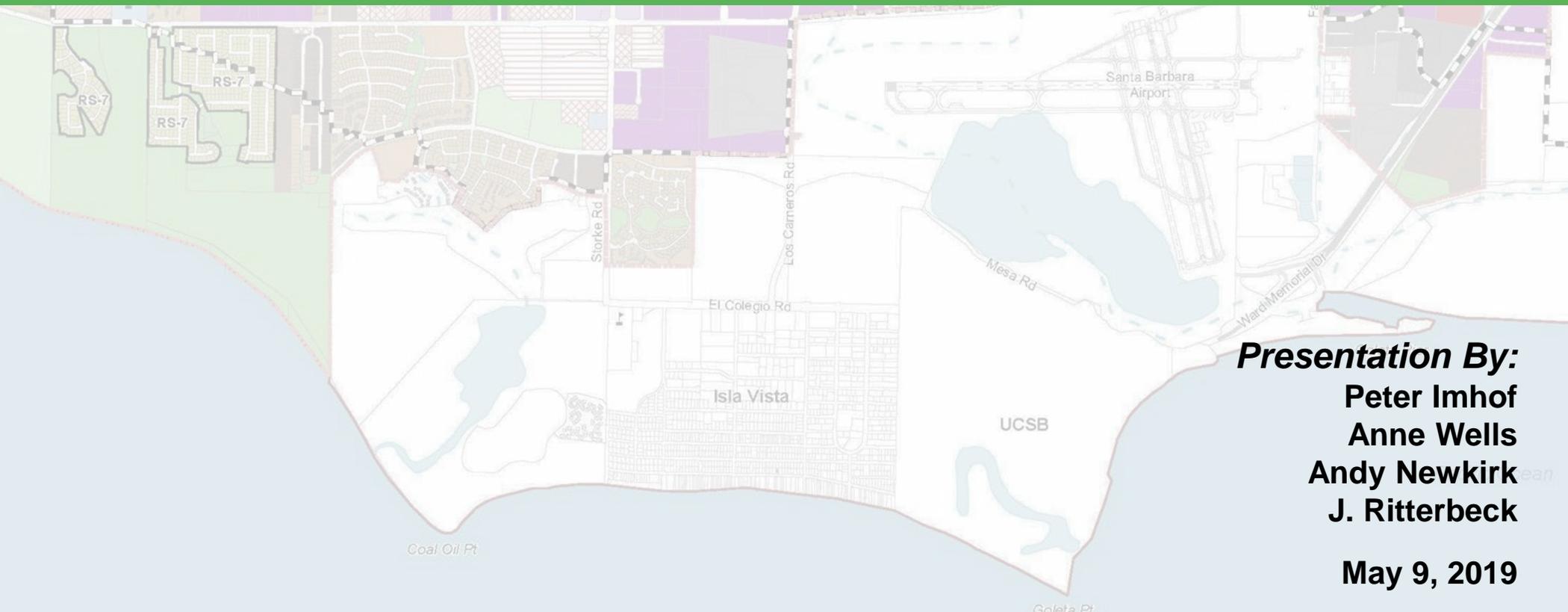




City of Goleta Revised Draft New Zoning Ordinance

Planning Commission Workshop 9 of 9



Presentation By:
Peter Imhof
Anne Wells
Andy Newkirk
J. Ritterbeck

May 9, 2019

Public Outreach

January 31st: Release of Revised Draft NZO

January 22nd – March 12th: Three (3) DRB Hearings

February 4th – 9th: Four (4) NZO Open Houses

- Additional Open Houses: May 29 at the Goleta Valley Community Center

February 25th – May 9th: Nine (9) PC Workshops

- Group Stakeholder Meetings to-date: *Environmental Defense Center, SyWest, Bacara Resort, Goleta Chamber of Commerce, Old Town Businesses, Goodland Coalition*
- Individual Stakeholder Meetings to-date: *B.Massey, W.Tingle, D.Trout, E.Monahan*
- Future Stakeholder Meetings: *As needed*

April 24th: City Council Ordinance Review Standing Committee

May 7th: Joint Planning Commission / City Council Workshop

Mid-year → end of 2019: NZO Adoption Packet Prep & Hearings

Public and Planning Commission Comments

www.GoletaZoning.com

The City of Goleta's New Zoning Ordinance (NZO) project is a collaborative process that will revise citywide zoning regulations to implement the General Plan, update development and design standards and permitting procedures, and help realize the community's vision for the future - a safe, beautiful, vibrant and livable community with a robust local economy and a sustainable relationship with the environment.

The City has completed outreach activities on the Public Review Draft Zoning Ordinance (NZO) and Map. All comments received on the Public Review Draft were considered collectively. In consideration of public input and guided by the City's adopted General Plan, the Revised Draft NZO was released to the public on January 31, 2019. Release materials include:

- Revised Draft New Zoning Ordinance (NZO)
- Zoning Map
- Zoning Overlay Districts Map
- Overview of Changes
- Response to Planning Commission Comment
- Response to Public Comment
- User's Guide
- Key Issues Guide
- Underline-Strikethrough Revised Draft NZO Comparing Prior Draft

Hard copies are available for viewing at Goleta City Hall (Planning Counter) and at the Goleta Library. Hard copies are also available for purchase at Goleta City Hall (Planning Counter).

