Response to Public Comments

PUBLIC COMMENT	CITY STAFF RESPONSE
General Comments	
Joshua Ellis, Comment #1. The music ordinance threatens M Special's ability to have live music by requiring pulling a permit each and every time, an endeavor that will make the process too difficult and costly for M Special to continue doing it. We don't charge covers and always pay our bands. We don't make money off of this endeavor. We simply provide music because that's what our residents have come to love about our spot.	The NZO does not contain a "music ordinance." Live Entertainment is regulated by Goleta Municipal Code Chapter 9.07. ***Note***: Any facilities needed for such outdoor entertainment activity would be subject to conformance with the underlying Development Plan that permitted the principal use of the lot.
Vic and Inge Cox, Comment #34. Why is Council allowing so little time for the residents to understand the staff-proposed wholesale changes to city rules for buildings, governance structures and what's left of the City's environmentally important open space? Staff has changed the order and content of the NZO making it very difficult to understand. The package approach to changing the building codes is premature in our opinion since some of the new rules seem to hinge on yet to be approved changes in relevant ordinances (the NZO). Why the rush to meet apparently artificial deadlines without understanding all the work done by the Planning Commission? Also, in our experience, every time staff pushes for quick decisions from Council the results are not beneficial to most Goletans, especially those with lower-incomes. Go across Los Carneros Ave. from City Hall and see what too much housing crammed into too small an area looks like. This is why more time and thought are needed on these decisions. Ask yourselves why doesn't the City require every new development to have adequate open space for residents?	The City's efforts to draft a new zoning ordinance that implements the City's General Plan began in 2013 and has been an ongoing work program each year, which has included workshops, hearings, and numerous other stakeholder meetings.
Vic and Inge Cox, Comment #34. Another example is the (so far as I know) park playground equipment gathering dust in the former Direct Relief warehouse (or somewhere) because rushed, inadequate planning resulted in the purchase of these items with no detailed plan or preparation for where these items were to be situated. The Parks Master Plan calls for each and every park scheduled for change to be done in an inclusive, thorough manner before starting the changes. However, it will be up to Council to make that happen.	Regarding the comments on the Direct Relief warehouse, the issues raised are not germane to the NZO; therefore, no response is necessary.

Tara Messing et al, Comment #18. I. CCC Staff Must Be Involved in the NZO Process Now to Avoid Delays and Surprises Down-the-Line. We sincerely appreciate the time and effort that City staff, attorneys, and decision-makers have made to ensure that the NZO reflects the unique characteristics of the City. However, the CCC also plays a key role in the NZO process as the agency tasked with safeguarding the goals and policies of the seminal California Coastal Act. City staff must communicate with CCC staff now about the proposed provisions in the NZO to encourage a good faith discussion between the agencies about the substance of the NZO. It is important for the City to receive input from the CCC before the City Council adopts the NZO to ensure that the City is adopting an NZO that adequately carries out the policies of the Coastal Act at the local level. Moreover, communicating with the CCC staff at this point in the process is critical to avoid future delays and unexpected surprises during the CCC certification process. For these reasons, we respectfully ask that the City Council direct staff to consult with CCC staff before continuing with the City Council adoption process for the NZO.	Comments noted. Staff intends to informally consult with Coastal Commission staff after the adoption of the NZO but prior to the City's formal submittal of a Local Coastal Program application.
Tara Messing et al, Comment #18. The language recommended by EDC and UCC is based on findings and evidence developed by the CCC for making economically viable use determinations, which is directly relevant to assessing the feasibility of adherence to the setbacks required under the General Plan. The CCC's language was adopted by the County in Article II of the Coastal Zoning Ordinance, which is incorporated by reference in the Eastern Goleta Valley Community Plan ("EGVCP"). (See Exhibit A) A. Setbacks from Creeks, ESHA, Wetlands, and Habitat are Vital Tools to Protect Natural Resources, Property, and the Public. Studies, ordinances, and government publications indicate that a 100-foot creek setback is the bare minimum needed to protect water quality, creek and riparian habitats, and wildlife. Setbacks provide a variety of important benefits to water quality, plants and wildlife, and people. Vegetation, leaves, microbes, and soil found within the setback area serve to minimize water pollution by breaking down and filtering pollutants, such as oil and grease, sediment, fertilizers, and harmful pathogens. Setbacks also safeguard habitats for nesting birds, such as birds of prey, and endangered species, like the Southern California steelhead. For example, the white-tailed kite is a fully protected species in California that has been all but eliminated from the City due to loss of nesting and foraging habitats. Moreover, from 2010 through 2015, four of the thirty-eight steelhead observed in southern California were spotted in a waterway within the City. In 2017, one of seven steelhead observed in southern California spawned in a Goleta creek. In order for steelhead to persist in the City's waters, adherence to the minimum 100-foot SPA requirement under Policy CE 2.2 is vital.	Comments noted. SPA buffer reduction language discussed at length at the December 3, 2019 hearing. Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.

Finally, setbacks protect life and property from the devastating impacts due to flooding, streambank erosion, and debris flows—the threat of which is heightened today due to climate change.	
Tara Messing et al, Comment #18. <u>C. EDC and UCC are Working with the City of Goleta to Develop a Process for Evaluating When a City Zoning or Policy Requirement May Be Modified Upon Request.</u> Throughout this NZO process, EDC and UCC, along with a host of other local groups and Goleta residents, have advocated for the adoption of language that mirrors the CCC's Suggested Modification No. 13 to the County's EGVCP Local Coastal Program Amendment. The CCC's standard language establishes a detailed and clear process for evaluating whether adherence to a policy or ordinance would not provide an economically viable use. This type of analysis is standard practice for decision-makers when an applicant asserts that the application of a zoning or policy requirement would preclude a reasonable use of their property. The CCC language offers a straightforward process for decision-makers to help navigate such an analysis and arrive at a legally defensible determination. Moreover, the County adopted the CCC's suggested language in Sections 35-192.4 through 35-192.6 in the County's Coastal Zoning Ordinance, without controversy, and these sections are incorporated by reference in Policy EGV-1.5 of the EGVCP. (See Exhibit A.) It is logical for the City to adopt this same language in the NZO because it was recommended by the CCC for the nearby EGVCP and the County adopted this language. Furthermore, on July 16, 2019, the City of Santa Barbara also adopted findings substantially similar to Section 35-192.6 of the County's Coastal Zoning Ordinance for Policy 1.2-3 governing "Property Takings" based on suggestions by the CCC during the City of Santa Barbara's recent Land Use Plan ("LUP") update. The CCC certified the updated Coastal LUP in August of 2019 and the findings recommended by the CCC are incorporated in the City's Coastal LUP. Finally, adopting language previously recommended by the CCC in the City's NZO is strategic because the CCC is required to certify the City's proposed NZO. Thus, in order to avoid future delays and unexpected surprises, it is important for the City to consider what language the CCC will require later in the adoption process.	See response above.
Barbara Carey, CA Coastal Commission, Comment #52. In recent discussions between our respective staffs, it was indicated that the City may submit the existing Goleta General Plan and the New Zoning Ordinance to the Coastal Commission for consideration as an LCP, with the understanding that staff coordination may occur after submittal.	Comments noted. Staff intends to informally consult with Coastal Commission staff after the adoption of the NZO but prior to the

We would like to request that the City Council consider a revised process for LCP development that would allow for City and Commission staff coordination and City Council adoption of any necessary changes agreed upon by our respective staffs prior to (rather than after) formal submittal of an LCP to the Coastal Commission. Such a collaborative process would allow our respective staffs to work together to most efficiently address and resolve any potential issues relating to consistency between the City's draft LCP and the Coastal Act while minimizing the number of potential suggested modifications by the Commission that might be necessary during the formal certification process. We think there would be great value in further staff coordination on a draft LCP. We recommend that the City Council authorize City staff to coordinate with Commission staff to identify and resolve any potential issues necessary for the LUP to be found consistent with the Coastal Act and a LIP consistent with the LUP. To facilitate this process, we further recommend that the City staff bring the draft LUP and IP back to the City Council for adoption with any necessary changes before they are submitted to the Commission for approval as an LCP. This process will ensure maximum transparency and local public input on the LCP. It will also allow the City Council to consider necessary changes coordinated between City and Commission staff and to narrow areas of disagreement further. Submittal of a revised LCP would allow for more streamlined processing by Commission staff where additional coordination (if necessary) could focus on a much shorter list of remaining issues.	City's formal submittal of a Local Coastal Program application.
Tara Messing, Comment #53. It is in the Best Interests of the City to Undertake Consultation with the CCC Now Prior to Additional Adoption Hearings. City staff must communicate with CCC staff now about the substance of the NZO to encourage a good faith discussion between the agencies. Over the past several months, EDC and UCC have repeatedly asked for City staff and CCC staff to coordinate on the NZO. It is important for the City to receive input from the CCC before the City Council adopts the NZO to ensure that the City is adopting an NZO that adequately carries out the policies of the Coastal Act at the local level. Moreover, communicating with the CCC staff at this point in the process is critical to avoid future delays, duplicative efforts, and unexpected surprises during the CCC certification process. Initiating discussions with CCC staff prior to the adoption process is also recommended by the CCC's South Central Coast/South Coast District Director, Steve Hudson, and is a common practice that has been adopted by many jurisdictions, including the City of Carpinteria and the City of Santa Barbara. We respectfully ask that the City Council direct staff to consult with CCC staff before continuing with the City Council adoption process for the NZO.	See response above.

Eileen Monahan, Comment #25. The results of these ordinance changes will be immediate. As a childcare advocate and consultant, I have worked with a number of childcare operators who have explored various properties in the City of Goleta for childcare sites over the years. Not one has been successful, mostly because the long and costly land use process made the acquisition of the properties and the securing of financing too arduous. To be clear, this challenge is true for many of the other cities and counties across the state. But Goleta has risen to the challenge by creating policies geared towards developing childcare and removing barriers, rather than allowing the burden of development to rest on the shoulders of childcare operators. At least 3 current operators will be actively renewing their search, knowing that these policies will help them create more spaces for Goleta. Soon, children and their parents will have access to more high-quality childcare that they so desperately need.	Comments noted. All revised language to the development standards for childcare facilities are located in Section 17.41.110, Day Care Facilities and Section 17.41.140, Family Day Care.
Eileen Monahan, Comment #25. Looking forward, please consider: 1. A childcare plan for the city, starting with mapping of existing facilities and need, then developing strategies to ensure that there is sufficient childcare for all who need it in the city. 2. An in-lieu fee program for development projects – many examples exist. 3. Other ways to encourage childcare, such as specific support at the front desk and on the website, walking through the new process with childcare operators and identifying any remaining issues, and considering childcare in any new development. 4. Ways to facilitate church and business partnerships with childcare. 5. An additional Element in the General Plan, specific to childcare. 6. Sharing your model policies with other local cities and the county and offer support as they amend their policies. Thank you for your diligence, your concern for Goleta's children and families, and your interest in community input. I am proud to be a Goleta resident.	Regarding points 1 – 6 for City consideration, comments are noted and no additional staff response is required.
Taundra Pitchford, Comment #27. As the coordinator of the local Child Care Planning Council, I want to thank you for the support you've shown for childcare and the ways that the city has helped pave the way for more childcare in Goleta. It is desperately needed, not just for residents, but for the employees of the existing and future businesses that operate here. Our findings from our 2015 Child Care Needs Assessment show there are less than 18,000 early care and education spaces for the estimated 35,000 children needing care in in Santa Barbara County. In other words, there are close to two children for every one space overall. The greatest need is for infants and toddlers. With the shortage of childcare in our area, making it more accessible is crucial in providing success for our children. We just need more high-quality childcare!	Comments noted. No staff response required.

The changes that are being made now, with the changes to the zoning policies and development fees and the assignment of planning staff time will certainly have an impact that will provide a benefit for a long time. I urge you to approve the New Zoning Ordinance on November 5, 2019 and continue to review all the ways that the city can influence the development of child care resources in the community.	
Annette Muse, Comment #30. On behalf of the University of California, Santa Barbara Early Childhood Care and Education Services, I want to thank you for your work and effort to change the City ordinances and making it easier to start much needed childcare programs in the area.	Comments noted. No staff response required.
Erika Ronchietto, Comment #31. On behalf of all childcare but particularly as a preschool business owner who consistently is looking to expand, I want to thank you for putting children first!!! It is wonderful progress moving forward.	Comments noted. No staff response required.
Franky Viveros, Comment #32. Congratulations for the Child Care Ordinance, City of Goleta! You did it! This is going to be such a great move for our city. I look forward in to seeing how this grows.	Comments noted. No staff response required.
Vijaya Jammalamadaka, Comment #35. Amending the Land Use Element to allow Large Residential Care Facilities (RCFs) in single-family (RS)and planned residential (RP) land use zones. The League supports this amendment.	No response required as this is outside the scope of the NZO.
Kimberly Schizas, Comment #36. Expressed gratitude towards planning staff and Council, recognizes "bugs" will occur. Suggests that City Council consider annual reviews and revisions to the New Zoning Ordinance for the next few years. Staff could keep a log of issues with the NZO as the year goes on and any needed changes could be considered at a designated anniversary date. This would give the public comfort in knowing that the NZO is not a "set in stone" document but rather a planning document that is subject to revision and correction.	Planning staff anticipates that the NZO will have regularly scheduled, annual or biannual updates to address any required edits or revisions that arise from changes to City policy, changes in State law, or other minor textual corrections that are discovered.
Ginger Andersen, Comment #39. 1. Timing and Applicability, Adoption process: I acknowledge and appreciate that this has been a years-long effort by the City, and that numerous meetings, workshops, and opportunities to comment have been provided. What is concerning is that the version currently contemplated has not been in circulation for more than a couple of months; the previous version is dated August, while the current version is dated November. This means that citizens and interested parties have essentially had about two months to consider the current version. It seems like the process is being unnecessarily sped up considerably right as it matters most. In looking at the documents available, it does not appear that a redline version that shows the differences between the August and November versions is available, so detecting the differences is no easy task. The City should consider	Comments noted. 1. The current version of the proposed NZO reflects only those changes that were discussed during the months of Planning Commission (PC) Workshops. The key components of the NZO where the PC gave direction to staff to make changes are discussed in the Overview

additional time - or release a version that clearly shows the most recent revisions. In addition, once Council has deliberated and potentially decided additional revisions are necessary, a redline version and clean version of the contemplated "Final Draft" should be circulated again for a final round of comment in the interest of quality and removal of any potential errors. *Additional comments below by section*	of Changes document, which is also available online. Staff will be releasing a strike-out/underline version of the NZO prior to the City Council February 18, 2020 adoption hearing.
Ginger Andersen, Comment #39. 2. Consideration of Two Ordinances: I believe there is good reason to have an inland vs. a coastal zoning ordinance, especially since the majority of the City is not in the coastal zone. In the currently-proposed combined format, the entire ordinance will be subject to review and comment by the California Coastal Commission (CCC). So as not to relinquish the City's discretion to the CCC, and to help stem unintended consequences of applying their will through the entire City, there should be two ordinances. Two ordinances will also make it easier to make changes (or corrections) to the inland ordinance in the future should they become necessary. If Council does not agree that two ordinances is a superior alternative, I strongly recommend that while the City is going through the CCC review process, that the City be careful to incorporate the CCCs suggestions to only apply to the Coastal Zone.	Comments noted. 2. Currently, Planning staff does not recommend this approach. Maintaining one zoning ordinance provides clarity and consistency throughout the City and best effectuates the General Plan. If during the Local Coastal Program certification process it becomes clear that two zoning ordinances are necessary and justified, the City would be able bifurcate the [future] adopted NZO into two separate ordinances. Adopting a single NZO now does not preclude the City from splitting it into two in the future.
Ginger Andersen, Comment #39. 3. Correction of Errors: While no ordinance is perfect, I am concerned about the idea that errors can be fixed in the future and the associated perceived level of effort this will take. Because the Inland and Coastal Zoning Ordinances are being combined, any future change will have to go through the Council review process and the CCC review process which takes a period of months or years. Second, these errors will present themselves specific to an application or applications. It should not be the burden of a single applicant to be harnessed with a Zoning Ordinance Amendment to fix an error. Note that Amendments are subject to Council action. Since only very few application types/projects are elevated to Council review in the first place, this has the potential to elevate the level of scrutiny, cost and processing time beyond most applicant's ability to absorb it. It also has the potential to result in unnecessarily bringing a number of additional items to Council for consideration. Imagine a	3. As stated above, Planning staff anticipates that the NZO will have regularly scheduled, annual or biannual updates to address any required edits or revisions that arise from changes to City policy, changes in State law, or other minor textual corrections that are discovered.

small business owner applying for a minor permit subject to Director approval suddenly hamstrung by a months or years long process to fix an error in the code because it will in fact need to be acted upon by Council and CCC. Thus, any future changes made in the interest of fixing errors should be undertaken immediately and at the City's expense.	
Todd Amspoker, Comments #38 and #63. This firm represents the Newland Family, owners of the above-referenced property. The property is located at the comer of Hollister Avenue and Dearborn Place, just to the west of the interchange between Highway 217 and Hollister Avenue. The subject property has been in the Newland Family for approximately 100 years. It originally was part of a large walnut ranch. Currently there are several old residential cottages on the property, which are rented. The property is designated as "Recreation" in the City's existing General Plan, but is zoned for residential purposes, with a designation of DR-10. The property is subject to several acquisitions by the City for two major public works projects now proceeding-the Ekwill Fowler Project and Phase II of the San Jose Creek Project. Eminent domain proceedings have already been filed against our clients by the City. These two projects, and the property to be acquired for them, will have a devastating impact on the remainder of the property. In particular, the Ekwill Fowler Project includes a traffic roundabout on the southeast comer of the property, which will result in a substantial limitation on vehicular access to the remaining cottages on the property. Our clients intend to make substantial claims for property value and severance damages as a result of these proposed takings. The City's proposed new zoning ordinance would affect a zoning change of our clients' property to Open Space (OS). In addition, the new zoning ordinance has significantly increased regulation regarding Environmentally Sensitive Habitat Areas (ESHA). The existing depiction of the ESHA on our clients' property (attached), together with the increased restrictions in the zoning ordinance, would essentially prevent any development on the property at all. Our clients are very disappointed that the City intends to take this action, which is for no apparent purpose other than to freeze development so that the property can be acquired cheaply by the City. This matter will move into protracted litigation if the City pursues adoption of the new zoning ordinance. The City has already filed eminent domain proceedings against our clients for property rights allegedly necessary for the San Jose Creek Project and the Roundabout Project. We have already filed a cross-complaint in that litigation, seeking recovery for inverse condemnation. Our	Comments noted.

clients' recovery for inverse condemnation will be completely justified if the City pursues adoption of the new zoning ordinance. The property has been operated with residential structures for more than 75 years. The City apparently does not have any actual plans to use the property for park purposes. Based upon the foregoing, and on behalf of our clients, we respectfully request that the City maintain the existing zoning on the property. In the alternative, the City should acquire the entirety of the property for a fair price.	
Hersel Mikaelian, Comment #67. Dear Madam Mayor and members of the City Council - Madam Mayor, once you told me wisely, "The development in the City of Goleta has been like a pendulum, too much or too little, and a problem. Therefore, the middle always gets hurt." And I agreed with you. I believe I am the middle that is getting hurt. Now, the pendulum is swinging too far to the "too little." We need unanimous Council help, fairness, and leadership in the following matters which unfortunately have been controlled by a few individuals (members of the public) who really believe that they have the authority to represent the majority of the public.	Comments noted. No staff response required.
Bonnie and Robert Moore, Comment #69. We would like to bring to your attention some of our concerns regarding the current sidewalk project. The proposed project is for the removal of sidewalks which have been in place for the past 60+ years. Our property at 5704 Gato Avenue has had an easement apron into the property for the use by utility companies to be able to access the 2 poles from that property since 1957. We are now being told this one apron will be removed to allow for additional parking (1 space). When work needs to be done on the poles how will the utility companies be able to access the poles for their repair work? There is no easement allotment on another property for this work to take place. If a vehicle is blocking access, how does that happen? Had the city not decided that we all need new sidewalks; we would not be looking at an expense of bringing our fencing (approx. 2 feet in some areas of survey) out to city property due to the proposed sidewalk project. We want the chain link fencing to be allowed as it has been in the 60+ years where several properties have the chain link fencing. The new city of Goleta accepted existing boundaries of the county from its inception however now we are redoing what was accepted.	Comments noted. The matter being discussed is a Public Works project. As such, no additional Planning staff response is required.
Keith Douglas, Comment #78. Hello Ms. Wells,	Comments noted.

