## Overview of Changes

What has changed from the November 2015 Draft New Zoning Ordinance (NZO) to the January 2019 Revised Draft NZO?

This document is meant to provide an overview of changes made to the Revised Draft NZO since the past Public Review Draft was reviewed by the public and the Planning Commission. Additionally, this document highlights many of the areas of the NZO that were revised to 1) reflect the current standards of the existing City zoning (highlighted in green cells), and 2) reflect the requirements of the City's General Plan (highlighted in yellow cells). Please note that the revised draft includes thousands of revisions, all of which cannot be captured here within this summary document. For a complete view of each individually tracked change, please refer to the comprehensive strike through/underline version of the NZO.

#### HOW TO USE THIS GUIDE

As an overview of the changes to the original Public Draft NZO, the tables in this handout are separated by sections or "Parts" of the NZO and include descriptions of general changes made within each Part. These include:

- **Part 1** General Provisions;
- **Part 2** Base Zoning District Standards and Allowed Uses;
- Part 3 Overlay Districts;
- **Part 4** Regulations Applying to Multiple Districts;
- Part 5 Administration Permits; and
- *Part 6* General Terms.

### Part 1 – General Provisions

The NZO clarifies that the zoning regulations of the Title are specific to the City of Goleta and implement the City's General Plan, in contrast to the existing zoning ordinances, which still reference the County of Santa Barbara land uses and review authorities.

The structure of the Title is clearly laid out in six independent Parts, which all work together to be internally consistent, again in contrast to the selected parts of a previous County code that include the geographical extent of the City but are missing several key provisions and standards. Currently, several key provisions are either in appendices, such as Revisions and Substantial Conformity Determinations, or referenced in some other document, such as Signs.

Changes

Edits throughout the entire NZO are included to bring it back into line with how the City currently reviews projects, including reinstating permit types, permit paths, and review authorities.

The NZO includes minor edits in terminology align with existing zoning ordinance terms (e.g., "yard" actually meant to be "setback") and expand the NZO definitions for existing terms that are used but undefined in the existing zoning code (e.g., "Deck," "Balcony," "Porch," etc.).

The Revised Draft includes revisions as to when a project vests under the existing Zoning Ordinances as compared to when a project must be processed under the NZO.

An allowance was added to the NZO for the Director to interpret any provision of the NZO when needed and to issue an official written interpretation. All such interpretations are appealable to the PC.

This Part of the revised NZO also includes other minor edits in order to maintain internal consistency and reflect changes made in the other Parts.

Changes

## Part 2 - Base Zoning District Standards and Allowed Uses

Extensive revisions to delete many of the specific design standards that were included in the prior Public Draft NZO, based on the Planning Commission comments from the 2016 page-turn. The revised NZO realigns with the current practice that delegates Design Review to the Design Review Board (DRB). The DRB will continue to implement the City's existing design guidelines, but the City may pursue developing more specific Citywide design guidelines sometime in the future.

Revisions were made to this Part in order to specify where various types of land uses are allowed and what type or types of permit(s) will be needed. Although the use tables in Part 2 do deviate from some of the allowable uses within the existing zoning code, the tables are designed to implement the allowable uses that are spelled out in the City's General Plan, while also taking into account some of the feedback received during the prior review process.

Additional revisions were made to various development standards to better reflect standards discussed within the City's General Plan and, where the General Plan does not provide guidance, revisions were made to better align with existing development standards in the existing zoning ordinances.

Changes

Revisions to the NZO were made to remove the Transitional Standards for non-residential districts adjacent to residential districts. These standards would have been a significant deviation from current zoning standards and would have created many non-conforming structures that currently conform to our existing development standards. The issues that the prior Transitional Standards were attempting to address can be better addressed through the standard DRB Design Review process and further addressed by the PC or CC for development that requires a Development Plan.

The revised NZO adds a new Table to incorporate Maximum Floor Area allowances in the RS District for various lot sizes, which is both currently used by the City and is consistent with City Ordinance No. 06-05.

The revised NZO includes changes in RM and RH District standards for small-scale units (less than 500 square feet) in order to reduce some development standards incentives, such as parking and density, as well as to add a requirement for both private and common open space in order to improve on-site amenities for tenants.

