated by the conditions imposed on the Demolition and Reclamation Permit. Pre- and post-reclamation surveys of sensitive resources will be employed as appropriate to measure compliance.
 4. **Subsurface Pipeline Segments.** When subsurface pipeline segments are decommissioned, they must be removed along with all debris, except under the following circumstances:

- a. The pipeline is within a City right-of-way or traverses an environmentally sensitive habitat, provided that the segment has been cleaned properly and treated prior to the abandonment in place.
 - b. Areas of ground disturbance must be restored to pre-project conditions, including revegetation of the affected area.
 - c. Where segments of pipelines that traverse environmentally sensitive habitats, including without limitation, wetlands, streams, or coastal dunes and beaches, are decommissioned and/or removed, all affected habitat areas must be restored consistent with the character of the habitat.
 - d. The existing owner/operator of a pipeline to be decommissioned is responsible for all costs related to the decommissioning. When a responsible owner/operator of an inactive or abandoned pipeline cannot be found, any successor in interest is the responsible party, including the owner of the real property on which the pipeline is situated.
 - e. The owner/operator or other responsible party must record appropriate notification with the County Recorder to update, supersede, or release the recorded rights-of-way where a subsurface pipeline is abandoned in place. This notice must describe the presence and location of the abandoned pipeline, any material placed in the pipeline for abandonment, and the operator and owner of the pipeline before abandonment.
5. ***Previously Unidentified Contamination.*** The site must be assessed for previously unidentified contamination. The owner or operator must diligently seek all necessary permit approvals, including revisions to the Demolition and Reclamation Permit if required, in order to remediate the contamination.
 6. ***Other Conditions or Requirements.*** The Commission, in consultation with City Departments, may impose any other appropriate, necessary, and reasonable conditions or require any changes to the project as deemed necessary to protect the health, safety, and general welfare of the public, protect property, preserve the character, natural resources, or scenic quality of the area, or implement the purpose of this Section or any other provisions of the Goleta Municipal Code.
 7. ***Completion of Permit Requirements.*** The owner or operator must complete all requirements of the Demolition and Reclamation Permit before the expiration of the permit, including any extensions of the permit. Failure to do so will constitute a violation of this Section.
 8. ***Term.*** Demolition and Reclamation Permits must expire upon issuance of a "Reclamation Complete" letter by the Zoning Administrator, which will be issued

upon the satisfactory completion of the required work. The Zoning Administrator's "Reclamation Complete" letter must certify completion of all required work except for remediation of contamination, which is certified by other agencies.

17.38.070 Deferral of Abandonment

- A. **Content of Application to Defer Abandonment.** An application to defer abandonment must be in a form and content as required by the Zoning Administrator and must contain the following:
1. Name, address, and facility owner/operator contact information.
 2. Name, address, and general description of the current land use.
 3. Date when the current land use first became idle.
 4. Reason for idle status.
 5. Status of upstream (connected) production facilities, where applicable.
 6. Listing of any facility equipment that has been identified on a plan and its current condition (i.e., removed from the site, on site but not in operational condition), explanation of effect of missing or inoperable equipment on the full operation of the facility, and measures necessary to return inoperable equipment back to operational condition.
 7. Plans and schedule to restart operations and identification of any components that would remain inactive following facility restart.
 8. Identification of any reasonable circumstances that could delay restart of operations in accordance with the described plan and schedule.
 9. Any other information deemed necessary by the Zoning Administrator.
- B. **Processing of Application to Defer Abandonment.** An application to defer abandonment shall be accepted and processed concurrently, in the same manner as a Conditional Use Permit, pursuant to Chapter 17.53, Common Procedures, and Chapter 17.55, Use Permits.
- C. **Decision on Application to Defer Abandonment.**
1. ***Basis for Denial.*** The Planning Commission must grant the application for deferral of abandonment unless the evidence shows that an idle facility has no reasonable possibility of being restarted or the owner has no intent of restarting operations at the facility within a reasonable period of time.

2. ***Effect of a Federal Energy Regulatory Commission (FERC) Action.*** Notwithstanding subparagraph (1), above, the Planning Commission must approve the application for deferral of abandonment for any pipeline subject to the jurisdiction of the FERC if FERC has determined that abandonment is not appropriate.
3. ***Factors to Consider.*** The Commission must consider all relevant evidence in determining if an oil and gas facility has been abandoned, including whether any of the following has occurred:
 - a. The oil and gas leases that have supplied the facility with product have terminated.
 - b. The oil and gas operations that have supplied the facility with product have been abandoned.
 - c. There are no other existing offshore leases that may reasonably be expected to use the facility or site in the next three years. The City may consider leases within the next five years if a finding of substantial evidence of investment-backed expectations and community benefits is made to justify the extension.
 - d. Major and essential components of the facility have been removed from the site or have fallen into disrepair so that they are no longer functional.
 - e. Permits or other entitlements for the facility (e.g., permits from the Air Pollution Control District) have been surrendered, expired, revoked, or otherwise rendered invalid and no intent has been demonstrated to renew or reacquire the permits.
 - f. The Fire District has issued an order requiring abandonment.
 - g. Any other evidence that shows clear intent to abandon.
 - h. The owner or operator of the facility no longer has a vested right to continue operation.
4. ***Deferral Approval.*** The Planning Commission may approve a one-time-only abandonment deferral for a period of 180 days or other period of time established in the deferral approval.

Chapter 17.39 Parking and Loading

Sections:

17.39.010	Purpose
17.39.020	Applicability
17.39.030	General Provisions
17.39.050	Required Parking Spaces
17.39.060	Parking Reductions
17.39.070	Parking In-Lieu Fee
17.39.080	Location of Required Parking
17.39.090	Bicycle Parking
17.39.100	On-Site Loading
17.39.110	Parking Area Design and Development Standards

17.39.010 Purpose

The purpose of Chapter is to:

- A. Ensure that adequate off-street vehicle and bicycle parking and loading facilities are provided for new land uses and major alterations to existing uses;
- B. Minimize the negative environmental impacts that can result from parking lots, driveways, and drive aisles within parking lots;
- C. Establish standards and regulations for parking, loading, and vehicle circulation areas that minimize conflicts between pedestrian and vehicles and, where appropriate, create buffers from surrounding land uses;
- D. Offer flexible means of minimizing the amount of area devoted to parking by allowing reductions in the number of required spaces in transit-served locations and for shared parking facilities; and
- E. Reduce urban run-off and heat island effects from paving in parking lots.

17.39.020 Applicability

- A. **New Buildings and Land Uses.** On-site parking must be provided at the time any main building or structure is erected or any new land use is established.
- B. **Reconstruction, Expansion, and Change in Use of Existing Non-Residential Buildings.** When a change in use, expansion of a use, or expansion of floor area creates an increase of 10 percent or more in the number of required on-site parking or loading spaces, additional on-site parking and loading must be provided for such addition, enlargement, or change in use and not for the entire building or site. The existing parking must be

maintained. If the number of existing parking spaces is greater than the requirements for such use, the number of spaces in excess of the prescribed minimum may be counted toward meeting the parking requirements for the addition, enlargement, or change in use. A change in occupancy is not considered a change in use, unless the new occupant is in a different use classification than the former occupant. Additional parking spaces are not required for the reconstruction of an existing building when there is no increase in floor area.

- C. **Alterations that Increase the Number of Dwelling Units.** The creation of additional dwelling units through the alteration of an existing building or construction of an additional structure or structures requires on-site parking to serve the new dwelling units. This requirement does not apply when sufficient on-site parking exists to provide the number of spaces required for the existing and new dwelling units.
- D. **When Constructed.** Construction of required parking facilities must be completed and the spaces available for use before a Certificate of Occupancy can be issued.
- E. **Damage or Destruction.** When a use that has been involuntarily damaged or destroyed is re-established, off-street parking or loading facilities must also be re-established or continued in operation in an amount equal to the number maintained at the time of such damage or destruction.

17.39.030 General Provisions

- A. **Existing Parking and Loading to be Maintained.** No existing parking and/or loading serving any use may be reduced in amount or changed in design, location, or maintenance below the requirements for such use, unless equivalent substitute facilities are provided. No property owner can sublease, subrent, or otherwise encumber the off-street parking spaces required by this Chapter. Existing off-street parking spaces that are not required can be used for other uses that are allowed in the zoning district consistent with this Title. Required off-street parking must not be used for storage or other non-parking related uses.
- B. **Nonconforming Parking or Loading.** An existing use of land or structure will not be deemed to be nonconforming solely because of lack of on-site parking or loading facilities required by this Chapter, provided that facilities used for on-site parking and/or loading are not reduced further in number.
- C. **Accessibility.** Required parking must be accessible during all business hours.
- D. **Stacked Parking.** Stacked or valet parking is allowed if an attendant is present or an automated system is in place to move vehicles. If stacked parking managed by an attendant is used for required parking spaces, an acceptable form of guarantee must be filed with the Zoning Administrator ensuring that an attendant will always be present when the lot is in operation.

- E. **Unbundling Parking from Residential Uses.** A Conditional Use Permit is required and the following rules apply to the sale or rental of parking spaces accessory to new multiple-unit residential uses of 10 units or more:
1. All off-street spaces may be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units, such that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.
 2. In cases where there are fewer parking spaces than dwelling units, the parking spaces must be offered first to the potential owners or renters of three-bedroom or more units, second to owners or renters of two-bedroom units, and then to owners and renters of other units. Spaces must be offered to tenants first. Non-tenants may lease with a provision for 30 days to terminate the lease.
 3. Renters or buyers of on-site inclusionary affordable units must have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwelling units.
- F. **Residential Garage Conversion.** The conversion of single-unit residential garages into additional living space for the primary unit or as a second dwelling unit is allowed only if:
1. The residence was constructed before 1960;
 2. Equivalent number of covered off-street parking spaces will be provided on site; and
 3. The interior garage dimensions are no more than 10 feet wide by 30 feet deep.

17.39.040 Required Parking Spaces

- A. **Minimum Number of Spaces Required.** Each land use must be provided at least the number of on-site parking spaces stated in paragraphs (1) and (2) below.
1. **Mixed-Use Development.** The required numbers of on-site parking spaces are stated in Table 17.39.040(A)(1), Required On-Site Parking Spaces, Mixed-Use Development. The parking requirement for any use not listed in Table 17.39.040(A)(1) must be the same as required for the land use in other zoning districts as stated in Table 17.39.040(A)(2), Required On-Site Parking Spaces, Single-Use Development.

TABLE 17.39.040(A)(1): REQUIRED ON-SITE PARKING SPACES, MIXED-USE DEVELOPMENT		
<i>Land Use</i>	<i>Required Parking Spaces</i>	
Residential		
Studio and one-bedroom units	1 space per unit	One covered space must be provided for each unit. One additional guest parking space must be provided for every 5 units
Two or more bedrooms	2 spaces per unit, which may be reduced to 1.5 with a Conditional Use Permit	
Non-Residential		
Offices	1 space per 450 square feet	
Retail Sales	1 space per 400 square feet	
Restaurant	1 space per 250 square feet	

2. **Single-Use Development.** Each land use in all zoning districts must be provided at least the number of on-site parking spaces stated in Table 17.39.040(A)(2), Required On-Site Parking Spaces, Single-Use Development.

TABLE 17.39.040(A)(2): REQUIRED ON-SITE PARKING SPACES, SINGLE-USE DEVELOPMENT		
<i>Land Use Classification</i>	<i>Required Parking Spaces and Additional Regulations</i>	
Residential Uses		
Single-Unit Dwelling	2 spaces per dwelling unit, plus 1 space if the unit contains 3,000 sq. ft. or more of floor area, excluding the garage Must be within a garage.	
Second Dwelling Unit	1 space per bedroom, 1 space if studio unit	
Multiple-unit Dwelling		
<i>Studio</i>	1 space per unit	One covered space must be designated for each unit. One additional guest parking space must be provided for every 5 units. Up to 25-percent reduction allowed for senior housing
<i>One-bedroom</i>	1.5 spaces per unit	
<i>Two or more bedrooms</i>	2 spaces per unit	
Family Day Care		
<i>Small</i>	None in addition to what is required for the residential use.	
<i>Large</i>	1 space per employee, plus an area for loading and unloading children, on or off site. (Required spaces and the residential driveway for the primary residential use may be counted toward meeting these requirements).	
Group Residential	1 space per unit, plus 1 for every 10 units	
Mobile Home Parks	2 spaces per site, 1 space for every 3 sites for guest parking	

TABLE 17.39.040(A)(2): REQUIRED ON-SITE PARKING SPACES, SINGLE-USE DEVELOPMENT	
<i>Land Use Classification</i>	<i>Required Parking Spaces and Additional Regulations</i>
Residential Care	
<i>Small</i>	None in addition to what is required for the residential use
<i>Large</i>	1 space for every 4 guest rooms, plus 3 spaces for every 4 employees
Residential Facility, Assisted Living	1 space per guest room, plus 1 space per 2 employees
Single Room Occupancy (SRO) Housing	1 space per two units
Public and Semi-Public Uses	
Cemetery	As determined by the Zoning Administrator
Colleges and Trade Schools, Public or Private	1 space per 3 members of the school population (including students, faculty, and staff) based on maximum enrollment.
Community Assembly	1 space for each 4 permanent seats in main assembly area, or 1 space for every 100 sq. ft. of assembly area where temporary or moveable seats are provided.
Community Garden	As determined by the Zoning Administrator
Cultural Institutions and Facilities	Performing Arts Centers: 1 space for each 4 permanent seats in main assembly area, or 1 for every 30 sq. ft. of assembly area where temporary or moveable seats are provided. Galleries, Libraries and Museums: 1 space for every 1,000 sq. ft. of floor area. Other establishments: as determined by the Zoning Administrator
Day Care Facility	1 space per 350 sq. ft. of floor area
Emergency Shelter	See § 17.42.120, Emergency Shelters
Government Buildings	1 space per 300 sq. ft. of floor area.
Hospitals and Clinics	
<i>Hospital</i>	1 space per two beds plus one space per three employees
<i>Clinic</i>	1 space per 200 sq. ft. of floor area
<i>Skilled Nursing Facility</i>	1 space per unit
Park and Recreation Facilities	As determined by the Zoning Administrator
Parking, Public or Private	1 space per attendant station (in addition to the spaces that are available on the site).
Public Safety Facilities	As determined by the Zoning Administrator
Schools, Public or Private	Elementary and Middle Schools: 1.5 spaces per classroom, plus 1 space per 250 sq. ft. of office area. High Schools: 6 spaces per classroom.
Social Service Facilities	1 space per 200 sq. ft. of floor area.
Sustainable Living Research Site	As determined by the Zoning Administrator

TABLE 17.39.040(A)(2): REQUIRED ON-SITE PARKING SPACES, SINGLE-USE DEVELOPMENT	
<i>Land Use Classification</i>	<i>Required Parking Spaces and Additional Regulations</i>
Commercial Use Classifications	
Adult Oriented Business	1 space per 500 sq. ft. of floor area
Animal Care, Sales and Services	
<i>Animal Sales and Grooming</i>	1 space per 300 sq. ft. of floor area.
<i>Boarding, Kennel</i>	1 space per employee, plus an area for loading and unloading animals on site.
<i>Veterinary Services</i>	1 space per 250 sq. ft. of floor area.
Automobile/Vehicle Sales and Services	
<i>Auction</i>	1 space per 350 sq. ft. of floor area
<i>Automobile Rentals</i>	1 space per 500 sq. ft. of office area, in addition to spaces for all vehicles for rent.
<i>Automobile/Vehicle Sales and Leasing</i>	1 space per 3,000 sq. ft. of lot area. Any accessory auto repair: 2 spaces per service bay.
<i>Automobile/Vehicle Repair, Major</i>	4 spaces per service bay. 1 per 250 sq. ft. of any retail or office on site.
<i>Automobile/Vehicle Repair, Minor</i>	4 spaces per service bay. 1 per 250 sq. ft. of any retail or office on site.
<i>Service and Gas Station</i>	4 spaces per service bay, if service bays are included on site. 1 per 250 sq. ft. of any retail or office on site.
<i>Automobile/Vehicle Washing</i>	1 space per 250 sq. ft. of any indoor sales, office, or lounge areas.
Banks and Financial Institutions	1 space per 300 sq. ft. of floor area.
Building Materials, Sales and Service	1 space per 1,000 sq. ft. of floor area plus 1 per 2,000 sq. ft. of outdoor display area.
Business Services	1 space per 300 sq. ft. of floor area.
Catering Services	1 space per 300 sq. ft. of floor area.
Commercial Entertainment and Recreation	1 space per 200 sq. ft. of assembly area, or as determined by the Zoning Administrator
Eating and Drinking Establishments	
<i>Bars/Night Clubs/Lounges</i>	1 space per 150 sq. ft. of customer seating area
<i>Restaurant, Full Service</i>	1 space per 75 sq. ft. of customer seating area;
<i>Restaurant, Limited Service</i>	1 space per 300 sq. ft. of space devoted to patrons, plus 1 space per 2 employees
<i>Restaurant, Takeout Only</i>	2 spaces per establishment
Food and Beverage Sales	1 space per 500 sq. ft.

TABLE 17.39.040(A)(2): REQUIRED ON-SITE PARKING SPACES, SINGLE-USE DEVELOPMENT	
<i>Land Use Classification</i>	<i>Required Parking Spaces and Additional Regulations</i>
Funeral Parlors and Internment Services	1 space for each 4 permanent seats in assembly areas, plus 1 per 250 sq. ft. of office area or 1 for every 30 sq. ft. of assembly area where temporary or moveable seats are provided.
Instructional Services	1 space per 500 sq. ft. of public or instruction area or 0.25 spaces per student for group instruction; none for individual instruction
Live/Work Units	1 space per 1,000 sq. ft. of nonresidential area plus 1 space for each residential unit.
Lodging and Visitor-Services	
<i>Hotels and Motels; Time Share Uses</i>	1 space per guest room, plus 2 spaces adjacent to registration office. Additional parking required for ancillary uses, such as restaurants, according to the parking requirements for the ancillary use.
Maintenance and Repair Services	1 space per 1,000 sq. ft. of floor area, plus one space for each fleet vehicle.
Media Production Facility	1 space per 500 sq. ft. of floor area
Nurseries and Garden Centers	1 space per 500 sq. ft. of floor area; 1 per 1,000 sq. ft. of outdoor display area.
Offices	
<i>Business, Professional, and Technology; Walk-In Clientele</i>	1 space per 300 sq. ft. of floor area up to 100,000 sq. ft. 1 per 350 sq. ft. over 100,000 sq. ft.
<i>Medical and Dental</i>	1 space per 275 sq. ft. of floor area.
Outdoor Sales	As determined by the Zoning Administrator
Personal Services	1 space per 350 sq. ft. of floor area.
Retail Sales	
<i>General Retail</i>	1 space per 350 sq. ft. of floor area
<i>Large Format Retail</i>	1 space per 250 sq. ft. of floor area
Industrial Uses	
Automobile Wrecking/Junk Yard	1 space per 1,000 sq. ft. of building area plus 1 space per 0.5 acre of gross outdoor use area.
Construction and Materials Yards	1 space per 2,500 square feet up to 10,000 square feet. 1 space per 5,000 square feet over 10,000 square feet.
Custom Manufacturing	1 space per 2,000 sq. ft. of floor area, plus 1 space per 300 sq. ft. of office.
General Manufacturing	1 space per 1,500 sq. ft. of use area plus 1 space per 300 sq. ft. of office.
Limited Industrial	1 space per 1,500 sq. ft. of use area plus 1 space per 300 sq. ft. of office.
Oil and Gas Facilities	As determined by the Zoning Administrator
R&D and Technology	1 space per 600 sq. ft. of manufacturing and assembly; 1 space per 300 sq. ft. of office; 1 space per 1,500 sq. ft. of warehousing; and 1 space per 800 sq. ft. of laboratory

TABLE 17.39.040(A)(2): REQUIRED ON-SITE PARKING SPACES, SINGLE-USE DEVELOPMENT	
<i>Land Use Classification</i>	<i>Required Parking Spaces and Additional Regulations</i>
Vehicle/Equipment Facilities	1 space per service bay plus 1 space per 1,000 sq. ft. of office
Wholesale Trade, Warehouse, Storage and Distribution	
<i>Chemical, Mineral, and Explosives Storage</i>	1 space per 1,000 sq. ft. plus 1 space per 300 sq. ft. of office
<i>Indoor Warehousing and Storage and Outdoor Storage</i>	1 space per 2,000 square feet of area up to 10,000 square feet, 1 space per 5,000 square feet over 10,000 square feet, plus 1 space per 300 square feet of office
<i>Personal Storage</i>	1 space per 75 storage units, plus 1 space per 300 square feet of office area. A minimum of 5 spaces must be provided.
<i>Wholesaling and Distribution</i>	1 space per 2,000 sq. ft. of use area up to 10,000 sq. ft., 1 space per 5,000 sq. ft. over 10,000 square feet, plus 1 space per 300 sq. ft. of office.
Transportation, Communication, and Utilities Uses	
Communication Facilities	As determined by the Zoning Administrator
Freight/Truck Terminals and Warehouses	1 space per 1,000 sq. ft. of interior warehouse space plus 1 per 300 sq. ft. of office
Heliport	As determined by the Zoning Administrator
Light Fleet-Based Services	1 space per 300 sq. ft. of office floor area, plus one space for each fleet vehicle.
Recycling Facilities	1 space per 1,000 sq. ft. of floor area
Utilities, Major	As determined by the Zoning Administrator
Utilities, Minor	None.
Wind Energy Conversion System (WECS)	None.
Agricultural Uses	
Agricultural Processing	As determined by the Zoning Administrator
Agricultural Support Services	As determined by the Zoning Administrator
Animal Raising	As determined by the Zoning Administrator
Crop Cultivation	2 spaces per acre of cultivated land
Greenhouse	2 spaces per acre of cultivated land
Accessory Uses	
Caretaker Unit	1 space

B. **Calculation of Required Spaces.** The number of required parking spaces must be calculated according to the following rules:

1. **Floor Area.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated.

