

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Note: Planning Commission comment citations are to the November 2015 Public Review Draft	
Chapter 17.01 – Introductory Provisions	
<p>17.01.010 Vice Chair Jenkins suggested that the term "this Title" be changed to "this Ordinance" globally in the document. He also suggested placing the definition of the Section symbol in the appropriate list.</p>	<p><i>No change made. Ordinance will be codified at Title 17 of the Goleta Municipal Code.</i></p>
<p>17.01.020.A Commissioner Maynard suggested changing the word "progressively" to "conscientiously" or to appropriate language that better emphasizes the intent.</p>	<p><i>Term removed and no addition made.</i></p>
<p>17.01.030 Vice Chair Jenkins suggested changing "Zoning Regulations" to "Zoning Ordinance" in the title.</p>	<p><i>Change made to "Structure of this Title."</i></p>
<p>17.01.030.A Vice Chair Jenkins suggested changing the title to "Organization" (removing "of Regulations").</p>	<p><i>Change made.</i></p>
<p>Vice Chair Jenkins suggested using the term "land use zone" instead of "Zoning District" globally in the document to make it less confusing for the public; thereby, eliminating "Districts". He noted this would give three different items three specific names: "Zones", "Overlays", and "Specific Plan Areas". Staff will research the suggested change and report at the next meeting.</p>	<p><i>No change made. Districts fundamental to Zoning Ordinance.</i></p>
<p>17.01.030.A.4 Vice Chair Jenkins suggested changing "Districts" to "Zones" or "Overlays".</p>	<p><i>See response above.</i></p>
<p>17.01.030.A.6 Vice Chair Jenkins suggested adding "Use Classifications and Definitions" after "Part VI: General Terms".</p>	<p><i>No change made.</i></p>
<p>17.01.030.B.1 Remove the comma after "regulations" in the third sentence.</p>	<p><i>Commas in the sentence removed.</i></p>
<p>17.01.030.B.2 Remove the comma after "regulations" in the second sentence. Add a comma after "antennas" and remove "and" in front of "wireless" in the third sentence.</p>	<p><i>List removed.</i></p>

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Vice Chair Jenkins suggested if “base zoning” is included, add a definition of “base zoning” in the appropriate list.	<i>Base zoning district definition added.</i>
<p>17.01.030.B.4 Vice Chair Jenkins suggested adding a comma after “classifications,” removing the next “and,” changing “terms” to “general terms,” and adding a comma after “general terms.”</p>	<i>Change made to remove reference to “terms.”</i>
<p>17.01.040.A.1 Remove the “or” after “organization,” in the first sentence.</p>	<i>Language of section revised.</i>
<p>17.01.040.A.2 Vice Chair Jenkins suggested changing “Zoning District” to “Land Use Zone.”</p>	<i>No change made.</i>
<p>17.01.040.A.2 Commissioner Daniels requested eliminating use of the word “no” when referencing regulations globally in the document.</p>	<i>Removed the use of the word “no” and changed to the positive.</i>
<p>17.01.040.B.2 For consistency, the California Government Code should be referenced with regard to Government Title Section 65920 if it is the same document.</p>	<i>Change made.</i>
<p>17.01.040.B.3 Vice Chair Jenkins commented that 17.01.040.B.3 seems a bit confusing.</p>	<i>Subsection removed.</i>
<p>17.01.040.C Commissioner Daniels requested clarification with regard to when the General Plan prevails.</p>	<i>No change made.</i>
<p>17.01.040.D Vice Chair Jenkins suggested adding “Building Official” at the end of the second sentence if appropriate.</p>	<i>Section substantially revised.</i>
<p>17.01.040.D Commissioner Maynard commented that it would be helpful to know under what conditions an extension could be made and she recommended a limit for the length of the extension. Martha Miller, consultant, reported that this discussion would be appropriate under Administration and Permits, and recommended ending the second sentence after “extension.”</p>	<i>Section substantially revised.</i>

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<p>17.01.040.D Commissioner Maynard noted that a suggestion was made at the previous meeting to add language to indicate that permit extension applications would be evaluated by the Zoning Administrator as described in Part V Administration and Permits or under certain conditions to be described later. She noted that this Chapter would be revisited.</p>	<p><i>Substantial changes made to subsection.</i></p>
<p>17.01.040.D Commissioner Fuller requested clarification in the language with regard to the required timing associated with the adoption of the Ordinance.</p>	<p><i>Section substantially revised.</i></p>
<p>17.01.060 Vice Chair Jenkins suggested adding the language "with the exception of building and grading permits" at the end of the first sentence if appropriate.</p>	<p><i>No change made because the building and grading permits are not "authorized or required by this Title."</i></p>
<p>17.01.070 Vice Chair Jenkins suggested the title be changed to "Zones and Overlays Established".</p>	<p><i>No change made.</i></p>
<p>17.01.070.C Vice Chair Jenkins suggested that "Specific Plan Districts" be changed to "Specific Plan Areas".</p>	<p><i>Previous subsection C removed.</i></p>
<p>17.01.080.B.2 Staff will research and report back with regard to whether the length of time for abandonment needs to be specified.</p>	<p><i>No requirement found. The issue will be addressed case-by-case.</i></p>
<p><i>Chapter 17.02 – Rules for Construction of Language</i></p>	
<p>17.02.020.H, 17.02.020.I Staff will provide an example for clarification at the next meeting. Commissioner Maynard raised a concern about the complexity of the language.</p>	<p><i>No change made.</i></p>
<p><i>Chapter 17.03 – Rules of Measurement</i></p>	
<p>17.03.040 Vice Chair Jenkins suggested changing "Calculating Density" to "Calculating Dwelling Unit Density".</p>	<p><i>Changed to "Dwelling Unit Density." References to "Calculating" removed.</i></p>

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<p>17.03.060.A.1 Vice Chair Jenkins suggested removing "prior to development".</p>	<p><i>Change made and reference to natural grade added.</i></p>
<p>17.03.060(A)(1), 17.03.060(A)(2) Vice Chair Jenkins commented that the arrows within the structures seem confusing and irrelevant on the diagrams.</p>	<p><i>Arrows removed. Figure updated to reflect other revisions too.</i></p>
<p>17.03.060(B)(1) Change "Retailing" to "Retaining".</p>	<p><i>Change made.</i></p>
<p>17.03.060.C.1 Vice Chair Jenkins requested staff check for consistency with the California Building Code Section 505 with regard to mezzanines.</p>	<p><i>Subsection revised.</i></p>
<p>17-03-060.C.2 Vice Chair Jenkins requested clarification regarding 25 foot ceiling heights counting as two stories, specifically how it would affect a theater.</p>	<p><i>No change made. Story limits rarely apply.</i></p>
<p>17.03.070 By consensus, the Planning Commissioners requested staff clarify the language. Vice Chair Jenkins commented that the five feet horizontal dimension seems restrictive in certain parking lot areas.</p>	<p><i>Dimensions changed to 2ft. x 3ft.</i></p>
<p>17.03.090.(B) Commissioner Daniels suggested clarification with regard to measurements in Figure 17.03.090(B).</p>	<p><i>No change made.</i></p>
<p>17.03.120 Vice Chair Jenkins suggested referring to "net" rather than "gross" horizontal areas for determining floor area.</p>	<p><i>No change made. Floor area calculation eventually based on net, but method of calculating starts with gross.</i></p>
<p>17.03.120.A Commissioner Maynard commented that she will defer to the Building Code with regard to counting stairways, stairwells, or elevator shafts.</p>	<p><i>No response required.</i></p>
<p>Vice Chair Jenkins suggested moving "within" in front of "two feet" rather than after "two feet" in the first sentence.</p>	<p><i>Change made.</i></p>

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<p>17.03.120.B Vice Chair Jenkins suggested including habitable floor area below finished grade rather than excluding it from floor area, for example, habitable basements.</p>	<p><i>Change made.</i></p>
<p>17.03.120.C Vice Chair Jenkins requested suggested placing "interior" in front of "pedestrian" and removing "interior" in front of "walkways" in the first sentence. He requested clarification between covered courtyard and uncovered courtyard with regard to floor area.</p>	<p><i>Revisions made.</i></p>
<p>17.03.130.A Vice Chair Jenkins requested staff review the language with regard to clarity.</p>	<p><i>No changes made.</i></p>
<p>17.03.150.C Vice Chair Jenkins requested a definition for "ultimate right-of-way". He also suggested removing "back of sidewalk" as a measurement for a setback and tying measuring setbacks to the property line or right-of-way.</p>	<p><i>"Ultimate" removed. "Back of sidewalk" removed.</i></p>
<p>Chapter 17.07 Residential Districts</p>	
<p>17.07.010 - RP Planned Residential Commissioner Maynard requested the following language from the General Plan be included or located somewhere else in the Ordinance: "clustering of residential units is encouraged where appropriate to provide efficient use of space while preserving natural, cultural, and scenic resources of the site".</p>	<p><i>Added.</i></p>
<p>17.07.010 RM Residential Medium Density Commissioner Maynard requested clarification of why the minimum density of units per net acre was changed from 15 in the General Plan to 13 in the Draft Ordinance 17.07.010 RM Residential Medium Density.</p>	<p><i>Reference to density removed.</i></p>
<p>Commissioner Maynard requested clarification with regard to the location of the language from the General Plan that indicates maximum density could be increased in Residential Medium Density for affordable housing.</p>	<p><i>Reference to density removed.</i></p>
<p>Commissioner Maynard questioned whether the maximum density increase for affordable housing could be used outside the overlay area.</p>	<p><i>Reference to density removed.</i></p>

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<p>Table 17.07.020 Commissioner Maynard would like to see assisted living facilities considered in the residential area. Commissioner Maynard would like to see Large Family Day Care facilities considered in the RMHP Mobile Home Park District as "AU" or "CU" rather than not allowed.</p>	<p><i>Assisted Living allowed in RM and RH with Major Conditional Use Permit approval. Large Family Day Care facilities now allowed in RHMP to ensure consistency with State law.</i></p>
<p>Commissioner Maynard questioned why Conditional Use Permits are required in mobile home parks and would like to see "AU" or "P" rather than "CU". She would like to see Community Assembly uses allowed in the Mobile Home Park District. She would like to see the Community Garden Use to be "AU" for all Districts. She requested clarification why the Parks and Recreation Facilities require an Administrative Use Permit.</p>	<p><i>Community assembly not allowed in RHMP as neither Public/Quasi-Public Uses nor Religious Institutions are allowed in RHMP under the General Plan. For Community Gardens, where allowed, the approval process is a Minor Conditional Use Permit. Parks and Recreation Facilities removed as a use. They may be part of residential developments, just not a principal use in residential areas.</i></p>
<p>Jennifer Carman, Director of Planning and Environmental Review, noted that Chapter 17.70 Use Classifications provides a specific level of detail with regard to the Districts. She clarified that some of the Uses are subject to State laws.</p>	<p><i>No response required.</i></p>
<p>Vice Chair Jenkins suggested an "AU" or "CU" designation for Family Day Care Large at least in the RS District. He suggested consideration be given to how close large Family Day Care facilities can be located next to each other.</p>	<p><i>No change made. City is very limited in what it can legally regulate for Large Family Day Cares, and those regulations are already included in Chapter 17.42.</i></p>
<p>Commissioner Fuller commented that the localized use of a facility might be more appropriate as opposed to a magnet facility in the RMHP District.</p>	<p><i>No response required.</i></p>

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Chair Onnen supported considering an "AU" requirement for Community Garden for all Districts. He requested addressing the issue that the Conditional Use Permit process is costlier than "AU".	<i>Community Gardens, where allowed, the approval process is a Minor Conditional Use Permit.</i>
Commissioner Fuller supported an "AU" requirement for Community Garden for all Districts, noting that a hearing may be appropriate and also an appeal process is available.	<i>Community Gardens, where allowed, the approval process is a Minor Conditional Use Permit.</i>
<p>Table 17.07.030 Commissioner Maynard noted that she saw a difference between the Zoning Code and the General Plan with regard to Maximum Building Height for Residential High Density (RH) with 35 feet Inland and 25 feet Coastal Zone in the General Plan, and 35 feet for both Inland and Coastal Zone in the Zoning Ordinance.</p>	<i>Change made.</i>
Vice Chair Jenkins commented: 1) the term RS 43.6 is cumbersome and suggested RS-AC or RS-A1; 2) add "(Building Footprint)" after "Maximum Lot Coverage" if that is the intent; 3) with regard to interior yard setbacks in RS, keeping the current method carried over from the County is within the spirit of 17.07.010.B "to protect and enhance the character of well-established residential neighborhoods" versus the proposed 5 feet from the property line.	<i>No change made for RS. Lot Coverage language not changed. Lot coverage clearly defined in Part I. Interior side setback standards changed to reflect to existing standards.</i>
Commissioner Daniels proposed that the numbers of the Chapters that are included on each page in the document be shown at the top of each page globally.	<i>Not included at this point.</i>
<p>17.07.030.A.1 Commissioner Fuller commented that there are some examples of reduced zero side yard setbacks that exist in Goleta and there are benefits and negative aspects, as well as tradeoffs.</p>	<i>No response.</i>
<p>17.07.030.B Commissioner Maynard recommended consideration for permeable pavement and also looking at some requirements for minimum maintained landscaping, using carefully considered language with regard to the drought. Also, consider other landscaping forms that look maintained and are not full landscaping such as a rock garden.</p>	<i>Section revised to reference landscaping standards.</i>
<p>17.07.030.C.1.b Vice Chair Jenkins requested clarification with regard to measurement of the food preparation areas.</p>	<i>No change.</i>

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<p>17.07.030.C.3 Commissioner Maynard recommended considering alternative transportation measures to decrease the amount of parking. She recommended a minimum requirement for short-term bicycle parking especially for the RM and RH Districts.</p>	<p><i>Short term bicycle parking requirements per Chapter 17.39 (if 5 or more units).</i></p>
<p>17.07.030.C.4 Vice Chair Jenkins suggested considering if there should be a minimum total size required for the Common Open Space.</p>	<p><i>Requirement for common open space added.</i></p>
<p>Commissioner Fuller suggested it would be helpful to include in the open space section a reference to the section that addresses landscaping standards.</p>	<p><i>No change.</i></p>
<p>17.07.030.D Commissioner Fuller suggested it would be helpful to include in the "Garage" section a reference to the section that addresses parking standards.</p>	<p><i>Section removed.</i></p>
<p>17.07.030.D Vice Chair Jenkins questioned whether tandem parking is allowed.</p>	<p><i>Section removed.</i></p>
<p>17.07.030.D.1 Vice Chair Jenkins suggested adding language to clarify the design requirements with regard to rebuilding garages if a home is destroyed.</p>	<p><i>Section removed.</i></p>
<p>17.07.030.D.3 Vice Chair Jenkins believes this section regarding "Carriage-style" and other non-conventional sectional garage door styles should be included in design guidelines and not in the Zoning Ordinance.</p>	<p><i>Section removed.</i></p>
<p>17.07.030.D.4 Vice Chair Jenkins believes this section should be included in design guidelines and not in the Zoning Ordinance.</p>	<p><i>Section removed.</i></p>
<p>17.07.040 Vice Chair Jenkins believes "Additional Development Regulations for RS and RP Districts" relate to design guidelines and should not be included in the Zoning Ordinance.</p>	<p><i>Section removed.</i></p>

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Commissioner Maynard agreed with Vice Chair Jenkins that some of the design elements are design guidelines. She requested clarity and assurance that design guidelines will be reviewed by the DRB.	<i>Section removed.</i>
<p>17.07.040.A.3.c Vice Chair Jenkins suggested adding this section regarding front porch covers to 17.07.030.A regarding setbacks.</p>	<i>Section removed.</i>
<p>17.07.050.A.2 Commissioner Fuller requested clarification regarding minimum interior side setback from an RS or RP District boundary.</p>	<i>Transitional standards removed.</i>
<p>17.07.050 Commissioner Maynard recommended that the maximum height should match the maximum height of the neighboring district with regard to RM and RH Districts adjacent to RS or RP Districts.</p>	<i>See response above.</i>
<p>Vice Chair Jenkins questioned whether the language should be changed from "RM and RH" to "RM or RH".</p>	<i>No change to section title.</i>
<p>17.07.050.B.1; 17.07.050.B.2 Vice Chair Jenkins believes these sections are design guidelines and not appropriate for the Zoning Ordinance.</p>	<i>Section removed.</i>
<p>17.07.050.D Vice Chair Jenkins noted a typo - change "in" to "is".</p>	<i>Section removed.</i>
<p>17.07.050.D.1 Vice Chair Jenkins noted the language needs to be reworked for clarification.</p>	<i>Section removed.</i>
<p>17.07.050.F Commissioner Maynard recommended that there should be a connection between bike lanes coming up to the property and bike lanes throughout the property as well as connecting to the bike parking. She noted there needs to be a system for bike paths particularly for the larger residential buildings.</p>	<i>Section removed.</i>

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<p>17.07.050.F Vice Chair Jenkins questioned whether "adjoining residential and commercial areas" refers to surrounding or adjacent areas, and if it does refer to adjoining or adjacent, is it building a potential conflict between an adjoining or adjacent property owner's rights?</p>	<p><i>Section removed.</i></p>
<p>17.07.050.F Commissioner Maynard noted that the language is very similar to the language <u>in 17.07.060.C</u> with regard to Pedestrian Access with some small differences, and requested clarification particularly in the last sentence in the first paragraph, and questioned if it should not be different.</p>	<p><i>Section removed.</i></p>
<p>17.07.050.F.1; 17.07.060.C.1 Vice Chair Jenkins suggested the minimum width of walkways be reduced from six feet wide to five feet wide globally and noted it would meet ADA standards.</p>	<p><i>Section removed.</i></p>
<p>17.07.050.F.2 Commissioner Maynard spoke in support for adding bubble bumps globally to comply with the State ADA access code.</p>	<p><i>Section removed.</i></p>
<p>Chapter 17.08 – Commercial Districts</p>	
<p>17.08.010 Commissioner Maynard requested clarification with regard to the use of the language "without limitations" in CR Regional Commercial. She noted for consideration that there is more specific language in the General Plan with regard to "Regional Commercial" and "Community Commercial".</p>	<p><i>Language removed from Community Commercial. Some of the development standard language eliminated as covered elsewhere.</i></p>
<p>17.08.010.A; 17.08.010 OT Vice Chair Jenkins questioned whether the hyphen in each of these sections needs to be removed.</p>	<p><i>No change made.</i></p>
<p>17.08.010 CG Commissioner Maynard suggested consideration be given to comments from the public with regard to CG being a buffer zone between residential and light industrial, and whether too much industrial is included in CG District.</p>	<p><i>Use table addresses.</i></p>

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<p>Table 17.08.020 Commissioner Maynard suggested "AU" instead of "P" in CG for Automobile/Vehicle Service and Repair, Minor.</p>	<p><i>Changed to limit to existing uses.</i></p>
<p>Vice Chair Jenkins believes the regulation should be "P" in CG for Automobile/Vehicle Service and Repair, Minor.</p>	<p><i>Changed to limit to existing uses.</i></p>
<p>Chair Onnen questioned why Restaurants, Takeout Only is not included in the OT and VS Districts.</p>	<p><i>Change made for Restaurants to join all restaurant uses into one class.</i></p>
<p>Vice Chair Jenkins requested clarification regarding the difference with regard to General Personal Services and Restricted Personal Services.</p>	<p><i>Addressed in Part VI.</i></p>
<p>Commissioner Maynard noted that Restaurants with Drive Through should not be permitted in Old Town per the General Plan.</p>	<p><i>Based on reading of General Plan (LU 3.4(g)), drive-through would require a Major CUP and would only be approved if Planning Commission could determine that the drive-through is not incompatible with residential uses and pedestrian-oriented retail.</i></p>
<p>Commissioner Maynard requested "AU" or "CU" in CG for Heavy Vehicle and Large Equipment Sales Rental, Service, and Repair.</p>	<p><i>Change made.</i></p>
<p>Chair Onnen questioned why Outdoor Storage is not allowed in Old Town and if there is an existing conflict in the Old Town Heritage District.</p>	<p><i>Allowed with CUP.</i></p>
<p>Chair Onnen questioned whether outdoor water vending machines would be permitted in Old Town.</p>	<p><i>Vending machines now not treated as a use. Standards found in Chapter 17.25.</i></p>
<p>Chair Onnen requested clarification regarding the source of the 30-foot Maximum Building Height in Old Town.</p>	<p><i>General Plan Table 2-2.</i></p>

