

Goleta Zoning Ordinance Workshop

March 12, 2019

My name is Eileen Monahan. I am an early care and education consultant, formerly with First 5 Santa Barbara, a Board member of the Isla Vista Youth Projects, and a Goleta resident for over 35 years. Today I am here as a resident but bring my knowledge of child care facility development with me to comment on the Draft New Zoning Ordinance. I unfortunately missed Workshops 1 and 2, and some of my comments relate to the topics addressed in those meetings.

High quality licensed child care provides a strong foundation for children, and allows their parents to find work, and be productive at their jobs. In this area, there is just 1 licensed space for every 2 children ages 0-5 who need care (parents working or going to school), and just 1 for every 5 babies. We desperately need more spaces for infants and toddlers, as well as for older children. The federal and state budgets are dramatically expanding opportunities for child care service and facilities, and in order to take advantage of those opportunities for Goleta residents and employees, it is critical that you adopt the least restrictive requirements and processes, and limit or eliminate cost, to allow for the development of child care needed by people who live and work here.

The adventure of starting or expanding a child care program is herculean, but critical for the city, and fortunately, there are heroes willing to do the work. The state regulates child care centers and family child care homes – the environment, staffing, ratios, age groupings of children, etc. It is quite thorough, so the operation of the program is not something you need to consider. Through your zoning ordinance as well as through other opportunities, though, such as the permitting process and fee schedule, as well as the General Plan, you can directly affect the child care supply in a positive way. When this project was in its infancy, I met with planning staff and provided some input to them directly, and during the hearings. The city is fortunate to have the planning staff they have, because they really listened and adopted some important changes, as reflected in this current draft. There are still some things, which are perhaps bolder but more impactful, that can be done to expand child care in the city.

Here are my recommendations

1. Family Child Care
 - a. Allow Large Family Child Care by right, as with Small – this simple and efficient change can dramatically expand capacity and save the City and providers a lot of time and money. The Land Use application and Permitting process is a challenge for providers – it is complex, takes time and can be expensive. As the State limits conditions that can be applied locally, providers are able to comply with the ordinance requirements. Many California cities, such as San Diego, San Francisco and San Jose, as well as our own Santa Maria and Lompoc, allow large family child care homes by right and do not find this creates problems, but rather has encouraged the development of many new spaces.
 - b. Ensure all staff know that family child care is not affected by Conditions, Covenants and Restrictions of a neighborhood association.
2. Centers
 - a. Allow all centers by right, or with a Ministerial or Minor Conditional Use Permit

- b. Allow child care centers in the General Commercial zone.
 - c. Require a CUP in Intersection Commercial with CUP, if necessary.
 - d. Consider an ordinance that allows small child care centers by right when they have met specific criteria, including the number of children who may attend.
 - e. Parking for centers –There is a constant battle for space between cars and children. During the development process, space that should be available for children – the facility and/or the playground, is required for parking of cars, and other regulations such as setbacks and parking lot design. Consider parking in this light and create the smallest footprint possible. Allow for modification plans from the applicant such as parking based on drop off/pick up schedules, age ranges of children, and number of siblings, that are specific to the program. Encourage the use of loading/unloading zones and temporary parking places in lieu of permanent spaces, as well as off-site parking for staff within a specified number of feet from the facility.
3. General
- a. Streamline the process and reduce or eliminate costs for anyone who is willing to do what it takes to start or expand a child care center or family child care home in Goleta.
 - b. Offer incentives or encouragement to all child care applicants, as well as to developers to include child care space in their nonresidential or residential projects.
 - c. Use the terms Family Child Care and Child Care Facility instead of Day Care – this distinguishes child care from adult day care and pet day care and is the more common and up to date term.
 - d. Designate a City staff person to be the child care expert, to be knowledgeable about child care development, the City’s policies, and the process.
 - e. Plan for child care – study it and include it in discussions throughout the City government, and specifically in the Planning department. At this point, it is in the hands of individual child care providers to see the need and respond, navigating through all the processes and regulations. The City can support its citizens by taking the leadership on this process and creating a plan for child care for Goleta.