Public Comments

Please Note: All comments received will be published on this page.

Submit Public Comments

To submit your comment on the zoning ordinance program, enter your contact information below.

Name: *

Email: *

Enter email address

Check here to receive email updates

Subject: *

Message: *

Submit

Contact

Meet with City Staff:

City staff are available to meet with anyone who has any questions or wants more information on the new Zoning Ordinance. Call (805) 961-7557 to schedule a meeting.

Anne Wells, Advance Planning Manager
City of Goleta
130 Cremona, Suite B, Goleta, CA 93117

Comments Received

All public comments received for the Zoning Ordinance project have been listed below.

2019

Public Comment Log (received by May 6)

Response to Public Comments (received by April 11)

Response to Planning Commission Comments (Workshops #1-3)

May

- Tara Messing - 5/2
- Jaime Pierce - 5/2
- Francis Wesley Herman - 5/5
- Adam Smith - 5/5
- Michelle Fox - 5/6
- Jennifer Smith - 5/6

April

- Robert Atkinson - 4/1
- Dana Trout - 4/7
- Cecilia Brown - 4/8
- Edward Fuller - 4/8
- Edward Fuller - 4/8
- Edward Fuller - 4/8
- Brian Bolisky - 4/8
- Jim Fox - 4/9
- William Master - 4/9
- Dana Trout - 4/8
- William Tingle - 4/9
- Ken Alker - 4/11

NOTE: City Responses are *draft* at this point and reflect direction City staff is considering. The City welcomes additional public comments on any of the issues already raised in this Table and new comments on any topic within the Revised Draft NZO. A Final Response to Planning Commission Comment Table will be released with the Public Hearing Draft.

Response to Planning Commission Comments	
PLANNING COMMISSION COMMENT	CITY STAFF RESPONSE
General Use and Open Space Elements LU 1.6 - Retail and Other Commercial Centers Commissioner Maynard, FC Workshop #1. Commissioner Maynard commented that in LU 1.6, in CC and Old Town categories, there are no minimum common open space or minimum landscaping guidelines in the newest revision of the Zoning Ordinance, but in the 2015 version there were stronger guidelines. She noted this seems inconsistent with the language in LU 1.6. "Older retail areas shall be designed to serve as community focal points and shall include appropriate outdoor gathering places." She believes there is some space in the Community Commercial categories to allow for some landscaping requirements, which she would like to see added.	No change made. Staff reviewed the policy and believes that this policy is best implemented through policy consistency required for the approval of a Development Plan and Design Review, an each project is different and applying an objective standard universally may not be the best approach.
LU 1.9 - Quality and Design in Built Environment Commissioner Maynard, FC Workshop #1. Commissioner Maynard commented that she believes the Planning Commission should discuss open space along with LU 1.9, LU 1.7, and 1.6, including the definition of open space and goals in creating the open space requirement. The discussion should include: 1) should rooftop gathering areas count as open space? 2) should these spaces be contiguous with the projects or can they be separate? 3) should a community center or building count as open space? 4) is open space the appropriate form or is it more of a community entry? 5) how much of the open space can be pavement or a building rather than landscape? 6) what is an appropriate percentage of plants and whether they have to be real or plastic? and 7) does asphalt count as open space?	This topic was introduced on March 31, 2019 at Workshop #4, but was not finished. Staff will add this topic to the discussion of Workshop #7 on April 18.
LU 2.2 - Residential Use Densities Commissioner Maynard, FC Workshop #1. Commissioner Maynard commented that she is curious about accounting for consistency with the standards for density and building intensity for a residential project (a-1); and about clarifying that a finding needs to be made that the density of a project is appropriate with regard to site constraints.	Public rights-of-way, public easements, floodplains, FEMA, and areas with archeological or cultural resources are considered when calculating.

Last Updated April 1, 2019

Version 3 (posted 4/1/19)
Page 1

NOTE: City Responses are *draft* at this point and reflect direction City staff is considering. The City welcomes additional public comments on any of the issues already raised in this Table and new comments on any topic within the Revised Draft NZO. A Final Response to Public Comment Table will be released with the Public Hearing Draft.