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Chair Onnen questioned the validity of the 20 percent Minimum Landscaping in the VS District.	<i>Standard removed to reflect existing standards.</i>
<p>17.08.030.D, 17.08.030.E Vice Chair Jenkins believes these sections are design guidelines and not appropriate for the Ordinance.</p>	<i>Section removed.</i>
<p>17.08.030.A.1 Commissioner Maynard expressed concern regarding the maximum allowable structure height of 65 feet for hotels; and recommended requests should be considered by a CU type of hearing rather than "by right".</p>	<i>Section removed.</i>
<p>17.08.030.C Commissioner Maynard recommended consideration with regard to setbacks from residential in the CG District.</p>	<i>Section removed.</i>
<p>17.08.030.E.3 Commissioner Maynard questioned who is the approving authority.</p>	<i>Section removed.</i>
<p>17.08.030.F Commissioner Maynard referred to her previous comments regarding bike access.</p>	<i>Section removed.</i>
<p>17.08.030.E.1; 17.08.030.E.2; 17.08.030.E.3 Vice Chair Jenkins believes these sections are design guidelines.</p>	<i>Section removed.</i>
<p>17.08.030 Vice Chair Jenkins cautioned against creating cookie cutter design, and noted this <u>Table 17.08.030(E)</u> is a design guideline.</p>	<i>Section removed.</i>
<p>17.08.030.H Commissioner Maynard recommended that the Transitional Standards for height match the adjacent District rather than be set at 30 feet.</p>	<i>Transitional standards removed.</i>
Vice Chair Jenkins noted he does not agree with Commissioner Maynard's comment that the Transitional Standards should match the adjacent District.	<i>See response above.</i>
Commissioner Fuller noted he supports the Transitional Standards as proposed.	<i>See response above.</i>

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<p>17.08.040.A.1.a(2) Commissioner Maynard requested bike parking be added.</p>	<p><i>Section removed. Bike parking in Parking and Loading chapter.</i></p>
<p>17.080.040.A.3.d; 17.080.040.A.3.f Commissioner Maynard commented that language with regard to bike paths and bike parking is missing in language regarding sidewalks and other forms of circulation.</p>	<p><i>Section removed. Projects would require a Development Plan under updated draft.</i></p>
<p>17.08.040.A.4.e Commissioner Maynard suggested adding language that cart corrals shall not encroach into pedestrian access ways, and shopping cart returns should be conveniently located and also screened, or include the language in design guidelines.</p>	<p><i>See above.</i></p>
<p>17.08.040.A.4.f Commissioner Maynard recommended adding a reference to protection from the rain with regard to Transit Facilities.</p>	<p><i>See above.</i></p>
<p>Chapter 17.09 – Office Districts</p>	
<p>17.09.030.D.1 Vice Chair Jenkins requested clarification with regard to the intent of the language.</p>	<p><i>Section removed.</i></p>
<p>Chapter 17.10 – Industrial Districts</p>	
<p>17.10.020 Commissioner Maynard expressed concern with potential noxious impacts in Industrial Districts and recommended being cognizant of it being close to Residential.</p>	<p><i>No response.</i></p>

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<p>Table 17.10.020 Chair Onnen requested clarification why Freight/Truck Terminal and Warehouses require an Administrative Use Permit. He questioned why Transportation Passenger Terminals require Administrative Use Permits. Also, he believes Caregiver Unit is currently an allowed use and requested clarification.</p>	<p><i>Freight/Truck Terminal and Warehouses removed. This activity is covered by Indoor Warehousing and Storage and Wholesaling and Distribution, both of which are Permitted uses. Transportation passengers still allowed with a Minor Conditional Use Permit to reflect potential consistency issues with industrial uses. Caretaker units need a Minor Conditional Use Permit for the same reasons. In existing Inland Zoning Ordinance, caretaker units often require a CUP.</i></p>
<p>17.10.030.B Commissioner Fuller commented that the Transitional Standards provide for 50 feet minimum building setback in this section.</p>	<p><i>Transitional standards removed.</i></p>
<p>Chapter 17.11 – Public and Quasi-Public District</p>	
<p>Table 17.11.020 Commissioner Maynard questioned why the Park and Recreation Facilities were kept separate from the Public and Quasi Public District in the General Plan but are combined into this section in the Zoning Ordinance.</p>	<p><i>Parks and Recreation Facilities as a use falls under Public and Quasi Public uses. See Active Recreation under the General Plan.</i></p>
<p>Vice Chair Jenkins requested a definition of the difference between major and minor transportation terminals.</p>	<p><i>Distinction removed.</i></p>

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Chapter 17.12 – Open Space and Agricultural Districts	
<p>17.12.010.C Chair Onnen requested clarification regarding the meaning of "Establish controls on development that will protect these areas in a manner consistent with the General Plan".</p>	<p><i>"Controls" changed to "limitations"</i></p>
<p>Table 17.12.020 Commissioner Maynard and Commissioner Fuller requested clarity with regard to Parking, Public or Private because it seems confusing.</p>	<p><i>Use removed.</i></p>
<p>Vice Chair Jenkins believes 200 square feet of gross floor area is small for Produce Stands and suggested more square feet, possibly 400 net floor area. Also, check with regard to Fairview Gardens.</p>	<p><i>Standard removed. Now requires a CU.</i></p>
<p>Table 17.12.030 Vice Chair Jenkins and Chair Onnen requested clarification regarding the source for the designation of 10 percent for lot coverage for greenhouses, and if it has been vetted with the agriculture community. Also, are berry hoop structures included in the greenhouse or a separate structure?</p>	<p><i>Allowance up to 25% with a CU added.</i></p>
Chapter 17.13 – Planned Development District	
<p>17.13.010 Vice Chair Jenkins questioned whether the hyphen in front of PD is appropriate (-PD).</p>	<p><i>Chapter removed.</i></p>
<p>17.13.030.F.3 Vice Chair Jenkins recommended adding the following language after "removal": ", and existing structures on adjacent properties."</p>	<p><i>Chapter removed.</i></p>
<p>17.13.030.F.4 Vice Chair Jenkins recommended adding a requirement to indicate the land use zone of adjacent properties.</p>	<p><i>Chapter removed.</i></p>
<p>17.13.040 Vice Chair Jenkins requested clarification regarding who is making the findings.</p>	<p><i>Chapter removed.</i></p>