2. **Employees.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to employees, the number of employees must be based on the largest shift that occurs in a typical week.
 3. **Bedrooms.** Where an on-site parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom and meeting the standards of the California Building Code as a sleeping room must be counted as a bedroom.
 4. **Students or Clients.** Where a parking or loading requirement is stated as a ratio of parking spaces to students, the number is assumed to be the number of students or clients at the State-certified capacity or at Building Code occupancy where no State certification is required.
 5. **Seats.** Where parking requirements are stated as a ratio of parking spaces to seats, each 30 inches of bench-type seating at maximum seating capacity is counted as one seat.
- C. **Sites with Multiple Uses.** If more than one use is located on a site, the number of required on-site parking spaces and loading spaces must be equal to the sum of the requirements calculated separately for each use, unless a reduction is approved pursuant to this Chapter.
- D. **Exemptions for Small Commercial Uses.** In C districts, the following commercial uses are not required to provide on-site parking when they contain less than 1,500 square feet of floor area: Retail Sales, Personal Services, Eating and Drinking Establishments, Food and Beverage Retail Sales, Offices–Walk-in Clientele, and Banks and Financial Institutions. However, when more than four such establishments are located on a single lot, their floor areas must be aggregated with all other establishments located on the lot in order to determine required parking.
- E. **Credit for On-Street Spaces in Old Town Zoning District.** On-street parking spaces available all day, located immediately adjacent to the frontage of properties in the Old Town District may be counted toward required off-street parking for non-residential uses. One on-street parking space may be substituted for each required off-street space.
- F. **Calculation of Parking Requirements for Industrial Uses.** The following standards apply when calculating the required number of parking for Industrial uses.
1. **Specified Tenants.** Where tenants are specified and listed by name of company, parking is calculated according to uses identified on the floor plan.
 2. **Unspecified Tenants.** Where tenants are not specified, and the use described on the plans is industrial or warehouse, parking is calculated based on 25 percent of the floor space being used for office uses, and 75 percent of the space being used

for warehouse use, based on the parking ratios for those uses specified in Table 17.39.040(A)(2).

- G. **Uses not Specified.** The parking requirement for any use not listed in Table 17.39.040(A)(2) will be determined by the Zoning Administrator based upon the requirements for the most similar comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand. In order to make this determination, the Zoning Administrator may require the applicant to submit a parking demand study or other information, at the applicant's cost.

17.39.050 Parking Reductions

The number of on-site parking spaces required by § 17.39.040, Required Parking Spaces, may be reduced by the review authority, or Director where there is no other review authority, as follows.

- A. **Transportation Demand Management Programs.** The number of required parking spaces may be reduced up to 20 percent for a project with an approved Transportation Demand Management Program.
- B. **Transit Accessibility.** For any land use except residential single-unit development, if any portion of the lot is located within 0.75 mile of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m., the number of required parking spaces may be reduced by 20 percent of the normally required number of spaces.
- C. **Motorcycle and Scooter Parking.** Motorcycle and scooter parking may substitute for up to five percent of required automobile parking.
- D. **Shared Parking.** Where shared parking serving more than one use will be provided, the total number of required parking spaces may be reduced up to 50 percent with Planning Commission approval of a Conditional Use Permit, if the Commission finds that:
1. The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
 2. The proposed shared parking provided will be adequate to serve each use;
 3. A parking demand study prepared by an independent traffic engineering professional approved by the City supports the proposed reduction; and
 4. In the case of a shared parking facility that serves more than one property, a parking agreement has been prepared consistent with the provisions of § 17.39.070.C, Off-Site Parking.

- E. **Old Town Zoning District.**
1. **Redevelopment.** Where a development with a legal nonconforming parking deficiency is replaced with new development or new construction, the new development shall receive a parking credit equal to the number of required automobile parking spaces unmet by the previous development.
 2. **Restaurant Parking.** The total number of required parking spaces for restaurants with more than 2,500 square feet of floor area located within the Old Town Zoning District may be reduced with Planning Commission approval of a Conditional Use Permit.
- F. **Other Parking Reductions.** Required parking for any use may be reduced through Planning Commission approval of a Conditional Use Permit.
1. **Criteria for Approval.** The Commission may only approve a Conditional Use Permit for reduced parking if it finds that:
 - a. Special conditions—including without limitation, the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a Transportation Demand Management Program—exist that will reduce parking demand at the site;
 - b. The use will adequately be served by the proposed on-site parking; and
 - c. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.
 2. **Parking Demand Study.** In order to evaluate a proposed project's compliance with the above criteria, the Zoning Administrator may require submittal of a parking demand study that substantiates the basis for granting a reduced number of spaces.

17.39.060 Parking In-Lieu Fee

If a parking assessment district has been established, a fee may be paid to the City in lieu of providing required parking within the district.

- A. **In-lieu Fee Amount.** The amount of the in-lieu fee must be calculated and paid as set forth in a resolution of the City Council.
- B. **Use of Funds.** In-lieu fees must be used for programs to reduce parking impacts including, without limitation, the costs of any of the following:

1. Off-street parking facilities, including acquisition, development, and maintenance of parking facilities located in the parking assessment district;
2. Mass transit equipment and attendant facilities serving the area in which the buildings for which the payments are made are located;
3. Transit passes and coupons to support employee ride-sharing and transit use; or
4. Transportation system management projects.

17.39.070 Location of Required Parking

A. Residential Uses.

1. ***Single-Unit Dwellings and Second Units.*** Required parking for single-unit dwellings or second units must be located on the same lot as the dwelling(s) served. Required parking cannot be located within required setbacks.
2. ***Other Residential Uses.*** Required parking for residential uses other than single-unit dwellings and second units must be on the same lot as the dwelling or use they serve or in at an off-site location as provided in Subsection (C), Off-Site Parking. Required parking cannot be located within a required front or street side yard.
3. ***Recreational Vehicle Parking/Storage.*** Trailers or motorized vehicles that are intended for recreational, camping, and travel use, including truck campers, camping trailers, self-propelled motor homes, all-terrain vehicles, and boats, may be parked/stored in any yard area except within the front setback area, subject to the following provisions:
 - a. The recreational vehicle cannot exceed 15 feet in height or 36 feet in length.
 - b. The recreational vehicle must be screened from adjacent properties with a six foot fence.
 - c. Recreational vehicle storage within the street side setback area must be screened from view from the public street by solid fencing at least six feet in height.

- #### **B. Non-Residential Uses.**
- Required parking spaces serving non-residential uses must be located on the same lot as the use they serve, or at an off-site parking location as provided in Subsection (C), Off-Site Parking.

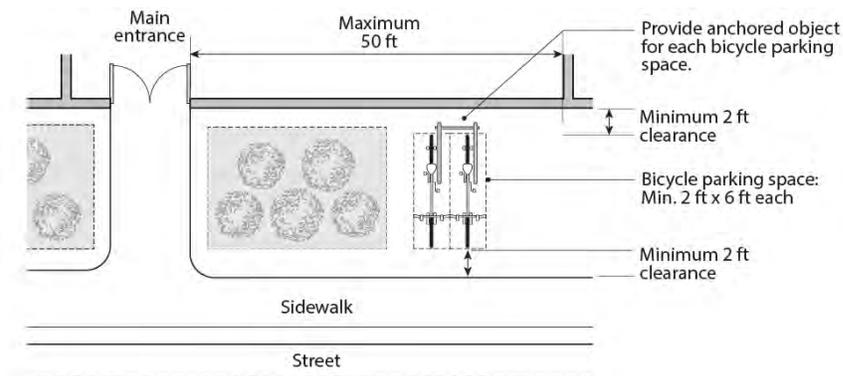
- C. **Off-Site Parking.** Parking for uses other than single-unit dwellings and second units may be provided off-site with Zoning Administrator approval, provided the following conditions are met.
1. **Location.**
 - a. *Residential Uses.* Any off-site parking must be located within 200 feet, along a pedestrian route, of the unit served.
 - b. *Non-residential Uses.* Any off-site parking must be located within 400 feet, along a pedestrian route, of the principal entrance containing the use(s) for which the parking is required.
 2. **Parking Agreement.** A written agreement between the landowner(s) and the City, in a form satisfactory to the City Attorney, must be executed and recorded in the Office of the County Recorder. The agreement must include:
 - a. A guarantee among the landowner(s) for access to and use of the parking facility; and
 - b. A guarantee that the spaces to be provided will be maintained and reserved for the uses served for as long as such uses are in operation.

17.39.080 Bicycle Parking

- A. **Short-Term Bicycle Parking.** Short-term bicycle parking must be provided in order to serve shoppers, customers, guests, and other visitors to a site who generally stay for a short time.
1. **Parking Spaces Required.** For the following uses, the number of short-term bicycle parking spaces must be at least 10 percent of the number of required automobile parking spaces, with a minimum of two parking spaces provided per establishment.
 - a. Multiple-unit residential, group residential, and SRO housing with five or more units.
 - b. All uses in the Public and Semi-Public Land Use Classification, except cemeteries and community gardens.
 - c. All uses in the Commercial Land Use Classification, except animal care, sales, and services.
 2. **Location.** Short-term bicycle parking must be located outside of the public right-of-way and pedestrian walkways, and must be within 50 feet of a main entrance to the building it serves.

- a. *Commercial Centers.* In a commercial center, bicycle parking must be located within 50 feet of an entrance to each anchor store. Bicycle parking must be visible from the street or from the main building entrance, or a sign must be posted at the main building entrance indicating the location of the parking.
 - b. *Old Town District.* Bicycle parking in the Old Town Zoning District may be located in the public right-of-way with an encroachment permit, provided an unobstructed sidewalk clearance of six feet is maintained for pedestrians at all times.
3. **Anchoring and Security.** For each short-term bicycle parking space required, a stationary, securely anchored object must be provided to which a bicycle frame and one wheel can be secured with a high-security, U-shaped shackle lock if both wheels are left on the bicycle. One such object may serve multiple bicycle parking spaces.
 4. **Size and Accessibility.** Each short-term bicycle parking space must be a minimum of two feet in width and six feet in length and must be accessible without moving another bicycle. Two feet of clearance must be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces.

FIGURE 17.39.080(A): SHORT-TERM BICYCLE PARKING



- B. **Long-Term Bicycle Parking.** Long-term bicycle parking must be provided in order to serve employees, students, residents, commuters, and others who generally stay at a site for four hours or longer.
 1. **Parking Spaces Required.**
 - a. *Residential Uses.* A minimum of one long-term bicycle parking space must be provided for every five units for multiple-unit residential and group residential projects.

- b. **Other Uses.** Any use with 25 or more full-time-equivalent employees must provide long-term bicycle parking at a minimum ratio of one space per 20 vehicle spaces with a minimum of one long-term space.
 - c. **Public or Private Parking Use.** Long-term bicycle parking must be provided at a minimum ratio of one space per 50 vehicle spaces with a minimum of one long-term space.
2. **Location.** Long-term bicycle parking must be located on the same lot as the use it serves. In public or private parking uses, long-term bicycle parking must be located near an entrance to the structure or surface lot.
 3. **Covered Spaces.** At least 50 percent of required long-term bicycle parking must be covered. Covered parking can be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
 4. **Security.** Long-term bicycle parking must be in:
 - a. An enclosed bicycle locker;
 - b. A fenced, covered, locked, or guarded bicycle storage area;
 - c. A rack or stand inside a building that is within view of an attendant or security guard or visible from employee work areas; or
 - d. Other secure area approved by the Zoning Administrator.
 5. **Size and Accessibility.** Each bicycle parking space must be a minimum of two feet in width and six feet in length, and must be accessible without moving another bicycle. Two feet of clearance must be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways, and at least five feet from vehicle parking spaces.

17.39.090 On-Site Loading

- A. **Loading Spaces Required.** Every new building, and every building enlarged by more than 5,000 square feet of floor area that is to be occupied by a use requiring the receipt or distribution by vehicles or trucks of material or merchandise must provide off-street loading and unloading areas as follows.

TABLE 17.39.090(A): REQUIRED LOADING SPACES	
<i>Floor Area (sq. ft.)</i>	<i>Required Loading Spaces</i>
0 – 7,000	0
7,001 – 30,000	1
30,001 – 90,000	2

TABLE 17.39.090(A): REQUIRED LOADING SPACES	
<i>Floor Area (sq. ft.)</i>	<i>Required Loading Spaces</i>
90,001 – 150,000	3
150,001 – 230,000	4
230,001 +	1 per each additional 100,000 square feet or portion thereof.

1. **Multi-Tenant Buildings.** The floor area of the entire building must be used in determining spaces for multi-tenant buildings. A common loading area may be required, if each tenant space is not provided a loading area. Drive-in, roll-up doors for multi-tenant industrial projects may be substituted for required loading areas.
 2. **Reduction in Number of Loading Spaces Required.** The loading space requirement may be reduced or waived if the Zoning Administrator finds that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such loading space will not be needed.
 3. **Additional Loading Spaces Required.** The required number of loading spaces may be increased by the Zoning Administrator to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement must be based on the anticipated frequency of truck pickups and deliveries and of the truck storage requirements of the use for which the on-site loading spaces are required.
- B. **Location.** All required loading berths must be located on the same site as the use served. No loading berth for vehicles over two-ton capacity can be closer than 50 feet to any property in an R District, unless completely enclosed by building walls, or a uniformly solid fence or wall, or any combination thereof, not less than six feet in height. No permitted or required loading berth can be located within 25 feet of the nearest point of any street intersection.
- C. **Minimum Size.** Each on-site loading space required by this Chapter must not be less than 10 feet wide, 30 feet long, and 14 feet high, exclusive of driveways for ingress and egress, maneuvering areas, and setbacks. The minimum size requirement may be modified if the Zoning Administrator finds that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such size will not be needed.
- D. **Driveways for Ingress and Egress and Maneuvering Areas.** Each on-site loading space required by this Section must be provided with driveways for ingress and egress and maneuvering space of the same type, and meeting the same criteria required for on-site parking spaces. Truck-maneuvering areas must not encroach into required parking areas, travelways, or street rights-of-way. This requirement may be modified if the Zoning Administrator finds that sufficient space is provided so that truck-maneuvering areas will not interfere with traffic and pedestrian circulation.

- E. **Surfacing.** All open on-site loading berths must be improved with a compacted base, not less than five inches thick, surfaced with not less than three inches of plant-mix asphalt, concrete, or comparable material approved by the Zoning Administrator.

17.39.100 Parking Area Design and Development Standards

All parking areas, except those used exclusively for stacked parking, must be designed and developed consistent with the following standards. Parking areas used exclusively for stacked parking are subject only to Subsections (K) through (R). Stacked parking areas which will allow parking at some times without attendants must be striped in conformance with the layout requirements of this Section.

- A. **Size of Parking Spaces and Maneuvering Aisles.** Parking spaces and maneuvering aisles must meet the minimum dimensions required by this Subsection. Screening walls, roof support posts, columns, or other structural members must not intrude into the required dimensions for parking spaces.
1. **Size of Parking Spaces.** Except for parallel parking, standard spaces must have a minimum width of nine feet and a minimum depth of 18 feet. Up to 20 percent of assigned spaces may be reduced to eight feet by 16 feet and labeled "compact." Parking space dimensions are illustrated in Figure 17.39.100(A)(1) and detailed in Table 17.39.100(A)(1).

FIGURE 17.39.100(A)(1): PARKING STALL DIMENSIONS

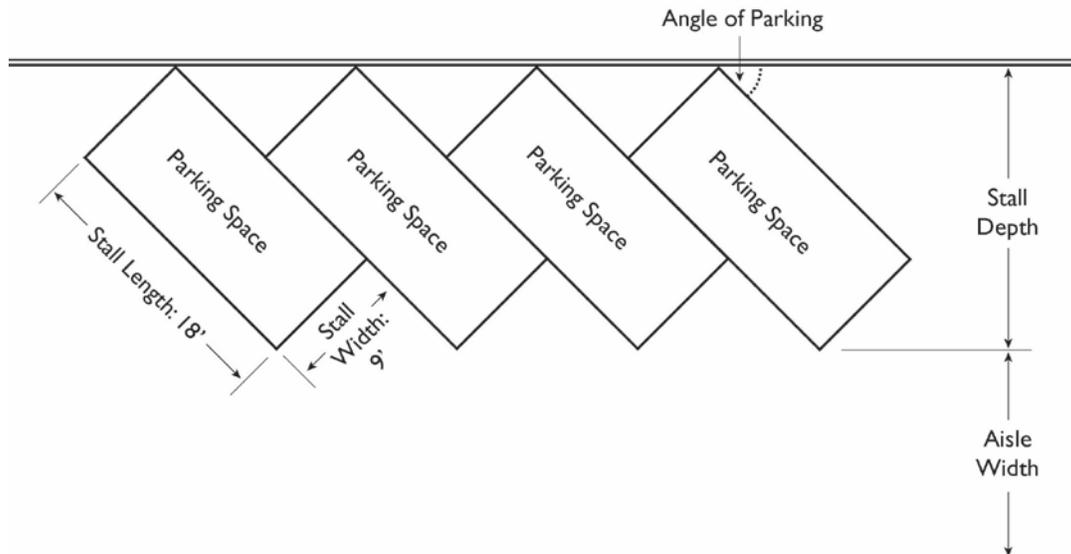
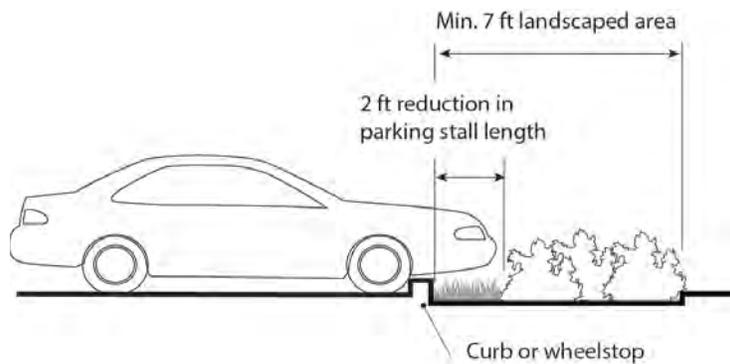


TABLE 17.39.100(A)(1): STANDARD PARKING STALL DIMENSIONS							
Angle of Parking (degrees)	Stall Length (ft.)	Stall Width (ft.)	Stall Depth (ft.)	Aisle Width (ft.)			
				Single Loaded		Double Loaded	
				1-way	2-way	1-way	2-way
90	18	9	18	27'4"	27'4"	27'4"	27'4"
60	18	9	20'1"	16'11"	21'1"	16'3"	20'1"
45	18	9	19'1.1"	12'9"	19'9"	12'4"	18'10"
30	18	9	16'9.6"	11'2"	19'2"	10'3"	18'5"
Parallel	22	8	8	12'	20'	12'	20'

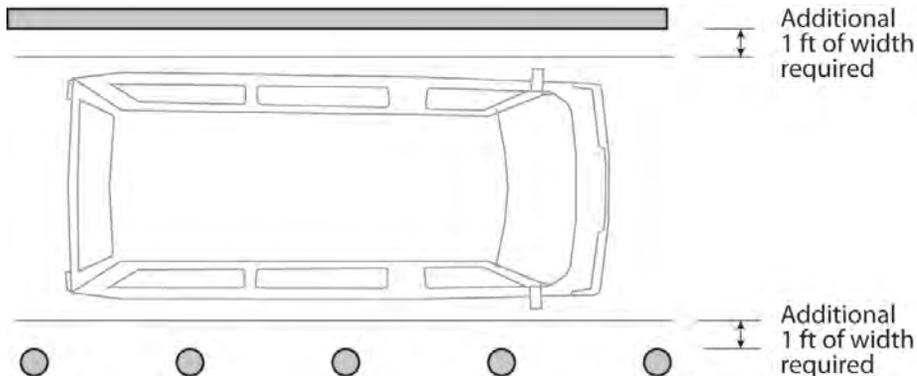
2. **Overhang.** Parking stall lengths, except for parallel spaces, may be reduced by two feet where the parking stall is designed to abut a landscaped area or sidewalk, a minimum of seven feet wide. This landscape area must be protected by a wheel stop (or a curb where one already exists).

FIGURE 17.39.100(A)(2): VEHICLE OVERHANG



3. **Spaces Abutting Walls or Posts.** For each side of a parking space abutting a wall or post, an additional foot of width is required.

FIGURE 17.39.100(A)(3): SPACES ABUTTING WALLS OR POSTS



B. Striping and Marking

1. Each parking space must be clearly striped with paint or other similar distinguishable material, except spaces established in a garage or carport having not more than three parking spaces.
2. Striping for parking spaces may be modified by the Zoning Administrator if there is a dual use of the parking facility or if an alternate surfacing material is allowed pursuant to Subsection (K), below. In approving such modification by site plan, the Zoning Administrator is authorized to require suitable alternate means of marking the spaces.

C. Wheel Stops. Wheel stops must be provided for parking lots with a slope of more than three percent, except that the installation of wheel stops is optional for parking stalls oriented at right angles to the direction of slope. Wheel stops are also required on the perimeter of parking lots that are adjacent to walls, fences, or pedestrian walkways, and when abutting landscaped areas.

D. Accessible Parking for Persons with Disabilities. Parking lots and spaces must be designed to conform with § 4.6 of the American with Disabilities Act Standards for Accessible Design (Parking and Passenger Loading Zones).

E. Tandem Parking. Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following:

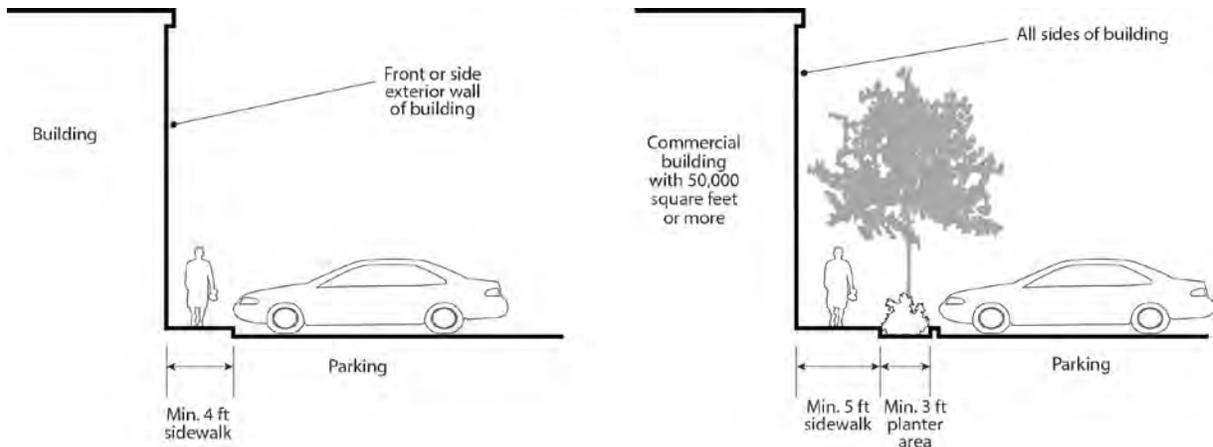
1. No more than two vehicles are placed one behind the other.
2. Both spaces must be assigned to a single dwelling unit or non-residential establishment.
3. Tandem parking to meet required parking for non-residential uses may be used for employee parking; the maximum number of tandem parking spaces must not exceed 50 percent of the total number of spaces.
4. Tandem parking to meet required parking for multiple-unit development must be located within an enclosed structure; the maximum number of tandem parking spaces must not exceed 50 percent of the total number of spaces.
5. Tandem parking must not be used to meet the guest parking requirement.

F. Carpool and Vanpool Parking. At least 10 percent of the required parking spaces for offices and all uses within the industrial use classifications must be designated and reserved for carpools or vanpools. These spaces must be located closest to the main entrance of the project (exclusive of spaces designated for handicapped).

