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Response to Planning Commission Comments	
PLANNING COMMISSION COMMENT	CITY STAFF RESPONSE
Land Use and Open Space Elements	
<p>LU 1.6 - Retail and Other Commercial Centers Commissioner Maynard, PC 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, "Goleta's 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.</p>	<p>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, as each project is different and applying an objective standard universally may not be the best approach.</p>
<p>LU 1.9 - Quality and Design in Built Environment Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that she believes the Planning Commission should discuss open space along with LU 1.9, LU 1.2, and VH 3.6, 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 property or can they be separate?; 3) should a community center or building count as open space?; 4) is open space the appropriate term or is it more of a community entity?; 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?</p>	<p>This topic was introduced on March 21, 2019 at Workshop #4, but was not finished. Staff will add this topic to the discussion of Workshop #7 on April 18.</p>
<p>LU 2.2 - Residential Use Densities Commissioner Maynard, PC 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-h); and about clarifying that a finding needs to be made that the density of a project is appropriate with regard to site constraints.</p>	<p>Public rights-of way, public easements, floodplains, ESHA, and areas with archaeological or cultural resources are considered when calculating</p>

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	<p>dwelling unit density pursuant to Section 17.03.070.</p> <p>Additionally, upon project application, site constraints, such as those listed in LU 2.2 are analyzed on a case-by-case basis. CEQA analysis may further constrain the site and decrease its useable area and allowable density.</p>
<p><i>LU 2.4 - Single-Family Residential Use Category</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard requested clarity to ensure there are ways someone who places a solar panel on the roof could be protected from having a larger structure built next door that would limit sunlight on the solar panel.</p>	<p>Solar access is within the scope of Design Review, which includes a specific finding that solar access is considered. Solar access is also protected under the Solar Rights Act.</p>
<h3>Conservation Element</h3>	
<p><i>CE 10.1, New Development and Water Quality</i> <i>CE 10.2, Siting and Design of New Development</i> <i>CE 10.3 Incorporation of Best Management Practices for Stormwater</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that CE 10.1, 10.2, and 10.3 refer to a Stormwater chapter that does not exist at this point.</p>	<p>No changes made. The City’s Public Works Department is responsible for regulating and managing stormwater runoff in Goleta. While it has impacts on development, it is not regulated by zoning. No chapter will be added to the NZO for stormwater.</p>
<p><i>CE 10.6, Stormwater Management Requirements</i> <i>CE 10.8 Maintenance of Stormwater Facilities</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that the Stormwater section has been removed and some of the language was moved to the parking section, and some of the language may have been lost or moved elsewhere.</p>	<p>No changes made. As discussed above, the City’s Public Works Department is responsible for regulating and managing stormwater runoff in Goleta. Discussion of stormwater management for Parking areas to ensure parking</p>

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	surfacing and curbing takes stormwater into consideration.
<p><i>CE 11.4 Buffers Adjacent to Agricultural Districts</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that she believes consideration should be given to the historical land use and the future farming potential as the reason for trying to maintain agricultural land. She suggested considering removing <u>17.24.030.A.1</u> and <u>17.24.030.A.2</u> as she does not believe it is consistent with the General Plan to support agriculture production. Also, she believes that making the decision based on crops farmers have today that are likely to change is problematic, noting that farmers change crops quite frequently.</p>	<p>No changes made. These are example factors that can be considered, with a “but are not limited to” clause, so if the Review Authority wants to consider that a farmer may change their crop, they would be able to. Allowing these considerations is not inconsistent with the General Plan and implements the site-specific findings requirement of policy CE 11.4.</p>
<p><i>CE 12.1 Land Use Compatibility</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that <u>CE 12.1</u> was not addressed in the section it was referenced and questioned if it appears elsewhere.</p>	<p>No changes made. Air Quality control is within the authority of the Air Pollution Control District (APCD) and discussed in Section 17.39.050. Also, no current NZO material cites CE 12.1. It is possible that the outdated General Plan Implementation Checklist for the 2015 Draft NZO is being referenced.</p> <p>Further analysis would be done on a case-by-case basis through development review.</p>
<p><i>CE 12.2.D Control of Air Emissions from New Development</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that only CE 12.2.a and CE 12.2.e were addressed, and she believes CE 12.2.b, CE 12.2.c and CE 12.2.d are important issues and need to be addressed.</p>	<p>No changes made. Air Quality control is within the authority of APCD and EPA-certified mechanical equipment use is part of CA Title 24 Building Code.</p>