Response to Public Comments	
PUBLIC COMMENT	CITY STAFF RESPONSE
General Comments	
Ben Williams. The current system of relying upon an old zoning ordinance that is inconsistent with the general plan is very confusing to people and discourages people from doing business in Goleta. This is a poor reflection of the organization and effectiveness of our City government and should have been revised years ago.	Comment noted. No response required.
K. Graham. I found the City's interface to review any of the documents cumbersome. The "summary of changes" was needlessly complicated and jargon.	Comment noted. No response required.
Michael Meezer. The Baraca was designed to fit on a challenging site and to create a unique experience with the highest architectural standards. Because of the Baraca's uniqueness, we feel it appropriate to protect it from certain new rules that are intended to apply on a general basis across the City and that could have negative consequences to the Baraca. There are a number of different ways to address the issues noted above, and we would like the opportunity to meet with you to discuss possible solutions to these issues in the near future. We appreciate your consideration of Baraca's concerns and this request and we would like to discuss this with you further. Please let me know when would be convenient for you.	Some revisions to be made for clarifications and to address general concerns; however, although the staff values all of the businesses in our City, the development standards of the NZO will provide equal protection and due process that will apply to all existing and proposed development equally and without special exceptions or provisions for any specific parcel or company.
George Riles. At a zoning workshop I requested a better definition of infeasibility and a hearing where a proponent would have the burden of proof if requesting an exception based on potential infeasibility. I also mentioned that there is CA caselaw expressing the tenet that even proof that a project would be less profitable without certain exceptions being made does not, itself, result in a declaration of infeasibility. I'm attaching 2 documents, one a Coastal Commission Opinion and the second, a link to the primary case cited in the Opinion that includes this tenet. I question whether municipalities such as Goleta would be prohibited in our zoning code standards and definitions for infeasibility. I believe Goleta should require project proponents to have the burden of proof when requesting a variance or exception based on infeasibility, and that mere reduced profitability should not by itself suffice.	Possible revisions TBD. City staff is currently working with the City Attorney's Office to determine if any changes are necessary to further define/infeasibility. Generally, the NZO approaches the issue such that the burden is already on the applicant to provide the

Last Updated April 1, 2019

Version 3 (posted 4/1/19)
Page 1

Topics for Discussion

Topics added by PC member request at prior workshops

- **Workshop #3:** ~~Day Care,~~ “Infeasibility,” ~~Modifications and Exemptions~~
- **Workshop #4:** AG zoned land exceptions for grading/grubbing
- **Workshop #5:** ~~RV Parking~~
- **Workshop #6:** ~~Residential Setbacks,~~ Developer incentives, Mobile Vendor comparisons
- **Workshop #7:** Maximum lot coverage, minimum Open Space and landscaping for Commercial districts, Transitional standards, City light standards
- **Workshop #8:** Outdoor storage in residential zones

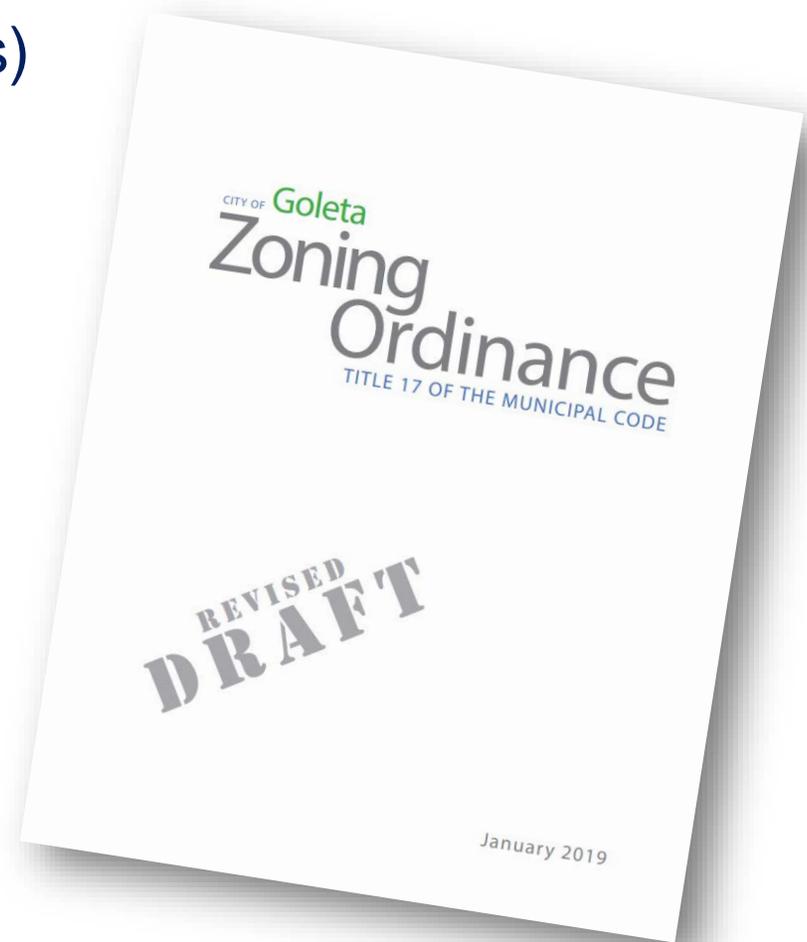
Workshop #9 Agenda

Staff Overview, Questions, and Comments by Topic:

- Setbacks (non-residential zones)
- Transitional standards
- Mobile vendor comparisons
- Commercial open space
- Outdoor storage
- Lot coverage & landscaping
- Exemptions
- City lighting

Agenda Suggestion:

Staff presentation
Commission questions
Public comment period
Commission discussion