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Planning Commission (PC) Comments	Staff Response
Chapter 17.17 – -AE Airport Environs Overlay District	
17.17.040.B.3 Chair Onnen requested clarification whether the threshold of 25 persons per gross acre means employment per acre.	<i>No. Any temporary concentration. Language added to clarify.</i>
17.17.040 Vice Chair Jenkins questioned whether any type of restriction or enforcement can be addressed for airport clear zones with regard to items such as radio control airplanes, kites, and drones.	<i>No allowed.</i>
17.17.050 Vice Chair Jenkins recommended clarifying CNEL as "Community Noise Equivalent Level".	<i>CNEL included in Definitions in Part VI.</i>
17.17.060 Commissioner Daniels questioned whether the height limits could be included in the attachments.	<i>Not provided. Federal government could change.</i>
17.17.060.B Chair Onnen questioned the FAA Notification section with regard to approval vs. notification.	<i>No change.</i>
17.17.070.A Typo - change "Aviation" to "Avigation".	<i>Change made.</i>
Chapter 17.18 – -AHO Affordable Housing Overlay District	
17.18.030.A.1 Vice Chair Jenkins requested clarification with regard to the specific distribution of the five percent affordable unit among the extremely low and very low-income households.	<i>Clarification added.</i>
17.18.030.A.4 Vice Chair Jenkins questioned whether the hyphen between "moderate" and "income" is appropriate.	<i>No change made.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.18.030.B; 17.18.050.A Chair Onnen requested an understanding of the source for the Affordable Housing Requirement regarding "No Reductions Allowed"; and also for Fee Waivers for Processing Fees.</p>	<p><i>No reduction pursuant to Housing Element inclusionary policy. Fee waiver section rewritten to remain consistent with fee waivers and reductions more generally applied.</i></p>
<p>17.18.050.B Vice Chair Jenkins questioned if fees are waived for all agencies, such as County Fire Department and the Goleta Water District.</p>	<p><i>The City has no authority to waive other agency's fees.</i></p>
<p>Chapter 17.19 – H Hospital Overlay District</p>	
<p>17.19.020 Vice Chair Jenkins noted a typo- change "the Chapter" to "this Chapter".</p>	<p><i>Change made.</i></p>
<p>17.19.040 Vice Chair Jenkins questioned the logic behind the three-story limitation and questioned whether four stories should be considered with regard to the 55 feet maximum height. Staff reported this regulation is from the General Plan.</p>	<p><i>No change made.</i></p>
<p>17.19.050 Commissioner Daniels questioned why 40 percent lot coverage is noted when the maximum is 60 percent.</p>	<p><i>Reference to 40% removed.</i></p>
<p>Chapter 17.20 – -MP Master Plan Overlay District</p>	
<p>17.20.010.B Commissioner Maynard requested a definition of "environmental equilibrium" and suggested adding "ecosystems" to the list.</p>	<p><i>Chapter removed.</i></p>
<p>17.20.010.D Vice Chair Jenkins requested an explanation regarding "Promote sensitive site planning and design"; and possibly consider removing it.</p>	<p><i>Chapter removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Commission Maynard recommended revisiting this language when there is a better understanding of the goal.	<i>Chapter removed.</i>
17.20.090 Vice Chair Jenkins suggested replacing "Changed Plans" in the title to "Modified Plans".	<i>Chapter removed.</i>
17.20.090.D Commissioner Maynard would like to see if some additional guidelines could be developed to support the Zoning Administrator in making these types of decisions.	<i>Chapter removed.</i>
Chapter 17.21 – -OTH Old Town Heritage Overlay District	
17.21.010 Vice Chair Jenkins commented that he is not sure what is being looked for as far as the Old Town Heritage, noting there is a mix.	<i>Slight changes made.</i>
17.21.020 Vice Chair Jenkins requested clarification regarding the meaning of "extension".	<i>Refers to "-OTH" as an extension to the base district.</i>
17.21.050 Vice Chair Jenkins believes this section is a design guideline.	<i>Section removed.</i>
Chapter 17.25 General Regulations	
17.25.020 Commissioner Maynard expressed concerns about realistically enforcing accessory structures with regard to habitation.	<i>LUP requirement for Accessory Structures that require an NTPO added. This is an effort to prevent habitation.</i>
17.25.020 Vice Chair Jenkins appreciates the language indicating the provisions do not apply to Secondary Dwelling Units.	<i>Applicability added to clarify.</i>
17.25.020.A Vice Chair Jenkins recommended adding additional items to the list of accessory structures including artist studios.	<i>Changes made to definitions to include Artist Studios.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.25.020.B Vice Chair Jenkins questioned why the requirement in the old ordinance for a minimum distance of five feet between a main structure and accessory structure has been eliminated.</p>	<p><i>Standard not seen as significant. Building Code may regulate further, but not included as a zoning regulation.</i></p>
<p>17.25.020.B.2 Chair Onnen questioned whether it would be a necessity to remove any on-site improvements should either of the lots be sold separately.</p>	<p><i>Section removed.</i></p>
<p>17.25.020.B.3 Vice Chair Jenkins suggested considering a provision to allow for an extension of one year for a temporary accessory structure in connection with the construction of the development.</p>	<p><i>Section removed.</i></p>
<p>17.25.020.C Vice Chair Jenkins requested staff look at language to consider preclusions to certain amenities with regard to illegal secondary dwelling unit concerns. He noted that some other jurisdictions allow a half-bath (a toilet and a sink) rather than a shower, and may only allow one washer and one dryer per home.</p>	<p><i>Section removed.</i></p>
<p>17.25.020.C Commissioner Fuller commented that he does not have a concern with permitting a shower in an accessory structure.</p>	<p><i>No response required.</i></p>
<p>17.25.020.D.1.b Commissioner Fuller expressed concern about the three-foot setback with regard to allowing separate rooms to be particularly close to neighbors.</p>	<p><i>Allowance within the interior side setback removed. Still allowed in the rear setback consistent with existing regulations to avoid creating nonconformities.</i></p>
<p>17.25.020.D.1.b Vice Chair Jenkins would support a three-foot rear yard setback but noted three feet is close for the side yard setback and should be studied.</p>	<p><i>See response above.</i></p>
<p>17.25.020.E.1 Chair Onnen believes the 12-foot maximum height is of concern, noting that some accessory structures such as motorhome canopy covers would exceed 12 feet in height.</p>	<p><i>Height standards changed to allow greater flexibility.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.25.020.E.1 Commissioner Fuller suggested considering taller accessory structures being set back further than shorter accessory structures.</p>	<p><i>Changes made reflect comment suggestion.</i></p>
<p>17.25.030 Chair Onnen noted that the requirements for buffers adjacent to agricultural districts seems well spelled out.</p>	<p><i>No response required.</i></p>
<p>17.25.030 Commissioner Maynard recommended a specific minimum distance for the agricultural buffers as it is done for creeks and ESHAs.</p>	<p><i>Change made such that standard setback is the default as a starting point. No hard and fast setback established as distance may vary based on site conditions.</i></p>
<p>Commissioner Maynard recommended the buffer adjacent to agricultural Districts be determined by the Planning Commission rather than the Zoning Administrator but based on the advice of the Zoning Administrator.</p>	<p><i>Change not made. Buffer left to the Review Authority, which may be the Director, ZA, PC, CC. In most instances single-unit dwellings are what is adjacent to Agricultural parcels. Requiring Planning Commission approval of an accessory structure on those parcels is overly burdensome.</i></p>
<p>Commissioner Maynard requested more language about allowable uses in the buffers adjacent to Agricultural Districts.</p>	<p><i>No changes made. Parcels adjacent to agricultural uses is typically residential. The buffers will most often apply to residential structures and accessory structures.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.25.030 Commissioner Fuller expressed concern that it would seem appropriate to have the agricultural buffer on the agricultural property and not the neighbor's property.</p>	<p><i>Change not made. General Plan policy CE 11.4.</i></p>
<p>17.25.030.A.2 Commissioner Maynard questioned how the application process for pesticides and fertilizers would be considered because it would have an effect on neighbors.</p>	<p><i>The Review Authority could consider pesticides and fertilizers on a case by case basis considering other issues like topography.</i></p>
<p>Table 17.25.040 Vice Chair Jenkins requested clarification whether bay windows are cantilevered or at floor level, noting there can be a difference.</p>	<p><i>Table clarified. Must be cantilevered, 1 foot above ground.</i></p>
<p>Chair Onnen expressed concern about regulating recreational activities with regard to the projection regulation for basketball rims and backboards.</p>	<p><i>References removed and not regulated.</i></p>
<p>Figure 17.25.040 Vice Chair Jenkins recommended adding ", or rear lot line." at the end of the requirement indicating no projection is permitted beyond Max. 3 ft. from the interior lot line.</p>	<p><i>Figure updated to reflect updated projection standards.</i></p>
<p>Table 17.25.040 Commissioner Fuller suggested for clarification adding "setback" with regard to the projection requirement into the Rear Yard.</p>	<p><i>Change made.</i></p>
<p>17.25.050.D Chair Onnen expressed concern about requiring a Conditional Use Permit which is a burden to the owner of a property for a modification.</p>	<p><i>Section removed. Section A controls without deviation.</i></p>
<p>Table 17.25.070 Commissioner Maynard would like to see the energy production facilities allowed the same maximum heights as mechanical equipment penthouses, for example.</p>	<p><i>Mechanical equipment removed from this table. Mechanical equipment must count towards a structures height calculation as required by General Plan policy VH 4.5(m), VH 4.6(f), VH 4.7(i).</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Commissioner Daniels questioned why there are two blank spaces in the table with regard to rooftop open space features.	<i>Formatting issue. Standard was on previous page.</i>
Vice Chair Jenkins suggested that architectural elements such as spires, bell towers, and domes should be added to the chimneys and decorative features category because they are similar. Also, he recommends using the 20% of base district height limit requirement rather than 5 feet.	<i>Changes made.</i>
17.25.080 Vice Chair Jenkins questioned whether 42" picket fences on property lines will be regulated.	<i>Not regulated.</i>
Commissioner Fuller commented that 17.25.080 seems to be design guidelines and questioned whether design guidelines will be included in the Zoning Ordinance.	<i>Language kept in as important regulation.</i>
Figure 17.25.080(A) Commissioner Daniels commented that it was difficult to process the information in Figure 17.25.080(A) .	<i>No changes made.</i>
17.25.080.C.2 Commissioner Fuller commented in his opinion the use of concrete block is undesirable in construction.	<i>No change made. Design Review will be considered where triggered.</i>
Vice Chair Jenkins commented that Commissioner Fuller's comment regarding concrete block is a design issue to be referred to the DRB.	<i>See response above.</i>
Commissioner Maynard echoed the important difference between design guidelines and zoning.	<i>See response above.</i>
17.25.090 Commissioner Maynard questioned whether the level of specificity for interior room types is necessary.	<i>Removed altogether. Enforcement would be a challenge, setbacks may not be desirable, and limits square footage available to residential uses.</i>
Commissioner Fuller commented that the specificity of room types is appropriate with regard to mixed use development. For example, having a sleeping room further back from a commercial or office building next door.	<i>See response above. Setbacks removed.</i>
Vice Chair Jenkins questioned whether the specificity of room types is necessary and if it is enforceable.	<i>See response above.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.25.100 Commissioner Fuller recommended adding by definition pods and containers in the first sentence. Possibly add trailers, if appropriate.</p>	<p><i>Change made.</i></p>
<p>17.25.100 Vice Chair Jenkins requested clarification regarding allowing vehicles to park in the driveway and also clarifying inoperable vehicles.</p>	<p><i>Clarifying that these are unregistered vehicles. Even an inoperable vehicle could get registered and thus be allowed.</i></p>
<p>17.25.100 Commissioner Maynard requested consideration with regard to accommodating vehicles that are being worked on within the driveway and noted she would not have a concern.</p>	<p><i>See response above.</i></p>
<p>Commissioner Maynard recommended adding a reference to <u>17.25.170 Stormwater Management</u> which includes Stormwater Management Requirements for trash storage areas.</p>	<p><i>No reference included as stormwater management section removed.</i></p>
<p>17.25.110 Chair Onnen commented that a cover would be needed over the trash enclosure area if there is drainage that connects to the sanitary sewer system. He noted that it could be difficult to add drainage that connects from the floor of a trash enclosure in an existing situation.</p>	<p><i>Screening requirement for solid roof structure added.</i></p>
<p>Vice Chair Jenkins agreed with Chair Onnen that a cover would be needed if there is drainage connecting to the sanitary sewer system.</p>	<p><i>See response above.</i></p>
<p>17.25.110.D.10 Commissioner Fuller suggested adding language that identifies the zones or locations where the requirement that the trash enclosure must have an adequate base to support a truck weight of at least 62,000 pounds would be applicable.</p>	<p><i>Materials, Construction, and Design section removed as too specific and design oriented.</i></p>
<p>Commissioner Maynard suggested considering adding language that refers to the definition of the Sustainable Living Research Site.</p>	<p><i>Right to Research section removed. Modifications may be granted to address research sites. Development must remain consistent with the building code.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Table 17.25.140(A) Commissioner Fuller suggested eliminating the requirement for Type 1 screening for a proposed Single-Use Residential adjoining a Single-Use residential because property owners may not want to plant trees.</p>	<p><i>Section removed. Setbacks, landscaping, etc. are still required. Appropriateness of landscaping addressed when a Landscape Plan is required.</i></p>
<p>Commissioner Fuller suggested there would need to be a requirement for buffers between Commercial Use adjoining Multiple-Use Residential.</p>	<p><i>Setback and Stepback standards provided elsewhere.</i></p>
<p>Vice Chair Jenkins observed that specific plant materials, the location, and number of trees for buffers are design guidelines with regard to landscaping.</p>	<p><i>Specific standards removed. To be addressed through landscape plans.</i></p>
<p>Table 17.25.140(B) Vice Chair Jenkins recommended clarification in the table with regard to the number of trees and shrubs required. If both trees and shrubs are required, it should be depicted in the diagram below <u>Table 17.25.140(B)</u>.</p>	<p><i>Specific standards removed. To be addressed through landscape plans.</i></p>
<p>17.25.140.C Commissioner Fuller commented that he does not agree with reducing the buffer requirement for a property when the property is adjacent to a property with an existing equivalent landscape buffer.</p>	<p><i>Standard removed entirely. To be addressed through landscape plans.</i></p>
<p>Commissioner Maynard would not want a second buffer to be required if an equivalent buffer exists on the adjacent lot.</p>	<p><i>Standard removed entirely. To be addressed through landscape plans.</i></p>
<p>Commissioner Fuller commented that it may be appropriate to reduce both buffer requirements for adjacent property owners.</p>	<p><i>Standard removed entirely. To be addressed through landscape plans.</i></p>
<p>17.25.140.E Commissioner Fuller commented that he would not support concrete blocks or concrete panels; however, it is a design guideline.</p>	<p><i>Removed and to be addressed through design review.</i></p>
<p>Commissioner Fuller recommended requiring some form of graffiti-resistant coating on screening walls.</p>	<p><i>Removed and to be addressed through design review.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.25.150.A.2 Vice Chair Jenkins recommended removing “or” at the end of the sentence because the Zoning Administrator would not be addressing condominium conversions.</p>	<p><i>Changes to this section made. Reference to the Zoning Administrator removed.</i></p>
<p>17.25.150.B.4 Commissioner Maynard agreed with prohibiting the use of wood for the purpose of screening if it is related to fire safety.</p>	<p><i>See response below.</i></p>
<p>Vice Chair Jenkins recommended wood be allowed as a screening material, noting that wood could be fire-proofed.</p>	<p><i>Prohibition of wood removed.</i></p>
<p>17.25.150.B.1 through 4 Commissioner Daniels suggested that these requirements could be design guidelines.</p>	<p><i>Kept in but limited. Does not prescribe design, but guides in the process.</i></p>
<p>17.25.150.C.1.a Vice Chair Jenkins commented that he believes requiring roof mounted screening to be constructed as an encompassing monolithic unit is restrictive and limits creative design.</p>	<p><i>Graphic modified.</i></p>
<p>Commissioner Maynard recommended consideration be given to the screening of roof-mounted solar equipment and the relation to solar panels that are at an angle.</p>	<p><i>No change made. City limited in restrictions on solar installations.</i></p>
<p>Figure 17.25.150.C.1 Vice Chair Jenkins suggested adding “or a series of architecturally similar screening units”.</p>	<p><i>Figure removed.</i></p>
<p>17.25.150.C.2 Commissioner Maynard requested consideration with regard to ground-mounted solar equipment</p>	<p><i>No change made. City limited in restrictions on solar installations.</i></p>
<p>17.25.150.C.3 Vice Chair Jenkins recommended adding examples of fire-related elements in parentheses.</p>	<p><i>Change made to broaden the scope of this sentence.</i></p>
<p>17.25.160.A Commissioner Fuller believes there should be some design review with regard to the photovoltaic solar energy systems extending up to five feet above the zoning district in which it is located.</p>	<p><i>City review limited by State law.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Commissioner Maynard commented that she believes the height of solar energy systems should match the height allowed for mechanical equipment, penthouses, and staircases. (Referring back to Page IV-7).	<i>Treated separately as mechanical equipment cannot exceed the General Plan height standards pursuant to General Plan policy. City limits on height of solar installations highly restricted.</i>
<p>17.25.160.B Commissioner Fuller thinks that allowing solar panels installed lower than three feet in any property line would be okay.</p>	<i>City limits on solar installations in setbacks highly limited by State law.</i>
<p>17.25.170.A Commissioner Maynard requested more information about Best Management Practices spelled out because it seems vague.</p>	<i>Stormwater management section removed as it is increasingly regulated by other regulations, programs, permits, etc.</i>
Vice Chair Jenkins requested a definition of “nonpoint sources”. Also, the last sentence in the first paragraph seems awkward and wordy.	<i>See comment above.</i>
<p>17.25.170.A.1 Vice Chair Jenkins recommended changing “and” to “or”.</p>	<i>See comment above.</i>
Vice Chair Jenkins questioned whether <u>17.25.170 A.1 through 6</u> applies to residential development as well.	<i>See comment above.</i>
<p>17.25.180.C Vice Chair Jenkins recommended consistency in numbers and words.</p>	<i>Revisions made to this subsection to reflect existing standards.</i>
<p>17.25.180.A Commissioner Maynard requested clarification and will communicate with staff with regard to Swimming Pools and Spas, Exclusive Use.</p>	<i>Exclusive use subsection removed. If not used for owners/tenants and their guests and rented out or charged admission, this is a commercial use.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.25.200 Commissioner Fuller commented that the term “infeasible” is a variable standard and the decision should be at a higher level than the Zoning Administrator.</p>	<p><i>Change made to allow the Review Authority to make this decision. The Review Authority would vary based on the size of the project.</i></p>
<p>Commissioner Maynard agreed with Commissioner Fuller’s comment.</p>	<p><i>See response above.</i></p>
<p>Chapter 17.26 – Coastal Access</p>	
<p>17.26.020.C.5 Vice Chair Jenkins suggested removing “or” at the end of the sentence.</p>	<p><i>No change made, “or” is appropriate.</i></p>
<p>17.26.020.C.6.b Vice Chair Jenkins questioned where the 75-year setback issue is addressed with regard to locating the residence at the same location, with regard to the demolition and reconstruction of a single-family residence.</p>	<p><i>Addressed in Hazards Chapter for Blufftop setbacks, which is at least 130 feet/100yrs.</i></p>
<p>Commissioner Maynard recommended adding language with regard to emergencies on a property to address the same concerns.</p>	<p><i>Emergency development would be referred to the Emergency Permit Chapter.</i></p>
<p>17.26.020.C.6.d Typo: remove the word “a” in front of “seaward”.</p>	<p><i>Edit made.</i></p>
<p>17.26.020.C.6.e Vice Chair Jenkins recommended measuring from the interior surface of the structure. He questioned whether the attic is included or excluded when measuring from the exterior surface.</p>	<p><i>Definition of “bulk”: moved to Part VI. Attic would be included.</i></p>
<p>17.26.040.B.2.c Vice Chair Jenkins commented that the minimum clearance for an accessway is too short for equestrian use.</p>	<p><i>No change. No special standard for equestrian use added.</i></p>
<p>Chapter 17.27 – Coastal Zone Visual Resource Preservation</p>	
<p>17.27.020 Typo: Change “costal” to “coastal”.</p>	<p><i>Edit made.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.27.040 Commissioner Maynard wanted to make sure that language in the General Plan Policy <u>OS 3.4</u> with regard to coastal access amenities is encouraged in this section.</p>	<p><i>See the Chapter on Coastal Access for some requirements. OS 3.4 only states that these amenities “may” be provided.</i></p>
<p>17.27.040.D Commissioner Fuller suggested changing “must” to “may”.</p>	<p><i>No change made. Still only applies where applicable. Language mirrors that included in General Plan Policy VH 1.3.</i></p>
<p>Commissioner Maynard noted that the view protection standard Policy VH 1.3 in the General Plan with regard to fully shielded lighting is not included in this section. She expressed concern about changing too much of the language in this section which comes from the General Plan. She supports keeping “must be used, where applicable”.</p>	<p><i>See response above. Lighting addressed elsewhere in NZO.</i></p>
<p>17.27.040.D.3 Commissioner Fuller expressed concern that the limitation of the use of reflective materials would limit the use of windows.</p>	<p><i>No change. List does not include windows.</i></p>
<p>Commissioner Maynard requested that “height” be added, which was included in the General Plan, to read “Limitations of height and use”.</p>	<p><i>Added.</i></p>
<p>17.27.040.D.4 Vice Chair Jenkins suggested changing the language from “clustering” to “careful selection” of building sites and structures.</p>	<p><i>No change made. Reflects Policy VH 1.3(c).</i></p>
<p>17.27.040.D.5 Commissioner Fuller does not support shared vehicular access to minimize curb cuts. He noted that shared driveways have been considered undesirable.</p>	<p><i>No change made. Reflects Policy VH 1.3(d).</i></p>
<p>17.27.040.D.7 Commissioner Fuller commented that this requirement may have the unintended consequences of encouraging flower or fruit colored buildings, such as California poppy orange, lemon yellow, hibiscus red, etc.</p>	<p><i>No change made. Reflects Policy VH 1.3(g). In most cases, Design Review Board will also review.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.28 – Density Bonus and Other Incentives	
<p>17.28.030.B.11 Vice Chair Jenkins requested definitions of “Target Units” and “use restriction period”.</p>	<p><i>Term removed.</i></p>
<p>17.28.030.B.8 Commissioner Fuller requested clarification regarding the recipient of the distribution of accrued equity for for-sale units.</p>	<p><i>No change made. Parameters for the distribution of accrued equity are established in the California Government Code and are not under the purview of the Zoning Ordinance.</i></p>
<p>17.28.030.C.2 Commissioner Maynard requested adding that the City would give notice to the public via the website, social media, or other methods.</p>	<p><i>No revision made. City will consider other notice as appropriate without codifying explicit processes.</i></p>
Chapter 17.29 – Inclusionary Housing Program	
<p>17.29.050.A.1 Commissioner Fuller noted that the in-lieu payment for two to four units can be a heavy burden. He also suggested it would be more appropriate to have an additional requirement for ten units.</p>	<p><i>No change made. Regulations match General Plan Policy HE 2.5.</i></p>
<p>17.29.040.B Commissioner Maynard requested consistency with <u>17.29.050.B.1</u> On-site Option, Fractional Units.</p>	<p><i>Fractional unit standards consolidated for consistency purposes.</i></p>
<p>17.29.050.A.2.a(1)i; and 17.29.050.A.2.b(1)i Commissioner Maynard believes these percentages are in line with State law and recommended keeping these percentages and not lessen any of these requirements.</p>	<p><i>Changes made to make clear the split is 50/50 between extremely low and very low. Consistent with HE 2.5.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.29.050.A.2.c.(5) Commissioner Maynard believes the tradeoffs should be approved by both the City Council and Planning Commission.</p>	<p><i>Changed to the Review Authority (typically these projects will require a Development Plan). The Review Authority will depend on what type of project this is, but usually ZA or PC. Specific findings must be made for tradeoffs and the approval of a tradeoff could be appeal.</i></p>
<p>Vice Chair Jenkins supports retaining the Zoning Administrator to allow for approval of the tradeoff, noting there is an appeal process.</p>	<p><i>See response above.</i></p>
<p>17.29.050.D Commissioner Maynard requested clarification with regard to how it equates to units; and also whether the transferred land requirement of one-quarter mile is regulated by law because she would support widening the distance.</p>	<p><i>¼ Mile restriction lifted. Must be located within the City.</i></p>
<p>17.29.050.F Commissioner Maynard requested additional clarification when discussing tradeoffs.</p>	<p><i>See response above. Required findings added to provide clarity.</i></p>
<p>17.29.070.C.2 Commissioner Maynard proposed a legal question as to whether the rental could be required to be at an affordable rate.</p>	<p><i>No change made.</i></p>
<p>17.29.090.C Commissioner Fuller questioned whether having the affordability restrictions survive foreclosure would be a stumbling block for financing.</p>	<p><i>No change made. Requirement is to protect the unit through foreclosure and not lose the affordability restrictions.</i></p>
<p>17.29.100.B Commissioner Maynard requested clarification regarding the decision process.</p>	<p><i>Section removed. Section A, Design required similar units.</i></p>
<p>17.29.100.B.2 Commissioner Fuller does not believe this section titled Interior is appropriate and should be removed.</p>	<p><i>Section removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Commissioner Maynard does not agree with removing this section.	<i>Section removed. Section A governs.</i>
<p>Table 17.29.090(A) Vice Chair Jenkins requested clarification with regard to the definitions for types of bathrooms.</p>	<i>Table removed.</i>
Chapter 17.30 – Demolition and Relocation	
<p>17.30 Vice Chair Jenkins suggested that a reference with regard to historically significant structures might be helpful to the public.</p>	<i>No change. Reference to historic structures exists in Applicability.</i>
Chapter 17.31 – Environmentally Sensitive Habitat Area	
<p>17.31.010 Commissioner Maynard recommended that the following policies from the General Plan Conservation Element <u>CE 4.2</u> should be included in the Purpose section: 1) #12, conserve soil resources as the foundation of resource production and minimize erosion in other soil depletion processes; and 2) minimize emissions of atmospheric pollutants as a result from new development within Goleta.</p>	<i>Not included. Conservation Element broader than ESHA. Not all Conservation Element goals fit in ESHA purpose section.</i>
<p>17.31.010.E Commissioner Maynard requested that the following language from the General Plan be added: “in quantity adequate to supply natural eco system processes and functions”.</p>	<i>No change. Not specific to ESHA.</i>
<p>17.31.030 Commissioner Maynard requested clarification whether the definition of a development would include vegetation removal if no structure is being added.</p>	<i>Development under the Title is defined broadly. New Section added to the NZO regarding Grading and Grubbing which includes a permit path for grubbing within, abutting, or near biological habitats.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Vice Chair Jenkins suggested that staff consider the development of an overlay identifying existing homes that would be affected by the 100-foot ESHA buffer if considering an addition.</p>	<p><i>Not included. An overlay would require zoning amendments every time ESHA boundary is refined. There is ESHA mapped in multiple General Plan figures.</i></p>
<p>17.31.030.B Vice Chair Jenkins recommended consideration be given for a compromise with regard to the biological study requirement if the footprint of the proposed development is outside of the 100 foot ESHA buffer.</p>	<p><i>Distance changed from 100 feet to 300 feet to ensure impacts to ESHA are thoroughly analyzed.</i></p>
<p>17.31.050 Commissioner Maynard questioned whether the difference in the language in the General Plan (“within or adjacent to an ESHA”) and in this section (“which could cause intentional impact to an ESHA”) is intentional or clarified.</p>	<p><i>Comment not clear as the reference language not used.</i></p>
<p>17.31.050.A Commissioner Daniels recommended that the biologist provide a specific width requirement with regard to wildlife corridors rather than the language “sufficient width”.</p>	<p><i>No change. The Biological Study will review the project and provide mitigation measures. The width may depend on the type of development proposed.</i></p>
<p>17.31.050.C Commissioner Daniels recommended more specific language rather than “whenever feasible”, with regard to supporting wildlife habitat in order to facilitate enforcement.</p>	<p><i>No change. Feasibility will be evaluated for the project and conditioned as appropriate.</i></p>
<p>Commissioner Maynard agrees with adding more specific language in <u>17.31.050.A</u> and <u>17.31.050.C</u>.</p>	<p><i>See responses above.</i></p>
<p>17.31.050.K.2 Vice Chair Jenkins commented that the fence height of 40 inches high seems somewhat low.</p>	<p><i>No change. Intent is to allow wildlife to move above the fence.</i></p>
<p>17.31.050.K.3 Vice Chair Jenkins observed that raccoons would be able to access trash cans considering the 14-inch space between the ground and the bottom fence rail. He suggested clarification would be useful information for property owners.</p>	<p><i>No change. Intent is to allow wildlife to move below the fence.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Commissioner Maynard recommended clarity with regard to how the standards for fences in different sections interplay.	<i>The more restrictive (and specific) fence standards apply.</i>