- G. **Shopping Cart Storage.** When there are businesses that utilize shopping carts, adequate temporary shopping cart storage areas must be provided throughout the parking lots. No temporary storage of shopping carts is allowed on pedestrian walkways outside of buildings. Cart storage may be located adjacent to buildings provided the cart storage is physically separated from the pedestrian walkway and pedestrian walkway is a minimum of four feet wide.
- H. **Parking Access.**
1. **Shared Access.** Non-residential projects may provide shared vehicle and pedestrian access to adjacent non-residential properties for convenience, safety, and efficient circulation. A joint access agreement guaranteeing the continued availability of the shared access between the properties approved by the Zoning Administrator must be recorded in the County's Records Office, in a form satisfactory to the City Attorney.
 2. **Forward Entry.** Parking areas of four or more spaces must be provided with suitable maneuvering room so that all vehicles therein may enter an abutting street in a forward direction.
 3. **Driveway Length.** Driveways providing direct access from a public street to a garage or carport must be at least 20 feet in depth.
 4. **Driveway Width.**
 - a. The minimum width of a driveway serving one to two residences must be no less than eight feet total width, with a minimum clearance of 10 feet. The maximum width is 20 feet.
 - b. The minimum width of a driveway serving three to seven residential unit is: (1) eight feet for a one-way driveway, or (2) 14 feet for a two-way driveway.
 - c. The minimum width of a driveway serving seven or more residential or commercial uses is: (1) 10 feet for a one-way driveway, or (2) 20 feet for a two-way driveway.
 - d. The maximum driveway width for nonresidential uses is 20 feet for a one-way driveway and 33 feet for a two-way driveway.
- I. **Size of Parking Spaces for Motorcycles and Scooters.** Motorcycle and scooter parking spaces must have a minimum dimension of five feet by nine feet. All motorcycle and scooter parking areas must be clearly marked and dedicated to these vehicles.

- J. **Electric Vehicle Charging Stations.** In parking facilities containing 20 or more spaces serving multiple-unit dwellings, offices, and lodging uses, at least five percent of parking spaces must be electric vehicle (EV) charging stations.
1. Each EV charging must be clearly marked with a sign reading "Electric Vehicle Charging Station."
 2. EV charging stations may be equipped with card readers, controls, connector devices, and other equipment as necessary for public use.
- K. **Surfacing.** All parking areas must be paved and improved, and all sites must be properly drained, subject to the approval of the Public Works Director.
1. **Cross-Grades.** Cross-grades must be designed for slower stormwater flow and to direct stormwater toward landscaping, bio-retention areas, or other water collection/treatment areas.
 2. **Permeable Paving.** Permeable paving must be used in all overflow parking areas and installed in accordance with manufacturer recommended specifications.
 3. **Turf Grids/Grassy Pavers.** Turf grids/grassy pavers must be installed in areas of low traffic or infrequent use wherever feasible.
- L. **Perimeter Curbing.** A six-inch wide and six-inch high concrete curb must be provided along the outer edge of the parking facility pavement, except where said pavement abuts a fence or wall. Curbs separating landscaped areas from parking areas must be designed to allow stormwater runoff to pass through.
- M. **Heat Island Reduction.** In order to reduce ambient surface temperatures in parking areas, at least 50 percent of the areas not landscaped must be (1) shaded, (2) of light-colored materials with a Solar Reflectance Index of at least 29, or (3) a combination of shading and light colored materials.
1. Shade may be provided by canopies, shade structures, trees, or other equivalent mechanism. If shade is provided by trees, the amount of required shading is to be reached within 15 years.
 2. Trees must be selected from a list maintained by the Public Works Director.
- N. **Separation From On-Site Buildings.** Parking areas must be separated from the front and side exterior walls of on-site buildings by walkways a minimum of four feet in width. Commercial buildings with 25,000 square feet or more of floor area must be separated from on-site parking on all sides by a walkway a minimum of five feet in width, as well as a planter area at least three feet in width. These requirements do not apply to parking areas containing five or fewer spaces.

FIGURE 17.39.100(N): SEPARATION FROM ON-SITE BUILDINGS

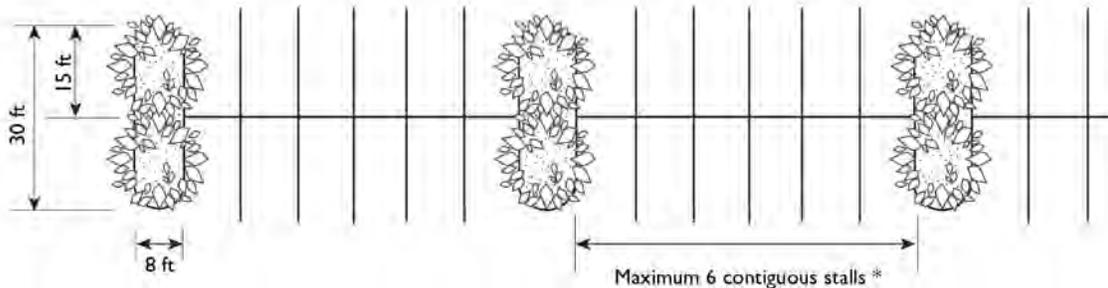


O. **Landscaping.** Landscaping of parking areas must be provided and maintained according to the general standards of Chapter 17.35, Landscaping, as well as the standards of this subsection for all parking areas containing 10 or more uncovered parking spaces:

1. **Materials.** All landscape planting areas that are not dedicated to trees or shrubs must be permeable. No hardscape materials are permitted in designated planting areas.
2. **Landscape Area Required.** A minimum of 10 percent of any parking lot area must be landscaped.
3. **Layout.** Landscaped areas must be well-distributed throughout the parking lot area. Parking lot landscaping may be provided in any combination of:
 - a. Landscaped planting strips at least four feet wide between rows of parking stalls;
 - b. Landscaped planting strips between parking areas and adjacent buildings or internal pedestrian walkways;
 - c. Landscaped islands located between parking stalls or at the ends of rows of parking stalls; and
 - d. On-site landscaping at the parking lot perimeter.
4. **Landscaped Buffer for Open Parking Adjacent to Right-of-Way.** A landscaped area at least five feet wide must be provided between any surface parking area and any property line adjacent to a public street, unless a different dimension is specified in the base district standards applicable to a site.

5. **Landscaped Buffer for Open Parking Abutting Interior Lot Line.** A landscaped area at least three feet wide must be provided between any surface parking area and any adjacent lot for the length of the parking area.
6. **Required Landscape Islands.**
 - a. Parking lot landscape islands must be installed at each end of a row of stalls and in between for maximum six contiguous parking spaces. The distance may be increased to eight contiguous spaces by the Zoning Administrator if it is found that the overall amount of landscaping proposed is increased by at least 10 percent from that required on the entire development site.
 - b. Landscape islands must be a minimum of eight feet wide and 15 feet in length for single-row and 30 feet in length for double-row parking. All measurements are to face of curb.
 - c. One shade tree and three shrubs must be provided for every landscape island.

FIGURE 17.39.100(O)(6): LANDSCAPE ISLANDS

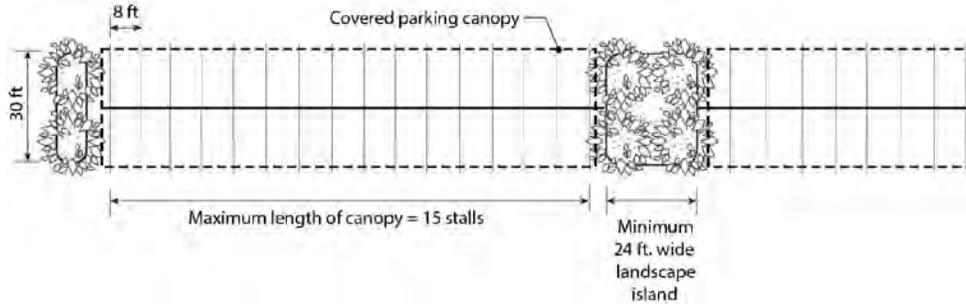


* May be increased to 8 contiguous stalls by the Zoning Administrator if the overall proposed landscaped area on the entire development site is increased by 10%.

- d. Radius curbing must be provided along drive aisles with a minimum four-foot radius.
- e. For rows of more than 16 parking spaces, landscape islands must be staggered.
- f. The maximum length of a covered parking canopy must be 15 contiguous parking spaces. Landscape islands within a row of parking may be eliminated when a conflict with the covered parking canopy occurs. However, landscape islands must be installed at the end of all parking rows.

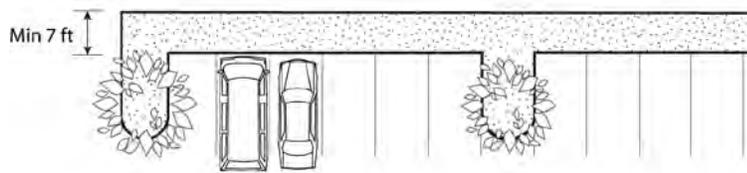
- g. When parking canopies are adjacent to each other in a single row, the total length of each canopy must not exceed 15 parking stalls and the adjoining canopies must be separated by at least a 24-foot-wide landscape island, as depicted in the following illustration.

FIGURE 17.39.100(O)(6)(G): PARKING CANOPIES

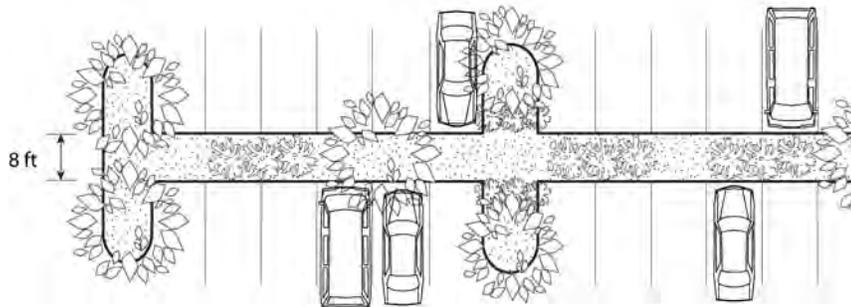


- 7. **Required Landscape Medians.** Where divider medians occur adjacent to head-in parking, vehicle overhang must be as follows:
 - a. **Single-Row Parking.** A minimum five-foot landscape area (or seven feet if a two-foot overhang is provided) is required. The required median width does not include a sidewalk.

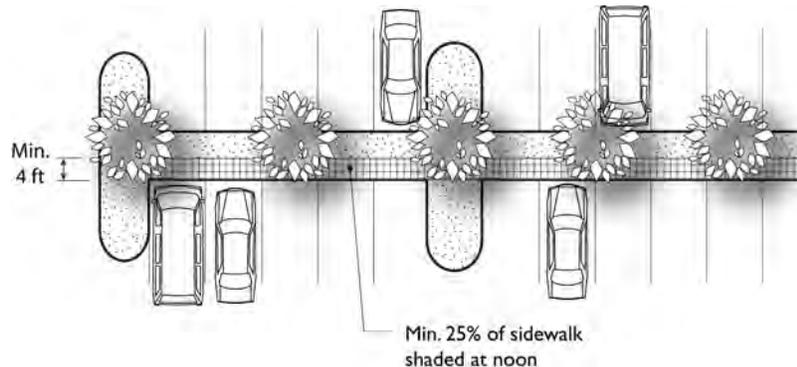
FIGURE 17.39.100(O)(7)(A): SINGLE-ROW PARKING MEDIANS



- b. **Double-Row Parking.** A minimum eight-foot landscape area (or 10 feet if a two foot overhang is provided on both sides of median), measured from face of curb to face of curb, is required where the median width does not include a sidewalk.

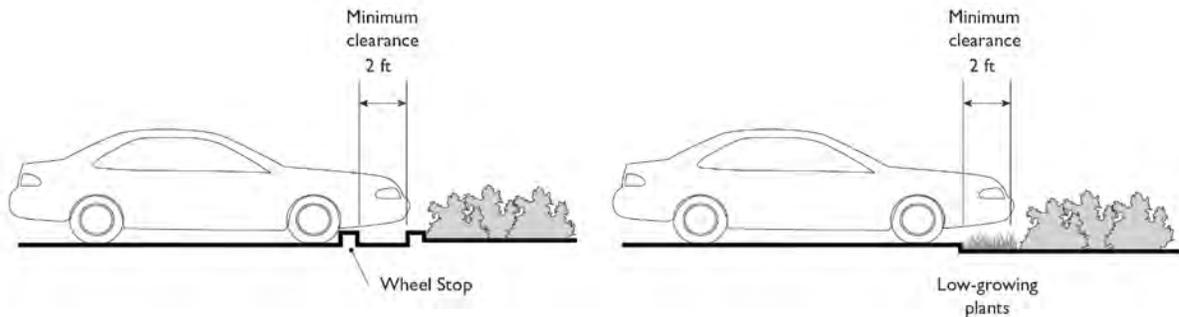
FIGURE 17.39.100(O)(7)(B): DOUBLE-ROW PARKING MEDIANS

- c. *Medians with Sidewalks.* When a sidewalk is located within a median, shade trees must be placed so that at least 25 percent of the sidewalk is shaded at noon. The sidewalk can be no less than four feet in width and wheel stops placed 2 feet from the edge of the sidewalk.

FIGURE 17.39.100(O)(7)(C): MEDIANS WITH SIDEWALKS

8. **Protection of Vegetation.**
- Clearance from Vehicles.* All required landscaped areas must be designed so that plant materials, at maturity, are protected from vehicle damage by providing a minimum two-foot clearance of low-growing plants where a vehicle overhang is permitted, or by wheel stops set a minimum of two feet from the back of the curb.
 - Planters.* Parking lot landscaping within planters must be bounded by a concrete curb at least six inches wide and six inches high. Curbs separating landscaped areas from parking areas must be designed to allow stormwater runoff to pass through.

FIGURE 17.39.100(O)(8): PROTECTION OF VEGETATION



9. **Visibility and Clearance.** Landscaping in planters at the end of parking aisles must not obstruct driver's vision of vehicular and pedestrian cross-traffic. Mature trees must have a foliage clearance maintained at eight feet from the surface of the parking area. Other plant materials located in the interior of a parking lot must not exceed 30 inches in height.

- P. **Screening.** Parking areas containing 10 or more uncovered parking spaces must be screened from public streets, according to the following standards.
 1. **Height.** Screening of parking lots from adjacent public streets must be three feet in height.
 - a. A reduced height for screening devices of up to 18 inches is permitted when lawful display of automobiles, trucks, recreational vehicles, manufactured homes, boats, motorcycles, and utility trailers is allowed adjacent to public streets.

 2. **Materials.** Screening may consist of one or any combination of the methods listed below.
 - a. **Walls.** Low-profile walls consisting of brick, stone, stucco, or other quality durable material approved by the Zoning Administrator, and including a decorative cap or top finish, as well as edge detail at wall ends. Plain concrete blocks are not allowed as a screening wall material unless capped and finished with stucco or other material approved by the Zoning Administrator.

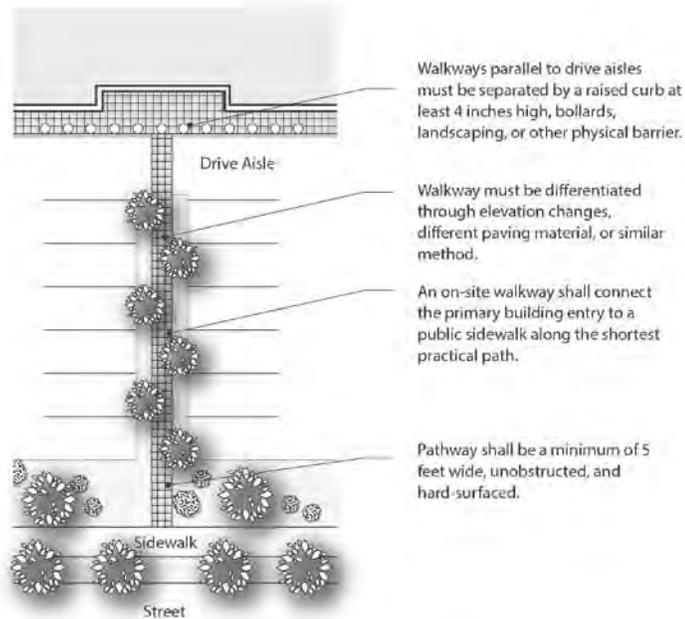
 - b. **Fences.** An open fence of wrought iron or similar material combined with plant materials to form an opaque screen. Use of chain-link or vinyl fencing for screening purposes is prohibited.

- c. *Planting.* Plant materials consisting of compact plants that form an opaque screen. Such plant materials must achieve a minimum height of two feet within 18 months after initial installation.
- d. *Berms.* Berms planted with grass, ground cover, or other low-growing plant materials.

Q. Circulation and Safety.

- 1. Visibility must be assured for pedestrians, bicyclists, and motorists entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility.
- 2. Parking lots must be designed so that sanitation, emergency, and other public service vehicles can provide service without backing unreasonable distances or making other dangerous or hazardous turning movements.
- 3. Separate vehicular and pedestrian circulation systems must be provided where possible. Multiple-unit residential developments of five or more units must provide pedestrian access that is separate and distinct from driveways. Parking areas for commercial and mixed-use developments that are 80 feet or more in depth and/or include 25 or more parking spaces must have distinct and dedicated pedestrian access from the commercial use to parking areas and public sidewalks, according to the following standards:
 - a. *Connection to Public Sidewalk.* An on-site walkway must connect the main building entry to a public sidewalk on each street frontage. Such walkway must be the shortest practical distance between the main building entry and sidewalk, generally no more than 125 percent of the straight-line distance.
 - b. *Materials and Width.* Walkways must provide at least five feet of unobstructed width and be hard-surfaced.
 - c. *Identification.* Pedestrian walkways must be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method.
 - d. *Separation.* Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.

FIGURE 17.39.100(U): PEDESTRIAN CIRCULATION AND SAFETY



- R. **Alternative Parking Area Designs.** Where an applicant can demonstrate to the satisfaction of the Planning Commission that variations in the dimensions otherwise required by this Section are warranted in order to achieve to environmental design and green building objectives, including, without limitation, achieving certification under the LEED™ Green Building Rating System or equivalent, an alternative parking area design may be approved.
- S. **Maintenance.** Parking lots, including landscaped areas, driveways, and loading areas, must be maintained free of refuse, debris, or other accumulated matter and must be kept in good repair at all times.

Chapter 17.40 Performance Standards

Sections:

17.40.010	Purpose
17.40.020	Applicability
17.40.030	General Requirements
17.40.040	Measurement of Impacts
17.40.050	Air Quality
17.40.060	Liquid or Solid Waste
17.40.070	Hazardous Materials
17.40.080	Noise
17.40.090	Smoke, Fumes, and Gases
17.40.100	Vibration

17.40.010 Purpose

The purpose of this Chapter is to:

- A. Establish permissible limits and permit objective measurement of nuisances, hazards, and objectionable conditions;
- B. Minimize various potential operational impacts of land uses and development within the City and promote compatibility with adjoining areas and land uses; and
- C. Affirm City requirements for construction and demolition waste management as they apply to new development.

17.40.020 Applicability

The minimum requirements in this Chapter apply to all new and existing land uses in all zoning districts, including permanent and temporary uses, unless otherwise specified.

17.40.030 General Requirements

Land or buildings cannot be used or occupied in a manner creating any dangerous, injurious, or noxious conditions, chemical fires, explosive, or other hazards that could adversely affect the surrounding area.

17.40.040 Measurement of Impacts

Measurements necessary for determining compliance with the standards of this Chapter must be taken at the lot line of the establishment or use that is the source of a potentially objectionable condition, hazard, or nuisance.

17.40.050 Air Quality

- A. **Compliance.** Sources of air pollution must comply with rules identified by the U.S. Environmental Protection Agency (Code of Federal Regulations, Title 40), the California Air Resources Board, and the Santa Barbara County Air Pollution Control District.
- B. **Santa Barbara County Air Pollution Control District Permits.** Applicants are responsible for obtaining any and all permits from the Santa Barbara County Air Pollution Control District prior to issuance of final permits by the City.

17.40.060 Liquid or Solid Waste

- A. **Discharges to Water or Sewers.** Liquids and solids of any kind must not be discharged, whether directly or indirectly, into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the California Regional Water Quality Control Board.
- B. **Solid Wastes.** Solid wastes must be handled and stored so as to prevent nuisances, health, safety, and fire hazards, and to facilitate recycling. There can be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects, unless stored in closed containers.

17.40.070 Hazardous Materials

The use, handling, storage, and transportation of hazardous and extremely hazardous materials must comply with the provisions of the California Hazardous Materials Regulations and the California Fire and Building Code, as well as the laws and regulations of the California Department of Toxic Substances Control, the Santa Barbara Fire Prevention Division, and the Santa Barbara County Office of Emergency Management.

- A. **Hazard Assessment Required.** All new hazardous facilities and any proposed substantial increase in intensity of use for existing hazardous facilities must submit a hazard assessment to the Zoning Administrator. The hazard assessment must identify the risks posed by the new or expanded facility and the geographical extent of significant risk. The City will not allow any facilities that would expose existing residential or commercial development to an unacceptable risk.
- B. **Contaminate Land.** No new development is permitted on land determined to contain actionable contamination until the party responsible for such contamination has been identified and has accepted financial responsibility for any required remediation. The posting of a bond or other surety in an amount and form acceptable to the Zoning Administrator is required.
- C. **Applicant Responsibilities.** An applicant for a proposed non-residential project that will involve the generation, use, transportation, and/or storage of hazardous materials must comply with the following requirements:

1. The use, storage, transportation, and disposal of hazardous materials, including underground or above-ground storage tanks, must comply with Regional Water Quality Control Board requirements and must ensure that the use, storage, transportation, and disposal of hazardous materials does not result in hazardous discharge or runoff.
2. Hazardous materials or wastes stored in closed containers at a facility must not be located within 50 feet of a property line.
3. Before development of a site identified as having been used for the storage of hazardous materials or activities involving the use of hazardous materials, the developer must submit documentation to the Zoning Administrator sufficient to demonstrate that:
 - a. Testing has been conducted as required to determine the existence and extent of soil and/or groundwater contamination; and
 - b. Based on the results of the testing, an appropriate clean-up program has been established and completed.

17.40.080 Noise

- A. **Noise Limits.** Noise and land use compatibility criteria, specified in Table 17.40.080(A), will be used in review of all discretionary permits, and conditions of approval may be imposed to minimize or eliminate incompatibilities.
1. Proposals for new development that would cause standards to be exceeded may only be approved if the project would provide a substantial benefit to the City.
 2. These compatibility criteria also may justify denial of an application if a proposed use would be exposed to clearly unacceptable noise, as defined in the table.
 3. The maximum noise levels specified in Table 17.40.080(A), Noise and Land Use Compatibility Criteria, do not apply to noise generated by automobile traffic or other mobile noise sources in the public right-of-way.