I'm a third generation Goleta/Santa Barbara resident. I have lived & worked in the area for my entire life & I feel truly blessed to call it home. Lately I've had to consider leaving this incredible place though. I just can longer afford to stay here. I drive for a private car service (which is now in the process of relocating to Goleta) & I love my job but the very nature of it demands that I live in the community that I serve. I can't commute from Santa Maria or Oxnard on short notice when I am on standby to pickup guests at the Bacara or elsewhere. I only became aware of the new ordinance to make affordable rental properties available in Goleta yesterday. I wish that I could attend the City Council meeting tonight but I will be working. I'm curious to know what steps I can take to acquire information on applying for a place & what all I can do to get involved & stay on top of information as it comes to light.	While not an NZO-specific issue, there are multiple private rental housing website on which to search for vacancies. As for receiving City information, Planning staff recommends that the public use the "City Assist" website, which can be accessed through the City's home page.
Chapter 17.01 Introductory Provisions	
Section 17.01.040 Steven Amerikaner/ SyWest, Comment #17. First, the exemption for Projects with a Completed Application has been narrowed to the point of creating serious risks and inequities. In the August 2019 draft, Projects with a Completed Application were exempted from the new NZO, which is a sound policy given the substantial investment required by a property owner who has achieved a completed application. In the most recent version, this exemption has been limited by a 27-month sunset provision (see section 17.01.040(E)(4) and (5). This short sunset provision is unrealistic and inequitable, given the fact that a project can take three or four years to get from Completed Application to Approval, particularly given the complexities of the environmental review process and the possibility of litigation that imposes substantially more delay. In my experience, a jurisdiction that is enacting a comprehensive new code will recognize the legitimate investment-backed expectations of applicants who have been seeking permits under the old code. (An example is the City of Santa Barbara, which enacted a comprehensive commercial growth limitation some years ago. The City allowed projects which were "in the pipeline" to proceed through to completion.) This type of planning policy is enacted as a matter of simple fairness and good planning. The recent NZO changes fail to honor this principle.	Comments noted. Through the Planning Commission Workshops and Recommendation Hearings, the resulting final recommendation was to limit the exemption for NZO applicability to a project with a "Complete" application to have a sunset date of December 31, 2021. Any final decision to include or not include a sunset provision for applications determined to be "Complete" will be a policy decision for the City Council to decide upon through the NZO adoption process.
Section 17.01.040 Steven Amerikaner/ SyWest, Comment #75. This letter is presented on behalf of SyWest Development, the owner of the former drive-in property at 907 S. Kellogg Avenue ("Property"). SyWest has appeared at a number of recent public hearings to express its concerns with the New Zoning Ordinance (NZO). The purpose of this letter is to propose a solution to the problems we have been describing to you.	Comments noted. After determining the project 'complete' in 2018, the City requested proposals and picks a consulting firm to prepare the CEQA document. There has

As we have previously pointed out, SyWest has a pending application before the City for an industrial project on the Property. The application was prepared at great expense, and was determined to be complete by the City in March 2018. At SyWest's request, preparation of an EIR was placed on temporary hold to allow SyWest time to determine whether its discussions with the Santa Barbara County Foodbank would make it possible for Foodbank to consolidate all of its operations to the SyWest site. The community and SyWest were surprised in September 2019 when the Planning Commission added to the NZO a provision planning a "sunset date" on the period of time available to an applicant, like SyWest, to secure its permits. The draft of the NZO currently before the Council includes a sunset date of December 31, 2021, which is approximately 23 months away. This 23 month period is simply too short for any applicant in SyWest's position to complete all of the procedures - including preparation of an EIR - to secure project approvals. More to the point, the timing for those city approval procedures are outside of SyWest's control. A land use applicant does not control how quickly an EIR consultant is engaged, how long the necessary studies require to be completed, when the draft EIR will be presented and released for public comment, how long the consultant needs to prepare responses to public comments, and when the project is presented to the Planning Commission for review and approval. Moreover, an applicant cannot control whether a project approval is appealed or when an appeal hearing will be scheduled. While SyWest cannot control the time it takes to process its permit application, it will certainly bear the burdens if the NZO deadlines are not met. The NZO imposes significant new restrictions on SyWest's ability to build the project it has designed, including new height limits and creek setback requirements. Based on these considerations, SyWest respectfully requests that the City Council consider an amendment to the NZO that will extend the sunset date. Our specific proposed language is attached to this letter for your staff's review and your consideration. Thank you for considering these views.	been no progress on the application since 2018 after the applicant requested the project be placed on hold. During the City Council hearings, the sunset date was discussed at length and the Councilmembers directed staff to retain the December 31, 2021 date.
Section 17.01.040 Ken Alker, Comment #59. Specifically, this letter speaks to section 17.01.040(E)(4). "Project Applications Deemed Complete." I own the Kenwood Village project and the project application was	Comments noted.

deemed complete in 2010. The project has been designed under the current zoning ordinance. The language in section 17.01.040(E)(4) states that, "At the applicant's election, a project application that is determined to be complete prior to September 1, 2019 shall either: a. Be processed under the zoning regulations at the time of determination; or b. Be processed under this Title." However, a new sentence was added to this section in November which reads, "The allowances under this provision shall sunset on December 31, 2021 if a project has not received all required land use entitlements, after which, the project shall be subject to all regulations of this Title." At the planning commission I attended, where a time limit for the entitlements was being discussed, it was pointed out, by comparison, that developers have a limited time window after being issued permits in order to build their project. What was missed, however, is that building timelines after permitting are entirely different than timelines associated with obtaining entitlements. Once a developer has permits, he controls the timeline. There are very few outside influences that will affect the speed at which the project can be completed. In the case of seeking entitlements, the applicant has almost no control. Timing is determined by staff, the planning commission, city council, the Goleta Water District, and several other entities, not to mention Mother Nature (i.e. water moratorium). To put an arbitrary time limit on the ability to use the current zoning code is not realistic, nor is it fair. I received a Notice of Application Completeness for Kenwood Village in 2010, long before any of the NZOs were created. I have already paid for complete architectural plans, numerous studies, a scoping document, and two EIRs all under the guidelines of the current zoning ordinance. The project got put on hold just after the EIR was circulated due to the moratorium. The fact is, I have no control over when the moratorium will be lifted, and I have no control over how much time it will take City Staff to reprocess the EIR once the moratorium is lifted. These factors, and many more, are totally out of my control. The last water moratorium lasted from 1972 to 1996; that's 24 years. No new allocations were made during that time. Our current water moratorium started in September 2014 and a recent vote at the Goleta Water District has extended it through at least October 2020. That will be over six years, and there are no guarantees it will be lifted in 2020, or for that matter, 2021. Even if it is lifted in 2020, there is no guarantee that the additional processing that will be necessary for Kenwood Village will result in entitlements by December 2021. My understanding is that there are only five projects in this state, and one of them was developed recently enough that they were privy to the new zoning and were able to make it comply, another already has water by right so they aren't concerned by the inability to predict when the moratorium will end, so there are really only three projects that will be affected by this change. It would be an unfair and unjust hardship for me to have to spend hundreds of thousands of dollars and months of time to redo my entire project	As stated above, through the PC workshops and recommendation hearings, the resulting final recommendation was to limit the exemption for NZO applicability to a project with a “Complete” application to have a sunset date of December 31, 2021. During the City Council hearings, the sunset date was discussed at length and the Councilmembers directed staff to retain the December 31, 2021 date.

under the guidelines of a different zoning ordinance after having spent years perfecting it under the current ordinance. These extra costs will get pushed down to the home buyer. As we all know, Goleta needs housing, and we don't need housing prices to continue to go up due to process costs. I implore you to remove the sentence that was added in November. It was absent for the several years this new zoning has been before the public's eyes, and there is no reason for it. It is a good project, and I don't want to be forced to spend large sums of money and hundreds of hours of time to redesign it.	
Section 17.01.040 April Reid, Comment #60. Implement a sunset clause that would encourage developers to finish their projects, i.e. December 2021 or some time near that date. Otherwise, developers can wait decades to finish their plans under the old Zoning Ordinance without any motivation to finish. In fact, some projects have already been around for over a decade with no end in sight. It is important to build as many new developments as possible with the values of the Goleta citizens as defined in the new Zoning Ordinance.	Comments noted. See responses above regarding the December 2021 sunset provision.
Section 17.01.040 April Reid, Comment #64. I am writing this letter regarding various issues in the New Zoning Ordinance, including but not limited to 17.01.040, implementing a sunset clause for the use of the old Zoning Ordinance; 17.30.120, requiring a minimum of a 100-foot buffer for creeks and 17.38.040, increasing the parking spaces for parking for multi-unit developments with two or more bedrooms. Specifically, I would like to take this opportunity to clarify certain statements that were made by Mr. Ken Alker in his most recent letter posted on December 3, 2019 and in his testimony to the Council on December 3, 2019. I strongly believe that everyone should be able to comment on the issues affecting Goleta. I have not commented on some of these issues before and I would never have mentioned them if Mr. Alkers had not made certain statements. However, after hearing some of the statements presented by Mr. Alker to the Council, I feel it is incumbent upon me to set the record straight. Mr. Alker stated in his December 3, 2019 letter regarding the previous City Council, "The planning commission that reviewed Kenwood Village liked it, and the council members who were serving at that time, some of whom are still here, liked it. It is a good project, and I don't want to be forced to spend large sums of money and hundreds of hours and time to redesign it." Even if the former Council did like everything about the Kenwood Village development, which I have heard is not the case, I would humbly suggest that it is the opinion of the current members of the council whose views are relevant since you are the people who were most recently elected to the Council by the	Comments noted. See responses above regarding the December 2021 sunset provision. Additionally, as a point of clarification, the Kenwood project is not proposing 27 triplexes, but rather is proposing nine triplexes, which total 27 units, and ten duplexes, which total 20 units. The remaining 13 units of the 60-unit total development are proposed to be single-unit dwellings. Regarding the cited nuisance complaints, such issues are subject to Goleta Municipal Code (GMC) Section 12.13.030, Public Nuisances Designated. Abatement of said violation(s) would be

people of Goleta. However, to the extent that the opinions of any former council members who no longer sit on the Council are relevant, I was informed by a senior ranking employee of the City of Goleta that the former Council had issues with both the building of 27 triplexes on the property, as well as the waiver of the 100 foot barrier to build next to El Encanto Creek. So, it is likely Mr. Alker would have needed to make changes to his development plan even if the former Council was still in office. If, for some reason, it is necessary to determine what the former Council felt about the Kenwood Village Project, and whether they would have made any changes to the project, I am sure there are videos of comments the former Council members made that could be reviewed. There are also current members of the Council who sat with the former members of the Council who could shed light on the former Councilmembers' opinions. However, I would submit that it is the current members whose opinions of the Kenwood Village project are relevant. Mr. Alker also indicates in his December 3, 2019 letter that there should not be a sunset clause for the use of the old Zoning Ordinance. In Mr. Alker's letter, he states, "The last water moratorium lasted from 1972 to 1996; that's 24 years. No new allocations were made during that time. Our current water moratorium started in September 2014 and a recent vote at the Goleta Water District has extended it through at least October 2020. That will be over six years, and there are no guarantees it will be lifted in 2020, or for that matter, 2021. Even if it is lifted in 2020, there is no guarantee that the additional processing that will be necessary for Kenwood Village will result in entitlements by December, 2021." The fact that the moratorium could last years or decades is precisely the reason there should be a sunset clause. The values of the residents of Goleta can change significantly in years and decades. For example, in the past few years, the concern over climate change, protecting endangered species and other issues has increased significantly. The idea that a developer can still use the old Zoning Ordinance after 5, 10 or 24+ years is disturbing. It is imperative that developments reflect the values of the City of Goleta at the time the development is approved, not decades in the past. It should also be noted that Mr. Alker is continuously claiming to be concerned about the neighborhood. However, Mr. Alker does not even bother to voluntarily plow the field and remove the weeds unless he is forced to do so. I have handwritten notes from my deceased mom, Carole Cordero, who wrote prior to 2012 that the weeds on the Kenwood Village property were overgrown and that Mr. Alker did not mow the property until he was forced to do so. Then, on November 14, 2013, there was a brush fire on the property behind my rental house at 17 Baker Lane, Goleta, CA. 93117, which is located next door to my own house where I live. I already provided the Council with	subject to the remedies prescribed within GMC Chapter 12.13.

a picture of the Kenwood Village property taken during the fire as shown on KEYT's website. The picture showed the weeds on Mr. Alker's property were taller than the firefighters. Then, in early 2016, I was informed by a senior member of the City of Goleta that Mr. Alker previously received an official warning from the County of Santa Barbara to remove the weeds from the property because they were so tall they were considered a nuisance. Further, around June of 2016, I took pictures of the Kenwood Village property and the weeds were still tall. In fact, Mr. Alker did not mow the field until my next door neighbor stated at a City Council meeting that Mr. Alker and I both attended in mid 2016 that the weeds were overgrown again. Last year, the weeds grew high again. At that time, there were two fires in the field, one on the other side of the field near the creek and one right behind my rental house at 17 Baker Lane, Goleta, CA. During the fire behind my rental property, I spoke to a firefighter who said he did not know if the fire would burn down my houses and I needed to evacuate. He also told me there were kids who hide in the tall weeds to smoke, thereby starting fires. So, Mr. Alker's carelessness and indifference was partly responsible for almost costing me both of my houses. Even today, as of the writing of this e-mail, though there is a patch of plowed land directly behind my two houses, the vast majority of the Kenwood Village property is once again overgrown and taller than most human beings. If Mr. Alker cannot even follow the rules when the property is bare land, how can the residents of Goleta trust he will take care to build a 60 unit housing development with 27 triplexes and 20 duplexes? To the best of my recollection, prior to Mr. Alker purchasing the property, there has never been an issue with the previous owners keeping the field plowed.	
Section 17.01.040 Steven Amerikaner, Comment #81 This letter is submitted on behalf of SyWest Development, owner of the site of the former Goleta Drive-in Theatre at 907 S. Kellogg Avenue. As you know, SyWest has submitted an application to the City for an industrial warehouse project on its property. The application was determined to be "complete" on April 11, 2018. Since then, SyWest has been working with the Santa Barbara Food bank in an effort to determine whether the new facility would be suitable for Foodbank's needs. SyWest has always believed that its application would be evaluated under the City's current Zoning Code. Thus, SyWest was surprised in September 2019 when the Planning Commission inserted a new provision in the NZO placing a "sunset" date of December 31, 2021. ln previous letters, we have pointed out various problems with this Sunset Provision.	Comment noted. As previously stated, after determining the project 'complete' in 2018, the City requested proposals and picks a consulting firm to prepare the CEQA document. There has been no progress on the application since 2018 after the applicant requested the project be placed on hold. Initially, the NZO did not have a sunset provision, whereas, once adopted, all projects would immediately be subject

The purpose of this letter is to provide additional information to the City Council concerning the impact of the NZO on the SyWest project. The Sunset Provision is Fatal to the SyWest Project ln our earlier letter to the City Council, we pointed out that the "Sunset Provision" creates significant risks for the SyWest project. The most recent version of the Sunset Provision released to the public on February 6 does not mitigate these risks; indeed, it makes them more severe. At the outset, it is important to remind ourselves - as we have discussed -- that the Sunset Provision applies to the SyWest project and, at most, one or two others. lt is not a provision that deals with a broadscale policy issue, because there are so few projects with completed applications waiting in the City's processing pipeline. Simply put, the Sunset Provision does not solve a larger problem, because there is no larger problem. The most recent version of the Sunset Provision requires that SyWest secure all "entitlements" by December 31, 2021. City staff has already decided that an EIR must be prepared before the City can approve the requested Development Plan and related discretionary approvals. Given the fact that the EIR consultant has not been selected, and in light of the adjacency of San Jose Creek to the project, we believe there is very little likelihood that the EIR will be completed and certified by December 31, 2021. Moreover, even if the EIR is somehow completed by mid-2021 (leaving sufficient time for public hearings prior to the Sunset Date), SyWest has NO POWER to ensure that all required approvals are issued by December 31, 2021. Indeed, the City lacks that power as well. Since the City does not have a certified LCP, it cannot and does not approve or issue Coastal Development Permits. Under its permitting procedures, the City completes all of its hearings and decides whether to grant City discretionary approvals required by the zoning code. At that point, the project and its related environmental documents and City approvals is sent to the Coastal Commission for approval of a CDP, including formulation of any CDP conditions. The timing and substance of that approval (with conditions) is entirely within the discretion of the Coastal Commission.	to the provisions therein. It was during the 2019 workshops and recommendation hearings with the Planning Commission that a new sunset provision was introduced, discussed, and settle upon by that body as part of their recommendation to the City Council. Subsequently, during the City Council hearings, the sunset date was again discussed at length and the Councilmembers directed staff to retain the December 31, 2021 date.

The conclusion is inescapable: SyWest does not have the ability to comply with the December 31, 2021 date. That timing is in the hands of two public agencies that operate independently of each other. Yet, to proceed forward, SyWest must agree to fund an EIR, which is likely to cost $300,000 or more. The most likely result is that the $300,000 will be paid to an EIR consultant, the Sunset Date will be passed, the NZO will be applied to the project, and the project will be unbuildable because of the NZO building height methodology. This is a business risk that SyWest simply cannot take. This result will not serve the City's interests either. If SyWest simply drops the project, the City will forego an opportunity for a private developer to build a modern industrial facility that will help attract private industry and, perhaps, help support an important community non-profit. Property tax revenues will be lost. A long-vacant parcel of land will finally have a productive and attractive use. And, if the City decides it needs to acquire access over the SyWest property to San Jose Creek, it will need to exercise its power of eminent domain to achieve that access. None of these consequences can be said to serve the City's interests. SyWest's Request and Recommendation SyWest recommends that the City address these issues as follows: 1. Delete the Sunset Provision from the NZO, or 2. Amend the Sunset Provision as follows: a. Change the Sunset Date to December 31, 2024. b. Specify that only City-issued discretionary approvals (such as a Development Plan approval) need to be obtained prior to the Sunset Date. Our suggested amendment is attached. I appreciate your attention to these issues. Since the matter is currently pending before the City Council, I have scheduled a meeting with Mayor Perotte for Tuesday, February 11, at 2:30 pm. I will be explaining this issue to her, and providing her (and other Council Members) with a copy of this letter and its attachments. Suggested Amendments to NZO Sec. 17.01.040, E, 4 4. Project Applications Deemed <u>or Determined</u> Complete. At the Applicant's election, a project application that is <u>deemed or</u> determined to be complete prior to September 1, 2019, shall either: a. Be processed under the zoning regulations in effect at the time ~~of the complete determination~~ <u>the application is deemed or determined to be complete</u>; or b. Be processed under this Title.	

The Applicant's option in accordance with subparagraph (a) of this provision shall terminate on December 31, ~~2021~~ 2024. If a project has not received all required land use entitlements by December 31, ~~2021~~ 2024, the project shall be subject to all regulations of this title. A project shall be deemed to have received all required land use entitlements if the City has completed action on those entitlements, even if the City's decision is subject to judicial challenge or review. Definition of Entitlement Entitlement. The legal process of obtaining all required City-issued discretionary land use approvals for development, including ~~concluding~~ any associated City ~~local~~ appeal period.~~, and meeting any prior to issuance conditions of approval. , and successfully obtaining issuance of the effectuating Zoning Permit.~~	
Section 17.01.040 Erik Talkin, Comment #82 Re: Hearing of February 18, 2020 regarding NZO applicability to SyWest Property Dear Honorable Members of the City Council: I believe you are all aware of the Foodbank's ongoing effort to locate and secure a suitable long-term facility to house our local operations. We have undertaken an exhaustive search of all available land and/or buildings in the Santa Barbara/Goleta region, and we have found that there is a serious lack of available modern and suitable industrial-style building inventory. Examples of such modern and suitable industrial buildings are the new Direct Relief building and similar new buildings constructed within the Cabrillo Business Park. Current state of-the-art standards for these buildings include adequate loading facilities, an open and uninterrupted interior floor area, and a clear height of at least 30-32 feet high. This clear height measurement is critical and allows stacking of product/inventory with a significantly higher efficiency over the older buildings in the Goleta area that were built in the 1970's and 1980's. And a modern facility in the local area is critical to allowing us to consolidate our operations locally, and reduce travel for our employees and be proximate to those we serve in our community. As a non-profit entity, the increased efficiencies from our consolidation into a modern state-of-the-art facility are essential to keeping our operating costs at their lowest possible margin so that we can continue to deliver the maximum benefit to those in need. To assist with our mission to find a long-term and permanent home for the Foodbank, we appreciate if you would include in any adoption of the NZO a provision for an extended period of time underwhich pending development applications that are 'Deemed Complete' can continue to	Comment noted. The permit path for any structure proposed to exceed the maximum allowable height prescribed in the General Plan and NZO would either be through the request for a Modification or an adjustment through a Development Plan.

pursue their entitlements. For several years, we have been engaged in ongoing discussions and exploratory talks for a potential new facility at the site of the former Drive-in; while there is no commitment in place yet that we could locate at this site, we would like it to remain as one of the Foodbank's potential options.	
Section 17.01.040(E) Troy White, Comment #70. Dear City Councilmembers, On behalf of Storke Road II LP, property owner of the property at 250-270 Storke Road (Rusty's Pizza, The French Press, Ca'Dario Cucina Italiana, etc), we wish to offer the comments identified below with respect to the New Zoning Ordinance (NZO). Due to previous commitments, we will be unable to attend tonight's hearing, but hope that these written comments will be thoughtfully considered during your NZO deliberations. Storke Road II LLP has been processing the proposed remodel of its property since 2017. As the timeline below demonstrates, what was supposed to be a simple remodel of the shopping center has turned out to be anything but simple. After a circuitous path through the planning process, we are now finally at the point where the City will accept our Development Plan Amendment DPAM) application for processing. • 10/10/2017 – 01/23/2018: "The Grange" remodel project located at 250-270 Storke Road reviewed by DRB on 10/10/2017, 12/12/2017, and 01/23/2018. • 10/18/2018: Substantial Conformity Determination (SCD) application filed with the City on 10/18/2018. • 02/28/2019: At the direction of City staff, the SCD application was withdrawn and application for an As-Built Development Plan was submitted. • 08/15/2019: As-Built DP Application deemed complete. • 10/14/2019: As-Built DP Application approved by City staff. • 12/16/2019: DP Amendment application submitted. We would ask that the Council consider refinements to NZO Section 17.01.040(E) to allow projects such as ours to continue to be processed under the existing zoning ordinance rather than having to start a new planning process. We suggest the following refinements:	Comments noted. No changes made by Council.

4. Project Applications Deemed Complete. At the Applicant's election, a project application that is determined to be complete prior to ~~September 1, 2019~~ the New Zoning Ordinance becoming effective, shall either: *a. Be processed under the zoning regulations at the time of the determination; or* *b. Be processed under this Title.* *The allowances under this provision shall sunset on December 31, 2021 if a project has not received all required land use entitlements, after which, the project shall be subject to all regulations of this Title.* *5. Project Applications Not Deemed Complete. Projects for which an application has not been submitted and deemed complete prior to ~~September 1, 2019~~ the New Zoning Ordinance becoming effective shall be subject to the regulations of this Title.*	
Chapter 17.03 Rules of Measurement	
17.03.090 Ben Calo, Comment #76. I am writing to keep the City's planning staff informed of our efforts to modernize our concrete ready-mix plant at 50 S. Kellogg Avenue, and also to request City staff's support. I and the other members of Hanson's team deeply appreciate staff's time on December 12th, 2019 to consider how to modernize our Facility within the language of the incoming zoning ordinance (based on the November 2019 draft). At this moment, however, I think that we agree that the most efficient approach is simply to revise the draft ordinance to allow for the Facility modernization to proceed. Santa Barbara County, for instance, has included language in its zoning ordinance that exempts concrete silos from height limits in certain situations. This or similar language ensures our ability to continue operating within the City of Goleta. We wrote to the City Council requesting these revisions (attached) and intend to present to the City Council at the January 21st, 2020 meeting. We would very much appreciate if you could express your support (internally within the City) for our proposed zoning ordinance changes. If the ordinance is not revised, Hanson intends to resume discussions with staff, and will of course exhaust all available pathways to continue our vested operations. Thank you for your consideration. I am happy to discuss this at your convenience. On behalf of Hanson Aggregates Mid-Pacific, Inc. ("Hanson"), thank you for the opportunity to request revisions to the November 2019 draft of the new zoning ordinance. We are making this	Comments noted. No direction given by City Council to make changes to the NZO to include special provisions for this specific type of use or business, but rather to let the existing development be subject to Chapter 17.36, Nonconforming Uses and Structures, and that any new development be subject to discretionary review of a Development Plan.

request in order to allow our longstanding business to modernize in a way that is necessary for us to continue operating normally, and which otherwise would be prohibited under the new ordinance. By way of background, for the past 60 years, Hanson and its predecessors have operated a ready-mix concrete plant at 50 South Kellogg Avenue (the "Facility"). The Facility is one of two concrete suppliers in Goleta's city limits, and the only one with union staff. The Facility is the only one in the City capable of producing over 1,500 cubic yards of concrete per day, with a permitted limit of up to 4,320 cubic yards of concrete per day, making it ideally suited to high- volume public works projects, and the only plant capable of producing high volumes of concrete in response to an emergency situation. The Facility has become an integral part of the local construction industry and has supplied countless public and private construction projects - primarily due to the exceptional quality and volume of its concrete products. The Facility's concrete manufacturing equipment is aging, however, and needs to be modernized for the Facility to continue serving the City's needs. Currently, the Facility is a dry batch double-concrete batch plant, consisting of two concrete plants merged into a single concrete plant. Hanson intends to replace the existing plant equipment with modern equipment in a single-plant format. The new equipment would be less complex, more efficient, and cleaner with reduced air emissions. It would occupy a smaller footprint and be slightly lower in height (by approximately three feet). Replacing the plant equipment would not increase production or introduce new or additional environmental impacts. The new equipment represents a typical upgrade for this type of facility that allows our legal use to continue while meeting all standards for reliability, efficiency, safety and emissions. The Facility is properly zoned as "industrial" under the current and proposed zoning ordinance. Under the existing and proposed new zoning ordinance, however, the plant equipment exceeds height limits. The existing plant equipment and silos are 65-feet in height (55-feet in height from current grade) with a 30-foot antenna. Existing zoning regulations have a 45-foot height limit for structures; the proposed ordinance has a 35-foot limit. The existing equipment operates legally because it predates the existing height restrictions in the zoning ordinance. In its current form, however, the proposed ordinance does not clearly allow Hanson to replace aging equipment that are nonconforming as to height with modern components as Hanson intends.	