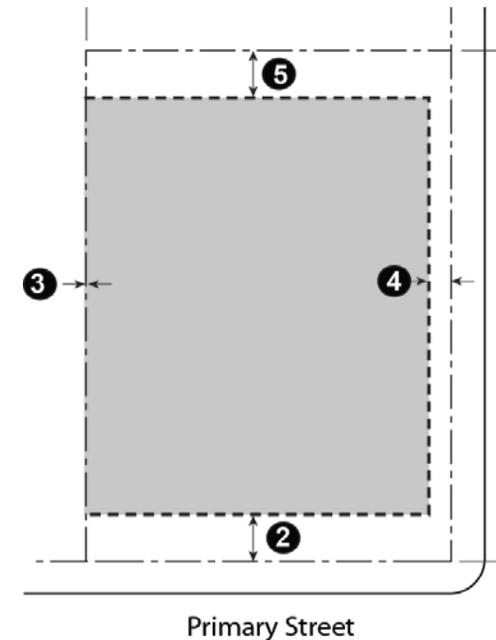
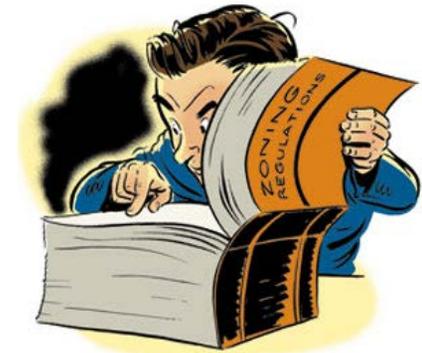
Setbacks in Non-Residential Zones



2019 NZO Standards

Commercial District Setbacks

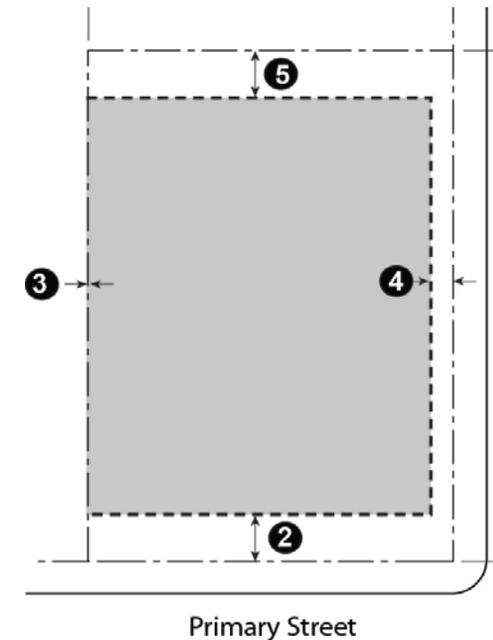
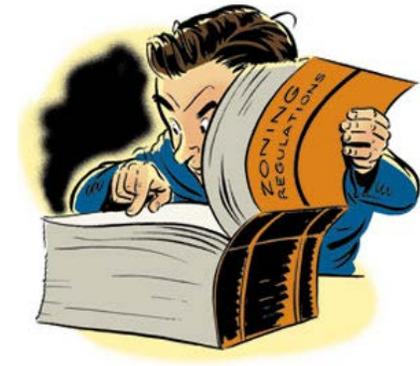
	District					
	CR	CC	OT	VS	CI	CG
Minimum Setbacks (ft.)	See also § 17.24.120, Mixed-Use Development Where the minimum required setback is 0 and a setback is provided, the setback shall be a minimum of 3 feet.					
Front	20	10	0	20	10	10
Interior Side	10	0	0	20	5	0
Street Side	OT District: 0 Other Districts: <ul style="list-style-type: none"> • Lots less than 100 feet in width: 20% of lot width, min 10 • Lots 100 feet or more in width: Same as required front setback 					
Rear	10% of lot depth, max 10		20(A)		10% of lot depth, max 10	



2019 NZO Standards

Office District Setbacks

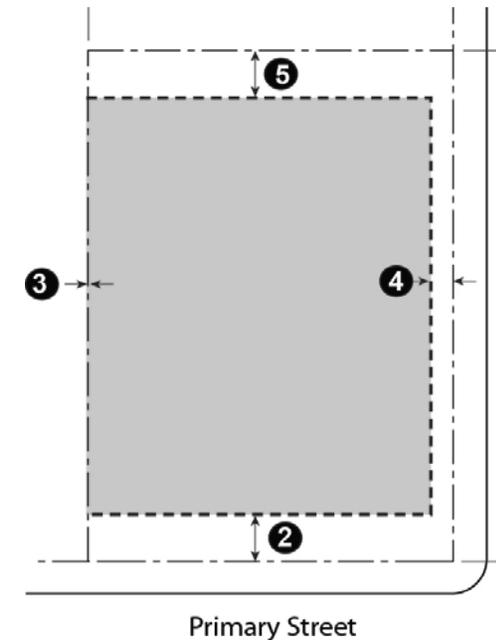
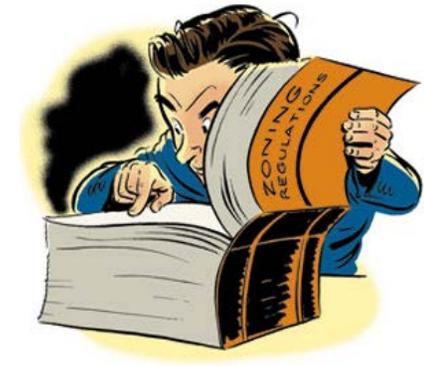
	District	
	BP	OI
Minimum Setbacks (ft.)	See also § 17.24.120, Mixed-Use Development for upper-story setbacks for residential uses in mixed-use development	
Front	50	15
Interior Side	10	15
Street Side	<ul style="list-style-type: none"> • Lots less than 100 feet in width: 20% of lot width, min 10 • Lots 100 feet or more in width: Same as required front setback 	
Rear	10	15(A)