Based on a concern that some of the prior Draft NZO development standards within the -PD Planned Development District would allow for inconsistencies with the General Plan, revisions were made to delete the District entirely, since many of the same development standards could be achieved through the review and approval of a Development Plan (see Part 5 notes below).

This Part of the revised NZO also includes other minor edits in order to maintain internal consistency and reflect changes made in the other Parts.

### Part 3-Overlay Districts

Revisions made to the NZO -AE Airport Environs Overlay Chapter so that it better reflects General Plan Policy SE 9.

The revised NZO removes the -MP Master Plan Overlay, as this type of overall development vision is better covered by the -SP Specific Plan Overlay Districts.

#### Changes

The revised NZO includes the -SP Specific Plan Overlay District in order to reflect existing zoning ordinance standards that created Camino Real and the Cabrillo Business Park. This District would help guide any City review of a potential future Specific Plan in the context of existing development.

This Part of the revised NZO also includes other minor edits in order to maintain internal consistency and reflect changes made in the other Parts.

### Part 4 - Regulations Applying to Multiple <u>Districts</u>

Topic	NZO Change
	ng this Part into conformity with the General Plan policies, current practices of the with other governing State laws and statutes.
	The revised NZO includes review procedures that make it easier for Planning staff to quickly processes very small projects as well as other revised regulations to capture the type of reviews prescribed by specific policies within the General Plan.  The revised NZO moves several prior "Uses", such as Drive-Through Facilities, Heliports, and Reverse Vending Machines to this Chapter as they are more accurately classified as a "site feature", rather than as a type of Use. Furthermore, the City's General Plan does not include items such as these as Uses, so classifying them this way also better aligns with the types of Uses listed within the General Plan.  The revised NZO includes a number of new subsections in this Chapter that are designed to address very specific types of development that have the potential to negatively impact the surrounding neighborhood if left undefined, unregulated, and absent City review of a permit application. Such otherwise small
	development includes issues such as accessory structures, projections into setbacks, fences and walls, hedges, grading and grubbing, outdoor storage, screening of equipment, pool and spas, and vision clearance requirements. Many of the revisions in this Chapter bring the NZO back into alignment with the current zoning ordinances, while others seek to remedy issues that were raised as part of the prior review of the Public Draft NZO, but the current zoning and General Plan are otherwise silent on the topic.
	The revised NZO removes specific design and development regulations that are more appropriately reviewed as part of a Development Plan or through the Design Review process, such as Screening and Buffering of Common Lot Lines, and Truck Docks, Loading, and Service Areas and to better align with current zoning standards and City review.
Coastal Access and Coastal Zone Visual Resource Protection	Removed standards that were previously listed in the prior Draft NZO, but are actually enforced or implemented by other City/County Departments (example: Stormwater Management). This also brings the revised NZO into alignment with the current zoning ordinances.
Density Bonus and Other Incentives;	Minor revisions to address Coastal Act requirements and General Plan policies of the City.

# Part 4 - Regulations Applying to Multiple Districts

Topic	NZO Change
Inclusionary Housing	Updates to the Inclusionary Housing Chapter to better reinforce General Plan policy prioritizing development of income-restricted units on site.
	Additional clarification was added regarding income categories and fractional units for inclusionary housing.
Demolition and Relocation	Removal of provisions that were listed as "incentives" to meeting the inclusionary housing requirements of the City's General Plan, as these are meant to be mandatory requirements pursuant to the General Plan.
	Other revisions made to move several subsections that included definitions to Part 6 where they are better located.
	Revisions to establish limits to the scope of development that triggers "demolition" as opposed to just renovation, as well as the appropriate permits required for differing types of demolition.
	Minor edits to allow more flexibility for ministerial permit for smaller projects, while also providing the applicant with a clear list of requirements and development standards to be consistent with GP policies.
Environmentally Sensitive Habitat Areas	Revision to NZO to add detailed application requirements, specifically as they relate to when a Biological Study is required.
Areus	Removal of terminology being defined here and moved it to Part 6 [Definitions].
	Nearly universal 3:1 mitigation ratio added and other language was removed that read more like policy guidance already provided in the General Plan.
Floodplain Management	Regulations added to ensure consistency with General Plan Safety Element polices SE 6.4-SE 6.6.
	Major edits to remove a good amount of discussion and standards that are neither included in existing zoning ordinances nor the responsibility of zoning. Rather, these issues are better suited for Public Works, County Flood Control District, or even FEMA. Additionally, the City already has Floodplain development regulations, found in the Goleta Municipal Code (Chapter 15.10 Floodplain Management).
Hazards	Many edits throughout to clarify, simplify, or bring the chapter into compliance with Coastal Act and the City's Safety Element.
	Additionally, many of the standards deleted were too prescriptive and did not allow the City the flexibility needed to address site-specific circumstances.
Historic Resource Preservation	Simply a placeholder for a later work program. No change from previous draft NZO.