The concrete plant itself is a piece of equipment that is manufactured elsewhere and brought on site, assembled and affixed to the ground. Hanson has explored whether it can modernize the plant within the proposed height limit, and found that no manufacturer makes plant equipment within this height limit; the process itself relies on a certain size, shape and height in its design. Thus, as written, the ordinance could require Hanson to maintain the existing plant as-is, using antiquated, unreliable, and less efficient equipment. If the plant equipment were to deteriorate beyond repair, Hanson could be forced to end operations in the City. The zoning ordinance amendment process presents Hanson and the City with a rare opportunity to allow important facilities like this to use the newest, cleanest and most efficient equipment. We do not believe that it is the City's intent to prohibit industrial facilities such as Hanson's from using modern equipment, or to encourage the use of antiquated and unreliable equipment. Hanson therefore asks for relatively minor modifications to the proposed ordinance allowing modernization to occur. Our requests are the following: 1.That the City include language in its new ordinance that allows the replacement of structures and equipment that are nonconforming as to height in the general industrial ("IG") zone provided there is no increase in height, size or capacity. As an example, Santa Barbara County exempts "specific structures and equipment," and specifically concrete ready-mix silos from the height limits of its M-1 zone if "compliance would render operations technically infeasible." (S.B.C. Code, § 35.30.090, subd. (E)(3)(a).) Santa Barbara County further exempts height limits for structures and equipment associated with facilities in M-2 zones if "compliance would render operations technically infeasible." (S.B.C. Code, § 35.30.090, subd. (E)(3)(b).) We welcome you to review and consider the language as highlighted in Attachment 1. Adding a similar exemption to the City's proposed ordinance would allow Hanson to modernize and preserve its longstanding business. Additionally, in other parts of the proposed ordinance, we observe that the City will be allowing for the replacement of non-conforming structures in non-industrial zones if there is no increase in size. (See Draft Ord., § 17.25.020(B)(8)(b).) A similar allowance here is even more appropriate for industrial facilities that are existing, properly zoned and sited. 2. Height limits be restored to previous limits (45') and allowances made for equipment to extend beyond 45 feet. Although this will not cover our silos, we believe maintaining the 45-foot limit in this	

industrial zone is appropriate and provides our Facility with the flexibility to make other modifications in the future. Hanson deeply appreciates the City's time and attention to this matter. We look forward to any questions and to coordinating with City staff as needed to make the appropriate revisions. I can be reached at 805.305.9971 or Ben.CaIoD.LehiqhHanson.com.	
Section 17.03.090 Steven Amerikaner, Comment #81. The NZO's Building Height Methodology Is Fatal to the SyWest Project The NZO has a fatal impact on SyWest's project because it changes the way that building height is measured. Under the existing zoning code, building height is measured from the finished grade of the parcel. Under the NZO, building height is measured from the existing grade. This policy change imposes a severe and special hardship on the SyWest property. Due to the SyWest parcel's existing topography FEMA requirements, the City's Floodplain Management standards require that SyWest import fill to raise the grade of the parcel by an estimated eight feet. Under the existing zoning code, this required change in the grade has no impact on the height of the proposed building. Under the NZO, this change in the grade reduces the building height by eight feet and negates SyWest's ability to construct a modern state-of-the-art building. SyWest's plans were prepared under the existing zoning code and call for a building with an exterior height of 35' and an interior height of up to 32'. Under the NZO, this building would have an exterior height of 27' and an interior height of 24'. The attached photo simulations show the proposed building from three different viewpoints, and using both the existing zoning code and the NZO. We believe that these simulations demonstrate that the visual impact of the proposed building under either the current ordinance or the NZO will not be significant. Enclosed please find a letter from the Radius Group, a local commercial real estate brokerage with substantial experience with industrial properties. This letter makes clear that modern industrial warehouse buildings need an interior height of at least 30'. Additionally, we understand that the City may receive a communication from the Foodbank of Santa Barbara County expressing the challenges it has faced finding a modern industrial facility to occupy.	Comment noted. As stated above, the permit path for any structure proposed to exceed the maximum allowable height prescribed in the General Plan and NZO would either be through the request for a Modification or an adjustment through a Development Plan.

Thus, using the NZO height calculation method will constrain the proposed building so severely that it is very unlikely to be constructed because prospective tenants will find that the 24' interior height does not meet their needs as compared to other modern storage buildings. A commercial building that is not designed to be competitive in the private real estate market cannot succeed, and will not be built. lt bears noting that the standards used by Santa Barbara County and the City of Carpinteria (entirely within the Coastal Zone) both use finished grade to measure the height of a proposed building. Interestingly, the County's "finish grade" methodology applies specifically to properties located in the Coastal Zone and considered to be within the View Corridor Overlay.	
Chapter 17.07 Residential Districts	
Table 17.07.020 **Barbara Massey, Comment #21.** 17.07.020 Large Residential Care Facilities should not be permitted in RS and RP districts. It would be even more intrusive than having a Boardinghouse or Motel in the neighborhood. No one in a single-family neighborhood wants up to 13 people living next door. It brings extra noise, traffic, parking problems, and potentially law enforcement problems. Homeowners bought their homes in RS and RP zones because they wanted quiet, peaceful, low traffic, family neighborhoods where they would have a stable environment. Large Residential Care Facilities are inappropriate for single family neighborhoods. 17.07.020 Animal keeping should require a Minor CUP in RS and RP districts. The potential noise, odors, and traffic problems need to be considered in relation to the adjacent residences.	Comment noted. Direction was given to staff by the City Council to prohibit Large RCFs in the RS and RP zone districts. No edits are recommended to Section 17.07.020, as Animal Keeping activities are subject to Section 17.41.060, which includes provisions in subsection (D) for Odor and Vector Control. Lastly, staff is unaware of any potential traffic issues that would arise from the non-commercial keeping of animals and household pets within the RS and RP zone districts.
Tables 17.07.020 and 17.09.020 **Andrew Bermant, Comment #49.** While allowing Large RCF's in the RP District makes perfect sense (it's what I proposed w/Belmont at the Village at Los Carneros), allowing Large RCF's in the single-family RS district is a recipe for conflict/disaster. I suggest the City really think about leaving the CU remain in place for the RS District and instead allow Large RCF's as-of-right in the OI District where such use will be in in close proximity to the Hospital. I'll give you one simple reason among others: Noise. Large RCF's often require recurring emergency fire and ambulatory services. The sirens would be significantly disruptive to single family neighborhoods. Siting these facilities close to	Comment noted. Direction was given to staff by the City Council to prohibit Large RCFs in the RS and RP zone districts. Additionally, a proposed in the NZO, Large RCFs would be allowed within the "OI" zone district with a Major

hospital/institutional resources would reduce the noise impact from such uses and less adversely impact office and institutional uses, especially at night. If you think there is any chance of the City Council considering the foregoing, let me know and I'd be please to submit a letter for their consideration. All my best and hope the new round results in approval!	Conditional Use Permit since such uses are not distinctly consistent with the purpose and intent of the OI Office Institutional land use designation.
Section 17.07.030 Hersel Mikaelian, Comments #55 and #67. Change Height Limit from proposed 25 to 27 - 28 feet for a two-story house. Today almost every architect agrees a two-story house with high ceilings require about 27.5 to 28 feet height elevation. A house's ceiling height has evolved over the years. In the '60s and 70s, the standard ceiling height was 8 feet in height. Today, for better air circulation and larger homes the ceiling plates are 10 feet. Only two individuals at the last PC hearing very late in the session talked the PC into going along with their comments, 25 feet elevation to the highest point of the roof, the ridge (not even the mean) and the PC bought it. So, the public has no idea that these changes happened at the last moment! There are many, many existing homes that already exceed this height. If the 25 feet limit is enacted, it will effectively ensure that those with existing homes are allowed to have taller structures than those who develop in the future. This is not a good precedent for the City, nor is it good planning to limit new homes to such a small height – this will lead to poor design and lower home values. The two people who spearheaded this specific issue don't represent the entire city of Goleta. They are existing homeowners who are selfishly trying to limit future development. No one else such as an expert or architect defended these views at the hearing. Sadly, there was no study presented and no factual information was provided to support this limitation!	No changes recommended since height recommendations are taken directly from the City's General Plan, Table 2-1. Furthermore, during the Workshop discussions, the PC acknowledged that the new height methodology could result in flatter roofs, which is why the provision was added to allow up to a 3-foot bonus for homes using a roof pitch of 4:12 or greater (see subsection 17.03.090(A)(1).
Section 17.07.040 Hersel Mikaelian, Comments #55 and #67. Change FAR to 40%. Section 17.07.040: Please change the proposed FAR (32% - 18%) to a simple 40%. This number is consistent with the County of Santa Barbara and other local jurisdictions (which have set FAR's at 40%). The current City of Goleta FAR's were first created arbitrarily without any basis, study, consideration or consulting with experts.	The standard in Section 17.07.040 for maximum floor area is taken from Ordinance No. 07-06. Furthermore, this maximum floor area can be adjusted

When the new City Council studied and attempted to fix the FAR standards under former Planning Director, Steve Chase, the recommendation was to leave FAR's in place as a "guideline/ recommendation" that could be applied. This allowed the City to avoid a full CEQA review and associated time and expenses since the FAR's were not in the zoning ordinance, but rather a recommendation. Sec. 35-71.13. https://www.cityofgoleta.org/home/showdocument?id=7875 Page 75 and Appendix F. Under the proposed New Zoning Ordinance, the recommendation has been deleted and now it is included as a set standard that states "maximum FAR". This proposed FAR has had no study, no CEQA analysis and the word "recommendation" has been deleted. http://nebula.wsimg.com/9599b5adbcc440753b94c52829f9fb47? AccessKeyId=8B11547F66E8794DD29E&disposition=0&alloworigin=1 Pae:11-7 and 11-8. It appears there are different FAR's within the same zone, which is a flawed approach and biased against larger parcels. This approach is confusing and arbitrary and is like spot zoning which is not legal. For example, if a lot size is 6000 sq. ft. It allows 33% FAR. If the lot size is 12,000 sq. ft. a 25% FAR and if the lot size is 20,000 sq.ft. it allows 18% FAR. An 18% FAR means that 82% of the property isn't developed. There is no reason why 82% of a property should remain in open space effectively making it economically infeasible to build or improve this type of property. This represents a regulatory taking in my opinion. FARs are supposed to serve properties uniformly throughout a zone district rather than discriminating against larger parcels in the same zone.	upwards by the Design Review Board, consistent with Ordinance No. 07-06.
Section 17.07.040 Hersel Mikaelian, Comment #55. Under the proposed New Zoning Ordinance, the recommendation has been deleted and now it is included as a set standard that states "maximum FAR". This proposed FAR has had no study, no CEQA analysis and the word "recommendation" has been deleted. It appears there are different FAR's within the same zone, which is a flawed approach and biased against larger parcels. This approach is confusing and arbitrary and is like spot zoning which is not legal. For example, if a lot size is 6000 sq. ft. it allows 33% FAR. If the lot size is 12,000 sq. ft. a 25% FAR and if the lot size is 20,000 sq. ft. it allows 18% FAR. An 18% FAR means that 82% of the property isn't developed. There is no reason why 82% of a property should remain in open space effectively making it economically infeasible to build or improve this type of property. This represents a regulatory taking in my opinion. FARs are supposed to serve properties uniformly throughout a zone district rather than discriminating against larger parcels in the same zone.	Comment noted. See response above.

Section 17.07.040 **Hersel Mikaelian, Comment #67.** Councilmember, please do the right thing, deny the PC recommendation and adopt the 40% FAR, 28 feet height and leave the story pole to DRB discretion and Planning Director just like any other cities and the counties and other local jurisdictions. After all, you are talking about the need for housing. Taking 82% of someone's property isn't the right thing!	Comment noted. No changes made.
Section 17.07.050 **Barbara Massey, Comment #21.** 17.07.050(C). Small-Scale Units should have the Parking Requirements placed back in the Zoning Ordinance. Medium and High-Density Residential development should provide required parking for Small-Scale Units because some residents will have cars and all will have visitors. A developer shouldn't be able to dump his parking shortage problem on the community.	The specific parking standard for small-scale units, which was less than other multi-unit dwellings, was removed based on Planning Commission feedback. As such, small-scale units must meet the same parking requirements of other multi-unit dwellings as provided in Table 17.38.040(A). The City Council did not request changes to the PC recommendation.
Chapter 17.08 Commercial Districts	
Table 17.08.020 **Will Russ, Comment #79.** I am a business owner in SB and am looking to relocate my facility to Goleta, however, due to the new NZO, we are being shut out. We are currently seeking a 20K+ building/warehouse space. All buildings that meet our requirements are located in the Business Park Zones. Due to our use, we are being told that CUP's will not be considered for Indoor recreation business in the business park zones. This seems like a very poorly thought out portion of the new regulations. With the business park zones being a main hub for so many residents, it seems that excluding certain businesses from providing healthy/active services for these people is counter productive for the City of Goleta. Our current business has been located on State street for over 8 years now. As we try to grow our business and provide our unique services to a large portion of our customers in Goleta, we have been continually shut out of every available option. I feel that it is unfair to not even consider CUP's for indoor sports/recreation-based businesses in the Business Park Zones. Thank you. Will Russ Owner - Santa Barbara Rock Gym	Comment noted. The NZO is implementing the General Plan and currently the General Plan does not allow the Commercial use of Entertainment and Recreation Services (which is what Indoor Sports and Recreation falls under in the NZO) within the BP Zone District. Such a use would be permissible in the CR, CC, VS, OT, and OI zones.
Chapter 17.09 Office Districts	

Table 17.09.020 **Joshua Ellis, Comment #1.** The NZO proposes making our use in our zone a "Non-Conforming" use for business parks even though the GP clearly states that Eating and Drinking Establishments are a "Conforming" use. In doing so (even if unintentionally) it effectively changes the GP. The NZO does this by bifurcating "Eating" and "Drinking" establishments, and it really has a negative impact to three specific businesses (as far as I can tell) of which we are the largest. Making these businesses "Non-Conforming" would make growth for us in our current locations extremely difficult, and likely would relegate any future growth of our companies to other more friendly municipalities. Furthermore, "Non-Conforming" designations can negatively impact property values. We all relied on the idea that our businesses were "Conforming" uses when we selected these locations and invested our money in The Goodland.	The principal use for the M. Special microbrewery establishment is "Limited Industrial." The eating and drinking establishment on the site is permitted as an Accessory Use. As such, the NZO does not make either of these uses "nonconforming."
Chapter 17.10 Industrial Districts	
Chapter 17.25.020 Industrial Districts **Ben Calo, Comment #72** For the past 60 years, Hanson and its predecessors have operated a ready-mix concrete plant at 50 South Kellogg Avenue (the "Facility"). Facility is properly zoned as "industrial" under the current and proposed zoning ordinance. Under the existing and proposed new zoning ordinance, however, the plant equipment exceeds height limits. The existing plant equipment and silos are 65-feet in height (55-feet in height from current grade) with a 30-foot antenna. Existing zoning regulations have a 45-foot height limit for structures; the proposed ordinance has a 35-foot limit. The existing equipment operates legally because it predates the existing height restrictions in the zoning ordinance. In its current form, however, the proposed ordinance does not clearly allow Hanson to replace aging equipment that are nonconforming as to height with modern components as Hanson intends. We do not believe that it is the City's intent to prohibit industrial facilities such as Hanson's from using modern equipment, or to encourage the use of antiquated and unreliable equipment. Hanson therefore asks for relatively minor modifications to the proposed ordinance allowing modernization to occur. Our requests are the following: 1. That the City include language in its new ordinance that allows the replacement of structures and equipment that are nonconforming as to height in the general industrial ("IG") zone provided there is no increase in height, size or capacity...Adding a similar exemption to the City's proposed ordinance would allow Hanson to modernize and preserve its longstanding	Comments noted. Height standards for all zone districts were derived from the City's General Plan. Further, any deviation to the 35 maximum height allowance in the IG (General Industrial) district would require either a stand-alone Modification or a modification through a new Development Plan. As such, there is a permit path for the example given in this comment letter.

business. Additionally, in other parts of the proposed ordinance, we observe that the City will be allowing for the replacement of non-conforming structures in non-industrial zones if there is no increase in size. (See Draft Ord., § 17.25.020(B)(8)(b).) A similar allowance here is even more appropriate for industrial facilities that are existing, properly zoned and sited. 2. Height limits be restored to previous limits (45') and allowances made for equipment to extend beyond 45 feet. Although this will not cover our silos, we believe maintaining the 45-foot limit in this industrial zone is appropriate and provides our Facility with the flexibility to make other modifications in the future.	
Chapter 17.16 -AE Airport Environs Overlay District	
Chapter 17.16 **Troy White, Comments #51 and #66.** 1. With respect to the City of Goleta's Draft New Zoning Ordinance (NZO), I would like to bring to the City's attention that the proposed changes from the F-Overlay under the existing Zoning Ordinance to the proposed Airport Environs (AE) Overlay under the NZO appear to prohibit most retail/hotel uses within the Approach Zone, despite the fact that these areas have been designated for such commercial activity within the General Plan, the existing Zoning Ordinance, and the draft New Zoning Ordinance (NZO). The existing Zoning Ordinance appears to allow for greater discretion by both the City and Airport Land Use Commission (ALUC) with respect to permissible uses within the Airport Land Use Plan's (ALUP) Approach Zone. Under the NZO, the City requires ALUC and Airport consultation for all development projects, not just legislative acts.	Comments noted. 1. City Council supported staff's recommended edits to the –AE Overlay to address the concerns raised within this comment.
Chapter 17.16 **Troy White, Comments #51 and #66.** 2. Table 4-1 (contained with Chapter 4 of the ALUP) indicates that General Merchandise-Retail, Food-Retail, and Eating and Drinking are uses generally not compatible in the Approach Zone and that Personal and Business Services should not result in large concentrations of people. It should be noted, however, that the ALUC has previously determined that the City's General Plan and Zoning Ordinance, which allow General Merchandise-Retail, Food-Retail, and Eating and Drinking as permitted uses along the Storke Rd commercial corridor, are compatible with the ALUP. As stated in the ALUP Chapter 5, "the policies presented in this plan are general in nature. They are based on federal and state standards for noise and safety, and are designed to be adapted to individual cases."	Comments noted. 2. No changes required. The ALUC acknowledges that those existing uses along the Storke Road commercial corridor are not subject to the Approach Zone restrictions due to the fact that they are existing land uses, which are not subject to the ALUP.

Chapter 17.16 Troy White, Comments #51 and #66. 3. Further, it should be noted that the 25 person per acre threshold oft referred to within the ALUP is meant not as a limitation in the maximum number of persons a site might accommodate, but exceedance of this density standard is considered only a threshold for additional ALUC review. It appears that most retail activity along the Stoke Road commercial corridor would not be immediately consistent with the ALUP's Table 4-1 (LAND USE GUIDELINES FOR SAFETY COMPATIBILITY). It is unclear if the City intends for the ALUP Table 4-1 to dictate City retail development/ redevelopment policy relative to Section 17.16.040(C).	Comments noted. 3. No changes required. Existing land uses are not subject to the restrictions provided within Table 4-1 of the ALUP. New development would be subject to all NZO provision, including those within the –AE Overlay and ALUP Table 4-1.
Chapter 17.16 Troy White, Comments #51 and #66. Is an "incompatible" use a "prohibited" use? Who determines which and how often is such a determination required? Is it required for every project, regardless of how small? How does Table 4-1 related to the rest of the ALUP. When the new Airport Land Use Compatibility Plan (ALUCP) is adopted (presumably, in 2020) will the reference to Table 4-1 still apply? Would a small addition and/or change of use application for retail activity within an area designated/zoned for retail within the Approach Zone require a zoning ordinance amendment in order to comply with 17.16.040(C)? Would such an application require formal action by the ALUC despite the fact that no legislative act is proposed? I have a client who has been working earnestly for several years to redevelop and enhance his retail center along the Storke Rd commercial corridor—the project would not result in any new square footage (net building area). City Planning staff has recently pointed out that the project could not likely be approved under the NZO. I would greatly appreciate any efforts that City staff could provide to elucidate this issue and/or to suggest revisions to the NZO before it is adopted.	A proposed use that is new use or a change of use, which is "incompatible" within a safety area would be not be considered an allowable use. When the new ALUCP is adopted, Table 4-1 will be replaced by the tables within the new plan. The example scenario of a small addition or change of use does not contain enough information about the project for staff to provide a specific answer. However, in general, an ordinance amendment would not be supported by Planning staff if it is inconsistent with the General Plan.
Chapter 17.16 Troy White, Comment #66. Dear Peter, As was mentioned at the CC hearing, small additions and/or changes of use on lots zoned for retail/commercial use should not trigger new ALUC review or incompatibility issues. The ALUC has already found retail/commercial use "compatible" with the ALUP. As Mr. Linehan also identified at the hearing, virtually all retail/commercial use within the City of Goleta exceeds 25 persons/acre, which is a very LOW standard.	Comments noted. While staff is not evaluating case-by-case effects on individual parcels or validating hypothetical scenarios and calculations, edits were made by the City Council on the NZO's airport overlay wording to address public comments and City concerns.

Case in point, and a concrete example--please see the attached Airport Intensity Calculations for our proposed The Grange project (250-270 Storke), which in its essence consists of a reskin of the two main buildings (32,912 SF, including 144 SF elevator additions) and a demo/remodel/change of use for the smaller building (1,379 SF). The project results in a hypothetical population change of +8 persons, from 163 persons to 171 persons. Both the existing and proposed project are over the 25 persons/acre threshold. Both the existing and proposed project populations are, however, UNDER the Caltrans ALUP Handbook Maximum Intensity guidelines. Our project is the poster child for reasonable City zoning regulations with respect to the proposed AE Overlay. The existing Draft NZO AE Overlay, as it is written, will certainly stifle efforts by existing businesses to improve their properties. We hope City staff and the City Council will consider regulations that do not hamstring the City's considerable retail/commercial sales tax base to the whims of the ALUC and/or the City Airport.	
Section 17.16 Troy White, Comments #51 and #66. With respect to the City of Goleta's Draft New Zoning Ordinance (NZO), I would like to bring to the City's attention that the proposed changes from the F-Overlay under the existing Zoning Ordinance to the proposed Airport Environs (AE) Overlay under the NZO appear to prohibit most retail/hotel uses within the Approach Zone, despite the fact that these areas have been designated for such commercial activity within the General Plan, the existing Zoning Ordinance, and the draft New Zoning Ordinance (NZO). This of particular concern for properties located along the Storke Road commercial corridor (including the Target Shopping Center, Camino Real Marketplace, The Grange/ Storke Plaza, Zizzo's, Courtyard Marriott, Hilton Garden Inn, etc.). These properties are located within the Santa Barbara Municipal Airport's Approach Zone (< 1 mile from runway). The existing Zoning Ordinance appears to allow for greater discretion by both the City and Airport Land Use Commission (ALUC) with respect to permissible uses within the Airport Land Use Plan's (ALUP) Approach Zone. Under the NZO, the City requires ALUC and Airport consultation for all development projects, not just legislative acts. According to the Santa Barbara County Airport Land Use Plan (1993), the purview of the ALUC in land use planning is limited to:	Comments noted. See response above, including those related to ALUP Table 4-1.