2019 NZO Standards

Industrial District Setbacks

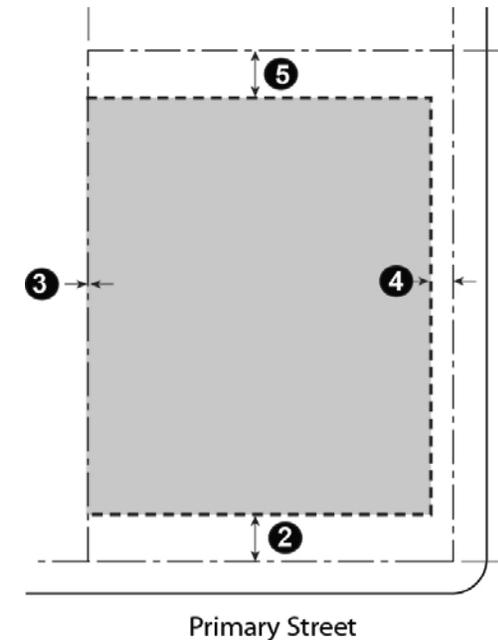
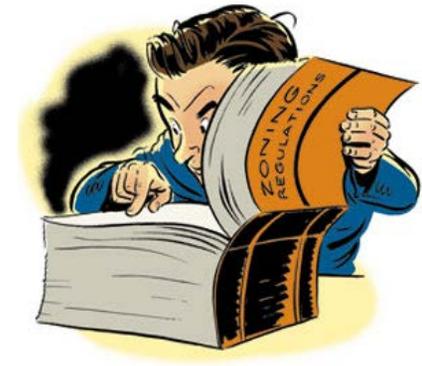
	District	
	IS	IG
Minimum Setbacks (ft.)		
Front	20	20
Interior Side	10	10
Street Side	<ul style="list-style-type: none"> • Lots less than 100 feet in width: 20% of lot width, min 10 • Lots 100 feet or more in width: Same as required front setback 	
Rear	10	10



2019 NZO Standards

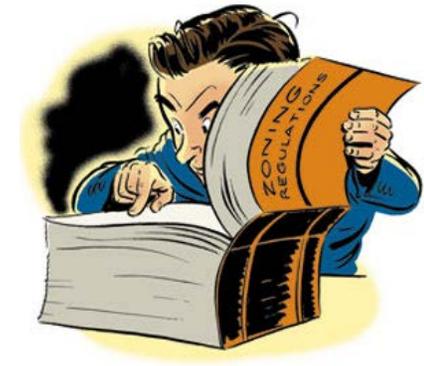
Public & Quasi-Public District Setbacks

	District
	PQ
Minimum Setbacks (ft.)	
Front	20
Interior Side	10
Street Side	<ul style="list-style-type: none"> • Lots less than 100 feet in width: 20% of lot width, min 10 • Lots 100 feet or more in width: Same as required front setback
Rear	10

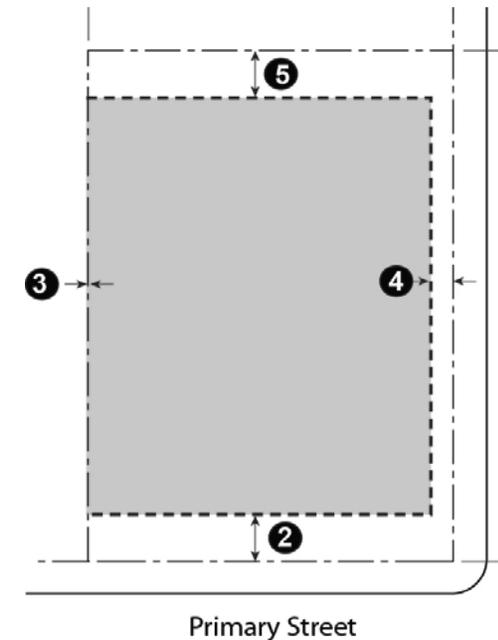


2019 NZO Standards

Open Space & AG District Setbacks



	District		
	OSPR	OSAR	AG
Minimum Setbacks (ft.)			
Front	10	10	20
Interior Side	10	10	20
Street Side	<ul style="list-style-type: none"> • Lots less than 100 feet in width: 20% of lot width, min 10 • Lots 100 feet or more in width: Same as required front setback 		
Rear	10	10	20(B)