	Regulations Applying to Multiple
Districts	
Topic	NZO Change
Landscaping	Edits to applicability to ensure projects subject to the City's water efficient landscape ordinance are captured.  Other standards were deleted from this Chapter since landscape plans will be reviewed by DRB. Removal of the overly prescriptive requirements allows DRB to
	have discretion over the landscaping and screening of development projects, just as they do now within the current zoning ordinances.
	The revised NZO makes many substantial edits throughout this Chapter in order to address comments and concerns raised by the PC, DRB, and Public.
Lighting	Additional edits were made to bring many of the development standards into conformance with General Plan polices, including VH 4.12 (Lighting).
	Specific language added to address Light Trespass by using Dark Sky Society standards.
	Revisions to better reflect the way the City deals with nonconforming uses and structures located within the City, which better aligns with how the existing zoning ordinances address these types of uses and structures.
Nonconforming Uses and Standards	Additional revisions were made to incorporate provisions of City Ord. 15-01, which the updated procedures for the termination of nonconforming uses.
Oses and Standards	Edit made to remove the limited exception for nonconforming industrial uses that is currently in the City's zoning ordinances because this exception allows for minor changes to certain nonconforming uses that otherwise would not be allowed within the General Plan (i.e., Oil & Gas Facilities).
Oil and Gas Facilities	Major edits to eliminate the allowance in the NZO for most oil and gas facilities. This is based on General Plan Policy LU 10.1. The only oil and gas use that would be permitted would be pipelines (and associated storage). No drilling or processing facilities would be allowed.
	Revisions made to make many of the parking standards more uniform across various types of similar uses.
	Revisions made to relax the number of required spaces to reflect the changes in current transportation trends and the City's desire to emphasize non-vehicle trips across all forms of development.
Parking and Loading	Removal of exemption for small commercial spaces, as this exemption could have the result of new development being significantly under-parking.
	Revisions to parking standards for trailers and recreational vehicle parking to

standards in existing zoning ordinances.

specifically address extensive comment and concern from the public and PC.

Parking lot design standards were revised to better reflect the development

## Part 4 - Regulations Applying to Multiple Districts

Topic	NZO Change
	Significant revisions to delete the specific standards for parking lot landscaping in order to allow more flexibility during DRB review.
Performance Standards	Edits made to address General Plan Noise Element policies and eliminate issues better covered by nuisance provisions of the Goleta Municipal Code.
	Major edits throughout this Chapter to specifically address PC, DRB, and Public comments, as well as ensure conformity with Visual and Historic Resources Element policies of the General Plan.
	Revisions to better integrate the useful sign development standards currently used by the City and located in the separate City-adopted, County-created Sign Ordinance.
Signs	Simplify how the area of the sign is measured by reverting to the existing way the City currently calculates it.
	Clarify types of Prohibited Signs to better reflect issues that Goleta is facing in Commercial and Residential zone districts and add stringent limits on electronic changeable copy on its duration, light intensity, and only allowing them in non-residential zones with approval of a Major Conditional Use Permit.
	Added discussion on requiring shared signage for flag lots.
	The revised NZO completely overhauls this Chapter to drill down into the details of specific types of Uses that require very specific development standards to ensure impacts are minimized.
Standards for Specific Uses and Activities	Removal of specific standards for some Uses that either do not warrant additional standards, or that will be sufficiently regulated through the discretionary review process. This also allows site-specific features to be addressed and appropriate conditions added as part of an approval (e.g., Automobile/Vehicle Sales and Leasing, Community Assembly, Hospitals and Clinics, Lodging and Visitor-Services, Nurseries and Garden Centers, Personal Services).
	Revisions made to incorporate the regulations from separate stand-alone City-adopted ordinances (i.e., Accessory Dwelling Units, Short-Term Vacation Rentals, and a placeholder for Cannabis Uses) and are otherwise considered part of the existing zoning ordinances.
	As mentioned above, revisions were made to move some site feature standards to General Site Regulations (e.g., Drive-In and Drive-Through Facilities, Heliports, Reverse-Vending Machines).
	Revisions made to remove development standards for Uses that were deleted entirely from the NZO because they do not fit within the City (i.e., Recycling Facilities, Sustainable Living Research Site).