• height restriction recommendations on new buildings near airports; • land use regulation recommendations to assure safety of air navigation; • achievement of compatible land uses in the vicinity of airports to the extent that land is not already devoted to incompatible uses. Table 4-1 (contained with Chapter 4 of the ALUP) indicates that General Merchandise-Retail, Food-Retail, and Eating and Drinking are uses generally not compatible in the Approach Zone and that Personal and Business Services should not result in large concentrations of people. It should be noted, however, that the ALUC has previously determined that the City's General Plan and Zoning Ordinance, which allow General Merchandise-Retail, Food-Retail, and Eating and Drinking as permitted uses along the Storke Rd commercial corridor, are compatible with the ALUP. As stated in the ALUP Chapter 5, "the policies presented in this plan are general in nature. They are based on federal and state standards for noise and safety, and are designed to be adapted to individual cases." Further, it should be noted that the 25 person per acre threshold oft referred to within the ALUP is meant not as a limitation in the maximum number of persons a site might accommodate, but exceedance of this density standard is considered only a threshold for additional ALUC review. It appears that most retail activity along the Stoke Road commercial corridor would not be immediately consistent with the ALUP's Table 4-1 (LAND USE GUIDELINES FOR SAFETY COMPATIBILITY). It is unclear if the City intends for the ALUP Table 4-1 to dictate City retail development/ redevelopment policy relative to Section 17.16.040.C. Is an "incompatible" use a "prohibited" use? Who determines which and how often such a determination [is] required? Is it required for every project, regardless of how small? How [is] Table 4-1 related to the rest of the ALUP. When the new Airport Land Use Compatibility Plan (ALUCP) is adopted (presumably, in 2020) will the reference to Table 4-1 still apply? Would a small addition and/or change of use application for retail activity within an area designated/zoned for retail within the Approach Zone (<1 mile) require a zoning ordinance	

amendment in order to comply with 17.16.040.C? Would such an application require formal action by the ALUC despite the fact that no legislative act is proposed? I have a client who has been working earnestly for several years to redevelop and enhance his retail center along the Storke Rd commercial corridor—the project would not result in any new square footage (net building area). City Planning staff has recently pointed out that the project could not likely be approved under the NZO. I would greatly appreciate any efforts that City staff could provide to elucidate this issue and/or to suggest revisions to the NZO before it is adopted. Thank you for your thoughtful consideration of these questions/comments. Should you have any questions, concerns or require additional information, please do not hesitate to give me a call at (805) 698-7153. I may also be e-mailed at twhite@twlandplan.com	
Chapter 17.16 Troy White, Comment #70. We agree with and support City Staff's recommendation that -AE Overlay Section 17.16.030 be revised to eliminate the requirement to consult with Airport Land Use Commission staff and Santa Barbara Airport staff, where not required by law. With respect to -AE Overlay Section 17.16.040(C), we suggest the following refinements to ensure that existing and proposed development that is consistent with non-residential commercial uses previously found compatible with the ALUP by the ALUC will be permissible: *C. Non-Residential Uses. ~~All non-residential uses within the Clear and Approach Zones must be consistent with ALUP Table 4-1.~~* *1. Prohibited Uses. The following uses are not permitted within the Airport Clear and Approach Zones unless such use is found consistent with the ALUP by the ALUC or is approved by the City Council upon a two-thirds vote with specific a finding that the proposed development is consistent with the purpose and intent expressed in Public Utilities Code, Section 21670.* *a. Hazardous installations or materials such as, but not limited to, oil or gas storage and explosive or highly flammable materials.* *~~b. Any use which may result in a permanent or temporary concentration of people greater than 25 persons per acre.~~*	Comments noted. Edits made to delete reference to Table 4-1 specifically, but maintain required consistency with the ALUP generally, as required by the City's General Plan. See Errata for complete text of recommended edits to subsections 17.16.040(C) and (D) of the NZO.

Also, the Council may wish to consider language that could be incorporated into the NZO -AE Overlay which would address pre-existing structures, minor additions, and/or changes of use which do not demonstrably change the permitted use of the overall project site. CONCLUSION Thank you for your consideration of these suggested refinements to the NZO. Should you have any questions, concerns or require additional information, please do not hesitate to give me a call[.]	
Section 17.16.040 **Barbara Massey, Comment #21.** Sections 17.16.040(B)(3) and (C). Under Residential and Non-Residential Uses Restrictions the ALUP Table 4-1 is mentioned a number of times but is not included in the NZO. Table 4-1 is not easy to find online and the Table should be included in this document. It is only three pages long and could easily be reduced to fit on one page.	Table 4-1 is currently available on SBCAG's website under "Airport" | "Documents" | "Adopted 1993 Airport Land Use Plan." Pages 36-38 contain the Table. Staff is looking into whether making the Table available on the City's website is necessary and feasible.
Section 17.16.040 **Barbara Massey, Comment #21.** Section 17.16.040(D) In the Runway 7 Safety Corridor the word "uses" should replace "features" for what is allowed. Features is the wrong word, it isn't as specific. The appropriate word is "uses".	The term "feature" was used since the listed examples are not all "uses," but are each listed in General Plan policy SE 9.4. This sentence has been reworded for clarity.
Chapter 17.24 General Site Regulations	
Table 17.24.080 **Barbara Massey, Comment #21.** Table 17.24.080 under Structures Allowed Above the Height Limit, the section from Chimneys through Domes should be limited to 10%. It is important to protect our views and these features don't improve it but do obstruct it.	No changes made. Current Zoning allows said features to extend up to 50 feet in all zone districts. The NZO would limit them to up to 20% of the structure's height, which would result in them being less than 50 feet. Impacts to views would still need to be analyzed as outlines in the NZO.
Section 17.24.090 **Barbara Massey, Comment #21.** 17.24.090(C)(1)(a). Chain-link fencing should have a covering to block the public's view of what is behind the fence.	Comment noted.

Section 17.24.090 **Kitty Bednar, Comment #58.** The new code severely limits the use of chain-link fencing (17-24.090(C)(1)). Two explanations have been given for the ban: 1. it's not aesthetically appealing, and 2. it is too rural or agrarian in nature. There are more reasons for choosing a particular fencing material than aesthetics, such as defining boundaries, keeping children and pet in and intruders out, etc. Additionally, Goleta celebrates its agricultural past every year with the Lemon Festival and past and current development projects have been praised for their use of design elements reminiscent of our agricultural past. Why ban chain link as too agrarian? 3. Also, the new code places some limitations on concrete/masonry block. Are the two limitations on fencing materials in 17.24.090(C)(1) and (C)(2) the only limitations, so that all other types of fencing materials are allowable?	Comments noted. Regarding the question of materials; The City Council directed staff to edit the NZO to remove the chain-link standards, but retain the three other limitations on materials in subsection (C)(1-4), including 1. Limitations on Concrete/Masonry Block, 2. Exterior Appearance, and 3. Vegetation.
Section 17.24.090 **Kitty Bednar, Comment #58.** Are the two sections cited below compatible? That is, should 17.58.020(B)(2) also reference fences in interior side setback and rear setbacks, which—according to 17.24.090(B)(1[sic])(a) are exempt from permitting requirements (and presumably Design Review) if they are eight feet or less? 17.58.020 Exemptions B. The following development is exempt from Design Review, except when part of a larger development project under review by the City, which is subject to this Chapter: 1. Decks that are less than 30 inches above grade; 2. Fences or walls six feet or less in height and gateposts of eight feet or less in height, that are not considered integral to the design of a structure (e.g., perimeter fences); 17.24.090 Fences, Freestanding Walls, and Hedges B. Permit Requirements. 1. Interior Side Setbacks and Rear Setbacks. Within interior side setbacks and rear setbacks, or along the exterior boundaries of such setbacks, fences and freestanding walls may be allowed based on the following standards. Columns, gateposts, pilasters and entry lights may exceed the maximum height by two feet. a. Eight Feet or Less. Exempt. b. More than Eight Feet. Land Use Permit or Coastal Development Permit.	Comment noted. The two cited sections are compatible. A fence/wall could be exempt from a LUP/CDP permit requirements, but still require DRB review.
Section 17.24.090 **Kitty Bednar, Comment #58.** Should the language in 17.24.210(A)(2) be clarified? It does not appear to define a "triangle." Perhaps an illustration would help. "17.24.210 Vision Clearance A. Clearance Triangle. No wall, fence, or other structure may be erected, and no hedge, shrub, tree or other growth shall be maintained that will materially impede vision clearance within the road right-of-way for vehicular traffic, cyclists, and pedestrians. 2. Driveways. A hazard exists when a structure or vegetation exceeds the height of three feet within the triangle. The triangle is measured along the	Comment noted. No edit made to include an illustration.

property line with roadway frontage from which access to the lot is taken and extends ten feet parallel to the public right-of-way and ten feet parallel to the driveway on both sides.	
Section 17.24.090 Bonnie and Robert Moore, Comment #69. Another concern at this same property which is a quarter acre parcel has a large frontage (200+ feet) currently with a chain-link fence. We are hearing that chain link is being thought of as a non-acceptable type fencing. Chain link allows drivers to see other vehicles on the street as well as pedestrians and bikers. We removed all the growth material when we purchased the property and do not plan on adding a blinder to the fencing for safety. There is also discussion of having fences no higher than 3 feet. There are safety issues with a 3-foot fence where children are involved. A 3-foot fence will allow easy access to reach over and take a child. 3-foot fencing allows easy access to private property which would allow anyone to step over the fence and come into that private property to do damage and or steal. In our property, we have fruit trees; 3 ft. fencing will not stop thieves. 3-foot fencing or a split rail fence will not keep out aggressive/dangerous dogs off the property; they will jump the fence or crawl under the fence. Law enforcement can clearly see the property from the street as no one can hide behind a chain link fence. There is a wooden fence near the home for resident privacy.	Comments noted. Fence heights and chain-link fencing were the subject of a significant amount of discussion during several Planning Commission workshops throughout 2019, which resulted in the final recommendations in the NZO to the City Council. On 01/21, the City Council directed staff to edit the NZO to remove the chain-link standards.
Section 17.24.090 Connie Cornwell, Comment #73. I am writing to strongly encourage you to include a hedge amortization period of three months to ensure that nonconforming hedges must be brought into compliance with the NZO. I feel that time period is fair and reasonable. Without an amortization period for compliance, enforcing the hedge height ordinance would be impossible. The City needs the authority to require a homeowner whose hedges are a safety and view obstruction issue to act in a timely matter.	Comment noted. The City Council supported the NZO language on hedges, including hedge amortization.
Section 17.24.090 Kathy Wolfe, Comment #74. Dear City of Goleta Council: I apologize for the impersonal nature of this email – unfortunately because of an upcoming surgery I will be unable to attend the January 21st meeting, however, I felt it important to voice my concerns over your proposed "hedge height ordinance." I am also confident that the fact that we are long-time residents of Serenidad Place makes you very much aware of the 40'+ hedges surrounding 830 Serenidad Place (please see attached), and thus our concern that the hedge height ordinance be adopted. My concern is that, once these ordinances are adopted, how will they be enforced? Do we, as neighboring property owners have to initiate a call to Zoning to have them cited? Is there any time limit for compliance or penalties for non-compliance? I feel that these issues are paramount to the successful application of	Comment noted. As stated above, the City Council supported the NZO language on hedges, including hedge amortization.

this NZO. Thank you very much for your time and I am hopeful that these concerns can be addressed either in writing or at the meeting, as several of the concerned neighbors will be in attendance.	
Section 17.24.090 Nadir Dagli and Gulcin Dagli, Comment #77. Dear Goleta City Council members, We are writing to you regarding the zoning ordinance that will be discussed in tomorrow's city council meeting. We strongly ask for the inclusion and enforcement of a perimeter planting/hedge height ordinance as part of this zoning. We live at 840 Serenidad Pl. Our neighbor at 830 Serenidad Pl. has been a problem for us and our neighbors over many years. He has planted bushes/trees etc. all around the periphery of his property and let them grow over a very long time. These perimeter plantings are over 40 feet tall and come with major problems for us and neighbors. First of all they are out of character with the neighborhood and Goleta in general. The appearance of these very tall perimeter planting/hedges create a very unfavorable vision and affect the property values in the neighborhood adversely. In addition they block the sun on the south side of our property which leads to rot and molding. That side of the house becomes very difficult to keep warm since sun is blocked all day long. Moreover their roots are all over the place and go under the slab of our house. These lead to expensive foundation repairs. They are also full of dirt, small insects and even the mildest breezes blow them to our property. It is impossible to maintain a lawn in front of our house and fruit trees we had on that side all died. We need help in rectifying this situation. Anybody should be able to have perimeter planting/hedges as long as their height is reasonable and they are maintained. Such rules exist in all the cities around us and are characteristics of well managed cities. I hope you will be responsive to our request. So in summary we would like to see an ordinance that includes height restrictions for perimeter plantings/hedges and enforceable. We would like to see a provision that requires compliance with the ordinance within a reasonable length of time such as 90 days.	Comment noted. As stated above, the City Council supported the NZO language on hedges, including hedge amortization.
Section 17.24.090 Treva Yang, Comment #80. I read the NoozHawk article of January 21, 2020 stating that the council is set to take a final vote on February 18 regarding fences, freestanding walls, and hedges. I feel that the last choices that a property owner has are now being regulated away! I don't live in a planned community. There is no reason for it to look like one. Each property has its own personality. As I look around my neighborhood I see plenty of examples of hedges that would not meet the proposed 6ft-in-front, 8ft-on-the-sides rule. However, all of these hedges have a good reason for being tall. They are all well maintained. Most importantly, the property owners made the choice to have them this height. When I read, "Goleta resident Connie Cornwell said a hedge next to her home is too tall and is rodent-infested." I felt that perhaps you are trying to regulate the wrong thing. If there is a rodent problem,	Comment noted. As stated above, the City Council directed staff to edit the NZO to remove the chain-link standards, but retain the three other limitations on materials in subsection (C)(1-4), including 1. Limitations on Concrete/Masonry Block, 2. Exterior Appearance, and 3. Vegetation.

deal with her rodent problem. I am sure there is a way for that to get taken care of without regulating hedge heights for all of us! The article went on to state that you want to pass a regulation against chainlink fences. I could not believe this! Again, there is no reason for every property to look the same. What works for one person or property does not work for all of us. There are very good reasons for chain link fences. What if one has a back or side property line. with a hedge. There is a need for light and sun to get to the hedge on both sides. Adjoining property owners are happy with the chainlink fence. No need for "big brother" to weigh in. What about a chainlink fence in the front with a hedge? What if someone wants a chainlink fence in their front yard to keep a dog or child in, but still allow it to look out. Again, not a problem. Vinyl, wood, bamboo, stone, chainlink, other, why should anyone have to justify their choice of fence?! Last time I looked, this was still America. Please don't regulate our last rights away.	
Section 17.24.130 **Barbara Massey, Comment #21.** There should be a time limit on temporary storage of construction materials. Too many developments run into problems and take years to finish or to restart a project. The public shouldn't have to look at the piles of construction materials. Many of these lots look like junk yards. If a chain link fence is used for screening it must have a covering to block the view.	Comments noted.
Chapter 17.26 Coastal / Inland Visual Resource Preservation	
Chapter 17.26 **Fermina Murray, Comment #62.** I echo what Council-member James Kyriaco Jr. said in the last NZO meeting, "I vote for Cecilia Brown." I am sorry to miss the Council session on NZO tomorrow night. I have read the excellent letter Cecilia Brown submitted to you. I agree, share, and support all of Cecilia's concerns and recommendations. As you know the proposed three-story Calle Real Hotel project is going to be "a view shed buster," like the Hilton Garden Inn, if you do not declare an enforceable view shed protection policies in the NZO. Council-member Stuart Kasdin raised this important topic in the last meeting, and I fully support his concerns and suggestions to remedy the critical section that is missing in the NZO. Lighting! It seems that all the previous lighting suggestions in the past NZO meetings have disappeared in the staff report. As Cecilia mentions, there are good ideas that we can learn from the Dark Sky experts as well as from other cities who have successfully implemented non-polluting lighting standards. I will be happy to assist any Council-appointed committee to come up with an appropriate lighting ordinance for the City.	Comments noted. The City Council directed staff to draft a development standard for viewshed protection. Staff added this item to the hearing worksheet for discussion at the 12/17 hearing, where the Council supported staff's recommendation for additional language to the NZO that added viewshed protections. Current provisions for the proposed Lighting standards are located within Chapter 17.35 of the NZO.

Section 17.26.040(B) **George Relles, Comment #54.** View Protection Development Standards Section 17.26.040 Issue: This section heading, "To minimize impacts to public views..." lists 10 development practices that "must be used." However, the heading is modified by the phrase "where applicable." The meaning of "where applicable" is unclear and undefined. So, it is unclear when and how this phrase might create exceptions to the required, intended and listed mitigations. Recommendation: 1. Please seek to include some language in the NZO that clarifies and limits how "where applicable" will erode or negate the overall intent of minimizing impacts. 2. Please seek to clarify when these 10 development practices would NOT be applicable. 3. Apply these same recommendations anywhere else in the NZO that "the phrase "where applicable" is used.	Comment noted. No changes required. The phrase "where applicable" is used for instance when a project may not be proposing development that includes all of the examples given (e.g., in the cited Section, a second story addition would likely not require item 10 "Revegetation of disturbed areas" or, the subject lot may not be near a beach where item 2 would otherwise be applicable). An equivalency would be the note "N/A" on an application.
Chapter 17.28 Inclusionary Housing	
Section 17.28 **Vijaya Jammalamadaka, Comment #35.** The Planning Commission has voted to approve the proposed NZO, contingent upon the initiation and adoption of the relevant General Plan Amendments. These include amending the Housing Element to include rental inclusionary housing; The League would like to hear the details of this amendment, e.g., the percentage of the proposed project that would be required to be inclusionary housing. We recommend at least 15% consistent with the existing requirement for for-sale housing	Comment noted. A General Plan amendment to policy HE 2.5 occurred on December 3, 2019 to remove the phrase "for-sale" throughout the policy. No changes were made to the percentages of required Inclusionary Housing. The General Plan Amendment is not reflected in the NZO Errata Sheet.
Chapter 17.30 Environmentally Sensitive Habitat Areas	
Section 17.30.070 **Lindy Carlson, Comment #4** I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its	SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.

Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	
Section 17.30.070 Lindsey Bolton, Comment #5 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Jesse Bickley, Comment #6 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Bob Crocco, Comment #7	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council

I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Susan Shields, Comment #8 As a local resident who cares about the protection of creeks and wetlands in this area and their important role in the landscape and environment, I understand that in the past the City has approved reductions in the required 100-foot creek setback for new construction without analyzing the degree of compliance with the policy requirements. I urge you to ensure that the New Zoning Ordinance include language developed by the California Coastal Commission and adopted by the County that clearly states the steps for determining if a reduction of the setback from creeks and riparian habitat may be granted upon an applicant's request. The provision should apply to any request to modify City zoning or policy requirements.	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Lydia Deems, Comment #9 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.

Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed! PS. I live in Santa Barbara but love to go birding and walking in Goleta. The creeks and wetlands provide habitat for birds and wildlife.	
Section 17.30.070 Karen Dorfman, Comment #10 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Anne Diamond, Comment #11 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.

Section 17.30.070 Bill Woodbridge, Comment #12 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Kristie Klose, Comment #13 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Monique Sonoquie, Comment #14 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements.	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions.

I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed!	See Errata Sheet for more information.
Section 17.30.070 Pancho Gomez, Comment #33 I am writing you today to request that you adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to our community and we thank you for your efforts to protect Goleta's watershed! Though I am not a Goleta/Santa Barbara resident, I reside in the 805 and have seen how environmental protection in Santa Barbara County influences similar programs in SLO County and vice versa.	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Will Holmes, Comment #40 Please protect our county's creeks, habitats and wetlands by enforcing required setbacks.	See response above.
Section 17.30.070 Karen Dorfman, Comment #41 Please protect Goleta's creeks, wetlands, and habitats! Enforce appropriate setbacks.	See response above.
Section 17.30.070 Jesse Bickley, Comment #42 This community wants strong protections for these resources through the enforcement of required setbacks, where feasible. The Zoning Ordinance must include language that clearly states the steps	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include

for determining if the required setback from creeks and riparian habitat may be reduced upon an applicant's request. This provision would have broad applicability and therefore should apply to any request to modify City zoning or policy requirements.	the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Leon Juskalian, Comment #44 We want stronger protections for creeks, wetlands and wildlife habitat please	See response above.
Section 17.30.070 Robin Birney, Comment #45 I would like to request that you protect Goleta's creeks, habitats and wetlands. Thank you	See response above.
Section 17.30.070 Steven Amerikaner/ SyWest, Comment #2. This letter is submitted on behalf of SyWest Development, owner of the site of the former Goleta Drive-in Theatre at 907 S. Kellogg Avenue. The following comments pertain to Section 17.30.070 of the City of Goleta's proposed New Zoning Ordinance ("NZO"), as attached to the staff report for your November 5 City Council meeting. Section 17.30.070 sets forth an elaborate framework for the City to consider a reduction to the required streamside protection area ("SPA") upland buffer. Despite its cursory reference to the General Plan, this new framework appears untethered from the City's existing General Plan policy setting forth the applicable standards for an exception to the SPA buffer. (See General Plan Policy CE 2.2.) Section 17.30.070 provides no additional guidance to City decision-makers, certainty to property owners, or transparency to interested stakeholders. Instead, the proposed policy elevates determinations over SPA buffers to a labyrinthine level of complexity. As drafted, Section 17.30.070 would conscript the City Council and Planning Commission into applying legal standards as to what constitutes a regulatory taking - a task that confounds even judges and seasoned practitioners. For these reasons, and as set forth in further detail below, SyWest requests that the language of Section 17.30.070 be revised to address these fatal defects. I. The Requirements of Section 17.30.070 Far Exceed Those Requested by the California Coastal Commission as part of the Eastern Goleta Valley Community Plan.	Comments noted. As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.

