



## AGENDA

### PLANNING COMMISSION MEETING MONDAY, APRIL 25, 2016

6:00 P.M.  
City Hall – Council Chambers  
130 Cremona Drive, Suite B  
Goleta, California

#### ***Members of the Planning Commission***

*Eric Onnen, Chair*  
*Gregory C. Jenkins, Vice Chair*  
*Brent Daniels, Commissioner*  
*Ed Fuller, Commissioner*  
*Katie Maynard, Commissioner*

*Jennifer Carman, Secretary*  
*Winnie Cai, Deputy City Attorney*  
*Linda Gregory, Recording Clerk*

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#### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

#### **ROLL CALL OF PLANNING COMMISSION**

#### **PUBLIC FORUM**

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At this time the public shall have an opportunity to comment on any non-agenda item relevant to the jurisdiction of the City. It is requested that each speaker complete a "Speaker Request Form" and submit it to the Recording Clerk. Reasonable time limits are imposed on each topic and each speaker. In accordance with the provisions of the Ralph M. Brown Act (GC § 54950 et seq.), no action or discussion may take place by the Commission on any item not on the posted agenda. The Commission may respond to statements made or questions asked, and may direct the staff to report back on the topic at a future meeting.

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#### **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

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#### **A. ADMINISTRATIVE AGENDA**

##### **A.1 Planning Commission Minutes for the Special Planning Commission Meeting of March 21, 2016**

Recommendation:

Approve the Planning Commission minutes for the Special meeting of March 21, 2016.

## **A.2 Planning Commission Minutes for the Planning Commission Meeting of April 11, 2016**

### Recommendation:

Approve the Planning Commission minutes for the meeting of April 11, 2016.

## **B. PUBLIC WORKSHOP**

### **B.1 Review of Draft Zoning Ordinance Outstanding Items**

#### Recommendation:

It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance Outstanding Items.

## **C. DIRECTOR'S REPORT**

## **D. PLANNING COMMISSION COMMENTS**

## **E. ADJOURNMENT**

The public shall have an opportunity to comment on agenda items as each item is considered by the Planning Commission and prior to action being taken. It is requested that speakers complete a "Speaker Request Form" and submit it to the Recording Clerk prior to addressing the Planning Commission. Administrative Reports relating to the agenda are available at City Offices located at 130 Cremona Drive, Suite B, Goleta, California and on the City's website.

**Americans with Disabilities Act:** In compliance with the ADA, if special assistance is needed to participate in a Planning Commission meeting (including assisted listening devices), please contact the City Clerk's office at (805) 961-7505. Notification at least 72 hours prior to the meeting helps to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

The next regular meeting of the Planning Commission is scheduled for Monday, May 9, 2016. The next regular meeting of the City Council is scheduled for Tuesday, May 3, 2016. Please check the city's website ([www.cityofgoleta.org](http://www.cityofgoleta.org)) for additional meetings of the Planning Commission or City Council that could occur between now and the next regularly scheduled meeting.

City website address: [www.cityofgoleta.org](http://www.cityofgoleta.org) Telephone Number: **805.961.7500** E-mail: [Cityhall@cityofgoleta.org](mailto:Cityhall@cityofgoleta.org)



**UNAPPROVED  
PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
Monday, March 21, 2016**

6:00 PM  
City Hall  
130 Cremona Drive, Suite B  
Goleta, California

***Members of the Planning Commission***

*Eric Onnen, Chair*

*Gregory C. Jenkins, Vice Chair*

*Brent Daniels, Commissioner*

*Ed Fuller, Commissioner*

*Katie Maynard, Commissioner*

*Jennifer Carman, Secretary*

*Winnie Cai, Deputy City Attorney*

*Linda Gregory, Recording Clerk*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:00 p.m. by Chair Onnen, followed by the Pledge of Allegiance.

**ROLL CALL OF PLANNING COMMISSION**

Present: Chair Onnen, Vice Chair Jenkins, Commissioner Daniels,  
Commissioner Fuller, Commissioner Maynard

Absent: None.

Staff present: Jennifer Carman, Director of Planning and Environmental Review; Anne Wells, Advance Planning Manager; Martha Miller, consultant, RRM Design Group; Winnie Cai, Deputy City Attorney; and Linda Gregory, Recording Clerk.

**PUBLIC FORUM**

Michael Iza commented that he sent a letter dated March 20, 2016, to the Planning Commission along with 20 other persons expressing concerns with regard to the application for a Conditional Use Permit for Verizon Wireless Street Light Cell Site

Evergreen Terrace West and requested information regarding the timeline. He also requested that the inadequacies in the New Zoning Ordinance be ironed out in a timely manner and not rushed through because of the importance.

Rochelle Rose, Evergreen Terrace West resident, expressed the following concerns with regard to the application for a Conditional Use Permit for the Verizon Wireless Street Light Cell Site Evergreen Terrace West: 1) the cul-de-sac at Brandon Drive is a much better location; 2) the height measurement of the pole by Verizon is misleading because the ground floor units are sitting 10 feet above ground; 3) the second-story units are 12 feet above ground level which is nearly at eye level; 4) health hazards and property values are concerns for residents; and 5) she does not believe there is a need for increased data usage service when considering the needs of the condominium population, and she noted the usage graph from July 1, 2014, to July 1, 2015, looks flat.

Sandy Kovanda, Evergreen Terrace West resident, commented regarding the application for a Conditional Use Permit for the Verizon Wireless Street Light Cell Site Evergreen Terrace West: 1) requested the application be rejected; 2) expressed concern regarding the timeline; 3) requested the item be discussed at a Planning Commission meeting; 4) the site is on private property; 5) another cell site is located less than one mile away; and 6) Verizon may not accept item #19 with regard to liability.

Tim Burgess expressed concern that the timeline for the application process could expire and that would allow for the approval of a Conditional Use Permit for the Verizon Wireless Street Light Cell Site Evergreen Terrace West.

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None.

### **A. PUBLIC WORKSHOP**

#### **A.1 Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts**

**It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance as follows:**

- 1. Part IV Regulations Applying to Multiple Districts Chapter 17.41: Signs  
Chapter 17.42: Standards for Specific Uses and Activities (except 17.42.090 Community Assembly)  
Chapter 17.43: Telecommunications Facilities (specific issues only, refer to staff report for the list of issues)  
Chapter 17.44: Wind Energy Conversion Systems; and**

## **2. Part V Administration and Permits.**

### [A.1 Review of Draft Zoning Ordinance Part IV Regulations Applying to Multiple Districts](#)

#### [A.1 Att. 1 Draft Zoning Ordinance](#)

#### [A.1 Att. 2 Signs](#)

#### [A.1 Att. 3 Schedule](#)

Anne Wells, Advance Planning Manager, introduced the agenda item.

The staff report was presented by Martha Miller, Consultant, RRM Design Group.

Chair Onnen opened the workshop for public comment at 6:17 p.m.

Cecilia Brown commented with regard to the Sign Ordinance: 1) there are problems with the proposed sign ordinance recognized by the Design Review Board in wanting to forward its own proposal; 2) she believes the current ordinance has worked well for the City and should remain in place to be revised later when there is sufficient time for writing an ordinance that is reflective of the City and its needs, is consistent with General Plan policies and provides more information like abatement of illegal signs; 3) the sign ordinance must work better for Old Town and address its specific circumstances such as window signs and placement on buildings; 4) the Old Town Design Guidelines are not mentioned in the current proposed ordinance; and 5) electronic changeable copy signs with its characteristics do not belong in any Goleta neighborhood.

Alec Bruce, President, Santa Barbara Association of Realtors, requested that up to six off-site directional signs for open houses be permitted. He noted that in most cases three signs are not sufficient to provide accurate and safe directions to an open house, and open houses are a primary way people find and buy homes.

Carl Schneider, representing some of the DRB members, commented: 1) in 2004, the DRB drafted a proposed new Sign Ordinance for consideration by the City Council which was delayed during the General Plan process and until this Zoning Ordinance process; 2) he expressed concerns that the current proposed Sign Ordinance does not comply with General Plan policies, there is no enforcement section, it encourages sign

usage for advertising as opposed to identification only, it increases allowable sign areas, it does not address or mention the Old Town Design Guidelines, it does not allow for the Chamber of Commerce flag banner program, and does not deal with historic signs; 3) the proposed DRB ordinance addresses all of the concerns as well as simplifying the rules and making it more user-friendly; 4) in a recent straw vote, four DRB members voted that the DRB proposed ordinance is the most appropriate ordinance, and two members who had not read the proposed ordinance abstained from voting; 5) if the DRB proposed ordinance is not considered, he suggested leaving the current sign ordinance in place rather than adopting the currently proposed ordinance; and 6) he believes the sign ordinance section could be done with guidelines as well as the parking section and potentially the lighting section.

Ginger Anderson, Stantec, commented on behalf of the Goleta Valley Chamber of Commerce: 1) allowing only three directional signs for open houses is not adequate; 2) in general, the Chamber of Commerce supports the down-shift in review for sign permits; 3) questioned whether 90 days of discontinued use is the appropriate standard for when a sign is considered abandoned, noting one year is used elsewhere in the ordinance; 4) requested reconsideration regarding restoration of a damaged nonconforming sign because a 50 percent threshold of total sign area may not be enough, and 60 days may not be long enough to receive payment from insurance; 5) regarding the three questions in the staff report related to telecommunications facilities, their answers are “yes” to Question #1, “easier is better regarding the review process” to Question #2, and “there is probably a lot of good stealth design now and the DRB should be able to help an applicant screen a telecommunications facility with something like that” to Question #3; 6) questioned the source for the maximum height in Table 17.44.050; and 7) suggested there may be a need to add exterior lighting on an accessory structure associated with wind energy conversion systems to be useful for repairs.

Chair Onnen closed the public comment portion of the workshop at 7:09 p.m.

The Planning Commission reviewed and provided feedback on the Draft Zoning Ordinance.

### **Chapter 17.41 Signs**

Vice Chair Jenkins sought assurance that staff will consider DRB comments. He noted that DRB is better equipped to address sign regulations.

Commissioner Maynard expressed appreciation for DRB's feedback.

17.41.010

Vice Chair Jenkins questioned whether there is any content review concerning vulgarity or pornography that may show up on signs.

17.41.030.F

Commissioner Maynard supported increasing the number of off-site directional signs for open houses to six signs.

17.41.030.H, 17.41.010.I

Commissioner Daniels questioned whether the reference to flags of a governmental entity and the reference to government signs refer to the same thing.

Vice Chair Jenkins requested that this section is sensitive to the Chamber of Commerce flag program.

17.41.030.H.2

Commissioner Fuller commented that it looks like a site in a commercial district where the flag pole is 5 feet from the property line would be limited to a 7 foot flag pole.

17.41.030.K

Commissioner Maynard commented that the Interior Signs language seems to restrict some signs from being visible from public streets. She noted there are some interior areas where businesses are set back, especially in Old Town.

17.41.030.L

Commissioner Fuller pointed out that Historical Plaques seems to be covered in 17.41.030.C Commemorative Signs.

17.41.030.O

Commissioner Maynard requested that a section be added with regard to drive-throughs in Menu Displays.

17.41.030.P

Commissioner Fuller would not support mobile vendors having signs, noting he would not support mobile vendors.

17.41.030.Q

Commissioner Maynard commented that there are window murals in Old Town and requested clarification with regard to where the language would be addressed in Murals and/or Window Signs.

Chair Onnen questioned whether it is appropriate for murals to be exempt as signs.

Vice Chair Jenkins commented that he believes murals should be reviewed and not be totally exempted.

Commissioner Daniels noted that it would be in the eye of the beholder with regard to murals functioning as advertising.

Commissioner Maynard suggested considering the Design Review Board as a consultation group with regard to murals until maybe an Arts Commission could be created later.

#### 17.41.030.R

Commissioner Maynard commented if a newspaper stand is a stand-alone newspaper stand it seems it should be more similar to the mobile vendor signs. Whereas, she would support the smaller size newspaper stand if it were in front of, or part of, a business or restaurant.

#### 17.41.030.S.3.b

Chair Onnen noted that he appreciates that this section accommodates larger freestanding real estate signs for non-residential zones which are typical in the area.

#### 17.41.030.S.4

Commissioner Fuller commented that a large non-residential real estate sign at seven feet would be directly in peoples' line of sight and if it was higher up it would be out of a pedestrian's view.

#### 17.41.030.V

Commissioner Fuller commented that there may be sponsorship for other activities besides sports activities and recommended removing "sports". He suggested 6 months might be long enough to advertise a sponsor of a public event.

Commissioner Maynard commented that one year seems long for displaying sponsorship signs for the types of sporting events in Goleta. She suggested thirty or sixty days. She suggested separating between ongoing activities vs. events.

Chair Onnen commented that consideration could be given to how the sponsorship signs are used. He noted one example of a sponsorship sign is when an organization, particularly youth sports, will sell a sponsorship to



businesses and often the sponsorship sign will remain on the field during the season.

Commissioner Maynard suggested separating between ongoing activities vs. events to address the example made by Chair Onnen. She would not be in favor of a large number of sponsorship signs circling Girsh Park.

#### 17.41.030.X

Commissioner Fuller recommended adding the word “all” in front of “such exempt signage” in the last sentence with regard to vehicle and vessel insignia for clarification.

#### 17.41.030.Y

Commissioner Maynard commented that it may be helpful to have separate guidelines for Old Town Goleta for window signs. For example, with regard to the maximum 10 percent coverage requirement, in Old Town there are a lot of window signs that fill most of the windows and she is concerned it would be an onerous issue for small Old Town businesses that were not designed for good signage from the start. She commented that she is not sure about moving that far away from current practice. She understands it would not trigger an immediate change for existing owners.

Commissioner Fuller commented that he would support compliance with the Zoning Ordinance with regard to window signs and noted it would improve the looks of Old Town Goleta in his opinion. He noted window signs could be easily removed and are not a large financial investment.

#### 17.41.030.Y.1

Commissioner Maynard commented that she believes an 18” x 24” sign not exceeding three square feet would be appropriate for window signs placed inside a window in a residential zone. She noted that election signs are typically 18” x 24” in size.

#### 17.41.030.Z

Commissioner Maynard commented that she would prefer changing the beginning of the period of time before an election that a temporary sign may be displayed to 90 days instead of 60 days. She noted 90 days is recommended by the Design Review Board.

#### 17.41.030.AA

Commissioner Maynard suggested that 12 square feet in area would be more appropriate for protected non-commercial political and free speech signs on non-residential uses rather than 25 square feet in area. She noted 12 square feet was recommended by the Design Review Board.

17.41.040

Vice Chair Jenkins questioned whether there is prohibition of pole signs in this chapter.