# Part 4 - Regulations Applying to Multiple Districts

Topic	NZO Change
	Significant revisions to certain use regulations to reflect changing circumstances within the City and existing City standards (i.e., Home Occupations, Mobile Vendors).
	Additional detail limiting the size of certain Accessory Uses and the types of permits or approvals required in order to better align with current zoning ordinances.
Telecommunications Facilities	Overall, there were not significant changes to the provisions within this Chapter since these facilities are largely regulated by the federal government. However, there are two important changes to the revised Draft NZO:  • First, is acknowledging that those facilities proposed to be located on City-owned facilities or property are exempt from the requirement to obtain a Zoning Permit pursuant to recently adopted laws.  • Second, all other facilities that are subject to this Chapter have their permit process and requirements clarified as to the applicability of being exempt or requiring a Zoning Clearance, LUP/CDP, or a Conditional Use Permit.
Wind Energy Conversion Systems (WECS)	Deleted this entire Chapter section since the section of the California Government Code that governed WECS expired and these types of facilities are likely unrealistic to be developed within the City based upon topography and prevailing winds.
	Revision made to address WECS as a design feature and not a Use. Further, these systems are now only allowed within AG zone districts, since the typical size of lots throughout the City are too small to provide for this type of development without significant negative aesthetic and visual resources impacts, as well as a high potential for significant noise impacts to neighboring residential uses.

Part 5 –	- Administration Permits
Processes Descriptions	Change
Review Authorities	Revisions made to clarify the roles and responsibilities of each level of Review Authority.
	A new Table was added that further clarifies these roles and the appeal paths more clearly for the various types of ministerial permits and discretionary reviews.
Actions and Permits	A new chapter added that lists out and references the associated chapter for each type of action taken by the City as part of the discretionary review of a project and/or the ministerial approval of a specific type of zoning permit. This distinction is aimed at making it easier for the public and developers to understand and navigate to the appropriate part of the NZO for details on what type of review and approval they will need for a proposed project. Note: The discretionary review and action taken by a Review Authority occur at a public hearing, while an approval of a zoning permit yields a physical "permit" that can be printed, held, reproduced, archived, etc.
	Although this is a new Chapter, it brings clarity to the way the existing zoning ordinances function for all existing types of review and permits.
Common Procedures	Major edits that pull in common procedures throughout the entire Title into this chapter, which allowed deletion of large portions of the duplicative text (e.g., Noticing, Required Findings, Permit Timing, Appeals, etc.).
	Removal of Preliminary Review Process as it is not necessary to codify this review as a separate procedure. Planning staff will still provide the option and opportunity for planner consultations consistent with existing practice.
	Changes were made to the noticing requirements so noticing is the same for the Inland and Coastal portions of the City (300 feet for property owners and 300 feet for current occupants/tenants). The 300-foot noticing for current occupants/tenants is a new noticing requirement.
	Section added for common findings applicable to and required for all City approvals.  Revisions to the timing of approvals, expirations, and extensions to clarify these
	processes and be consistent with how the current zoning ordinances.
	Substantial revision to discuss changes to previously approved actions or permits and to better align with the existing zoning ordinances.
	Revisions made to clarify the appeals section to make the appeal processes more precise in an effort to ensure that the aggrieved party clearly identifies the specific grounds on which their appeal is based. This clarification will help staff and the appeal review authority focus in on the actual specific issue being appealed.
Exemptions	A new chapter has been added to identify the types of development that require neither an approval from a Review Authority nor a zoning permit from the City. While being a new Chapter, these exemptions are meant to closely mirror the existing exemptions from a Land Use Permit/Coastal Development Permit in the City's existing zoning ordinances.