As we understand, part of the rationale for the adoption of the elaborate process set forth in Section 17.30.070 may have been to anticipate potential requests by the California Coastal Commission ("CCC"). In considering whether to approve an amendment to the County of Santa Barbara's local coastal program adopting the Eastern Goleta Valley Community Plan ("EGVCP), the CCC indeed requested that certain language be added to the County's Coastal Zoning Ordinance ("CZO"). The County ultimately adopted this language as sections 35-192.4 through 35-192.6 of its CZO. However, the language recently added to Section 17.30.070 of the NZO goes far beyond the already stringent requirements in the EGVCP in several key respects. First, the requirements proposed in Section 17.30.070 would apply in both the Coastal Zone and nonCoastal Zone areas. The language in the County's CZO applies only to a property owner seeking a coastal development permit in the Eastern Goleta Valley Community Plan area. (CZO, Sec. 35-192.5, 35.192.6.) Second, Section 17.30.070 as drafted mandates that all required findings be supported by "substantial evidence," while the language requested by the CCC and adopted by the County merely requires the governing body (i.e., Board of Supervisors or County Planning Commission) to make the required findings. (See CZO, Sec. 35-192.6.) As a threshold problem, the NZO does not define "substantial evidence." As you are aware, moreover, the "substantial evidence" standard is used in the California Environmental Quality Act ("CEQA") context and provides fertile ground for litigation over the sufficiency of evidence supporting an agency's findings. (See Pub. Res. Code§ 21168.5; Cal. Code Regs., title 14, § 15384; see, e.g., Sierra Club v. County of Fresno (2018) 6 Cal.5th 502; see also Elisa Barbour and Michael Teitz, CEQA REFORM: ISSUES AND OPINIONS, Public Policy Institute of California (April 56, 2015) , at p. 15 [noting that even among CEQA practitioners, the law's flexible and vague standards, including "substantial evidence," are a source of uncertainty].) Third, Section 17.30.070 as drafted includes additional and problematic findings that are not required by the EGVCP: • Section 17.30.070 B.2.c.i requires a finding that "Based on a City-approved, third-party economic consultant's review and consideration of the economic information provided by the applicant, as well as any other relevant evidence, adherence to the 100-foot SPA upland buffer would not provide an economically viable use of the applicant's property." (Emphasis added.) The emphasized language is not included in the County's CZO and is ambiguous as to	

whether the Reviewing Authority (City Council or Planning Commission) has the discretion to make this finding against the recommendations or conclusions of the economic consultant. • Section 17.30.070 B.2.c.vii requires a finding that "The project is located on a legally created lot." (Emphasis added.) This finding should be revised to provide for projects located on multiple lots and for situations where an applicant may be seeking a lot line adjustment as part of project entitlements. • Section 17.30.070 B.2.c.viii requires a finding that "The project is consistent with all other applicable biologic goals, objectives, policies, actions and development standards from the Goleta General Plan, Local Coastal Program, and Zoning Ordinances." This finding is unnecessarily duplicative with the land use consistency analysis required under CEQA. (See CEQA Guidelines, §15125(d) and Appendix G.) The proposed language also overlooks situations where a project applicant may be seeking a variance from another applicable standard. Fourth, Section 17.30.070 as drafted specifically requires review by a City-approved, third-party biologist and a City-approved, third-party "economic consultant." Although such review may be appropriate for projects of a certain scale, requiring these third-party studies for a smaller project where only a minor variance is requested is inequitable and unreasonable. Fifth, Section 17.30.070 as proposed requires a "Initial Assessment and Biological Report," terms which are not defined elsewhere in the NZO. Presumably these terms refer to the Initial Site Assessment and biological report required for projects that "have the potential to have a direct or indirect effect on ESHAs." (See Secs. 17.30.020, 17.30.030.) However, it is possible that a project may fall within the 100-foot SPA buffer without having the potential to have a direct or indirect effect on ESHA. lt is unclear whether Section 17.30.070 as proposed would require that any project within the 100-foot buffer comply with ESHA requirements, in addition to the third-party biological and economic consultant studies described above. II. The Findings Required by Section 17.30.070 Pose Problems for City Decision-Makers and Affected Property Owners Alike. A. The Required Findings are Duplicative and Ambiguous.	

As drafted, Section 17.30.070 B seems to require three distinct lists of findings, the relationship among which is not entirely clear. Section 17.30.070.B.1 requires findings that are consistent with the City's General Plan, Conservation Element Policy 2.2. Unlike the City's General Plan or the County's CZO, however, Section 17.30.070.B.2.a then requires findings "for each potentially significant adverse effect." This language may be intended to mirror CEQA's framework for disclosing various classes of impacts. If so, this is duplicative with CEQA analysis and introduces unnecessary confusion into the environmental review process. If this portion of the NZO is intended to set forth a similar but slightly different standard than CEQA, this too risks its own set of implementation challenges. Put simply, it is unclear why CEQA analysis is insufficient for purposes of analyzing the environmental impacts of a downward adjustment to the SPA upland buffer. Section 17.30.070.B.2.c then sets forth yet another list of findings that are required to make a downward adjustment to the SPA upland buffer. As described further below, this list is fraught with fatal ambiguity. For example, the list includes environmental findings that are arguably duplicative with CEQA's required analysis, without referencing CEQA explicitly. (See, e.g., Section 17.30.070.B.2.c.v. ["The project is the least environmentally damaging alternative and is consistent with all provisions of the Zoning Ordinance other than the provision for which the exception is requested."].) This risks confusion and dispute as to whether the finding required by the NZO is synonymous with CEQA's analysis concerning land use consistency and alternatives. (See Pub. Res. Code§ 21002; CEQA Guidelines §15126.6 and Appendix G.) B. The Required Findings Draw the City Council and Planning Commission Into the Impossible Task of Adjudicating Theoretical Takings Claims. The findings in Section 17.30.070.B.2.c require the City Council and Planning Commission to apply legal standards that are notorious for defying precise application. For example, the question of whether a proposed use violates "background principles of the State's law of property" as that phrase was used in Lucas v. South Carolina Coastal Council (1992) 505 U.S. 1003 implicates any number of common law property issues, including nuisance, easements, water rights, and the public trust. (See James L. Huffman, Background Principles and the Rule of Law: Fifteen Years after Lucas, 35 Ecology L.Q. 1; 7-12 (2008) [noting that the concept of "background principles" could be understood as a catch-all, affirmative defense against a takings claim and as "embrac[ing] the notion that the common law is almost infinitely malleable"].) Determining whether "[t]he use and project design" are the "minimum necessary" to avoid a taking requires the City Council or Planning Commission to draw the fine line between lawful regulation and an unlawful taking, applying	

nuanced legal standards in a line-defying area of the law. Applying takings jurisprudence to an actual takings claim presents challenge enough. Section 17.30.070.B.2.c.iv, as drafted, takes that exercise that one step further and asks City decision-makers to preemptively adjudicate a purely theoretical claim every time a variance to the SPA upland buffer is requsted. Nor does the NZO specify whether the Reviewing Authority should turn to federal or state law in determining whether a downward adjustment to the SPA buffer is necessary to avoid a taking. Federal law sets forth a three-part test, including a property owner's "reasonable, investment backed expectations." But the courts have repeatedly emphasized that a regulatory takings analysis eschews any "set formula" and is essentially an "ad hoc, factual inquir[y]." (Penn Central Transp. Co. v. City of New York (1978) 438 U.S. 104, 124-29.) California courts have also identified additional factors that may be relevant in any particular case, while also noting that they are not to be used as a "checklist." (Herzberg v. Cty. of Plumas (2005) 133 Cal.App.4th 1, 15; Kavanau v. Santa Monica Rent Control Bd. (1997) 16 Cal. 4th 761, 775.) Mooring the City's decision-making to this unstable area of the law presents intractable problems with implementation and fairness. III. Section 17 .30.070 is Inconsistent with the City's General Plan. lt is well-established that a zoning ordinance that is inconsistent with a city's general plan is "invalid at the time it is passed." (City of Morgan Hill v. Bushey (2018) 5 Cal.5th 1068, 1079; see also Lesher Communications, Inc. v. City of Walnut Creek (1990) 52 Cal. 3d 531, 544-45 [describing such zoning ordinances as "invalid ab initio," that is, invalid from the day of enactment].) The elaborate framework for determining whether to grant a downward adjustment to the SPA buffer is oddly disjointed from the General Plan, given that Policy CE 2.2 in the General Plan already states that the City may reduce the required SPA upland buffer below 100 feet (but not less than 25 feet) if (1) "there is no feasible alternative siting for development that will avoid the SPA upland buffer" and (2) "the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream." As described above, Section 17.30.070.B tasks the Planning Commission and City Council with making additional, ancillary lists of legal determinations that are fraught with the potential for dispute. The staff report contemplates that the draft SPA zoning regulations could be revised "to align with the General Plan and address key stakeholder concerns." (NZO Staff Report, for November 5, 2019 at p. 4.) ln light of the fatal defects detailed above, SyWest concurs with this recommendation.	

Thank you for your kind consideration.	
Section 17.30.070 Tara Messing et al, Comment #18. The undersigned community organizations and residents advocate for a robust ordinance in the New Zoning Ordinance ("NZO") that adequately implements the City of Goleta's General Policy Conservation Element ("CE") 2.2 concerning streamside protection areas ("SPAs") and other policies protecting natural resources. Our organizations represent thousands of your constituents, and we speak with a unified voice. Our community groups support the Environmental Defense Center ("EDC") and Urban Creeks Council's ("UCC") recommendation for the City to adopt a standalone provision that effectively sets forth a process, the required findings, and evidentiary requirements to inform the City's determination of feasibility with regards to reductions in setbacks for SPAs and other important resources. This clarity and transparency will benefit not only City decisionmakers, but also applicants and interested members of the public. Setbacks from creeks, riparian habitat, ESHA, and wetlands provide a variety of important benefits to water quality, plants and wildlife, and people. Policy CE 2.2 establishes strong protections for SPAs, requiring a minimum SPA upland buffer of 100-feet on both sides of the creek. Studies, ordinances, and government publications indicate that a 100-foot creek setback is the bare minimum needed to protect water quality, creek and riparian habitats, and wildlife. However, Policy CE 2.2 allows reductions of the SPA buffer upon finding that the minimum 100-foot buffer is infeasible, and the project will not significantly impact riparian vegetation or stream habitat. For years, the City has struggled with the implementation of this Policy, approving projects with reduced setbacks without evaluating the feasibility of the minimum 100-foot setback. The City must adopt an ordinance to establish a process for determining whether the 100-foot minimum setback is infeasible and therefore can be reduced. Our groups support the development of a standalone provision that would apply to any request to modify City zoning or policy requirements. The need for a clear process for assessing feasibility was echoed repeatedly by the City's Planning Commissioners at the NZO Workshops as well as at the Planning Commission hearings held on September 9, September 23, and October 7. The provision proposed by EDC and UCC is based on standard language frequently recommended by the California Coastal Commission ("CCC"). The CCC's standard language establishes a detailed and clear process for determining feasibility. The County of Santa Barbara ("County") adopted the CCC's	SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.

language as a general provision in its Coastal Zoning Ordinance and in the 2017 Eastern Goleta Valley Community Plan ("EGVCP"). It is logical for the City to adopt this same language in the NZO because it was recommended by the CCC for the EGVCP and the County adopted this language without controversy. Additionally, adopting language recommended by the CCC in the City's NZO is strategic because the CCC is required to certify the City's proposed NZO. In order to avoid future delays and unexpected surprises, it is important for the City to consider what language the CCC will require later in the adoption process. We urge the City Council to include in the NZO a general provision applicable to any request to modify City zoning or policy requirements based on the language recommended by the CCC. In order to protect and enhance the City's vital creeks and natural resources, the NZO must include a clear and adequate process for determining feasibility with regards to buffer reductions.	
Section 17.30.070 Tara Messing et al, Comment #18. <u>B. EDC and UCC Have Been Working Towards a Robust Creek Protection Ordinance Since 2014.</u> In 2014, EDC conducted a case study of reductions to riparian setbacks for various development projects in the City. Based on this study, EDC discovered that the required 100-foot setback under General Plan Policy CE 2.2 was often significantly reduced to approximately 50 to 25 feet and that these approvals were made without the analysis required by Policy CE 2.2(a). The Village at Los Carneros Project ("Project") is one of numerous examples which demonstrates the need for a stand-alone provision that would apply to any request to modify City zoning or policy requirements affecting creeks, ESHA, wetlands, and other natural resources. There, the applicant proposed to reduce the Village at Los Carneros SPA by fifty percent. The 465-unit residential Project was proposed with a maximum 50-foot setback from Tecolotito Creek. Public comments on the 2014 Draft Environmental Impact Report ("EIR") noted that the Project was inconsistent with Policy CE 2.2 because the Project did not have a 100-foot SPA and there was no evidence that a 100-foot SPA was infeasible. The Final EIR determined that several factors "make it difficult to achieve an alternative site plan that provides a 100-foot wide upland buffer...." Moreover, the Final EIR concluded that, "[a] minimum 100-foot-wide upland buffer along the entire length of the creek would reduce the number of units that could be built by as much as 30 percent...." Ultimately, the 100-foot SPA buffer was determined to be infeasible and the Project was deemed "consistent with this Policy [CE 2.2]."	See response above.

Before the Project was approved by the City, EDC and UCC asked the applicant to voluntarily comply with Policy CE 2.2 by providing a minimum 100-foot SPA. In response, the applicant voluntarily redesigned the Project to comply with the Policy's 100-foot SPA buffer. The redesigned Project retained all 465 units, confirming that the 100-foot SPA was in fact feasible. This Project underscores the need for an ordinance in the NZO that implements the language under Policy CE 2.2. The NZO must not keep the status quo by allowing decision-makers to reduce SPAs below 100 feet without adequate analysis or evidence that a minimum 100-foot SPA is infeasible. To ensure proper implementation of Policy CE 2.2, the City must adopt an ordinance that sets forth an effective process for making feasibility determinations. EDC summarized its findings and recommendations from the case study in a letter dated February 19, 2014 to Anne Wells, Advance Planning Manager for the City. Shortly thereafter, EDC and several local groups had a meeting with City staff and the former City attorney to discuss the City's repeated failure to conduct an adequate analysis of feasibility prior to a decision on a SPA buffer reduction. The meeting confirmed the need for an ordinance to establish a process for making a reduced setback determination if an applicant asserts that the setback is infeasible. Since 2018, EDC, on behalf of its clients, has been working with staff and the City Attorneys to develop such an ordinance.	
Section 17.30.070 Vijaya Jammalamadaka, Comment #35. The League supports the Environmental Defense Center request, to include the California Coastal Commission criteria to determine feasibility of changing the 100-foot setback. Although the Review Authority will rely on the CEQA document through the major CUP process, having the Coastal Commission criteria in the NZO would be stronger. Please have staff to incorporate the California Coastal Commission's language in the New Zoning Ordinance and revise the General Plan accordingly.	See response above.
Section 17.30.070 Rachel Couch, Comment #15. The State Coastal Conservancy strongly supports a New Zoning Ordinance ("NZO") that implements the City of Goleta's General Policy Conservation Element ("CE") 2.2 concerning streamside protection areas ("SPAs") and policies protecting other natural resources. A standalone provision is needed in the NZO that effectively sets forth a process, the required findings, and evidentiary requirements applicable to any request to modify City zoning or policy requirements. This approach will benefit the entire community by providing clarity and transparency to the process, which is currently lacking in the existing ordinance.	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions.

Setbacks from creeks, riparian habitat, ESHA, and wetlands provide a variety of important benefits to water quality, plants and wildlife, and people… Studies, ordinances, and government publications indicate that a 100-foot creek setback is the minimum needed to protect water quality, creek and riparian habitats, and wildlife according to many scientific studies, policy and public agency guidance documents. The City's Policy CE 2.2 establishes strong protections for SPAs, requiring a minimum SPA upland buffer of 100-feet on both sides of the creek but also allows reductions of the SPA buffer upon finding that the minimum 100 foot buffer is infeasible, and the project will not significantly impact riparian vegetation or stream habitat. This policy has led to the City approving projects with reduced setbacks without properly evaluating the feasibility of the minimum 100-foot setback. Adoption of an ordinance to establish a process for determining whether the 100-foot minimum setback is infeasible and therefore can be reduced, will close this problematic loophole and is a wise planning approach. The Coastal Commission's recommended standard language establishes a detailed and clear process for determining feasibility, and the County of Santa Barbara ("County") adopted the CCC's language as a general provision in its Coastal Zoning Ordinance and in the 2017 Eastern Goleta Valley Community Plan ("EGVCP"). The City could adopt this same language and be consistent with these other local plans. Additionally, adopting CCC recommended language in the City's NZO is strategic and could help speed the adoption process later when CCC begins the process to certify the City's proposed NZO. We urge the City Council to consider the arguments above and include in the NZO a general provision based on the language recommended by the CCC, as described above. The NZO must include a clear and adequate process for determining feasibility with regards to SPA and ESHA buffer reductions in order to be effective at protecting Goleta's creeks and natural resources.	See Errata Sheet for more information.
Section 17.30.070 Barbara Massey, Comment #21. ESHA: The Streamside Protection Area buffer should be a 50-foot minimum buffer like other ESHAs. Just because the General Plan permits reductions to 25 feet doesn't mean that is what the public wants. It was lowered from the 50 feet in the original General Plan to 25 feet by a developer's City Council. SPAs need protection and the public has indicated that they want the maximum protection not the lessening of buffers pushed by staff. If the Planning Department had cared about the ESHA issues, the Creek and Watershed Management Plan and Tree Protection Ordinance would have been completed now.	See response above.

Section 17.30.070 Jean Zeibak, Comment #24. Protect creeks, wetlands and habitats	See response above.
Section 17.30.070 Thea Howard, Comment #28. I respectfully and strongly request that the City of Goleta adopt strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets a process for determining when a reduction in the required setback from creeks may be granted. I support the recommendations made by the EDC and UCC to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. This Coastal Commission language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan.	See response above.
Section 17.30.070 Vince Semonsen, Comment #29. I support strong protections for creeks, wetlands, and habitats. I urge you to adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. As a local biologist I've seen firsthand the encroachment and development within our watersheds and along our creek corridors. Preserving and restoring Goleta's creeks is very important to our community and I thank you for your efforts to protect Goleta's watershed!	See response above.
Section 17.30.070 Steve Ferry, Comment #26. I am a member of Santa Barbara Audubon Society. I regularly enjoy birding along Goleta's creeks. I know the importance of creeks in maintaining the abundance and health of our local birdlife. I'm writing to urge that you adopt strong protections for creeks, wetlands, and habitats. Please adopt a standalone provision in the New Zoning Ordinance that sets forth a process for determining when, upon an applicant's request, a reduction in the required setback from creeks may be granted. This provision should apply to any request to modify City zoning or policy requirements. I support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback may be reduced. The Coastal Commission's language was adopted by the County of Santa Barbara in its Coastal Zoning Ordinance and in the Eastern Goleta Valley Community Plan. Preserving and restoring Goleta's creeks is very important to me and other members of our community. Thank you for your efforts to protect Goleta's watersheds!	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.

Section 17.30.070 Tim Cooley and Ruth Hellier, Comment #16. We are concerned about Goleta's watersheds. We have taken part in creek cleanups in Goleta and have see firsthand the impact of urban encroachment on our creeks and wetlands. My and my wife's property also extends to the banks of one of the creeks that flows through Goleta. We treasure the sound of frogs and the wildlife that thrives there. Please adopt a provision in the New Zoning Ordinance that vigorously protects a 100-foot creek setback from any development. We owe this to ourselves, our children, and the world.	See response above.
Section 17.30.070 Jennifer Hone, Comment #43. Dear members, as a concerned citizen, I wish to express my opinion regarding zoning and setbacks for creeks/ waterways. I want to see strong protections for these resources by enforcing the required setbacks, where feasible. Please include language that clearly states the steps for determining if the required setback from creeks and riparian habitat may be reduced upon an applicant's request. This provision should apply to any request to modify City zoning or policy requirements. Thank you.	See response above.
Section 17.30.070 Jim Little, Comment #46. As a former long-time resident of Santa Barbara who has spent much time in Goleta, I write to you in support of provisions in your zoning ordinance that provide adequate, enforced and enforceable setbacks that protect creeks and riparian habitat from encroaching development. Our wild open spaces/animal habitat have disappeared so quickly over the years in the face of new development. I've witnessed it firsthand, having moved with my family to the Mesa in the '50s. Please ensure that what remains of our wild natural heritage is protected for plant and animal (including human) life of all kinds.	See response above.
Section 17.30.070 Leigh Ready, Linda Krop, Melissa Bower, Brian (Duplicate Comments), Comment #47, #50. Please protect Goleta creeks in the Goleta New Zoning Ordinance affecting Goleta's precious creeks, habitats and wetlands. Please include in the Zoning Ordinance language clearly stating the steps for determining if the required setback from creeks and riparian habitat may be reduced upon an applicant's request. This provision should apply broadly to any request to modify City zoning or policy requirements.	See response above.

Section 17.30.070 Darren Carter, Comment #48. We strongly urge you to protect our creeks, wetlands, and habitats in and around the Gaviota Coast and Goleta. Our community wants you to know that we want robust protections for these resources by enforcing the required setbacks – these are absolutely critical to the stability of these precious resources. My wife and I spend a lot of time in these areas and they are critical to our local hangout spots, our hikes, and our home. Thank you for standing up for what is right – we appreciate it.	See response above.
Section 17.30.070 Brian [bearnewt@gmail.com] Comment #63. Goleta's creeks and buffer areas are very important to our community, providing habitats for numerous rare species, natural water filtration and groundwater recharge, areas for recreation, trails and open spaces, outdoor labs for researchers and students of all ages, natural flood and erosion protection, and areas for quiet reflection and contemplation. However, many sections of Goleta's creeks have been channelized, diverted, dammed, and degraded, and as a result are polluted and offer fewer benefits. Creek setbacks are the most proactive way to protect creeks and enhance the values Goletan's hold dear. Please ensure effective setbacks are maintained consistent with the General Plan and only reduced when found to be infeasible and when reduction would not significantly harm our valuable creeks and riparian areas.	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
Section 17.30.070 Tara Messing, Comment #53. EDC and UCC's Recommended Language from the CCC Ensures Strong Protections for Creeks and Habitats by Informing the Requisite Analysis Upon an Applicant's Request to Alter City Zoning or Policy Requirements. For years, the City has struggled with the implementation of the City's General Plan Policy Conservation Element ("CE") 2.2 concerning Streamside Protection Areas ("SPAs"). Despite the Policy's strong protections for creeks and riparian habitats, the City has previously approved projects with reduced creek setbacks without the necessary findings and evidence to support claims that adherence to the minimum 100-foot setback was infeasible. For this reason, EDC and our clients are advocating for the development of an ordinance that identifies the findings that must be made and the evidence that is required upon a request to change City zoning or policy requirements to allow for a reasonable economic use. The need for a clear process for evaluating reductions to creek setbacks was echoed repeatedly by the City's Planning Commissioners at the NZO Workshops as well as at the Planning Commission hearings held on September 9, 2019, September 23, 2019, and October 7, 2019.	See response above.