<p>17.31.050.H Commissioner Daniels recommended that the specific types of grading be clarified.</p>	<i>No change. Will be addressed in project conditions. Standard construction time periods would still apply.</i>
<p>17.31.060.B Commissioner Maynard supports the public comment encouraging prohibiting rather than minimizing the use of insecticides, herbicides or other toxic substances.</p>	<i>Section removed.</i>
<p>17.31.070.A.1 Commissioner Maynard requested clarification regarding who is the reviewing authority with regard to the Streamside Protection Area (SPA). She would like to see both the City Council and Planning Commissioner comment.</p>	<i>Section revised. Reduction in SPA requires a Major CUP approved by the Planning Commission.</i>
Commissioner Maynard recommended clarification that underground digging not be allowed within the Streamside Protection Area buffer.	<i>Allowable uses in SPAs covered in section below Buffers.</i>
Commissioner Maynard supported the public comment that suggested increasing the exception to the 100-foot SPA from less than 25 feet wide to less than 50 feet wide.	<i>No change. The potential to reduce to 25 feet is consistent with General Plan policy CE 2.2(a).</i>
Chair Onnen commented that he does not support changing the minimum setback exception to the SPA buffer.	<i>See response above.</i>
Commissioner Daniels commented that it is important to have information for reference from the Department of Fish and Wildlife with regard to mitigation for creek restoration.	<i>No change made. Individual restoration will include review by relevant agencies.</i>
<p>17.31.080 Commissioner Maynard questioned whether the language from the General Plan Policy <u>CE 3.1</u> appears somewhere else in the Zoning Code or if it could it appear in <u>17.31.080</u> to be consistent with the General Plan with regard to Protection of Wetlands in the Coastal Zone.</p>	<i>Definition of Wetland included in Part VI, consistent with CE 3.1.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Commissioner Daniels commented that useful information should be available from the Department of Fish and Wildlife regarding wetlands outside the Coastal Zone.</p>	<p><i>See response above.</i></p>
<p>17.31.080.B Commissioner Maynard requested clarification regarding the approving authority with regard to the wetland buffers in the Coastal Zone.</p>	<p><i>As drafted, the Review Authority is the Review Authority for the underlying development. This item will be further discussed as part of the Planning Commission workshop ESHA item.</i></p>
<p>17.31.090.A Commissioner Maynard requested clarification regarding the approving authority with regard to wetlands outside the Coastal Zone.</p>	<p><i>“Approving authority” reference removed.</i></p>
<p>17.31.140.C Commissioner Maynard suggested a reference to the Tree Protection Ordinance when appropriate.</p>	<p><i>No change made. Woodlands and individual trees will regulated separately. Currently no City Tree Ordinance.</i></p>
<p>Commissioner Maynard suggested for consideration including a ratio for adding new trees to replace the removal of a tree, for example, a ratio of 3 to 1.</p>	<p><i>Replacement ratio removed. This section not about individual trees.</i></p>
<p>17.31.170.A.3 Commissioner Daniels recommended clarification regarding who would be allowed to prune vegetation within Monarch Butterfly ESHAs.</p>	<p><i>Company would be identified through permit process.</i></p>
<p>17.31.180.B Commissioner Maynard recommended that the following language from General Plan Policy <u>CE 7.8</u> be included for consistency: “new structures must be prohibited on bluff faces except for stairs, ramps, or trails to provide public beach access” with regard to the Seabird Nest Areas.</p>	<p><i>See Hazards Chapter for shoreline development regulation.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.32 – Floodplain Management	
<p>17.32.020 Commissioner Maynard questioned if the applicability section would also include sea-level rise zones as determined by the City's most recent sea-level rise plan rather than focusing just on the FEMA areas of special flood hazards. Also, consider General Plan Safety Element Policy <u>SE 6.2</u> in the General Plan regarding applicability. She noted language in the General Plan that the City may require applications of new or expanded development areas with known persistent local urban flooding, and requested additional information.</p>	<p><i>Not included. Sea level rise addressed through the Hazards Chapter.</i></p>
<p>17.32.030 Vice Chair Jenkins commented that "begins" is not fitting within the sentence.</p>	<p><i>Floodplain Development Permit section removed. Regulated in Title 15 of the Goleta Municipal Code.</i></p>
<p>17.32.040.B.3 Vice Chair Jenkins commented that language needs to be added between "slopes" and "guide".</p>	<p><i>Standards for Construction removed. See Title 15.</i></p>
<p>17.32.080.B.1 Commissioner Maynard recommended adding the language from General Plan Conservation Element Policy <u>CE 7.4</u>, "any such permitted uses shall not degrade the quality of the habitat or cause impacts to birds and other wildlife". In general, this language should be added in the sections with regard to additional expansions in beach and shoreline areas.</p>	<p><i>Not included. Shoreline development covered in the Hazards Chapter.</i></p>
<p>17.32.080.B.3 Vice Chair Jenkins commented that this paragraph needs to be reworded for clarity.</p>	<p><i>Section removed.</i></p>
<p>17.32.080.B.3 Commissioner Maynard questioned whether the language is State law, or whether there can be further restrictions for new development in wetlands.</p>	<p><i>Section removed.</i></p>
<p>17.32.080.C.2.b Commissioner Daniels requested clarification with regard to the term "(e.g., freshwater for freshwater)".</p>	<p><i>Section removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.33 – Hazards	
<p>17.33.010 Commissioner Maynard recommended including ecosystems with regard to environmental protection.</p>	<p><i>Not added. The purpose of this chapter is not to protect the environment.</i></p>
<p>17.33.030.A Commissioner Maynard suggested it would be good to include reference to the City's new sea-level rise documents.</p>	<p><i>No direct reference included. However, sea-level rise must be considered in Coastal Hazards Report.</i></p>
<p>17.33.030.A Chair Onnen did not see the correlation with the reference to the "Alquist-Priolo earthquake hazards zones".</p>	<p><i>Reference removed.</i></p>
<p>17.33.030.B Chair Onnen questioned whether golf courses and greens built on a blufftop would be encumbered by the hazards report.</p>	<p><i>Existing development would be nonconforming and any new development would be subject to the Hazards Chapter provisions.</i></p>
<p>17.33.040.A Commissioner Maynard recommended adding language to <u>preserve the coastal ecosystems</u>.</p>	<p><i>Purpose removed as one Purpose section governs for the Chapter.</i></p>
<p>17.33.040.C; 17.33.040.C.1 Vice Chair Jenkins expressed concern that the City might be opening up a legal challenge with regard to language in <u>17.33.040.C and 17.33.040.C.1</u>. 17.33.040.C; 17.33.040.C.1 Commissioner Fuller questioned whether the language is a Coastal Commission requirement, and requested clarification.</p>	<p><i>Shoreline protection device regulations revised, however, the prohibitions in the Draft NZO remain, consistent with General Plan policy SE 3.4.</i></p>
<p>17.33.040.C Commissioner Maynard recommended that analysis of all feasible alternatives to coastal armoring be included per General Plan Policy <u>SE 3.7</u>. Also, add language that anything proposed must be compatible with the preservation of the quality of the natural resources.</p>	<p><i>Feasible alternatives analysis now required. Six affirmative findings also added.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.33.040.C.3 Commissioner Maynard recommended adding the language from General Plan Conservation Element Policy <u>CE 7.4</u> "any such permitted uses shall not degrade the quality of the habitat or cause impacts to birds and other wildlife".</p>	<p><i>Allowance for development on the beach revised to only allow for those required for health and safety. Reference to CE 7.4 not required.</i></p>
<p>17.33.040.C.3 Commissioner Fuller recommended listing examples of items that are public facilities for clarification.</p>	<p><i>Clarification made to require the facility be necessary for health and safety.</i></p>
<p>17.33.040.E.1 Vice Chair Jenkins questioned if there is a definition that helps the public know about the "sea-level rise" and if there is an actual document to reference.</p>	<p><i>City has produced a study that can be used. However, no explicit reference included at this point as additional data may be useful in the future.</i></p>
<p>17.33.040.E.1.f Vice Chair Jenkins recommended adding a quantifiable limitation distance with regard to the language "extending the surveying work beyond the site as needed".</p>	<p><i>No change made. This will be a case-by-case item determined by experts.</i></p>
<p>17.33.040.E.1.g Commissioner Daniels questioned why tax assessment records are listed with regard to investigation of historic, current, and foreseeable cliff erosion.</p>	<p><i>Many times, if site development predates permit requirements, the structures are shown on the Assessor's hand sketches of the property at the time the first tax assessments were made on the property.</i></p>
<p>17.33.040.E.2 Vice Chair Jenkins suggested adding language at the end of the last sentence: "unless determined necessary by the Army Corps of Engineers or other presiding agency".</p>	<p><i>Section removed entirely. The City does not have jurisdiction over the intertidal zone.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.33.040.F Commissioner Maynard suggested for clarification throughout this chapter that the sea-level rise should be based on what the City has established as the sea-level rise.</p>	<p><i>Staff in agreement, but there is still uncertainty as to how CA Coastal Commission staff will direct City. Their feedback will be incorporated later during the LCP certification/review.</i></p>
<p>17.33.040.F.2.a.(1) Commissioner Maynard suggested that balconies and porches should be better described in terms of setbacks. She noted her concern that there is a potential dangerous safety situation with regard to balconies that are reaching over the cliffs that are not designed to deal with cliff erosion.</p>	<p><i>Not included. Concern addressed is structural failure.</i></p>
<p>17.33.040.F.2.a.(2).i Chair Onnen questioned whether golf courses, greens, and tee boxes are being unduly restricted.</p>	<p><i>Blufftop section revised. Landscaping (drought-tolerant) allowed in setback as well as drainage and minor improvements.</i></p>
<p>17.33.040.F.2.a.(2).i Commissioner Daniels recommended adding “engineered” in front of “stairways” for consistency with the previous page.</p>	<p><i>Public access development covered in the Coastal Access Chapter.</i></p>
<p>17.33.040.F.2.a.(2).ii Vice Chair Jenkins questioned whether there should be a quantifiable limitation with regard to the language “minor additions of less than 10 percent of the existing floor area”, with regard to cumulative additions.</p>	<p><i>Provision removed.</i></p>
<p>17.33.040.F.2.a.(2).ii Commissioner Daniels noted a typo: remove "to". Vice Chair Jenkins recommended checking the hyphen in "soil-".</p>	<p><i>Provision removed and “soil-” clarified to mean soil-related.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.33.040.F.2.c Vice Chair Jenkins suggested changing the language from “drought-tolerant landscaping must be installed” to “only drought-tolerant landscaping will be permitted”, noting a situation where the rights-of-way would remain natural. Commissioner Maynard agreed.</p>	<p><i>No change. Landscaping needed to ensure soil stability to prevent quicker erosion.</i></p>
<p>17.33.040.F.2.c Commissioner Maynard repeated her safety concern for those persons using patios and fences with regard to cliff erosion.</p>	<p><i>No change. Setback standard focused on ensuring structures do not become unsound. Expectation is not to limit all activity in the setback.</i></p>
<p>17.33.040.G.1 Commissioner Daniels recommended clarification and definition with regard to the City’s grading standards and where grading is located.</p>	<p><i>Grading and Grubbing section added in Part IV.</i></p>
<p>17.33.040.G.2 Vice Chair Jenkins commented that the first sentence does not make sense.</p>	<p><i>Section removed.</i></p>
<p>17.33.040.G.3 Commissioner Maynard recommended reference to the language in General Plan Policy <u>SE 3.7</u> that the alternatives analysis should demonstrate that the proposed armoring is the least environmentally damaging alternative.</p>	<p><i>Feasible alternatives analysis now required. Six affirmative findings also added.</i></p>
<p>17.33.050.A Vice Chair Jenkins suggested removing “seismic” because he believes all of Goleta is within a seismic zone and buildings and structures are designed accordingly. He noted that <u>17.33.050.C</u> addresses seismic better.</p>	<p><i>No change made. Seismic hazards addressed in General Plan policy SE 4.</i></p>
<p>17.33.050.C Commissioner Daniels questioned the source for restricting new development not closer than 50 feet to any active or potentially active fault line, and questioned the appropriateness.</p>	<p><i>No change. See General Plan policy SE 4.4</i></p>
<p>17.33.050.D Typo: remove “to” . Also, check “soil-“.</p>	<p><i>“To” removed. No change in hyphens.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.35 – Landscaping	
<p>17.35.01 Vice Chair Jenkins commented that most of <u>17.35</u> Landscaping is design guidelines.</p>	<p><i>A significant amount of this Chapter removed and will be assessed through Landscape Plans.</i></p>
<p>17.35 Commissioner Daniels commented that most of <u>17.35</u> Landscaping is design guidelines, not land use.</p>	<p><i>See response above.</i></p>
<p>17.35.010.A Commissioner Fuller appreciates the language in the purpose because it supports improving the appearance of the community.</p>	<p><i>No response required. Now 010(B).</i></p>
<p>17.35.010.B Commissioner Maynard suggested, based on public comment, elaborating on maintaining the variety of different types of plants and trees that are already in the urban forest.</p>	<p><i>No change. “Enhance the urban forest” covers sufficiently for a general purpose section.</i></p>
<p>17.35.010.B Vice Chair Jenkins recommended a definition for “heat island effect”.</p>	<p><i>Definition added to Part VI.</i></p>
<p>17.35.020.B Vice Chair Jenkins recommended changing “shall” to “must”.</p>	<p><i>Section deleted. City adopted its own WELO Ordinance.</i></p>
<p>Figure 17.35.030.C Commissioner Daniels commented that the figure does not show the measurement for the sidewalk.</p>	<p><i>Figure removed.</i></p>
<p>17.35.030.E Commissioner Fuller agreed with recommendations from the Design Review Board to better describe “a natural state”, for example as “an undisturbed state” or “indigenous vegetation”.</p>	<p><i>Revisions made, “undisturbed state” added.</i></p>
<p>17.35.040.A Commissioner Daniels questioned whether “utility-housing boxes” refers to utility-mounted vaults, for clarification.</p>	<p><i>No change made. See comment below.</i></p>
<p>Vice Chair Jenkins suggested the utility-housing box could be a utility box above ground or a transformer.</p>	<p><i>No response required.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.35.040.B Vice Chair Jenkins commented that there needs to be clarification with regard to the language in 17.35.040.B and Figure 17.35.040(B). He recommended changing “toe” to “top” to comply with Figure 17.35.040(B).</p>	<p><i>Section removed.</i></p>
<p>17.35.040.B Commissioner Fuller suggested adding the language “where used” with regard to landscaping mounds.</p>	<p><i>Section taken out.</i></p>
<p>17.35.050.A Commissioner Maynard questioned whether there is a way to limit the percentage of property that is turf and she encouraged looking for ways to promote water efficiency.</p>	<p><i>Turf still mentioned, but Materials section significantly reduced. Landscape plans will be reviewed by DRB.</i></p>
<p>17.35.050.A.1.f Commissioner Daniels commented that he cannot agree with the requirement in 17.35.050.A.1.f regarding planting trees offsite. He questioned whether this requirement relates to public or private land.</p>	<p><i>Section removed.</i></p>
<p>17.35.050.A.1.g Commissioner Fuller commented that he takes exception to limiting the percent of trees in any one species because uniformity in plantings can look nice.</p>	<p><i>Section removed. Materials section significantly reduced. Landscape plans will be reviewed by DRB.</i></p>
<p>17.35.050.A.1.g Commissioner Maynard commented that the language is forgiving enough with regard to species diversity; and it is appropriate and worth considering.</p>	<p><i>See response above.</i></p>
<p>17.35.060 Commissioner Daniels commented that the landscaping requirements are specific with so many restrictions. Also, 17.35.060 Landscape Design Principles are design guidelines appropriate for DRB review.</p>	<p><i>Section removed as more appropriate as design guidelines.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.35.060.C Vice Chair Jenkins commented that the requirement that landscaping must be designed within the context of the surrounding area seems inappropriate. He questioned how the requirement could be enforced and whether it applies to residential.</p>	<p><i>See comment above.</i></p>
<p>17.35.060.C Commissioner Fuller recommended changing “must” to “should” with regard to continuity and connection landscape design principles.</p>	<p><i>See comment above.</i></p>
<p>17.35.060.C Commissioner Maynard expressed concern with regard to continuity and connection, noting that it may be difficult to match the landscaping on adjacent properties when planting drought tolerant landscaping because it is a new type of landscaping.</p>	<p><i>See comment above.</i></p>
<p>17.35.080 Commissioner Maynard commented that this section is important and well-written.</p>	<p><i>Section removed. Much of the prescribed landscaping requirements were removed, this alternative compliance is not needed. Up to DRB through review of landscape plan.</i></p>
<p>Chapter 17.36 – Lighting</p>	
<p>17.36 Commissioner Daniels commented that the 17.36 Lighting chapter seems to be design guidelines.</p>	<p><i>Chapter kept in, but significant deletions of design standards.</i></p>
<p>17.36 Vice Chair Jenkins suggested this section may be scaled down to planning issues. He also questioned how the lighting section would be trumped by Title 24.</p>	<p><i>See response above.</i></p>
<p>17.36 Commissioner Fuller does not believe that lighting should be prohibited from public rights-of-way because it provides for safety and security that street lighting might not provide.</p>	<p><i>Light trespass still regulated. Light trespass standard includes trespass on to right-of-way to ensure significant light pollution not added.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.36 Commissioner Maynard commented that the lighting section should refer to Title 24. She requested guidance from staff as to whether the International Dark Sky Association’s Backlight, Uplight and Glare (BUG) regulations have been considered as a potential option to be used. She agrees that a lot of the language in 17.36 is design guidelines.</p>	<p><i>Internal reference s to Title 24 not include. Design language removed Lighting to be discussed as a key issue during Planning Commission Public Workshop.</i></p>
<p>17.36.010 Commissioner Maynard requested adding “and protect local wildlife from negative impacts of lighting” from parts of the General Plan.</p>	<p><i>Not added. Prevention of excessive lighting and light trespass included which covers broad issues including impacts to wildlife.</i></p>
<p>17.36.020.A.2 Vice Chair Jenkins questioned the nexus for prohibiting flashing holiday lights on commercial properties.</p>	<p><i>Prohibition removed.</i></p>
<p>17.36.020.A.2 Commissioner Maynard believes flashing holiday lights on commercial properties should be allowed.</p>	<p><i>Prohibition removed.</i></p>
<p>17.36.030 Commissioner Maynard recommended that laser lights be added as prohibitions.</p>	<p><i>Prohibition added.</i></p>
<p>17.36.030.E Commissioner Maynard suggested more language encouraging or acquiring LEDs on commercial properties, although it may be affected by Title 24 regulations.</p>	<p><i>Not included. Desire not to be too specific on details like this as technologies may change.</i></p>
<p>17.36.030.F Vice Chair Jenkins suggested some clarification to rule out traffic lights with regard to changing color lights.</p>	<p><i>City facilities added to list of exempt lighting.</i></p>
<p>17.36.030.F Commissioner Maynard questioned whether this section would restrict opportunity for some of the newest energy efficiency technologies and smart lighting controls; for example, motion sensor lights that intensify as people get closer and fade out as people move away.</p>	<p><i>Timing controls included in General Requirements. Lighting will be further reviewed by DRB.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.36.040.A Vice Chair Jenkins suggested removing “must be used” after architecture because it seems redundant within the sentence.</p>	<p><i>Change made</i></p>
<p>17.36.040.B Commissioner Maynard agrees with DRB comments recommending adding language regarding “smart lighting controls”.</p>	<p><i>Timing controls included in General Requirements. Whether you dim or not, the light has to be off during daylight hours and during hours when the building is not in use.</i></p>
<p>17.36.040.C Vice Chair Jenkins requested clarification with regard to the intent of the light shielding.</p>	<p><i>Shielding section removed. Light trespass section added for clarity.</i></p>
<p>17.36.040.C.1 Commissioner Fuller noted an inconsistency because <u>17.36.040.C.1.a.(1)</u> and <u>17.36.040.C.1.a.(2)</u> both refer to having an opaque top while <u>17.36.040.C.1.a.(4)</u> does not refer to an opaque top.</p>	<p><i>See response above.</i></p>
<p>17.36.040.C; 17.36-040.C.2 Commissioner Fuller noted a possible inconsistency with regard to language in <u>17.36.040.C</u> confining direct lighting rays onto adjacent public rights-of-way and language in <u>17.36.040.C.2</u> regarding light not shining on adjacent public rights-of-way.</p>	<p><i>Section removed. Light trespass standard added includes trespass on to right-of-way.</i></p>
<p>17.36.050.F Commissioner Fuller commented that extra illumination at gas stations and convenience store parking lots is a good idea for extra safety and security.</p>	<p><i>Section revised but kept in.</i></p>
<p>17.36.050.G Commissioner Maynard suggested consideration for acquiring safety lighting for public bikeways and walkways.</p>	<p><i>Section removed. Desire to provide more flexibility for Capital Improvement Projects.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.37 – Nonconforming Uses and Structures	
<p>17.37 Commissioner Maynard commented that she believes it is a good idea to notice business owners about nonconforming uses as soon as the Zoning Code is approved.</p>	<p><i>No response required at this time. Uses analyzed for land use consistency at renewal of business licenses annually.</i></p>
<p>17.37.030.D Vice Chair Jenkins suggested using "legal nonconforming" where appropriate for consistency.</p>	<p><i>"Nonconfining" used. The term means that the lack of consistency with zoning is legal. If not nonconforming, then the use or structure is simply illegal.</i></p>
<p>17.37.030.D.1; 17.37.030.D.3 Commissioner Daniels requested clarification regarding the language referred to in the Building Code and where it is located in the Building Code.</p>	<p><i>Title 15 of the Goleta Municipal Code includes the Building Code.</i></p>
<p>17.37.030.D.1; 17.37.030.D.2; 17.37.030.D.3 Commissioner Fuller recommended for consistency using the language "legal nonconforming use".</p>	<p><i>"Nonconfining" used. The term means that the lack of consistency with zoning is legal. If not nonconforming, then the use or structure is simply illegal.</i></p>
<p>17.37.030.D.5.c Commissioner Maynard requested consideration be given to possible inconsistencies in the language with regard to nonconforming uses and noted the difficulty in making this finding.</p>	<p><i>Findings removed. Intent is to provide greater flexibility for nonconforming uses. No CUP required.</i></p>
<p>17.37.030.D.5.h Vice Chair Jenkins noted a typo: change "uses" to "use".</p>	<p><i>See response above.</i></p>
<p>17.37.040.A.2 Commissioner Maynard requested more guidance when the information would be waived. She commented that all information seems valuable and would recommend it only be waived if not applicable.</p>	<p><i>Limited Exception Determination language removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.37.040.A.2.c Commissioner Daniels requested the map include a north arrow designation.</p>	<p><i>Limited Exception Determination allowance removed.</i></p>
<p>17.37.040.A.2.f Vice Chair Jenkins questioned the nexus for requiring estimated expenditures for the improvement and how does it help in the decision-making.</p>	<p><i>See response above.</i></p>
<p>17.37.040.A.2.f Commissioner Fuller commented that the requirement may be related to amortizing an investment.</p>	<p><i>See response above.</i></p>
<p>17.37.040.D.3 Commissioner Maynard suggested including language to add a finding that the overall intensity would not result in additional subsequent parking needs.</p>	<p><i>See response above.</i></p>
<p>17.37.050 Commissioner Maynard requested more guidance and clarity regarding what would trigger the termination situation.</p>	<p><i>No changes made from adopted Ordinance 15-01.</i></p>
<p>17.37.050 Commissioner Fuller pointed out that he is opposed to the proposed section regarding Termination of Legal Nonconforming Use by City Council and noted he prefers the County's version.</p>	<p><i>See response above.</i></p>
<p>17.37.050.C.1 Commissioner Maynard commented that up to an additional 15 years extension seems like a long time and requested some consideration.</p>	<p><i>See response above.</i></p>
<p>17.37.050.C.1 Vice Chair Jenkins can support the additional 15 years for the modification.</p>	<p><i>See response above.</i></p>
<p>17.37.050.E.1 Commissioner Maynard requested consideration and clarity with regard to timelines for the amortization analysis.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.37.060.C Commissioner Maynard requested language with regard to some limits as to how much nonconforming structures can be enlarged. Also, consider not allowing nonconforming structures continue to grow over long periods of time.</p>	<p><i>No change. If enlargements or additions conform to standards, there is not a strong justification for limiting these.</i></p>
<p>17.37.060.F Commissioner Maynard suggested consideration with regard to adding provisions for historic landmarks and adding a reference when appropriate.</p>	<p><i>Historic Resources Chapter will address and be developed through a separate process.</i></p>
<p>17.37.060.F.1 Commissioner Daniels recommended global consistency with regard to the term “legal nonconforming”.</p>	<p><i>“Nonconforming” used. The term afford legality since it obtained prior permits (or predates the need for permits), but denotes the lack of compliance with current zoning requirements and standards. If not nonconforming, then the use or structure is simply unpermitted/illegal.</i></p>
<p>Chapter 17.38 – Oil and Gas Facilities</p>	
<p>17.38.030.A Commissioner Maynard questioned whether a requirement for a qualitative risk assessment would be appropriate in this section. She noted General</p>	<p><i>Required findings removed. With requirement of a Conditional Use Permit approval, environmental review must be done anyways.</i></p>
<p>17.38.030.A.2 Commissioner Maynard questioned whether a “no project” alternative can also be considered as an alternative.</p>	<p><i>See response above.</i></p>
<p>17.38.040.A Commissioner Maynard questioned why the 45 feet height limit was chosen, noting that generally the limit was 35 feet in this zone. She supported a 35-foot limit.</p>	<p><i>Height exception removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.38.040.F Chair Onnen echoed the public comment with regard to offensive odors. Also, he requested clarification with regard to the kind of detection of odors and whether the language is appropriate.</p>	<p><i>Removed. No facilities, except pipelines, allowed.</i></p>
<p>17.38.040.I Commissioner Maynard requested adding language with regard to ensuring protection of groundwater resources as well. She expressed concern with regard to fracking and other new types of drilling.</p>	<p><i>No new drilling operations allowed under updated NZO.</i></p>
<p>Commissioner Daniels commented that it looks like Fish and Wildlife needs to be in charge with regard to the last sentence relating to mitigation of significant impacts to surface water.</p>	<p><i>Grading and Drainage are standard conditions not unique to oil and gas. Requirement removed.</i></p>
<p>17.38.040.K Commissioner Fuller requested clarification that the requirement to provide an “unconditional” will-serve letter or contract for service conforms to the policy of the Goleta Water District.</p>	<p><i>Requirement removed. Adequate services is a finding for all development under the Title.</i></p>
<p>17.38.040.N Commissioner Maynard requested a more specific definition of “effective” and more specificity regarding what is required for effective containment and clean-up, and how spills can be cleaned up quickly. Consider if infrastructure is regularly monitored. Consider if there could be a requirement for equipment for clean-up can be held on site for quicker clean-up. Also consider does the industry have any responsibility to pay fees or reimburse staff for clean-up.</p>	<p><i>Requirement removed. Containment effectiveness assessed through project review.</i></p>
<p>17.38.050.B.2 Commissioner Maynard commented that the required minimum setback of 25 feet seems like a very short distance.</p>	<p><i>Standard derived from General Plan Policy SE 8.13.</i></p>
<p>17.38.050.B.2.e Commissioner Maynard requested clarification with regard to the language “undue hardship” noting that it seems vague.</p>	<p><i>Clarification not added. This determination would need to be made by the Planning Commission on a case-by-case basis.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.38.050.B.5.b Commissioner Daniels commented for clarification that typically in other jurisdictions the performance security would be taken by the Building Department.</p>	<p><i>Section re-written, but securities to be provided to the City. No specificity as to how they are collected. Will be clarified in permit conditions.</i></p>
<p>17.38.050.B.7 Commissioner Maynard requested a more specific definition of effective and more specificity regarding what is required for effective containment and clean-up, and how spills can be cleaned up quickly. Consider if infrastructure is regularly monitored. Consider if there could be a requirement for equipment for clean-up can be held on site for quicker clean-up. Also consider does the industry have any responsibility to pay fees or reimburse staff for clean-up.</p>	<p><i>Spills section removed. Appropriate development regulations will be addressed during the Major Conditional Use Permit review process and through CEQA review.</i></p>
<p>17.38.050.B.9 Commissioner Maynard requested staff compare 17.38.050.B.9 to Safety Element Policy SE 8.14 that has more details with regard to burial depth and a requirement for assessing every five years.</p>	<p><i>See response above. Consistency with SE 8.14 will be included in the processing of a project application.</i></p>
<p>17.38.050.C.4 Commissioner Daniels commented that the sentence does not make sense and needs to be reworked.</p>	<p><i>Finding rewritten to reference CEQA alternatives analysis.</i></p>
<p>17.38.060.F.1 Commissioner Daniels requested definition and clarification with regard to mitigation to the maximum extent feasible.</p>	<p><i>Abandonment and Removal section removed except to note that a Development Plan is required. CEQA analysis will drive process, project documentation, and mitigation.</i></p>
<p>17.38.060.F.2 Commissioner Maynard requested that the language be reworked to address the intent and not be restrictive so that a street does not have to be built to decommission a nonconforming use.</p>	<p><i>See response above.</i></p>

