

City of Goleta

# New Zoning Ordinance Program



## **Module 1: Administration and Permits**

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## **New Zoning Ordinance Program**

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# Presentation Agenda

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- Overview of Zoning Ordinance Program
  - *Purpose, Objectives, Process*
- Schedule
- Summary of Draft Administration & Permit Regulations
- Discussion of Key Issues
- Next Steps



# Purpose of Zoning Update

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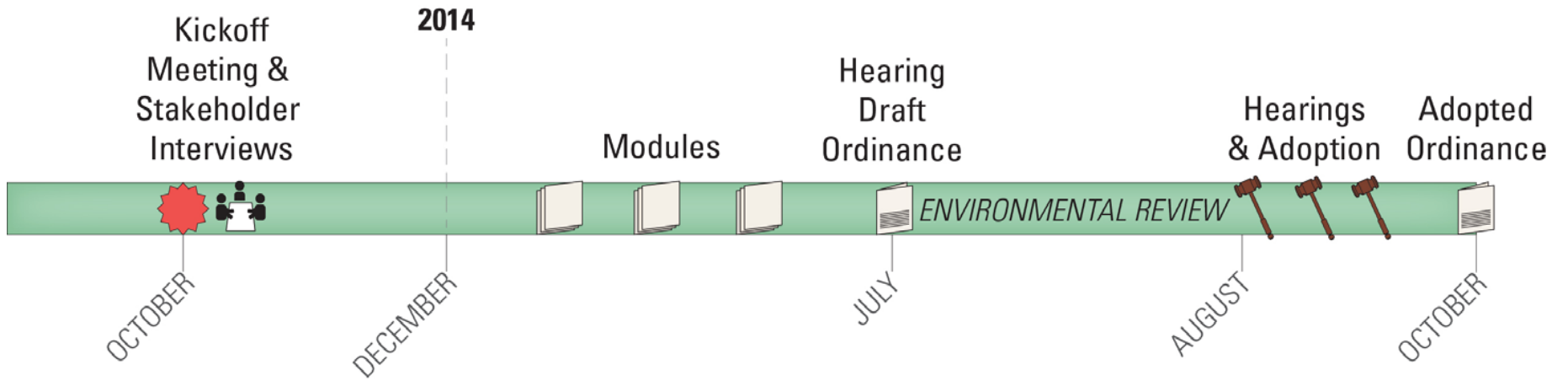
Comprehensively revise the Citywide zoning regulations and Zoning Map to implement the General Plan, shape future growth and help realize the community's vision for the future – a safe, beautiful, vibrant, and livable community, a robust local economy, and a viable Old Town, while also protecting environmental resources.

# Specific Objectives

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- Be easy to use and understand
- Promote infill, mixed-use pedestrian-oriented projects
- Streamline review and approval process
- Improve development review process with clear rules and criteria for approval providing certainty, flexibility and finality while protecting sensitive resources
- Be enforceable
- Respond to community concerns
- Provide tables and graphics

# Schedule



# Module 1: Overview

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1. Introduction
2. Duties and roles of various Planning Authorities
3. Administrative procedures have been consolidated into “Common Procedures”
4. Each application type has individual chapter and reflect ‘best practices’
5. Process for amendments to the General Plan, Zoning Text, and Zoning Map
6. Enforcement procedures
7. Definitions related to Administration and Permitting

# Planning Authorities

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- Basic roles and functions
  - *City Council*
  - *Planning Commission*
  - *Design Review Board*
  - *Zoning Administrator*
  - *Director*

*Details will be coordinated with provisions in Title 2 of the GOLETA MUNICIPAL CODE*

# Common Procedures

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- Uniform procedures common to a variety of permits
- Applications; Fees Required (separate schedule)
- Preliminary Review (Optional Process)
- Review of Applications; determining completeness
- Environmental Review
- Public Notification: Conduct of Hearings
- Required Findings; Conditions of Approval
- Effective Dates; Expiration and Extensions
- Modification and Amendments; Revocation of Permits
- Appeals



# Zoning Clearance

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- Required for “as-of-right” uses; intended as over-the-counter approval
- Not required for the continuation of uses or structures previously approved or permitted or for home occupations
- Approved by the Zoning Administrator
- Ministerial Permit, no discretion to deny if standards are met or to impose conditions of approval
- Ensures that all requirements are met prior to issue of a building permit
- Can be brought to the Planning Commission for limited review, if necessary, for controversial projects

# Use Permits

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- Administrative Use Permit
  - *Approved by the Zoning Administrator*
- Conditional Use Permit
  - *Approved by the Planning Commission*
  - *Has additional findings*
- Temporary Use Permit
  - *Approved by the Zoning Administrator*
- Reasonable conditions can be imposed
- Findings required

# Design Review

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- City staff will be coming forward with procedures at a subsequent meeting
- Did look at San Dimas table and shared ideas with City staff

# Historic Resource Review

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- For properties over 50 years old
- Subject to Design Review
- Intent is to provide opportunity to evaluate whether and how to preserve significant historical or architectural characteristics of buildings, consistent with General Plan
- Has specific findings
- Appeal provision for Economic Hardship
- “Light touch” because no inventory of historic resources; can be amended later

# Coastal Development Permits

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- Establishes process for review under California Coastal Act
- Consistent with Commissions *Implementation Guidance*
- Applies to all uses and all development in the Coastal Zone
- Exemptions for types of development, per Commission rules
- Administrative Coastal Development Permits
  - *Approved by the Zoning Administrator*
- ‘Regular’ Coastal Development Permits
  - *Approved by the Planning Commission*
- Notice and Appeals

# Variations and Modifications

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- Approved by the Zoning Administrator
- Variations require a public hearing
  - *Has specific findings*
- Modifications can be approved administratively
  - *ADA requirements*
  - *10% of setbacks, build-to areas, lot coverage, height, landscaping, transparency*
- Conditions may be imposed to ensure consistency with General Plan and to preserve health, safety, and welfare.

# Development Agreements

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- Approved by the City Council
- Authorizes governmental agencies to enter into legally binding agreements with private parties
- Voluntarily entered into by City and applicant
- May contain additional or modified conditions, terms, or provisions

# Amendments to Ordinance, Map, and General Plan

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- General Plan Amendments may only be initiated by the City Council with specific findings, consistent with 2012 resolution of the City Council
- Ordinance and Map Amendments may be initiated by City Council, Director, applicant, or interested party
- Public hearings
- Required findings
- Referrals back to Planning Commission of General Plan amendments if City Council adds provisions not considered by the Commission



# Enforcement

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- Responsibilities for enforcement established
  - *Zoning Administrator and Code Enforcement Officer*
  - *Building Official*
  - *City Attorney*
- Penalties
- Remedies
- Recording Notice and Order

# Definitions Related to Administration

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- Will be grouped together with other terms and definitions
- Some directly taken from State law
- Others can be modified to reflect local conditions
- Definitions should not include policy statements, standards, rules or restrictions
- Definitions should not cite a law or regulation to avoid a conflict if that law or regulation is subsequently amended

# Commission Discussion Questions

- Notification Requirements
  - *Retain substitution of advertisement when more than 1,000 mailed notices, as allowed by State law?*
  - *3 posters per site? Maybe one/frontage suffices*
  - *Retain 500 feet for residential and 1000 feet for non-residential or change to minimum statutory requirement (300 feet)?*
- Zoning Clearance
  - *Provide an option to send to Planning Commission?*
- Should the Zoning Administrator have the authority to grant Variances?
- Should there be a streamlined process for Design Review?
  - *Zoning Administrator could be responsible.*

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We need your input!