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<p>CE 13.3 Use of Renewable Energy Sources Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that CE 13.3.b was not included and it is important to include. The wind section was removed, and it seems inconsistent with CE 13.3.c.</p>	<p>Solar access is also protected under the Solar Rights Act.</p> <p>Consistent with the General Plan policy CE 13.3(c), Wind machines are permissible in AG zones with a required buffer to address noise. Greater allowances for Wind Energy Conversion Systems removed as they would not be compatible with development in the City.</p>
<p>CE 15.3 Water Conservation for New Development Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that only the landscaping water was addressed. She recommended adding a reference to Title 24 where the building water fixtures are addressed.</p> <p>Commissioner Maynard commented that there is very minimal language in <u>17.34.010.e</u> supporting <u>CE 15.3.</u></p>	<p>No changes made. The NZO does not restate requirements in Title 24 Building Code or other stand-alone ordinances or laws, such as the State’s Water Efficient Landscaping Ordinance (WELO).</p>
<h3>Safety Element</h3>	
<p>Commissioner Maynard, PC Workshop #1. Commissioner Maynard requested more information regarding a public comment from Michael Pollard regarding the FAR Part 77 regulations.</p>	<p>See Response to Public Comments for staff response and more information.</p>
<p>Chair Smith, PC Workshop #1. Chair Smith suggested considering there may be lessons learned from the recent impact of flood and fire hazards in the community that can be applied to the New Zoning Ordinance, if consistent with the General Plan.</p>	<p>Comment noted. See Chapter 17.32, Hazards.</p>
<h3>Visual and Historical Resources Element</h3>	
<p>Commissioner Shelor, PC Workshop #1. Commissioner Shelor questioned how the New Zoning Ordinance policies would protect scenic and mountain views with regard to a project and suggested taking a stronger look at the Environmental Impact Reports and staff reports.</p>	<p>Projects would be subject to Design Review, public input, NZO development standards for height, all</p>

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	General Plan policies (particularly the Visual and Historic Resources Element policies), CEQA analysis, public hearing and appeal period(s).
Commissioner Miller, PC Workshop #1. Vice Chair Miller endorsed Commissioner Shelor’s concerns regarding protection of scenic and mountain views.	See response above.
Commissioner Maynard, PC Workshop #1. Commissioner Maynard requested discussions regarding story poles and public notifications at upcoming workshops.	Comment noted. Issues discussed at Workshops #2 and #3, Review Authorities and Permit Procedures.
VH 3.6 Public Spaces Commissioner Maynard, PC Workshop #1. Commissioner Maynard noted that VH 3.6 has a link to the discussion about common open space and residential spaces.	Comment noted. This policy does note that these are “public” spaces and opposed to spaces devoted specifically to residents of a development.
VH 4.4 Multifamily Residential Areas Commissioner Maynard, PC Workshop #1. Commissioner Maynard believes the language in VH 4.4.d is missing and should be included in the Zoning Ordinance: "Where multifamily developments are located next to less dense existing residential development, open space should provide a buffer along the perimeter".	No changes made. Policy reads “should” and adding as a universal development standard may not be appropriate in all instances. NZO requires discretionary review along with DRB review.
VH 4.6 Industrial Areas Commissioner Maynard, PC Workshop #1. Commissioner Maynard suggested adding language from <u>VH 4.6.c</u> to <u>17.39.080.E</u> Noise Attenuation Measures with regard to noise, which also affects <u>NE 7.2</u> and <u>NE 7.3</u> . Language from <u>VH 4.6</u> should also be included in <u>17.10.030</u> Industrial Districts, and there should be a discussion with regard to the meaning regarding appropriate increased setbacks.	No changes made. Adding as a universal development standard may not be appropriate in all instances and design and analysis would be too case-by-case to be codified. Staff believes the objective standards in the NZO effectively minimize noise, while accommodating the land use and balancing compatibility.