17.41.040.A

Commissioner Fuller pointed out that there is language in 17.41.040.A with regard to prohibiting animated and moving signs. He noted concerns expressed by the public with regard to electronic changeable copy signs.

Chair Onnen commented that 17.41.040.A addresses signs that are animated and he questioned whether it addresses a sign that has changeable copy. He noted that he has seen some electronic changeable copy signs tastefully done in many situations and it can be a helpful tool.

Commissioner Maynard suggested adding language with regard to LED signs that would prohibit other moving effects and dynamic frame effects or patterns of illusory movement or simulated effect movement because it would make 17.41.040.A more robust if it referred to electronic copy signs.

Commissioner Fuller suggested adding language that would clarify that signs such as LED signs are permitted but are still subject to the regulations in the first sentence.

17.41.040.B

Commissioner Maynard commented banners are common and should be acceptable as temporary signs. She suggested a note indicating banners are prohibited for long-term use but acceptable for temporary.

Vice Chair Jenkins commented that prohibiting banners entirely is not business-friendly. He suggested banners could be included as temporary signs. He questioned why flags are prohibited.

17.41.040.C

Vice Chair Jenkins commented that there are many cabinet or can signs throughout Goleta and raised the issue regarding nonconforming signs.

Commissioner Daniels commented that he does not understand why cabinet or can signs are prohibited. He noted there are many in Goleta.

17.41.040.E

Commissioner Fuller noted that 17.41.040.E would prohibit lights on trees in Goleta.

Vice Chair Jenkins questioned whether light bulb strings would need to be prohibited. He noted string lighting can be attractive for night dining.

Commissioner Daniels commented that string lights are used by restaurants for lighting at night and some are located under umbrellas which are fine.

17.41.040.F

Commissioner Maynard requested clarification if U-Haul vehicle signs at a U-Haul station would count as mobile billboards.

17.41.040.I

Vice Chair Jenkins questioned whether garage sale signs would be prohibited in the public right-of-way.

17.41.040.J

Vice Chair Jenkins commented that signs have been affixed to trees advising of tree trimming.

17.41.040.K

Commissioner Maynard recommended including "sidewalks" with regard to signs on terrain.

17.41.040.L

Chair Onnen commented that the language prohibiting signs of certain materials seems very broad and should probably be revisited.

17.41.040.M.2

Commissioner Maynard commented that she believes attached signs that extend above the deck line of a mansard roof should be allowed in Old Town.

17.41.040.O.5

Chair Onnen questioned whether signs could be located less than five feet from behind a fire hydrant. He noted especially in Old Town some of the fire hydrants are close to businesses.

17.41.040.Q

Commissioner Maynard commented that A-frame signs should be allowed especially in Old Town if they do not block the four-foot sidewalk area needed for ADA purposes, if the signs are taken away each day by business owners, and the signs follow the guidelines in 17.41.040.O regarding traffic hazards and pedestrian safety. She suggested softer language with regard to allowing A-frame signs in the public right-of-way, noting A-frame signs would be important for some of the flag lots, if allowed.

17.41.050.A

Commissioner Daniels commented that architectural compatibility would require Design Review Board review.

17.41.050.B

Commissioner Fuller commented that the last two sentences with regard to legibility might be discussing the same issue twice.

17.41.050.O.5

Chair Onnen questioned why you could not have a sign less than five feet behind a fire hydrant, noting that some hydrants are very close to businesses.

17.41.050.P

Commissioner Daniels commented that 17.41.050.P regarding signs for prohibited uses is confusing.

17.41.060.C

Commissioner Fuller questioned why all non-commercial speech messages will be deemed to be “on-site”, regardless of location.

17.41.060.F

Commissioner Maynard supported any allowances that can be made for small business owners for signs and requested clarity in the language with regard to when a business may be eligible for an encroachment permit.

17.41.060.H

Commissioner Maynard requested clarification whether there is case law requiring electronic changeable copy signs to be allowed.

Commissioner Maynard requested clarification whether 17.41.040.A relates to electronic changeable copy signs. She would support prohibiting activities like moving and dynamic effects. She recommended adding language that electronic copy signs should go dark if they malfunction, that restrictions are increased regarding light intensity making sure the light intensity changes day and night, and that there are auto dimmable controls for night.

Vice Chair Jenkins requested reassurance that changeable copy signs would be sensitive to General Plan Policy VH 4.13 regarding signs not detracting from views or streetscapes. He questioned whether window signs with flashing lights indicating a business was open would be exempt.

17.41.060.H.1.a

Commissioner Fuller suggested that graphics could be subject to design review.

17.41.060.H.1.b

Commissioner Maynard recommended that electronic changeable copy signs be restricted in residential districts and allowed in commercial districts. She is concerned regarding public and quasi-public uses and would prefer to restrict electronic copy signs by zoning rather than use. The gas station signs could be appropriate in other areas because they are simplistic and she is more concerned about the larger spaces.

Commissioner Fuller agreed that electronic changeable copy signs should be restricted in residential districts.

Vice Chair Jenkins agreed that electronic changeable copy signs should be restricted in residential districts.

Chair Onnen commented that requiring at least 400 feet of continuous street frontage for electronic copy is a significant size and would be a factor that would be limiting with regard to finding suitable locations.

17.41.060.H.1.f

Commissioner Maynard recommended eight seconds instead of four seconds for display duration, noting she researched several cities' regulations and found that eight seconds seems fairly common.

Commissioner Fuller supported increasing the display duration to 15 or 30 seconds if the amount of time will be changed. He noted it could reduce the distraction of having a sign change and also reduce the amount of information that is changing.

17.41.060.H.1.g

Commissioner Maynard expressed concern that 500 FT-L illumination intensity seems very bright.

17.41.060.H.2

Commissioner Daniels commented that churches change non-electronic copy regularly.

17.41.060.K.1

Commissioner Maynard requested clarity with regard to how illumination intensity would be enforced because the language is vague.

17.41.060.K.2

Commissioner Fuller suggested changing the language in the last sentence to indicate unshielded light bulbs, whether fluorescent light bulbs or LED or any kind of light bulb that is unshielded, are prohibited for clarification.

17.41.060.K.4

Commissioner Fuller requested clarification regarding how illumination of signs will be controlled by a rheostat or other acceptable method to reduce glare, including under what circumstances and what conditions, and identifying a goal.

17.41.060.K.5

Commissioner Maynard requested specific language indicating broadly to meet dark sky requirements

17.41.060.L

Commissioner Maynard suggested being specific about a specific time rather than "time specified".

Table 17.41.070(A)

Commissioner Maynard requested that more consideration be given to ways that a flag lot and back lot can be signed in order to be seen from the street.

Commissioner Maynard requested that projecting and freestanding sign types be allowed in Old Town and more flexibility on the signs in that area.

17.41.080.A.4

Commissioner Maynard questioned whether farmers could place a logo on the copy, noting that it would be odd to restrict.

17.41.090.A.4

Vice Chair Jenkins requested clarification whether the maximum size of five square feet is for one side or both sides of an a-frame sign.

Commissioner Maynard suggested that the maximum size of an a-frame sign could be six square feet and the maximum height could be four feet. She noted that three feet is low and hard to read.

17.41.090.C

Chair Onnen supported monument signs being treated as freestanding signs and not subject to a land use process.

17.41.090.C.1

Vice Chair Jenkins commented that pole signs probably conflict with General Plan Policy VH 1.4 with regard to minimizing structural intrusion into the skyline.

Commissioner Maynard agreed that pole signs conflict with General Plan Policy VH 1.4.

Chair Onnen commented that he is concerned with regard to signage that is mounted to point towards the freeway, and questioned where it is addressed.

17.41.090.C.5

Chair Onnen questioned whether requiring all freestanding signs to have landscaping at the base equivalent to two times the area of the sign copy is appropriate. He noted some of the small freestanding signs may be mounted in relatively hardscape.

17.41.110

Chair Onnen commented in general that he does not see a process for ministerial approval of individual signs that are not part of a Master Sign Program, which is an ongoing concern for merchants.

17.41.110.B.1

Commissioner Maynard recommended adding language regarding relationship to the right-of-way with regard to required submittals.

17.41.110.B.4

Commissioner Maynard recommended adding language regarding the mode of attachment for signs and the number of signs on the same site.

17.41.110.C.1

Commissioner Maynard commented that 17.41.110.C.1 refers only to Master Sign Programs.

17.41.110.C.2

Commissioner Maynard supported Design Review Board review if an individual sign submitted is a variance or is not compliant with the applicable Sign Program, and that this is clarified in the language.

17.41.110.D

Commissioner Maynard recommended that required findings for a new Master Sign Program or amendment should include that there are no other existing violations on the property.

17.41.110.D.5

Commissioner Maynard recommended modifications should be reviewed by the Design Review Board.

17.41.120

Vice Chair Jenkins questioned whether there needs to be language with regard to enforcement in the nonconforming signs section.

Commissioner Fuller suggested that any change of business name for a new business should trigger a nonconforming sign being brought into conformance.

Commissioner Maynard agreed if there is a change of business a nonconforming sign should be changed and brought into conformance.

17.41.120.C.1

Commissioner Maynard recommended changing “50 percent” to “75 percent” and changing “within 60 days” to “within 90 days”. She noted public comment requested more time to receive insurance funding. She recommended adding the language “if alterations are made that exceed 75 percent of the replacement cost of the sign, it should lose its nonconforming status”. Also add language “if there is an alteration to the associated business, for example, the renovation is exceeding 75 percent of the value, even if the renovation does not necessarily include the sign, or if there is an onsite construction improvement that exceeds \$50,000, the sign should be updated”.

Chair Onnen commented that he would not support changing “50 percent” in 17.41.120.C.1.

**Chapter 17.42 Standards for Specific Uses and Activities**

17.42.030

Vice Chair Jenkins requested clarification with regard to the term “each district” in the second sentence, first paragraph.

17.42.030.B.4

Vice Chair Jenkins suggested adding “restaurants” to the list of uses prohibited from being accessory uses.

17.42.040

Commissioner Maynard questioned whether art galleries were fully considered because art galleries sometimes display suggestive material and wanted to make sure it was not too restricted.

17.42.040.C



Commissioner Daniels questioned whether the 1,000 foot minimum required distance for location of adult-oriented businesses is appropriate.

Vice Chair Jenkins supported the 1,000 foot minimum required distance for location of adult-oriented businesses.

17.42.040.C.1

Vice Chair Jenkins recommended adding “per” after “located” for clarity.

17.42.040.C.1

Commissioner Maynard suggested consideration be given to changing the language regarding the location of adult-oriented businesses to indicate the minimum distances for education institutions would apply to grades in high school and below, and consider whether the distance requirement would apply to colleges, universities, graduate education programs, and schools with older students.

17.42.040.D.3

Commissioner Maynard questioned why the language regarding litter is so specific for adult-oriented businesses.

Vice Chair Jenkins supported the language with regard to litter.

17.42.050.A

Chair Onnen questioned whether animals are allowed in districts other than residential.

17.42.050.B

Commissioner Fuller noted a total of four household pets would be permitted and changed from three dogs and additional household animals.

17.42.050.C.1

Vice Chair Jenkins commented that large animals should be considered with regard to zoning and not just the size of the lot. He also suggested possibly considering a larger area for keeping a horse, possibly one acre.

Chair Onnen noted that the same language in 17.42.050.C.1 with regard to 20,000 square feet of lot area is reversed in 17.42.050.D, and suggested consistency.

17.42.050.C.2

Commissioner Daniels commented that the language is not detailed with regard to birds. He suggested language be included with regard to peacocks and the potential for noise.

17.42.050.C.2.b

Commissioner Maynard suggested more clear guidelines in 17.42.050.C.2.b similar to those found in 17.42.050.G, Odor and Vector Control.

17.42.050.E

Commissioner Maynard commented that there is a double negative in the language.

17.42.050.F

Commissioner Maynard requested that staff check with animal rescue groups that are allowed to keep certain animals for consideration.

Chair Onnen commented that he supports the prohibition of roosters and he was relieved to understand that roosters are not needed to have eggs.

17.42.060.E

Chair Onnen expressed concern that some sites will not be able to accommodate car haulers with regard to vehicle loading and unloading.

17.42.070.B; 17.42.070.E

Commissioner Maynard suggested for consideration that the orientation of bay doors could be more flexible in 17.42.070.B if the language from 17.42.070.E in the last sentence is added to 17.42.070.B that indicates screen walls are not required when the site is located in an Industrial District that abuts a non-arterial street.

17.42.070.B

Vice Chair Jenkins believes that the requirement for orientation of bay doors is impractical.

Commissioner Daniels agreed with Vice Chair Jenkins that the requirement is impractical. He noted there would be many nonconforming bay doors.

17.42.070.H

Commissioner Maynard questioned if a week is enough time to store a vehicle that is actively being worked on. She clarified that her concern is that an automobile being repaired could be parked outside while actively working on other vehicles inside, for example while waiting for a part.

17.42.070.I

Chair Onnen commented that he does not understand the need for enclosure in a masonry or similar building if the sound goals can be

achieved with different materials being used with regard to body and fender work.

17.42.090.E

Chair Onnen reiterated a comment suggesting the possibility of an Administrative Use Permit rather than a Conditional Use Permit with regard to allowing additional hours of operation for Community Assembly.

17.42.100.A.1

Chair Onnen commented that he did not want the wording “manager” to become prohibitive with regard to community gardens because it may suggest the need for a paid position.

17.42.100.A.2

Commissioner Fuller recommended adding “the” in front of “garden”.

17.42.100.B

Commissioner Maynard recommended adding language that would clarify specific details with regard to the operational plan for community gardens.

17.42.110

Commissioner Fuller commented that he did not see any language with regard to turning off vehicle engines while waiting at drive-through facilities.

Vice Chair Jenkins recommended adding a noise requirement with regard to drive-in and drive-through facilities.

17.42.110.C

Commissioner Maynard recommended a requirement that indicates a traffic study would be done or in accordance with a traffic study to ensure stacking would not interfere with a public right-of-way.

17.42.110.E.2

Vice Chair Jenkins requested clarification regarding the intent of the language with regard to site and building design. Possibly provide an example.

17.42.110.E.4

Vice Chair Jenkins commented that this item seems clearly to be a design guideline with regard to architecture and neighborhood compatibility.

17.42.120.B

Commissioner Maynard recommended adding showers and beds to the list of services that may be provided by emergency shelters.

Chair Onnen supported adding showers and beds.

17.42.120.F

Commissioner Maynard suggested that a well-trained volunteer may be appropriate with regard to management of an emergency shelter. She noted that the language “employee” may be too restrictive.

Chair Onnen suggested changing “employee” to “staff”.

17.42.120.G

Commissioner Maynard suggested that one well-trained employee may be able to provide both management and security functions.