Ultimately the Planning Commission's recommendation to the City Council is to incorporate EDC's recommended language in the NZO provisions governing SPA buffer reductions.	
Section 17.30.070 April Reid, Comment #64. In addition, Mr. Alker clearly is not concerned about the rare/endangered animals living in El Encanto Creek. Even though Mr. Alker's own Environmental Impact study indicates there are rare/endangered species living in the creek, Mr. Alker still plans on possibly contaminating the creek by applying to build closer than 100 feet from the creek, thereby endangering the rare/endangered animals Mr. Alker admits are living in the creek and the over 100 animals living on the land who use the creek as a water source.	Comments noted. As identified within the Environmental Impact Report for the proposed development, any significant or potentially significant impact to the adjacent creek that could result from the project would be mitigated to a level less than significant. Furthermore, a mitigation monitoring program would be adopted to ensure implementation and compliance with all required mitigations.
Section 17.30.070 Natalie Blackwelder, Comment #61. It is my understanding that the City has a tendency to push the limits of zoning without regards to Goleta wetlands and creeks. These areas are miniature sanctuaries for wildlife that contribute more than we know to the local ecology. It is imperative that we respect the space these organisms have to live in and keep a fair enough distance away from these wetlands so they can continue to feel comfortable living here. In addition to wildlife, we must think about the livelihood of humans too. As we've seen in Montecito and Ventura, heavy rains can lead to floods and mudslides. These wetland areas are subject to flooding and can cause a lot of damage to homes. It's silly to continue pushing the boundaries of development when there are risks such as these involved. Please respect wildlife space and health of ecology.	See response above. The NZO also contains language to address the floodplain in Chapter 17.31.
Section 17.30.070 *Tara Messing, Response #23* The Environmental Defense Center ("EDC"), on behalf of Santa Barbara Urban Creeks Council ("UCC") and EDC, submits these comments regarding the City of Goleta's ("City") draft New Zoning Ordinance ("NZO"). First, we respectfully request that the City Council direct staff to consult with the California Coastal Commission ("CCC") staff before proceeding forward with the NZO adoption process to ensure an informed and efficient certification process. Second, we are continuing to work with the City Attorneys and staff to develop a provision in the NZO applicable to any request to modify City zoning or policy requirements, including requests to reduce the required 100-foot setback from	As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without

streamside protection areas ("SPAs"), that complies with the language recommended by the CCC for considering modification requests. UCC is a non-profit grassroots organization dedicated to protecting and restoring streams and watersheds in Santa Barbara County ("County"). Over the past thirty years, UCC has partnered with a number of organizations on creek restoration projects and has been committed to educating people of all ages about the values of creeks. UCC has members who live and recreate in Goleta and Santa Barbara. EDC is a non-profit, public interest law firm that protects and enhances the environment in Santa Barbara, Ventura, and San Luis Obispo counties through education, advocacy, and legal action. I. CCC Staff Must Be Involved in the NZO Process Now to Avoid Delays and Surprises Down-the-Line. We sincerely appreciate the time and effort that City staff, attorneys, and decision-makers have made to ensure that the NZO reflects the unique characteristics of the City. However, the CCC also plays a key role in the NZO process as the agency tasked with safeguarding the goals and policies of the seminal California Coastal Act. City staff must communicate with CCC staff now about the proposed provisions in the NZO to encourage a good faith discussion between the agencies about the substance of the NZO. It is important for the City to receive input from the CCC before the City Council adopts the NZO to ensure that the City is adopting an NZO that adequately carries out the policies of the Coastal Act at the local level. Moreover, communicating with the CCC staff at this point in the process is critical to avoid future delays and unexpected surprises during the CCC certification process. For these reasons, we respectfully ask that the City Council direct staff to consult with CCC staff before continuing with the City Council adoption process for the NZO. II. The NZO Must Set Forth the Findings and Evidentiary Requirements Necessary to Inform Modifications to City Zoning or Policy Requirements to Ensure Strong Protections for Goleta's Natural Resources. For years, the City has struggled with the implementation of the City's General Plan Policy Conservation Element ("CE") 2.2 concerning SPAs. 1 Despite the Policy's strong protections for creeks and riparian habitats, the City has previously approved projects with reduced creek setbacks without the necessary findings and evidence to support claims that adherence to the minimum 100-foot setback was infeasible. For this reason, EDC, on behalf of our clients, is advocating for the development of an ordinance that identifies the findings that must be made and the evidence that is required upon a request to modify City zoning or policy requirements. The NZO has existing	the inclusion of subsection E, which included definitions. See Errata Sheet for more information. Also, as discussed above, City staff will be working with the CA Coastal Commission staff throughout the Local Coastal Program certification process to ensure the NZO and General Plan both comply with the Coastal Act. Further, the City Council initiated a General Plan amendment to policy CE 2.2, directing staff to begin the analyses necessary to return to the Council with any requisite changes to the policy language. Lastly, the City has begun working to develop a Citywide Creek and Watershed Management Plan, which the EDC is involved with as a member of the Technical Advisory Committee.

provisions that govern modifications to City zoning or policy requirements and could be expanded upon to comply with the CCC language, such as Chapter 17.62 regarding modifications and Section 17.01.040(A)(2) concerning private property takings. The section could then be cited to in the provisions governing SPA buffer reductions. The need for a clear process for evaluating reductions to creek setbacks was echoed repeatedly by the City's Planning Commissioners at the NZO Workshops as well as at the Planning Commission hearings held on September 9, 2019, September 23, 2019, and October 7, 2019. 2 Ultimately the Planning Commission's recommendation to the City Council is to incorporate EDC's recommended language in the NZO provisions governing SPA buffer reductions. The language recommended by EDC and UCC is based on findings and evidence developed by the CCC for making economically viable use determinations, which is directly relevant to assessing the feasibility of adherence to the setbacks required under the General Plan. The CCC's language was adopted by the County in Article II of the Coastal Zoning Ordinance, which is incorporated by reference in the Eastern Goleta Valley Community Plan ("EGVCP"). (See Exhibit A. 3) A. Setbacks from Creeks, ESHA, Wetlands, and Habitat are Vital Tools to Protect Natural Resources, Property, and the Public. Studies, ordinances, and government publications indicate that a 100-foot creek setback is the bare minimum needed to protect water quality, creek and riparian habitats, and wildlife.4 Setbacks provide a variety of important benefits to water quality, plants and wildlife, and people. Vegetation, leaves, microbes, and soil found within the setback area serve to minimize water pollution by breaking down and filtering pollutants, such as oil and grease, sediment, fertilizers, and harmful pathogens. Setbacks also safeguard habitats for nesting birds, such as birds of prey, and endangered species, like the Southern California steelhead. For example, the white-tailed kite is a fully protected species in California that has been all but eliminated from the City due to loss of nesting and foraging habitats.5 Moreover, from 2010 through 2015, four of the thirty-eight steelhead observed in southern California were spotted in a waterway within the City. 6 In 2017, one of seven steelhead observed in southern California spawned in a Goleta creek.7 In order for steelhead to persist in the City's waters, adherence to the minimum 100-foot SPA requirement under Policy CE 2.2 is vital. Finally, setbacks protect life and property from the devastating impacts due to flooding, streambank erosion, and debris flows—the threat of which is heightened today due to climate change.	

B. EDC and UCC Have Been Working Towards a Robust Creek Protection Ordinance Since 2014. In 2014, EDC conducted a case study of reductions to riparian setbacks for various development projects in the City. Based on this study, EDC discovered that the required 100- foot setback under General Plan Policy CE 2.2 was often significantly reduced to approximately 50 to 25 feet and that these approvals were made without the analysis required by Policy CE 2.2(a). 8 The Village at Los Carneros Project ("Project") is one of numerous examples which demonstrates the need for a stand-alone provision that would apply to any request to modify City zoning or policy requirements affecting creeks, ESHA, wetlands, and other natural resources. There, the applicant proposed to reduce the Village at Los Carneros SPA by fifty percent. The 465-unit residential Project was proposed with a maximum 50-foot setback from Tecolotito Creek. Public comments on the 2014 Draft Environmental Impact Report ("EIR") noted that the Project was inconsistent with Policy CE 2.2 because the Project did not have a 100-foot SPA and there was no evidence that a 100-foot SPA was infeasible. The Final EIR determined that several factors "make it difficult to achieve an alternative site plan that provides a 100-foot wide upland buffer...." Moreover, the Final EIR concluded that, "[a] minimum 100 foot wide upland buffer along the entire length of the creek would reduce the number of units that could be built by as much as 30 percent...." Ultimately, the 100-foot SPA buffer was determined to be infeasible and the Project was deemed "consistent with this Policy [CE 2.2]." Before the Project was approved by the City, EDC and UCC asked the applicant to voluntarily comply with Policy CE 2.2 by providing a minimum 100-foot SPA. In response, the applicant voluntarily redesigned the Project to comply with the Policy's 100-foot SPA buffer. The redesigned Project retained all 465 units, confirming that the 100-foot SPA was in fact feasible. This Project underscores the need for an ordinance in the NZO that implements the language under Policy CE 2.2. The NZO must not keep the status quo by allowing decisionmakers to reduce SPAs below 100 feet without adequate analysis or evidence that a minimum 100-foot SPA is infeasible. To ensure proper implementation of Policy CE 2.2, the City must adopt an ordinance that sets forth an effective process for making feasibility determinations. EDC summarized its findings and recommendations from the case study in a letter dated February 19, 2014 to Anne Wells, Advance Planning Manager for the City. 9 Shortly thereafter, EDC and several local groups had a meeting with City staff and the former City attorney to discuss the City's	

repeated failure to conduct an adequate analysis of feasibility prior to a decision on an SPA buffer reduction. The meeting confirmed the need for an ordinance to establish a process for making a reduced setback determination if an applicant asserts that the setback is infeasible. Since 2018, EDC, on behalf of its clients, has been working with staff and the City Attorneys to develop such an ordinance. C. EDC and UCC are Working with the City of Goleta to Develop a Process for Evaluating When a City Zoning or Policy Requirement May Be Modified Upon Request. Throughout this NZO process, EDC and UCC, along with a host of other local groups and Goleta residents, have advocated for the adoption of language that mirrors the CCC's Suggested Modification No. 13 to the County's EGVCP Local Coastal Program Amendment. The CCC's standard language establishes a detailed and clear process for evaluating whether adherence to a policy or ordinance would not provide an economically viable use. This type of analysis is standard practice for decision-makers when an applicant asserts that the application of a zoning or policy requirement would preclude a reasonable use of their property. The CCC language offers a straightforward process for decision-makers to help navigate such an analysis and arrive at a legally defensible determination. Moreover, the County adopted the CCC's suggested language in Sections 35-192.4 through 35-192.6 in the County's Coastal Zoning Ordinance, without controversy, and these sections are incorporated by reference in Policy EGV-1.5 of the EGVCP. (See Exhibit A.) It is logical for the City to adopt this same language in the NZO because it was recommended by the CCC for the nearby EGVCP and the County adopted this language. Furthermore, on July 16, 2019, the City of Santa Barbara also adopted findings substantially similar to Section 35-192.6 of the County's Coastal Zoning Ordinance for Policy 1.2-3 governing "Property Takings" based on suggestions by the CCC during the City of Santa Barbara's recent Land Use Plan ("LUP") update. The CCC certified the updated Coastal LUP in August of 2019 and the findings recommended by the CCC are incorporated in the City's Coastal LUP. Finally, adopting language previously recommended by the CCC in the City's NZO is strategic because the CCC is required to certify the City's proposed NZO. Thus, in order to avoid future delays and unexpected surprises, it is important for the City to consider what language the CCC will require later in the adoption process.	

III. Conclusion For the foregoing reasons, we respectfully request that the City Council direct staff to consult with CCC staff before proceeding with the adoption process to ensure CCC review of the NZO prior to adoption. We also will continue to work with City staff and the City Attorneys to develop an ordinance in the NZO applicable to any request to modify City zoning or policy requirements, including setbacks from SPAs, based on standard language recommended by the CCC regarding such requests. Attachments: A – Excerpt from Letter from the California Coastal Commission to Joan Hartmann, Chair of the Board of Supervisors for the County of Santa Barbara (August 18, 2017)	
17.30.120 April Reid, Comment #60 17.30.120- The buffer for creeks should be at least 100 feet, if not more. The Kenwood Village Development is proposing 60 units (13 single units, 20 duplexes and 27 triplexes) on approximately 10 acres next to El Encanto Creek. However, the developer's own environmental report states that there are endangered species living in the creek. Despite this, the developer is proposing building much less than 100 feet from the El Encanto Creek. Building close to the creeks can harm the endangered species. Waivers and/or exceptions for developers who want to build closer than 100 feet should either be eliminated or strongly discouraged. In the past, waivers have been given out to developers easily. Once the endangered animals are gone, they cannot be brought back. So, it is vital that we are proactive in protecting these animals.	Comments noted. As noted above, SPA buffer reduction language discussed at length at the December 3, 2019. The City Council provided direction to staff to include the City Attorney's Office proposed language for Section 17.30.070 without the inclusion of subsection E, which included definitions. See Errata Sheet for more information.
17.30.150 April Reid, Comment #60 It is also vital that we protect rare plants and shrubs from being destroyed by removing them to make way for large duplexes and triplexes, like the Kenwood Village proposal, which, if approved, would actively remove and eliminate rare shrubs.	See response above.
Chapter 17.35 Lighting	
17.35.060 Cecilia Brown, Comment #68. A purpose of the lighting ordinance is to provide development standards to control outdoor lighting, reduce over-lighting, and to help achieve "Dark Sky" lighting standards. Numerical standards in the NZO which are to be set by the city for the type of lighting the City wants to achieve for various kind of land uses are needed for each kind of City land use (e.g., car	Comments noted. No additional edits to NZO made by the City Council, who concluded that the development standards recommended by the Planning Commission fully

dealership outdoor display areas, neighborhood commercial areas). Unfortunately the NZO lacks many standards for project lighting to ensure such compliance. A recent lighting project reviewed by the DRB illustrates the dilemma of the NZO not having a complete set of standards for them to use in project review: A convenience store next to a residential area was the subject of neighborhood complaints because the parking lot lighting the applicant had installed (without city review) was too bright. To remedy the situation, the applicant was going to install new lighting and needed DRB to review its lighting plan. A requirement of the lighting ordinance is a lighting plan which includes a "total site lumens" value. But The NZO provides no "total site lumens" development standards either for the applicant to use in designing his project or for the DRB to use in reviewing the applicant's lighting plan. The applicant had to make an educated guess as what might work and the DRB had to guess at what is appropriate for "total site lumens" value for the parking lot in its project review. Will the "guess" the applicant or the DRB has to make be good enough or even appropriate to ensure it meets the standards the City envisions for its lighting ordinance to ensure the parking lot isn't over-lighted? Remedy this uncertainty: The NZO is a document of precise numerical standards in all its many applications and one is needed for "total site lumens" in the lighting ordinance. Not having one to use is unacceptable. In my Nov 5th letter, I gave the City a way to get standards for "total site lumens:" Use the International Dark Sky Association Model Lighting Ordinance (MLO) below. https://www.darksky.org/wp-content/uploads/bsk-pdf- manager/16_MLO_FINAL_JUNE2011.PDF The MLO has several methods the city could use to set its standards. But regrettably staff in responding to my comments in their Nov 15th document misunderstood how the MLO parameters could be applied to city land uses. Thus a valuable approach to setting illumination levels for various types of lands used to minimize adverse impacts of lighting was dismissed as not workable and thus the absence of having any such standard to use in the NZO. City council wanted a "Dark Sky" lighting ordinance as I recall during earlier hearings, but it is not achievable without complete lighting ordinance development standards. As an interim measure, the Lighting Guidelines (see link below) the DRB developed for their use a decade ago could be updated easily https://www.cityofgoleta.org/home/showdocument?id=1928 and be used until the City decides how and when it wants to proceed in devising 21st century lighting ordinance	implement the General Plan policies for Visual Resource protections. Furthermore, the DRB findings currently include a required finding (I) that reads "All exterior lighting, including for signage, is well-designed, appropriate in size and location, and dark-sky compliant."

development standards and putting them into the NZO.	
Chapter 17.36 Nonconforming Uses and Structures	
17.36.020 **Ginger Andersen, Comment #39.** Section 17.36.020 Establishment of Nonconformity item (c) reads, "Unpermitted Nonconformities. Any nonconforming use, structure, or lot not deemed to be legally permitted or created, shall be determined illegal and must be abandoned or permitted by the City within 90 days of notice from the Director" I would argue that 90 days is not long enough to get plans drawn let alone to obtain most permit types from the City. I suggest this duration be reconsidered or clarified to dictate exactly what needs to be done within 90 days - such as submittal of an application or enter into an agreement/abatement schedule with the City. At the hearing, I made another comment about Development Plans being deemed non-conforming by the new ordinance. I am seeing now that this detail of the code has been updated in the November 2019 version. I support the change as it ensures that existing Development Plans remain conforming.	Comments noted. City Council edits to the NZO include having such instances simply be subject to Chapter 17.69, Enforcement, rather than establishing a different 90 day procedure.
17.36.020 **Lorcan Drew, Comment #3.** I am writing on behalf of CWI Santa Barbara Hotel, LP and CWI 2 Santa Barbara Hotel, LP, the owners of The Ritz-Carlton Bacara (the "Bacara") with respect to the proposed New Zoning Ordinance. At several public hearings conducted by the Planning Commission and the City Council and in letters to staff, we expressed our concern that the proposed non-conforming use provisions of the New Zoning Ordinance would be detrimental to the continued operation of the Bacara. In addition, we were concerned that if the Bacara were damaged or destroyed, the non-conforming use provisions would prevent the prompt restoration of the project. The Bacara was designed to fit on a challenging site and to create a unique experience with the highest architectural standards. The Bacara was approved under the County of Santa Barbara's previous zoning ordinance and underwent a comprehensive and rigorous approval and environmental review process. The County of Santa Barbara approved a Final Development Plan that was specifically tailored to the site. The August 2019 draft of the New Zoning Ordinance includes new Section 17.36.020 (D), which excludes from the non-conforming use provisions any legally permitted project that was approved in a Development Plan. In addition, Section 17.36.020 (D) allows the project to be promptly restored to its original condition if damaged or destroyed.	Comments noted.

We are in full support of these changes to the non-conforming use provision in Section 17.36 and we urge the City Council to adopt this well-crafted solution, which addresses our concerns. We would like to thank the Planning Commission and the staff members of the Planning and Environmental Review Department for working collaboratively with us on the New Zoning Ordinance to ensure that the Bacara will not be detrimentally affected.	
Chapter 17.37 Oil and Gas Facilities	
Section 17.37.030 **Barbara Massey, Comment #21.** 17.37.030(C)(4)(e) Under Oil and Gas Facilities setbacks should never be allowed to be reduced to less than 25 feet. (C)(4)(e) should be deleted. Less than 25 feet is no real buffer at all.	This subsection is derived from General Plan policy SE 8.13.
Chapter 17.38 Parking and Loading	
Section 17.38.010 **Barbara Massey, Comment #21.** 17.38.010(D). This Purpose to minimize parking is not in the current Zoning Ordinance standards and shouldn't be added to it now. Unfortunately, our transit system is inadequate and has limited hours. Many residential streets are covered with cars due to current standards not providing adequate parking spaces. One of the complaints I hear from residents is that we need more parking. They expect the City to fix the problem not make it worse. The only ones who benefit from few parking spaces is the developer. Please delete Purpose D. because it is a bad idea.	No changes made. This purpose aligns with other multi-modal goals of the City and does not, by itself, require less parking development. Any reduction in required parking would be on a case-by-case basis and require a Discretionary action by the Review Authority at a public hearing.
Section 17.38.030(D) **Kitty Bednar, Comment #58.** 1. Should "permeable" in 17.38.030(D) below be "impermeable"? Or do the words asphalt and concrete, and masonry describe interlocking pavers, which then might be permeable? *17.38.030 General Provisions (PARKING) D. Materials. All areas on which parking or loading occurs, including both required and additional parking, must be paved with a minimum of two inches of asphalt, concrete, interlocking masonry pavers, or other permeable material on a suitable base and may not be on grassy lawn areas unless using a form of grassblock or grasscrete. (emphasis added)*	No change required. The term "permeable" is correct.
Table 17.38.040(A) **Joshua Ellis, Comment #1.** It appears the NZO has sought to decrease parking requirements in general, but for some reason it has increased parking requirements in Business Parks. This issue also affects property values and other development opportunities for stakeholders.	Parking standards were largely carried forward from existing standards. This is also true in the case of Industrial land uses with one space per 500 sq. ft. of floor area (or one space per 1,000 sq. ft. for wholesale / storage facilities).

Table 17.38.040(A) April Reid, Comment #60. Under multiple-unit developments, I would propose the following: a. Keep the studio and one bedroom units at 2 spaces per unit; b. Change the two or more bedroom requirement from two spaces per unit to 1 unit per family unit, meaning if a developer wants to develop 27 triplexes, as in the Kenwood Village Project, then the developer must have 81, or 27 x 3, parking spaces, one for each family unit; c. Require one additional guest parking space for every 2 units. This way, the developer would be responsible for the parking spaces in their own developments. Otherwise, the residents will be parking on the neighbors' streets. Unfortunately, at this time, most family units will have at least one vehicle. In fact, on my street alone, to the best of my knowledge, I am the only person who has only one vehicle, everyone else has at least two, if not more. Without parking, my neighbors park on the street and some park in front of my house as it is. If the developers do not create sufficient parking for the residence, the problem will not simply go away. It will flow over into the surrounding neighborhood. Thank you for your consideration.	Comment noted. As previously stated, the Kenwood project is not proposing 27 triplexes, but rather is proposing nine triplexes, which total 27 units, and ten duplexes, which total 20 units. The remaining 13 units of the 60-unit total development are proposed to be single-unit dwellings.
Table 17.38.040(A) Barbara Massey, Comment #21. Table 17.38.040(A) An addition should be made to Single dwelling units over 3,000 sq. ft. to have an additional covered parking space. Also "All required spaces shall be provided within a garage" should be added. These provisions are in City Ordinance 03-05 passed in 2003 and they should be retained.	Comment noted. No change made by Council.
Table 17.38.040(A) April Reid, Comment #64. Further, regarding parking for the new Zoning Ordinance, I would respectfully request that, under the Multiple Unit Developments section, the requirement for 2 spaces per 2 or more bedrooms be changed to either 2 spaces per 2 or more bedrooms or 1 space for each family unit within the overall unit, whichever is higher. (I am confident that the City Council can word this language better than I am able to do it now.) For example, Mr. Alker is requesting to build 60 total units on approximately 10 acres. This would consist of 13 single-family houses and 20 duplexes. He is also proposing 27 triplexes, i.e. 27 houses x 3 family units inside each overall unit for a total of 81 family units. However, for all the 27 triplexes, he is only providing for 54 covered parking spaces. This means that for 27 family units (81 family units minus 54 covered parking spaces) 27 of the 81 family units will not have any covered parking spaces at all. Further, Mr. Alker is proposing 14 spaces for street parking that he claims would only be used by the residents of the triplexes. This would still not be enough parking for every family unit in the triplexes, i.e. 81 family units minus 68 parking spaces (54 covered parking spaces and 14 street parking spaces). This means	Comment noted. As previously stated, the Kenwood project is not proposing 81 family units, (including 27 triplexes), but rather is proposing nine triplexes, which total 27 units, and ten duplexes, which total 20 units. The remaining 13 units of the 60-unit total development are proposed to be single-unit dwellings.