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Transportation Element	
<p>Commissioner Shelor, PC Workshop #1. Commissioner Shelor commented that when the Target project was reviewed by the Design Review Board, the applicant indicated that their parking standards resulted in more parking demand than the City’s traffic model, so he is not sure if the City’s model is accurate in all situations and predictions, or whether Target is a unique circumstance.</p>	<p>Comment noted. Traffic models and studies are not a zoning matter.</p>
<p>Commissioner Shelor, PC Workshop #1. Commissioner Shelor expressed concern with regard to <u>TE 13 Mitigating Traffic Impacts of Development</u> that the GTIP and Development Impact Fees will be inadequate to create any improvements to the Level of Service at the Storke/Hollister intersection.</p>	<p>Comment noted. However, as this is not a zoning matter.</p>
Housing Element	
<p>Commissioner Maynard, PC Workshop #1. Commissioner Maynard noted that it appears that <u>HE 1.5</u> was mostly not included in the New Zoning Ordinance, and she commented that it is helpful to know where that information will go.</p>	<p>No changes made. The uncommon scenarios of Condo conversions require a Parcel Map, and nearly all conversions of a <u>conforming</u> residential use to non-residential use would require some form of discretionary review. Both of these scenarios would also be subject to CEQA and must be found consistent with all General Plan policies to be approved, including the very specific provisions listed in policy HE 1.5.</p>
<p>Commissioner Maynard, PC Workshop #1. Commissioner Maynard noted that the next time we consider a Development Impact Fee study, we should look at <u>HE 2.2</u>.</p>	<p>Comment noted. Not within the scope of the NZO.</p>

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Chapter 17.01 Introductory Provisions	
<p>Commissioner Fuller, PC Workshop #1. Commissioner Fuller suggested providing a list or matrix listing out other permits or approvals an applicant may need from other Agencies or note that those Agency conditions will be added to City permits.</p>	<p>Staff is considering adding a subsection in 17.01.040(B) that lists the most common other agencies that may have some form of review authority over projects within the City.</p>
Chapter 17.08 Commercial Districts	
<p>LU 1.6 - Retail and Other Commercial Centers Commissioner Maynard, PC Workshop #1. <u>17.08.010 - Purpose and Applicability:</u> Commissioner Maynard believes the following language in <u>LU 1.6</u> should be reflected in <u>17.08.010</u>: "The priority for new commercial uses shall be for the types that will meet local needs and those that provide goods and services not now available in the city."</p>	<p>Edit made to Section 17.08.010(A) to include text "and meet the needs of local community for goods and services."</p>
<p>LU 3.3 - Community Commercial Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that the following language in <u>LU 3.3</u> is strong and should be carried over to the description in <u>17.08.010</u>: "Uses that may attract significant traffic volumes from outside the Goleta Valley are discouraged." Also, consider switching the review path for large format retail from permit to CUP in Community Commercial, as this would help with making a determination whether this is a use that may attract significant traffic volumes from outside the Goleta Valley and it may be too subjective for just a permitted process.</p>	<p>No changes made. Language from this policy is broad and subjective, which is left to the Review Authority to interpret and therefore not included in the objective standards of the NZO.</p> <p>Large format retail uses would need a Development Plan for construction of the site (and therefore discretionary review). Requiring a CUP for each new tenant could lead to significant gaps in tenancy.</p>
Chapter 17.12 Open Space and Agricultural Districts	
<p>CE 11 Preservation of Agricultural Lands</p>	<p>No changes made. Section 17.12.010 captures intent without being</p>

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<p>Commissioner Maynard, PC Workshop #1. Commissioner Maynard believes that the CE 11 objective from the General Plan should be an explicit goal in Chapter 17.12.010 Open Space and Agricultural Districts in the Purpose and Applicability section.</p>	<p>duplicative or redundant with exact verbiage of policy CE 11.</p>
<p>LU 7.4 - Permitted Uses Commissioner Maynard, PC Workshop #1. Commissioner Maynard does not believe that public safety facilities should be allowed on agricultural land because the agricultural land is limited and precious, and she thinks it is inconsistent with LU 7.4, and with the preservation of agricultural land.</p>	<p>Fire Stations are specifically called out as an allowable use in the AG zone district within Land Use Element, Table 2-4. Table 17.12.020, including Footnote 1, is consistent with this allowance.</p>
<p>Chapter 17.19 -OTH Old Town Heritage Overlay District</p>	
<p>LU 3.4 - Old Town Commercial Commissioner Maynard, PC Workshop #1. Commissioner Maynard questioned whether pedestrian access guidelines were moved to the Design Review Board, or another document because she would not want it to get lost. Also, she noticed the same thing in the Residential District area.</p>	<p>All parcels in C-OT fall within the -OTH Overlay, as discussed in Chapter 17.19. The Overlay includes a provision that all new development is subject to Design Review and the Goleta Old Town Heritage District Architecture and Design Guidelines, which includes the pedestrian access guidelines.</p>
<p>VH 4.2 Old Town Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that reference should be made to the Goleta Old Town Heritage District Architectural and Design Guidelines.</p>	<p>No changes made. Goleta Old Town Heritage District Architectural and Design Guidelines are referenced Chapter 17.19, -OTH Old Town Heritage Overlay District, and Chapter 17.58, Design Review.</p>
<p>Chapter 17.24 General Site Regulations</p>	
<p>CE 11.4 Buffers Adjacent to Agricultural Districts Commissioner Maynard, PC Workshop #1.</p>	<p>1) Comment noted. 2) As noted in Section 17.24.030, other factors can be considered when</p>