Summary

- The NZO setback standards are carried forward from the existing setbacks in both the Inland and Coastal zoning ordinances where appropriate and to reflect existing conditions
- Staff requests that the PC confirm the appropriateness of the 2019 NZO non-residential setback standards

Transitional Standards



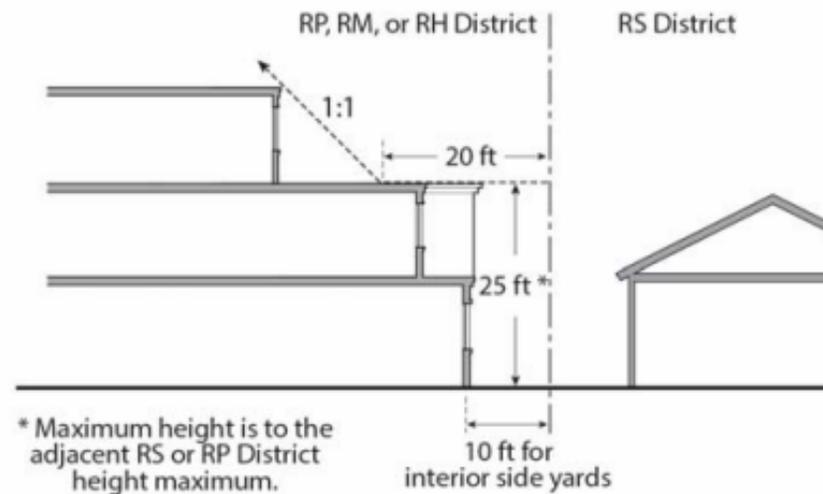
2019 Draft NZO Standards

Transitional standards

17.07.050 Additional Development Regulations for RP, RM, and RH Districts

- A. **Transitional Standards.** Within 20 feet of an RS District boundary, the maximum building height is 25 feet. From this point, the building height may be increased one foot for each additional foot of upper-story building setback to the maximum building height.

FIGURE 17.07.050(A): TRANSITIONAL STANDARDS-RP, RM, AND RH DISTRICTS ADJACENT TO RS OR RP DISTRICT

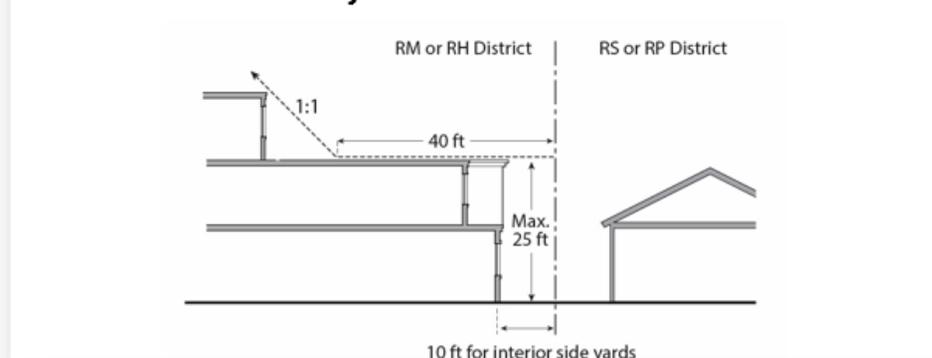


2015 Draft NZO Standards

RM and RH

- Within 40 feet of an RS or RP District boundary, the maximum building height is 25 feet. From this point, the building height may be increased one foot for each additional foot of upper-story building setback to the maximum building height.
- The minimum interior side setback from an RS or RP District boundary is 10 feet.

FIGURE 17.07.050(A): TRANSITIONAL STANDARDS-RM AND RH DISTRICTS ADJACENT TO RS OR RP DISTRICT



RMHP

- Minimum building setback from an RS or RP District boundary is 10 feet for interior side yards and 20 feet for rear yards.

Reason for Changes in 2019 Draft (See Section 17.07.050(A))

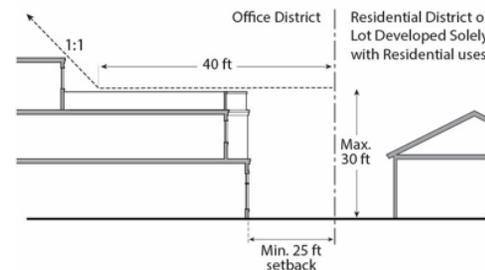
- No reason to reduce height in RM and RH when RP can go to 35 feet
- No reason to punish RMHP to benefit RS
- No reason to require larger setback for RM and RH than is required for RS
- 40 feet too long a distance

2015 Draft NZO Standards

Commercial, Office, and Public/Quasi Public Districts

- 25 feet from any R District boundary
- Within 40 feet of an R District boundary or a lot line of a lot developed solely with residential uses, the maximum height is 30 feet (25 in P/QP District). From these points, one foot for each additional foot setback to the maximum building height.