Thank you for this thoughtful process, and for considering my recommendations.

Sincerely,

Eileen Monahan

CHAPTER 12-29A. LARGE FAMILY DAY CARE HOMES IN SINGLE-FAMILY RESIDENCES

Section 12-29A.01. Intent.

This chapter is intended to provide for large family day care homes when located on property occupied by a single-family residence and which are clearly incidental to the use of the dwelling and do not change the character thereof or adversely affect the uses permitted in the zone of which it is a part. (Ord. 91-23 § 2, eff. 10/31/91)

Section 12-29A.02. Permitted.

Large family day care homes, in accordance with the regulations contained herein, are permitted on property occupied by a single-family residence within the City. (Ord. 91-23 § 2, eff. 10/31/91)

Section 12-29A.03. Applicability of requirements.

The requirements set out in this chapter apply to all large family day care homes within the City. (Ord. 91-23 § 2, eff. 10/31/91)

Section 12-29A.04. Statement acknowledging requirements.

Each large family day care home provider in the City shall sign and file a statement indicating his or her awareness of City regulations applicable to the operation of large family day care homes. The provider shall file with the Community Development Department a copy of his or her current state license to operate a large family day care home. (Ord. 91-23 § 2, eff. 10/31/91)

Section 12-29A.05. Parking requirements.

Parking spaces are to be provided as set forth in Chapter 12.32 of this title for single-family residences. (Ord. 91-23 § 2, eff. 10/31/91)

Section 12-29A.06. Operators and employees.

The provider operating the large family day care home must live in the home. Additional caregivers, required under the State Health and Safety Code, need not live in the home. (Ord. 91-23 § 2, eff. 10/31/91)

Section 12-29A.07. Noise.

Activities in the home must comply with the noise regulations contained in Chapter 5-5 of this Code. All play areas shall be located behind a solid wall or fence separating the area from neighboring residences. (Ord. 91-23 § 2, eff. 10/31/91)

Section 12-29A.08. Code compliance.

The provider shall comply with all other provisions of this title applicable to single-family dwellings, including without limitation those related to signs and landscaping. (Ord. 91-23 § 2, eff. 10/31/91)

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From: [Cecilia Brown](#)
To: [Andy Newkirk](#)
Cc: [Mary Chang](#); [Anne Wells](#)
Subject: More thoughts on sign ordinance
Date: Friday, March 15, 2019 11:17:49 AM

Hi Andy!

Maybe there is and I already missed it, but if not, I think there should be a category "regulatory signs" and they should be in the exempt category.

So, what is a regulatory sign? On my morning walk with my dogs yesterday, here are a few I saw

Service dogs allowed, the handicap sign with a wheelchair against the blue background, a no smoking sign, the CA health hazard warning sign, FDIC and a SPIC sign On a bank window (these are required by fed regulatory agencies to be displayed on store/doorfronts), etc.

Also what about an exempt sign indicating a store is open or closed? Another type of wall sign that shouldn't be counted against the business sign allowances.

Have a nice weekend,
Thank you
Cecilia Brown

Sent from my Galaxy Tab® A

This follow-up written comment elaborates on an oral comment I made at Goleta Planning Commission's NZO Public Workshop 1 on Feb. 25, 2019.

Request for changes to NZO Section 17.41.140 – Farmworker Housing:

1. Broaden definition of farmworker housing. Allow for agricultural employee dwellings (AEDs) that do not need to meet the California State definition for Farmworker housing, as was similarly done in the recent Ordinances (No. 5068 & 5069) adopted by the County of Santa Barbara on December 11, 2018. The County found that the permit process to develop AEDs was too onerous, such that few AEDs had been constructed. The City of Goleta's proposed farmworker housing standards are so restrictive that it is unlikely that any farmworker housing would be built (see explanation below).
2. Allow AEDs to house employees working less than full-time on the farm. This would still meet the General Plan policies LU 7.1, LU 7.4, and CE11.10 (Conservation easements could be required with development of AEDs). The General Plan does not define "Farmworker Housing", therefore the NZO could add other types of AEDs that still meet the intent of the General Plan.
3. Allow housing for multiple owners of the farm. The NZO would need to find that multiple farm owners were similar enough to farmworkers in order to be consistent with General Plan agriculture policies (LU 7).