TABLE 17.40.080(A): NOISE AND LAND USE COMPATIBILITY CRITERIA				
<i>Land Use Category</i>	<i>Community Noise Exposure (Ldn or CNEL, dBA)</i>			
	<i>Normally Acceptable¹</i>	<i>Conditionally Acceptable²</i>	<i>Normally Unacceptable</i>	<i>Clearly Unacceptable</i>
Residential-single unit	50-60	60-65	65-75	75-85+
Residential-multiple unit	50-60	60-65	65-75	75-85+
Other Residential Uses	50-60	60-65	65-80	80-85+
Auditoriums, concert halls, and amphitheaters	N/A	50-65	N/A	65-85+

TABLE 17.40.080(A): NOISE AND LAND USE COMPATIBILITY CRITERIA				
<i>Land Use Category</i>	<i>Community Noise Exposure (Ldn or CNEL, dBA)</i>			
	<i>Normally Acceptable¹</i>	<i>Conditionally Acceptable²</i>	<i>Normally Unacceptable</i>	<i>Clearly Unacceptable</i>
Park and Recreation Facilities	50-70	N/A	70-75	75-85+
Other Public/Semi-Public Uses	50-60	60-65	65-80	80-85+
Sports arenas and outdoor spectator sports	N/A	50-70	N/A	70-85+
Golf courses, riding stables, water recreation, and cemeteries	50-70	N/A	70-80	80-85+
Lodging	50-65	65-70	70-80	80-85+
Other Commercial Uses	50-67.5	67.5-75	75-85+	N/A
Industrial, Transportation, Communication, and Utility, and Agricultural Uses	50-70	70-75	75-85+	N/A

Notes:

1. Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without special noise-insulation requirements.
2. Conditionally Acceptable: New construction or development may be undertaken only after detailed analysis of the noise reduction requirements is made and needed noise-insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.
3. Normally Unacceptable: New construction or development is discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features must be included in the design. See § 17.40.090(D), Acoustical Study.
4. Clearly Unacceptable: New construction or development must generally not be undertaken.

N/A: Not applicable.

B. **Adjustments to Noise Exposure Limits.** The maximum normally unacceptable or clearly unacceptable noise levels of Table 17.40.080(A), Noise Limits, may be adjusted according to the following provisions. No more than one increase in the maximum permissible noise level will be applied to the noise generated on each property.

1. **Duration.** The maximum noise exposure levels will be increased as follows to account for the effects of duration:
 - a. Noise that is produced for no more than a cumulative period of five minutes in any hour may exceed the noise limits by five decibels.
 - b. Noise that is produced for no more than a cumulative period of one minute in any hour may exceed the noise limits by 10 decibels.
2. **Character of Sound.** If a noise contains a steady audible tone (such as a hum or buzz), rises or falls in pitch or volume (such as a whine or screech), or is a repetitive noise (such as hammering or riveting) or contains music or speech

conveying informational content, the maximum noise levels will be reduced by five decibels.

- C. **New, Expanded, or Upgraded Noise Sources.** New development or new uses that will create new noise sources or expand existing noise sources will be required to mitigate their noise levels so that the resulting noise does not exceed the conditionally acceptable noise exposure levels for existing uses as specified in Table 17.40.080(A).
- D. **Acoustical Study.** The Zoning Administrator may require acoustical study that includes field measurement of noise levels for any proposed project that would locate a noise source with the potential to increase noise levels to unacceptable levels near an existing sensitive receptor or locate a noise sensitive land use near an existing known or potentially known intrusive noise source, such as a freeway, arterial roadway, industrial facility, or airport traffic pattern. Acoustical studies must identify noise sources, magnitudes, and potential noise mitigation measures, and describe existing and future noise exposure.
- E. **Noise Attenuation Measures.** Any project subject to the acoustic study requirements of Subsection (D), above, may be required as a condition of approval to incorporate noise attenuation measures deemed necessary to ensure that noise standards are not exceeded.
1. New noise-sensitive uses must incorporate noise-attenuation measures to achieve and maintain an interior noise level of 45 Ldn.
 2. Noise-attenuation measures identified in an acoustical study must be incorporated into the project to reduce noise to acceptable levels.
 3. Emphasis will be placed upon site planning and project design measures. The use of noise barriers will be considered only after all feasible design-related noise measures have been incorporated into the project. Where noise barriers are used, they must provide at least a 5-dBA-CNEL noise reduction.
- F. **Equipment Maintenance.** New and existing heating, ventilation, and air conditioning equipment and other commercial/industrial equipment must be adequately maintained in proper working order so that noise levels emitted by such equipment remain minimal. The Zoning Administrator may require noise shielding or insulation for such equipment if the operation of the equipment results in objectionable noise levels at adjacent properties.
- G. **Exemptions.** The provisions of this Section do not apply to:
1. **Emergencies.** The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.

2. **Warning Devices.** Warning devices necessary for the protection of the public safety, such as police, fire, and ambulance sirens.
3. **Special Events.** Occasional outdoor gatherings, public dances, shows, and sporting and entertainment events, provided that such events are conducted pursuant to a permit or license issued by the City.
4. **Religious Institutions and Other Similar Organizations.** Unamplified bells, chimes, or other similar devices used by religious institutions and other houses of religious worship, as such devices are played between the time period of 7 a.m. and 10 p.m. and the playing period does not exceed one minute in any one hour.
5. **Municipal Solid Waste Collection.** Collection of solid waste, vegetative waste, and recyclable materials by the City or under contract with the City.
6. **Public Works Construction Projects, Maintenance, and Repair.** Street, utility, and similar construction projects undertaken by or under contract to or direction of the City, or the State of California or a public utility regulated by the California Public Utilities Commission, as well as maintenance and repair operations conducted by such parties, including street sweeping, debris and litter removal, removal of downed wires, restoring electrical service, repairing traffic signals, unplugging sewers, vacuuming catch basins, repairing of damaged poles, removal of abandoned vehicles, repairing of water hydrants and mains, gas lines, oil lines, sewers, storm drains, roads, and sidewalks.
7. **Public Utility Facilities.** Facilities including without limitation 60-cycle electric power transformers and related equipment, sewer lift stations, municipal wells, and pumping stations.

17.40.090 Smoke, Fumes, and Gases

No use, process, or activity will produce objectionable odors that are perceptible without instruments by a reasonable person at the lot lines of a site. Odors from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, vehicle emissions, trucks, etc.) are exempt from this standard.

17.40.100 Vibration

Machinery used for manufacturing and industrial processes, including oil and gas collection, processing and distribution must be designed and housed to ensure that vibration will be reduced to a minimum amount discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.

Chapter 17.41 Signs

Sections:

17.41.010	Purpose
17.41.020	Applicability
17.41.030	Exempt Signs
17.41.040	Prohibited Signs
17.41.050	Sign Design Principles
17.41.060	General Provisions for All Sign Types
17.41.070	Standards for Signs by Districts
17.41.090	Standards for Specific Sign Types
17.41.100	Historic Signs
17.41.110	Master Sign Programs
17.41.120	Nonconforming Signs

17.41.010 Purpose

The purpose of this Chapter is to regulate signs as an information system that preserves and enhances the aesthetic character and environmental values of the City, its residential neighborhoods, its visitor-oriented uses, and commercial/industrial areas, while also providing an effective means for members of the public to express themselves through the display of signs. More specifically, this Chapter is intended to:

- A. Promote communications through signs that aid orientation and promote economic vitality;
- B. Maintain and enhance the City's appearance by regulating the design, character, location, number, type, quality of materials, size, illumination, and maintenance of signs;
- C. Limit commercial signage to on-site locations to ensure that signage is primarily used as identification in order to protect the City's aesthetic environment from the visual clutter associated with the unrestricted proliferation of signs, while providing channels of communication to the public;
- D. Restrict signs that may create a nuisance to nearby properties, violate privacy, or create hazards or unreasonable distractions for pedestrians or drivers; and
- E. Ensure that the constitutionally guaranteed right of free speech is protected.

17.41.020 Applicability

This Chapter regulates signs that are located or mounted on private property within the corporate limits of the City, as well as signs located or mounted on public property that are owned or controlled by public entities other than the City, over which the City has land use or zoning

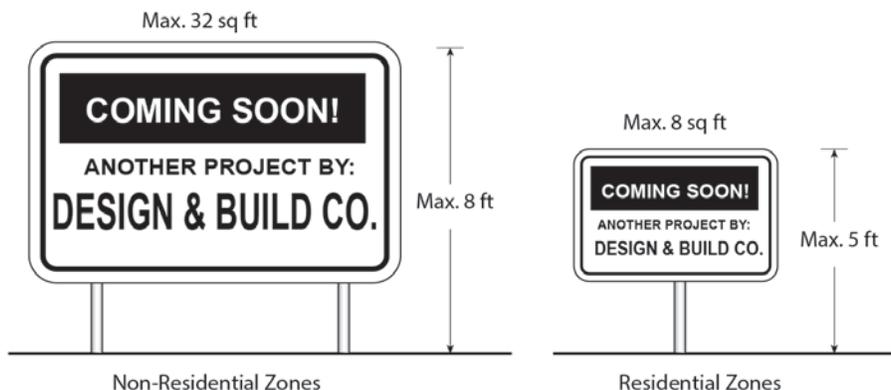
authority. The provisions in this Chapter apply in all zoning districts of the City. No sign within the regulatory scope of this Chapter may be erected or maintained anywhere in the City except in conformity with this Chapter.

17.41.030 Exempt Signs

The following signs are exempt from the provisions of this Chapter.

- A. **Address Signs.** Required address identification signs that are in conformance with the Building Code.
- B. **Change of Business Signs.** A temporary attachment or covering of wood, plastic, or canvas over a permanent sign indicating a change of ownership or activity may be displayed for no longer than 60 days following the change of ownership or activity for which the sign is intended. The sign must be no larger than the previously permitted permanent sign.
- C. **Commemorative Signs.** Commemorative plaques, memorial signs or tablets, or signs indicating names of buildings and dates of building erection, either attached to or cut into the surfaces of buildings, provided that no such sign exceeds three square feet in area.
- D. **Construction Signs.** A temporary construction sign may be erected on a construction site for the duration of construction activities, provided that it is immediately removed after issuance of a Certificate of Occupancy or Certificate of Completion for the project, or abandonment of work. A temporary construction sign may not exceed 32 square feet in area and eight feet in height within non-residential zones or eight square feet in area and five feet in height within residential zones.

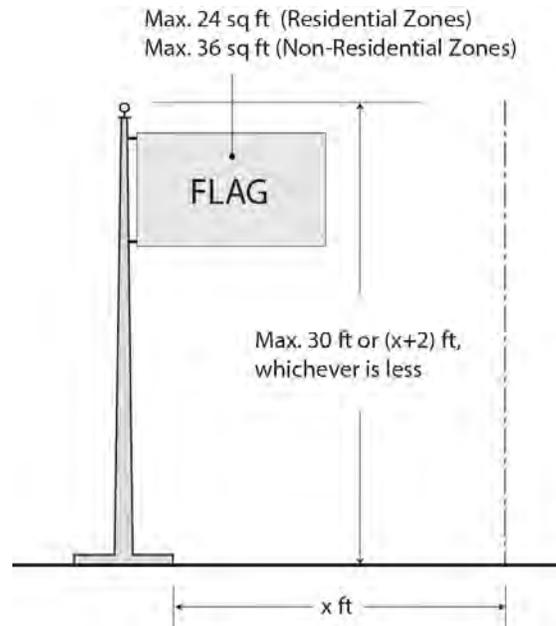
FIGURE 17.41.030(D): CONSTRUCTION SIGNS



- E. **Directional Signs.** Directional and/or informational signage is allowed provided it is limited to outlining/assisting vehicle and pedestrian circulation within a site, egress,

- ingress, and any public facilities such as restrooms, telephones, walkways, and other similar features.
- F. **Directional Signs for Open Houses.** Up to three off-site signs directing the public to "open house" events for the viewing of lots, premises, dwellings or structures that are for sale, lease, or rent, are permitted on private land, provided they comply with the following standards:
1. No sign or signs exceeds four square feet in area, or three feet in height from finished grade.
 2. The sign or signs may not be placed more than 12 hours before the start or remain more than 12 hours after the conclusion of the open house event.
- G. **Equipment Signs.** Signs incorporated into permitted displays, machinery, or equipment by a manufacturer, distributor, or vendor and identifying or advertising only the product or service dispensed by the machine or equipment, such as signs customarily fixed to automated teller machines (ATMs) and gasoline pumps.
- H. **Flags.** Flags of a governmental entity or a civic, philanthropic, educational, or religious organization may be erected and located in accordance with the following standards:
1. **Location.** Flagpoles must not be located within any required street facing yard setbacks.
 2. **Maximum Flagpole Height.** If a flag is on a flag pole, the pole height must not exceed 30 feet or the distance from the base of the pole to the closest lot line plus two feet, whichever is less.
 3. **Maximum Size.** The maximum individual flag area on a lot is 24 square feet in R districts and 32 square feet in all other districts.

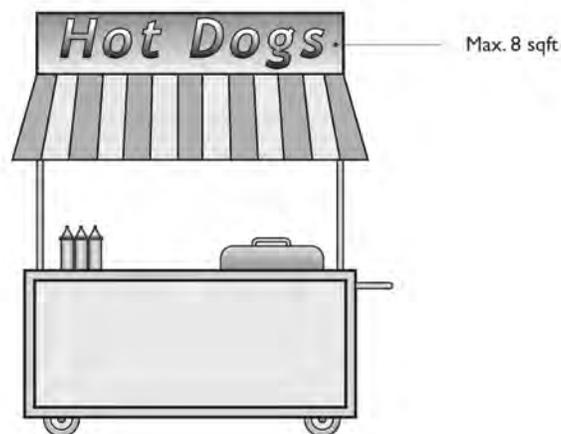
FIGURE 17.41.030(H): FLAGS



- I. **Government Signs.** Official notices issued by a court, public body, or office and posted in the performance of a public duty; notices posted by a utility or other quasi-public agency; signs erected by a governmental body to direct or regulate pedestrian or vehicular traffic; non-commercial bus stop signs erected by a public transit agency, or other signs required or authorized by law.
- J. **Informational Signs.** Non-commercial informational signs located wholly on private property, not exceeding two square feet in area, erected for the convenience of the public, such as signs identifying rest rooms, public telephones, walkways, and similar features or facilities.
- K. **Interior Signs.** Signs that are located in interior areas of a building or site and are not visible from public streets or adjacent properties. For the purpose of this regulation, “visible” means legible to a person of ordinary eyesight (with vision adequate to pass a State driver’s license exam) standing at ground level at a location on the public right of way or other private property.
- L. **Historical Plaques.** Plaques, not to exceed two square feet, commemorating the site of a historical event, the residence or workplace of a historical figure, or a building whose architectural or historical character is recognized by the City as part of the City’s cultural heritage.
- M. **Holiday Displays.** Holiday and cultural observance decorations on private residential property that are on display for not more than 45 calendar days per holiday per lot or use) and do not include commercial advertising messages.

- N. **Manufacturers' Marks.** Marks on tangible products, which identify the maker, seller, provider, or product, and which customarily remain attached to the product even after sale.
- O. **Menu Displays.** Menu display boards, not exceeding two square feet in area, mounted on a wall or in a window near the main entrance of establishments serving food to customers who eat on the premises. A-frame signs with menu displays may be permitted if they are located at the restaurant entrance outside of the public right-of-way and are moved from outside of the premise after the restaurant is closed.
- P. **Mobile Vendor Signs.** Signs fixed to mobile vending carts that identify or advertise the name, product, or service provided by the vendor. Each mobile vending cart is limited to a maximum sign area of eight square feet.

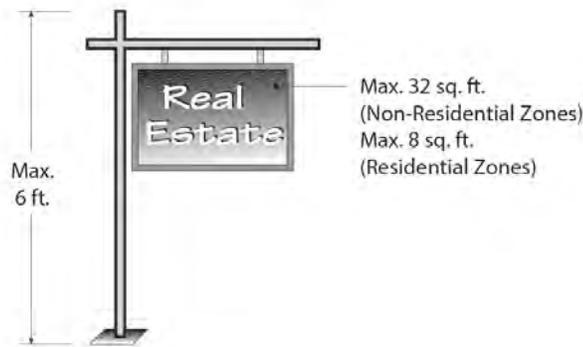
FIGURE 17.41.030(P): MOBILE VENDOR SIGNS



- Q. **Murals.** Murals that do not contain any advertising copy or function as advertising.
- R. **Newspaper Stands.** Signs that are part of newspaper stands, provided the sign area does not exceed six square feet.
- S. **On-Site Real Estate Signs.** On-premises signs conveying information about the sale, rental, or lease of the appurtenant lot, premises, dwelling, or structure, provided that they comply with the following standards:
1. The sign or signs are not illuminated;
 2. The sign or signs are removed within seven days after the sale, lease, or rental of the property has been completed; and

3. **Freestanding Real Estate Signs.**
 - a. No more than one real estate sign per public street frontage per lot is displayed at any one time;
 - b. The sign or signs do not exceed an aggregate area of 32 square feet within non-residential zones or eight square feet in area within residential zones;
 - c. The maximum height of the signs and supports is six feet;

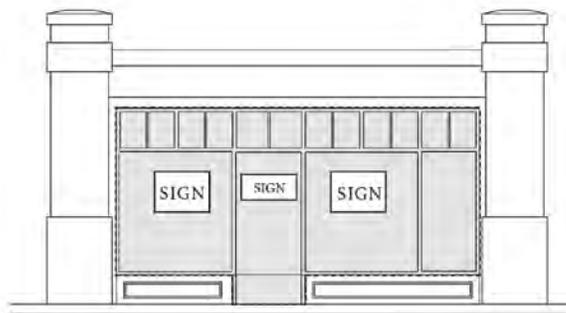
FIGURE 17.41.030(S): ON-SITE REAL ESTATE SIGNS



4. **Wall Real Estate Signs.**
 - a. Signs cannot exceed six square feet in area.
 - b. The maximum height of the signs is seven feet.
- T. **Special Event Sign.** A temporary sign with a maximum area of 40 square feet related to events of limited duration located on each street frontage. Special event signs must be removed within 24 hours of completion of the event.
- U. **Subdivision Signs.** A maximum of three unlighted double-faced temporary subdivision signs, not exceeding 40 square feet in area per display face and 15 feet in overall height, may be erected and maintained with a subdivision during sale of the lots. Such signs must be located within the subdivision and also be a minimum distance of 300 feet apart from each other. All subdivision signs must be removed at the close of escrow of the model complex houses.
- V. **Sponsorship Signs.** One sponsorship sign for each sponsor or one sign for all sponsors, which sponsor and contribute to the sports activities upon public premises, not to exceed 36 square feet in area per site, will be permitted for a period not to exceed one year preceding the event. Such sign must be removed within 15 days after the event.

- W. **Time and Temperature Devices.** Time and temperature devices, not taller in height than permitted signs or larger than 12 square feet, located wholly on private property and bearing no commercial message.
- X. **Vehicle and Vessel Insignia.** On street-legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel. The total area of such exempt signage must not exceed one square foot per lineal foot of length of the vehicle or watercraft.
- Y. **Window Signs.** Window Signs, whether permanent or temporary, subject to the following provisions:
1. In residential zones and on residential properties, one window sign not exceeding two square feet on any building façade.
 2. In non-residential zones, window signs not exceeding 10 percent of the area of window and transparent door frontage on any building façade. 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 in determining compliance with this standard.

FIGURE 17.41.030(Y): WINDOW SIGNS



Sign coverage of total transparent facade surface:
 Residential Zones: 2 sq. ft.
 Non-Residential Zones: 10%

- Z. **Protected Non-Commercial Political and Free Speech Signs on Residential Uses.** Non-illuminated temporary signs displaying protected non-commercial messages that are no more than four feet in height and no more than six square feet in area may be displayed at any time. However, during the period of time beginning 60 days before a general, special, primary or runoff election, and ending 15 days after such election, the amount of display area may be doubled. All signage displayed under this Section must be removed

15 days after the corresponding election. Flags do not count toward the signage allowed under this provision. This display area allowance is in addition to that allowed under the message substitution provision of this Chapter.

- AA. **Protected Non-Commercial Political and Free Speech Signs on Non-Residential Uses.** On commercial, business, industrial, and manufacturing uses, non-illuminated temporary signs displaying protected non-commercial messages, a maximum of six feet in height and totaling no more than 25 square feet in area, may be displayed at any time. However, during the period of time beginning 60 days before a general, special, primary, or runoff election, and ending 15 days after such election, the amount of display area may be doubled. Flags do not count toward the signage allowed under this provision. This display area allowance is in addition to that allowed under the message substitution policy.

17.41.040 Prohibited Signs

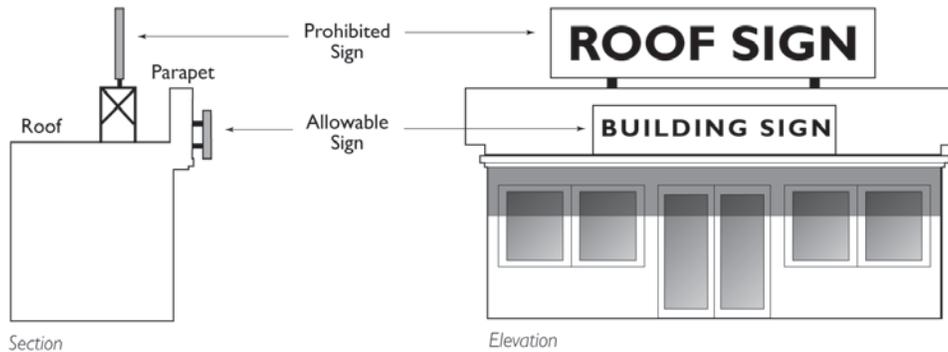
Unless otherwise permitted by a specific provision of this Chapter, the following sign types are prohibited in all zones:

- A. **Animated and Moving Signs.** Signs that blink, flash, shimmer, glitter, rotate, oscillate, move, or which give the appearance of blinking, flashing, shimmering, glittering, rotating, oscillating, or moving. This provision does not apply to holiday lights and signs using digital display technology, such as LED (light emitting diodes) or functionally equivalent display methods, which are permitted, subject to the regulations of this Chapter.
- B. **Banners, Balloons, Inflatable Signs, Streamers, Pennants and Other Attention-Getting Devices.** Banners, balloons, inflatable signs, streamers, pennants, flags, and other attention-getting devices, made of light-weight fabric or similar material, designed to rotate or move with the wind, that direct, promote, or that are otherwise designed to attract attention.
- C. **Cabinet or Can Signs.** Internally lit cabinet and can signs.
- D. **General Advertising (for Hire).** Temporary or hand-held signs that publicize or promote other businesses or causes using methods of advertising (in contrast to self-promotion, on-site sales, or on-site advertising). General advertising is also known as advertising for hire.
- E. **Light Bulb Strings.** External displays which consist of unshielded light bulbs, festoons, and strings of open light bulbs.
- F. **Mobile Billboards.** Any sign carried or conveyed by a vehicle for the primary purpose of general advertising for hire, excluding signs on taxis and buses.