Part 5 –	Administration Permits
Processes Descriptions	Change
Zoning Clearance (ZC)	The Zoning Clearance (ZC) permit type is new to the City, although it was included in the previous Public Draft NZO. The ZC actually functions to fill the void in the existing City zoning ordinances for development that falls between that which is not exempt, but also does not trigger the need for a LUP/CDP.  The ZC is a non-appealable permit that serves two functions.  a. First, this is the approval action for simple, small development projects that do not warrant either noticing or an opportunity for an appeal, as with an LUP. Currently, there is no type of administrative permit that requires a City approval but does not allow for a local appeal. The ZC could therefore become a tool to allow City staff to review new development or a new Use to ensure consistency with the Zoning Ordinance while also allowing for a simpler process than exists now. The previous Draft NZO included a Zoning Clearance that was appealable but note that it also eliminated the LUP permit type.  b. Second, the ZC will act as the follow-on permit whenever there is a discretionary action (DP, CUP, etc.). Currently, this is handled through a unique type of LUP that is non-appealable. This process is moved to the ZC to make the non-noticed, non-appealable follow-on permit process clear
	and to distinguish its function differently from the LUP to avoid confusion.  The revised Draft NZO adds a new Chapter reinstating the Land Use Permit (LUP) as a permit type that is approved and issued by the City. The prior draft NZO eliminated this permit; and, as discussed above, uses that currently would require an LUP would have needed a Zoning Clearance.
Land Use Permit (LUP)	As drafted, and as is the current procedure in the existing inland zoning ordinance, the LUP would be an appealable ministerial zoning permit. An LUP can be a standalone permit with no other discretionary action associated with it, or it may have a concurrent DRB review. Staff would conduct a simple administrative review to ensure that staff can make the necessary findings for an LUP.
Temporary Use Permits (TUPs)	The revised NZO creates a separate permit path for Temporary Uses. Current practice is to process Temporary Uses with an LUP. However, LUPs are designed to run with the land and are therefore an awkward fit for Temporary Uses. In the previous Draft of the NZO, Temporary Use Permits were embedded in the Chapter for Conditional Use Permits, which creates confusion as this is truly a separate type of approval.
	The new TUP will allow the Director to approve limited special circumstance uses, events, or structures for limited periods of time and condition them appropriately to minimize any potential short-term negative effects.

Part 5 – Administration Permits	
Processes Descriptions	Change
	Findings revised to reflect that nature of Temporary Uses as not necessarily fitting with the allowed uses and intent of the underlying zoning district. Furthermore, an additional required finding for certain temporary development within the Coastal Zone was added in order to comply with the Coastal Act.
	The revised NZO also removes the "Effective Date" regulations, which were included in the prior Draft NZO. For these Uses, the common procedures still apply, meaning that Temporary Uses do not get a guaranteed fast-tracked review that other permits are not afforded.
Conditional Use Permits (CUPs)	This Chapter reinstates both Major and Minor Conditional Use Permits. The previous draft included a Conditional Use Permit, which mirrored the existing Major Conditional Use Permit, and an Administrative Use Permit, which mirrored the existing Minor Conditional Use Permit. The change was made to keep approval types as consistent as possible with existing approval types.
	As stated above, TUPs were pulled out of this Chapter and put into its own Chapter as a separate permit type.
	The revised NZO proposes significant changes to the Design Review process to respond to the comments from the DRB and the general public.
Design Review (DRB)	The revised NZO discussed two distinct roles that the DRB will have, one is as the Review Authority with decision-making authority, while the other acts as a recommendation body for larger projects that are under the review authority of the Planning Commission or the City Council.
	Responding to the DRB's desire to have more time to review larger projects, the revised NZO reverts their review to the three levels of Design Review (Conceptual, Preliminary, and Final), with the possibility of having "Revised" approvals as well.
	The revised NZO recognizes the review and action of the DRB as a truly discretionary action; and, therefore subject to CEQA. As such, staff would process the appropriate CEQA document (all of which are envisioned to fall into a Categorical Exemption), as part of their action if they are the Review Authority.
Development Plans (DP)	The revised NZO adds a new Chapter that reinstates the Development Plan (DP), which was eliminated in the prior Public Draft NZO. This approval process allows for discretionary review of larger new developments and aligns with the existing zoning ordinances.
	For the most part, the regulations added reflect the existing thresholds and procedures in the City's existing zoning ordinances.
	The revised NZO eliminated the Director as a Review Authority for any form of DP in order to require a public hearing for all DPs before either the ZA or the PC, since these are typically larger projects with more potential for significant impacts as well as more detailed environmental review under CEQA.

