

LEAGUE OF WOMEN VOTERS OF SANTA BARBARA

January 6, 2016

Mayor James Farr and City Council Members,
Director Jennifer Carman
Goleta City Hall

Subject: New Goleta Zoning Ordinance

The League of Women Voters continues to have the same concerns that we outlined in our letter of November, 2014, which we will enclose. Now, in addition, we have looked at the almost 500 page document that covers the rezoning and we know that the public will not have any way to deal with it. We find it impossible to know what changes have been made, or why they would have been made.

We want to suggest that an Executive Summary be prepared before the public hearings. That summary should point out any major changes that have been made, and why they were made. It would be good to note what public demand had asked for these changes. We are afraid that all the public testimony that was given at all the earlier public hearings will be totally lost, both for you, and for the interested citizens.

We ask that particular attention be given to who will be making any decisions. It is frequently easy to have a Zoning Administrator make many decisions, but that excludes any public participation, and may produce results that shock the neighbors, and even the decision makers. Other local cities have had trouble refining this process, and have decided that their Planning Commission must make all important decisions.

The League believes that it will be very hard to conduct public hearings on this document unless more clear information is provided before they are held. The staff that has made these changes should be able to explain the principle ones, and why they would be done. After all, the City has used the County's original zoning for 10 years, and sudden changes could upset the entire community.

We thank you for your time and attention.

Lindsey Baker, Co-President for Program and Action

Contact: Connie Hannah, Vice-President for Program at 967-4720

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LEAGUE OF WOMEN VOTERS OF SANTA BARBARA

11-20-14

Director Jennifer Carman
City of Goleta
Goleta City Hall
cc: Mayor and City Council members
and Goleta Planning Commissioners

Subject: Goleta Zoning Revision Process

Dear Director Carman:

A number of members of the Santa Barbara League of Women Voters have been attending the public meetings called to present the Zoning Revision changes being considered by the City. Since our area of jurisdiction includes the entire South Coast we have long been interested in the Goleta General Plan and zoning. The League approved the original General Plan, and we have been concerned that many changes have been made to it. Now we see that the zoning requirements that have been in effect for over ten years are being changed as well. We are eager to see that process as open and well understood as possible.

We have been concerned that decision makers may not be well informed about the comments that the public has made so far. Those public comments should have been made accessible to the public and city officials. Instead they have been housed in a single binder at City Hall. In addition, the hour-long open houses hosted by Mr. Dyett prior to the Planning Commission meetings were neither televised nor recorded, so no wider audience has ever seen them. Goleta residents have an important stake in these changes and their views must be heard before these changes are made. The public input must have more exposure, and soon.

The changes have also been difficult to follow. The original language was not shown, and the basis or rationale for change was absent. When these changes are presented to the public, they will need to show the original text and the final text side by side. The reason for each change should be shown with the change, or in a separate attached list, so everyone will understand the purpose of each change.

Finally, one particular concern relates to who will be making the key decisions about projects. It appears that a Zoning Administrator would be able to make many important decisions alone. The difference between ministerial and administrative decisions must be more clearly defined and recorded. We want to see the Planning Commission able to consider all precedent setting or large projects, with an appeal process to the City Council. This is a long established route to make sure that any major projects have full review and a real opportunity for the public to participate.

Susan Shank, Co-President for Program and Action

Contacts: Karen Bunker (967-0838) or Connie Hannah (967-4720)



January 11, 2016

Director Jennifer Carman, City of Goleta

cc: Mayor and City Council members and Goleta Planning Commissioners

Subject: Goleta Zoning Revision Process

Dear Director Carman:

Citizens Planning Association has promoted sound land use planning for more than 55 years. We are aware that the City of Goleta is updating its zoning code. CPA will be following the process but at this point, we want to encourage your body to support a process that is transparent with information presented in a fashion that will be understood by all stakeholders.

We share concerns with the League of Women Voters that decision-makers may not be well informed about the comments that the public has made so far. Public comments should be made accessible to the public and city officials via the Goleta city website. Goleta residents should also have access to some notes from Mr. Dyett's informational sessions.

The proposed changes need more context. When these changes are presented to the public, the public should see the original text and the final text side by side, with rationale for the change included.