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Planning Commission (PC) Comments	Staff Response
Vice Chair Jenkins commented that Commissioner Maynard’s comment regarding <u>17.38.060.F.2</u> seems like a plausible concern.	<i>See response above.</i>
<p>17.38.060.G Commissioner Maynard requested additional language with regard to soil and water quality, particularly if the soil has become contaminated because of the project. She noted there should be soil testing and remediation if needed.</p>	<i>See response above.</i>
<p>17.38.060.G.1 Commissioner Daniels questioned whether four years is enough time for decommissioning.</p>	<i>See response above.</i>
<p>17.38.060.G.3 Commissioner Fuller commented that the language ensures monitoring for compliance on the environment but it does not specifically indicate soils and waters which would be good to add.</p>	<i>See response above.</i>
<p>17.38.060.G.8 Commissioner Daniels recommended that “other agencies” be specified</p>	<i>See response above.</i>
<p>17.38.070.C.1 Commissioner Maynard questioned whether a deferral of abandonment extension can be denied for a nonconforming use.</p>	<i>Section removed.</i>
<p>Commissioner Daniels commented that “within a reasonable period of time” needs to be specific and noted that specificity is important globally for enforcement.</p>	<i>Section removed.</i>
Chapter 17.39 – Parking and Loading	
<p>17.39.010.B Commissioner Maynard requested adding “including reducing heat island effect” as one of the specific environmental impacts to be reduced.</p>	<i>Not included. Intent of purpose it to remain broad. Heat island effect also included already in E.</i>
<p>17.39.010.D Chair Onnen commented that calling out some flexibility is a very useful tool.</p>	<i>No response required.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.39.030.A; 17.39.030.E Commissioner Maynard requested clarification if there is consistency between <u>17.39.030.A</u> and <u>17.39.030.E</u>.</p>	<p><i>Unbundling section removed.</i></p>
<p>17.39.030.A Vice Chair Jenkins recommended providing an exception for complimentary uses within 500 feet of each other, for example, Community Assembly and Office classifications, similar to shared parking in <u>17.39.050.D</u> and off-site parking in <u>17.39.070.C</u> (with regard to restricting the sublease, subrental or encumbrance of off-street parking spaces).</p>	<p><i>No change made. Other provisions adequately provide for reductions. Without an agreement in place, a Change of Use could create parking deficiencies.</i></p>
<p>17.39.030.C Commissioner Maynard recommended adding language referring to commercial areas for clarification with regard to accessibility of parking.</p>	<p><i>Language changed to include all parking during any business hours.</i></p>
<p>17.39.030.D Chair Onnen requested consideration be given to situations when perhaps an attendant may not need to be present the entire time with regard to stacked parking. He suggested considering when cars enter and leave at the same time.</p>	<p><i>Language changed to require parking attendant presence when necessary, rather than always in attendance.</i></p>
<p>Commissioner Maynard suggested some allowances for matching the use of stacked parking to the need for it. For example, during the dinner time for a restaurant.</p>	<p><i>No change made.</i></p>
<p>17.39.030.E Commissioner Fuller commented that while unbundling parking from residential uses may sound like a good idea now, several years from now when trying to resell property, it could be a problematic situation.</p>	<p><i>Unbundling section removed. Nothing prohibits this if there is adequate parking for the development. Could get reviewed during the Development Plan approval process.</i></p>
<p>17.39.030.E.1 Vice Chair Jenkins recommended rewording the language because it is a confusing run-on sentence.</p>	<p><i>Section removed.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.030.E.2; 17.39.030.E.3 Vice Chair Jenkins requested clarification whether there is a conflict with the language “offered first” in <u>17.39.030.E.2</u> and the language “an equal opportunity” in <u>17.39.030.E.3</u>.</p>	<p><i>Section removed.</i></p>
<p>17.39.010.F Chair Onnen commented that an appropriate standard to consider for garage conversions would be where parking can be replaced on the property.</p>	<p><i>Revisions to section made allowing the conversion if the parking is to be replaced without other limitations.</i></p>
<p>17.39.030.F.1 Commissioner Maynard supported removing <u>17.39.030.F.1</u> and not having a date that the residence was constructed with regard to allowing garage conversions.</p>	<p><i>Date of construction standard removed.</i></p>
<p>Commissioner Fuller supported not having a date that the residence was constructed with regard to allowing garage conversions.</p>	<p><i>See response above.</i></p>
<p>Commissioner Daniels supported removing <u>17.39.030.F.1</u> and not having a date that the residence was constructed with regard to allowing garage conversions.</p>	<p><i>See response above.</i></p>
<p>Vice Chair Jenkins questioned what the nexus is for this standard.</p>	<p><i>See response above.</i></p>
<p>17.39.030.F.2 Commissioner Maynard questioned for clarification if there is a reason why off-street parking spaces are required to be covered; and whether the front driveway counts towards that parking.</p>	<p><i>For aesthetic reasons in single-family neighborhoods. Also ensures parking doesn’t spill over towards the public right-of-way.</i></p>
<p>17.39.030.F.2 Vice Chair Jenkins noted that previously uncovered parking spaces were allowed so it seems like this is creating a lot of nonconformity and he is not sure about creating that much nonconformity.</p>	<p><i>Parking must be covered, either as the original required parking or when the garage is converted to living space, currently.</i></p>
<p>17.39.030.F.3 Vice Chair Jenkins requested clarification with regard to the interior garage dimensions.</p>	<p><i>Standard removed.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>Table 17.39.040(A)(2) Commissioner Maynard commented that 2 spaces seem fine for a single-use dwelling unit. She is not sure if she agrees with the plus 1 space requirement. She commented if there is driveway space in front of the garage, it should be allowable for the 2 parking spaces, and the parking should not need to be inside the garage. Commissioner Maynard noted from driving in the neighborhoods that it is common for people to be parking in driveways. She questioned if there is a garage conversion, would four parking spaces be required for a single residence.</p>	<p><i>Required third parking space removed. Required parking must be covered, but parked cars are not required to be within those covered spaces at all times.</i></p>
<p>Commissioner Maynard questioned why mobile home parks required more guest parking spaces than multiple-unit dwellings.</p>	<p><i>Mobile home parking standard revised to match standard for multiple-unit dwellings.</i></p>
<p>Commissioner Maynard noted that the 1.5 parking space requirement for one-bedroom units in multiple-unit dwellings seems somewhat excessive.</p>	<p><i>No change. Effort made to ensure adequate parking on site and some one-bedroom units will have two cars.</i></p>
<p>Commissioner Maynard recommended adding visitor parking for Colleges and Trade Schools, Public or Private, and for Hospitals.</p>	<p><i>No changes made based on this comment. Intent is for standards to meet all users, including visitors.</i></p>
<p>Commissioner Fuller commented that generally the residential and mixed-use parking requirements seem appropriate. He recommended that all spaces in mixed-use be made available for parking for businesses during business hours and not garaged or segregated.</p>	<p><i>No changes made. The required parking must be made available.</i></p>
<p>Commissioner Fuller commented that the standards for parking spaces in most of the zones other than residential and mixed-use seem overly inadequate. He recommended a standard and simplified table using a maximum use scenario; for example, 4 spaces per 1,000 square feet in offices and commercial properties, and 1 space for per 500 square feet for warehouse spaces, which are similar to the City of Santa Barbara standards. He noted from his experience in real estate that 5 spaces per 1,000 square feet in retail was considered more appropriate.</p>	<p><i>Exact suggested changes not made, but attempt made to simplify standards where appropriate.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Commissioner Fuller commented that 1 space for each 4 permanent seats in the Community Assembly classification seems under-parked. He noted that a lot of people show up in an individual vehicle and also there may be unintended impacts in the neighborhood if there is a popular event. He suggested the possibility of 1 space for every 2 seats as more appropriate.</p>	<p><i>No change. Attempt made not to create parking deserts. Spill over issues for Community Assembly would be analyzed and addressed through discretionary review.</i></p>
<p>Vice Chair Jenkins questioned whether the requirement for an additional parking space is appropriate if the unit contains 3,000 sq. ft. or more.</p>	<p><i>Requirement removed.</i></p>
<p>Vice Chair Jenkins questioned if it would help the public by stating the 1.5 spaces per unit for one-bedroom is rounded up or rounded down.</p>	<p><i>Rule of rounding in Part I would apply.</i></p>
<p>Commissioner Daniels requested clarification with regard to whether the 1.5 spaces per unit for one-bedroom is rounded up or rounded down.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen requested clarification with regard to the terminology “unit” in the Group Residential classification.</p>	<p><i>Standard revised to be based on number of beds, rather than units.</i></p>
<p>Chair Onnen requested clarification with regard to the terminology “unit” in the Skilled Nursing Facility classification.</p>	<p><i>Standard revised to be based on number of beds, rather than units.</i></p>
<p>Chair Onnen commented overall that he is comfortable with the Tables for parking spaces and the general specificity. He would be resistant to using a maximum use scenario across the board.</p>	<p><i>No response needed.</i></p>
<p>Commissioner Fuller recommended 5 parking spaces per 1,000 for Banks and Financial Institutions.</p>	<p><i>No change made. The 1 per 300 square feet standards mirrors existing standard.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>Commissioner Fuller commented that the standard for Bars/Night Clubs/Lounges seems low but may not be a problem depending on the time of day.</p>	<p><i>Standard relaxed further. Effort made to ensure consistency between different types of eating and drinking establishments to ensure new uses could come in to a site without triggering the need to address parking through the Land Use Permit process.</i></p>
<p>Commissioner Fuller commented that 1 space per 75 sq. ft. for Restaurant, Full Service, seems inadequate.</p>	<p><i>See response above. The 1 per 300 square feet standards mirrors existing standard.</i></p>
<p>Commissioner Fuller recommended 4 parking spaces per 1,000 sq. ft. for Offices - Business, Professional and Technology: Walk-in Clientele, or 1 space per 250 sq. ft. over 100,000 sq. ft.</p>	<p><i>No change. The 1 per 300 square feet standards mirrors existing standard.</i></p>
<p>Commissioner Fuller recommended 1 space per 200 sq. ft. for Offices – Medical and Dental.</p>	<p><i>No change. Effort made to keep various office parking standards consistent across use types.</i></p>
<p>Commissioner Maynard commented that she supported the parking standards for Offices as provided in the Table.</p>	<p><i>See response above.</i></p>
<p>Commissioner Fuller recommended 1 space per 200 sq. ft. for Retail Sales - General Retail. He noted businesses are concerned regarding adequate parking.</p>	<p><i>Existing retail standard is 1 per 500 square feet. No change made. Additionally, a project may supply additional parking if they want.</i></p>