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<p>1) Commissioner Maynard commented that runoff and urban pollution sources should also be considered as roadway pollution.</p> <p>2) Also, consider distances between residences and animal raising, as well as noise issues such as roosters crowing.</p>	<p>determining the appropriate buffer adjacent to agricultural districts.</p>
Chapter 17.28 Inclusionary Housing	
<p>Section 17.28.020 Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented regarding <u>HE 2.5</u> that rental language was removed from <u>17.28.020.A.3</u> but there is language around rental affordable units in <u>17.28.080.A</u>, and she would like to discuss rental housing.</p>	<p>No changes made. A General Plan Amendment would be required to change trigger for requiring Inclusionary Housing from “for-sale” to including rental development. However, once development of “for-sale” housing triggers the need for Inclusionary Housing, there is no restriction for those units subject to affordability standards from being rented.</p>
<p>Section 17.28.050 Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that there is a reference in <u>17.28.050.D.2.c.i</u> and <u>17.28.050.D.3.c.i</u>, to being infeasible to put affordable housing, and she would like to discuss what it means for it to be infeasible, for clarification.</p>	<p>Possible edits to be made after staff receives direction from the City Attorney’s Office on options.</p>
<p>Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that she supported the revisions to the Inclusionary Housing regulations.</p>	<p>Comment noted.</p>
Chapter 17.30 Environmentally Sensitive Habitat Areas	
<p>CE 1.9 Standards Applicable to Development Projects Commissioner Maynard, PC Workshop #1.</p>	<p>No changes made. These habitat corridors are included in ESHA protections as appropriate and analyzed in that way.</p>

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Commissioner Maynard would like wildlife corridors to be looked at similar to bike paths. Also, at some point it would be important to map the corridors holistically as a city rather than project by project. She noted her excitement about the work on the Creek Watershed Management Plan.	
<i>CE 2.2 Streamside Protection Areas</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard noted that she has comments when <u>CE 2.2</u> is discussed.	Comment noted. Discussion occurred at Workshop #4.
<i>CE 2.2 Streamside Protection Areas</i> Commissioner Shelor, PC Workshop #1. Commissioner Shelor commented that he appreciates that a requirement for a major Conditional Use Permit has been added for the Streamside Protection Areas.	Comment noted. This is a requirement per General Plan policy CE 2.2(b).
<i>CE 3.4 Protection of Wetlands in the Coastal Zone</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard believes the opposite language was stated in the New Zoning Ordinance. She noted this is a big discrepancy that should be corrected.	Edit made to address this issue in subsection 17.30.090(B)(3) by replacing “may” with “shall not.”
<i>CE 3.5 Protection of Wetlands Outside the Coastal Zone</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard requested that “restoration when feasible” language be included in the New Zoning Ordinance with regard to 17.30.100.	No changes made. Language is already used in first sentence of subsection 17.30.100(A)
<i>Section 17.30.110 Mitigation of Wetland Infill</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard believes the ratio of 3:1 should be maintained in the New Zoning Code for mitigation of wetland infill rather than allow the ratio of 2:1 in <u>17.30.110</u> .	No changes made. Ratio language of 3:1 and 2:1 taken directly from General Plan policy CE 3.6.
<i>Section 17.30.050(D) Development Standards</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that <u>17.30.050.D</u> includes most of [CE] 10.1 language, and recommended adding “urban runoff pollutants” as is in the General Plan, and also adding the stronger language from [CE] <u>10.1</u> that indicates “urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources”, as opposed to the language “reduced”. Also, Chapter <u>17.38</u> Parking and Loading might be a good reference point.	Revision made to add CE 10.1 as subsection 17.30.050(E).