Lastly, CPA believes the Planning Commission should be the decision-maker for all precedent setting or large projects, with an appeal process to the City Council. This will assure that projects have full review and provide a real opportunity for the public to participate.

We sent a previous letter (November 2014) making some of the same requests in more detailed fashion. Hopefully, more than a year later, the process will take a turn toward adequate and fair publication of information.

Respectfully submitted,

Mary Ellen Brooks

President, Citizens Planning Association

916 Anacapa Street, Santa Barbara, CA 93101
www.CitizensPlanning.org

(805) 966-3979

From: no-reply@websitetonight.com [mailto:no-reply@websitetonight.com]

Sent: Friday, January 15, 2016 1:54 PM

To: Wendy Winkler

Subject: goletazoning.com Participate: Form Submission

Name:

Katie Davis

Email:

kdavis2468@gmail.com

Subject:

Solar on new buildings

Message:

Goleta should require solar on new buildings like Lancaster and Sebastopol. Here are examples of solar mandates and solar-readiness ordinances: http://narc.org/wp-content/uploads/BMP-Planning-Step-3-PL-3-B-Adopt-a-Solar-Ready-Ordinance_FINAL.pdf Let's show some true green leadership!

This message was submitted from your website contact form:

<http://www.goletazoning.com/participate-1.html>



Planning Improvements

Step 3, PL 3-B Adopt a Solar Ready Ordinance

Adopt new ordinances or building codes to promote solar ready construction

Solar-ready requirements are a relatively low cost, but effective, addition to green-building codes and municipal ordinances. After a commercial or residential structure is built, structural and solar access issues can prevent a solar project from being cost effective or may make it entirely infeasible; thus, addressing solar readiness prior to and during construction can be a critical factor in the future adoption of solar.

One way to achieve solar-ready construction is by adding provisions to the local building code. Requiring that new construction follow solar-ready design guidelines is also an option. The building code would include the following requirements:

- For building permit approval, new construction must either include a solar system installation or electrical conduit for later installation.
- Specification of the applicable building types or geographic zones where the requirement applies.

Examples

Tucson, Arizona: Citywide Residential Solar Readiness Ordinance No. 10549

The city's 2008 ordinance requires solar stub-ins (i.e., conduit) on all new single-family and duplex residential dwelling units in order to receive a building permit.

<http://1.usa.gov/S5pOmA>

City of Chula Vista, California: Municipal Solar Ready Ordinance and Building Requirements

This collection of ordinances prepares each new home for future solar photovoltaic (PV) or solar hot-water systems by requiring installation of electrical conduits and plumbing during building construction.

- Photovoltaic pre-wiring requirement ordinance:
www.chulavistaca.gov/City_Services/Development_Services/Planning_Building/SustainabilityCenter/PDF/Solar%20Ready%20Ordinances.pdf
- Photovoltaic pre-wiring installation requirements and guidelines:
www.chulavistaca.gov/City_Services/Development_Services/Planning_Building/SustainabilityCenter/PDF/Form%204621%20PV%20Installation%20Requirements.pdf

Sebastopol, California: Solar Mandate

In March 2013, Sebastopol, California, amended their zoning code to create a solar mandate for new residential and commercial buildings. The mandate also applies for major renovations of existing structures. Permit applicants will be required to submit plans for a solar photovoltaic system along with their construction documents. Sites for which solar is infeasible must pay a fee. The ordinance also outlines minimum sizing requirements for solar installations based on either prescriptive or performance-based measurements.

www.publicceo.com/wp-content/uploads/2013/05/agenda_item_number_5_pv_ordinance.pdf

Colorado Building Energy Code with Mandatory Solar Option

This law applies statewide to builders who have single-family detached home projects in which buyers are under contract. Builders are required to give the buyer the option to either have a PV system installed on their new home, or to have all

the necessary wiring and/or plumbing installed so they can easily add a solar system at a later date. The builder must also provide the buyer with a list of every solar installer in the area, so the buyer can obtain expert help in determining if their home's location is suitable for solar and what the estimated cost savings would be.