Chair Onnen questioned the necessity of having two people on site for management and security.

17.42.130.A

Commissioner Fuller suggested increasing the proximity of family day care homes, large, to 500 feet or 1,000 feet preferably, if not pre-empted.

17.42.130.G

Commissioner Maynard commented that adding a traffic requirement seems excessive because the restriction on the number of people also restricts the traffic.

Vice Chair Jenkins supported the language as written with regard to traffic. He commented that there are impacts from these kinds of facilities and traffic is a concern.

17.42.130.J

Commissioner Maynard commented that it seems excessive for the expiration of permit automatically when six or fewer children receive care because there may be fluctuations in the number of children. She questioned the reasoning and suggested less than two or three children would be more appropriate for the expiration of a permit.

Chair Onnen commented that he understands this policy would change the designation from a large facility to a small facility.

17.42.130.M

Chair Onnen suggested considering reducing the required number of complaints received from six to possibly four complaints.

17.42.140.B

Chair Onnen supports farmer's markets being approved with an Administrative Use Permit.

Chair Onnen questioned whether it is necessary that all farmer's market permits (or copies) be in the possession of the farmer's market manager or the vendor, as applicable, on the site of the farmer's market during all hours of operation.

17.42.140.D

Chair Onnen commented that the hours of operation seem restrictive for farmer's markets, especially for set-up. Also, the requirement for take-down needs to be realistic.

17.42.160

Vice Chair Jenkins questioned whether there are proximity restrictions with regard to group residential facilities.

17.42.160.C

Commissioner Fuller suggested increasing the common open space in group residential facilities to 50 square feet for each person.

17.42.170

Commissioner Daniels questioned whether information from the FAA was used as a resource with regard to heliports.

17.42.180.B

Commissioner Maynard commented that allowing a small residential window sign should be allowed to indicate a home occupation business. She believes it would be consistent with other areas of sign compliance.

17.42.180.B.2

Commissioner Maynard commented that she does not see the need for structural modification limitations with regard to home occupations, for example upgrading a kitchen to make food.

Vice Chair Jenkins suggested that the structural modification limitation would be unenforceable.

17.42.180.B.4

Commissioner Maynard requested more guidance with regard to requirements for remote employees.

17.42.180.B.5

Commissioner Fuller sought greater clarity as to what would be considered "in excess of what is customarily associated with the district".

17.42.180.B.6.b

Commissioner Maynard commented that tandem parking should not block the sidewalk.

17.42.180.B.7

Commissioner Maynard suggested it would be appropriate to increase the hours of operation for home occupations from 7:00 p.m. to 9:00 p.m.

Commissioner Fuller agreed that 7:00 p.m. is restrictive and recommended 8:00 p.m. or 9:00 p.m.

Vice Chair Jenkins commented that 9:00 p.m. might be reasonable, especially for a tutoring situation.

17.42.180.B.9

Commissioner Maynard commented that storage should be allowed in an accessory building for home occupations as long as guidelines are followed.

Vice Chair Jenkins commented that storage requirements seem unenforceable.

Chair Onnen questioned why the requirement is needed if there is a valid accessory building.

17.42.180.B.10

Commissioner Maynard questioned whether a small delivery van specific to a home occupation business would be allowed.

Commissioner Fuller sought greater clarity as to what would be considered "inconsistent with the normal level of traffic on the street".

Chair Onnen questioned whether defining the size of the vehicle should be defined as well as its use, rather than referring to commercial vehicles.

Chair Onnen expressed concern regarding how to address an occasional need by a home occupation for the use of a sizeable vehicle. He also suggested considering size and weight factors with regard to commercial vehicles.

17.42.180.B.12

Commissioner Maynard commented for consideration if RV parking would be allowed in a driveway maybe similar types of vehicles for home occupation use could be allowed.

17.42.180.B.13

Commissioner Maynard suggested 3D printers be added to the list of home occupation equipment.

Chair Onnen suggested focusing on the noise impact rather than defining a maximum of two horsepower as being permitted which may not be enforceable.

17.42.180.B.14

Commissioner Maynard suggested considering leather tanning and photo processing materials as possible hazardous materials for home occupations, and consulting with the Fire Department.

17.42.180.D

Chair Onnen commented that there are significant regulations regarding massage businesses in Goleta but massage is not addressed with regard to home occupations.

Commissioner Maynard requested more information on massage businesses with regard to home occupations including legal background.

17.42.180.D.2

Commissioner Maynard suggested adding "over four animals" with regard to animal care, sales, and services in consideration of situations where one or two dogs or cats at a time are cared for temporarily in a home.

17.42.180.D.3

Commissioner Maynard questioned whether taxis are permitted. She commented that parking one taxi should be appropriate. She noted that in some situations a taxi may be a person's only car.

17.42.180.D.5

Commissioner Daniels questioned whether Airbnbs and similar uses would be prohibited.

Commissioner Fuller expressed concern that vacation rentals might be eliminated.

Commissioner Maynard requested more thoughtfulness regarding Airbnbs.

17.42.200.C

Chair Onnen requested clarification and the reason with regard to the prohibition of the rental or sale of a portion of a live/work unit located above the ground level.

Recess held from 8:38 to 8:44 p.m.

17.42.230

Commissioner Maynard supported consistency with the recently adopted ordinance regarding medical marijuana uses. She noted generally, it should be allowed somewhere in the city in some form.

17.42.240

Commissioner Fuller commented that he does not have a concern with mobile food trucks and noted they are easier to regulate.

Commissioner Fuller commented that pushcarts are not appropriate, noting that pushcarts can be in the way of pedestrians.

17.42.240.A

Commissioner Maynard suggested consideration to allow other functions for mobile vendors other than the sale of food.

17.42.240.C.2

Commissioner Maynard suggested that parking in a street parking space for a short period of time should be allowed for mobile vendors.

Chair Onnen agreed with Commissioner Maynard's comment.

17.42.240.C.4

Commissioner Maynard questioned where mobile food trucks should be stored overnight, noting there should be a place.

17.42.240.F

Commissioner Maynard commented that she supports ice cream trucks.

Chair Onnen questioned whether there should be some exception to allow for a use such as an ice cream truck.

Vice Chair Jenkins commented he would miss the ice cream truck.

17.42.250.B

Commissioner Maynard questioned why the language needs to be specific regarding products for sale in nurseries and garden centers, and questioned allowing decorative garden items and books.



Vice Chair Jenkins commented that large businesses like Home Depot and OSH consider themselves as garden centers and questioned whether items can be excluded.

17.42.250.C

Commissioner Maynard commented that the enclosure requirements for nurseries and garden centers seems excessive and not consistent with existing nurseries and garden centers, and requested more leniency.

17.42.260.D

Commissioner Maynard noted there could be some situations where furnishings and fixtures in outdoor dining and seating areas are permanently affixed that would be appropriate.

17.42.270.B.2.b

Commissioner Maynard recommended adding “or bikes” at the end of the sentence.

17.42.300.C.1

Commissioner Fuller commented that locating a recycling processing facility at least 100 feet from an R District seems close.

Chair Onnen agreed with Commissioner Fuller’s comment.

17.42.290.F

Vice Chair Jenkins commented that exterior wall treatment and design requirements are design guidelines and should be in a separate design guideline document.

17.42.300.B.1

Chair Onnen questioned the reason for limiting the footprint to 350 square feet for recycling collection facilities.

17.42.300.B.8

Chair Onnen questioned whether rainwater runoff should be addressed with regard to the site for recycle collection facilities, noting the facility seems to be vulnerable.

17.42.300.E.1

Commissioner Fuller commented that the 250 foot distance from an R District seems too close for conversion technology facilities and transformation facilities, noting possible unpleasant odors.

17.42.300.D

Vice Chair Jenkins recommended adding a condition regarding location from an R District for composting and waste disposal facilities.

Commissioner Maynard suggested considering locating the composting portion of a facility in an Agricultural district away from an R District.

17.42.300.D.1

Commissioner Maynard requested clarification with regard to what counts as an infestation and questioned whether language should be added to implement best management practices to reduce pests.

17.42.300.E

Commissioner Maynard requested more language, possibly from APCD, with regard to emissions related to conversion technology facilities, and possibly adding an item #4.

17.42.320.D

Commissioner Maynard questioned why there should not be multiple entrances for single room occupancy housing.

17.42.320.H

Commissioner Fuller commented that four square feet per living unit seems too small for common area for single room occupancy housing, and suggested at least 10 square feet per unit.

Commissioner Daniels noted that 20 square feet of common open space is required for persons in residential care facilities, large, in 17.42.310.B.

17.42.320.K.1

Commissioner Maynard requested more clarity in the language with regard to “defensible space” and “user surveillance”, as well as including expectations.

17.42.330

Vice Chair Fuller questioned whether a separate water meter is required for second dwelling units.

17.42.330.A.2

Commissioner Fuller commented that the language with regard to second dwelling units is not comprehensible and he is concerned that the language seems burdensome.

17.42.330.A.3.b

Chair Onnen commented that “consistent” is not the correct language.

17.42.330.B.1.b

Commissioner Fuller noted that this requirement may preclude many properties from building a second unit.

17.42.330.B.1.d

Commissioner Maynard requested clarification as to why the “by right” language is used and whether it could be softened.

17.42.330.B.1.e

Commissioner Maynard requested clarification regarding the intent for the kind of bathroom, i.e., full or half, etc.

Commissioner Fuller commented that the bathroom should be a full bathroom.

Chair Onnen also requested more definition regarding bathroom facilities.

17.42.350.A.4

Commissioner Maynard requested clarification regarding how flexible the sustainable living site uses can be if the use of the property changes or new uses are integrated into the policy. What would be the change process.

17.42.350.A.6

Commissioner Fuller questioned why only rental housing is allowed with regard to sustainable living research sites.

17.42.350.A.9

Commissioner Maynard requested more guidance regarding the objective, and also if the research fails to meet its objective what are the guidelines for how much it would need to fail to meet its objective.

17.42.350.B.1.b

Commissioner Maynard noted that this requirement may preclude many properties from building a second unit.

17.42.350.B.2

Commissioner Maynard requested specific metrics with regard to the objectives and more guidance regarding findings for a sustainable living site.

17.42.350.B.3

Commissioner Maynard suggested referring to surety bond language in 17.43.040.I.

Commissioner Maynard requested more clarity on how the Sustainable Living Research Site might be administered.

17.42.350.C.6

Commissioner Maynard suggested adding “and any other applicable plans or policies adopted by the City Council”.

Commissioner Maynard requested clarification regarding what is the scope where any changes could occur with regard to sustainable living research sites.

17.42.360.A.1

Commissioner Maynard commented that it would be more appropriate to allow temporary car washes once a month on a site in order to support community activities rather than not more than four times per calendar year.

Commissioner Daniels agreed with Commissioner Maynard’s comment.

Chair Onnen questioned whether a two-day car wash activity would be considered one or two occurrences.

17.42.360.B.1

Commissioner Maynard requested clarity regarding what would warrant a special event that would need a Temporary Use Permit.

17.42.360.B.1

Commissioner Maynard requested clarification regarding allowing no more than four temporary special events and sales events at one site within 12 months. She noted events are held more frequently at parks.

17.42.360.B.2.c

Commissioner Maynard requested adding “bike paths” after “walkways”; and also adding “or bike,” after “pedestrian”.

17.42.360.B.4

Commissioner Maynard questioned whether notice could be given to neighbors when there will be temporary commercial filming, noting it would be helpful if within the City’s purview.

17.42.360.B.8

Commissioner Maynard noted that temporary classrooms have been used for a long period of time and questioned whether regulations with regard to temporary are trying to be too restrictive.

Member Daniels commented with regard to quonset huts.

### **Chapter 17.43 Telecommunications Facilities**

**Question #1:** Should fully concealed (those installed within an existing roof structure/building/fully screened behind an existing parapet) have a simplified review process?

Commissioner Maynard could support a simplified process when not located in a residential area, or when there are no new equipment boxes that would be viewable from a public right-of-way.

Commissioner Fuller said yes.

Vice Chair Jenkins said yes from an aesthetic standpoint but expressed concern about proximity to residential uses and noted that neighbors might need to be informed.

Commissioner Daniels said yes.

Chair Onnen said yes.

**Question #2:** What should the review process be (Administrative Permits or Conditional Use Permit) for non-fully concealed antennas?

Commissioner Fuller supported a Conditional Use Permit.

Vice Chair Jenkins supported an Administrative Permit if the application would be reviewed at a Design Review Board meeting.

Commissioner Daniels supported an Administrative Permit.

Commissioner Maynard supported an Administrative Permit if the application would be reviewed at a publicly noticed Design Review Board meeting.

Chair Onnen supported an Administrative Permit.

**Question #3:** What are the Commission's opinions regarding "faux" designed antennas, for example trees or flagpoles?

Commissioner Daniels could support faux designed antennas if they were truly part of the landscape.

Vice Chair Jenkins could support faux designed antennas if convinced faux antennas could look good.

Commissioner Fuller could support faux designed antennas and noted a preference if the antenna could be architecturally interesting and decorative in design, for example like some of the old lamp posts or other historic structures.

Commissioner Maynard could support allowing faux designed antennas as an option as long as the Design Review Board has the option to veto. She believes this should be a DRB decision. She noted that the General Plan discourages the use of faux designed antennas.

Chair Onnen could support the possibility of faux designed antennas.

#### **Chapter 17.44 Wind Energy Conversion Systems**

##### 17.44.030.A

Vice Chair Jenkins commented that there is the potential for up to five wind energy conversion systems on any lot which seems excessive. He recommended there should be some relationship to the size of the lot and if it is located in a residential area.

Commissioner Maynard commented that energy conversion units are becoming more efficient and it does not seem appropriate for requirements to be based on the energy produced because it will become outdated quickly. She recommended that requirements be based on other factors such as size, noise, and location.

##### 17.44.040

Commissioner Maynard recommended adding language in a new item K with regard to including the study of bird migrations and measures taken to reduce bird kill.

##### Table 17.44.050

Commissioner Maynard recommended using the manufacturer's recommendations for minimum distance separation for all of the Rated Microturbine Capacity items.

##### 17.44.060

Vice Chair Jenkins questioned whether there are setback requirements for wind energy conversion systems.

##### 17.44.060.I

Commissioner Maynard questioned how there would be access for repairs on wind farm sites if on-site roadways are minimized.

17.44.060.J.2

Commissioner Maynard noted that wind farms are very controversial from a visual impacts perspective and suggested adding language that is more specific to describe “adverse visual impacts” with regard to wind energy conversion systems.

17.44.060.K

Commissioner Maynard suggested adding language from 17.43.040.D.7 regarding lighting that would be helpful when people are present at night.

