

**From:** [Tara Messing](#)  
**To:** [Winnie Cai](#); [Peter Imhof](#); [Anne Wells](#); [Andy Newkirk](#); [Jay Ritterbeck](#); [David Pierucci](#)  
**Cc:** [Linda Krop](#); [Brian Trautwein](#)  
**Subject:** City of Goleta's New ZO and Feasibility Analysis  
**Date:** Thursday, May 02, 2019 12:46:45 PM

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Hi All,

In anticipation of the May 7<sup>th</sup> Joint Planning Commission-City Council meeting, I spoke with Winnie yesterday to touch base after our meeting on April 11, 2019. Based on this conversation, I wanted to provide some points of clarification with regards to our position, most of which is set forth in our comment letter dated March 8, 2019.

First, adopting a provision in the new Zoning Ordinance that sets forth a process for making feasibility determinations would not require planning staff to make takings determinations. Legal counsel would still make a recommendation to the decision-making entity as part of the project review process. Nevertheless, it is still important for the Zoning Ordinance to provide guidance as to these determinations because such a provision would ensure that adequate information is considered consistently in every case and it would provide applicants with a clear understanding of what information must be submitted.

Second, our proposed language mirrors the California Coastal Commission's ("CCC") Suggested Modification No. 13 to the Eastern Goleta Valley Community Plan ("EGVCP") LCP Amendment, which was adopted. Furthermore, the EGVCP references the Economically Viable Use Determination language set forth in detail in the County's Coastal Zoning Ordinance at Sections 35-192.4 through 35-192.6.

Finally, incorporating language previously recommended by the CCC is strategic because the CCC will have to certify whatever the City proposes. For this reason, in crafting the new Zoning Ordinance, it is important for the City to consider what language the CCC will require later in the adoption process in order to avoid future delays and unexpected surprises.

We look forward to continuing to work with you all and speaking with you further at the May 7<sup>th</sup> meeting. Please let me know if you have any questions.

Best,  
Tara

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