there would be 13 family units in the triplexes that will not have any parking. Finally, Mr. Alker has also proposing 11 guest parking spaces for the entire 60 unit development, i.e. 1 guest parking space for every 5 units. Conveniently, Mr. Alker has proposed that all 11 guest parking spaces be used by the residents of the triplexes. However, even then, there would still be 2 family units in the triplexes who would not have parking, i.e. 81 family units minus 54 covered parking spaces minus 14 street parking spaces minus 11 guest spaces only equals 79 total spaces for the 81 family units of the triplex. Even worse, under Mr. Alker's calculations, in addition to not even providing even one parking space for every one of the 81 family unit in the 27 triplexes, if all the guest spaces go to the residents of the triplexes for their one and only parking space, Mr. Alker he does not provide any guest parking for any of the guests of the entire 60 unit development. Some developers generally do not want to create parking spaces because it limits the number of houses they want to build on the property. Mr. Alker even admits in his development report that there is not enough parking on the Kenwood Village property, so he expects that the residents and guests will have to park in the surrounding neighborhood. Since there is no real parking on any street surrounding three of the four sides of the development, the residents and guests will most likely try to park on the one side of the development that does have parking, i.e, Baker Lane, as well as the streets that run parallel to Baker Lane on the other side of Baker Lane from Kenwood Village, i.e. Violet Lane and Daffodil Lane. It should be noted that Baker Lane, Violet Lane and Daffodil Lane are all small, quiet, PRIVATE, one block long streets which were not built to sustain dozens or hundreds of extra vehicles stemming from a 60 unit development. Unfortunately, Mr. Alker will simply sell the units, take his money and leave the parking problems, as well as all the other problems that stem from a 60 unit development built next to a quiet, single family community, for others to deal with. The only way to ensure there is enough parking on the Kenwood Village project, as well as other developments, is to enforce it by law. Even though it may reduce the number of units that can be built on the property, developers should be required to provide sufficient parking for their own developments and not cause problems for the surrounding neighborhood. Refusing to create sufficient parking for the development will not eliminate the problem. It will simply push the problem into the surrounding community. It is admirable to take public transportation and other methods of transportation into consideration when determining how many parking spaces to enforce on any given development. The consideration of parking spaces for electric cars and alternative forms of transportation, such as busses and bicycles, is admirable and worth investigating. However, Kenwood Village is located in a	

large residential community far from most businesses and work sites in downtown Goleta and even farther from Santa Barbara. I was born into the house now listed as 15 Baker Lane over 51 years ago and lived next door to my great-grandmother, Elizabeth Baker Ford, who lived at the house now listed as 17 Baker Lane until she passed away in 1993, long before there was even a paved road in front of the houses or an independent street name for the houses, which used to have addresses listed as Calle Real, the closest paved road to the houses. As such, I can say with certainty that public transportation in the area of Kenwood Village and the surrounding area is not convenient. Lowering the number of parking spaces to less than the number of units in a development, even if there are other forms of transportation theoretically possible will not necessarily alleviate the problem; it will only create problems for the surrounding neighborhood. I should note I am the only resident of Baker Lane that has only one vehicle. Every other resident has at least two vehicles and most Baker Lane residents have three or more vehicles. As it is, the street is crowded most nights and my Baker Lane neighbors from across the street park their second and third SUVs in front of my house. On most weekend nights, the entire street is filled with vehicles and I cannot even have my guests park in front of my own house. The idea of having to compete with the probably hundreds of residents of Kenwood Village, in addition to my current neighbors on Baker Lane, for parking in front of my own house on a PRIVATE street will be a nightmare forever. It is great that there are people at the meetings and on the Council who have been fortunate to not have any problems with parking where they live. However, Baker Lane, as well as the two streets running parallel to Baker Lane, Violet Lane and Daffodil Lane, are small, one block, PRIVATE, quiet, single family houses that were not built to accommodate overflow parking for a 60 unit development with 20 duplexes and 27 triplexes when the developer decides not to provide enough parking for his own development. Also, it is important to determine who we are allowing to build major developments in Goleta, CA. My mom, Carole Cordero, lived at Baker Lane from 1966 to February 2, 2012, when she passed away from cancer. Soon after my mom passed, Mr. Alker told me in person at a City Council meeting, in front of witnesses, that he believed my mom supported the Kenwood Village Project. However, a few weeks later, I found my mom's notes on the Kenwood Village Project which indicated she had been to the City Council meetings with one of our neighbors and she made it clear she vehemently opposed the project. My mom even cut out an article from the Santa Barbara News Press showing a picture of a violent car crash at the corner of Calle Real and Baker Lane. The article indicated that the	

intersection, next to Kenwood Village, was one of the most dangerous intersections in Goleta. I have already provided the Council with a copy of the article.	
Section 17.38.050 Barbara Massey, Comment #21. Parking reductions should only be allowed as part of a Discretionary Review.	Comment noted. Most parking reductions are only allowed through discretionary review.
Section 17.38.050(C)(1) Barbara Massey, Comment #21. Transportation Demand Management is questionable, usually more credit is given than the actual reduction achieved. Transit Accessibility doesn't mean that it will be used instead of a car. Many people run errands or shop at lunch or on the way home and need their cars to carry things. There is more reliance on cars because we don't have an adequate transit system. Both the routes and hours of our transit system are very limited. Before there will be a serious reduction in the use of cars, a system is needed that covers all of Goleta with expanded routes and hours.	Comment noted. Reductions in parking based on a TDM is only allowed through discretionary review, as is the case currently. The amount of the reduction granted is up to the Review Authority. Furthermore, these potential reductions implement Transportation Element Policy TE 2: Transportation Demand Management.
Section 17.38.050(D) Barbara Massey, Comment #21. Giving parking credits for new projects and redevelopment in Old Town will only make an already horrible parking problem worse. This is the time to improve Old Town, not continue substandard parking that hurts the entire community most especially the residents. Reductions in parking for Old Town Redevelopment is the wrong thing to do.	Comment noted. This item was specifically addressed by Planning Commission during the recommendation hearing and the Planning Commission voted to recommend inclusion of this provision. The City Council did not make changes to this aspect of the NZO.
Section 17.38.050(D) Kitty Bednar, Comment #58. Old Town is not the place to be granting parking reductions unless and until the parking assessment district noted in 17.38.060 is created. The provision in 17.38.050 will do nothing to relieve parking pressures on Old Town streets 17.38.050 Parking Reductions. *D. OT District Redevelopment. In the OT District, where existing development with nonconforming parking is replaced with new development or a change of use, the new development or change of use shall receive a parking credit equal to the number of required automobile parking spaces unmet by the previous development or use.*	See response above.

Section 17.38.070(C)(1)(a) **Barbara Massey, Comment #21.** Off-Site Parking should be prohibited in residential districts. There is already a parking shortage and this would only worsen it. The only one helped is the developer who can cram more buildings in too little space. City streets should not be used to meet a developers' residential parking requirements.	Comment noted. The off-site parking must be on a separate parcel, not in the right-of-way, and is limited to within 200 feet of the unit (not parcel) served. As such, the potential to utilize this provision is limited.
Section 17.38.070(C)(1)(b) **Barbara Massey, Comment #21.** The Additional Parking provision is totally inappropriate in Single-Unit Dwellings in Residential Zones. This is turning neighborhoods into vehicle storage lots. It is a terrible addition to the Zoning Ordinance.	Comment noted. No changes made.
Section 17.38.080(A)(1) **Barbara Massey, Comment #21.** No trailer or RV should be permitted outside an enclosed structure or fully screened area in residentially zoned lots. This degrades the appearance of the neighborhood and decreases the value of homes. Trailers and RVs should be prohibited in the front setbacks. At a minimum all RVs stored on residential property should be screened from view.	Comment noted. No changes made.
Section 17.38.080 **Brian Boisky, Comment #71.** Hi Anne, I watched the city Council meeting online last night. Rodger's concerns about allowing campers or trailers to be stored on a front lawn are valid. They should not be allowed. Storing campers on the side yard setbacks are appropriate. But, to allow campers or trailers to be plopped in a front yard is not acceptable. I live in Old Town and already there are multiple households that store cars in driveways for years helping our neighborhood look like a junk yard. Allowing front yard storage will look even worse than driveway storage. Does the new ordinances restrict people from storing multiple cars in a driveway for years even if they run or not? Thanks for all you dedication and hard work.	Comment noted. The topic of trails and RVs was one of significant public input and discussion and numerous Planning Commission workshops and no changes were made by the City Council. The outdoor storage of non-functional vehicles is regulated by Title 10 of the Goleta Municipal Code [Vehicles and Traffic]. Furthermore, the parking of inoperable trailers and/or RVs, is also further prohibited in subsection 17.38.080(A)(3) of the NZO.

Chapter 17.40 Signs	
Section 17.40.030(S) **Barbara Massey, Comment #21.** Window signs should not be exempt; they should be prohibited in residential zone districts. They are not appropriate in residential neighborhoods.	The exception is limited to one sign with a maximum of three square feet and cannot advertise a home occupation. No changes made by City Council.
Section 17.40.030 **George Relles, Comment #54.** Sections T and U regarding Protected, Non-Commercial Speech. Issue 1. The sections T and U discriminate against residential property owners, vastly favoring the free and political speech rights of COMMERCIAL property. Commercial property signs can be 4 times larger and 50% higher than residential ones. Recommendation 1: There should be no difference between residential and commercial property regarding the signs' allowable area and height. There is no justification for giving commercial property owners more protected speech rights than residential property owners.	On 01/21/20, the City Council directed staff to use the smaller residential standards for these types of signs and to combine the residential and non-residential protected non-commercial sign standards into a single uniform standard.
Section 17.40.030 **George Relles, Comment #54.** Sections T and U regarding Protected, Non-Commercial Speech. Issue 2. In addition, both sections could lead to confusion or a chilling effect by being silent on how many signs can be placed on either kind of property. Recommendation 2: There should be a statement that there is no limit on the number of signs. Especially during election season, many will want to display multiple signs for multiple candidates and initiatives.	2. See response to #1 above.
Section 17.40.060 **Kitty Bednar, Comment #58.** Should the second occurrence of "is" in 17.40.060 I 1 be "in"? *17.40.060 General Provisions for All Sign Types I. Changeable Copy. The use of changeable copy on signage is subject to Design Review and may only be permitted in accordance with the following regulations. 1. Electronic Copy. Electronic changeable copy is only allowed is non-residential districts and as follows:"*	This edit is included in the Errata Sheet.
Chapter 17.41 Standards for Specific Uses and Activities	
Section 17.41.110 **Michelle Graham, Comment #19.** On behalf of Children's Resource & Referral of Santa Barbara County, we would like to thank the Goleta City Staff, Planning Commission and Council for the work	As previously noted, all revised language to the development standards for childcare facilities are located in

that has been done to support access to childcare throughout the City of Goleta. We would ask that the City Council approve the New Zoning Ordinance on November 5, 2019. The proposed changes enable Early Childhood Educators, working toward becoming a Licensed Child Care Provider, to obtain their license with fewer barriers. We are excited that Goleta has taken the lead with your work on increased access to childcare. As Children's Resource & Referral, we would like to share this model that Goleta has designed and advocate for this across our County and even further advocate for California State implementation.	Section 17.41.110, Day Care Facilities and Section 17.41.140, Family Day Care.
Section 17.41.180 Joshua Ellis, Comment #1. The food truck ordinance is very restrictive and will effectively limit food trucks at M Special to a couple of occasions annually, with restrictive hours and limits on numbers of vendors even on those occasions. **Food trucks and live music are hallmarks of our business and were cited as important factors that contributed to the Goleta Chamber of Commerce honoring us in 2016 as the Small Business of the Year.**	On 01/21/2020, City Council directed staff to remove all land use development standards for Mobile Vendors from the NZO, but that they are still subject to City business licensing.
Section 17.41.220 Charles D. Kimbell, Comment #37. Supports Hersel Mikaelian, summarized key points in his letter. Goleta is woefully deficient in providing for senior care housing. It appears that Goleta has about 250 beds for assisted senior care housing within the City limits, due to zoning limitations. The current pending zoning ordinance attempts to enable more senior care housing by permitting it in residential zones. This is a good step forward and entirely logical. The pending Zoning Ordinance and General Plan amendment will allow senior housing in residential zones with a conditional use permit; however, it restricts the location of large senior care facilities (with more than 6 residents) to being 300 feet apart. We strongly urge you to modify the 300-foot spacing requirement to allow large senior care facilities to exist within the 300-foot spacing area so long as approved by a conditional use permit. This will enable the possibility of larger senior care facilities in the few remaining places in Goleta where they could be built. It is only fair and right to allow seniors to live in those zones where they lived for so many years prior to needing assisted care.	Comments noted. The standard is included to ensure there is not an agglomeration of this use type that may impact neighboring properties.
Section 17.41.220 Barbara Massey, Comment #56. Large Residential Care Facilities Large Residential Care Facilities should not be permitted in RS and RP districts. It would be too intrusive in the neighborhood. No one in single family neighborhoods wants up to 13 people living next door. It brings extra noise, traffic, parking problems, and potentially law enforcement problems. Homeowners bought their homes in RS and RP zones because they wanted quiet, peaceful, low traffic, family neighborhoods where they	On November 3, 2019, Council directed staff to remove the allowance for RCFs in the RS and RP zone districts. See Errata Sheet.

would have a stable environment. Large Residential Care Facilities are inappropriate for single family neighborhoods.	
Chapter 17.42 Telecommunication Facilities	
Section 17.42.010 **Cecilia Brown, Comment #22.** Would you please consider adding more info about just exactly what telecom facilities are regulated by the NZO? From the NZO Chapter 17.42.010 Telecommunication Facilities (page vi-173) Section A (in italics below) seems to pertain to large cell facilities only in the public right of way. Large cell sites also now exist on private property, The FCC didn't change how jurisdictions can regulate large cells on public property, only small cells in the public right of way. Therefore, I proposed a revision for Chapter 17.42.010 subsection A.: These facilities include small cell facilities on private property and large cell facilities on private and public property. *The requirements of this Chapter apply to all telecommunication facilities within the City, not otherwise regulated by the City, pursuant to GMC 12.20, Wireless Facilities in Public Road Rights-of-Way, that transmit and/or receive wireless electromagnetic signals, including but not limited to personal communications services (cellular and paging) and radio and television broadcast facilities. A. These facilities include small cell facilities on private property and large cell facilities in the public right-of-way.*	Comment noted. Edit made.
Chapter 17.50 Review Authorities	
Section 17.50 **Kitty Bednar, Comment #58.** Review of city projects. I agree with speakers at your last meeting (and the Planning Commissioners) who stated that city projects should undergo the same review process that private projects receive. Staff workshops and the environmental review process are not sufficient for members of the public to make their issues known The workshops and outreach that staff conduct are informative and valuable, but the workshops are not official in the same sense that a review board, commission, or council meeting would be. They are not noticed in the same way, they are not televised, there is no video or audio available on the internet, and there are no minutes. The only way to know for sure what transpired is to have attended. Asking other attendees or staff what happened is problematic: not everyone identifies the same issues as important. Sometimes it's the whole of the dialogue that is important. The environmental review process is a structured one that does not address the merits of a project. Responding to an environmental impact report takes place within a closed universe. There are required topics to be addressed, and other topics are simply not relevant.	Comments noted. Council direction to staff was to require all City projects that need zoning permits to be reviewed and approved by the City Council at a noticed public hearing. However, Capital Improvement Program projects within the Inland area of the City would be exempt from permits except when located within ESHA and only general repair and maintenance activities outside of ESHA would be exempt from permits within the Coastal Zone.

Chapter 17.52 Common Procedures	
Section 17.52.050 Cecilia Brown, Comment #20. Congratulations on getting to the adoption phase of the long-awaited zoning ordinance for the City of Goleta. For those of us who have participated in this effort since 2013, we look forward to its conclusion, as I am sure you do too. I want to thank staff for their endurance and robust and inclusive outreach process; the Planning Commission for the detailed and thorough review of the NZO and accommodating those who showed up at many of their hearings to testify. It was a time intensive effort but worth it! The two items below were not fully addressed by the last Planning Commission hearing, but deserve further consideration. The first item was only introduced at the very end of the last PC hearing with little deliberation. The 2nd item was not considered but needs to be because of its importance to what the lighting ordinance is trying to achieve. Request the material presented below be added to the applicable NZO sections. Thank you for considering my comments. I hope they have been helpful. Cecilia Brown Section 17.52.050 Noticing. Story poles as a form of public notification is additive to any other required on site noticing described in this section. Story poles, as a 3-D visual notice, enhance the public's, staff's, and decision maker's understanding of the nature of a project's massing in relationship to its surroundings and how it may affect the viewshed and neighborhood compatibility. Staff's proposed standard for story poles noticing is: "for all new structures over 20ft in height, except for single unit dwellings." Circumstances may warrant story poles for other projects: consider them for existing commercial, office, industrial multi-family, mixed use, or single unit dwelling projects where a building height or yard/setback variance or modification or a significant increase in the footprint is requested." And, if there is a project undergoing DRB review that doesn't fall into the above categories but DRB believes that story poles are warranted, then that project should be subject to story poles. Until detailed story pole guidelines and procedures are developed, request this descriptor of the expected outcome for a story pole installation be added where they are mentioned in this section: three-dimensional, full-scale, silhouette structures that outline the location, bulk and mass that a proposed structure will occupy on a site and which accurately outlines the building's major wall planes, gables and ridges. Section 17. 35.060 Lighting This section is a great improvement over the current regulations, particularly with the requirement for a lighting plan. Unfortunately there are some needed numerical development standards missing from the ordinance. Without this information, decision makers can't	Comments noted. City Council direction to staff was to develop Story Pole guidelines for inclusion within the NZO. Seven new guidelines were added in Section 17.52050(C)(6). No numerical standards, such as total site lumens were added by the City Council to the NZO.

determine the compliance of an applicant's project lighting with the city's development standards and the intent of the ordinance which is to ensure "Dark Sky" lighting standards. As an example, the lighting plan requires applicants to provide project "total site lumens." This is important to know in a lighting plan because this information indicates whether the project site is over lighted. So, if the NZO requires the applicant to provide the info, there needs to be a corresponding NZO standard for decision makers to use to see if the project complies with it. But, there is no NZO standard for "total site lumens." Decision makers can't evaluate this lighting plan parameter if there is no standard for them to use. Fortunately, there is a way to remedy this omission. Use the information from the International Dark Sky Association Model Lighting Ordinance (see link below and pages 13 and 25) on how to figure out a standard for total allowed site lumens. Its not rocket science, it just requires the city to make a decision on which standards to use from the MLO and then some easy math to figure out total site lumens for each project when it is reviewed. Therefore, request the city add a numerical development standard in the lighting ordinance for "total site lumens." https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF	
Section 17.52.050 Cecilia Brown, Comment #22. Section 17.52.050 Noticing. Story poles as a form of public notification is additive to any other required on-site noticing described in this section. Story poles, as a 3-D visual notice, enhance the public's, staff's, and decision maker's understanding of the nature of a project's massing in relationship to its surroundings and how it may affect the viewshed and neighborhood compatibility. Staff's proposed standard for story poles noticing is: "for all new structures over 20ft in height, except for single-unit dwellings." Circumstances may warrant story poles for other projects: consider them for existing commercial, office, industrial multi-family, mixed use, or single-unit dwelling projects where a building height or yard/setback variance or modification or a significant increase in the footprint is requested." And, if there is a project undergoing DRB review that doesn't fall into the above categories but DRB believes that story poles are warranted, then that project should be subject to story poles. Until detailed story pole guidelines and procedures are developed, request this descriptor of the expected outcome for a story pole installation be added where they are mentioned in this section: three-dimensional, full-scale, silhouette structures that outline the location, bulk and mass that a proposed structure will occupy on a site and which accurately outlines the building's major wall planes, gables and ridges.	The DRB or any other Review Authority may request/require story poles be erected for a project that is not otherwise automatically triggering the requirement for story poles to be erected. Additional information regarding story pole installation has been added to the Errata Sheet pursuant to City Council direction.

Section 17.52.050 Cecilia Brown, Comment #22. When you brief the council on Tuesday on Planning Commission recommendations on noticing would you please explain, by example, the kinds of projects (e.g. shopping center, industrial building, hotel, small subdivisions) subject to DP, CUPs so the Council understands the scope of the proposed notice. It may be the case that you want to limit the 4x8 signs to bigger projects like those I list. That was my intent in requesting the bigger signs. I don't have kind words about the yellow plastic signs, see attachment) the City uses for notification. Not much notification if what was written on them has since disappeared! Onward to a better kind of sign for noticing! Attached is my comment letter to the council. Appreciate the consideration of the story poles in noticing section, but might need further consideration re: the threshold of "all new buildings over 20ft less single-family homes" which might be overly broad. Maybe better the listing I include? (Would have liked PC and DRB to have reviewed this). However, there needs to be a provision for DRB to request story poles for any kind of project if they feel it warrants it.	Comments noted and provided to the City Council for consideration at the December 17, 2019 hearing. As noted above, during Design Review, pursuant to subsection 17.58.060(A)(4), story poles may be requested for any project at the Conceptual level of review. Additionally, at their discretion, any Review Authority may request additional story poles to be installed.
Section 17.52.050 Barbara Massey, Comment #21. The requirement for story poles is very important and can't be left for the DRB to request because staff consistently keeps it from happening. There needs to be standards for story poles. They should be strong poles that show the location and outline the structure, mass, bulk, in three dimensions. More specific standards can be made later but there needs to be something in the NZO now. I strongly support the Planning Commission's recommendations on Noticing as listed here from page 6 of the November 5th staff report. Noticing. The Planning Commission recommendation includes expanded requirements for noticing of proposed development. These provisions, which can be found in Section 17.52.050, include: 1) story poles for all new structures over 20 feet in height, except for single-unit dwellings, 2) on-site posted notices at a minimum size of eight square feet in residential districts and 32 square feet in all non-residential districts, 3) mailed noticing for all projects, regardless of the number notices to be mailed, 4) a requirement that all mailed and emailed noticing be translated into Spanish, and 5) press releases for all proposed development over 10,000 square feet, released at the point of Conceptual Review in front of the Design Review Board, in order to notify the public of the pending project early in the review process.	Additional information regarding story pole installation has been added to the Errata Sheet pursuant to City Council direction. The Council also directed staff to remove the Electronic Notice requirement in 17.52.050(C)(6) and to add a new alternative method for large mailing section in 17.52.050(C)(1)(c), which would allow the city the option to use emails or other electronic means to notice projects that affect more than 1,000 parties.

On-site Posted Notices: The Planning Commission did not provide a permit or approval trigger for the larger on-site noticing in the proposed NZO. Staff believe there should be a threshold provided. If not, even the smallest of projects, such as a new sign in a commercial district, would need a 32 square-foot on-site notice. Mailed Notices: The Planning Commission recommended removal of an allowance for publishing notice in a newspaper rather than providing mailed notice, if the recipients would number over 1,000. This is an existing allowance in the City's current zoning ordinances and under state law. Newspaper notice is most often utilized when the City has a project that would require citywide notification. By removing the newspaper notice allowance, the City would incur significant cost for noticing items like new zoning regulations and General Plan amendments. 17.52.050(C)(1) Mailed noticed should continue to be provided if the recipients would number over 1,000. The newspaper notice is inadequate, few people get the News-Press and the number who gets the Independent is limited. To have adequate public notice there should be mailed notices.	
Section 17.52.070 George Relles, Comment #54. Issue 1: Section 1, requiring "adequate infrastructure and public services available to serve the proposed development...", does not define what "adequate" means. One can readily identify if a water meter has been issued or what necessary police and fire response time standards are. BUT what standards will be used to determine if there are adequate schools, parks, roads, bikeways, transit, etc.? Issue 2: In the list of required infrastructure and services, the word "planned" is used to modify only the word "transportation." This could cause unacceptable transportation impacts and hardships for an indefinite and potentially unlimited period. Accepting only "planned" transportation, may allow a project to go forward even if there's no funding for needed transportation, or a date certain of when the actual mitigation will occur. Recommendation 1: Please require language or reference to where one can find objective standards for the word "adequate" for each of the infrastructure and public services required.	Comments noted. No changes made. To make the required finding of adequate infrastructure and services will require that substantial is provided in the record and citing specific examples of what types and levels of said infrastructure and services are being considered and evaluated. The term "planned" is used in this instance due to the fact that many new development projects pay a Transportation Impact Fee, which is but a portion of the funding needed to made roadway improvements to

Recommendation 2. Please require language LIMITING how the word "planned" in front of "transportation" will operate, in order to ensure that adequate transportation will be complete when the project is complete.	address cumulative impacts created by numerous projects.
Section 17.52.050 Hersel Mikaelian, Comment #55. Story-Poles should not be mandatory for each building design. At the Planning Commission hearing, the Commissioners listened only to the same two individuals who dictated their opinions as if they were representing the entire community. These people asked the PC to mandate story-poles for any new construction. Again no one was in the PC hearing room except me. They stated that the story poles would serve as a form of public notice. If the FAR, height, and story-poles are going to become requirements in the ordinance, then I urge you to offer something economically feasible, simple and consistent with other jurisdictions. I just can't understand why the PC did not reach out to DRB for guidance. Why was the right of the public not preserved? If the PC recommendation gets adopted by your Council (Dec. 3, 2019) then the DRB will be required to comply with unreasonably restrictive rules with no justification and that will unnecessarily hamstring the design of new development. I am asking all the Council members to uphold the law and your fiduciary duties to preserve the rights and to carefully study the newly drafted rules I have itemized above that the Planning Commission has recommended to the City Council and speak up and take action to protect the community's right just like surrounding cities and counties.	Comments noted. No changes made.
Section 17.52.050 Barbara Massey, Comment #56. Noticing: One of the most important remaining NZO issues is Noticing. This is an issue that has long been a problem. Our residents often complain that they didn't know a project had even been proposed. They can't make their concerns known if they aren't aware of a project until after it is approved. The current noticing ordinance allows the use of newspaper notices in place of mailings where notices would exceed 1,000. Many people don't get the News-Press or Independent nor do they have computers. This seriously limits public information and participation. Lack of information has always been a problem for the public, now you have an opportunity to show the residents that you want them to know about the important projects. Please direct staff that you want the NZO to have mailed notices required for projects with more than 1,000 recipients.	Comments noted. As noted above, the Council directed staff to remove the Electronic Notice requirement in 17.52.050(C)(6) and to add a new alternative method for large mailing section in 17.52.050(C)(1)(c), which would allow the city the option to use emails or other electronic means to notice projects that affect more than 1,000 parties.