**B. DIRECTOR'S REPORT**

Jennifer Carman, Director of Planning and Environmental Review, reported that the next Planning Commission Meeting will be held on April 11, 2016.

**C. PLANNING COMMISSION COMMENTS**

Vice Chair Jenkins commented that he would not be able to attend a special Planning Commission meeting on April 18, 2016, and he did not want to miss participating in the review of the Draft Zoning Ordinance if the agenda is related to the Zoning Ordinance.

Commissioner Maynard commented that she would support accommodating the schedule to allow Vice Chair Jenkins to participate in the review of the Draft Zoning Ordinance.

**D. ADJOURNMENT**

Adjournment at 9:36 p.m.



**UNAPPROVED  
PLANNING COMMISSION  
MEETING MINUTES  
Monday, April 11, 2016**

6:00 PM  
City Hall  
130 Cremona Drive, Suite B  
Goleta, California

***Members of the Planning Commission***

*Eric Onnen, Chair*

*Gregory C. Jenkins, Vice Chair*

*Brent Daniels, Commissioner*

*Ed Fuller, Commissioner*

*Katie Maynard, Commissioner*

*Jennifer Carman, Secretary*

*Winnie Cai, Deputy City Attorney*

*Linda Gregory, Recording Clerk*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:00 p.m. by Chair Onnen, followed by the Pledge of Allegiance.

**ROLL CALL OF PLANNING COMMISSION**

Present: Chair Onnen, Vice Chair Jenkins, Commissioner Fuller,  
Commissioner Maynard

Absent: Commissioner Daniels

Staff present: Jennifer Carman, Director of Planning and Environmental Review; Anne Wells, Advance Planning Manager; Martha Miller, consultant, RRM Design Group; Winnie Cai, Deputy City Attorney; and Linda Gregory, Recording Clerk.

**PUBLIC FORUM**

No speakers.



## AMENDMENTS OR ADJUSTMENTS TO AGENDA

None.

### **A. ADMINISTRATIVE AGENDA**

#### **A.1 Planning Commission Minutes for the Planning Commission Meeting of March 14, 2016**

**Approve the Planning Commission minutes for the meeting of March 14, 2016.**

#### A.1 [Planning Commission Minutes for the Planning Commission Meeting of March 14, 2016](#)

**MOTION:** Commissioner Fuller/Vice Chair Jenkins to approve the Planning Commission minutes for the meeting of March 14, 2016, as submitted.

**VOTE:** Motion approved by the following voice vote: Ayes: Chair Onnen, Vice Chair Jenkins, Commissioner Fuller, and Commissioner Maynard. Noes: None. Absent: Commissioner Daniels.

### **B. PUBLIC WORKSHOP**

#### **B.1 Review of Draft Zoning Ordinance Part V Administration and Permits and Part VI General Terms**

**It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance Part V Administration and Permits and Part VI General Terms (Attachment 1.)**

#### [B.1 Review of Draft Zoning Ordinance Part V Administration and Permits and Part VI General Terms](#)

#### [B.1 Att. 1 Draft Zoning Ordinance](#)

#### [B.1 Att. 2 Schedule](#)

Staff speakers:

Anne Wells, Advance Planning Manager

Martha Miller, Consultant

Jennifer Carman, Director of Planning and Environmental Review

Anne Wells, Advance Planning Manager, introduced the agenda item.

The staff report was presented by Martha Miller, consultant, RRM Design Group.

Commissioner Maynard reported that she attended the public open house regarding the Draft Zoning Ordinance on April 7, 2016. She was able to talk with a number of community members regarding their thoughts on the Zoning Ordinance.

Chair Onnen opened the workshop for public comments at 6:17 p.m.

Ginger Anderson, with Stantec, on behalf of the Goleta Valley Chamber of Commerce, commented: 1) she had a good meeting with staff last week; 2) the applicability with regard to modifications which has been 20 percent is being proposed at 10 percent, and 20 percent seems more reasonable; 3) regarding exclusions from a modification, there should be flexibility for modifications on lot area, width, and depth--for example, there should be some allowance for cases where there is a lot line adjustment between two parcels that may not already meet the lot area width or depth and a lot line is requested that still will not meet width or depth; 4) requested adding clear direction and definition with regard to the substantial conformity process to allow minor changes and for Development Plan amendments; 5) regarding definitions for accessory use and primary use, suggested the percentages be removed to allow for flexibility; 6) requested further consideration with regard to definitions for bicycle parking including the four hours standard for long-term bicycle parking, and quantifying by "full time equivalent" rather than "full time employee", because full time bicycle parking will require 50 percent covered parking and there may be some land use constraints using those definitions; and 7) requested that the expirations for permits be three years instead of two years because of some of the changes in the process that do not afford that amount of time.

Cecilia Brown commented: 1) requested a separate category for noticing big projects that should have greater noticing requirements than just 300 feet from the property boundary; 2) for modifications, one noticed hearing by the Zoning Administrator should be included in the Zoning Ordinance as a requirement and questioned why it was eliminated; 3) the substantial conformity determination is a useful procedure with robust guidelines and is helpful for all parties concerned; 4) the definitions in the Sign Ordinance proposed by the Design Review Board are more complete than what is proposed in the Definitions section; and 5) she would like to see definitions for lighting.

Kimberly Schizas commented: 1) she believes there needs to be more thought and work with regard to Part V; 2) expressed concern with regard to the elimination of the Land Use Permit and will provide further comment; 3) expressed concern that the Development Plan is eliminated with regard to how an existing Development Plan would be modified; 4) requested clarity with regard to the path for the zoning clearance process; 5) expressed concern that some of the required findings for the Design Review Board overlap with the purview of the Planning Commission, for example with regard to consistency with zoning, which she does not believe is appropriate and may create a difficult situation for staff; and 6) offered her assistance.

Chair Onnen closed the public comment portion of the workshop at 6:27 p.m.

Staff responded to questions from the Planning Commission.

The Planning Commission reviewed the Draft Zoning Ordinance as follows:

### **Chapter 17.52 Planning Authorities**

#### **17.52.040**

Vice Chair Jenkins requested that 17.52.040 be included in the review by the Design Review Board with regard to the Design Review Board powers and duties.

Chair Onnen suggested adding 17.52.040.C to add the authority of the Design Review Board to make recommendations on policies with regard to matters related to design guidelines, if appropriate.

Commissioner Maynard suggested language that is specific to design and signage within design and architectural guidelines with regard to the authority of the Design Review Board to make recommendations on policies with regard to matters related to design. If there is an ordinance related to design and architecture specifically she would support including the DRB with regard to approval.

Commissioner Maynard commented that she would support codifying DRB review in the process.

#### **17.52.050.D**

Commissioner Fuller requested clarification of the process for violations of permit terms and conditions and the Director's duties.

17.52.060

Commissioner Maynard suggested it might be helpful to add a table that consolidates the decisions that can be made by the Zoning Administrator for clarification.

17.52.060.B

Commissioner Fuller requested review by the Planning Commission of written rules and procedures issued by the Zoning Administrator.

17.52.060.F.4

Commissioner Maynard recommended that all Negative Mitigations and Mitigated Negative Declarations are reviewed by the Planning Commission.

17.52.060.I

Commissioner Fuller commented that it would be helpful to include a cross-reference to the section where there is reference to signs that do not require action by the Design Review Board.

Commissioner Fuller commented that cross-references in the Zoning Ordinance would be helpful for the public.

Chair Onnen commented that there needs to be a reference to signs that can have administrative sign review.

**Chapter 17.53 Common Procedures**

17.53.020.B

Vice Chair Jenkins requested streamlining the application forms and eliminating repetitiveness.

17.53.030.D

Commissioner Fuller commented that 30 business days from the application seems like a long time for a preliminary review conference to take place.

Commissioner Fuller requested consistency in language with regard to “business days” and “calendar days”.

17.53.060

Chair Onnen commented with regard to public notification that he requested any changes that can address and clarify at what point the public is notified. He also commented that there is public interest regarding when applications are submitted and are deemed complete.

Vice Chair Jenkins commented that in some jurisdictions an architect is required to knock on the doors of 10 neighbors to advise them of a proposed project and provide an opportunity to review the plans, as a “good neighbor” policy. If the neighbor is not home, a form is left there.

Commissioner Maynard commented in favor of knocking on the door of 10 closest neighbors with regard to reviewing plans for a proposed project.

Vice Chair Jenkins questioned whether the issue with regard to copyrights is addressed regarding posting of architectural plans online

Commissioner Fuller suggested sending notices out as soon as possible.

Commissioner Maynard commented that the public can sign up for notifications on the City’s website and suggested adding a category regarding notice of new applications.

Commissioner Maynard requested delineating when it would be appropriate to issue a press release; for example, a large development, or a change in land use.

17.53.060.B.4

Commissioner Fuller commented that it would be good to have more detail in the general description of the proposed project in the public notice; for example, a list of the requested modifications, or variances, or changes in the General Plan that might be requested.

Commissioner Maynard supported Commissioner Fuller’s comment.

17.53.060.C.1.b

Commissioner Maynard commented that the notification requirements of 300 feet outside the Coastal Zone and 100 feet within the Coastal Zone are small distances. She requested increasing the distances, especially for larger projects, and supported 1,000 feet. She questioned why the distance within the Coastal Zone is shorter than outside the Coastal Zone, and requested that the numbers be increased.

17.53.060.C.3

Vice Chair Jenkins commented that there needs to be a pen or marker that can be used that will not fade on posted signs.

Commissioner Fuller noted a typo that needs to be changed from “posed” to “posted”.

17.53.060.C.5

Commissioner Maynard questioned who would be responsible for noticing blind, aged, and disabled community members with regard to drive-through facilities, and for keeping track of the list.

17.53.070.C

Commissioner Fuller recommended including “staff recommendation” as part of the presentation.

17.53.070.D

Chair Onnen commented that he has a concern and questioned whether it is appropriate that the presiding officer may require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.

17.53.070.F

Commissioner Fuller requested clarification if there would be a time period for director’s research, and if it would be available to the public within a certain time before the hearing.

17.53.090

Commissioner Fuller questioned whether public testimony or evidence submitted at hearings would be part of the conditions of approval.

17.53.100.C

Commissioner Maynard noted a typo at the end of the paragraph (remove the extra period).

17.53.110.A

Commissioner Maynard commented that language needs to be added regarding substantial conformity. Also, add language with regard to revisions to existing development plans.

17.53.130.C

Commissioner Fuller commented that ten days seems short as a time limit for filing an appeal.

Vice Chair Jenkins commented that ten days is very common as a time limit for filing an appeal and he is comfortable with 10 days.

17.53.130.D.3

Vice Chair Jenkins recommended adding item “1” regarding fees required for filing of appeals.

17.53.130.D.3.h

Commissioner Fuller requested a definition of the term “petition”.

17.53.130.E.5

Commissioner Fuller pointed out that there should be consistency between “business days” and “calendar days”.

**Chapter 17.54 Zoning Clearance**

17.54.020

Commissioner Fuller expressed concern with regard to applicability for a Zoning Clearance. For example, he expressed concern that the language would restrict the built environment to very confined uses because of the parking regulations. Also, he noted the language does not exclude residential uses.

17.54.030.B

Chair Onnen commented that he supports the process that the Zoning Administrator may refer a Zoning Clearance for determination by the Planning Commission as deemed necessary.

17.54.040

Commissioner Fuller questioned what uses and structures are not subject to any building or zoning regulations.

**Chapter 17.56 Design Review**

Vice Chair Jenkins commented that this section will be reviewed by the Design Review Board.

Commissioner Maynard commented that she looks forward to the review by the Design Review Board.

17.56.020.A.1; 17.56.020.A.4; 17.56.020.A.5

Commissioner Fuller commented that it seems 17.56.020.A.4 and 17.56.020.A.5 are covered in 17.56.020.A.1 with regard to exterior alterations and installations for which a building permit required.

17.56.020.B.3

Commissioner Maynard commented that second units and residential accessory structures should be reviewed by the DRB not just the Zoning Administrator.

Commissioner Fuller agreed with Commissioner Maynard’s comment.

Chair Onnen commented that there is a level with regard to second units and residential accessory structures that should be reviewed by the DRB, and there are also opportunities where DRB review would not be needed.

17.56.020.B.6

Commissioner Fuller commented that he is not sure about removing non-illuminated building mounted signs, except in the Old Town Heritage District, from review by DRB.

17.56.020.C.4

Commissioner Fuller commented with regard to the language “does not significantly change the streetscape” that any development that would change the streetscape should not be exempt from Design Review.

Vice Chair Jenkins requested that 17.56.020.C.4 be reworked because he believes an addition of 750 square feet could affect the streetscape and should have Design Review. Also, any addition to the second story should have Design Review.

17.56.030.A.1

Commissioner Maynard commented that codifying Conceptual Review is limited to one meeting is restrictive and suggested it would be helpful to allow flexibility for the DRB to continue Conceptual Review in situations where needed.

Commissioner Fuller agreed with Commissioner Maynard’s comment.

Vice Chair Jenkins suggested adding language indicating that Planning Commission review would be added if necessary.

Vice Chair Jenkins recommended that the DRB has an opportunity to request additional Conceptual Review if needed.

17.56.030.C.2

Chair Onnen requested clarification with regard to the language “with assistance where appropriate from the Design Review Board Chair or the Chair’s designee”.

17.56.030.D

Commissioner Maynard requested assurance that there is flexibility for the DRB to continue an item with multiple levels of approval to another meeting if needed.

Commissioner Fuller agreed with Commissioner Maynard’s comment.



Chair Onnen supported 17.56.030.D regarding multiple levels of approval at a single meeting.

17.56.040

Commissioner Fuller recommended including architectural details with regard to scope of review.

17.56.060.E

Vice Chair Jenkins suggested adding language to indicate “where appropriate”.

Commissioner Maynard requested more clarity with regard to the “surveillance” aspect, and possibly seeking input whether that is a goal of the community.

17.65.060.F

Commissioner Fuller suggested adding “or improves” prior to “the historical or visual character”.

17.56.060.I

Commissioner Fuller suggested including language encouraging on-site renewable energy production if this is the appropriate place in the Zoning Ordinance.

Commissioner Maynard commented that the language is vague and recommended language regarding more specific goals.

Recess held from 7:58 to 8:08 p.m.

**Chapter 17.58 Coastal Development Permit**

17.58.050

Vice Chair Jenkins requested the definition of “de minimis development”.

17.58.080.C,2

Commissioner Maynard questioned whether the appeal rights are a Coastal Commission restriction or if an appeal can be allowed for a second time.

17.58.120.B

Commissioner Maynard questioned whether there can be an option for notice by electronic mail.

Chair Onnen agreed with Commissioner Maynard’s request.