FIGURE 17.41.040(F): MOBILE BILLBOARDS

- G. **Permanent Outdoor Signs Displaying Off-Site Businesses.** Permanent structure signs displaying general advertising for hire.
- H. **Portable Signs.** Portable signs are prohibited in all zones.
- I. **Signs Located in the Public Right-of-Way.** Other than official government signs or warning signs required by law, no inanimate sign can be placed in median strips or islands, on sidewalks, trees, retaining walls, bridges, benches, traffic signals, public fences, poles or utility equipment, street lighting, or utility poles or on traffic signs or traffic sign posts or supporting structures, or on utility poles or anchor wires or guy wires.
- J. **Signs Affixed to Trees.** No sign can be affixed to or cut into any tree or other living vegetation.
- K. **Signs on Terrain.** No sign may be cut, burned, marked, or displayed in any manner on a cliff or hillside.
- L. **Signs of Certain Materials.** Signs cannot be made of lights, roofing, siding, paving materials, flora, or balloons, or any other similar building, landscaping, or decorative component.
- M. **Roof Signs.**
 - 1. Attached signs that extend above the roofline or parapet (whichever is higher) of a building with a flat roof.
 - 2. Attached signs that extend above the deck line of a mansard roof.
 - 3. Signs on rooftop structures, such as penthouse walls or mechanical enclosures.

FIGURE 17.41.040(M): ROOF SIGNS



- N. **Search Lights and Klieg Lights.** When used as attention-attracting devices for commercial or special events or commercial film-making.
- O. **Signs Creating Traffic Hazards or Affecting Pedestrian Safety.** Signs must not be placed or located in such a manner as to constitute a safety hazard or to impede the public use of the public right-of-way.
1. Signs placed, mounted, erected, or installed in any manner that obstructs use of any door, window or fire escape;
 2. Signs mounted or displayed in such a manner that blocks or impedes the normal pedestrian use or public sidewalks. A minimum unobstructed width of four feet must be maintained on sidewalks at all times.
 3. Signs located in such a manner as to constitute a traffic hazard or obstruct the view of traffic, any authorized traffic sign, or signal device;
 4. Signs that may create confusion with any authorized traffic sign, signal, or device because their color, location, or wording, or use of any phrase, symbol, or character interferes with, misleads, or confuses vehicular drivers in their use of roads or conflicts with any traffic control sign or device;
 5. Signs within five feet of a fire hydrant, street sign, or traffic signal.
 6. Sign at or near any street intersection that will obstruct the free and clear vision of drivers and pedestrians. Other than traffic control signals, no sign can be installed in the visibility triangle at intersections, extending horizontally 15 feet from the corner of the intersection and vertically, from a height of three feet to a height of eight feet.
- P. **Signs for Prohibited Uses.** A sign displaying a commercial message promoting a business that is a prohibited use and has not been established as a legal nonconforming use.

- Q. **Signs on Public Property.** No sign, or supporting sign structure, may be erected in the public right of way, including portable A-frame signs. This provision does not prohibit signs that are mounted on private property but project into or over public property or the public right-of-way, when such sign is authorized by an encroachment permit or by this Chapter.
- R. **Signs that Produce Noise or Emissions.** Signs that produce visible smoke, vapor, particles, odor, noise, or sounds that can be heard at the property line, excluding voice units at menu boards and devices for servicing customers from their vehicles, such as drive-up windows at banks.

17.41.050 Sign Design Principles

The following sign design principles will be used as criteria for review and approval of sign permits and Master Sign Programs.

- A. **Architectural Compatibility.** A sign (including its supporting structure, if any) should be designed as an integral design element of a building's architecture and be architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign that covers a window or that spills over "natural" boundaries or architectural features and obliterates parts of upper floors of buildings is detrimental to visual order and will not be permitted. Common indicators of compatibility include:
1. Quality sign design and construction;
 2. Proportional size and scale; and
 3. Use of materials, shapes and colors that complement the building's architectural style and the surrounding environment.
- B. **Legibility.** The size, length, and proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, should be selected based on the average distance and average travel speed of the viewer. Sign messages oriented towards pedestrians may be smaller than those oriented towards automobile drivers. Colors chosen for the sign text and/or graphics should have sufficient contrast with the sign background in order to be easily read during both day and night. Substantial contrast should be provided between the color and materials of the background and the letters or symbols to make the sign easier to read in both day and night.
- C. **Placement.** Often, a building's architectural details create logical places for signage. Signs should not cover or interrupt architectural details or ornaments of a building's façade. On buildings with a monolithic or plain façade, signs can establish or continue appropriate design rhythm, scale and proportion. Well-designed and well-located retail signs create visual interest and continuity with other storefronts on the same or adjacent buildings. Signs should not obstruct windows or doors.

- D. **Readability.** A sign message should be easily recognized and designed in a clear, unambiguous and concise manner, so that a viewer can understand or make sense of what appears on the sign.
- E. **Visibility.** A sign should be conspicuous and readily distinguishable from its surroundings so a viewer can easily see the information it communicates. Appropriate illumination can add to visibility, but the type and strength must be carefully considered.

FIGURE 17.41.050: SIGN READABILITY

This:



Not This:



This:



Not This:

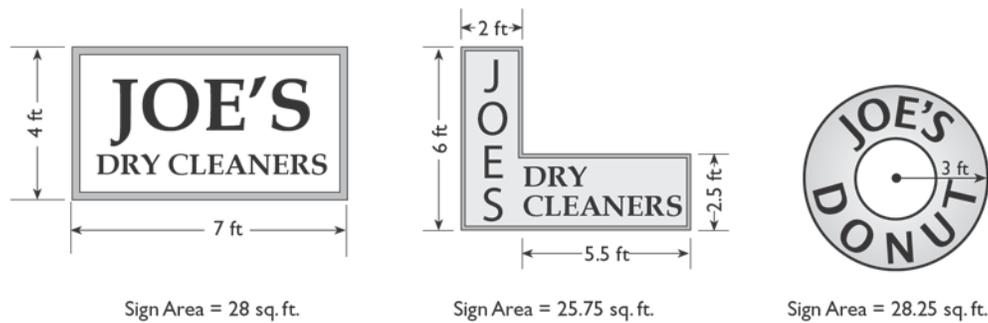


17.41.060 General Provisions for All Sign Types

- A. **Sign Permit Required.** Except as otherwise expressly provided in this Chapter, it is unlawful for any person to affix, place, erect, suspend, attach, construct, structurally or electrically alter (not including a face change of sign copy), move, or display any temporary or permanent sign within the City without first obtaining a sign permit from the Zoning Administrator. No sign permit is required for exempt signs and for cleaning or other normal maintenance of a properly approved sign, unless a structural or electrical change is made.
- B. **Owner's Consent Required.** The consent of the property owner or business owner is required before any sign may be displayed on any real or personal property within the city.

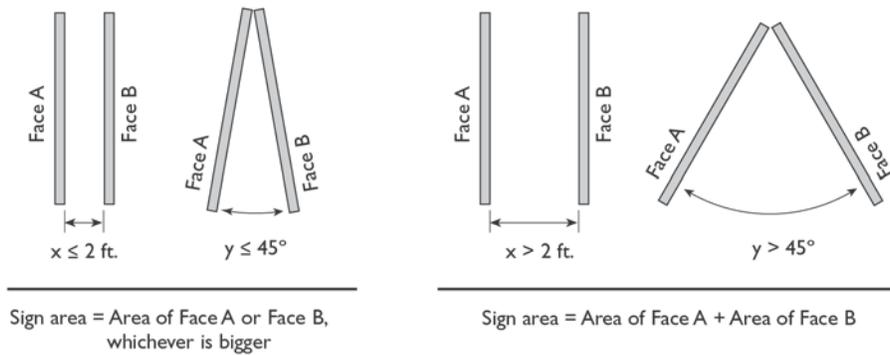
- C. **Non-commercial Signs.** Non-commercial signs are allowed wherever commercial signage is permitted and are subject to the same standards and total maximum allowances per site or building of each sign type specified in this Chapter. A permit is required only if the sign qualifies as a structure, subject to a building permit under the Building Code. For purposes of this Chapter, all non-commercial speech messages will be deemed to be “on-site,” regardless of location.
- D. **Maximum Sign Area.** The maximum allowable sign area for permanent signs, exclusive of area of exempt signs, is based on the Zoning District in which the sign is located and the type of sign to be used. These standards are established in subsequent sections of this Chapter. These standards are maximums permitted, but the Design Review Board may reduce the sign area due to site context, visibility needs, and sign design.
- E. **Applicable Codes.** In addition to complying with the provisions of this Section, all signs must be constructed in accordance with the Uniform Building Code, the Uniform Sign Code, the Electrical Code, and all other applicable laws, rules, regulations, and policies.
- F. **Encroachment Permits.** Signs mounted on private property may project into or above public property or the public right-of-way only with approval by the Public Works Director of an encroachment permit. The Public Works Director may exempt signs in Old Town from having to secure an encroachment permit if these signs meet the standards of this Chapter and are allowed by the Goleta Old Town Heritage District Architectural and Design Guidelines, as adopted by the City.
- G. **Measuring Sign Area.** The area of an individual sign must be calculated as follows.
 - 1. **Single-Faced Signs.** Sign area includes the entire area within a single continuous perimeter composed of squares, rectangles, or circles that enclose the extreme limits of all sign elements, including, without limitation, sign structures or borders, written copy, logos, symbols, illustrations, and color. Supporting structures, such as sign bases and columns, are not included in sign area provided that they contain no lettering or graphics except for addresses or required tags.

FIGURE 17.41.060(G)(I): SINGLE-FACED SIGNS



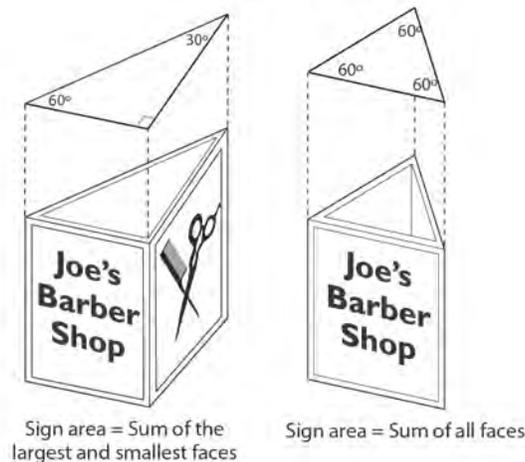
- Double-Faced Signs.** Where two faces of a double-faced sign are located two feet or less from one another at all points, or located at an interior angle of 45 degrees or less from one another, the sign area must be computed as the area of one face. Where the two faces are not equal in size, the larger sign face will be used. Where two faces of a double-faced sign are located more than two feet or greater than 45 degrees from one another, both sign faces will be counted toward sign area.

FIGURE 17.41.060(G)(2): DOUBLE-FACED SIGNS



- Multi-Faced Signs.** On a three-faced sign, where at least one interior angle is 45 degrees or less, the area of two faces (the largest and smallest face) must be summed to determine sign area. In all other situations involving a sign with three or more sides, sign area will be calculated as the sum of all faces.

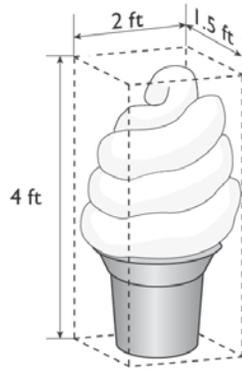
FIGURE 17.41.060(G)(3): MULTI-FACED SIGNS



- Three-Dimensional Signs.** Signs that consist of, or have attached to them, one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), may have a sign area that is the sum of all areas using

the four vertical sides of the smallest rectangular prism that will encompass the sign.

FIGURE 17.41.060(G)(4): THREE-DIMENSIONAL SIGNS



Sign area = 28 sq. ft.

- H. **Changeable Copy.** Changeable copy on signs is permitted, subject to the following regulations.
1. **Electronic Copy.** Electronic changeable copy is only allowed for fuel price signs, public/semi-public uses, and indoor theaters.
 - a. *Design Review Required.* Design Review Board approval is required for the installation of any electronic sign.
 - b. *Location.* Electronic signs are permitted only on service and gas station sites and on a parcel of land with at least 400 feet of continuous street frontage and where the main building is setback at least 20 feet from the property line.
 - c. *Maximum Number.* One per lot or use.
 - d. *Maximum Height.* 12 feet.
 - e. *Maximum Area.* Electronic copy can represent no more than 75 percent of the maximum allowable sign area.
 - f. *Display Duration.* Copy is limited to a minimum duration of four seconds and must have an unlighted interval between copy displays of one second or more.
 - g. *Light Intensity.* The intensity of the sign lighting cannot exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal foot-candles and cannot exceed 500

FT-L when adjacent to streets which have an average intensity of 2.0 horizontal foot-candles or greater. No change of lighting intensity may occur during a display or between displays except to respond to a change in ambient lighting conditions.

2. **Non-Electronic Copy.** Non-electronic changeable copy can represent no more than 20 percent of the total allowable sign area, except for the following uses which are allowed up to 75 percent of the maximum allowable sign area to be changeable copy: all public/semi-public uses, indoor theaters and cinemas, and fuel price signs.
- I. **Message Substitution.** A non-commercial message of any type may be substituted, in whole or in part, for any duly permitted commercial message, and any on-site commercial message may be substituted, in whole or in part, for any other on-site commercial message.
1. **No Additional Approval.** Such substitution of message may be made without any additional approval, permitting, registration, or notice to the City. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other noncommercial message.
 2. **Limitations.** This message substitution provision does not: 1) create a right to increase the total amount of signage on a parcel, lot or land use; 2) affect the requirement that a sign structure or mounting device be properly permitted; 3) allow a change in the physical structure of a sign or its mounting device; or 4) authorize the substitution of an off-site commercial message in place of an on-site commercial message or in place of a non-commercial message.
- J. **Materials.** Paper, cardboard, or other material subject to rapid deterioration can only be used for signs that comply with applicable requirements for Temporary Signs. Fabric signs are restricted to Awning Signs, and Temporary Signs.
- K. **Illumination.** The illumination of signs, from either an internal or external source, must be designed to avoid negative impacts on surrounding rights-of-way and properties. The following standards apply to all illuminated signs:
1. Sign lighting must not be of an intensity or brightness that will create a nuisance for residential buildings in a direct line of sight to the sign;
 2. Signs using exposed light sources, such as neon tubing, or any interior lighted sign with transparent or translucent faces may be approved by the Design Review Board, provided that the Board finds that the light from the sign does not cause unreasonable glare, annoyance to passersby or neighbors, or safety hazards. Unshielded light bulbs and fluorescent light bulbs are prohibited for the illumination of signs.

3. Light sources must be hard-wired fluorescent or compact fluorescent lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent bulbs or lamps are prohibited, except when used in signs of historic character as part of the architectural design.
 4. Illuminated signs located adjacent to any residential area must be controlled by a rheostat or other acceptable method to reduce glare that will create a nuisance for residential buildings in a direct line of sight to the sign.
 5. External light sources must be directed, shielded, and filtered to limit direct illumination of any object other than the sign, according Chapter 17.36, Lighting.
- L. **Maintenance.** Each sign must be: (1) maintained in a secure and safe condition; (2) maintained in good repair; and (3) cleaned, painted, and replaced as necessary to present a neat appearance. If the City determines that a sign is not secure, safe, or in a good state of repair, it must give written notice of this fact to the property owner and specify a time period for correcting the defect. If the defect is not corrected within the time specified by the City, the City may revoke the permit to maintain the sign, if a permit is required, and may remove the sign pursuant to the public nuisance abatement provisions of this Title.
- M. **Abandonment.** An on-premises sign advertising an activity, business, service or product must be removed within 90 days following the actual discontinuance of the activity, business, service or product. If the sign is not so removed, the Code Enforcement Officer may have the sign removed in accordance with the public nuisance abatement provisions of the Municipal Code.

17.41.070 Standards for Signs by Districts

This Section establishes the types and size of signs allowed by district. These signs also are subject to the regulations in “General Provisions for All Sign Types” and “Standards for Specific Sign Types.”

- A. **Types of Signs Allowed.** Table 17.41.070(A) establishes the types of permanent signs allowed by zoning district.

TABLE 17.41.070(A): PERMITTED PERMANENT SIGNS BY DISTRICT				
<input checked="" type="checkbox"/> Permitted <i>(subject to compliance with this Chapter)</i>		<input type="checkbox"/> Permitted only as part of an approved Master Sign Program <i>or with compliance with the Old Town Design Guidelines</i>		
District	Sign Type			
	Wall	Awning and Canopy	Projecting	Freestanding
All Districts				
See § 17.41.080, Signage Allowances for Specific Uses				
Commercial Districts				
CR	■	■	■	□
CC	■	■	■	■
OT	■	■	□	□
VS	■	■	□	□
CI	■	■	■	■
CG	■	■	■	■
Office Districts				
BP	■	■	□	□
OI	■	■	□	□
Industrial Districts				
IS	■	■	□	■
IG	■	■	□	■
Public and Quasi Public District				
PQ	■	■	■	■

- B. **Allowed Sign Area.** Table 17.41.070(B) establishes the maximum sign area per district, exclusive of exempt signs and signage allowances for specific uses.

TABLE 17.41.070(B): TOTAL MAXIMUM SIGN AREA BY DISTRICT				
District	Commercial Districts	Office Districts	Industrial Districts	Public and Quasi Public Districts
Total Sign Area Allowed (sq. ft.)*	1 per lineal foot of street frontage	0.5 per lineal foot of street frontage	0.5 per lineal foot of street frontage	0.2 per lineal foot of street frontage

17.41.080 Signage Allowances for Specific Uses

This Section establishes signage allowances for specific uses. These signs are allowed in addition to the signs allowed by Zoning District in § 17.41.070, Standards for Signs by District.

- A. **Agricultural Operations.** Signs for agricultural operations may be erected subject to the following standards:

1. **Maximum Number of Signs.** One sign per street frontage.
 2. **Location.** Must be setback back a minimum of five feet from the public right-of-way.
 3. **Maximum Sign Area Per Sign.** 25 square feet in area.
 4. **Copy.** The signs may display only the name of the operation, directions to its location, and slogan, if any.
- B. **Non-Residential Uses in Residential Districts.** Signs for non-residential uses in Residential Districts are allowed subject to the following standards:
1. **Maximum Number.** One freestanding sign and one wall sign.
 2. **Maximum Sign Area per Sign.** Freestanding signs must not exceed 32 square feet in area. Wall signs must not exceed 10 square feet in area.
 3. **Location.** Freestanding signs must not be located closer than ten feet to any street line or five feet to any interior lot line.
 4. **Maximum Height.** Six feet for freestanding signs. Wall signs must not be more than 12 feet above grade.
- C. **Residential and Mixed Use Developments.** Identification signs for residential and mixed-use developments with more than 10 residential units or parcels are permitted for the purpose of identifying a development subject to the following standards:
1. **Maximum Number of Signs.** One sign per street frontage.
 2. **Maximum Sign Area per Sign.** 40 square feet.
 3. **Height Limit.** Five feet when located within a required front or street side setback, 10 feet otherwise.
- D. **Service and Gas Stations.** Signs on service and gas station canopies not to exceed 50 square feet on each side.
- E. **Cinemas.** One square foot of sign is permitted for each foot of linear occupancy frontage to a maximum of 150 square feet.

17.41.090 Standards for Specific Sign Types

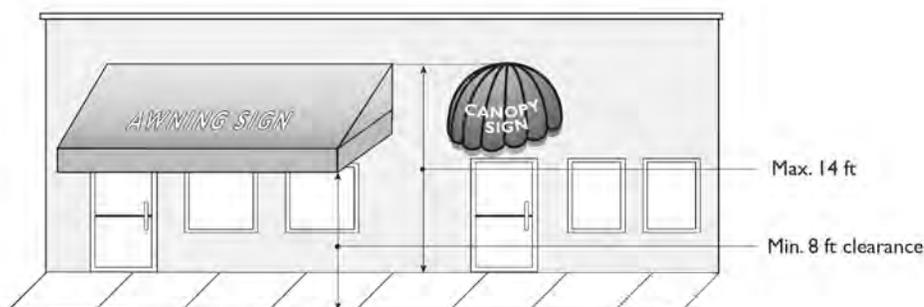
- A. **A-Frame Signs.** A-Frame signs are allowed in Commercial districts, subject to the following standards:
1. **Maximum Number.** Each establishment is limited to no more than one sign.

2. **Placement.** A-Frame signs must be placed on private property directly in front of the business it is identifying.
3. **Hours of Display.** A-Frame signs must be removed during hours when the establishment is not open to the public and cannot be displayed after the activity with which they are associated with is over.
4. **Maximum Size.** Five square feet.
5. **Maximum Height.** Three feet.

B. **Awning and Canopy Signs.** Awning and canopy signs may be attached to or painted on the vertical edges of awnings, canopies, arcades, or similar features or structures. Awning and canopy signs are also subject to district specific sign standards and the following additional standards:

1. **Maximum Number.** One for each establishment having entrance under of offering service under the awning or canopy.
2. **Maximum Size.** Six square feet of sign area.
3. **Maximum Height.** Awning height is limited to 14 feet.
4. **Minimum Vertical Clearance.** The bottom of the awning shall be a minimum of eight feet above the sidewalk.

FIGURE 17.41.090(B): AWNING AND CANOPY SIGNS



Specific Zoning District standards also apply.

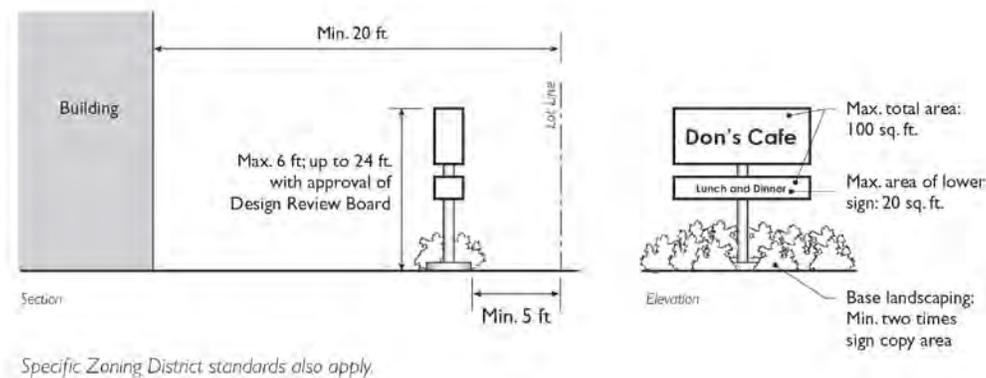
C. **Freestanding Signs.** Freestanding signs are subject to the district-specific standards and the following additional standards:

1. **Where Allowed.** Freestanding signs are permitted only on a parcel of land with at least 125 feet of continuous street frontage (200 feet for pole signs) and where the main building is set back at least 20 feet from the lot line. The base of the

supporting structure must be set back at least five feet for the street right-of-way line.