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Planning Commission (PC) Comments	Staff Response
Commissioner Fuller commented that Industrial Uses, R&D and Technology tend to be an office use and the requirements seem to be under-parked. He suggested perhaps conducting an in-depth research to learn about current standards with the people who use R&D and Technology.	<i>No change to make these use parking requirements consistent with office uses. A project may supply additional parking if they want.</i>
Commissioner Maynard commented in general that she appreciates that the Tables are clear and spelled out. She suggested less differentiation with regard to requirements for Restaurants so there is more flexibility when considering situations where there is a quick turnover in restaurants.	<i>Restaurant parking requirement standards consolidated.</i>
Vice Chair Jenkins supported the suggestion for less differentiation with regard to Restaurants due to potential for turnover.	<i>See response above</i>
Chair Onnen supported more consistent requirements for Restaurants because of the potential for turnover.	<i>See response above.</i>
Vice Chair Jenkins commented Restaurant, Takeout Only requires only two parking spaces. He suggested consideration for employee parking.	<i>See response above.</i>
Vice Chair Jenkins questioned whether parking for employees should be considered for Hotels and Motels; Time Share Uses.	<i>Employee parking requirement added.</i>
Commissioner Maynard supported the concept that the fuel pump space be considered as a potential parking space for a site with a gas station and convenience store.	<i>Change made.</i>
Chair Onnen supported counting a fuel pump space towards a parking space for a site with a gas station and convenience store.	<i>See response above.</i>
Chair Onnen commented that the requirements for Freight/Truck Terminals and Warehouses should be the same as for Industrial uses because of the similarity.	<i>Use removed.</i>
Vice Chair Jenkins noted a possible typo in Personal Services.	<i>Typo corrected.</i>
Chair Onnen questioned whether there should be so many variations under Industrial uses and suggested it could be unified and simplified. He noted the uses are difficult to discern.	<i>Uses kept in. Distinctions are necessary to ensure General Plan consistency.</i>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.040.B.1 Vice Chair Jenkins recommended changing “gross floor area” to “net floor area”.</p>	<p><i>Floor area section removed.</i></p>
<p>17.39.040.C Commissioner Maynard suggested if two uses are defined at separate times and both uses are not overlapping, consider requiring the maximum parking requirements of the two uses.</p>	<p><i>No change made. This would be challenging to track as uses may change over time and could limit new uses-based parking restrictions in the future.</i></p>
<p>17.39.040.D Vice Chair Jenkins requested clarification with regard to Exemptions for Small Commercial Uses</p>	<p><i>Section removed.</i></p>
<p>17.39.050.B Commissioner Fuller recommended with regard to Transit Accessibility that the distance from a parking lot to a transit stop be reduced from 0.75 miles to 0.50 miles.</p>	<p><i>Change made.</i></p>
<p>17.39.050.C Commissioner Fuller commented that motorcycle and scooter parking should be a requirement for at least 1 out of 10 spaces to start and then 1 for every 20 spaces.</p>	<p><i>No change. Still provided as an option but not a requirement.</i></p>
<p>17.39.050.E Commissioner Fuller commented that he does not support a reduction in parking requirements in the Old Town Zoning District.</p>	<p><i>Redevelopment reduction kept in, restaurant parking reduction removed.</i></p>
<p>17.39.050.E.2 Commissioner Maynard commented in favor of continuing to support the existing restaurants in the Old Town Zoning District with the constraints the restaurants have been designed upon.</p>	<p><i>Reduction removed. Other parking reductions would still apply.</i></p>
<p>17.39.050.E.1 Vice Chair Jenkins suggested adding "with Zoning Administrator (or Planning Commission) approval”.</p>	<p><i>No change. Reduction would be automotive to give assurance to potential new tenants.</i></p>
<p>17.39.060.B Commissioner Maynard requested adding bicycle infrastructure for something the parking in-lieu fees can be used for.</p>	<p><i>Addition made.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.070.A.2 Vice Chair Jenkins noted a typo with regard to the language "or in at an off-site location" that is confusing.</p>	<p><i>Edit made to change "in" to "at."</i></p>
<p>17.39.070.A.3 Vice Chair Jenkins commented that the situation in Goleta is unique with regard to recreational vehicle parking and agrees that the restriction infringes upon private property rights in this situation.</p>	<p><i>Section revised to allow RVs in any setback with certain new standards.</i></p>
<p>Vice Chair Jenkins recommended staff consider whether allowing parking in a side yard would block a side yard window which is there for emergency access.</p>	<p><i>No change made. Parking in a side setback is not considered an obstruction to emergency access.</i></p>
<p>17.39.070.A.3 Commissioner Maynard supports being able to park recreational vehicles in a front driveway outside of the sidewalk. She suggested not making restrictions too prohibitive; not impacting new houses; and possibly considering having recreational vehicles licensed and registered. She noted she heard public comments for consistency between cars and RVs which she believes is a good point. She noted that she has learned from the public comments about the importance of recreational vehicles for entrepreneurs, healthy lifestyles, education for families, emergency plans, and emergency situations for pets. She learned about the existing situations in the community and its relevance for members of the community, and the independent spirit of the community with regard to their property. Also, she noted concerns were expressed with regard to lack of local storage, hardship from existing investment, and houses may not be designed to meet the existing requirements. She appreciates that the RV community works closely with the City.</p>	<p><i>Registration requirement added.</i></p>
<p>17.39.070.A.3 Commissioner Fuller recommended removing the requirement that recreational vehicles cannot be parked within the front yard setback. He believes the recreational vehicles should be confined to paved parking areas. He does not believe there should be a big alteration in the community with respect to the people's use.</p>	<p><i>Must be on paved or gravel surface.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.070.A.1 Commissioner Fuller commented that part of the concept with regard to this requirement is to keep vehicles from being parked in a front lawn as a regular parking space.</p>	<p><i>No response required.</i></p>
<p>17.39.070.A.1 Commissioner Maynard supported allowing the driveway for a vehicle to count as a parking space for that vehicle with regard to the requirement that required parking cannot be located within required setbacks</p>	<p><i>No response required.</i></p>
<p>17.39.070.A.3 Commissioner Fuller commented that parking Recreational Vehicles within the front yard setback has not been legal.</p>	<p><i>Correct, but they are limited in size and must be screened. (See Inland Zoning Ordinance Sec. 35-281.10).</i></p>
<p>Commissioner Maynard commented that she maintains her views she shared at the Planning Commission meeting on February 22, 2016, with regard to Recreational Vehicle Parking.</p>	<p><i>No response required.</i></p>
<p>17.39.070.A.3 Commissioner Daniels questioned whether existing recreational vehicles would be legal nonconforming.</p>	<p><i>Changes made to provide greater flexibility than currently existing under City's zoning ordinances.</i></p>
<p>Vice Chair Jenkins commented that he would disagree with grandfathering.</p>	<p><i>See response above.</i></p>
<p>17.39.070.A.3 Chair Onnen agreed that the language needs to be changed with regard to recreation vehicle parking.</p>	<p><i>See responses above.</i></p>
<p>17.39.070.A.3.a Commissioner Daniels questioned the source with regard to the requirement that the recreational vehicle cannot exceed 15 feet in height or 36 feet in length.</p>	<p><i>Standard removed.</i></p>
<p>17.39.070.A.3.b Commissioner Daniels commented that the type of fence is not clarified. He requested staff address public comments that indicate a six-foot fence would not adequately screen recreational vehicles.</p>	<p><i>Screening requirement removed.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.070.A.3.b Commissioner Maynard requested clarification with regard to whether a six-foot fence would make a difference.</p>	<p><i>See response above.</i></p>
<p>17.39.070 RV Parking & Storage Chair Onnen requested staff consider emergency response access and contact the Fire Department</p>	<p><i>No change made. A jurisdictions allowances for RV parking is not typically considered in an emergency response plan.</i></p>
<p>17.39.070 RV Parking & Storage Bullet #1 Allow RV parking/storage in any yard area Chair Onnen commented, for reference as a starting point, that by practice RV vehicles have been parked in the side and front yard setback area within the community but it is not a permitted use or “by right” allowance that is in the current Zoning Code. Commissioner Fuller recommended that the RV or boat should not be parked parallel with the front of the house. Commissioner Maynard supported Commissioner Fuller’s recommendation that the RV or boat should not be parked parallel with the front of the house as long as it does not prohibit parallel parking in front of the house on the street with a temporary permit. Vice Chair Jenkins commented that there are many houses with side-entry garages. He noted that he is fine with the bullet. Commissioner Daniels supported Bullet #1.</p>	<p><i>Change made to allow them to be parked in any setback.</i></p>
<p>17.39.070 RV Parking & Storage Bullet #2 Prohibit RV overhang on property line or public right-of-way Commissioner Daniels supported Bullet #2. Vice Chair Jenkins noted that he has no problem with Bullet #2. Chair Onnen noted that he has no objection to Bullet #2.</p>	<p><i>Clause added to prohibit trailers projecting in to the right-of-way.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.070 RV Parking & Storage Bullet #3 Require current RV registration Vice Chair Jenkins questioned whether the requirement for current RV registration accomplishes the intent. Commissioner Fuller commented with regard to requiring operable registration as opposed to storage registration. Chair Onnen expressed concern whether the requirement for registration accomplishes the intent of addressing the operating condition of the RV. He noted that abandoned vehicles become an eyesore. Commissioner Maynard supported requiring a current registration for operable use, noting that it does not perfectly fit the situation but it is enforceable. Commissioner Daniels supported Bullet #3.</p>	<p><i>Clause added requiring current year's registration.</i></p>
<p>17.39.070 RV Parking & Storage Bullet #4 Prohibit use of any RV for onsite living purposes Vice Chair Jenkins supported allowing onsite living purposes from the standpoint of an emergency situation, and also when a home is being remodeled. Commissioner Daniels agreed with allowing living purposes in emergency situations. Commissioner Maynard commented that a visitor should be able to stay for a short period of time. She recommended adding language prohibiting the use of any RV for full time onsite living purposes, and also language that RVs should not be rented onsite. She noted that an RV would have amenities for use when traveling, and questioned whether the language would be prohibitive. Commissioner Daniels recommended adding language "except for when..." with regard to prohibiting use of any RV for onsite living purposes. Commissioner Fuller spoke in favor of highly restrictive language with regard to onsite living purposes. Chair Onnen agreed that the language should identify restrictions.</p>	<p><i>Clause added requiring no living in RV or trailer.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.070 RV Parking & Storage Bullet #5 Requirements for parking RVs Vice Chair Jenkins recommended that the language be changed to “Require RVs to be parked on approved surface or on appropriate surface”. Commissioner Maynard recommended a direct reference to the section that delineates the appropriate surfaces. Commissioner Maynard supported allowing access to parking pads that are separate from the main driveway. Vice Chair Jenkins noted that curb cuts would reduce street parking. Also, he noted there are some situations where a homeowner has an RV parked on a surface that can support the weight of the vehicle and on rare occasions drives the RV over the lawn and curb to get to the street which is a solution. Vice Chair Jenkins recommended including a diagram showing where RVs could be parked on a lot. He commented that vehicles should not be parked side by side on adjacent side yards. Commissioner Daniels agreed with Vice Chair Jenkins’ recommendation to include a diagram. Commissioner Fuller suggested changing the language from “approved” to “meeting current zoning requirements” so the owner will need to meet the requirements if a permit is not required. Chair Onnen noted that there are ways to address stormwater runoff and permeability in other sections of the code.</p>	<p><i>RVs and Trailers not must be on a paved or gravel surface. And accessed via a City-approved driveway approach.</i></p>
<p>17.39.070 RV Parking & Storage Bullet #6 Remove RV size limitations and screening requirements Vice Chair Jenkins agreed with Bullet #6. Commissioner Daniels agreed with Bullet #6 Commissioner Fuller agreed with Bullet #6 Commissioner Maynard agreed with Bullet #6. Chair Onnen had no comment regarding Bullet #6.</p>	<p><i>RV and Trailer size limit and screening requirements removed.</i></p>
<p>17.39.070 RV Parking & Storage Bullet #7 (recommended by Commissioner Maynard) Commissioner Maynard suggested considering adding language that the RV should not have litter surrounding it (as opposed to a trash bin).</p>	<p><i>No change made.</i></p>