17.58.130.B

Commissioner Fuller suggested rewording the language with regard to application after denial.

**Chapter 17.59 Modifications**

Vice Chair Jenkins recommended considering language with regard to noticing neighbors.

Commissioner Maynard agreed with the request to add noticing language.

17.59.010

Commissioner Fuller suggested rewording the purpose away from suggesting a modification is a substitute when a variance is not granted.

17.59.020

Vice Chair Jenkins questioned clarification regarding whether there is a hearing required for a modification. He noted that in other jurisdictions, the procedure is lengthy. He questioned whether we are serving the public well with a limited procedure.

Vice Chair Jenkins questioned whether the request from the public to increase the modifications to 20 percent should be considered.

Commissioner Maynard commented that administrative review would be acceptable as long as the modification stays at up to 10 percent and the height standard for a building is removed and considered at a public hearing.

Chair Onnen commented that he would support an administrative modification procedure to allow for minor changes to be done because it would be cost effective and time effective, and would be appealable.

17.59.040.C.1

Commissioner Maynard commented that the required findings seem vague. She requested definition with regard to “exceptional or extraordinary circumstances”, and “superior design”.

17.59.040.C.4

Commissioner Maynard commented that “superior quality” is vague.

**Chapter 17.61 Emergency Permits**

17.61.020.E

Chair Onnen commented that there was a recent situation that required an Emergency Permit and wondered whether these findings created any undue pressure.

### **Chapter 17.62 Development Agreements**

#### 17.62.060.A

Commissioner Fuller requested clarification regarding why the applicant is required to initiate the required annual review.

Chair Onnen agreed with Commissioner Fuller's comments.

Chair Onnen commented in support of the annual review process. He requested looking at how the process is initiated.

#### 17.62.080.B

Commissioner Fuller commented that the language is not clear.

Commissioner Maynard questioned whether it is appropriate to still reference land use permits.

### **Chapter 17.63 Amendments to Zoning Regulations and Zoning Map**

#### 17.63.020.A

Vice Chair Jenkins suggested including the Planning Commission with regard to authority to initiate an amendment to the Zoning Map or zoning regulations.

### **Chapter 17.64 Amendments to the General Plan**

#### 17.64.040.C.1

Commissioner Maynard commented that 17.64.040.C.1 covers the goals with the General Plan.

#### 17.64.040.C.2

Commissioner Maynard suggested removing "or in the General Plan" because she believes it was accomplished in 17.64.040.C.1, and any amendment will have an effect on the General Plan.

#### 17.64.040.C.4

Commissioner Maynard questioned whether the language in 17.64.040.C.4 with regard to public facilities needs to be included as a requirement in the findings.

### **Chapter 17.70 Use Classifications**

17.70.010 Residential Care Facilities, Large

Commissioner Fuller recommended that reference be made that these requirements are State terms and may be changed by the State.

17.70.010 Supportive Housing

Commissioner Maynard noted a typo which is a space missing between the section code number and “of”.

17.70.020 Community Assembly

Commissioner Maynard requested clarification whether banquet centers would be either in Community Assembly or Commercial Entertainment and Recreation, Banquet and Conference Center (17.70.030).

Chair Onnen commented that it seems confusing that day care centers are excluded in Community Assembly and seems inconsistent with some uses in types of church facilities.

17.70.020 Sustainable Living Research Site

Commissioner Maynard commented that she believes “in partnership with educational institutions” is too restrictive and suggested language such as “in partnership with accredited experts including educational institutions”.

17.70.030 Automobile/Vehicle Sales and Services

Chair Onnen commented that there is no use listed for selling large trucks and buses.

17.70.030 Automobile/Vehicle Service and Repair, Major

Chair Onnen recommended more specific language with regard to large equipment such as large trucks and buses.

17.70.030 Commercial Entertainment and Recreation, Banquet and Conference Center

Commissioner Maynard requested clarification whether banquet centers would be either in Community Assembly (17.70.020) or Commercial Entertainment and Recreation.

17.70.030 Building Materials, Sales and Service

Vice Chair Jenkins commented that there are some large big-box type of stores that include building materials sales, and questioned whether this is considered globally.

17.70.030 Lodging and Visitor Services

Commissioner Maynard suggested language with regard to Airbnbs may be helpful.

17.70.030 Mobile Food Facility/Vendor

Commissioner Fuller commented that there is not a place for push carts in the community and suggested removing any reference to push carts.

Commissioner Maynard commented if there will be consideration with regard to push carts she would recommend making push carts a separate definition rather than eliminating it.

17.70.030 Nurseries and Garden Center

Commissioner Maynard suggested considering the concern with regard to building materials and nurseries and garden centers.

Chair Onnen commented that the requirement that fertilizer and soil products are stored and sold in package form only should be removed, noting that these items can be stored and sold in a bulk fashion.

Commissioner Maynard commented that it seems like there needs to be a reference to alternatives or definitions when there are restrictions in place.

17.70.050 Light Fleet-Based Services

Chair Onnen requested that the capacity limit of 10,000 pounds be examined. For example, an ambulance could be excluded.

17.70.060 Agricultural Uses, Animal Raising

Commissioner Maynard requested clarification with regard to the definition for raising animals not on a farm and not as a household pet.

**Chapter 17.71 List of Terms and Definitions**

17.71.010

Commissioner Maynard requested in general that the page number be listed to find the definition for the terms in the list, similar to an index.

Design Review Board

Vice Chair Jenkins recommended adding "(DRB)".

17.71.020

Carpport

Vice Chair Jenkins suggested changing "not more than two sides" to "not more than three sides", noting that three sides are more common.

Design Review Board

Vice Chair Jenkins recommended including "DRB" in parentheses.

### Floor Area

Vice Chair Jenkins recommended definitions for both “floor area gross” and “floor area net”.

### Pervious

Vice Chair Jenkins recommended adding “permeable”, such as “pervious/permeable” because permeable is also a very common term when it deals with stormwater management.

### Tree

Commissioner Fuller questioned the language “See Tree Definitions”.

### Lighting-Related Definitions

Commissioner Maynard questioned whether there should be consistency for the illumination measurements with regard to the terms of foot-candle and lumens. She noted a different light rating was used in the Signs Chapter. Should one term be chosen?

### Figure 17.17.020(A)

Vice Chair Jenkins commented that the diagram is very helpful.

### Parking, Bicycle, Long-term

Commissioner Fuller noted that there was previous discussion with regard to long-term bicycle parking designed for those who stay at a site for four hours or longer.

Commissioner Maynard recommended adding language with regard to the discussion regarding parking in another chapter. She prefers the term “full time equivalent” as opposed to full time employees. She would support extending the number of hours from four hours to six or eight hours.

Chair Onnen commented that he has concerns with the related requirement for fifty percent of long-term bicycle parking to have covered parking, and with the four hours for long-term parking.

### Sign Terms

Vice Chair Jenkins requested that comments from the DRB and speaker Cecilia Brown are considered.

### Sign Terms, Electronic Copy

Commissioner Maynard requested a separate definition for signs that can change copy by just flipping a number or letter as compared to signs with LED lights, for clarity with regard to the terms.

### Sign Terms, Window Sign

Commissioner Maynard commented that it may be helpful to have two separate definitions with regard to a permanent window sign vs. a temporary window sign. For example, a temporary window sign could be a notice for a one-time purpose or notice.

Specified Sexual Activities

Vice Chair Jenkins noted there is a typo with regard to “public”.

Substantial Conformity

Vice Chair Jenkins recommended adding a definition with regard to Substantial Conformity.

Zoning Administrator

Commissioner Maynard recommended adding a definition that is more appropriate such as the Director of Planning and Environmental Review or such Director’s designee.

Anne Wells, Advance Planning Manager, reported that outstanding items with regard to the Draft Zoning Ordinance will be on the agenda at the next Planning Commission meeting on April 25, 2016.

**C. DIRECTOR'S REPORT**

Jennifer Carman, Director of Planning and Environmental Review, provided an update on the application for the Verizon Wireless Street Light Cell Site Evergreen Terrace West. When the item is re-scheduled for the Planning Commission hearing additional notice will be sent to the neighbors and all concerned parties.

**D. PLANNING COMMISSION COMMENTS**

Commissioner Maynard congratulated staff for the tremendous amount of work with regard to the Draft Zoning Ordinance.

Commissioner Maynard commented that she will not be present at the Planning Commission meeting on June 27, 2016

**E. ADJOURNMENT**

Adjournment at 8:40 p.m.



**Agenda Item B.1  
PUBLIC WORKSHOP  
Meeting Date: April 25, 2016**

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**TO:** Planning Commission Chair and Members

**FROM:** Jennifer Carman, Planning & Environmental Review Director  
Anne Wells, Advance Planning Manager

**SUBJECT:** Review of Draft Zoning Ordinance Outstanding Items

**RECOMMENDATION:**

It is recommended that the Planning Commission receive a presentation, allow public comments, and provide feedback on the Draft Zoning Ordinance Outstanding Items.

**BACKGROUND:**

The City initiated the Zoning Ordinance Project (Project) with the purpose of preparing new zoning regulations that are consistent with and reflective of the City's adopted General Plan. Public outreach on the development of new zoning regulations occurred from October 2013 through November 2014. Following public outreach, staff and consultant reviewed public and Planning Commission input and prepared a Draft Zoning Ordinance for public review. The Draft Ordinance was released in November 2015 along with a User's Guide and a table comparing the existing with draft zoning standards. All materials for past and current public meetings, background materials, and the 2015 Draft Zoning Ordinance are available at [www.GoletaZoning.com](http://www.GoletaZoning.com).

The Planning Commission initiated the workshop process on the City's first Draft Zoning Ordinance in early January 2016. A list of past workshops, meeting minutes, and summaries detailing public and Commission input is provided below:

| <b>Workshop Number</b> | <b>Date</b> | <b>Subject</b>   | <b>Meeting Minutes and Comment Summary</b>  |
|------------------------|-------------|--|---|
| Workshop 1             | 1-11-16     | Part I: General Provisions                                   | Minutes: Agenda Item A.1 (1-25)<br>Summary: Agenda Item B.1 (1-25)                          |
| Workshop 2             | 1-25-16     | Part II Base Zoning Districts and Part III Overlay Districts | Minutes: Agenda Item A.1 (2-8) and Agenda Item A.1 (2-22)<br>Summary: Agenda Item B.1 (2-8) |
| Workshop 3             | 2-8-16      | Part IVa Regulations Applying to Multiple Districts          | Minutes: Agenda Item A.2 (2-22) and Agenda Item A.1 (3-14)                                  |



| Workshop Number | Date    | Subject   | Meeting Minutes and Comment Summary                                |
|-----------------|---------|---|--|
|                 |         |   | Summary: Agenda Item B.1 (2-22)                                    |
| Workshop 4      | 2-22-16 | Part IVb Regulations Applying to Multiple Districts         | Minutes: Agenda Item A.2 (3-14)<br>Summary: Agenda Item B.1 (3-14) |
| Workshop 5      | 3-14-16 | Part IVc Regulations Applying to Multiple Districts         | Minutes: Agenda Item A.1 (4-11)<br>Summary: Agenda Item A.1 (3-21) |
| Workshop 6      | 3-21-16 | Part IVd Regulations Applying to Multiple Districts         | Minutes: Agenda Item A.1 (4-25)<br>Summary: Agenda Item B.1 (4-11) |
| Workshop 7      | 4-11-16 | Part V Administration and Permits and Part VI General Terms | Minutes: Agenda Item A.2 (4-25)<br>Summary: Agenda Item B.1 (4-25) |

*Note: All staff reports, meeting minutes, and meeting summaries are posted on GoletaZoning.com.*

Each of the workshop staff reports includes a response to the Planning Commission requests for clarification or additional information from the previous public workshop. This staff report includes a summary of requests for clarification or additional information from the last workshop, hosted by the Planning Commission on April 11, 2016. At the April 11, 2016 workshop, the Planning Commission requested additional information regarding Chapter 17.45 Zoning Clearance. Staff responses are as follows:

**Chapter 17.54, Zoning Clearance Process:** A Zoning Clearance is required for all new and modified uses, construction of buildings or structures, use of vacant land, changes in character of the use of land or building, or for substantial expansions in the use of land or building. Basically, it is verification conducted by staff that whatever use or construction is proposed complies with the Zoning Ordinance and any applicable permit condition.

**Chapter 17.54, Zoning Clearance and Definition of "Structure":** Structure is defined as “anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.” An example of a structure that is not subject to building or zoning regulations is a clothesline. A Zoning Clearance is not required for structures that are not subject to building or zoning regulations.

In addition to the Planning Commission workshops, the Design Review Board (DRB) considered Part V Administration and Permits and provided feedback to staff at their meeting on April 12, 2016. Draft meeting minutes from the April 12, 2016 DRB meeting are provided, per Planning Commission's request (Attachment 1). These comments are in addition to DRB input on January 26, 2016, February 9, 2016, February 23, 2016, and March 8, 2016.

Open Houses were hosted by City staff on January 27, February 27, and April 7, 2016 at which times valuable feedback from the public was received. Comment

summaries from the Open Houses are provided on the City's project website at GoletaZoning.com.

## **DISCUSSION:**

This Planning Commission public workshop is the eighth in a series of Draft Zoning Ordinance workshops. With the completion of the Draft Zoning Ordinance page turn at the April 11 workshop, staff is requesting Planning Commission input on four outstanding items, the subject of this staff report and eighth public workshop. These items are related to recreational vehicle (RV) parking and storage, signs, community assembly, and design review. A summary of the outstanding items is provided below and will be presented in more detail at the April 25, 2016 public workshop:

### **1. Draft Zoning Ordinance Section 17.39.070 RV Parking and Storage**

The Planning Commission discussed the RV parking and storage provisions included in the Draft Zoning Ordinance at the February 22, 2016 Public Workshop and requested information on how other jurisdictions regulate RV parking and storage. A summary of regulations regarding RV parking and storage from a sample of other jurisdictions is provided in Attachment 2.

On February 22, 2016, the Planning Commission reviewed Draft Ordinance Section 17.39.070 RV Parking and Storage, noting that the section was overly restrictive. Commissioners discussed various alternatives such as allowing recreational vehicles to park in a front setback as long the sidewalk is not blocked, confining RVs to paved parking areas, and requiring RVs to be licensed and registered. The Planning Commission also questioned the size limitation and screening requirements. Based on staff review of other RV regulations and input from the Planning Commission and public, staff recommends revising the RV parking and storage regulations in the Draft Zoning Ordinance as follows:

- Allow RV parking and storage in the front setback provided there is no existing driveway or other access to another portion of the property that can accommodate the trailer or recreational vehicle and the RV does not project into the public right-of-way;
- Require current RV registration for operation on public streets;
- Prohibit use of an RV for living purposes;
- Require RVs to be parked on an approved driveway with access provided via a city-approved approach or road; and
- Remove any RV size limitations and screening requirements.