2. **Maximum Number.** One per street frontage. No more than two separate signs may be placed on each freestanding sign structure.
3. **Maximum Height.** Six feet, unless a higher height, up to 24 feet, is approved by the Design Review Board.
4. **Maximum Area.** If two signs are placed on the same freestanding structure, the lower sign cannot exceed 20 square feet and the areas of the two signs, added together, cannot exceed 100 square feet in area.
5. **Landscaping Required.** All freestanding signs require landscaping at the base equivalent to two times the area of the sign copy.

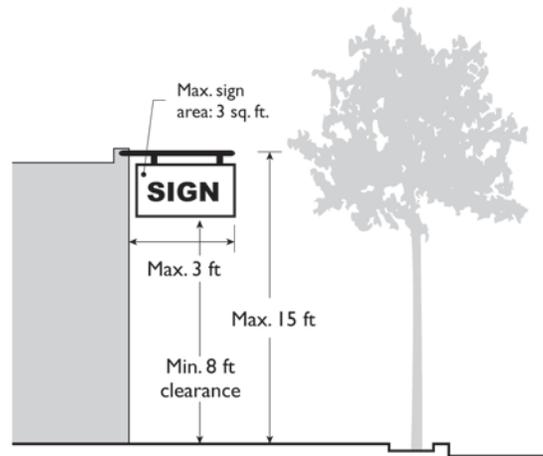
FIGURE 17.41.090(C): FREESTANDING SIGNS



- D. **Projecting Signs.** A sign may project horizontally from the exterior wall of a building, provided that such projection conforms to the district-specific standards and the following additional standards:
 1. **Maximum Number.** One per building or tenant space.
 2. **Maximum Size.** Three square feet.
 3. **Maximum Height.** 15 feet measured from grade to the top of the sign.
 4. **Minimum Vertical Clearance.** Eight feet above the sidewalk.
 5. **Projection Allowed.** A projecting sign cannot extend more than three feet from the building to which it is attached and must be designed and located so as to cause no harm to street trees.

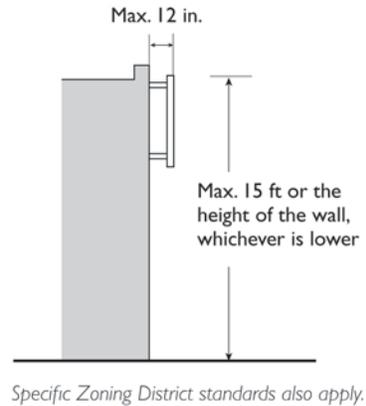
6. **Illumination.** No special illumination is allowed for projecting signs.

FIGURE 17.41.090(D): PROJECTING SIGNS



Specific Zoning District standards also apply.

- E. **Wall Signs.** Wall signs are subject to the district-specific standards and the following additional standards:
1. **Maximum Number.** One per street frontage or one per tenant space.
 2. **Maximum Size.** One-eighth of the building face area to a maximum of 100 square feet.
 3. **Maximum Height.** 15 feet or the height of the wall of the building to which the sign is attached, whichever is lower.
 4. **Projection Allowed.** Wall signs cannot extend more than 12 inches beyond the face of the wall to which they are attached.
 5. **Placement.** No wall sign may cover, wholly or partially, any required wall opening.
 6. **Orientation.** Unless a different orientation is specifically authorized, each wall-mounted sign must be placed flat against the wall of the building.

FIGURE 17.41.090(E): WALL SIGNS**17.41.100 Historic Signs**

[Placeholder. This section will contain a cross-reference provisions for Historic Resource Preservation to be included in Chapter 17.34.]

17.41.110 Master Sign Programs

The purpose of a Master Sign Program (Sign Program) is to promote coordinated signage for all non-residential and/or mixed-use development subject to discretionary review. Under a Master Sign Program sign standards may be modified to allow design creativity and to simplify the review process for individual signs once the Sign Program is adopted. However, the total aggregate area of the signs permitted by the Sign Program must not be greater than the total aggregate areas of all signs otherwise permitted by this Chapter.

A. Applicability.

1. A Master Sign Program is required for:
 - a. Four or more occupancies in commercial or office developments, including mixed-use projects,
 - b. All separately identifiable commercial building groups, and
 - c. All construction and renovation projects involving more than 40,000 square feet of land area.
2. A pre-existing overall sign program can be used for specific sign designs with approval of the Zoning Administrator.

3. A Master Sign Program may be substituted for specific sign designs and individual applications if requested by an applicant and approved by the Design Review Board.
- B. **Required Submittals.** Applications for a Master Sign Program must include the following plans and text:
1. Text and drawings, including plans drawn to scale, which identify all signs proposed for the development, establishing their location, size, function and other characteristics needed to evaluate the extent of the signage proposed. Plans and drawings must include a site plan, typical building elevations, and drawings of generic sign types proposed;
 2. Computation of allowable area for all signs, and of total area of all proposed signage.
 3. Design criteria for individual signs dealing with colors, materials, illumination, graphic styles, and other sign features; and
 4. A written program of standards for all sign types to be distributed to future tenants, including color, size, illumination, construction details, and sign placement.
- C. **Review.**
1. New Master Sign Programs and modifications to existing Sign Programs will be reviewed and acted upon by the Design Review Board.
 2. Individual signs submitted in accordance with the standards of approved Sign Programs will be reviewed by the Zoning Administrator. Sign designs will be approved ministerially if the signs comply with the applicable Sign Program.
- D. **Findings Required.** The Design Review Board will only approve a new Master Sign Program or an amendment to an approved Sign Program if the Board finds:
1. That the proposed signage is in harmony and visually related to the common design elements of the buildings the signs will identify;
 2. The proposed signage does not cover or obstruct important architectural elements associated with the buildings;
 3. The proposed signage does not adversely affect other nearby properties;
 4. The choice of materials and colors are of sufficient quality and durability to enhance the project design;

5. The modifications to dimensional or locational standards are appropriate from a design perspective; and
6. The proposed amount of signage does not exceed the total aggregate area of signage allow by this Chapter.

17.41.120 Nonconforming Signs

- A. **Continuance and Maintenance.** Reasonable and routine maintenance and repairs may be performed on signs that are nonconforming provided there is no expansion of any nonconformity.
- B. **Abandonment of Nonconforming Sign.** Whenever a nonconforming sign has been abandoned, or the use of the property has been discontinued for a continuous period of 90 days, the nonconforming sign must be removed.
- C. **Restoration of a Damaged Sign.** An on-premises sign may be restored if it meets either of the following criteria:
 1. A sign with damage that does not exceed 50 percent of the total sign area, including hardware and attachments, provided that the repairs start within 60 days of the date of damage and are diligently pursued to completion.
 2. A sign that is a danger to the public or is unsafe as determined by the Building Official.

Chapter 17.42 Standards for Specific Uses and Activities

Sections:

17.42.010	Purpose
17.42.020	Applicability
17.42.030	Accessory Uses
17.42.040	Adult-Oriented Businesses
17.42.050	Animal Keeping
17.42.060	Automobile/Vehicle Sales and Leasing
17.42.070	Automobile/Vehicle Service and Repair
17.42.080	Automobile/Vehicle Washing
17.42.090	Community Assembly
17.42.100	Community Gardens
17.42.110	Drive-In and Drive-Through Facilities
17.42.120	Emergency Shelters
17.42.130	Family Day Care Homes, Large
17.42.140	Farmer's Markets
17.42.150	Farmworker Housing
17.42.160	Group Residential
17.42.170	Heliports
17.42.180	Home Occupations
17.42.190	Hospitals and Clinics
17.42.200	Live/Work Units
17.42.210	Lodging and Visitor-Services
17.42.220	Manufactured Homes
17.42.230	Medical Marijuana Uses
17.42.240	Mobile Food Facility/Vendor
17.42.250	Nurseries and Garden Centers
17.42.260	Outdoor Dining and Seating
17.42.270	Outdoor Sales
17.42.280	Personal Services
17.42.290	Personal Storage
17.42.300	Recycling Facilities
17.42.310	Residential Care Facilities, Large
17.42.320	Single Room Occupancy (SRO) Housing
17.42.330	Second Dwelling Units
17.42.340	Service and Gas Stations
17.42.350	Sustainable Living Research Site
17.42.360	Temporary Uses

17.42.010 Purpose

The purpose of this Chapter is to establish standards for specific uses and activities that are permitted or conditionally permitted in several or all zoning districts. These provisions are intended to minimize the impacts of these uses and activities on surrounding properties and to protect the health, safety, and welfare of their occupants and of the general public.

17.42.020 Applicability

Each activity covered by this Chapter must comply with the requirements of the Section applicable to the specific use or activity, in addition to any zoning district standards where the use or activity is proposed, other applicable provisions of this Title, and the following:

- A. The uses that are subject to the standards in this Chapter are allowed only when authorized by the planning permit identified in the base zoning district regulations except where this Chapter establishes a different planning permit requirement for a specific use.

17.42.030 Accessory Uses

An accessory use must be incidental, related, appropriate and clearly subordinate to the main use of the principal use or building to which it relates under the same regulations as the main use in any zoning district. These regulations are found in the use regulations tables in Article II, Base and Overlay Districts, and may be subject to specific standards found in this Chapter or within each district, as specified in the tables.

- A. **General Requirements.** No use will be considered to be accessory to a principal or conditional use which involves or requires any of the following:
 1. **Residential Districts.** The use of more than one-quarter of the total floor area in the principal building and accessory building.
 2. **Non-Residential Districts.** The use of more than one-third of the total floor area in the principal building and the accessory building.
- B. **Prohibited Uses.** The following uses are prohibited from being accessory uses:
 1. Adult-Oriented Businesses;
 2. Medical Marijuana Uses;
 3. Liquor Stores;
 4. Bar/Nightclub/Lounge, except in hotels, resorts, and golf courses; and
 5. General and Limited Industrial.

17.42.040 Adult-Oriented Businesses

Adult-oriented businesses must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **General Location.** Certain types of adult-oriented businesses possess certain characteristics that are found objectionable, when concentrated, and can have a deleterious effect upon adjacent areas. Locating the adult-oriented businesses covered by this Section in the vicinity of facilities frequented by minors increases the likelihood that minors will be exposed to materials intended for adults. In addition, many persons are offended by the public display of certain sexual material. Therefore, special regulation of such uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood or have an adverse effect on minors.

- B. **Applicability. The uses subject to these regulations include, without limitation:**
 - 1. Adult bookstores, adult novelty stores, or adult video stores;
 - 2. Adult live entertainment theaters;
 - 3. Adult motion picture or video arcades; and
 - 4. Adult motion picture theaters.
 - 5. **Exceptions.** An "Adult oriented business" does not include:
 - a. Persons depicting "specified anatomical areas" in a modeling class operated:
 - (1) By a college, junior college, or university supported entirely or partly by public revenue; or
 - (2) By a private college or university that maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by public revenue; or
 - (3) In a structure operated either as a profit or nonprofit facility:
 - i. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
 - ii. Where, in order to participate in a class, a student must enroll at least three days in advance of the class.

- b. The practice of massage in compliance with § 5.05.050 of the Goleta Municipal Code.
- C. **Development Standards.** Adult-oriented businesses must comply with the following development and operational standards.
- 1. ***Specific Location.*** Adult-oriented businesses must be located the following minimum distances:
 - a. From any R District or existing residence: 1,000 feet.
 - b. From any educational institution, including, without limitation, public or private schools, nursery schools or child care facilities, religious and/or cultural institutions, or private or public parks: 1,000 feet.
 - c. From another adult-oriented business: 1,000 feet.
 - 2. ***Hours of Operation.*** Hours of operation of the business will be limited to the time period between 8 a.m. and 10 p.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and from 8 a.m. to 11 p.m. on Friday and Saturday.
 - 3. ***Display.*** No adult-oriented business may display or exhibit any material in a manner which exposes to the public view, photographs or illustrations of specified sexual activities or naked adults in poses which emphasize or direct the viewer's attention to the subject's genitals. Adult news racks are also subject to this limitation.
 - 4. ***Security Program.*** An on-site security program must be prepared and implemented as follows:
 - a. ***Exterior Lighting.*** All off-street parking areas and building entries serving an adult-oriented business must be illuminated during all hours of operation with a lighting system that provides a minimum maintained horizontal illumination of one foot-candle of light on the parking surface and/or walkway.
 - b. ***Interior Lighting.*** All interior portions of the adult-oriented business, except those devoted to mini-motion or motion pictures, must be illuminated during all hours of operation with a lighting system that provides a minimum maintained horizontal illumination of not less than two foot-candles of light on the floor surface.
 - c. ***Security Guards.*** Security guards for adult-oriented businesses may be required if it is determined by the Police Department that their presence is necessary in order to prevent any unlawful conduct from occurring on the premises.

D. **Site Conditions.**

1. **Façade.** For existing buildings, pictures of the building(s) where the adult-oriented business is proposed to be located must be provided to the City upon submittal of a Conditional Use Permit application. The exterior of the building(s) may be required to be repainted and repaired if needed.
2. **Landscaping.** The site must comply with all landscaping requirements of Chapter 17.35 in effect at the time of application.
3. **Litter.**
 - a. The exterior of an adult-oriented business, including all signs and accessory buildings and structures, must be maintained free of litter and graffiti at all times. The owner or operator will provide for daily removal of trash, litter, and debris from premises and on all abutting sidewalks within 20 feet of the premises. The owner or operator must remove graffiti within 48 hours.
 - b. Operators of such establishments must remove trash and debris from their premises on a daily basis.

17.42.050 Animal Keeping

- A. **Where Allowed.** Animal keeping is allowed as an accessory use to a residential use. To permit the keeping of animals and ensure that their presence does not create an undue burden on neighboring residents.
- B. **Household Pets.** The keeping of four or fewer small domestic household pets such as cats, dogs, and birds for noncommercial purposes is permitted. The keeping of more than four small domestic, household pets is subject to Administrative Use Permit approval.
- C. **Other Animals Allowed in Residential Districts.** In Residential Districts, the following animals are allowed.
 1. **Large Animals.** One horse, mule, goat, cow, swine, or other similar size animal is permitted for each 20,000 square feet of lot area, provided that no more than three swine or five such other animals are kept on any lot.
 2. **Small Animals.** Small animals (e.g., chickens, birds, ducks, and rabbits) are permitted, provided that:
 - a. Such small animals are for the domestic use of the residents of the lot only and are not kept for commercial purposes.

- b. The keeping of such small animals is not injurious to the health, safety, or welfare of the neighborhood and does not create offensive noise or odor as determined by the Zoning Administrator after advice from the County Health Department.
 - c. Enclosures for such small animals are no closer than 25 feet to any dwelling.
- D. **Stables and Barns.** No stable, barn, or other large animal enclosure (i.e., paddock) can be located on a lot, excluding a combination of lots, having a gross area of less than 20,000 square feet. No portion of a stable or barn can be located closer than:
 - 1. 40 feet from any dwelling on another lot;
 - 2. 70 feet to any street centerline and 20 feet to the right-of-way;
 - 3. 15 feet from the rear property line; and
 - 4. 10 feet from the side property lines.
- E. **Offspring.** The offspring of any permitted animal may be kept until weaned, unless they do not exceed the total number of animals allowed.
- F. **Prohibited Animals.** No predatory wild animals, roosters, endangered animals, or protected animals are allowed to be kept within the City.
- G. **Odor and Vector Control.** Animal structures, including pens, coops, cages, and feed areas, must be maintained free from litter, garbage, and the accumulation of manure so as to discourage the proliferation of flies, other disease vectors and offensive odors. Manure must not be allowed to accumulate within setback areas.
- H. **Containment.** Animals must be effectively contained on the site and not be allowed to run free on any lot in a separate ownership or in a public right-of-way.

17.42.060 Automobile/Vehicle Sales and Leasing

Automobile/vehicle sales and leasing facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Location.** Automobile/Vehicle Sales and Leasing are permitted on sites with at least one frontage on an arterial street or regional highway.
- B. **Minimum Lot Area.** 10,000 square feet.
- C. **Landscaping and Screening.** In addition to complying with the landscaping standards in Chapter 17.35, additional screening and landscaping may be required where necessary to prevent visual impacts on adjacent R districts.

- D. **Vehicle Display.** A minimum five-foot-wide planter strip must separate vehicle display areas from sidewalks and pedestrian entries.
- E. **Vehicle Loading and Unloading.** All vehicle loading and unloading must occur on site in the rear half of the site. If the lot abuts a property in an R District, the loading and unloading may be located to have a lesser impact on the adjacent properties, but in all cases, loading and unloading must occur during weekday business hours.

17.42.070 Automobile/Vehicle Service and Repair

Automobile/vehicle service and repair facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Applicability** This Section applies to all major and minor automobile/vehicle service and repair uses as well as any other uses, such as auto dealerships or service stations that perform auto servicing as an accessory activity.
- B. **Orientation of Bay Doors.** All bay doors must be oriented to minimize visibility from public streets by locating bay entries at least 90 degrees from the roadway and screening them with a combination of landscaping, neighboring buildings, or the use of decorative screen walls. On corner lots fronting two or more streets with different classifications in the General Plan, bay doors must face the street with the highest classification, unless the bay doors are screened from both streets.
- C. **Landscaping and Screening.** An ornamental fence or solid wall three feet in height and a minimum eight-foot wide landscape planter area must be provided along the perimeter of the lot that is adjacent to the public right-of-way
- D. **Work Areas.** All work must be conducted within an enclosed building, except pumping motor vehicle fluids, checking and supplementing fluids, and mechanical inspection and adjustments not involving any disassembly.
- E. **Vehicle Storage.** Vehicles being worked on or awaiting service or pick up must be stored within an enclosed building or in a parking lot on the property that is adequately screened, with an earthen berm or screen wall, combination thereof, or a building. Screen walls must be located on property lines with the exception of yards along streets, where the screen wall must be located outside of required setbacks. Unattended vehicles may not be parked or stored on the sidewalk adjoining the property, in the street, or in any portion of the public right-of-way within the City. Screen walls are not required when the site is located in an Industrial District that abuts a non-arterial street (arterial streets are required to have a screen wall).
- F. **Equipment and Product Storage.** Exterior storage, including tires, must not be visible from arterial streets or an R District.

- G. **Spray/Paint Booths.** Spray booths must be screened from arterial streets and must be separated a minimum of 500 feet from R districts, parks, schools, and daycare centers.
- H. **Litter.** No used or discarded automotive parts or equipment or permanently disabled, junked, unregistered, or wrecked vehicles may be stored outside of the main building. Parts or equipment may be temporarily stored outdoors for no longer than one week, but must be screened from view.
- I. **Noise.** All body and fender work or similar noise-generating activity must be enclosed in a masonry or similar building with sound-attenuating measures incorporated into the building design and construction to absorb noise. Bay openings must be oriented so as to minimize the effects of sound emanating from the auto repair building towards residential uses, outdoor restaurant seating, and outdoor reception areas. Compressors must be located within separately enclosed, sound-attenuated rooms.

17.42.080 Automobile/Vehicle Washing

Automobile/vehicle washing facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Landscaping and Screening.**
 - 1. A 10-foot landscape setback is required along all street frontages.
 - 2. Vehicle lanes for car wash openings must be screened from public streets to a height of 30 inches with walls and/or berms with supplemental plant materials.
- B. **Washing Facilities.**
 - 1. Lighting must be low-profile, indirect or diffused, and fully shielded.
 - 2. A recycled water system is required.
- C. **Hours of Operation.** Washing facilities are limited to 7 a.m. to 11 p.m. When abutting or adjacent to an R District, the hours of operation are limited to 8 a.m. to 7 p.m., seven days a week.
- D. **Litter.** The premises must be kept in an orderly condition at all times. Litter, including recycling, must be collected daily.

17.42.090 Community Assembly

Community assembly facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Minimum Site Area.**
 - 1. ***In General.*** Community assembly uses may only be located on sites with at least 7,500 square feet in area or corner parcel that exceeds 15,000 square feet in area.
 - 2. ***In Residential Districts.*** A minimum of 20,000 square feet. A smaller site area may be allowed with a Conditional Use Permit.
- B. **Setback from Residential District or Use.** A minimum setback of 20 feet must be provided adjacent to any R District or property with a residential use when located within an R District.
- C. **Front Yard.** If a community assembly facility is located within an R District, the required front yard may not be used for parking vehicles.
- D. **Outdoor Activity Areas.** Outdoor areas used for recreation, meetings, services or other activities involving groups of persons must be at least 50 feet from any R District boundary or residential use.
- E. **Hours of Operation.** Permitted hours of operation are 9:00 a.m. to 9:00 p.m., seven days a week. Additional hours may be allowed with a Conditional Use Permit.
- F. **Permitted Accessory Uses.** Community assembly uses may include administrative offices, kitchen facilities, multi-purpose rooms, storage, and other uses that are accessory to the facilities for public or private meetings. Places of worship may provide religious instruction as an accessory use; however, when a full school curriculum is offered, the school use will be separately classified as a Public or Private School.

17.42.100 Community Gardens

Community gardens must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Management.**
 - 1. Community gardens can be organized by community groups, nonprofit organizations, the City, or land owners. A manager must be designated for each community garden who will serve as liaison between gardeners, property owner(s), and the City.
 - 2. If located within a planned residential development or multiple-unit residential complex, the Homeowner's Association and/or property management company is responsible for garden and must designate a liaison between the property owner(s) and the City.

- B. **Operational Plan.** The applicant must submit an operational plan to the Zoning Administrator that identifies roles and responsibilities, contact information, and operations of the community garden.

17.42.110 Drive-In and Drive-Through Facilities

Drive-in and drive-through facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Circulation.** Drive-through facilities must provide safe, unimpeded movement of vehicles at street access points, in travel aisles, and parking areas. Interior traffic circulation must be provided for review by the Public Works Director and Planning Commission.
- B. **Pedestrian Walkways.** Interior pedestrian walkways must not intersect vehicle aisles, unless no alternative exists. In such cases, pedestrian walkways must have clear visibility, emphasized by enhanced paving or markings.
- C. **Stacking.** Vehicular stacking areas must be provided to ensure vehicle queue will not interfere with public rights-of-way, private streets, or with on- or off-site parking and circulation. Stacking area size will be reviewed by the Public Works Director who will provide a recommendation to the review authority.
- D. **Screening.** Each drive-through aisle must be screened with a combination of decorative walls and landscape to a height of 36 inches to prevent headlight glare and direct visibility of vehicles from adjacent streets and parking lots.
- E. **Site and Building Design.**
1. If the proposed building is located within 50 feet of the public street, the main entrance door must be located directly off (oriented towards) the public sidewalk and parking lot, or provide clear and direct access from the public sidewalk to the main entrance or secondary entrance.
 2. Walls along the street face and visible from the street must be transparent with windows, doors, and other forms of transparent building materials to maximize views in and out of the building and the relationship between interior and exterior to support and animate the public street and sidewalk.
 3. Drive-through elements must be placed to the side or rear of the building. Drive-through windows must be oriented away from the street frontage and provide adequate screening measures through landscaping and design to minimize visibility of the drive-through.
 4. The architecture of drive-through uses must be compatible with that of the shopping center motif or immediate neighborhood, in terms of building color, materials, mass, scale, and form.