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Planning Commission (PC) Comments	Staff Response
<p>17.39.070.C.1.b Vice Chair Jenkins questioned whether off-site parking for non-residential uses has been 500 feet in the past rather than 400 feet.</p>	<p><i>Yes. Standard changed to 500 feet to reflect existing regulation.</i></p>
<p>17.39.080 Commissioner Daniels questioned whether Bicycle Parking requirements are appropriate to include in the Zoning Ordinance.</p>	<p><i>Bicycle parking requirements consistent with General Plan policy and the Bicycle and Pedestrian Master Plan.</i></p>
<p>Commissioner Maynard supported including the Bicycle Parking section.</p>	<p><i>See response above.</i></p>
<p>17.39.080.A Commissioner Fuller supported the short-term bicycle parking.</p>	<p><i>No response required.</i></p>
<p>17.39.080.A.1.b Commissioner Maynard requested clarification why there is an exception for parking space requirements for cemeteries and community gardens. Possibly consider removing the exception.</p>	<p><i>Exceptions removed.</i></p>
<p>Commissioner Maynard supported the recommendation from the Design Review board to add required parking spaces at bus stops.</p>	<p><i>Not included. Not typically a part of development projects.</i></p>
<p>17.39.080.A.2 Commissioner Maynard commented that the requirement for short-term bicycle parking should be determined based on the size of the sidewalk if the intent is that there is adequate sidewalk space. She suggested the language in 17.39.080.A.2.b with regard to the Old Town District could be extended outside of the Old Town District.</p>	<p><i>No change made. Provision not extended beyond Old Town as this allowance in Old Town is meant to reflect the specific site constraints there.</i></p>
<p>Chair Onnen questioned whether the location requirement for short-term bicycle parking within 50 feet of a main entrance is the best suited spot and if that restriction should be maintained.</p>	<p><i>Standard extended to 100 feet.</i></p>
<p>17.39.080.B Commissioner Maynard encouraged consideration to adding a requirement for large employers to provide for showering for commuting bicyclists in the appropriate section</p>	<p><i>This will get addressed with larger projects as part of discretionary approval as appropriate.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.39.080.B.1.a Commissioner Fuller recommended that at least one long-term bicycle parking space per unit would be appropriate at least for multiple-unit residential and group residential projects.</p>	<p><i>Standard changed to require one space per unit.</i></p>
<p>Commissioner Maynard supported increasing the ratio to a one to one ratio for long-term bicycle parking spaces per unit.</p>	<p><i>See response above.</i></p>
<p>17.39.080.B.1.b Commissioner Fuller suggested that the long-term bicycle parking for other uses should be at a ratio of one space per 5 vehicle spaces or one space per 10 vehicle spaces.</p>	<p><i>Standard changed to 1 per 10 vehicle spaces.</i></p>
<p>17.39.080.B.1.c Commissioner Fuller commented in his opinion a reasonable amount of long-term bicycle parking would be a ratio of one space per 5 vehicle spaces or one space per 10 vehicle spaces for public or private use.</p>	<p><i>Standard changed to 1 per 10 vehicle spaces.</i></p>
<p>Commissioner Maynard supported increasing the ratio for long-term bicycle parking.</p>	<p><i>See response above.</i></p>
<p>17.39.080.B.2 Vice Chair Jenkins requested the definition of “surface lot”.</p>	<p><i>Changed to “parking lot.”</i></p>
<p>17.39.080.B.3 Commissioner Maynard encouraged increasing the requirement to 100 percent for covered spaces in residential areas, particularly multi-use. She noted that 50 percent covered is more appropriate for commercial uses.</p>	<p><i>No change. Fifty percent already a significant amount given the revisions discussed above.</i></p>
<p>Vice Chair Jenkins commented that 100 percent for covered spaces for bicycle parking would be excessive and he noted that the structure would be a visual impact.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen commented that the requirement for 50 percent covered spaces for long-term bicycle parking seems excessive.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen commented that there are a lot of additional requirements for parking in the Zoning Ordinance in addition to bicycle parking requirements.</p>	<p><i>See response above.</i></p>
<p>17.39.080.B.5 Commissioner Maynard agreed with the recommendation from the Design Review Board to allow for high-density bicycle racks with less than a two-foot width.</p>	<p><i>No change made.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.39.100 Commissioner Daniels commented that this section refers to design standards for parking lots.</p>	<p><i>Significant revisions made to remove several elements of design.</i></p>
<p>Commissioner Maynard suggested more requirements for pedestrian walkways through parking areas.</p>	<p><i>Not addressed in the updated document. These site design features will be addressed through DRB and discretionary review.</i></p>
<p>Vice Chair Jenkins commented that he believes the input from the Design Review Board with regard to parking and loading is excellent</p>	<p><i>No response required.</i></p>
<p>17.39.100.A.2 Commissioner Maynard requested clarification that the vehicle overhang requirement meets sidewalk accessibility guidelines.</p>	<p><i>No change made. Even if allowed, ADA requirements would still need to be met.</i></p>
<p>17.39.100.F Commissioner Maynard requested consideration for requirements for other large employers with regard to Carpool and Vanpool Parking.</p>	<p><i>Section removed as this is an infrequently used parking type.</i></p>
<p>Chair Onnen expressed concern with designating and reserving carpool and vanpool parking because the general parking is reduced and suggested carpool and vanpool parking can otherwise be accommodated.</p>	<p><i>See response above.</i></p>
<p>17.39.100.J Commissioner Fuller commented that Electric Vehicle Charging Stations may need to be revisited in the future, noting that there may be more of a demand.</p>	<p><i>This issue will be discussed with the Planning Commission.</i></p>
<p>Commissioner Maynard questioned what percentage of the building needed to be offices with regard to Electric Vehicle Charging Stations, and suggested expanding offices and possibly considering the number of employees.</p>	<p><i>No change at this point, but this topic will be discussed further.</i></p>
<p>Chair Onnen questioned whether the Electric Vehicle Charging Requirements are appropriate.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.39.100.H.3 Commissioner Maynard suggested more flexibility with the requirement of at least 20 feet in depth for driveway length.</p>	<p><i>No change. Intent is to provide parking in driveway without encroaching in to setback.</i></p>
<p>17.39.100.H.4.d Vice Chair Jenkins commented that the maximum driveway widths for nonresidential uses appear to be excessive.</p>	<p><i>No change. Design may be for less as this serves only as a maximum.</i></p>
<p>17.39.100.K.2 Commissioner Fuller suggested considering permeable paving for larger amounts of paving in general.</p>	<p><i>No change. May be looked at for larger projects through discretionary review and to address stormwater management.</i></p>
<p>Commissioner Maynard suggested requiring permeable paving for large lots.</p>	<p><i>See response above.</i></p>
<p>17.39.100.K.3 Vice Chair Jenkins commented that the requirement for Turf Grids/Grassy Pavers may not be appropriate with regard to the drought concerns.</p>	<p><i>Gravel added as an option.</i></p>
<p>17.39.100.M Commissioner Fuller suggested considering increasing the use of reflective and light-colored materials to reduce the heat island effect.</p>	<p><i>No change. Light-colored materials referenced.</i></p>
<p>Chair Onnen requested clarification regarding how heat island reduction can be accomplished and noted that 50 percent of the areas not landscaped is a significant requirement in parking areas.</p>	<p><i>The requirement is significant. However, this standard supports more landscaping with canopies. Additionally, the shading allowance further supports the development of parking lot solar as a form of shading.</i></p>
<p>Commissioner Maynard supported the current language with regard to Heat Island Reduction.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.39.100.O.2 Chair Onnen questioned whether there should be a differential by district with regard to the requirement that a minimum of 10 percent of any parking lot must be landscaped. He noted, for example, in industrial uses it may make the parking lot unusable.</p>	<p><i>No change. Issue to address is stormwater, aesthetics, heat island. These issues apply broadly.</i></p>
<p>Commissioner Maynard would consider exploring a differential by district as long as environmental impact issues are considered with regard to parking lots with no landscaping such as the heat island effect, stormwater management, and increased permeability.</p>	<p><i>See response above.</i></p>
<p>17.39.100.O.6 Commissioner Maynard suggested flexibility and focusing on the goals of the amount of parking lot landscaping.</p>	<p><i>Section removed. Allows more flexibility in design.</i></p>
<p>17.39.100.O.6.b Vice Chair Jenkins questioned how measurements are made to face of the curb.</p>	<p><i>See response above.</i></p>
<p>17.39.100.O.6.e Vice Chair Jenkins commented that a diagram would be very helpful with regard to landscape islands.</p>	<p><i>See response above.</i></p>
<p>17.39.100.O.6.f Chair Onnen requested clarification regarding covered parking canopy requirements.</p>	<p><i>See response above.</i></p>
<p>17.39.100.O.7.c Commissioner Maynard commented with regard to questioning when are sidewalks required regarding medians with sidewalks.</p>	<p><i>See response above.</i></p>
<p>17.39.100.Q Commissioner Maynard requested, particularly for large parking lots, that routes from any bike paths that come up to the property continue through parking lots to the bicycle parking, and include consideration regarding sidewalk requirements.</p>	<p><i>Section simplified some. Will get reviewed during discretionary review.</i></p>
<p>Chapter 17.40 – Performance Standards</p>	
<p>17.40.070.B Commissioner Maynard supported keeping the language as is.</p>	<p><i>Section rewritten to be more comprehensive with respect to responsible parties.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chair Onnen expressed concern with the language. He commented that the focus should be on remedy rather than necessarily making the party responsible as the only one that can allow the land to become usable.	<i>Language revised to require “financial responsibility has been accepted”.</i>
<p>17.40.070.C.2 Vice Chair Jenkins recommended adding “when feasible” from the standpoint that a lot configuration might not allow for locating hazardous materials or wastes within 50 feet of a property line.</p>	<i>No change. Intent is to ensure safety of use of adjacent parcel even if challenging for site with hazardous materials.</i>
Member Maynard recommended adding “or with an Administrative Use Permit” which she prefers rather than “when feasible”.	<i>See response above.</i>
Chair Onnen recommended that there needs to be some kind of adjustment to the requirement because it is not realistic with regard to the sizes of the lots.	<i>See response above.</i>
<p>17.40.070.C.3.a Vice Chair Jenkins requested clarification of who would be doing the testing, and if it would need to be by someone certified. Also include any test standards that would need to be abided by.</p>	<i>Contaminated Land regulations substantially revised. Process included for site testing and potential Soil Management and Testing Plan. Testing done by experts hired by developer.</i>
<p>17.40.080.B.2 Vice Chair Jenkins questioned the point of the requirement and why the maximum noise level would be reduced.</p>	<i>Standard included to address particularly noticeable and irritating noise.</i>
Commissioner Maynard commented that she has similar concerns as Vice Chair Jenkins. She believes the noise level should be matched to what the sound is in the area and should not have a special exception that reduces it by five decibels.	<i>See response above.</i>
<p>17.40.080.D Acoustical Study Vice Chair Jenkins questioned who would be doing the study and if it would be by a certified analyst. Also, include the standards of that study.</p>	<i>Acoustical study done by expert hired by developer. No change in details made.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.40.080.G.4 Religious Institutions and Other Similar Organizations Commissioner Maynard commented that she believes that religious groups should be able to sing and worship after 10:00 p.m. The language needs to be reworked because it would prohibit an unamplified bell choir. She understands the intent with regard to clock towers. Also, she noted that one minute seems somewhat restrictive.</p>	<p><i>Section removed. Noise may be increased consistent with standards for short duration noise.</i></p>
<p>17.41 Signs Slide #2: Chapter 17.41 Signs – Electronic Changeable Copy – Section 17.41.060(H)(1) Commissioner Fuller questioned why regulations would not apply for LED signs and requested staff review 17.41.040.A. Commissioner Maynard commented that her preference would be to only allow electronic changeable copy signs in commercial zones. Chair Onnen commented that it would be useful for schools in residential areas to be able to communicate information on an ongoing basis. Chair Onnen commented that he is concerned with the impacts being discussed. Vice Chair Jenkins can support increasing the display duration to 8 seconds if the luminaries are not going to spill over into the homes and create a nuisance. Commissioner Fuller commented that there should be restrictions with regard to a certain distance from a residential area for signs that emanate illumination. Commissioner Maynard suggested comparing situations where the lighting is directed towards the sign with the cabinet and canned signs that have been grandfathered. Commissioner Maynard supported restricting electronic changeable copy signs in scenic corridors and restrictions in operating hours. Commissioner Maynard requested that consideration be given to the variance between the appropriate amount of light during the day vs. appropriate amount at night, and the ability to automatically have it changed from day to night. Commissioner Maynard supported language for setbacks from neighboring properties to make sure there is no spillover. Commissioner Daniels supported the role of the DRB with regard to reviewing signs.</p>	<p><i>Electronic Changeable Copy standards significantly revised. Prohibited in residential districts. Maximum height and area reduced. The display duration increased to effectively 12 hours. Requirement added for a Major Conditional Use Permit.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.41 – Signs	
<p>Chapter 17.41 Signs Slide #3: Chapter 17.41 Signs – Nonconforming Signs – Section 17.41.120 No specific recommendations from the Planning Commissioners. Commissioner Fuller commented that there may not be that many instances where signs may be required to be brought up to conformance in this section.</p>	<i>No response required.</i>
<p>17.41.010 Vice Chair Jenkins questioned whether there is any content review concerning vulgarity or pornography that may show up on signs.</p>	<i>No change made. Protection of free speech is a Constitutional principle. Appropriateness of language is determined on a case by case basis in consultation with the City Attorney’s Office and in consideration of case law.</i>
<p>17.41.030.F Commissioner Maynard supported increasing the number of off-site directional signs for open houses to six signs.</p>	<i>Limit of three changed to 6 if two or more lots, premises, dwellings or structures are part of the open house.</i>
<p>17.41.030.H, 17.41.010.I Commissioner Daniels questioned whether the reference to flags of a governmental entity and the reference to government signs refer to the same thing.</p>	<i>Government reference in flag section removed.</i>
<p>Vice Chair Jenkins requested that this section is sensitive to the Chamber of Commerce flag program.</p>	<i>See response above. Flag regulations now content neutral.</i>
<p>17.41.030.H.2 Commissioner Fuller commented that it looks like a site in a commercial district where the flag pole is 5 feet from the property line would be limited to a 7-foot flag pole.</p>	<i>That is correct. Flags poles may be larger the further it is from the lot line.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.41.030.K Commissioner Maynard commented that the Interior Signs language seems to restrict some signs from being visible from public streets. She noted there are some interior areas where businesses are set back, especially in Old Town.</p>	<p><i>These signs would not be prohibited, they just would need to count towards the overall sign allowance.</i></p>
<p>17.41.030.L Commissioner Fuller pointed out that Historical Plaques seems to be covered in <u>17.41.030.C</u> Commemorative Signs.</p>	<p><i>Two types of signs combined.</i></p>
<p>17.41.030.O Commissioner Maynard requested that a section be added with regard to drive-throughs in Menu Displays.</p>	<p><i>Not included. Drive-throughs require CUPs and would be assessed through that process.</i></p>
<p>17.41.030.P Commissioner Fuller would not support push carts having signs, noting he would not support push carts.</p>	<p><i>No change. Push carts not specifically called out. Figure with a push cart removed.</i></p>
<p>17.41.030.Q Commissioner Maynard commented that there are window murals in Old Town and requested clarification with regard to where the language would be addressed in Murals and/or Window Signs.</p>	<p><i>Murals without commercial content not regulated in Signs Chapter. Murals with commercial content are included in overall signage.</i></p>
<p>Chair Onnen questioned whether it is appropriate for murals to be exempt as signs.</p>	<p><i>See response above.</i></p>
<p>Vice Chair Jenkins commented that he believes murals should be reviewed and not be totally exempted.</p>	<p><i>May be done through a different process outside of zoning in the future.</i></p>
<p>Commissioner Daniels noted that it would be in the eye of the beholder with regard to murals functioning as advertising.</p>	<p><i>No response required.</i></p>
<p>Commissioner Maynard suggested considering the Design Review Board as a consultation group with regard to murals until maybe an Arts Commission could be created later.</p>	<p><i>This could be considered in the future, but not codified in the NZO.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.41.030.R Commissioner Maynard commented if a newspaper stand is a stand-alone newspaper stand it seems it should be more similar to the mobile vendor signs. Whereas, she would support the smaller size newspaper stand if it were in front of, or part of, a business or restaurant.</p>	<p><i>Newspaper stands removed as these are not particularly common and will become less common over time.</i></p>
<p>17.41.030.S.3.b Chair Onnen noted that he appreciates that this section accommodates larger freestanding real estate signs for non-residential zones which are typical in the area.</p>	<p><i>No response required.</i></p>
<p>17.41.030.S.4 Commissioner Fuller commented that a large non-residential real estate sign at seven feet would be directly in peoples' line of sight and if it was higher up it would be out of a pedestrian's view.</p>	<p><i>Standard changed to 12 feet.</i></p>
<p>17.41.030.V Commissioner Fuller commented that there may be sponsorship for other activities besides sports activities and recommended removing "sports". He suggested 6 months might be long enough to advertise a sponsor of a public event.</p>	<p><i>Sports changed to activities. Time before event changed to three months.</i></p>
<p>Commissioner Maynard commented that one year seems long for displaying sponsorship signs for the types of sporting events in Goleta. She suggested thirty or sixty days. She suggested separating between ongoing activities vs. events.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen commented that consideration could be given to how the sponsorship signs are used. He noted one example of a sponsorship sign is when an organization, particularly youth sports, will sell a sponsorship to businesses and often the sponsorship sign will remain on the field during the season.</p>	<p><i>See response above.</i></p>
<p>Commissioner Maynard suggested separating between ongoing activities vs. events to address the example made by Chair Onnen. She would not be in favor of a large number of sponsorship signs circling Girsh Park.</p>	<p><i>See response above.</i></p>
<p>17.41.030.X Commissioner Fuller recommended adding the word "all" in front of "such exempt signage" in the last sentence with regard to vehicle and vessel insignia for clarification</p>	<p><i>Entire sentence removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.41.030.Y Commissioner Maynard commented that it may be helpful to have separate guidelines for Old Town Goleta for window signs. For example, with regard to the maximum 10 percent coverage requirement, in Old Town there are a lot of window signs that fill most of the windows and she is concerned it would be an onerous issue for small Old Town businesses that were not designed for good signage from the start. She commented that she is not sure about moving that far away from current practice. She understands it would not trigger an immediate change for existing owners.</p>	<p><i>Exemption for non-residential window signs removed. This type of sign could cause a significant exceedance of allowed signage based on street frontage.</i></p>
<p>Commissioner Fuller commented that he would support compliance with the Zoning Ordinance with regard to window signs and noted it would improve the looks of Old Town Goleta in his opinion. He noted window signs could be easily removed and are not a large financial investment.</p>	<p><i>See response above.</i></p>
<p>17.41.030.Y.1 Commissioner Maynard commented that she believes an 18" x 24" sign not exceeding three square feet would be appropriate for window signs placed inside a window in a residential zone. She noted that election signs are typically 18" x 24" in size.</p>	<p><i>No response required.</i></p>
<p>17.41.030.Z Commissioner Maynard commented that she would prefer changing the beginning of the period of time before an election that a temporary sign may be displayed to 90 days instead of 60 days. She noted 90 days is recommended by the Design Review Board.</p>	<p><i>Language of exemption changed. Sixty-day standard kept in.</i></p>
<p>17.41.030.AA Commissioner Maynard suggested that 12 square feet in area would be more appropriate for protected non-commercial political and free speech signs on non-residential uses rather than 25 square feet in area. She noted 12 square feet was recommended by the Design Review Board.</p>	<p><i>Language of exemption changed. No change in standard made.</i></p>
<p>17.41.040 Vice Chair Jenkins questioned whether there is prohibition of pole signs in this chapter.</p>	<p><i>Pole sign prohibition added.</i></p>
<p>17.41.040.A Commissioner Fuller pointed out that there is language in <u>17.41.040.A</u> with regard to prohibiting animated and moving signs. He noted concerns expressed by the public with regard to electronic changeable copy signs.</p>	<p><i>Specific regulation of electronic changeable copy addressed elsewhere.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chair Onnen commented that <u>17.41.040.A</u> addresses signs that are animated and he questioned whether it addresses a sign that has changeable copy. He noted that he has seen some electronic changeable copy signs tastefully done in many situations and it can be a helpful tool.	<i>See response above.</i>
Commissioner Maynard suggested adding language with regard to LED signs that would prohibit other moving effects and dynamic frame effects or patterns of illusory movement or simulated effect movement because it would make <u>17.41.040.A</u> more robust if it referred to electronic copy signs.	<i>See response above.</i>
Commissioner Fuller suggested adding language that would clarify that signs such as LED signs are permitted but are still subject to the regulations in the first sentence.	<i>No change. Type of sign depends on how LEDs are used. Exceptions to prohibitions not listed.</i>
<p>17.41.040.B</p> <p>Commissioner Maynard commented banners are common and should be acceptable as temporary signs. She suggested a note indicating banners are prohibited for long-term use but acceptable for temporary.</p>	<i>Provision added to allow with a Temporary Use Permit.</i>
Vice Chair Jenkins commented that prohibiting banners entirely is not business-friendly. He suggested banners could be included as temporary signs. He questioned why flags are prohibited.	<i>See response above.</i>
<p>17.41.040.C</p> <p>Vice Chair Jenkins commented that there are many cabinet or can signs throughout Goleta and raised the issue regarding nonconforming signs.</p>	<i>No change. The prohibition was added in order to satisfy General Plan policy VH 4.13(f).</i>
Commissioner Daniels commented that he does not understand why cabinet or can signs are prohibited. He noted there are many in Goleta.	<i>See response above.</i>
<p>17.41.040.E</p> <p>Commissioner Fuller noted that <u>17.41.040.E</u> would prohibit lights on trees in Goleta.</p>	<i>Prohibition removed.</i>
Vice Chair Jenkins questioned whether light bulb strings would need to be prohibited. He noted string lighting can be attractive for night dining.	<i>See response above.</i>
Commissioner Daniels commented that string lights are used by restaurants for lighting at night and some are located under umbrellas which are fine.	<i>See response above.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.41.040.F Commissioner Maynard requested clarification if U-Haul vehicle signs at a U-Haul station would count as mobile billboards.</p>	<p><i>It would not. Primary purpose of vehicle is cargo transport.</i></p>
<p>17.41.040.I Vice Chair Jenkins questioned whether garage sale signs would be prohibited in the public right-of-way.</p>	<p><i>Yes. Would be a matter of enforcement.</i></p>
<p>17.41.040.J Vice Chair Jenkins commented that signs have been affixed to trees advising of tree trimming.</p>	<p><i>See response above. Note the definition of "sign" in Part VI.</i></p>
<p>17.41.040.K Commissioner Maynard recommended including "sidewalks" with regard to signs on terrain.</p>	<p><i>Sidewalk added.</i></p>
<p>17.41.040.L Chair Onnen commented that the language prohibiting signs of certain materials seems very broad and should probably be revisited.</p>	<p><i>Section removed.</i></p>
<p>17.41.040.M.2 Commissioner Maynard commented that she believes attached signs that extend above the deck line of a mansard roof should be allowed in Old Town.</p>	<p><i>No change. No special carve-out provided for Old Town.</i></p>
<p>17.41.040.O.5 Chair Onnen questioned whether signs could be located less than five feet from behind a fire hydrant. He noted especially in Old Town some of the fire hydrants are close to businesses.</p>	<p><i>Prohibition removed.</i></p>
<p>17.41.040.O.5 Chair Onnen questioned why you could not have a sign less than five feet behind a fire hydrant, noting that some hydrants are very close to businesses.</p>	<p><i>See response above.</i></p>
<p>17.41.040.P Commissioner Daniels commented that <u>17.41.050.P</u> regarding signs for prohibited uses is confusing.</p>	<p><i>Section removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.41.040.Q Commissioner Maynard commented that A-frame signs should be allowed especially in Old Town if they do not block the four-foot sidewalk area needed for ADA purposes, if the signs are taken away each day by business owners, and the signs follow the guidelines in <u>17.41.040.O</u> regarding traffic hazards and pedestrian safety. She suggested softer language with regard to allowing A-frame signs in the public right-of-way, noting A-frame signs would be important for some of the flag lots, if allowed.</p>	<p><i>Prohibition removed.</i></p>