Background:

It is well-known that small farms are disappearing. The reasons for this are many, and include: 1) Big-Ag depresses food prices, making it hard for small (esp. organic) farms to compete; 2) The crackdown on undocumented migrants is making it harder to find cheap labor; and 3) Land is expensive, and though the average age of farmers is 62 and they'd like to sell their farms and retire, there are few young farmers with the financial wherewithal to purchase these farms. Thus, as a result of these factors, these small farms end up becoming housing or industrial developments, or are simply swallowed up by Big-Ag.

But, I submit to you that there is another reason for the decline of small farms, and that is the way land use ordinances are currently written. They are based on an archaic paradigm of a single overlord farmer who owns the land and who may hire farmworker employees and supply them with subsistence housing. Ordinances support this paradigm by, for example, specifying that only a single residence can be built for the owner of the farm. (The addition of a single ADU (accessory dwelling unit) relaxes this rule a bit, but not much.) The ordinances also specify that only full-time agriculture employees qualify to live in the auxiliary farmworker housing.

But, what if a group of young farmers pooled their money together, thereby enabling them to collectively purchase a farm and become co-owners? The ordinances would not permit them to live in farmworker housing because they are owners and not employees, so if they wanted to live on the farm then they must all pile into one house, with perhaps a few going into the ADU. This is obviously not ideal. If the ordinance is changed to allow for multiple dwellings, then these owners could enjoy some privacy while having their co-owners as neighbors. One possible unintended consequence of allowing multiple dwellings might be that a housing developer would simply convert an ag parcel into a housing

development. This could be prevented by perhaps requiring that no more than 10% of an ag parcel have dwellings on it, and that all the dwellings be clustered together in one area of the parcel.

Some of the owners of the farm may wish to minimize their environmental impact by choosing to live in "tiny homes" (including those built on trailers). This should be allowed in the new ordinance, with no minimum home size requirement. Another great advantage of tiny homes is that they are ultra-affordable.

These young farmers living on their new farm in these modest dwellings may next decide they'd like to create more of a "village" feel to the place, and invite non-farmers to live with them, housed in their own separate dwellings, either as owners or renters. This might perhaps be a retired person who enjoys the agrarian lifestyle, or could be someone with an off-site job who wishes to live in this village. Again, the ordinances prohibit this possibility. In the current paradigm, housing is designated for either the owner (single residence) or his full-time hired farmworkers.

The new paradigm that I'm outlining is commonly referred to as an "ecovillage", a place where people live together and work co-operatively. Their primary occupation is farming, and to any outside observer the ecovillage appears to be a farm. But, it's also a supportive community, so in addition to the personal dwellings there might be a community gathering building, or perhaps a dormitory for transient residents of the village. In addition to farming, the villagers may decide to start other types of businesses to support themselves. Always the main focus is on farming, though, growing most if not all of their own food, and selling the rest. Being ecologically-minded, the villagers will seek to also generate their own energy renewably, to conserve and re-use water, and to be creative in recycling their waste and sewage (e.g. dry compost toilets).

These ideas I've presented are not new or radical; they simply haven't yet been widely embraced at a policy level. There are some forward-thinking municipalities around the U.S. that have begun to adopt some of these ideas, though. For example, some cities now explicitly permit tiny homes (e.g. Fresno CA and recently SLO), and here in SB County we permit certain types of graywater diversion. There are some cities that have adopted new zoning to effectively permit ecovillages (e.g. Bloomington IN, Ithaca NY, and Chilliwack BC). My hope is that the leaders and planning staff of Goleta will appreciate this new paradigm that I've presented, and make the needed changes to their ordinance to allow for ecovillages, and maybe save a few small farms from disappearing in the process.

Eric Torbet
torbet@do-right-solar.com
(805) 692-5297