FIGURE 17.09.030(A): TRANSITIONAL STANDARDS-OFFICE DISTRICTS ADJACENT TO RESIDENTIAL DISTRICTS AND USES



Reason for Changes in 2019 Draft

- Creation of Non-Conforming Uses without a rationale for doing so
- Addition back in of Development Plans can address compatibility, as will Design Review
- One-size fits all not appropriate

Potential Add-Ins (Consistent with Existing Standards)

- 25-foot Rear Setback in C Districts if abutting R District
- 50-foot Rear Setback in I-BP and P/QP if abutting R District



2015 Draft NZO Standards

Industrial Districts

- 50 feet setback from any R District boundary. The Planning Commission may reduce this setback with a Conditional Use Permit on narrow lots.

Open Space and Agricultural Districts

- Lots that contain one gross acre or less are subject to the setback regulations of RS District.
- 25 feet setback from any R District boundary.

Reason for Changes in 2019 Draft

- 50 feet is a large setback that will limit development potential of a significant number of smaller industrial lots
- Many residential parcels built to self-setback from adjacent uses
- New development will require Development Plans and Design Review to address compatibility
- No justification for limiting agricultural development to support residential development.

Potential Add-Ins (Consistent with Existing Standards)

- 50-foot Rear Setback in IS and IG if abutting R District
- 25-foot Side and Rear Setback for OSAR and OSPR if butting R District



Summary

- The NZO transitional standards are not necessary
 - Would not apply universally in all instances
 - DRB or DP process would achieve same results where appropriate
-
- Staff requests that the PC confirm the appropriateness of the 2019 NZO omitting transitional standards

Mobile Vendor Comparisons



Mobile Vendors



City of San Luis Obispo: Temporary Use Permit (TUP)

City of Santa Barbara: TUP or Conditional Use Permit (CUP)

City of Solvang: Business License

County of Santa Barbara: Minor CUP, Commercial Zones,
Limited to sale of fresh fruit, vegetables, and flowers

Summary

- The 2019 NZO Draft proposes requiring a Temporary Use Permit (TUP) for all Mobile Vendors
 - Staff to explore permitting Mobile Vendors with both a TUP and a Minor CUP
 - Staff to also explore exemptions from TUP
-
- Staff requests that the PC confirm the appropriateness of revising the 2019 NZO Draft

Commercial Open Space



2019 NZO Standards

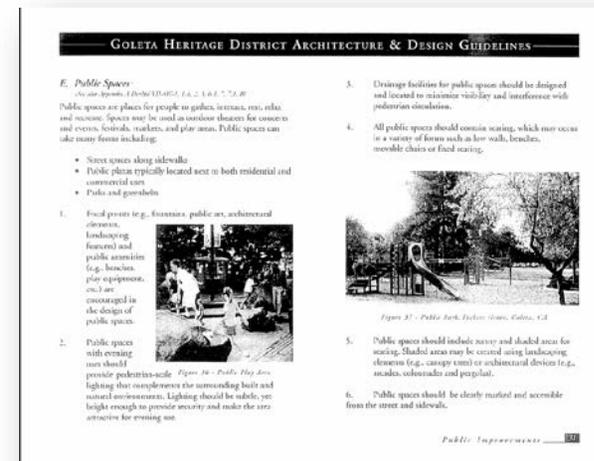
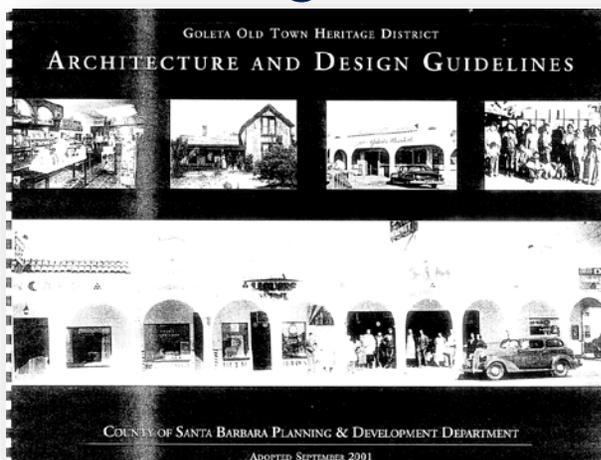


Open Space Requirements

- General Plan: Visual and Historic Resources Elements
- Resolution No. 03-20

- I. Site layout (location of structures, signs, parking, etc.) shall be designed to respect and enhance the visual quality of the environment.**
- A. The project shall include useable open space (appropriate to the project) which is designed and located appropriately for the proposed use.**
1. Useable open space can include view corridors, site recreation, employee lunch areas and natural vegetation areas.