Part 5 –	Administration Permits
Processes Descriptions	Change
	Minor revisions were made to this Chapter to incorporate some of the useful language of the current Goleta Inland Zoning Ordinance.
Variances (VAR)	Revision made to take out those parts that were moved to Common Procedures.
	Review Authority changed from the Planning Commission to the Zoning Administrator to reflect current practice in the City's existing zoning ordinances.
	The Chapter for Coastal Development Permits has largely been retained from the previous Public Draft NZO, which was also largely consistent with the existing Coastal zoning ordinance. However, the following minor changes or clarifications were made:
	Temporary Events were moved to the Temporary Use Chapter;
Coastal Development Permit (CDP)	<ul> <li>Clarification made regarding the public hearing requirements for development within the Appeals Jurisdiction and for uses that are not principally permitted in a particular zone district in the Coastal Zone;</li> </ul>
	Addition of a required Coastal Act finding for development occurring seaward of the bluff-top; and
	Moving a few sections of the Chapter to the Common Procedures Chapter.
Modifications (MODs)	Edits to this Chapter were mainly to align with the existing City zoning ordinances and sign regulations.
	Revisions made to make this Chapter consistent with General Plan policies and standards. This includes a requirement from the General Plan that Modifications to structure height and lot coverage be made by resolution. Consequently, these modifications may only be granted by the Planning Commission or City Council.
	As with other Chapters, many parts were removed and are covered in the Chapter for Common Procedures.
Reasonable Accommodations for Persons with Disabilities	Minor revisions to this Chapter to make a formal required finding for approval of a reasonable accommodation for persons with disabilities.
Emergency Permits (EMPs)	Revision to change the Review Authority from the ZA to the Director, since these are supposed to be actions that need a more-prompt review and approval than that of a public hearing before the ZA could accommodate. Under the City's existing Inland Zoning Ordinance, Emergency Permits are granted by the Director.

Part 5 – Administration Permits	
Processes Descriptions	Change
Development Agreements (DAs)	Minor revisions regarding the approval, review, and termination of DAs consistent with current practice and zoning.
Amendments to Zoning Regulations and Zoning Map	Substantive changes to this Chapter were to clarify how the zoning regulations and the Zoning Map are amended. The changes to this Chapter reflect existing procedures from the current City zoning ordinances.
Amendments to the General Plan	Changes to this Chapter bring into compliance with City Council Resolution No. 12-13 and the California Government Code and to remove procedural and administrative elements consistent with existing City rules and procedures.
Amendments to the Local Coastal Program (LCP)	Changes to this Chapter bring into compliance with City Council Resolution No. 12-13 and the California Government Code and to remove procedural and administrative elements
Specific Plans	No substantive revisions were made to this Chapter from the prior Public Draft NZO.
Enforcement	The revised Draft NZO made only minor clean-up edits to ensure consistency with other Titles of the Goleta Municipal Code, zoning ordinances, and to accurately reflect City staff titles.
	Revision to identify the Director as an official responsible for zoning code enforcement rather than the ZA, consistent with existing zoning ordinances.

### Part 6 – General Terms

Compared to the prior Public Draft NZO, the total number of defined terms nearly doubled in order to add additional clarity to previous and newly added regulations. Compared to the existing zoning ordinances, the number was likely more than quadrupled.

Revisions were made to some definitions, others were restructured, and still some others were grouped together to make them easier to find (e.g., cannabis, signs, lot types, etc.).

Revisions were made to some of the use classifications to either remove, consolidate, or revise them to ensure consistency with allowed uses in the General Plan and to ensure clarity as to which use classification each potential use in the City fits in to.

Many edits made throughout the Use Classifications section to reflect many of the changes made in Parts 4 and 5 and to ensure internal consistency.