

**From:** [Gillian Fennessy](#)  
**To:** [Gillian Fennessy](#)  
**Subject:** FW: Comments for Sep 23 PC hearing - NZO Public Comments attached - Cecilia Brown 47  
**Date:** Monday, September 23, 2019 11:43:07 AM  
**Attachments:** [On site posted notice.eml.msg](#)  
[City of Goleta Sep 23 PC hearing comments.doc](#)

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**From:** Cecilia Brown <[brownknight1@cox.net](mailto:brownknight1@cox.net)>  
**Sent:** Monday, September 23, 2019 10:34 AM  
**To:** Kim Dominguez <[kdominguez@cityofgoleta.org](mailto:kdominguez@cityofgoleta.org)>  
**Cc:** Lisa Prasse <[lprasse@cityofgoleta.org](mailto:lprasse@cityofgoleta.org)>  
**Subject:** Comments for Sep 23 PC hearing

Good Morning Kim! Please accept my attached ltr and photos to accompany the ltr for today's planning commission meeting.

Thank you for your help.

Enjoy your day!

Cecilia Brown

**From:** [zorro.j.brown](mailto:zorro.j.brown)  
**To:** [brownknight1@cox.net](mailto:brownknight1@cox.net)  
**Subject:** On site posted notice  
**Date:** Sunday, September 22, 2019 3:01:35 PM  
**Attachments:** [20190922\\_143803.jpg](#)  
[20190922\\_143742.jpg](#)

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5620

**NOTICE OF PROPOSED DEVELOPMENT**

Case No. \_\_\_\_\_

**For more information, please contact**  
(Para información sobre esta propuesta de desarrollo, favor de llamar)

Staff Planner: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email: \_\_\_\_\_ @cityofgoleta.org

**NOTICE OF FINAL APPROVAL**  
Submitted to: Board of Planning and Development  
Project Name: [illegible]  
Project Location: [illegible]  
Project Description: [illegible]  
Date of Approval: [illegible]





5620

COPE OF PROPOSED DEVELOPMENT

LOW AHEAD SIGN  
PROVIDING NOTICE OF  
ROAD WORK AHEAD  
WILL BE CONSIDERED  
INVALID IF NOT DISPLAYED  
IN ACCORDANCE WITH  
CALIFORNIA VEHICLE  
CODE SECTION 21500  
SUNSHINE & SHADOW

PROVIDING NOTICE OF  
ROAD WORK AHEAD  
WILL BE CONSIDERED  
INVALID IF NOT DISPLAYED  
IN ACCORDANCE WITH  
CALIFORNIA VEHICLE  
CODE SECTION 21500  
SUNSHINE & SHADOW



September 23, 2019

Re: Comments on NZO for Sep 23<sup>rd</sup> City of Goleta Planning Commission Hearing

Dear Madame Chair and Members of the Planning Commission

Please consider my comments below on various sections/topics of the NZO

1. Chapter 17.24.090 Fences, Freestanding Walls, and Hedges (p. iv-9)

I would like you to reconsider the permit path for fences six feet or less (not less than six feet as written, since the fence would have to be 5'11 to meet the NZO standard) on the street side setbacks on corner lots. Here the issue is one of sight clearance for any fence to be located in the front yard setback. However, if the fence is outside of the front yard setback and there are no sight distance clearance issues with any access taken from the property to rear, then, under these circumstances, this fence meeting these standards should be exempt from any zoning clearance. Making a property owner go through a zoning clearance process when it is not needed is unwarranted and burdensome.

2. Chapter 17.52.050 Public Notification, paragraph C3 (p. v-13)

The city has generally good noticing procedures for projects subject to various kinds of permits. However, the city's current standard for on-site posted notice with those yellow plastic signs is insufficient for large scale developments, like the Target Shopping Center improvements, all new hotel developments, large scale industrial and commercial uses, and large housing developments (like Hollister Village and the Winslowe in Old Town).

Please see the attachment to see the size of the sign used for on-site noticing for all project sizes. For the scope and scale of the projects mentioned above, the signs are too small to attract the public's attention. They aren't seen by motorists passing by because one can't read the sign from the street and these signs are also subject to weather degradation. (The sign at the attachment is located at the Best Western located at the corner of Calle Real and Kellogg. This notice was for the addition of an outside elevator which, I believe, the current on-site posted notice is appropriate for the scope of the project.) There may be other projects which might benefit from increased on-site notice size. As a minimum, the large projects mentioned above are the ones the public is most interested in. A bigger sign is better for getting their attention and providing information.

Therefore I would like to request that the Planning Commission add an additional on-site noticing requirement for a certain class/size of development as discussed above (If there are other projects worthy of a bigger on-site notice sign, perhaps those could be added by staff). The signs should be a maximum of 4ft x 8ft, located at eye level no higher than 6ft, 10 ft from property line, have all the info that the current signs have plus first hearing date. I have seen signs in other jurisdictions with just text information and some jurisdictions also have a photo. Either would be better than what is now used. (For reference: I googled "development on- site noticing" where there is further info on the noticing standards for the cities of Fremont, Novato, Anaheim and Mountain View.)



### 3. Chapter 17.42.010 Telecommunication Facilities

In May 2019, the City adopted an ordinance into their Municipal Code regarding wireless facilities in the Public Right of Way incident to the recent change in FCC regulations.

<https://goleta.legistar.com/LegislationDetail.aspx?ID=3926403&GUID=6563CB7A-9A61-4118-959E-E5FA5AAD4FB7>

First of all, I believe it would be helpful for the public, not knowledgeable about the FCC rulings, to understand exactly what cell sites are now regulated in the City's NZO telecom ordinance. It isn't clear when reading the NZO that it deals with cells on private property. The following statement in the first paragraph is government speak at its finest and decoding what it means for the public would be really helpful. "The requirements of this Chapter apply to all telecomm facilities within the City which aren't subject to FCC ruling (WT Docket N. 17-79, WC Docket No. 17-84, FCC 18-133...." I believe all that is needed to edit the 2<sup>nd</sup> paragraph in this section to clarify what kind of cell sites the NZO regulates.

Secondly, the design and development standards in the City's Municipal Code on small cells in the public ROW are quite robust and comprehensive. Some jurisdictions use the same standards for both cells in the ROW ordinance and for those on private property. Without a side-by-side comparison of the City's Muni Code and the NZO, it is difficult to know if the standards between what is required for cells in the ROW and what is required for those on private property in the NZO is the same or different.

However, one difference seems to be there is no 3<sup>rd</sup> party review by a licensed professional engineer affirming that radio frequency emissions are compliant with FCC's standards, etc. The NZO just requires a report, but no 3<sup>rd</sup> party review. Also, the cell site standards in the City's Municipal Code require photosims/visual analysis. Having done discretionary review of small cells in the public ROW as a planning commissioner in another jurisdiction, this aforementioned info is extraordinarily helpful to decision-makers and the public alike to understand project impacts. The above two issues are the ones where the public has the most interest. The small cell sites, wherever they are located--whether in the ROW or on private property, should have the same design and development standards since project impacts wherever they are located could be the same. Lastly, it is preferable to have consistent policies regarding the same issue in all city regulations.

Thank you for your consideration of my comments. And thanks for all your really very good work on the NZO. A big job, well done!

Cecilia Brown