<http://bit.ly/Ug0jBd>

City of Lancaster, California: Residential Solar Mandate

In 2013, the Lancaster City Council adopted Ordinance Number 989, which amended the zoning code to require a solar provision for all new residential subdivisions. Developers are required to meet the standard of 1 kW of solar electricity provided per unit. For a 10-subdivision home, this might mean one or several small solar systems provided by the developer to total 10 kW. Developers also have the option to procure the same allocation of solar energy through off-site generation.

<http://www.cityoflanasterca.org/index.aspx?page=1279>

Henderson, Nevada, Development Code. Development and Design Standards. Chapter 19.7, Table 12-1

Henderson, Nevada's design standards include a points-based system for sustainable design elements for approval of development projects. All residential or commercial buildings must achieve a minimum number of sustainability points by integrating items from a list of approved sustainability design options. Solar readiness is a listed option for commercial or residential developments. The design specifications request that single buildings include electrical conduits for solar electric systems and plumbing for hot-water units. Multi-structure developments must demonstrate that 20 percent of buildings are solar ready.

<https://www.planning.org/pas/infopackets/open/pdf/30part5.pdf>

Sample: Solar Ready Construction Ordinance

- Section 1. That this ordinance shall be known and referred to as the "Residential [or Commercial or New Construction] Solar Readiness Ordinance."
- Section 2. The [jurisdiction] is authorized to adopt appropriate rules, regulations and development standards necessary to implement the provisions of Sections 3 and 4.
- Section 3. All new single family and duplex residential dwelling (or commercial or new construction) units shall include an acceptable method to allow for later installation of a system which utilizes solar energy as the primary means of heating domestic potable water. This section shall become effective upon approval of the new standards.
- Section 4. All new single family and duplex residential dwelling (or commercial or new construction) units shall include an acceptable method to allow for later installation of a system which utilizes solar energy as a means of providing electrical power. This section shall become effective upon approval of the new standards.
- Section 5. The requirements of this ordinance may be modified or waived when it can be satisfactorily demonstrated to the Building Official that compliance with these regulations is impractical due to such issues as shading, building orientation, construction constraints or configuration of the parcel.
- Section 6. If any of the provisions of this ordinance or the application thereof to any person or circumstance is invalid, the invalidity shall not affect other provisions or applications of this ordinance that may give effect without the invalid provision or circumstance, and to the end the provisions of this ordinance are severable.
- Section 7. The various city officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance, including, but not limited to, providing an instructional pamphlet setting forth in plain language the requirements of this ordinance.
- Section 8. Whereas, it is necessary for the preservation of the peace, health and safety of the [jurisdiction] that this ordinance becomes immediately effective, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage and adoption.

(Source: Tucson, Arizona, Citywide Residential Solar Readiness Ordinance. Available online:

<http://cms3.tucsonaz.gov/files/agdocs/20080617/june17-08-311.pdf>)

From: Kathy Toro [mailto:kathyingoleta@gmail.com]

Sent: Wednesday, January 20, 2016 2:31 PM

To: Anne Wells

Subject: Draft Zoning Ordinance specific to IG General Industrial and adjacent residential housing.

Hello,

I have some questions in reference to the Draft Zoning Ordinance. I plan to attend the open house on January 27th and hopefully some of my questions and concerns can be answered but I would also like to pass along these questions and concerns to you.

I live at 5677 Alondra Dr. in old town Goleta. I have lived at this residence since 1974. My property is adjacent to Key site #2 off of Depot Rd and within the South Kellogg Industrial Center. The western end of this site which is adjacent to my property is currently zoned M1 light industry. Having lived here for over 40 years I have seen this key site 2 property change that has greatly impacted our lives with noise, air pollution, illegal building, and virtually no property screening of the junk on this property.

Now I see that all the property in key site 2 will be rezoned from M1 to IG General Industrial. What zoning laws will be put in place to protect the residents who live near this site? Will all the current zoning laws under M1 Light Industry be included in the General Industrial zoning? Specifically the permitted uses under M1 sec. 35-234.4 line #9 when conducted within a completely enclosed building. Over the years we have had to deal with businesses such as auto body repair, auto repair, auto body paint and other business that have bypassed these zoning laws and conducted their business out in the open, which has resulted in toxic fumes, dust, and noise.