### **2. Draft Zoning Ordinance Chapter 17.41 Signs**

The Planning Commission discussed the sign regulations included in the Draft Zoning Ordinance at the March 21, 2016 Public Workshop and requested a comparison of the sign regulations in the Draft Zoning Ordinance and the existing Sign Ordinance. A table comparing the draft with the existing sign regulations is

provided in Attachment 3. The information in this table is provided for background purposes and is not intended to replace review of the full text of the draft and existing regulations.

A second sign-related table is provided in Attachment 4. This table is provided in response to public and DRB input and compares the sign regulations in the Draft Zoning Ordinance with 2004 DRB suggested sign regulations.

On March 21, 2016, the Planning Commission discussed a variety of subjects relating to Chapter 17.41 Signs, such as the scope of the requirements, electronic copy signs, and provisions regarding changing the face of nonconforming signs. Based on staff review of the existing and draft sign regulations and input from the Planning Commission and public, staff has the following feedback and recommendations for revising the sign regulations in the Draft Zoning Ordinance:

- In response to the sign regulations scope comments, staff notes that sign ordinances should be content-neutral to the greatest degree practicable. The most common form of content-neutral regulation is so-called “time, place, or manner” regulation which does no more than place limits on when, where, and how a message may be displayed on a sign. Provisions in sign ordinances that are content based are not invalid per se, but courts apply a more stringent level of review to provisions that are content-based versus provisions that are content-neutral. The courts have recognized that local government needs some leeway in navigating free speech protections, so when there are a limited number of content based provisions that are not intended to censor or restrict speech, courts tend to uphold the sign ordinance against a challenge that it is unconstitutionally content-based. Pornographic and vulgar content of signs is regulated by obscenity laws and regulations. Staff does not think that this additional information warrants a change to the Draft Zoning Ordinance because the wording in Chapter 17.41 Signs was prepared in light of the content-neutral requirement.
- The Commission discussed Section 17.41.060(H) General Provisions for All Sign Types - Changeable Copy Signs and whether or not the regulations could further restrict or prohibit these types of signs. For the Commission's information, case law regarding electronic copy signs is emerging and sign ordinances can be subject to strict scrutiny when they impose prohibitions on an entire category of signs, even where the regulation is not content-based. With limitations on the location, size, number, brightness, and display duration and the requirement for design review, staff considers that the regulations are as restrictive as possible. Commission comments regarding display duration and light intensity standards in Section 17.41.060(H) are under review by staff, as are all the zoning comments. Specifically, staff is considering changing the copy sign display duration from four to eight seconds and completely changing the copy sign light intensity to reflect 0.3 foot-candles, consistent with other sign light intensity standards in the Draft Zoning Ordinance.

- The Commission discussed Section 17.41.120 Nonconforming Signs and whether or not the regulations could require conformity if there was a change in business or change in sign copy. For the Commission's information, the courts have found that new owners can change the copy of a nonconforming sign without bringing the sign into conformance. There are several court cases that support a sign owner's right to change the face or copy of a sign without interference by a governing body. As such, staff does not recommend any change to Section 17.41.120 Nonconforming Signs.

### **3. Draft Zoning Ordinance Section 17.42.090 Community Assembly**

The Planning Commission discussed the community assembly regulations included in the Draft Zoning Ordinance at the March 14, 2016 Public Workshop and expressed concerns regarding Section 17.42.090.E Community Assembly - Hours of Operation. Concerns were raised that this provision would overly restrict hours of worship and assembly. The Commission noted that Chapter 17.40.080 Noise addresses potential neighborhood conflicts with community assembly uses and the need for a time restriction was therefore unnecessary.

Staff notes that in addition to the noise standards provided in Chapter 17.40.080, the Draft Zoning Ordinance includes standards in Chapter 17.42.090 Community Assembly related to minimum site area for community assembly uses, building setbacks from residential districts and uses, parking setbacks, outdoor activity area setbacks, and permitted accessory uses. Together, these standards support community assembly uses while addressing potential neighborhood conflicts. For all of these reasons and based on input from the Planning Commission and public, staff recommends revising the community assembly hours of operation as follows:

- Eliminate Section 17.42.090.E Community Assembly - Hours of Operation, the hours of operation restriction for Community Assembly uses.

### **4. Draft Zoning Ordinance Chapter 17.56 Design Review**

The Planning Commission discussed Draft Zoning Ordinance design review procedures at the April 11, 2016 Public Workshop and expressed interest in receiving the DRB's comments regarding Chapter 17.56 Design Review. Draft meeting minutes from the April 12, 2016 DRB's review of Chapter 17.56 are included in Attachment 1. Staff is currently reviewing those comments.

In light of the DRB comments on Chapter 17.56 Design Review, staff recommends that the Planning Commission support staff's review of the Design Review Board comments on Chapter 17.56 Design Review and provide any additional guidance as the Commission sees fit. Staff will make necessary revisions, to be released in the revised Draft Zoning Ordinance.

**NEXT STEPS:**

Following this eighth public workshop, staff will proceed with preparing the Public Hearing Draft Zoning Ordinance. In addition to the Planning Commission's input on the four outstanding items identified in this staff report, all Planning Commission and public input will be reviewed as part of this effort. We anticipate that the Public Hearing Draft Zoning Ordinance will be released in early summer in advance of Planning Commission public hearings which will be followed by City Council hearings. Public hearings remain unscheduled at this time. Staff will utilize multiple public outreach tools when the Public Hearing Draft Zoning Ordinance and public hearing schedule is available to ensure that the public is aware of and has access to this information.

For your information and reference, the materials listed above along with other staff reports and resources, are available on the project website (GoletaZoning.com).

Approved By:

Prepared By:

\_\_\_\_\_  
Jennifer Carman  
Planning Commission Secretary

\_\_\_\_\_  
Anne Wells  
Advance Planning Manager

Attachments

- Attachment 1: DRB Draft Meeting Minutes (April 12, 2016)
- Attachment 2: Comparison of Recreational Vehicle (RV) Ordinances
- Attachment 3: Comparison of the Draft and Existing Sign Ordinance
- Attachment 4: Comparison of the Draft Sign Ordinance and 2004 DRB Suggested Sign Regulations

Attachment 1

DRB Draft Meeting Minutes (April 12, 2016)





**MINUTES - UNAPPROVED  
DESIGN REVIEW BOARD MEETING  
Tuesday, April 12, 2016**

3:00 P.M.  
City Hall – Council Chambers  
130 Cremona Drive, Suite B  
Goleta, California

***Members of the Design Review Board***

Carl Schneider (Architect), Chair  
Thomas Smith (At-Large Member), Vice Chair  
Scott Branch (Architect)  
Erin Carroll (Landscape Architect)

Gregory Hyman (Landscape Architect)  
Bill Shelor (At-Large Member)  
Aaron Swaney (At-Large Member)  
Dennis Whelan (Alternate)

*Mary Chang, Secretary  
Linda Gregory, Recording Clerk*

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**Sign Subcommittee – 2:45 P.M.**

Members: Thomas Smith, Erin Carroll, and Bill Shelor

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**J. DISCUSSION ITEM**

**J.1 Review of Draft Zoning Ordinance**  
Part V Administration and Permits  
Chapter 17.56 Design Review

Staff speaker:

Jennifer Carman, Director of Planning and Environmental Review

Alternate Member Whelan participated in the Draft Zoning Ordinance review.

17.56.010.A Applicability

Member Schneider recommended adding “landscaping” and reorganizing the list to read “sites, buildings, landscape and signs”.

17.56.010.C Applicability

Alternate Member Whelan recommended deleting “of” after the word “control”.

17.56.020.A.1 Applicability and Review Authority

Alternate Member Whelan recommended that the language be reworked to clarify that applicability and review authority applies to stand-alone landscaping projects.



Member Carroll commented that there should be language added with regard to stand-alone landscape projects, or square footage thresholds, or commercial vs. residential applicability. He believes commercial projects that are visible should be included. Possibly for single-family homes applicability would not be necessary for a landscape-only project. He also suggested considering square footage or tree removal issues.

Member Schneider commented that there should be some kind of trigger for applicability.

Alternate Member Whelan suggested perhaps the percentage of the site proposed would be a trigger.

#### 17.56.020.A.3 Projects Referred by the Zoning Administrator to the DRB for review

Member Shelor questioned whether there are current examples of projects referred by the Zoning Administrator to the DRB. He commented that he understands the underlying concept of streamlining and noted in some ways he would prefer the other way around, i.e., the DRB referring projects to the Zoning Administrator.

#### 17.56.020.B Administrative Design Review

Member Shelor commented that the Zoning Administrator decisions are televised by the City of Santa Barbara and questioned if there is any consideration to televise the Zoning Administrator decisions so there is some level of transparency for the public

#### 17.56.020.B.3 Administrative Design Review

Member Schneider commented that second units need to be reviewed by the Design Review Board. Also, with regard to residential accessory structures, he recommended that it would depend on the type of structure and that accessory structures should also be reviewed by the Design Review Board. He commented for example that a detached garage or pool house would fit in the definition of an accessory structure.

Chair Branch agreed with Member Schneider's recommendation.

#### 17.56.020.B.5 Administrative Design Review

Chair Branch expressed concern about the word "additions", noting that the word "additions" needs to be refined, and the language needs to be reworded.

Member Schneider commented that there are two elements with regard to the trigger that are split up in the proposed language, and that the language needs to be cohesive.

Member Carroll recommended that replacing the term "replacement in-kind" with language such as "like for like" or "match existing" would be better.

Chair Branch agreed with Member Carroll's recommendation.

#### 17.56.020.B.6 Administrative Design Review

Member Shelor requested clarification with regard to whether a significantly larger and brighter sign that is not necessarily illuminated should go to the Design Review Board.

Member Schneider recommended that all signs should be reviewed by the Design Review Board rather than choosing some signs.

Chair Branch commented that there should be clarification with regard to the kind of applicability for signs that the public may want to change because the public needs to know.

#### 17.56.020.C.2 Exemptions

Member Schneider recommended changing the language “on the ground” to “ground-mounted”.

#### 17.56.020.C.4 Exemptions

Member Schneider recommended changing the language from “single-unit home” to “single-family dwelling” in both places in this paragraph.

#### 17.56.020.C.5 Exemptions

Member Schneider recommended capital first letters for “Master Sign Plan”.

#### 17.56.030.A Conceptual Review

Chair Branch questioned how the Conceptual Review process would work when the Design Review Board recommends revisions and wants to continue the Conceptual Review. He does support the opportunity for the applicant to request additional Conceptual Review meetings. He noted as an example that he would support an applicant requesting additional Conceptual Review for favorable comments when the project will be going to the Planning Commission for review.

Member Schneider commented that he has a problem with Conceptual Review being limited to one meeting and only the applicant having the opportunity to request another Conceptual Review. He recommended removing the following sentence: “Conceptual Review is limited to one meeting unless additional meetings are requested by the applicant”. He believes the Design Review Board should be allowed to request additional Conceptual Review meetings and he agreed with Chair Branch’s comment.

Member Schneider commented, as an example, that he believes only allowing one Conformance Review for a project going to the Planning Commission would need to be a situation with a joint hearing of the Planning Commission and Design Review Board. He also recommended addressing a possible situation where a project going to the Planning Commission could receive positive comments from a DRB Conceptual Review, then revise the project and receive approval by the Planning Commission prior to Design Review by the DRB.

Member Schneider questioned whether Conceptual Review could be conducted prior to an application.

Member Shelor expressed concern regarding Conceptual Review being limited to one meeting. He commented that it puts a burden on the Design Review Board and may require longer meetings.

Member Shelor appreciates that there is a land use component with regard to the Conceptual Review that can be of assistance to the applicant early in the process.

#### 17.56.030.B Design Review

Member Schneider recommended that all guidelines and documents being referenced are available and that there is clarity regarding the approval status of the guidelines.

#### 17.56.030.C Conformance Review

Member Carroll requested eliminating Conformance Review and reverting back to the Consent Calendar review process. He would be more in favor of Conformance Review if the review of a landscape project would be done at a meeting with the applicant rather than via email.

Member Schneider commented that the trigger for review of a landscape project should be clarified. Also, he believes the Chair or Chair's designee should request that staff refer a landscape project to the Design Review Board if deemed appropriate.

Member Schneider recommended adding an additional level of review that would qualify for a Consent Calendar format if deemed appropriate for example when the review by the full Design Review Board is not needed. He believes that Consent and Conformance are two different types of review.

Chair Branch agreed with Member Schneider's comment with regard to adding a Consent Calendar process when appropriate. He suggested that the Zoning Administrator or staff would make a determination whether Consent review would be appropriate.

Member Schneider commented if the Design Review Board would be limited to one Conformance Review meeting there should be a situation to have a joint hearing with the Design Review Board and the Planning Commission.

Member Shelor requested clarification regarding who would determine and how it would be determined when the assistance of the Chair or Chair's designee would be appropriate for Conformance Review. He commented that it would be incumbent that the DRB members make sure the meeting minutes reflect all of the comments with regard to the Design Review approval.

#### 17.56.030.D Multiple Levels of Approval at a Single Meeting

Member Swaney questioned the need to allow for multiple levels of approval at a single meeting to expedite the process when there are few projects that would be applicable and it could open the process for abuse, human errors, or missing a step. He is concerned regarding approvals made at just one meeting because if members of the public find out later or have comments there would be no

opportunity to come to a second meeting to comment. He noted the importance of codification.

Member Shelor recommended that the list of specific required information to be submitted by the applicant should be robust in order to provide an opportunity for multiple levels of approval at a single meeting, if appropriate.

Member Swaney commented that the list of required information for submittal needs to be reviewed to make sure all requirements are included and items are not missed.

#### 17.56.040 Scope of Review

Member Shelor requested that the proposed Sign Ordinance in the Draft Zoning Ordinance not be used when referencing the applicable City sign and zoning regulations.

Member Schneider requested that the Highway 101 Corridor Design Guidelines and the Goleta Architectural and Design Standards for Commercial Projects be available. Also, he requested clarification with regard to which guidelines have been adopted and the status.

#### 17.56.040.B

Alternate Member Whelan requested that “their” be added prior to “application”.

#### 17.56.040.C

Alternate Member Whelan requested changing “affected surrounding area” to “immediate adjacent area”.

#### 17.56.040.G

Member Schneider requested that sign design and exterior lighting be treated as two separate items.

#### 17.56.050 Required Findings

Member Shelor questioned whether the required findings in 17.56.050 are the same as in the statement of required findings with regard to conformance with DRB Findings that is announced at the time of Design Review approval.