- F. **Litter.** Trash receptacles must be provided at the exit of the drive-through facility. The establishment must pick up and dispose of any discarded beverage containers and other trash left by patrons within a 100-foot radius from the facility periodically during regular hours of operation.

17.42.120 Emergency Shelters

Emergency shelters must be located, developed, and operated in compliance with the following standards where allowed by Part II, Base Zoning Districts:

- A. **Proximity.** Not more than one emergency shelter is permitted within 300 feet of another emergency shelter.
- B. **Common Facilities.** The emergency shelter facility may provide one or more of the following specific facilities and services including, without limitation:
 - 1. Child care facilities.
 - 2. Commercial kitchen facilities designed and operated in compliance with Health and Safety Code § 113700, et seq.;
 - 3. Dining area;
 - 4. Laundry;
 - 5. Recreation room; and
 - 6. Support services (e.g., training, counseling).
- C. **Number of Residents.** Not more than 25 persons can be served on a nightly basis.
- D. **Length of Stay.** Maximum length of stay of a person in an emergency shelter is limited to 180 days in any 12-month period.
- E. **Hours of Operation.** Emergency shelters may operate 24-hours a day to provide sleeping facilities and other facilities and services.
- F. **Management.** Each emergency shelter must have an on-site management office, with at least one employee present at all times the emergency shelter is in operation. A minimum of two employees must be on duty when more than 10 beds are occupied.
- G. **Security.** Each emergency shelter must have on-site security employees, with at least one security employee present at all times the emergency shelter is in operation.
- H. **Site Design.** Client waiting, intake, and pick-up areas must be located inside a building or interior courtyard, or at a rear or side entrance physically and visually separated from public view of adjacent right-of-way with a minimum six-foot-tall decorative masonry wall

or hedge or similar mature landscaping. Floor plans for the emergency shelter must be submitted with the building plans that show the size and location of proposed interior and/or exterior waiting or client intake areas.

- I. **Parking.** Off-street parking must be provided at the rate of one space per four beds, plus one space for each employee on duty on the largest shift. The Zoning Administrator may reduce this parking requirement upon finding that the actual parking demand will be less than the standard assumes. Notwithstanding this requirement, the required number of off-street parking spaces cannot exceed the spaces required for other residential and commercial uses in the same zone.
- J. **Lighting.** Exterior lighting must be provided at all building entrances and outdoor activity areas, and must be activated between sunset and sunrise of each day.

17.42.130 Family Day Care Homes, Large

Large family day care homes must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Location.** Large Family Day Care homes must be located at least 300 linear feet apart along the fronting street from any other Large Family Day care home. In no case shall any residential property have more than one Large Family Day Care home adjacent to its property line.
- B. **Residency.** The operator of a large family day care home must be a full-time resident of the dwelling unit in which the facility is located.
- C. **Licensing.** Large Family Day Care homes shall be licensed or certified by the State of California and shall be operated according to all applicable state and local regulations.
- D. **Screening.** A periphery fence or wall, constructed of wood or masonry, must be provided to screen and secure outdoor areas and must achieve 75-percent opacity. Chain metal fencing or barbed wire is prohibited.
 - 1. The opacity of a fence is measured as the total width of pickets (or other fence components) between posts, divided by the total length of the fence; or in the case of horizontal fence types, the total height of horizontal fence elements divided by the height of the fence.
- E. **Outdoor Space.** A minimum of 75 square feet of outdoor recreational space must be provided for each child over two years old. Swimming pools and adjacent pool decking may not count towards meeting this space. The outdoor area cannot be located in any required front or street side yard. It cannot be shared with other property owners, unless written permission is granted by the other property owners.

- F. **Noise.** Noise from the operation of any Large Family Day Care may not exceed noise standards set forth in Section 17.40.080, Noise, while the periodic sounds of small groups of children at play shall be considered customary in residential neighborhoods during the daytime hours. Satisfaction of the noise standard herein is subject to the complaint procedure set forth in Subsection (M), Complaints.
- G. **Traffic.** Increased traffic due to the operation of any Large Family Day Care home shall not cause traffic levels to exceed those levels customary in residential neighborhoods. However, somewhat higher traffic levels during the morning and evening commute time shall be considered customary in residential neighborhoods. Satisfaction of the traffic control standard is subject to the complaint procedure set forth in Subsection (M), Complaints.
- H. **Passenger Loading.** Curbside loading is presumed adequate for drop-off and pick-up of children. However, where the Zoning Administrator, in evaluating a particular large family day care home, determines that curbside loading is not adequate, a passenger loading plan will be required. Vehicles dropping off and picking up children shall not:
1. Double-park at anytime;
 2. Block the driveways of neighboring houses; or
 3. Use driveways of neighboring houses to turn around.
- I. **Contact Person(s).** The current name(s) and telephone number(s) of the operator(s) shall be on file with the Planning and Environmental Review Department at all times.
- J. **Expiration of Permit.** If a Large Family Day Care home that is subject to a use permit ceases to operate for a period of greater than 180 consecutive days, its permit shall be considered to be null and void. This time period shall commence automatically when six or fewer children receive care, protection and supervision at the facility.
- K. **Notification of Operating Standards.** The operator of the Large Family Day Care shall notify the Zoning Administrator in writing of any modifications to operating standards, including hours of operation and drop off and pick up locations.
- L. **Review.** The operation of all Large Family Day Care homes is subject to the following review procedures:
1. The Zoning Administrator shall review any application for a Large Family Day Care home for compliance with these requirements and may require the permit to be reviewed by the Planning Commission at a public hearing, where there is dispute as to whether the project complies with all standards.

2. A noticed public hearing to review compliance with standards is mandatory when the City receives six substantiated complaints as provided in Paragraph (M)(1), Substantiated Complaint.
- M. **Complaints.** Upon receiving any combination of six substantiated complaints from six different residences within 300 feet of the large family day care home within one calendar year, the Planning Commission shall review the Large Family Day Care operation at a noticed public hearing conducted in accordance with the procedures outlined in Chapter 17.53, Common Procedures.
1. **Complaint Procedures.** Before submitting a complaint to the City pursuant to this subsection, a complainant shall first submit to the operator of the Large Family Day Care home a written complaint, signed by the complainant and setting forth the complainant's address and telephone number. If after 14 calendar days from the submittal of a complaint to the operator, the complainant remains dissatisfied with the performance of the Large Family Day Care home, the complaint may then be submitted to the Planning and Environmental Review Department, including the original complaint letter, and documentation of any and all contact with the operator to resolve the issues identified in the original complaint. The Planning and Environmental Review Department shall investigate complaints within 14 calendar days of receipt of the complaint to determine their validity.
 2. **Substantiated Complaint.** A complaint shall be considered substantiated if the Zoning Administrator determines that the operator has failed to respond appropriately to a complaint concerning hours, traffic control or noise. Complaints shall be limited to alleged violations of the standards for hours, noise and traffic control, and may originate only from residences within 300 feet of the applicable large family day care home.

17.42.140 Farmer's Markets

Farmer's markets must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Operator.** Farmer's markets must be operated by one or more producers, a nonprofit organization, or a local government agency.
- B. **Permits.** The market operator and vendors must obtain an Administrative Use Permit and secure all necessary licenses, certificates and health permits, including permits for street closure, if applicable. All permits (or copies of them) must be in the possession of the farmer's market manager or the vendor, as applicable, on the site of the farmers market during all hours of operation.
- C. **Management Plan.** A management plan must be prepared and provided to the Zoning Administrator. The management plan must include the following:

1. Identification of a market manager or managers, who must be present during all hours of operation.
 2. A set of operating rules addressing the governance structure of the market; the method of assigning booths and registering vendors; hours of operation; maintenance; security; refuse collection; and parking.
- D. **Hours of Operation.** Market activities may be conducted between the hours of 7:00 a.m. and 8:00 p.m. with specific hours and duration to be approved by the City. Set-up of market operations cannot begin more than one hour prior to the operational hours of the market and take-down must be completed within one hour of the close of the market.
- E. **Waste Disposal.** Adequate composting, recycling, and trash containers must be provided during hours of operation, and must be removed from site for appropriate disposal. The site must be cleaned at the end of each day of operations, including the removal of all stalls and debris.
- F. **Pedestrian Clearance.** A farmer's market must not obstruct a path that is part of a required pedestrian circulation system.
- G. **Temporary Uses.** Any market that will be operated for no longer than one month is subject to the standards of § 17.42.360, Temporary Uses, and must obtain a Temporary Use Permit pursuant to Chapter 17.55, Use Permits.

17.42.150 Farmworker Housing

Farmworker housing providing accommodations for six or fewer employees is a single-family structure with a residential land use designation.

- A. **Deed Restriction.** Farmworker housing must be restricted by deed for occupancy by farmworkers.
- B. **Operation Permit.** Before the City issues a building permit, the applicant must demonstrate that it has a valid permit to operate from the California Department of Housing and Community Development (HCD).

17.42.160 Group Residential

Group residential facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Minimum Lot Area.** When located in an R district, the minimum lot area is 12,000 square feet.
- B. **Laundry Facilities.** Laundry facilities must be provided on-site.

- C. **Common Open Space.** Common open space of 20 square feet for each person who resides in the facility must be provided.
- D. **Security.** Parking garages, surface parking, and private and common areas located outside the building must be designed to protect the security of residents, guests, and employees by controlling access to the facilities by other persons.

17.42.170 Heliports

Heliports, including helipads and helistops, must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Application Requirements.** The following additional information must be submitted with an application for a heliport, helipad, or helistop:
 - 1. An area map at a scale showing existing land use and General Plan land use within a two-mile radius of the facility site and the proposed flight paths.
 - 2. A plot plan of the site and vicinity, including all land within a 400-foot radius of the takeoff and landing area, that shows clearly the height of the takeoff and landing area; the height of existing, approved and proposed structures and trees within 100 feet of the approach and takeoff flight paths; the maximum allowable building height under existing zoning; fencing, screening and safety barriers; points of access; fueling, maintenance and repair facilities, if any; and the location of accessory structures and equipment, including firefighting equipment.
 - 3. A description of the proposed operations, including the type of use, names and descriptions of helicopters expected to use the facility.
 - 4. A helicopter noise study including a map of the approach and departure flight paths at a scale of 1" = 800' showing existing day/night average noise levels in decibels (LDN noise contours), future day/night average noise levels with the proposed facility and anticipated flight operations, and single-event maximum sound levels associated with the types of helicopters expected to use the facility.
 - 5. Verification from Santa Barbara Municipal Airport and/or the FAA that use will not conflict with airport operations.
- B. **Additional Findings for Approval.** In addition to the requirements of Chapter 17.55, Use Permits, heliports, helipads, and helistops can only be approved if:
 - 1. The helipad, heliport, or helistop conforms to the location criteria and standards of this Section, and the requirements of the California Department of Transportation, Division of Aeronautics; and

2. The proposed operation of the helicopter facility does not pose a threat to public health, safety or welfare or to environmental resources.

17.42.180 Home Occupations

Home occupations must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Applicability.** This Section applies to home occupations in any residential unit in the City regardless of the zoning designation. It does not apply to family day care, which is regulated separately in § 17.42.130, Family Day Care Homes, Large.
- B. **Residential Appearance.** The residential appearance of the unit within which the home occupation is conducted must be maintained, and no exterior indication of a home occupation is permitted.
 1. **Location.** All home occupation activities must be conducted entirely within the residential unit.
 2. **Structural Modification Limitation.** There can be no structural alterations to add floor area or the renovation of a space to accommodate a home occupation.
 3. **Maximum Size.** The space exclusively devoted to the home occupation (including any associated storage) must not exceed 25 percent of the residential unit floor area.
 4. **Employees.** One employee or independent contractor other than residents of the dwelling may be permitted to work at the location of a home occupation.
 5. **On-Site Client Contact.** Customer and client visits are permitted, however, the home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the district in which the use is located.
 6. **Employee/Client Parking.**
 - a. Customers, clients, and/or employees must park on site. If the site cannot accommodate an on-site parking space for the lack of drive approach or parcel width, they may park directly on the street adjacent to in close proximity to the home.
 - b. Parking required for customers/clients/employees may be tandem.
 7. **Hours of Operation.** Employees, visitors, students, and/or clients are permitted between the hours of 8 a.m. to 7 p.m.
 8. **Direct Sales Prohibition.** Home occupations involving the display or sale of products or merchandise are not permitted from the site, except by mail,

telephone, internet, or other mode of electronic communication. This prohibition does not apply to cottage food preparation.

9. **Storage.** There can be no storage of materials, supplies, and/or equipment for the home occupation in an accessory building or outdoors. Storage may only occur within a garage if it does not occupy or obstruct any required parking space. Contractors whose work is conducted entirely off site (and who use their home solely for administrative purposes related to the contracting business) may store construction, electrical, landscaping, plumbing, or similar supplies or materials within a single vehicle of one ton or less.
10. **Traffic and Parking Generation.** Home occupations must not generate a volume of passenger or commercial traffic that is inconsistent with the normal level of traffic on the street on which the dwelling is located, or which creates the need for additional parking spaces, or involves deliveries to or from the premises in excess of that which is customary for a dwelling unit. There may be no deliveries and/or pickups from commercial vehicles, except those used by mail and package carriers or needed for a cottage food operation.
11. **Vehicles.** Only one vehicle, owned by the operator of the home occupation, and not to exceed one ton in capacity, may be used by the operator in conjunction with the home occupation.
12. **Commercial Vehicles and Attachments.** Home occupations involving more than one commercial vehicle parked on site are not permitted. No attachments of equipment or machinery used for business purposes is permitted either on the vehicle or on the site when the vehicles are not in use and such equipment or machinery is within view from the public right-of-way or neighboring properties. Storage of equipment and machinery attachments, or trailers is not permitted in areas visible from public rights-of-way or neighboring properties, unless part of an active, approved construction project on the site.
13. **Equipment.** Home occupations, which involve mechanical or electrical equipment that is not customarily incidental to domestic use, are not permitted except as needed for a Cottage Food operation. Facsimile machines, copy machines, computers, and other similar business equipment are permitted. Small power tools, arts and crafts machinery, and similar equipment/machinery not exceeding two horsepower are also permitted.
14. **Hazardous Materials.** Activities conducted and equipment or materials used must not change the fire safety or occupancy classifications of the premises, nor use utilities different from those normally provided for residential use. There must be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit.

15. **Nuisances.** A home occupation must be conducted such that no offensive or objectionable noise, dust, vibration, smell, smoke, heat, humidity, glare, refuse, radiation, electrical disturbance, interference with the transmission of communications, interference with radio or television reception, or other hazard or nuisance is perceptible on adjacent lots or in neighboring units in a multiple-unit building.
- C. **Multiple Home Occupations.** Multiple home occupations in a home are permitted provided the space exclusively devoted to the home occupations (including any associated storage) must not exceed 25 percent of the residential unit floor.
- D. **Prohibited Uses.** The following uses are not permitted as Home Occupations:
 1. Adult oriented businesses;
 2. Animal care, sales, and services;
 3. Automobile/vehicle sales and services;
 4. Eating and drinking establishments;
 5. Hotels and motels;
 6. Hospitals and clinics;
 7. Fire arms manufacturing/storage/on-site sales; and
 8. Medical marijuana dispensaries or commercial cultivation or medical marijuana infusion.

17.42.190 Hospitals and Clinics

Hospitals and clinics must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Location.** Hospitals are only allowed on sites with at least one frontage on an arterial street.
- B. **Minimum Frontage.** 100 feet minimum for hospitals and 50 feet minimum for clinics.

17.42.200 Live/Work Units

Live/work units must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Establishment.** Live/work units may be established through new construction or through the conversion of existing residential, commercial, and industrial buildings.

- B. **Allowable Uses.** Work activities in live/work units are limited to uses that are permitted outright, or allowed with an Administrative Use Permit or Conditional Use Permit in the district in which the live/work units are located. Live/work units may contain only residential uses, but they are not permitted to contain only “work” or commercial uses. On-site storage and sale of materials and merchandise is allowed.
- C. **Sale or Rental of Portions of Unit Above the Ground Level Prohibited.** No portion of a live/work unit located above the ground level may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.
- D. **Floor Area Distribution.** An applicant must submit a floor plan of all proposed units to the Zoning Administrator to show which areas are designated for work activities and which areas are designated for living or as common areas.
- E. **Outdoor Living Area.** Common or private outdoor living area must be provided for the use of occupants at a rate of 150 square feet per live/work unit. This space may be attached to individual units or located on the roof or adjoining the building in a yard. Temporary outdoor storage of materials and merchandise related to the work activity is allowed in outdoor living areas during daylight hours.

17.42.210 Lodging and Visitor-Services

Lodging and visitor-services uses must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. All transient lodging units, such as hotels that are operated as hotel condominiums, time-shares, or under a fractional ownership model, are limited to occupancy of up to 30 consecutive days at any one time and must be available for overnight stays by the general public.
- B. **Existing Uses Located in the Coastal Zone.**
 - 1. Existing lodging and visitor-service uses may continue to be used for transient lodging, such as a hotel, and various facilities and services accessory to transient lodging, such as restaurants, retail shops, conferences and meetings, hotel-related events, recreational services, and other services that are dependent upon a coastal location, while ensuring the conservation and protection of coastal resources.
 - 2. Residential uses are prohibited.
 - 3. Any expansion or alteration of existing development will be required to maintain or expand the extent of existing coastal access facilities, including parking and vertical access to the beach. In this context, “maintain or expand” allows for

flexibility in meeting this requirement, if at least one of the following criteria is met:

- a. To provide better protection of coastal resources;
 - b. To maximize public access; and/or
 - c. To accommodate natural processes which impede existing access.
4. Any expansion or alteration of existing development will be required to protect environmentally sensitive habitats and archaeological resources.

17.42.220 Manufactured Homes

Manufactured homes must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Required Certification.** A manufactured home must be certified under the standards set forth in the National Manufactured Housing Construction and Safety Standards Act of 1976, as amended, at the time of any application for placement of such manufactured home.
- B. **Permanent Foundation.** The manufactured home must be placed on a permanent foundation in accordance with the standards set forth in the Uniform Building Code.
- C. **Age of Home.** No more than 10 years may elapse between the date of the manufacture of the manufactured home and the date of the application for issuance of a permit to install a home on a lot in the City.
- D. **Utilities.** Each manufactured home must be provided permanent hookups for electricity, gas, water, and sewer connections in the same manner applicable to permanent buildings. Gas shutoff valves, meters, and regulators must not be located beneath the manufactured home, in compliance with the requirements of the UBC for comparable residential structures.

17.42.230 Medical Marijuana Uses

Medical marijuana uses must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts.

- A. **Pre-Existing Uses.** Any legally established nonconforming medical marijuana use is allowed to continue; however, no expansion of the use is permitted.
- B. **New Uses Prohibited.** New medical marijuana uses, including marijuana dispensaries, commercial cultivation, and medical marijuana infusion, are prohibited in all zoning districts.

17.42.240 Mobile Food Facility/Vendor

Mobile food facilities/vendors must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. No vendors can conduct any vending operations other than the sale of food items for immediate consumption.
- B. No vendor can conduct vending operations from any device or vehicle other than a push cart or mobile truck.
- C. Pushcarts or mobile food trucks used by vendors must not:
 - 1. Be left unattended at any time;
 - 2. Be parked or placed within five feet of any right-of-way;
 - 3. Be permitted as a permanent or proprietary location on any property within the City; and
 - 4. Be left on-site when inactive vendors or stored overnight.
- D. No sale of food items in glass containers is permitted.
- E. Mobile Food Vendors are responsible for keeping the immediate area clean of any litter or debris.
- F. No vendor can ring bells, play chimes, play an amplified musical system, or make any other notice to attract attention to its business while operating within City limits.

17.42.250 Nurseries and Garden Centers

Nurseries and garden centers must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Minimum Lot Area.** One acre.
- B. **Products for Sale.** Products offered for sale are limited to nursery stock and related materials incidental to the planting, care, and maintenance of plants, including fertilizer, pesticides, seeds, and planting containers, and exclude general building materials, hardware, tools other than for soil preparation and general landscaping.
- C. **Enclosure.** All storage, display, and sale of products other than nursery stock must be conducted within a completely enclosed building or within an area enclosed by a solid wall or fence and gate between five and six feet in height.

17.42.260 Outdoor Dining and Seating

Outdoor dining and seating facilities must be located, developed, and operated in compliance with the following standards to ensure that they do not adversely impact adjacent properties and surrounding neighborhoods, where allowed by Part II, Base Zoning Districts:

- A. **Applicability.** The standards of this Section apply to outdoor dining and seating located on private property. Outdoor dining and seating located in the public-right-of-way is subject to an encroachment permit issued by the Public Works Department.
- B. **Accessory Use.** Outdoor dining and seating must be conducted as an accessory use to a legally established eating and drinking establishment that is located on the same lot or an adjacent lot.
- C. **Enclosure.** Awnings or umbrellas may be used, but must be adequately secured and/or retractable.
- D. **Furnishing and Fixtures.** Furnishing may consist only of movable tables, chairs, and umbrellas. Lighting fixtures may be permanently affixed onto the exterior front of the principal building.
- E. **Pedestrian Pathway.** A four-foot pedestrian pathway must be maintained and unobstructed. If there is more than a four-foot-wide pathway provided, outdoor dining may be located outside of the required four feet.
- F. **Litter Removal.** Outdoor dining and seating areas must remain clear of litter at all times.
- G. **Hours of Operation.** The hours of operation are limited to the hours of operation of the associated eating and drinking establishment.
- H. **Parking.** Where an outdoor dining and seating area occupies less than 200 square feet, additional parking spaces for the associated eating and drinking establishment are not required. Parking must be provided according to the required ratio in Chapter 17.39, Parking and Loading, for any outdoor dining and seating area exceeding 200 square feet.

17.42.270 Outdoor Sales

Outdoor sales facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Seasonal and Temporary Sales.** For seasonal and temporary sales, such as Christmas tree and pumpkin lots, refer to § 17.42.360, Temporary Uses.
- B. **Permanent Outdoor Display and Sales.** The permanent outdoor display of merchandise, except for automobile/vehicle sales and leasing, which is subject to § 17.42.060, requires Administrative Use Permit approval and must comply with the following standards:

1. ***Relationship to Main Use.*** The outdoor display and sales area must be directly related to a business occupying a primary structure on the subject parcel.
2. ***Display Locations.***
 - a. Outdoor sales and display located in the public-right-of-way is subject to an encroachment permit issued by the Public Works Department.
 - b. The displayed merchandise must not disrupt the vehicle and pedestrian circulation on the site, obstruct driver visibility or otherwise create hazards for vehicles or pedestrians.
 - c. A four-foot pedestrian pathway must be maintained and not blocked by merchandise. If there is more than a four-foot-wide pathway provided, merchandise may be displayed in an area outside of the required four feet.
3. ***Allowable Merchandise.*** Only merchandise generally sold at the business is permitted to be displayed outdoors.
4. ***Refuse/Litter.*** The operator is responsible for collecting trash due to outdoor sales.