City Projects: The public wants the opportunity to comment on City Projects. Any large City projects should have a noticed public hearing. I would recommend this be done by requiring every major project have a Development Plan with a Planning Commission hearing, not just ones in the Coastal Zone. They usually push through the project on the Consent Agenda with little public knowledge of them. The City Projects example of Ekwill/Fowler is a poor one since this project has taken many years with many changes and some hearings held in other jurisdictions. It also had more review because it was a transportation project with SBCAG and CTC review.	Council direction to staff was to require all City projects that need zoning permits to be reviewed and approved by the City Council at a noticed public hearing. However, Capital Improvement Program projects within the Inland area of the City would be exempt from permits except when located within ESHA and only general repair and maintenance activities outside of ESHA would be exempt from permits within the Coastal Zone.
Section 17.52.050 Hersel Mikaelian, Comment #67. Story-Poles should not be mandatory for each building design. At the Planning Commission hearing, the Commissioners listened only to the same 2 individuals who dictated their opinions as if they were representing the entire community. These people asked the PC to mandate story-poles for any new construction. Again no one was in the PC hearing room except me. They stated that the story poles would serve as a form of public notice. This is totally ludicrous. First, they set the FAR's too low so as to discriminate against larger parcels, then, they made the height of the houses to be completely unreasonable. And finally, they throw at you mandatory story-poles. What's left ---- to eliminate building in Goleta? The City of Goleta keeps talking about a shortage of housing and at the same time uses a FAR that minimizes and restricts space and bedrooms. If the FAR, height, and story-poles are going to become requirements in the ordinance, then I urge you to offer something economically feasible, simple and consistent with other jurisdictions. I just can't understand why the PC did not reach out to DRB for guidance. Why was the right of the public not preserved? If the PC recommendation gets adopted by your Council (Dec. 17, 2019) then the DRB will be required to comply with unreasonably restrictive rules with no justification and that will unnecessarily hamstring the design of new development.	Comment noted. See Errata sheet for staff's recommended edits to automatically require story poles as part of on-site noticing for new development projects, excluding new single-family units (unless specifically required by the Review Authority on a case-by-case basis). No additional edits are recommended to change the NZO as it relates to the maximum allowable floor area, which is shown in Table 17.07.040 of the NZO and addressed elsewhere in this Response to Comments table.

I have worked for 43 years to bring about the rights to my property and now the PC recommendation wants to wipe out 82% use of the property? Moreover, I have been working hard to bring about Senior Care Housing on my property but these PC recommendations are going to kill any chance at Senior Care Housing. I am asking all the Council members to uphold the law and your fiduciary duties to preserve the rights and to carefully study the newly drafted rules I have itemized above that the Planning Commission has recommended to the City Council and speak up and take action to protect the community's right just like surrounding cities and counties. We just can't let a few people ruin our lives.	
Section 17.52.050 Cecilia Brown, Comment #68. Dear Mayor Perotte and Council Members, The General Plan has many excellent policies to protect and enhance Goleta's visual and aesthetic character. Many of these policies have been incorporated with robust development standards into the NZO. However, the Design Review Board needs several additional "tools," development standards and "findings," to use in the review process and in decision-making. Please consider what I present below and include the additional standards in the NZO that will protect, preserve and enhance the community character of our fair City. Viewshed Protection: Please support staff's addition of story pole guidelines in the Public Notification section 17.52.050 as well as their response to Councilmember Kasdin's interest in increased viewshed protection thru a revision to the NZO text to include structure height limitation on a protected public viewshed.	Comments noted. The City Council agreed that the existing development standards recommended by the Planning Commission fully implement the General Plan policies for Visual Resource protections. Furthermore, as previously stated, the DRB findings currently include a required finding (I) that reads "All exterior lighting, including for signage, is well-designed, appropriate in size and location, and dark-sky compliant." Lastly, staff recommended edits to subsection 17.26.040(B)(1) are included in the Errata sheet to address increased viewshed protections.
Section 17.52.080 Cecilia Brown, Comment #68. In addition to the story pole guidelines, it is important that the DRB have viewshed protection findings to use during project review. None now exist for them to use. Therefore, the proposed addition of two viewshed protection measures into their findings would further enhance protection of viewsheds. Below are two proposals for consideration:	Comments noted. No additional changes required. Currently, DRB finding (K) would incorporate all required viewshed

J. Story poles have evaluated the visual impact of proposed development on views along scenic corridors. (This finding would be used in concert with the newly proposed story pole guidelines.) K. Views from locations identified on the General Plan Scenic Resources Map, General Plan Figure 6-1 are protected by minimizing any impairment that results from new development (this is General Plan Policy VH 1.2). Request incorporate these measures into Section 17.50.80 Required Findings. Regrettably I won't be able to attend Tuesday's meeting to testify on these items and hope what I have written is helpful and informative as to the importance of what I discuss. I want to express my appreciation for all your efforts in the 6-year long NZO process, particularly in welcoming the public "to the table" to have their concerns heard, acted upon and incorporated into the NZO. Thank you! Best wishes for the holiday season and the New Year!	protection policies and development standards. Further, story poles would not be required for all projects that require DRB review (e.g., signage, some fences/walls, small additions or porches, single-family units, etc.), as such, staff does not recommend adding a new finding that may not be applicable in many types of projects before the DRB for review.
Section 17.52.100 Cecilia Brown, Comment #57. Dear Mayor Perotte and Council Members, As you near the end of your NZO review and deliberations, we would greatly appreciate your consideration of our comments regarding Substantial Conformity Determinations (SCD) that we orally submitted at two of your previous council meetings. Your review and deliberations regarding our comments were postponed to your future meetings, as you took up other important topics in the NZO queue. It is gratifying that the council has made zoning regulations more public friendly, particularly with the enhanced noticing procedures used in various aspects of land use processes. However, one issue we want to bring to your attention is that changes are necessary to make the Substantial Conformity Determination process as public friendly and informative as other processes in the NZO. We want raise several issues regarding NZO Section 1752.100 Changes to Prior Permits and Approvals Subsection B. Substantial Conformity Determination (SCD).	City Council directed staff to make edits to the section of the NZO relating to SCD to make them noticed and appealable. Additionally, a project that was the subject of significant controversy would not be eligible to change the project via an SCD.
Section 17.52.100 Cecilia Brown, Comment #57. Changes to Prior Permits and Approvals Subsection B. Substantial Conformity Determination (SCD) I have additional comments and concerns regarding the Substantial Conformity Determination (SCD) beyond those I made at the Nov 5th hearing.	See response above.

Staff response to my comments made at that hearing doesn't provide a satisfactory reason why provisions at the beginning and the end of the SCD process in the current zoning ordinance were not carried forward into the NZO. Issue 1: The first issue in the SCD process has been the elimination of the "key issue," an assessment for the Director to make whether a SCD should be used to allow project change if it has been the subject of "substantial public controversy." If the response is that it has been, the Director can't proceed with the SCD request. Considering the City of Goleta has a rather engaged public interested in land use matters and that there have been projects that have been controversial, some subject to lawsuits (e.g., Westar, Marriott Residence Inn, Bacara) in the City's recent past, retaining the "key issue" considerations would seem prudent to avert public outcry over no noticing and decision making undertaken without public scrutiny. Also, elimination of the first key issue step goes against the recent efforts by city council to make the land use process more public friendly. Therefore, recommend and request the NZO include the "key issue" step regarding "substantial public controversy" for the Director to use in determining whether a SCD can be used to affect change to a project.	
Section 17.52.100 Cecilia Brown, Comment #57. Issue 2: In the current zoning ordinance, the last topic in the SCD section provided information about a follow-on process an applicant could use should the Director deny the SCD. This section has nothing to do with "objective" standards used in decision-making, it merely sets out the options for an applicant in processing project changes. My request: Add the alternatives processing path from the current zoning ordinance to the NZO so the applicant knows different permit paths to get project change.	An alternative process is provided for in the NZO. If the Director cannot make the findings for an SCD, the applicant can apply for an Amendment (see subsection 17.52.100(C)).
Section 17.52.100 Cecilia Brown and George Relles, Comment #65. 1. The first issue is the elimination of the "substantial public controversy" assessment that the Director must make. The NZO draft has removed this key issue criterion which requires the Director to find out first whether a SCD can be used at all to affect change to a project that has previously been subject of "substantial public controversy". (See this section from the current zoning ordinance SCD highlighted in red at attachment). There is no good justification for allowing the Director to approve a change to a project that has been the subject of substantial public controversy, without any public notice or participation. Please	Staff has added this item to the hearing worksheet for further discussion and direction. Staff has added SCDs to the hearing worksheet for further discussion and direction.

consider that in the City's recent past there have been projects which have been "controversial," such as those that have been subject to lawsuits (eg., Westar, Marriott Residence Inn, Bacara.) We submit that it would be prudent and practical to retain the "substantial public controversy" criterion in order to avert public distrust and outcry over no-noticing and decision-making undertaken outside of public view, scrutiny, and potential for public participation.	
Section 17.52.100 Cecilia Brown and George Relles, Comment #65. 2. The public should have at least minimal notice when a SCD is being considered by the Director. The proposed NZO has no provision for such notice. Decision making should be made in the "light of day" with the public having an opportunity to comment, offering information and views the Director may not have considered. Note that such notice can be done at virtually no cost. It could be limited to notice on the city's website and emails and to residents who have pre-signed up to receive notice when an SCD is being considered, similar to the notification process for a Director's or Zoning Administrator decision.	As noted above, City Council directed staff to make edits to the section of the NZO relating to SCD to make them noticed and appealable. Additionally, a project that was the subject of significant controversy would not be eligible to change the project via an SCD.
Section 17.52.100 Cecilia Brown and George Relles, Comment #65. 3. Lastly, there should be a right to appeal a SCD determination. The proposed NZO allows no appeal. If there is an aggrieved party, who has been allowed to participate in the public process, then, that person should be allowed to appeal. Benefit-Burden Test: In considering our request, we ask you to apply the "benefit-burden" test. • The benefits of accepting our suggestions are great: ensuring consistency with your goals of conducting Goleta's business in public and enhancing public participation and trust. • The burdens of accepting our requests are extremely low. Noticing could be quite limited and therefore virtually free. The Director would need to consider just one more but vital criterion, and it is highly likely that appeals would be very few and far in between. Conclusion: We respectfully ask you to do the following: a. Retain the "substantial public controversy" key issue criterion for the Director to use in determining whether a SCD can be used to affect project change, and b. Add limited public noticing and the right of appeal provision to the SCD section. Thank you for your time and attention to this matter. Best Wishes for the	See response above.

Holidays and the New Year!	
Section 17.52.100 Cecilia Brown and George Relles, Comment #65. SUBSTANTIAL CONFORMITY DETERMINATION GUIDELINES On occasion, an applicant requests slight deviations from an approved action in order to carry out a project. The County Development Code allows certain types of alterations from an approved project, following a determination of substantial conformity. Procedure: 1. Applicant obtains an application for a Substantial Conformity Determination at the Department and pays applicable fees which may vary depending on the complexity of the request. 2. The Department reviews the project description that was considered at the time of project approval. 3. The Department considers key issues: a. Has the project been the subject of substantial public controversy, or is there reason to believe the change is likely to create substantial public controversy? b. Will the deviation result in a change to the project that would alter the scope and intent of the project the review authority acted on? c. Would the deviation alter the public's perception of the project? d. Would the deviation result in environmental effects not analyzed or discussed at the time of project approval and/or result in the need for additional mitigation measures? If the answer to any of these basic questions is "yes", the Director cannot make a determination of substantial conformity. 4. The Department compares the request with established criteria. Listed below are criteria developed to assist in determining whether proposed changes to approved projects are in substantial conformity with the approved plans. a. Does not conflict with project conditions of approval and/or recorded map conditions. b. Does not result in health or safety impacts. c. That the project facilities, operating procedures, environmental impacts, safety impacts, and the project's compliance with policies are substantially the same as those considered in the previous permit issued by the Director. d. That the changes proposed can be effectuated through existing permit conditions.	See responses above.

e. That the impacts and changes do not alter the findings that the benefits of the project outweigh the significant unavoidable environmental effects made in connection with the original approval. f. Does not result in an increase of 1,000 sq. ft. or more than 10 percent of building coverage of new structures over total project approvals, whichever is less. g. Is clearly exempt from environmental review or was evaluated in the environmental review document prepared for the project and there are no new significant impacts related to the project change. SANTA BARBARA COUNTY CODE - CHAPTER 35 - COUNTY LAND USE & DEVELOPMENT CODE a. Does not require the removal of specimen trees or impact areas defined in the project environmental document as sensitive or designated as areas prohibiting structures. b. Is consistent with Comprehensive and/or Coastal plan policies and Development Code requirements. c. Does not result in more than 1500 cubic yards of net cut and/or fill outside of the Coastal Zone, or 50 cubic yards within the Coastal Zone, and avoids slopes of 30% or greater, unless these impacts were addressed in the environmental assessment for the project and mitigation measures were imposed to mitigate said impacts and the proposal would not compromise the mitigation measures imposed or result in additional environmental impacts. d. Is located within the same general location as, and is topographically similar to, approved plans. The location shall not be moved more than 10 percent closer to a property line than the originally approved development. e. Does not result in an overall height which is greater than 10 percent above the approved height. f. The project must remain consistent with height requirements of the zone. g. Receives Design Review approval for landscaping and structures, if necessary. h. Does not result in intensification of use; e.g., no new employees, no increases in traffic, if these were important to the previous environmental/policy analysis. i. Does not affect easements for trails, public access, or open space. 5. Depending on the degree of complexity for a substantial conformity determination request, the project manager takes action as follows: a. If a Substantial Conformity Determination request is minor, (e.g., no additional conditions are required, is not controversial, does not alter the intent of the decision-makers action, with approval from their supervisor), the Director issues the appropriate permit (Coastal Development Permit or Land Use Permit).	

b. The Department prepares a letter outlining the changes to be made and why they are being approved. The letter must be reviewed and signed Director. 6. If a Substantial Conformity Determination cannot be made regarding changes to a project, the applicant may: a. Withdraw the request and continue with the project as approved; or b. Submit an application for a Substantial Conformity Determination to the review authority for the original permit to which the Substantial Conformity Determination is requested, or apply for Amendment or Revision of the original permit. 7. Substantial Conformity Determinations are made by the review authority for the original permit if the conditions of approval of that permit so require.	
Chapter 17.58 Design Review	
Section 17.58.080 **Cecilia Brown, Comment #57.** Viewshed Protection. Please support staff's addition of story pole guidelines in the Public Notification section 17.52.050 as well as their response to Councilmember Kasdin's interest in increased viewshed protection thru a revision to NZO text to include structure height limitation on a protected public viewshed. In addition to the story pole guidelines, it is important that the DRB have viewshed protection findings to use during project review. None now exist for them to use. Therefore, the proposed addition of two viewshed protection measures into their findings would further enhance protection of viewsheds. Below are two proposals for consideration: J. Story poles have evaluated the visual impact of proposed development on views along scenic corridors. K. Views from locations identified on the General Plan Scenic Resources Map, General Plan Figure 6-1 are protected by minimizing any impairment that results from new development (this is General Plan Policy VH 1.2) My request is to incorporate the additional viewshed protection measures into Section 17.58.080 Required Findings.	No changes made. Not all projects require story poles, which would make the finding impossible in many instances. In addition, DRB members are design professionals and are neither trained nor qualified to make General Plan consistency findings.
Section 17.58.060 B **Barbara Massey, Comment #21.** Grading and lighting plans should be included at the DRB's Preliminary Review.	No changes needed. Grading and lighting are reviewed throughout the DRB process beginning at each Conceptual review (see

	17.58.060(A)(4)), but detailed plans are required at Final Review (C)(4).
Section 17.58.060 **Barbara Massey, Comment #21.** The DRB's Required Findings should have the Finding that "The project proposed would be consistent with the General Plan." This is an issue that is not always considered when reviewing a project and is sometimes discouraged by staff when it is. The General Plan is something that should always be considered on any project the Board or Commission's review. For that reason, I am asking to have consistency with the General Plan a Finding.	No changes made. DRB members are design professionals and are neither trained nor qualified to make General Plan consistency findings.
Chapter 17.62 Modifications	
Chapter 17.63 **Tara Messing et al, Comment #18.** II. The NZO Must Set Forth the Findings and Evidentiary Requirements Necessary to Inform Modifications to City Zoning or Policy Requirements to Ensure Strong Protections for Goleta's Natural Resources. For years, the City has struggled with the implementation of the City's General Plan Policy Conservation Element ("CE") 2.2 concerning SPAs. Despite the Policy's strong protections for creeks and riparian habitats, the City has previously approved projects with reduced creek setbacks without the necessary findings and evidence to support claims that adherence to the minimum 100-foot setback was infeasible. For this reason, EDC, on behalf of our clients, is advocating for the development of an ordinance that identifies the findings that must be made and the evidence that is required upon a request to modify City zoning or policy requirements. The NZO has existing provisions that govern modifications to City zoning or policy requirements and could be expanded upon to comply with the CCC language, such as Chapter 17.62 regarding modifications and Section 17.01.040(A)(2) concerning private property takings. The section could then be cited to in the provisions governing SPA buffer reductions. The need for a clear process for evaluating reductions to creek setbacks was echoed repeatedly by the City's Planning Commissioners at the NZO Workshops as well as at the Planning Commission hearings held on September 9, 2019, September 23, 2019, and October 7, 2019. Ultimately the Planning Commission's recommendation to the City Council is to incorporate EDC's recommended language in the NZO provisions governing SPA buffer reductions.	Chapter 17.62, Modifications, includes specific required findings for standard Modifications (Section 17.62.040) and an additional finding for special Modifications (Section 17.62.030(B)(3)(a)). However, as stated in subsection 17.62.030(C), required buffers are not subject to the allowances of this Chapter. The intent for allowing limited Modifications to development standards is not to avoid a Regulatory Takings, but rather, to grant limited minor relief from specific provisions of the NZO in order to achieve better site design or greater resource protection. Reducing a buffer via a Modification would not be consistent with the intended function of this planning tool.

Section 17.62.020(B)(1) **Barbara Massey, Comment #21.** RS and RP districts should only be allowed to increase the height by 20% in both Coastal and Inland Zones.	The different height Modification allowance is based upon the difference in maximum allowable height in residential districts within the Inland and Coastal zones in GP Table 2-1 and was recommended by the Planning Commission after a detailed discussion of this issue.

Public Comments added:

1 Joshua Ellis - 10/28
2 Steven Amerikaner - 10/29
3 Lorcan Drew - 10/31
4 Lindy Carlson - 10/31
5 Lindsey Bolton - 10/31
6 Jesse Bickley - 10/31
7 Bob Crocco - 10/31
8 Susan Shields - 10/31
9 Lydia Deems - 10/31
10 Karen Dorfman - 10/31
11 Anne Diamond - 10/31
12 Bill Woodbridge - 10/31
13 Kristie Klose - 10/31
14 Monique Sonoquie - 10/31
15 Rachel Couch - 10/31
16 Tim Cooley and Ruth Hellier - 10/31
17 Steven Amerikaner - 11/1
18 Tara Messing et al. - 11/1
19 Michelle Graham - 11/1
20 Cecilia Brown - 11/4
21 Barbara Massey - 11/4
22 Cecilia Brown - 11/4
23 Tara Messing - 11/4
24 Jean Zeibak - 11/2
25 Eileen Monahan - 11/4
26 Steve Ferry - 11/2
27 Taundra Pitchford - 11/4
28 Thea Howard - 11/3
29 Vince Semonsen - 11/4
30 Annette Muse - 11/4
31 Erica Ronchietto - 11/4
32 Franky Viveros - 11/4
33 Pancho Gomez - 11/4
34 Vic and Inge Cox - 11/4
35 Vijaya Jammalamadaka - 11/4
36 Kimberly Schizas - 11/5
37 Charles Kimbell - 11/5
38 Todd Amspoker - 11/5
39 Ginger Andersen - 11/8
40 Will Holmes - 11/21
41 Karen Dorfman - 11/21
42 Jesse Bickley - 11/21
43 Jennifer Hone - 11-21
44 Leon Juskalian - 11/21
45 Robin Birney - 11/22
46 Jim Little - 11/22
47 Leigh Readey and Linda Krop - 11/25
48 Darren Carter - 11/24
49 Andrew Bermant - 11/22
50 Leigh Readey, Linda Krop, Melissa Bower, and Brian - 11/26
51 Troy White - 11/26
52 Barbara Carey - 11/26
53 Tara Messing - 11/27
54 George Relles - 11/12
55 Hersel Mikaelian - 12/1
56 Barbara Massey - 12/1
57 Cecilia Brown - 12/2
58 Kitty Bednar - 12/2
59 Ken Alker - 12/2
60 April Reid - 12/2
61 Natalie Blackwelder - 12/3
62 Fermina Murray - 12/3
63 Todd Amspoker - 12/3
64 April Reid - 12/8
65 Cecilia Brown and George Relles - 12/12
66 Troy White - 12/12
67 Hersel Mikaelian – 12/16
68 Cecilia Brown – 12/16
69 Bonnie and Robert Moore – 12/16
70 Troy White – 12/17
71 Brian Boisky – 12/18
72 Ben Calo – 1/3
73 Connie Cornwell – 1/14
74 Kathey Wolfe – 1/15
75 Steven Amerikaner – 1/17
76 Ben Calo – 1/17
77 Nadir Dagli and Gulcin Dagli – 1/20
78 Keith Douglas – 1/21
79 Will Russ – 1/29
80 Treva Yang – 2/2
81 Steve Amerikaner – 2/10
82 Erik Talkin – 2/13