#### 17.56.050.B Required Findings

Member Shelor requested capital first letters for “Specific Plan”.

Member Schneider suggested capitalizing “Specific Plans”.

#### 17.56.060 Design Review Criteria

Member Schneider questioned whether there is a need to identify the “review authority”.

Member Schneider requested reference to any applicable policies or guidelines and clarification with regard to their adoption status.

#### 17.56.060.A Design Review Criteria

Alternate Member Whelan requested changing “comfortable” to “compatible” because “comfortable” seems too objective.

17.56.060.D Design Review Criteria

Member Shelor suggested possibly adding language with the idea of varied but not excessive design variety to balance the criteria for street frontages that are attractive and interesting.

Member Swaney commented that he has had citizens bring up their concerns to him with regard to the excessive amount of design variation in the community.

Chair Branch commented that he would not support adding language with regard to varied but not excessive design variety in this section because it is not quantifiable, but it would be incumbent upon the DRB to address it during the review.

Vice Chair Smith suggested that this type of reference to design criteria would be more appropriate as a graphic in design guidelines.

17.56.060.E

Chair Branch requested staff reword the language to fit with a better intent with regard to street frontage and allowing for surveillance of the street.

17.56.060.J

Member Schneider recommended substituting the language “and dark sky compliant” with “and complies with Chapter 17.36 Lighting”.

Member Schneider recommended adding reference to the Lighting guidelines and clarification with regard to the adoption status of the guidelines.

17.56.080 Time Limits on Approvals and Time Extensions

Member Schneider recommended that the expiration date of approvals for Design Review be consistent with the expiration date established for other permits.

17.52.040 Design Review Board.

Member Schneider commented that he would support referencing guidelines as much as possible.

Chair Branch stated that he has no comment regarding 17.52.040.

Member Shelor questioned whether there is anything that would specifically prohibit joint Planning Commission and Design Review Board review at any stage of the process.

**K. ANNOUNCEMENTS BY MEMBERS**

**L. ADJOURNMENT**

## Attachment 2

### Comparison of Recreational Vehicle (RV) Ordinances



**COMPARISON OF RECREATIONAL VEHICLE (RV) ORDINANCES**

| Regulation Issue               | Example City  |  |   |  |   |  |   |
|--------------------------------|---|--|---|--|---|--|---|
|                                | Placentia   | Fullerton  | Norwalk   | Paso Robles  | Salinas   | Huntington Beach   | San Ramon   |
| <i>Definition/ Examples</i>    | Applies to trailers, camper units, boats and other recreational apparatus, motor vehicles, motor homes  | Motorized or non-motorized vehicles  | Motor trucks, campers/camper shells, camp trailers, boats on trailers, tent trailers  | Recreational vehicles, boats, campers, trailers, farm equipment or similar vehicles, materials or equipment                                    | “any travel trailer or other vehicular portable structure designed to be used as a temporary occupancy for travel or recreational use”  | Applies to any vehicle that exceeds specified dimensions (see row below).<br><br>Also applies to any equipment or machinery regardless of size.  | “A boat, boat trailer, other types of trailers, golf cart, busses, motor home, travel trailer, truck camper, carryall or camp trailer, house car, with or without motive power, originally designed for human habitation for recreational, emergency, or other occupancy” |
| <i>Size Limits/ Dimensions</i> | None  | None   | Can't exceed 1.5 tons or 8 foot wide or 32 feet long  | None   | None  | Can't exceed 10,000 pounds or 25 feet long, 7 feet wide, 7 feet high   | None  |
| <i>Regulations</i>             | <ul style="list-style-type: none"> <li>-does not project into public right-of-way</li> <li>-must be in a city approved driveway</li> <li>-access must be via a city-approved driveway</li> <li>-must be operable</li> <li>-current registration</li> <li>-not used for living purposes</li> </ul> | <ul style="list-style-type: none"> <li>-doesn't protrude into sidewalk or street</li> <li>-not used for living purposes</li> <li>-no threat to public health/safety</li> <li>-parked in rear yard if access can accommodate vehicle</li> <li>-prohibited parallel parking in front of property line</li> <li>-owned by property owner</li> </ul> | <ul style="list-style-type: none"> <li>-operable</li> <li>-registered</li> <li>-maintained/ clean</li> <li>-no overhang onto public right of way</li> <li>-parked on approved residential driveway/parking space in front, side, and rear yard</li> <li>-not supported by jacks/blocks</li> <li>-owned by property owner</li> </ul> | <ul style="list-style-type: none"> <li>- must not overhang onto the sidewalk</li> <li>-parked on driveway approved by city engineer</li> </ul> | <ul style="list-style-type: none"> <li>-must not overhang onto the sidewalk</li> <li>-park on paved driveway</li> <li>-street parking allowed only for 72 consecutive hours</li> <li>-not used for sleeping purposes</li> </ul> | <ul style="list-style-type: none"> <li>-parked on paved driveway</li> <li>-does not overhang the property line</li> <li>-kept free of trash/parts</li> <li>-prohibited in any yard area</li> </ul> | <ul style="list-style-type: none"> <li>-stored/parked on side or rear yard</li> <li>-located behind 7 foot wooden fence (6 foot solid and 1 foot lattice)</li> </ul>  |
| <i>Permit Necessary?</i>       | Yes, for temporary parking  | No   | Yes, if vehicle is overweight   | No   | No  | No   | Yes, for temporary parking in front   |





## Attachment 3

### Comparison of the Draft and Existing Sign Ordinance



| COMPARISON OF EXISTING AND PROPOSED SIGN REGULATIONS      |  |   |
|---|--|---|
| <i>Draft Zoning Ordinance</i>                             | <i>Existing Sign Ordinance</i>   | <i>Notes</i>  |
| 17.41.010 Purpose   | 35-2 Purpose.  |   |
| 17.41.020 Applicability                                   | Not included.  |   |
| 17.41.030 Exempt Signs                                    | 35-8 Exempt Signs, Flags, and Devices  | <i>Draft Zoning Ordinance</i> is more extensive on the types and characteristics of exempt signs.<br><br>Exempt signs in 17.41.030 not referenced in this table are not included in the <i>Existing Sign Ordinance</i> .  |
| A. Address Signs  | 35-14(2) Signs Permitted in Residential Districts, Identification Signs<br>(also 35-17(1) Commercial and Industrial)   | <i>Draft Zoning Ordinance</i> requires compliance with the Building Code.<br><i>Existing Sign Ordinance</i> specifies only wall signs, max 2 sq. ft. per unit, max 20 sq. ft. per building.   |
| D. Construction Signs                                     | 35-13(5) Signs Permitted in All Districts, Construction Signs  | <i>Draft Zoning Ordinance</i> includes a larger allowance in non-residential districts.   |
| E. Directional Signs                                      | 35-13(2) Signs Permitted in All Districts, Directional and Informational Signs<br><br>35-13(6) Signs Permitted in All Districts, Ground Signs  | More limited in <i>Existing Sign Ordinance</i> .  |
| G. Permanent Outdoor Signs Displaying Off-Site Businesses | 35-19(2) Signs Permitted in Heavy Commercial and Heavy Industrial Districts Outside of Shopping Centers, Off-Premise Signs   | <i>Existing Sign Ordinance</i> allows with standards for maximum size and height in these limited districts.  |
| J. Informational Signs                                    | 35-13(2) Signs Permitted in All Districts, Directional and Informational Signs   | More limited in <i>Existing Sign Ordinance</i> .  |
| S. On-Site Real Estate Signs                              | 35-14(1), Signs Permitted in Residential Districts, For Sale, Lease, or Rent Sign<br>35-16(5) Signs Permitted in Agricultural Districts, For Sale, Lease, or Rent Sign<br>35-17(2) Signs Permitted in Commercial and Industrial Districts Outside of Shopping Centers, , For Sale, Lease, or Rent Sign | <i>Draft Zoning Ordinance</i> does not limit to residential. <i>Draft Zoning Ordinance</i> allows an aggregate of 32 sq. ft.(freestanding) and 6 sq ft per wall sign<br><br><i>Existing Sign Ordinance</i> max is:<br>6 sq. ft. total. In Res<br>25 sq. ft. in Ag<br>25 sq. ft. in Comm and Ind |
| U. Subdivision Signs                                      | 35-13(1) Signs Permitted in All Districts, Subdivision Signs   | More signs and area allowed in <i>Draft Zoning Ordinance</i> . Off-Site allowed in <i>Existing Sign Ordinance</i> but not <i>Draft Zoning Ordinance</i> .   |
| 17.41.040 Prohibited Signs                                | 35-4 Prohibited Signs  | Some overlap. <i>Existing Sign Ordinance</i> much less extensive.   |
| 17.41.050 Sign Design Principles                          | Not included.  |   |
| A. Architectural Compatibility                            | 35-5(2) Architectural Projection and Sign Structures   | <i>Existing Sign Ordinance</i> say bracing, angle iron, guy wires, cables should not be used. The <i>Draft Zoning Ordinance</i> is not as specific but does discuss overall design being compatible with the building.  |
| 17.41.060 General Provisions for All Sign Types           | Not included.  |   |

| COMPARISON OF EXISTING AND PROPOSED SIGN REGULATIONS                     |   |  |
|--|---|--|
| <i>Draft Zoning Ordinance</i>  | <i>Existing Sign Ordinance</i>  | <i>Notes</i>   |
| A. Sign Permit Required  | Not included.   |  |
| B. Owner's Consent Required  | Not included.   |  |
| C. Non-commercial Signs  | Not included.   |  |
| D. Maximum Sign Area   | Not included.   |  |
| E. Applicable Codes  | Not included.   |  |
| F. Encroachment Permits  | Not included.   |  |
| G. Measuring Sign Area   | 35-11 Measuring Sign Area<br><br>35-5(1) Architectural Projections and Sign Structures  | <i>Existing Sign Ordinance</i> uses max. of 8 straight lines, <i>Draft Zoning Ordinance</i> just counts area based on actual area.   |
| H. Changeable Copy   | 35-13(3) Signs Permitted in All Districts, Church Changeable Copy<br><br>35-17(3)(b) & (5)(b) Comm. And Ind Districts<br>35-18(2)(b) & (4)(b) Shopping Center<br>35-19(1) | <i>Existing Sign Ordinance</i> allows 1 changeable copy sign (max 24 sq. ft., max height of 10 ft.) for each church. No mention of electronic changeable copy.<br><br>In <i>Draft Zoning Ordinance</i> , allowance is broader in terms of uses and electronic changeable copy specifically mentioned. In <i>Existing Sign Ordinance</i> , limited uses, but allows for entire walls signs to be changeable. Also allows for larger max area with Conditional Use Permit. |
| I. Message Substitution  | Not included.   |  |
| J. Materials   | Not included.   |  |
| K. Illumination  | Not included.   |  |
| L. Maintenance   | Not included.   |  |
| M. Abandonment   | Not included.   |  |
| 17.41.070 Standards for Signs By District                                | Not included.   |  |
| A. Types of Signs Allowed  | Not included.   |  |
| B. Allowed Sign Area (also 17.41.090, Standards for Specific Sign Types) | 35-6 Height and Setback Regulations of Zone Districts   | In <i>Existing Sign Ordinance</i> , height standard is that of the zoning district. In <i>Draft Zoning Ordinance</i> there are height maximums for each sign type that are always lower than district height standards.<br><br><i>Existing Sign Ordinance</i> also prohibits signs in the setbacks.<br><br>There is nothing in <i>Existing Sign Ordinance</i> limiting the total overall sign area.  |
| 17.41.080 Signage Allowances for Specific Uses                           | Not included.   |  |
| A. Agricultural Operations   | 35-16(1)-(4), Signs Permitted in Agricultural Districts   | <i>Existing Sign Ordinance</i> splits out 3 types of signs (farm organization, sale of farm products, and identification signs). Each has own area allowance. <i>Draft Zoning Ordinance</i> just allows one sign total per frontage for total of 25 sq. ft. per sign.  |
| B. Non-Residential Uses in Residential Districts                         | 35-13(4) Signs Permitted in All Districts, Institutional Signs  | <i>Existing Sign Ordinance</i> specifically allows for one on-site sign with max area of 20 sq. ft. in all districts for church, school, hospital, lodge,  |

| <b>COMPARISON OF EXISTING AND PROPOSED SIGN REGULATIONS</b> |   |   |
|---|---|---|
| <i>Draft Zoning Ordinance</i>                               | <i>Existing Sign Ordinance</i>  | <i>Notes</i>  |
|   |   | monastery, club, museum, or other similar institutions. <i>Draft Zoning Ordinance</i> allows for one sign max area 32 sq. ft. where these uses are in a residential district. Specific allowance in other districts not specified in the <i>Draft Zoning Ordinance</i> .                        |
| C. Residential and Mixed Use Developments                   | Not included.   |   |
| D. Service and Gas Stations                                 | Not included.   |   |
| E. Cinemas  | Not included.   |   |
| 17.41.090 Standards for Specific Sign Types                 | Not included.   |   |
| A. A-Frame Signs  | Not included.   |   |
| B. Awning and Canopy Signs                                  | Not included.   |   |
| C. Freestanding Signs                                       | 35-17(5)(a) Comm and Ind, Freestanding Sign Structures<br>35-18(4)(a) Shopping Centers, Freestanding Signs<br>35-19(1)  | Same 125 lineal ft. frontage. Same area for 35-17(5) in <i>Existing Sign Ordinance</i> compared to <i>Draft Zoning Ordinance</i> . Height in <i>Draft Zoning Ordinance</i> is much lower (6 ft. vs. 30 ft.), can go up to 24 ft. with Conditional Use Permit in <i>Draft Zoning Ordinance</i> . |
| D. Projecting Signs   | 35-17(4) Comm and Ind, Signs, Under Canopy Signs<br>35-17(6) Comm and Ind, Projection Signs<br>35-18(3) Shopping Centers, Under Canopy Signs<br>35-18(5) Shopping Centers, Projecting Signs<br>35-19(1) | Two types of signs not split up in Draft ZO. In <i>Existing Sign Ordinance</i> , under canopy gets 6 sq. ft. and projecting gets 3 sq. ft. <i>Draft Zoning Ordinance</i> allows for 3 sq. ft. Existing has no max height.   |
| E. Wall Signs   | 35-17(3)(a) Comm and Ind, Wall Signs<br>35-18(2)(a) Shopping Centers, Wall Signs<br>35-19(1)  | Same measurement methods.   |
| 17.41.100 Historic Signs                                    | Not included.   |   |
| 17.41.110 Master Sign Programs                              | 35-10 Overall Sign Plan for Shopping Centers  | DRB approves in <i>Draft Zoning Ordinance</i> , ZA in <i>Existing Sign Ordinance</i>  |
| 17.41.120 Nonconforming Signs                               | Division 7 Non-Conforming Signs   | <i>Existing Sign Ordinance</i> includes amortization clause, which <i>Draft Zoning Ordinance</i> does not have. <i>Existing Sign Ordinance</i> also includes abatement language.  |
| <b>Additional Procedures</b>                                |   |   |
| 17.53.020, Application Submittal and Review                 | Not included.   |   |
| 17.53.020 Application Submittal and Review                  | 35-9(2) & 3 Requires Information and Fee and Deposits   |   |
| 17.53.040, Review of Applications                           | Not included.   |   |
| 17.53.100, Expiration and Extensions                        | Not included.   |   |
| 17.53.120, Revocation of Permits                            | Not included.   |   |
| 17.53.130 Common Procedures, Appeals                        | 35-12 Appeals   | Similar   |