17.42.280 Personal Services

General and restricted personal services must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. ***Hours of Operation.*** Hours of operation are limited to 7:00 a.m. to 10:00 p.m. unless otherwise specified.
- B. ***Tattoo or Body Modification Parlor.***
 1. ***Registration Required.*** Any person who is engaged in the business of tattooing or body modification must provide evidence of registration with the Santa Barbara County Department of Health.
 2. ***No Persons under 18.*** A sign must be posted on the door or in view of the entrance, stating that no person under the age of 18 is allowed on site, unless accompanied by a parent or legal guardian.

17.42.290 Personal Storage

Personal storage facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Business Activity.** All personal storage facilities must be limited to inactive items. No retail sales, repair, or other commercial use can be conducted out of an individual rental storage unit.
- B. **No Hazardous Materials Storage.** No storage of hazardous materials is permitted.
- C. **Notice to Tenants.** As part of the rental process, the facility manager must inform all tenants of conditions restricting storage of hazardous materials and use limitations of the storage units, including no habitation. These restrictions must be included in rental contracts and posted at a conspicuous location within the front of each rental unit.
- D. **Open Storage.** Open storage, outside an enclosed building, is limited to vehicles and trailers with a valid registration which are screened from public view by building facades or solid fences eight feet high with view-obscuring gates.
- E. **Circulation.** Driveway aisles must be a minimum of 24 feet wide.
- F. **Exterior Wall Treatment and Design.** Exterior walls visible from a public street or R District must be constructed of decorative block, concrete panel, stucco, or similar material. These walls must include architectural relief through articulation, trim, change in color at the base, variations in height, use of architectural “caps”, attractive posts, or similar measures.
- G. **Fencing and Entrance Gate.**
 - 1. A six-foot-high security fence must be provided around the perimeter of the development at locations where the solid façades of the storage structures do not provide a perimeter barrier.
 - 2. A wrought iron gate, or an approved equivalent, is required at the entrance to the facility.
- H. **Hours of Operation.** Hours of operation are limited to 7 a.m. to 7 p.m. if the facility abuts an R District or a residential use in a mixed-use development.

17.42.300 Recycling Facilities

Recycling facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Reverse Vending Machines.**
 - 1. **Accessory Use.** Reverse vending machines may be installed as an accessory use to a permitted or conditionally permitted primary use on the same site.
 - 2. **Location.** Machines must be located adjacent or as near as feasibly possible, to the entrance of the commercial host use and must not obstruct pedestrian or

vehicular circulation. Machines can be located against a wall, but not in parking areas.

3. **Identification.** Machines must be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative.
4. **Trash Receptacle.** Machines must provide a minimum 40-gallon garbage can for non-recyclable materials located adjacent to the reverse vending machine.
5. **Hours of Operation.** No restrictions.

B. Recycling Collection Facilities.

1. **Size.** Recycling collection facilities must not exceed a building site footprint of 350 square feet.
2. **Equipment.** No power-driven processing equipment, except for reverse vending machines, can be used.
3. **Location.** Facilities must be located at least 75 feet away from an R District and cannot occupy parking spaces required for the main use unless a parking study shows available capacity during the hours of recycling facility operation.
4. **Setback.** Facilities must not be located within a required setback.
5. **Containers.** Containers must be constructed of durable waterproof and rustproof materials and secured from unauthorized removal of material.
6. **Identification.** Containers must be clearly marked to identify the type of accepted material, the name and telephone number of the facility operator, and the hours of operation.
7. **Signs.** The maximum sign area is limited to 20 percent of the area of the side of facility or container or 16 square feet, whichever is larger. In the case of a wheeled facility, the side is measured from the pavement to the top of the container.
8. **Site Maintenance.** Recycling facility sites must be maintained clean, sanitary, and free of litter and any other undesirable materials.

C. Recycling Processing Facility.

1. **Location.** Facilities must be at least 100 feet from an R District.
2. **Screening.** The facility must be screened from public rights-of-way by solid masonry walls or located within an enclosed structure.

3. **Outdoor Storage.** Exterior storage of material must be in sturdy containers or enclosures that are secured and maintained in good condition. Storage must not be visible above the height of the required solid masonry walls.
 4. **Identification.** Facilities must be clearly marked with the name and phone number of the facility operator and hours of operation.
- D. **Composting and Waste Disposal Facilities.**
1. **Maintenance—Pest Infestation Prohibited.** Waste disposal facilities must be maintained in such a manner that vermin and pest infestation cannot take place.
 2. **Covering or Wetting to Prevent Dust.** The owner, proprietor, or caretaker of any composting facility or solid waste landfill must use a tarp, covering or wet down the waste disposal facility with water or chemical stabilizers at intervals sufficiently frequent to prevent dust.
- E. **Conversion Technology Facilities and Transformation (Waste-to-Energy) Facilities.**
1. **Location.** Facilities must not be located within 250 feet of an R District.
 2. **Adjacency.** Conversion technology facilities and transformation (waste-to-energy) facilities and must be located in close proximity to existing solid waste facilities unless an applicant can demonstrate that a location adjacent to existing solid waste facilities is not feasible.
 3. **Hazardous Wastes.** Conversion technology facilities and transformation (waste-to-energy) facilities cannot receive any form of hazardous waste.

17.42.310 Residential Care Facilities, Large

Large residential care facilities must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Location.** The minimum separation from any other residential facility is 300 feet.
- B. **Common Open Space.** At least 20 square feet of common open space must be provided for each person who resides in the facility.

17.42.320 Single Room Occupancy (SRO) Housing

Single Room Occupancy (SRO) Housing, also called residential hotels, must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts.

- A. **Maximum Number of Units.** If an SRO contains a common kitchen that serves all residents, the Planning Commission may increase the maximum allowable number of

individual units available for rent by 20 percent above the number otherwise allowed by the base density applicable to residential development in the zoning district where the project is located.

- B. **Maximum Occupancy.** Each living unit must be designed to accommodate a maximum of two persons.
- C. **Minimum Width.** A unit comprised of one room, not including a bathroom, must not be less than 12 feet in width.
- D. **Entrances.** All units must be independently accessible from a single main entry, excluding emergency and other service support exits.
- E. **Cooking Facilities.** Cooking facilities must be provided either in individual units or in a community kitchen. Where cooking is in individual units, each unit must have a sink with hot and cold water; a counter with dedicated electrical outlets and a microwave oven or a properly engineered cook top unit pursuant to Building Code requirements; at minimum a small refrigerator; and cabinets for storage.
- F. **Bathroom.** A unit is not required to, but may contain partial or full bathroom facilities. A partial bathroom facility must have at least a toilet and sink; a full facility must have a toilet, sink, and bathtub or shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities must be provided that meet the standards of the California Building Code for congregate residences with at least one full bathroom per floor.
- G. **Closet.** Each unit must have a separate closet.
- H. **Common Area.** Four square feet per living unit must be provided, excluding janitorial storage, laundry facilities, and common hallways. At least 200 square feet in area of interior common space must be on the ground floor near the entry to serve as a central focus for tenant social interaction and meetings.
- I. **Tenancy.** Tenancy of residential hotel units is limited to 30 or more days.
- J. **Facility management.** A facility with 10 or more units must provide full-time on-site management. A facility with fewer than 10 units must provide a management office on site.
- K. **Management Plan.** A management plan must be submitted with the permit application for a residential hotel project for review and approval by the Planning Commission. At minimum, the management plan must include the following:
 - 1. **Security/Safety.** Proposed security and safety features such as lighting, security cameras, defensible space, central access, and user surveillance;

2. **Management Policies.** Management policies, including desk service, visitation rights, occupancy restrictions, and use of cooking appliances;
3. **Rental Procedures.** All rental procedures, including the monthly tenancy requirement;
4. **Staffing and Services.** Information regarding all support services, such as job referral and social programs; and
5. **Maintenance.** Maintenance provisions, including sidewalk cleaning and litter control, recycling programs, general upkeep, and the use of durable materials.

17.42.330 Second Dwelling Units

Second dwelling units must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

- A. **Permit Required.** A Zoning Clearance is required for construction of a second dwelling unit. An applicant must submit the following information to the Department:
 1. A floor plan drawn to scale of the principal dwelling and the proposed residential second unit.
 2. The owner or a trustee of the owner of the lot must reside on the lot, either in the principal dwelling or in the second dwelling unit. Prior to issuance of a permit, the property owner must enter into a restrictive covenant with the City regarding such owner-occupancy requirement on a form prepared by the City, which must be recorded against the property. Such covenant must further provide that the residential second unit must not be sold, or title thereto transferred separate from that of the property. If the owner ceases to reside on the property, use of the residential second unit must be discontinued and (a) if it is an attached residential second unit, the unit converted into a portion of the principal dwelling; or (b) if it is a detached residential second unit, the unit removed or converted to a legal use. The Zoning Administrator may approve an exception to this requirement to discontinue the use in the case of temporary absences provided a relative is living on the property in a trustee relationship with the owner.
 3. **Design Review.** Design review approval is required. Design review will be conducted by the Zoning Administrator if no exceptions or modifications of applicable development standards are requested and all of the following criteria are met; in all other instances, design review will be done by the Design Review Board:
 - a. The second dwelling unit must be subordinate to the principal dwelling on the lot in terms of size, location, and appearance;

- b. The exterior appearance and character of the second dwelling unit must be consistent with that of the principal dwelling, as reflected in the use of the same exterior materials, roof covering, colors, and architectural features;
 - c. Any manufactured home proposed as a detached residential second unit must be consistent with the principal dwelling on the lot with regard to existing siding, roof materials, roof pitch, and roof eaves; and
 - d. The privacy of adjoining residences must be protected by minimizing views from windows within the second unit into the windows of adjacent residential buildings or into outdoor living areas, such as decks, patios, terraces, and swimming pools.
- B. **Development Standards.** The following standards apply to residential second units. Exceptions to the development standards may be approved by the Planning Commission through Conditional Use Permit approval.
- 1. ***All Second Dwelling Units***
 - a. No more than one second dwelling unit is permitted on any one lot.
 - b. A second dwelling unit will only be permitted on a lot on which the principal dwelling and all other structures thereon conform to all minimum requirements of the applicable zoning district.
 - c. The second dwelling unit must comply with all development standards for the applicable zoning districts.
 - d. The minimum gross floor area of a second unit is 300 square feet. The maximum gross floor area approvable “by right” is 800 square feet. No second unit can be larger than 40 percent of the existing original floor area of the primary unit.
 - e. A second dwelling unit must contain its own kitchen and bathroom facilities.
 - f. A second dwelling unit will not be permitted on a lot where there is a guest house or other dwelling or structure used for habitation in addition to the principal dwelling. If a second dwelling unit exists, or is currently approved on a lot, a guest house, or other dwelling, it is only allowed if the second dwelling unit is removed or converted into a portion of the principal dwelling.
 - g. A residential second unit can have no more than two bedrooms.

- h. The total gross floor area of all covered structures, including an attached or detached second dwelling unit, must not exceed the maximum lot coverage of the underlying district.

2. ***Supplemental Standards for Attached Second Dwelling Units***

- a. The minimum lot size on which an attached residential second unit may be located is 7,000 square feet.
- b. An attached second dwelling unit must share at least one common wall or roofline with the living area of the principal dwelling.
- c. If the attached second dwelling unit is not located above any portion of the existing principal dwelling, the maximum height of such unit must not exceed 16 feet.
- d. An attached second dwelling unit may have a separate entrance, which may be located on the side or the rear of the principal dwelling; provided, however, that in no event will any external stairwell be placed within the side yard setback.

3. ***Supplemental Standards for Detached Second Dwelling Units.***

- a. The distance between the principal dwelling and a detached second dwelling unit must be at least 10 feet.
- b. The minimum lot size on which a detached residential second unit may be located is 10,000 square feet.

17.42.340 Service and Gas Stations

Service and gas stations must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning Districts:

A. **Site Design.**

1. **Access.**

- a. There must be no more than two vehicular access points to/from a single public street. Additional access may be provided by neighboring properties.
- b. Should a site be redeveloped (i.e., the existing building and/or fuel canopy is removed and reconstructed), and more than two vehicular points of access exist for a single street, they must be removed.

- c. Fleet fuel stations in industrial districts may provide additional access points, as determined by the Zoning Administrator.
 2. Designs must incorporate landscaping and screen walls to screen vehicles while allowing eye-level visibility into the site. Fleet fuel stations in industrial districts are exempt from this requirement.
 3. Propane tanks, vapor-recovery systems, air compressors, utility boxes, garbage, recycling containers/enclosures, and other similar mechanical equipment must be screened from public view.
- B. **Air and Water Stations.** Air and water stations must be identified on plans. They cannot be located within required setback areas.
- C. **Pump Islands.** Pump islands must be located a minimum of 15 feet from any lot line to the nearest edge of the pump island. A canopy or roof structure over a pump island may encroach up to 10 feet within this distance.

17.42.350 Sustainable Living Research Site

- A. **Application Requirements.** Applications for approval of Conditional Use Permit for a Sustainable Living Research Site must contain all of the following information:
 1. **Project Boundaries.** A map showing the proposed project boundaries, the perimeter of the ownership, location, and dimensions of any existing property lines and easements within the site, and the location of buildings, roads, parking, and open areas.
 2. **Agricultural Soils and Topography.** The existing agricultural soils on the site, as classified by the Soil Conservation Service, and proposed changes in topography of the site, including the degree of land disturbance, the location of drainage channels or watercourses, and the direction of drainage flow.
 3. **Utilities, Existing Structures and Trees.** The locations and capacities of existing utilities in the vicinity of the site, and tentative extensions to the site. The location of any existing structures and trees on site or in the adjoining right-of-way designated for retention or removal.
 4. **Site Plan.** A site plan showing the precise dimensions and locations of existing and proposed structures, buildings, streets, parking, yards, pathways, open spaces, and other public or private facilities. The site plan must also indicate all of proposed site uses or activities to be conducted on the site, with related floor area or calculations of site area to be devoted to such uses.
 5. **Architectural and Sustainable Living Concepts.** Plans showing architectural concepts of the proposed buildings, including heights, design, exterior materials,

other structures, fencing and signage, and the proposed concepts for sustainable living.

6. **Housing.** Description of the type of housing to be provided on site. Only rental housing is allowed, but there are not restrictions on housing type to facilitate sustainable living.
 7. **Development Schedule.** A preliminary development schedule, indicating the sequence and timing of development and the priorities of any phased development.
 8. **Engineering Plans.** Engineering plans showing site grading and amount of cut and fill, including finished grades and proposed drainage facilities.
 9. **Statement Regarding Proposed Research.** Written statement and illustrations to demonstrate how the project meets the purposes of research for sustainable living, what the specific objectives are, what the proposed institutional arrangements with an educational institution are, and what proposed modifications to the standards and regulations required by this Title are requested. Performance measurements for determining the success of the proposed research must be described and guarantees offered to ensure that the site will be returned to its pre-existing condition if the research fails to meet its objectives.
 10. **Other Information.** Any other information deemed necessary by the Zoning Administrator to ascertain if the project meets the required findings for a Sustainable Living Research Site.
- B. **Required Findings for a Sustainable Living Research Site.** A Conditional Use Permit may be granted if all of the following findings are made in addition to the findings required for all Conditional Use Permits:
1. The proposed research and sustainable living concepts will result in development that is demonstratively superior to the development that could occur under the standards applicable to normal development under the General Plan and this Title, of the Sustainable Living Research application, or the project submitted for consideration;
 2. The proposed research plan and conceptual program for sustainable living will further the goals and policies of the General Plan, and any applicable plan or policies adopted by the City Council; and
 3. The proposed bonding and other guarantees to return the site to pre-existing conditions in the event that the research is not successful are reasonable and sufficient, and will ensure that the City incurs no financial liability if the project fails.

- C. **Factors to be Considered.** In making the determination required by Subsection (B) above, the following factors must be considered:
1. Appropriateness of the proposed sustainability concepts and use(s) at the proposed location.
 2. Creativity in design and use of land.
 3. Provision of water supply and wastewater treatment facilities.
 4. Compatibility of uses within the development area.
 5. Public access to proposed research facilities.
 6. Overall contribution to the City's sustainability goals, as expressed in the General Plan.
- D. **Conditions of Approval.** In approving a Conditional Use Permit for a Sustainable Living Research Site, the Planning Commission may impose any reasonable conditions necessary to ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies that the City has adopted; achieve the purposes for a Sustainable Living Research project; or mitigate any potentially significant impacts identified as a result of review conducted in compliance with the requirements of the California Environmental Quality Act.

17.42.360 Temporary Uses

This Section establishes standards for certain uses that are intended to be of limited duration of time and that will not permanently alter the character or physical features of the site where they occur.

- A. **Exempt Temporary Uses.** The following minor and limited duration temporary uses are exempt from the requirement for a Temporary Use Permit. Other permits, such as Building Permits, may be required.
1. **Car Washes.** Car washes conducted by a qualifying sponsoring organization on non-residential properties. Sponsorship shall be limited to educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax exempt organizations in compliance with 501(c) of the Federal Internal Revenue Code. Temporary car washes shall not occur on a site more than four times per calendar year and may not operate for a continuous period of more than 12 hours.
 2. **Emergency Facilities.** Emergency public health and safety needs/land use activities.

3. **Garage Sales.** Garage sales of personal property conducted by a resident of the premises and occurring no more often than two times per quarter per residence, for a maximum of three consecutive days each.
 4. **On-site Construction Yards.** On-site contractors' construction yards, including temporary trailers and storage of equipment, in conjunction with an approved construction project on the same site. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction, whichever occurs first.
 5. **Temporary Real Estate Sales Office.** A temporary real estate sales office within the area of an approved development project, solely for the first sale of units, approved as part of the overall project.
- B. **Temporary Use Permit Required.** The following uses may be permitted pursuant to Section 17.55.060, Temporary Use Permits, subject to the following standards. Additional or more stringent requirements may be established through the Temporary Use Permit process in order to prevent the use from becoming a nuisance with regard to the surrounding neighborhood or the City as a whole.
1. **Special Events and Sales.** Short term special events, outdoor sales, and displays that do not exceed three consecutive days, may be permitted in accordance with the following standards:
 - a. **Location.** Events are limited to non-residential districts.
 - b. **Number of Events.** No more than four events at one site shall be allowed within any 12-month period.
 - c. **Time Limit.** When located adjacent to a Residential District, the hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
 2. **Temporary Outdoor Sales.** Temporary outdoor sales—including, but not limited to, grand opening events, and other special sales events—may be permitted in accordance with the following standards:
 - a. Temporary outdoor sales shall be part of an existing business on the same site.
 - b. Outdoor display and sales areas must be located on a paved or concrete area on the same lot as the structure(s) containing the business with which the temporary sale is associated.
 - c. Location of the displayed merchandise must not disrupt the normal circulation of the site, nor encroach upon driveways, pedestrian

walkways, or required landscaped areas, or obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.

3. **Seasonal Sales.** Seasonal sales of holiday related items, such as pumpkins and Christmas trees, for a period not longer than 45 days in a nonresidential district.
4. **Commercial Filming.** The temporary use of a site for the filming of commercials, movies, videos, provided the Zoning Administrator finds the approval would not result in a frequency of uses likely to create incompatibility between the temporary filming activity and the surrounding neighborhood.
5. **Off-site Construction Yards.** Off-site contractors' construction yards, in conjunction with an approved construction project. The permit shall expire and the construction yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever first occurs.
6. **Real Estate Sales.** Onsite real estate sales from a manufactured or mobile unit office for the temporary marketing, sales, or rental of residential, commercial, or industrial development.
7. **Temporary Residence.** A mobile home as a temporary residence of the property owner when a valid Building Permit for a new single-family dwelling is in force, or for temporary caretaker quarters during the construction of a subdivision, multi-family, or nonresidential project. The permit may be approved for a specified duration, or upon expiration of the Building Permit, whichever first occurs.
8. **Temporary Structure.** A temporary classroom, office, or similar portable structure, including a manufactured or mobile unit, may be approved, for a maximum time period of 12 months, as an accessory use or as the first phase of a development project, in a non-residential district.
9. **Temporary Work Trailer.**
 - a. A trailer or mobile home may be used as a temporary work site for employees of a business:
 - (1) During construction of a subdivision or other development project when a valid Building Permit is in force; or
 - (2) Upon demonstration by the applicant that the temporary work site is a short-term necessity, while a permanent work site is being obtained.
 - b. A permit for temporary work trailers may be granted for up to 12 months.

10. ***Similar Temporary Uses.*** Similar temporary uses which, in the opinion of the Zoning Administrator, are compatible with the district and surrounding land uses, and are necessary because of unusual or unique circumstances beyond the control of the applicant.
- C. **Administrative Use Permit Required in Certain Circumstances.** Administrative Use Permits shall be required for the following uses:
1. Amusement rides, carnivals, circuses, concerts, live entertainment, outdoor entertainment/sporting events, and tent revivals for 10 consecutive days or less, or five two-day weekends, within a 12-month period.
 2. Any temporary use the Zoning Administrator finds may have substantial and detrimental impacts to surrounding properties, such as noise or traffic impacts that should be considered through an Administrative Use Permit review process.
 3. Any other temporary use not identified as exempt or as requiring a Temporary Use Permit.

Attachment 2

Draft Zoning Ordinance
Workshop and Open House Schedule

City of Goleta Draft Zoning Ordinance Schedule of Public Workshops and Open Houses

Planning Commission Workshops

- Monday, January 11, 2016, 6:00 pm (Completed Item)
Purpose: Review of User's Guide and Draft Zoning Ordinance Part I General Provision
- Monday, January 25, 2016, 6:00 pm (Completed Item)
Purpose: Review of Draft Zoning Ordinance Part II Base Zoning Districts and Part III Overlay Districts
- Monday, February 8, 2016, 6:00 pm (Completed)
Purpose: Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts
- Monday, February 22, 2016, 6:00 pm (Completed)
Purpose: Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts
- Monday, March 14, 2016, 6:00 pm
Purpose: Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts
- Monday, March 21, 2016, 6:00 pm (Special Meeting)
Purpose: Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts
Review of Draft Zoning Ordinance Part V Administration and Permits
- Monday, April 11, 2016, 6:00 pm
Purpose: Review of Draft Zoning Ordinance Part VI General Terms and Outstanding Items

Workshop content is subject to change. All Workshops are on regularly scheduled Planning Commission meeting dates with the exception of March 21.

Open Houses

- Wednesday, January 27, 2016, 4:00 pm-7:00 pm (Completed)
- Saturday, February 27, 2016, 9:00 am-4:00 pm (Completed)
- Thursday, April 7, 2016, 6:00 pm-8:00 pm

Spanish interpretation will be provided at the Open Houses.

Workshops and Open Houses will be hosted at:

City Council Chambers
130 Cremona Drive, Suite B
Goleta, CA 93117

Visit www.GoletaZoning.com to access project documents.

Project contact: Anne Wells, Advance Planning Manager (awells@cityofgoleta.org or 805-961-7548).
Entra en contacto con Sylvia Uribe al (805) 717-5013 o transilpro@gmail.com para más información.