- Old Town Design Guidelines



Summary

- The NZO does not include Open Space requirements for Commercial projects
 - Commercial standards carried forward from existing Inland and Coastal zoning ordinances
-
- Staff requests that the PC confirm the appropriateness of no Commercial Open Space requirements

Outdoor Storage



Outdoor Storage

17.24.130 Outdoor Storage

Residential, Commercial, and Office: Not permitted. All storage must be within an enclosed building, except as allowed for Outdoor Sales or otherwise specifically permitted. **Portable On-Demand Storage (PODS), shipping containers, and similar temporary storage containment does not qualify as an enclosed building.**



Summary

- Carried forward from the existing zoning codes
 - The NZO calls PODS out specifically based upon direction from 2016 PC feedback
-
- Please confirmation that PODS do not qualify as acceptable Outdoor Storage

Lot Coverage & Landscaping



Lot Coverage & Landscaping

Zone District	Max. Lot Coverage	Min. Landscaping
RS	None	None
RP, RM	30%	None
RH	40%	None
RMHP	75%	None
BP	35%	30%
OI	40%	10%
PQ	None	25%
OSPR	5%	None
OSAR	20%	None
AG	10% (up to 25% w/Major CUP)	None
IS, IG	None	10%
CR	None	5%
CC, OT, VS, CI, CG	None	None

2019 NZO standards

Summary

- Carried forward from the existing zoning codes
 - Limited Lot Coverage requirements to those outlined in the Land Use Element
-
- Please confirm that NZO lot coverage and landscaping requirements are adequate

Exemptions



Exemptions



Certain Sign types: Section 17.40.030

Some Temporary Uses: Section 17.41.250

Some types of Telecom.: Section 17.42.020(A)

Exempt from all permits (Inland): Chapter 17.53

Exempt from Design Review: Section 17.58.020

Exempt from all permits (Coastal): Section 17.61.030

Summary

- Carried forward from the existing zoning codes
 - Some additional common sense exemptions and/or common practice exemptions added
-
- Confirm that the NZO should retain the types of exemptions listed within, which largely carry forward current zoning exemptions

City Lighting



City Lighting

Public Works LED options



Manufacturer	History of Company	Warranty	Manufacturing Location	Assembly Location	Controls Options	Model	LED Housing	Efficacy* (average) [lm/W]	Dirt Depreciation	CCT	Fixture Material
AMERICAN ELECTRIC (AEL)	In business for more than 100 years. One of the largest lighting manufacturers in the world.	5 year standard, 10 year available	Mexico	Mexico	ROAM	ATBS	Uses borosilicate glass and chip-on-board lens (one large lens for a group of diodes).	120**	3%	3000K-5000K	Aluminum
						ATBM		117**			
						ATBL		117**			
						ATBMICRO	Pending	119.51**			
						ATBO	Uses individual LEDs in combination with an acrylic optical lens to distribute the light.	121**			
COOPER/ EATON	In business for more than 100 years. Fortune 500 company	5 year standard, 10 year available	Mexico U.S. upon request	Mexico U.S. upon request	CIMCON (CONNECTWORKS)	Archeon Small	Uses individual LEDs and acrylic optics.	104.23	3%	3000K-5000K	Aluminum
						Archeon Medium		115.75			
						Archeon Large		110.67			
						Verdeon C-Series	Uses chip on board technology (COB) with acrylic optics.	123.00			
CREE	Started in 1989, one of the first creators of LED technology and the only LED chip manufacturer in the U.S.	10 year	U.S.	U.S.	None	RSWS	Uses Cree's Wavemax and/or NanoOptic technology. The LEDs are placed in a discrete array and an acrylic lens is used to distribute the light.	108.25	3%	2700K-5000K	Bulk Molding Compound
						RSWM		106.00		3000K-5000K	
						RSWL		107.00		2700K-5700K	Aluminum
						Traveyo		129.81*			
GE	In business for more than 100 years. Fortune 500 company	5 year standard, 10 year available	U.S.	U.S.	LIGHTGRID Smart City	ERL1	Utilizes reflective optics and a flat glass lens to distribute the light.	119.25	1%	2700K-4000K	Aluminum
						ERLH		110.06		3000K-4000K	
						ERL2		114.98		3000K-4000K	
						ERLC		117.91		2700K-5000K	
LEOTEK	Leotek is a LiteOn Technology company. Millions of LED products installed around the world.	5 year standard, 10 year available	Taiwan	U.S.	None	GCI-H	Leotek uses a polycarbonate micro-lens over individual LEDs.	114.14	3%	3000K-5000K	Aluminum
						GCM-H		111.90			
						GCL-G		117.67			
						GC1-F		104**			
						GC2-G		120.60			
PHILIPS (SIGNIFY)	In business for more than 100 years. One of the largest lighting manufacturers in the world.	5 year standard, 10 year available	Canada & Mexico	Canada & Mexico	CITY TOUCH	RFS	Utilizes optical grade polymer refractor lens to distribute the light.	114.17	3%	3000K-4000K	Aluminum
						RFM		114.35		3000K-4000K	
						RFL		117.32		3000K-4000K	

Summary

- City Public Works staff currently reviewing options for LED upgrades for public street lighting
 - Very few manufacturers offer 2700K
 - Most LED options start at 3000K
-
- Confirm that the NZO should retain the 3000K standard

Requiring Further Research for the Public Hearing Draft

- Infeasibility
- Grading/Grubbing on AG land
- Developer Incentives

NEXT STEPS



Adoption Schedule

Two Additional Open Houses: May 29th at the GVCC

Additional Stakeholder Meetings: As needed

**Mid-year → end of 2019: NZO Packet Prep and
Adoption Hearings**