| <b>COMPARISON OF EXISTING AND PROPOSED SIGN REGULATIONS</b>               |  |   |
|---|--|---|
| <i>Draft Zoning Ordinance</i>   | <i>Existing Sign Ordinance</i>   | <i>Notes</i>  |
| Chapter 17.56 Design Review   | Not included.  |   |
| 17.57 Variances   | Division 5 Variances   | Planning Commission determination in <i>Draft Zoning Ordinance</i> , goes to ZA in the <i>Existing Sign Ordinance</i> . Findings in <i>Draft Zoning Ordinance</i> provide more detail.  |
| 17.59 Modifications   | Division 6 Approved Modifications  | <i>Existing Sign Ordinance</i> has a modification procedure but it is very limited. It applies only to wall signs and menu boards for drive-through restaurants in certain districts and for freestanding signs in shopping centers. <i>Draft Zoning Ordinance</i> includes a modification of up to 10% of development standards. |
| <b>Included in Existing Sign Ordinance, Not in Draft Zoning Ordinance</b> |  |   |
| Not included.   | 35-7 Conflict with other County Zoning Regulations   | Regulations in sign ordinance trump other zoning regulations (except for height and setback standards)  |
| Not included.   | 35-9(1) Permits Issued by Planning Department, Requirements for Certificate of Conformance   | This certificate from the <i>Existing Sign Ordinance</i> has gone away. At minimum, Zoning Clearance required in <i>Draft Zoning Ordinance</i>  |
| Not included.   | 35-13(7) Signs Permitted in All Districts, Safety Signs  | <i>Existing Sign Ordinance</i> includes an allowance for 2 sq. ft. or on-site safety signs (identifying and warning of dangers, such as slow, blind exit, turnoff your motor, no smoking, sound horn, children playing, and beware of dog). Such signs are covered in exemptions in the <i>Draft Zoning Ordinance</i> .           |
| Not included.   | Division 4 Conditional Use Permits   |   |
| Not included.   | 35-14(3) Signs Permitted in Residential Districts, Gate or Entrance Signs<br><br>(and 37-17(1) Comm and Ind)   | See exempt signs in <i>Draft Zoning Ordinance</i>   |
| Not included.   | 35-17(7) Comm and Ind, Arcade Signs  | See specifications for specific sign types in <i>Draft Zoning Ordinance</i>   |
| Not included.   | 35-17(8) Comm and Ind, Menu Boards for Drive-Through Restaurants<br>35-18(6) Shopping Centers, Menu Boards for Drive-Through Restaurants<br>35-19(1) | No additional allowance in the <i>Draft Zoning Ordinance</i> . Drive Through menu boards would count toward maximum sign area.  |
| Not included.   | Division 8 Violations, Enforcement, and Penalties  | Existing has lots of language about authority, penalties, etc. <i>Draft Zoning Ordinance</i> only discusses non-conforming signs. Signs subject to citywide enforcement provision.  |

## Attachment 4

### Comparison of the Draft Sign Ordinance and 2004 DRB Suggested Sign Regulations





| <b>COMPARISON OF DRAFT AND 2004 DRB SUGGESTED SIGN REGULATIONS</b>                             |  |   |
|--|--|---|
| <i>Draft Zoning Ordinance</i>  | <i>DRB Suggested Draft Sign Regulations (2004)</i> | <i>Notes</i>  |
| 17.03.060, Measuring Height (also 17.41.040(M) Roof Signs and 17.41.090(C) Freestanding Signs) | 17.41.050 (B) Height Standards                     | Content is the same or substantially similar.   |
| 17.41.010 Purpose  | 17.41.010 Purpose                                  | Content is the same or substantially similar  |
| 17.41.020 Applicability  | 17.41.020 Applicability                            | Content is the same or substantially similar  |
| 17.41.030 Exempt Signs   | 17.41.100 Exempt Signs                             | <p><i>Draft Zoning Ordinance</i> includes subdivision signs and utility signs, <i>DRB Suggested Draft</i> does not.</p> <p>Exempt signs in 17.41.030 not referenced in this table are not included in the Existing Sign Ordinance.</p> <p><i>DRB Suggested Draft</i> includes hand held and portable, incidental commercial signs, professional signs, campaign signs, temporary signs, <i>Draft Zoning Ordinance</i> does not.</p> <p>[exact name of sign type, specific dimensions, or other standards may differ]</p>  |
| G. Permanent Outdoor Signs Displaying Off-Site Businesses                                      | 17.41.070 (G) Off-Site Signs                       | Content is the same or substantially similar  |
| I. Signs Located in the Public Right-of-Way  | 17.41.050 (A)(1) and (2) Location Standards        |   |
| M. Roof Signs  | 17.41.050 (A)(3) Location Standards                |   |
| O. Signs Creating Traffic Hazards or Affecting Pedestrian Safety                               | 17.41.050 (A)(4) and (5) Location Standards        |   |
| Q. Signs on Public Property  | 17.41.050 (A)(1) and (2) Location Standards        |   |
| T. Special Event Signs   | 17.41.070 (A) Temporary Signs                      |   |
| 17.41.040 Prohibited Signs   | 17.41.090 Prohibited Signs                         | <p>Electronic message board signs, pole signs, signs on individual gasoline pumps, signs on newspaper racks, and construction signs for individual contractors or subcontractors located at project sites under construction are included in <i>DRB Suggested Draft</i> but not <i>Draft Zoning Ordinance</i></p> <p>Cabinet or can signs, light bulb strings, signs of certain materials, search lights and klieg lights, signs for prohibited uses, and signs that produce noise or emissions are included in <i>Draft Zoning Ordinance</i> but not <i>DRB Suggested Draft</i>.</p> |
| 17.41.050 Sign Design Principles   | 17.41.060 (A) Materials and colors                 | <i>Draft Zoning Ordinance</i> provides more detail  |
| 17.41.060 General Provisions for All Sign Types  | 17.41.030 General Provisions                       |   |
| A. Sign Permit Required  | 17.41.030 (A) Sign Permit Required                 | Content is the same or substantially similar  |
| B. Owner's Consent Required  | 17.41.030 (B) Owner Consent                        | Content is the same or substantially similar  |

| COMPARISON OF DRAFT AND 2004 DRB SUGGESTED SIGN REGULATIONS              |  |   |
|--|--|---|
| <i>Draft Zoning Ordinance</i>  | <i>DRB Suggested Draft Sign Regulations (2004)</i>   | <i>Notes</i>  |
|  | Required   |   |
| C. Non-commercial Signs  | 17.41.030 (C) Non-commercial signs   | Content is the same or substantially similar  |
| D. Maximum Sign Area   | Not Included.  |   |
| E. Applicable Codes  | 17.41.060 (G) Construction   | Content is the same or substantially similar  |
| F. Encroachment Permits  | 17.41.050 (A)(1) Location Standards  | For 17.41.050(A) in <i>DRB Suggested Draft</i> in general: Same concept, variations in details.<br><br><i>Draft Zoning Ordinance</i> does not require signs to be placed at building or site entrance. <i>Draft Zoning Ordinance</i> provides specific detail limiting placement of signs to avoid traffic hazards and impacts on pedestrian safety.  |
| G. Measuring Sign Area   | 17.41.050(C)(1) and (2)  | <i>DRB Suggested Draft</i> uses a rectangle (so only 4 sides compared to 8 in existing). In <i>Draft Zoning Ordinance</i> , squares, rectangles and circles can be used.<br><br><i>Draft Zoning Ordinance</i> provides more detail for measuring sign area.   |
| H. Changeable Copy   | Not included.  |   |
| I. Message Substitution  | 17.41.030 (D) Substitution of Non-commercial Message, and<br>17.41.030 (E) Substitution of Commercial Messages | Content is the same or substantially similar  |
| J. Materials   | Not included.  |   |
| K. Illumination  | 17.41.060 (E) Sign Illumination  | Content is the same or substantially similar  |
| L. Maintenance   | 17.41.060 (H) Maintenance  |   |
| M. Abandonment   | Not included.  |   |
| 17.41.070 Standards for Signs By District                                |  |   |
| A. Types of Signs Allowed  | Not included.  |   |
| B. Allowed Sign Area (also 17.41.090, Standards for Specific Sign Types) | 17.41.070 (C) Commercial-Freestanding Retail Store<br>17.41.050 (C) Sign Area Standards                        | <i>Draft Zoning Ordinance</i> provides detail on the type of signs allowed.<br><br><i>DRB Suggested Draft</i> only identifies allowances for commercial sign area based on lineal foot of property frontage. <i>DRB Suggested Draft</i> establish a maximum sign area regardless of parcel size. <i>Draft Zoning Ordinance</i> provides maximum sign area allowances by zoning district based on lineal foot of street frontage and specifies the specific sign types that are allowed. |
| 17.41.080 Signage Allowances for Specific Uses                           |  |   |
| A. Agricultural Operations   | Not included   | <i>DRB Suggested Draft</i> does not specifically identify allowances for signs for agricultural operations  |

| <b>COMPARISON OF DRAFT AND 2004 DRB SUGGESTED SIGN REGULATIONS</b> |  |   |
|--|--|---|
| <i>Draft Zoning Ordinance</i>                                      | <i>DRB Suggested Draft Sign Regulations (2004)</i>                         | <i>Notes</i>  |
| B. Non-Residential Uses in Residential Districts                   | Not included   | <i>DRB Suggested Draft</i> does not specifically identify allowances for signs for agricultural operations  |
| C. Residential and Mixed Use Developments                          | Not included   | <i>DRB Suggested Draft</i> does not specifically identify allowances for signs for agricultural operations  |
| D. Service and Gas Stations  | 17.41.070 (D) Commercial Service Station                                   | <i>Draft Zoning Ordinance</i> does not limit letter height. <i>Draft Zoning Ordinance</i> does allow canopy signs and electronic copy for fuel prices.              |
| E. Cinemas   | 17.41.070 (E) Theaters   | Similar maximum sign area. <i>Draft Zoning Ordinance</i> allows electronic copy.  |
| 17.41.090 Standards for Specific Sign Types                        | 17.41.060 (C) Maximum number of signs<br>17.41.050 (C) Sign Area Standards | <i>DRB Suggested Draft</i> limits overall sign area, not the number of signs. <i>Draft Zoning Ordinance</i> limits the number of signs by sign type                 |
| A. A-Frame Signs   | Not included.  |   |
| B. Awning and Canopy Signs   | Not included.  |   |
| C. Freestanding Signs  | Not included.  |   |
| D. Projecting Signs  | Not included.  |   |
| E. Wall Signs  | Not included.  |   |
| 17.41.100 Historic Signs   | 17.41.080 Historic Signs   | Both versions include placeholders for Historic Sign provisions   |
| 17.41.110 Master Sign Programs                                     | 17.41.040 (F) Master Sign Programs   | Same concept, variations in details (ex. <i>Draft Zoning Ordinance</i> includes specific findings to be made for approval)  |
|  | 17.41.070 (B) Commercial Centers   | <i>Draft Zoning Ordinance</i> does not specifically identify allowance for rear wall sign or directional signs  |
| 17.41.120 Nonconforming Signs                                      | 17.41.110, Legal non-conforming signs, Amortization                        | <i>Draft Zoning Ordinance</i> does not include amortization and abatement procedures  |
| <b>Additional Procedures</b>                                       |  |   |
| 17.53.020, Application Submittal and Review                        | 17.41.040 (A) General Sign Permit Application Process                      | Sign specific application requirements will be included with application forms and will not be codified   |
| 17.53.040, Review of Applications                                  | 17.41.040 (B) Processing Applications                                      |   |
| 17.53.100, Expiration and Extensions                               | 17.41.040 (G) Time Limit   |   |
| 17.53.120, Revocation of Permits                                   | 17.41.040 (H) Revocation of Sign Permit                                    |   |
| 17.53.130 Common Procedures, Appeals                               | 17.41.130 Appeals  |   |
| Chapter 17.56 Design Review (and Ch. 17.53 Common Procedures)      | 17.41.040 (C) Sign Review -- Standard Signage                              | Signs are subject to Design Review  |
| 17.57 Variances  | 17.41.040 (D) Administrative Sign Variance and Historic Sign Designation   | Modifications to sign standards can be achieved through various review processes already in place. Historic sign provisions will be developed as a separate effort. |

| <b>COMPARISON OF DRAFT AND 2004 DRB SUGGESTED SIGN REGULATIONS</b>    |  |  |
|---|--|--|
| <i>Draft Zoning Ordinance</i>   | <i>DRB Suggested Draft Sign Regulations (2004)</i>                       | <i>Notes</i>   |
| 17.59 Modifications   | 17.41.040 (D) Administrative Sign Variance and Historic Sign Designation | Modifications to sign standards can be achieved through various review processes already in place. Historic sign provisions will be developed as a separate effort.                                    |
| <b>Included in DRB Draft Ordinance, Not in Draft Zoning Ordinance</b> |  |  |
| Not included.   | 17.41.030 (F) Legal Nature of Sign Rights and Duties                     | This is a general rule of application of zoning regulations and not specific to sign regulations   |
| Not included.   | 17.41.060 (B) Maximum letter height                                      | <i>Draft Zoning Ordinance</i> does not provide a maximum letter height   |
| Not included.   | 17.41.060 (D) Relationship to other signs                                | <i>DRB Suggested Draft</i> provides detail on design elements of multiple signs on one site  |
| Not included.   | 17.41.060 (F) Logos and graphics   | <i>DRB Suggested Draft</i> limit size of logos   |
| Not included.   | 17.41.070 (F) Commercial Restaurant Drive-Through Business               | <i>Draft Zoning Ordinance</i> does not allow additional sign area for drive through menu boards [ <i>Draft Zoning Ordinance</i> does allow menu display boards, but only at main entrance to building] |
| Not included.   | 17.41.120, Removal of signs  | <i>Draft Zoning Ordinance</i> does not include abatement procedures  |