When this area was under Santa Barbara County jurisdiction it was a real struggle to get the County to come out and put a stop to some of the zoning violations. In fact most of the time they did nothing so it has been our hope that the City of Goleta will step up and make this area where residents live a safer place without the toxic fumes, lack of screening and the excessive noise. Many young children live in this area and their health and safety is a big concern.

I have read the new Draft Zoning Ordinance having to do with the IG General Industrial sites. There is a concern about this paragraph in the ordinance. It states, IG General Industrial. This District is intended to provide areas for a wide range of manufacturing uses, including those with potential noxious impacts, and for similar service commercial uses by implementing the General Industrial (I-G) land use designation in the General Plan.

By definition noxious means very unpleasant, harmful, poisonous, deadly.

So I assume that these noxious impacts will have a harmful impact on our lives.

Also there is not much definition about the zoning laws.

I hope that the City of Goleta will take proper responsibility to protect its citizens and create zoning laws built into IG zoning that will protect adjacent residential neighborhoods.

Thank you,

Kathleen Toro

5677 Alondra Drive

Goleta, Ca.

Helen Gannon

Subject: RE: Assisted Living Zone

From: Linda Blackburn [<mailto:lblackbern@towbes.com>]

Sent: Friday, January 22, 2016 10:41 AM

To: Brian Hiefield

Cc: Andy Newkirk; Anne Wells; Mary Chang

Subject: Assisted Living Zone

Brian,

As we discussed over the phone, I'm interested in understanding what zones allow Assisted Living Facilities. You had relayed to me that they are conditionally permitted in all zones, and the onus is on the applicant to demonstrate the specific location is suitable for the proposed use.

We are currently working on a couple different senior developments along the central coast and would like to know more about the process for Goleta. Here are my specific questions:

1. Is there any zone Assisted Living is not allowed in?
2. Is there a maximum density or #of beds per acre?
3. What other projects are examples of assisted living facilities processed in the City of Goleta?
4. In the New Zoning Ordinance, what zone would allow for Assisted Living Facilities (this is more a question for Andy or Anne).

Thanks for your help with this inquiry.

Linda

Helen Gannon

Subject: RE: DSEIR New Zoning Ordinance

From: Inge Cox [<mailto:docoxie@gmail.com>]

Sent: Saturday, January 23, 2016 11:38 AM

To: Michelle Greene

Cc: Anne Wells

Subject: DSEIR New Zoning Ordinance

Dear Ms. Greene:

The Draft SEIR should be available for ALL residents of Goleta. (City Case No. 13-084-SEIR)

There is still some part of the population that is NOT versed in electronics and consequently these documents, like any prior documents that are important to the City of Goleta, should be available at the Public Library in paper format.

Otherwise the City is not taking this part of the population into consideration. Also is there a Spanish translation of the document?

Thank you for your answer.

Ingeborg Cox MD,MPH

Helen Gannon

Subject: RE: Zoning Ordinance SEIR

From: Masseybarb@aol.com [<mailto:Masseybarb@aol.com>]

Sent: Tuesday, January 26, 2016 9:42 AM

To: Anne Wells; Jennifer Carman

Cc: Michelle Greene; Jim Farr; Michael Bennett; Tony Vallejo; Roger Aceves; Paula Perotte; Brent Daniels; Eric Onnen; Greg Jenkins; Ed Fuller; Katie Maynard

Subject: Zoning Ordinance SEIR

Anne,

I can't understand why the ZO SEIR is not available at the Library. This is one of the most important City documents and the SEIR and the Draft Zoning Ordinance should be available at the Library.

I question how you can have a SEIR on a Zoning Ordinance that hasn't even been reviewed by the Planning Commission. There may be significant changes that would change the Ordinance enough to effect the SEIR. The current ordinance works so there is no sudden need to rush this document through.

I am also concerned by the lack of adequate public discussion of the Zoning Ordinance. Three minutes of comment time at the Planning Commission and three Open Houses are not sufficient. The Ordinance is as important as the General Plan, yet there seems to be a rush to push this document through approval process without adequate discussion. There should at least be one meeting with the public where the general zones and other provisions are explained and then the public can ask questions and comment.

Barbara