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Chapter 17.31 Floodplain Management	
<p>SE 6.4 Avoidance of Flood Hazard Areas Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that the language should be strengthened to more reflect the General Plan.</p> <p>Commissioner Maynard questioned if there are flood prone areas outside of the 100-foot floodplain (to be tabled).</p>	<p>No changes made. All development standards of SE 6.4 are reflected in Section 17.31.030(A).</p> <p>100-year floodplain is determined by the Federal Emergency Management Agency (FEMA) and shown on the Flood Insurance Rate Maps (FIRM). The City’s General Plan Figure 5-2 reflects the current FIRM. Staff applies the 100-year floodplain as a proxy for flood prone areas in the policy.</p>
Chapter 17.32 Hazards	
<p>SE 5.3, Avoidance of Landslide Hazards for Critical Facilities SE 5.4 Avoidance of Soil-Related Hazards Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that the language about critical facilities was excluded and she believes it should be included.</p>	<p>No changes made. All development, including critical facilities, are subject to the NZO requirements and standards of Chapter 17.32, Hazards.</p>
<p>SE 1.2 Guidelines for Siting Highly Sensitive Uses and Critical Facilities Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that SE 1.2 is not addressed in this section.</p>	<p>No changes made. SE 1.2 covered in Chapter 17.32. The Site Specific Hazard Study required in Section 17.32.020(B) requires analysis of all relevant policies, including SE 1.2.</p>
<p>SE 6.2 Areas Subject to Local Urban Flooding Commissioner Maynard, PC Workshop #1. Commissioner Maynard suggested considering adding language from SE 6.2 to 17.32.030 Hazards. This language could also be added to 17.31.030.</p>	<p>No changes made. Flood hazards analysis is a part of Section 17.32.030, Hazards Evaluation Report.</p>
<p>SE 1.3 Site-Specific Hazards Studies</p>	<p>No changes made. Seal level rise covered in subsection 17.32.040(C)(1),</p>

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<p>Commissioner Maynard, PC Workshop #1. Commissioner Maynard noticed that the timeframe was removed. She noted she would like to see the 100-year timeframe for sea level rise.</p>	<p>Coastal Hazards Report and will be done in concert with the expected life of the project.</p>
<p><i>SE 7 Urban and Wildland Fire Hazards</i> <i>Section 17.32.060(C) Rebuilding in high Fire Hazard Areas</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that <u>17.32.060.C</u> should include language referring to the loss of life as well as loss of structure.</p>	<p>Edit made to include “loss of life and of the structure”[...].</p>
Chapter 17.33 Historic Resource Protection	
<p><i>OS 8 Protection of Native American and Paleontological Resources</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard recommended adding a reference to the Historic Preservation Ordinance.</p>	<p>Chapter 17.33 is a placeholder chapter for Historic Resource Preservation, which will be subsequently added to the NZO after it is adopted.</p>
<p><i>CE 10.5 Beachfront and Blufftop Development</i> Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that most of the relevant text was removed from 17.33.040 between the last version and this version, so it appears to have lost some consistency with the General Plan.</p>	<p>No changes made. Section 17.33.040 discussion of beachfront and blufftop development moved to Section 17.32.040. BMPs are also discussed in ESHA Section 17.30.050.</p>

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Chapter 17.34 Landscaping	
<p>Section 17.34.050 Commissioner Maynard, PC Workshop #1. 1) Commissioner Maynard commented that <u>17.34.050.A</u> seems to be too broad and does not have much guidance with regard to the selection of plant materials. 2) Commissioner Maynard suggested considering changing the requirements in <u>17 34 050.B</u> to a size limit for water features. 3) Commissioner Maynard commented that adding a reference to the State Water Conservation and Landscaping Act would be helpful.</p>	<p>1) Edits made throughout Chapter 17.34, Landscaping, to address comments and direction received from Design Review Board at March 26, 2019 meeting. These edits also address PC comments. 2) Edit made to add Decorative water features to require a Zoning Clearance (17.54.020(A)(5)) if not exempt per Section 17.53.020. 3) Edit made to cite WELO in Section 17.34.060.</p>
Chapter 17.35 Lighting	
<p>CE 1.9 Standards Applicable to Development Projects Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that there is a lighting element in <u>CE 1.9</u> and also some inconsistency. She noted there are a lot of great comment letters about dark skies to include in the discussion.</p>	<p>Edit made to add ESHA protections to Lighting Chapter in 17.35.040.</p>
<p>VH 1.3 Protection of Ocean and Island Views VH 1.4 Protection of Mountain and Foothill Views Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that it is very important to look at downcast, fully shielded, and full cutoff lighting of the minimum intensity needed for the purpose, and that more stringent language is needed in the ordinance regarding lighting.</p>	<p>Edit made to add "full cut-off" to lighting requirements in 17.35.040(C), which already includes the other cited attributes.</p>
Chapter 17.38 Parking and Loading	
<p>Commissioner Fuller, PC Workshop #1. Commissioner Fuller commented that comments by Barbara Massey, public speaker, regarding parking are very insightful.</p>	<p>Comment noted.</p>

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PLANNING COMMISSION COMMENT	CITY STAFF RESPONSE
Chapter 17.39 Performance Standards	
<p>SE 10.4 Prohibition on New Facilities Posing Unacceptable Risks Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented she believes the following language should be added in <u>17.39.070.A Risk Exposure</u>: "consistent with the General Plan, new or expanded hazardous facilities in proximity to existing residential and commercial development shall incorporate appropriate mitigation measures to minimize potential risks and exposures".</p>	<p>No changes made. As written, the NZO has strong language that prohibits development that would pose a significant risk. Suggested edit is a mitigation measure that derives from CEQA, which does not belong in the NZO.</p>
<p>Section 17.39.080 Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that she would like to make sure that 17.39.080 includes and remains consistent with NE 7, VH 4.6, and LU 1.5, all three of which reference noise.</p>	<p>No changes made as staff reviewed the policy and notes alignment with the NZO.</p>
<p>Commissioner Shelor, PC Workshop #1. Commissioner Shelor suggested considering the appropriateness of the level of the type of charging stations provided for electric vehicles in a parking facility with 20 or more spaces.</p>	<p>Comment noted. This issue may be revisited during the Energy discussion at Workshop #6.</p>
Chapter 17.44 Native Tree Protection	
<p>CE 9.2 Tree Protection Plan Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that there are significant changes from the General Plan. She noted that the Tree Protection Plan clause covers sites containing protected native trees, not just Oak and Savannah trees. Also, the requirement for a report by a certified arborist or other certified expert was removed.</p>	<p>No changes made. This issue will be covered with the City's Tree Protection Ordinance, which staff plans to integrate into the NZO in the Chapter 17.44 placeholder; however, it could also be codified elsewhere in the Goleta Municipal Code if that is the direction staff receives.</p>
<p>CE 9.4 Tree Protection Standards CE 9.5 Mitigation of Impacts to Native Trees Commissioner Maynard, PC Workshop #1. Commissioner Maynard requested clarification that CE 9.4 and CE 9.5 will be moved to a native tree protection chapter.</p>	<p>Correct.</p>

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
Chapter 17.55 Land Use Permits	
<p>LU 11.1 - No Limitation on Annual Residential Permits Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that 17.55.040 does not include the specific guidelines laid out in LU 11.1, which she believes it should.</p>	<p>No changes made. If any one of the specific services is not available, Common Procedures finding A in Section 17.52.070 could not be made.</p>
Chapter 17.65 Development Agreements	
<p>Commissioner Shelor, PC Workshop #1. Commissioner Shelor recommended consideration of a sort of transfer of solar development rights in a situation that it might be efficient somewhere else in the City.</p>	<p>Comment noted. Transfer of any development rights would currently be done through a Development Agreement (see Chapter 17.65).</p>
Chapter 17.73 List of Terms and Definitions	
<p>VH 4.4 Multifamily Residential Areas Commissioner Maynard, PC Workshop #1. Commissioner Maynard commented that the language regarding providing amenities for “different age groups” should be considered with regard to Multifamily Residential Areas.</p>	<p>Edits made to Part IV, Definitions for Open Space Types. Private Common Open Space definition includes “and offering amenities for different age groups.” Edits also made to clarify private vs. public open space.</p>

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Planning Commission Workshop Comments added:

1 PC Workshop #1 (2/23)