<p>17.41.050.A Commissioner Daniels commented that architectural compatibility would require Design Review Board review.</p>	<p><i>This section meant to provide some guideposts for review.</i></p>
<p>17.41.050.B Commissioner Fuller commented that the last two sentences with regard to legibility might be discussing the same issue twice.</p>	<p><i>Last sentence deleted.</i></p>
<p>17.41.060.C Commissioner Fuller questioned why all non-commercial speech messages will be deemed to be “on-site”, regardless of location.</p>	<p><i>Meant to clarify that these do not qualify as prohibited off-site business signage.</i></p>
<p>17.41.060.F Commissioner Maynard supported any allowances that can be made for small business owners for signs and requested clarity in the language with regard to when a business may be eligible for an encroachment permit.</p>	<p><i>Public Works exemption language simplified. Encroachment Permits not regulated through this Title, so no additional clarity provided.</i></p>
<p>17.41.060.H Commissioner Maynard requested clarification whether there is case law requiring electronic changeable copy signs to be allowed.</p>	<p><i>We are not aware of case law requiring electronic changeable copy signs to be allowed as a general rule.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Commissioner Maynard requested clarification whether <u>17.41.040.A</u> relates to electronic changeable copy signs. She would support prohibiting activities like moving and dynamic effects. She recommended adding language that electronic copy signs should go dark if they malfunction, that restrictions are increased regarding light intensity making sure the light intensity changes day and night, and that there are auto dimmable controls for night.</p>	<p><i>No change made. Electronic copy signs are limited to two copy changes per day and they are required to be equipped with a device to automatically detect and adapt to ambient light conditions.</i></p>
<p>Vice Chair Jenkins requested reassurance that changeable copy signs would be sensitive to General Plan Policy <u>VH 4.13</u> regarding signs not detracting from views or streetscapes. He questioned whether window signs with flashing lights indicating a business was open would be exempt.</p>	<p><i>Requirement for Major Conditional Use Permit to address individual sign impacts.</i></p>
<p><i>17.41.060.H.1.a</i> Commissioner Fuller suggested that graphics could be subject to design review.</p>	<p><i>No response required.</i></p>
<p><i>17.41.060.H.1.b</i> Commissioner Maynard recommended that electronic changeable copy signs be restricted in residential districts and allowed in commercial districts. She is concerned regarding public and quasi-public uses and would prefer to restrict electronic copy signs by zoning rather than use. The gas station signs could be appropriate in other areas because they are simplistic and she is more concerned about the larger spaces.</p>	<p><i>Restriction added.</i></p>
<p>Commissioner Fuller agreed that electronic changeable copy signs should be restricted in residential districts.</p>	<p><i>See response above.</i></p>
<p>Vice Chair Jenkins agreed that electronic changeable copy signs should be restricted in residential districts.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen commented that requiring at least 400 feet of continuous street frontage for electronic copy is a significant size and would be a factor that would be limiting with regard to finding suitable locations.</p>	<p><i>No change. Intent is to limit impacts to adjacent parcels.</i></p>
<p><i>17.41.060.H.1.f</i> Commissioner Maynard recommended eight seconds instead of four seconds for display duration, noting she researched several cities' regulations and found that eight seconds seems fairly common.</p>	<p><i>Display changes now only allowed twice per day.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Commissioner Fuller supported increasing the display duration to 15 or 30 seconds if the amount of time will be changed. He noted it could reduce the distraction of having a sign change and also reduce the amount of information that is changing.</p>	<p><i>See response above.</i></p>
<p>17.41.060.H.1.g Commissioner Maynard expressed concern that 500 FT-L illumination intensity seems very bright.</p>	<p><i>Standard removed. Impacts analyzed through discretionary review.</i></p>
<p>17.41.060.H.2 Commissioner Daniels commented that churches change non-electronic copy regularly.</p>	<p><i>No response required.</i></p>
<p>17.41.060.K.1 Commissioner Maynard requested clarity with regard to how illumination intensity would be enforced because the language is vague.</p>	<p><i>No change. DRB may consider lumen intensity during OSP or individual sign review. Design Guidelines may be developed to address this issue in the future.</i></p>
<p>17.41.060.K.2 Commissioner Fuller suggested changing the language in the last sentence to indicate unshielded light bulbs, whether fluorescent light bulbs or LED or any kind of light bulb that is unshielded, are prohibited for clarification.</p>	<p><i>Section revised to reference all light bulbs.</i></p>
<p>17.41.060.K.4 Commissioner Fuller requested clarification regarding how illumination of signs will be controlled by a rheostat or other acceptable method to reduce glare, including under what circumstances and what conditions, and identifying a goal.</p>	<p><i>Section removed.</i></p>
<p>17.41.060.K.5 Commissioner Maynard requested specific language indicating broadly to meet dark sky requirements</p>	<p><i>No change. Cross-reference adequately addresses expectation.</i></p>
<p>17.41.060.L Commissioner Maynard suggested being specific about a specific time rather than “time specified”.</p>	<p><i>No change. May vary on a case-by-case basis. Enforcement notice will provide clear timeline for compliance.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Table 17.41.070(A) Commissioner Maynard requested that more consideration be given to ways that a flag lot and back lot can be signed in order to be seen from the street.</p>	<p><i>Provision for flag lots added.</i></p>
<p>Commissioner Maynard requested that projecting and freestanding sign types be allowed in Old Town and more flexibility on the signs in that area.</p>	<p><i>Change made to allow projecting signs in C-OT. No change to allow freestanding signs. Freestanding signs do not fit with required street frontage requirements and setback standards for C-OT.</i></p>
<p>17.41.080.A.4 Commissioner Maynard questioned whether farmers could place a logo on the copy, noting that it would be odd to restrict</p>	<p><i>Requirement removed.</i></p>
<p>17.41.090.A.4 Vice Chair Jenkins requested clarification whether the maximum size of five square feet is for one side or both sides of an a-frame sign.</p>	<p><i>See rules for measuring sign area.</i></p>
<p>Commissioner Maynard suggested that the maximum size of an a-frame sign could be six square feet and the maximum height could be four feet. She noted that three feet is low and hard to read.</p>	<p><i>Both changes made.</i></p>
<p>17.41.090.C Chair Onnen supported monument signs being treated as freestanding signs and not subject to a land use process.</p>	<p><i>Structure supporting monument sign may require permitting.</i></p>
<p>17.41.090.C.1 Vice Chair Jenkins commented that pole signs probably conflict with General Plan Policy <u>VH 1.4</u> with regard to minimizing structural intrusion into the skyline.</p>	<p><i>Pole sign prohibition added and reference here to pole signs removed.</i></p>
<p>Commissioner Maynard agreed that pole signs conflict with General Plan Policy <u>VH 1.4</u>.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Chair Onnen commented that he is concerned with regard to signage that is mounted to point towards the freeway and questioned where it is addressed.</p>	<p><i>Permanent outdoor signs displaying off-site businesses prohibited. Freestanding signs now limited in height to four feet with allowance only up to 6 feet under an Overall Sign Plan.</i></p>
<p>17.41.090.C.5 Chair Onnen questioned whether requiring all freestanding signs to have landscaping at the base equivalent to two times the area of the sign copy is appropriate. He noted some of the small freestanding signs may be mounted in relatively hardscape.</p>	<p><i>No change. Intent is to improve aesthetics associated with this type of sign.</i></p>
<p>17.41.110 Chair Onnen commented in general that he does not see a process for ministerial approval of individual signs that are not part of a Master Sign Program, which is an ongoing concern for merchants.</p>	<p><i>Procedures clarified. Signs not part of an Overall Sign Plan require Zoning Clearances and DRB.</i></p>
<p>17.41.110.B.1 Commissioner Maynard recommended adding language regarding relationship to the right-of-way with regard to required submittals.</p>	<p><i>Submittal requirements removed as this will be provided in uncodified handouts.</i></p>
<p>17.41.110.B.4 Commissioner Maynard recommended adding language regarding the mode of attachment for signs and the number of signs on the same site.</p>	<p><i>See response above.</i></p>
<p>17.41.110.C.1 Commissioner Maynard commented that <u>17.41.110.C.1</u> refers only to Master Sign Programs.</p>	<p><i>Procedures clarified. Signs not part of an Overall Sign Plan require Zoning Clearances and DRB.</i></p>
<p>17.41.110.C.2 Commissioner Maynard supported Design Review Board review if an individual sign submitted is a variance or is not compliant with the applicable Sign Program then it should go to the Design Review Board, and that this is clarified in the language.</p>	<p><i>No response required.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.41.110.D Commissioner Maynard recommended that required findings for a new Master Sign Program or amendment should include that there are no other existing violations on the property.</p>	<p><i>No change made. Concern that such a finding would create extensive site review by the City and prevent OSP applications.</i></p>
<p>17.41.110.D.5 Commissioner Maynard recommended modifications should be reviewed by the Design Review Board.</p>	<p><i>Review Authority changed to DRB, so they will review and make the findings.</i></p>
<p>17.41.120 Vice Chair Jenkins questioned whether there needs to be language with regard to enforcement in the nonconforming signs section.</p>	<p><i>Enforcement Chapter governs.</i></p>
<p>Commissioner Fuller suggested that any change of business name for a new business should trigger a nonconforming sign being brought into conformance.</p>	<p><i>No change made. Sign regulations must be content-neutral. As such, simply a change of sign copy from one business to another is not an appropriate threshold for the City to require a nonconforming sign to be brought up to conformance.</i></p>
<p>Commissioner Maynard agreed if there is a change of business a nonconforming sign should be changed and brought into conformance.</p>	<p><i>See response above.</i></p>
<p>17.41.120.C.1 Commissioner Maynard recommended changing “50 percent” to “75 percent” and changing “within 60 days” to “within 90 days”. She noted public comment requested more time to receive insurance funding. She recommended adding the language “if alterations are made that exceed 75 percent of the replacement cost of the sign, it should lose its nonconforming status”. Also add language “if there is an alteration to the associated business, for example, the renovation is exceeding 75 percent of the value, even if the renovation does not necessarily include the sign, or if there is an onsite construction improvement that exceeds \$50,000, the sign should be updated”.</p>	<p><i>50 percent standard kept, time period extended to 90 days.</i></p>
<p>Chair Onnen commented that he would not support changing “50 percent” in <u>17.41.120.C.1</u>.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.42 – Standards for Specific Uses and Activities	
<p>17.42.030 Vice Chair Jenkins requested clarification with regard to the term “each district” in the second sentence, first paragraph.</p>	<p><i>This is a reference to the uses allowed in Part II.</i></p>
<p>17.42.030.B.4 Vice Chair Jenkins suggested adding “restaurants” to the list of exceptions to the prohibited uses that include hotels, resorts, and gold courses.</p>	<p><i>Revision made.</i></p>
<p>17.42.040 Commissioner Maynard questioned whether art galleries were fully considered because art galleries sometimes display suggestive material and wanted to make sure it was not too restricted.</p>	<p><i>See use classification definition in Part VI. Adult stores if majority of floor area devoted to specified sexual activities or specified anatomical areas.</i></p>
<p>17.42.040.C Commissioner Daniels questioned whether the 1,000 foot minimum required distance for location of adult-oriented businesses is appropriate.</p>	<p><i>Some reductions down to 600 feet made. Otherwise 1000-foot buffer maintained.</i></p>
<p>Vice Chair Jenkins supported the 1,000 foot minimum required distance for location of adult-oriented businesses.</p>	<p><i>See response above.</i></p>
<p>17.42.040.C.1 Vice Chair Jenkins recommended adding “per” after “located” for clarity.</p>	<p><i>Revisions made to clarify.</i></p>
<p>17.42.040.C.1 Commissioner Maynard suggested consideration be given to changing the language regarding the location of adult-oriented businesses to indicate the minimum distances for education institutions would apply to grades in high school and below, and consider whether the distance requirement would apply to colleges, universities, graduate education programs, and schools with older students.</p>	<p><i>Language added to clarify that the buffer applies to primary and secondary education.</i></p>
<p>17.42.040.D.3 Commissioner Maynard questioned why the language regarding litter is so specific for adult-oriented businesses.</p>	<p><i>Language specific to this use removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Vice Chair Jenkins supported the language with regard to litter.	<i>See response above.</i>
Commissioner Maynard agreed with Vice Chair Jenkins comment after he clarified why the language regarding litter is so specific for adult-oriented businesses.	<i>See response above.</i>
<p>17.42.050.A Chair Onnen questioned whether animals are allowed in districts other than residential.</p>	<p><i>Yes, if there is a residence. Otherwise not allowed. This is reflected in the tables in Part II. Wherever any type of residential use is allowed, Animal Keeping is allowed.</i></p>
<p>17.42.050.B Commissioner Fuller noted a total of four household pets would be permitted and changed from three dogs and additional household animals.</p>	<p><i>Changes made to better mirror existing standards.</i></p>
<p>17.42.050.C.1 Vice Chair Jenkins commented that large animals should be considered with regard to zoning and not just the size of the lot. He also suggested possibly considering a larger area for keeping a horse, possibly one acre.</p>	<p><i>Greater restrictions added for residential districts (no large animals except horses).</i></p>
<p>Chair Onnen noted that the same language in 17.42.050.C.1 with regard to 20,000 square feet of lot area is reversed in 17.42.050.D, and suggested consistency.</p>	<p><i>Stable and barn standards removed. Allows more flexibility on agricultural parcels.</i></p>
<p>17.42.050.C.2 Commissioner Daniels commented that the language is not detailed with regard to birds. He suggested language be included with regard to peacocks and the potential for noise.</p>	<p><i>Peacocks added to prohibited group.</i></p>
<p>17.42.050.C.2.b Commissioner Maynard suggested more clear guidelines in 17.42.050.C.2.b similar to those found in 17.42.050.G, Odor and Vector Control.</p>	<p><i>No change made. Allows flexibility for the determination in consultation with County Health.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.050.E Commissioner Maynard commented that there is a double negative in the language.</p>	<p><i>Section removed. Litters addressed in household pets section.</i></p>
<p>17.42.050.F Commissioner Maynard requested that staff check with animal rescue groups that are allowed to keep certain animals for consideration.</p>	<p><i>No change made. The types of animals and any associated rescue center not a good fit in more developed areas like those within the City.</i></p>
<p>Chair Onnen commented that he supports the prohibition of roosters and he was relieved to understand that roosters are not needed to have eggs.</p>	<p><i>No response required.</i></p>
<p>17.42.060.E Chair Onnen expressed concern that some sites will not be able to accommodate car haulers with regard to vehicle loading and unloading.</p>	<p><i>Specific standards for Automobile/Vehicle Sales and Leasing removed as unnecessary.</i></p>
<p>17.42.070.B; 17.42.070.E Commissioner Maynard suggested for consideration that the orientation of bay doors could be more flexible in 17.42.070.B if the language from 17.42.070.E in the last sentence is added to 17.42.070.B that indicates screen walls are not required when the site is located in an Industrial District that abuts a non-arterial street.</p>	<p><i>Standard removed as too design focused.</i></p>
<p>17.42.070.B Vice Chair Jenkins believes that the requirement for orientation of bay doors is impractical.</p>	<p><i>See response above.</i></p>
<p>Commissioner Daniels agreed with Vice Chair Jenkins that the requirement is impractical. He noted there would be many nonconforming bay doors.</p>	<p><i>See response above.</i></p>
<p>17.42.070.H Commissioner Maynard questioned if a week is enough time to store a vehicle that is actively being worked on. She clarified that her concern is that an automobile being repaired could be parked outside while actively working on other vehicles inside, for example while waiting for a part.</p>	<p><i>Standard removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.070.I Chair Onnen commented that he does not understand the need for enclosure in a masonry or similar building if the sound goals can be achieved with different materials being used with regard to body and fender work.</p>	<p><i>Standard removed.</i></p>
<p>17.42.090.E Commissioner Maynard commented that she believes the Noise section does address the issues of concern in terms of compatibility and she recommended removing 17.42.090.E, Hours of Operation for Community Assembly. She noted that there are a number of different uses that may be appropriate and would be covered by the Noise section.</p>	<p><i>Specific use standards for Community Assembly removed. However, the use now requires a Major CUP in all districts they are allowed except for OI. Site specific compatibility issues may then be addressed on a case-by-case basis. This is consistent with existing permitting practice for Churches.</i></p>
<p>Vice Chair Jenkins commented that the hours are unreasonable and recommended deleting <u>17.42.090.E</u>, Hours of Operation. He noted there is a Noise ordinance and questioned how it would be enforced.</p>	<p><i>See response above.</i></p>
<p>Commissioner Daniels commented that specific language with regard to Community Assembly would provide clarity.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen commented that he is not opposed to eliminating <u>17.42.090.E</u> and he noted this would be a way to address the concerns brought by members of the community and perhaps look at possibly separating the uses. He suggested that an Administrative Use Permit be considered first before a Conditional Use Permit. He noted that there needs to be some way to notify the neighbors in adjoining properties regarding what uses are permitted on the sites.</p>	<p><i>See response above.</i></p>
<p>Commissioner Fuller commented that he does not see a need in imposing a requirement that currently does not exist with regard to a time restriction. His concern is including many other uses with religious organizations some of which may be a burden on the neighborhood.</p>	<p><i>See response above.</i></p>
<p>Commissioner Maynard suggested being clear about what the burden might be and developing language around the burden.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.090.E Chair Onnen reiterated a comment suggesting the possibility of an Administrative Use Permit rather than a Conditional Use Permit with regard to allowing additional hours of operation for Community Assembly.</p>	<p><i>See response above.</i></p>
<p>17.42.100.A.1 Chair Onnen commented that he did not want the wording “manager” to become prohibitive with regard to community gardens because it may suggest the need for a paid position.</p>	<p><i>“Manager” changed to “Responsible Representative.”</i></p>
<p>17.42.100.A.2 Commissioner Fuller recommended adding “the” in front of “garden”.</p>	<p><i>Subsection removed.</i></p>
<p>17.42.100.B Commissioner Maynard recommended adding language that would clarify specific details with regard to the operational plan for community gardens.</p>	<p><i>No change made. Intent of requiring a plan is that it be simple and provide relevant contact information for activities on the site.</i></p>
<p>17.42.110 Commissioner Fuller commented that he did not see any language with regard to turning off vehicle engines while waiting at drive-through facilities.</p>	<p><i>Not included. These facilities will require a Major Conditional Use Permit and operations may be conditioned through that process.</i></p>
<p>Vice Chair Jenkins recommended adding a noise requirement with regard to drive-in and drive-through facilities.</p>	<p><i>See response above.</i></p>
<p>17.42.110.C Commissioner Maynard recommended a requirement that indicates a traffic study would be done or in accordance with a traffic study to ensure stacking would not interfere with a public right-of-way.</p>	<p><i>Some details removed as drive-throughs will always require approval of a Conditional Use Permit. As part of that process, a traffic study may be needed for processing as determined by Planning and Public Works staff.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.110.E.2 Vice Chair Jenkins requested clarification regarding the intent of the language with regard to site and building design. Possibly provide an example.</p>	<p><i>Section removed.</i></p>
<p>17.42.110.E.4 Vice Chair Jenkins commented that this item seems clearly to be a design guideline with regard to architecture and neighborhood compatibility.</p>	<p><i>Section removed.</i></p>
<p>17.42.120.B Commissioner Maynard recommended adding showers and beds to the list of services that may be provided by emergency shelters.</p>	<p><i>Not included. This list is meant to be options, not things that are required.</i></p>
<p>Chair Onnen supported adding showers and beds.</p>	<p><i>See response above.</i></p>
<p>17.42.120.F Commissioner Maynard suggested that a well-trained volunteer may be appropriate with regard to management of an emergency shelter. She noted that the language “employee” may be too restrictive.</p>	<p><i>No change.</i></p>
<p>Chair Onnen suggested changing “employee” to “staff”.</p>	<p><i>Change made.</i></p>
<p>17.42.120.G Commissioner Maynard suggested that one well-trained employee may be able to provide both management and security functions.</p>	<p><i>Requirement changed so that it on-site security staff is only required if required by law enforcement.</i></p>
<p>Chair Onnen questioned the necessity of having two people on site for management and security.</p>	<p><i>See response above.</i></p>
<p>17.42.130.A Commissioner Fuller suggested increasing the proximity of family day care homes, large, to 500 feet or 1,000 feet preferably, if not pre-empted.</p>	<p><i>No change. Do not want standards that are too limiting.</i></p>
<p>17.42.130.G Commissioner Maynard commented that adding a traffic requirement seems excessive because the restriction on the number of people also restricts the traffic.</p>	<p><i>Section removed.</i></p>
<p>Vice Chair Jenkins supported the language as written with regard to traffic. He commented that there are impacts from these kinds of facilities and traffic is a concern.</p>	<p><i>Section removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.130.J Commissioner Maynard commented that it seems excessive for the expiration of permit automatically when six or fewer children receive care because there may be fluctuations in the number of children. She questioned the reasoning and suggested less than two or three children would be more appropriate for the expiration of a permit.</p>	<p><i>Section removed.</i></p>
<p>Chair Onnen commented that he understands this policy would change the designation from a large facility to a small facility.</p>	<p><i>Section removed.</i></p>
<p>17.42.130.M Chair Onnen suggested considering reducing the required number of complaints received from six to possibly four complaints.</p>	<p><i>Complaints section removed. Nuisance standards still apply.</i></p>
<p>17.42.140.B Chair Onnen supports farmer’s markets being approved with an Administrative Use Permit.</p>	<p><i>No response required.</i></p>
<p>Chair Onnen questioned whether it is necessary that all farmer’s market permits (or copies) be in the possession of the farmer’s market manager or the vendor, as applicable, on the site of the farmer’s market during all hours of operation.</p>	<p><i>Revision made to allow digital copy.</i></p>
<p>17.42.140.D Chair Onnen commented that the hours of operation seem restrictive for farmer’s markets, especially for set-up. Also, the requirement for take-down needs to be realistic.</p>	<p><i>Standard removed. Hours of operation would get addressed as part of the discretionary review.</i></p>
<p>17.42.160 Vice Chair Jenkins questioned whether there are proximity restrictions with regard to group residential facilities.</p>	<p><i>300-ft. separation requirement added.</i></p>
<p>17.42.160.C Commissioner Fuller suggested increasing the common open space in group residential facilities to 50 square feet for each person.</p>	<p><i>Common open space requirement removed. Minimum lot area helps ensure adequate open space.</i></p>
<p>17.42.170 Commissioner Daniels questioned whether information from the FAA was used as a resource with regard to heliports.</p>	<p><i>Heliport standards moved to Chapter 17.25 and simplified. Application requirements removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.180.B Commissioner Maynard commented that allowing a small residential window sign should be allowed to indicate a home occupation business. She believes it would be consistent with other areas of sign compliance.</p>	<p><i>No commercial signage allowed for the Home Occupation. Intent is not to draw travelers to the residential sites.</i></p>
<p>17.42.180.B.2 Commissioner Maynard commented that she does not see the need for structural modification limitations with regard to home occupations, for example upgrading a kitchen to make food.</p>	<p><i>Standard removed.</i></p>
<p>Vice Chair Jenkins suggested that the structural modification limitation would be unenforceable.</p>	<p><i>Standard removed.</i></p>
<p>17.42.180.B.4 Commissioner Maynard requested more guidance with regard to requirements for remote employees.</p>	<p><i>Remote employees allowed as they would not impact the residential neighborhood.</i></p>
<p>17.42.180.B.5 Commissioner Fuller sought greater clarity as to what would be considered "in excess of what is customarily associated with the district".</p>	<p><i>Due to on-site client contact, these Home Occupations will require a Zoning Clearance, and staff would assess the likelihood of traffic impacts.</i></p>
<p>17.42.180.B.6.b Commissioner Maynard commented that tandem parking should not block the sidewalk.</p>	<p><i>No edit made. The standard is already that parking may not block the sidewalk.</i></p>
<p>17.42.180.B.7 Commissioner Maynard suggested it would be appropriate to increase the hours of operation for home occupations from 7:00 p.m. to 9:00 p.m.</p>	<p><i>Extended to 9pm.</i></p>
<p>Commissioner Fuller agreed that 7:00 p.m. is restrictive and recommended 8:00 p.m. or 9:00 p.m.</p>	<p><i>See response above.</i></p>
<p>Vice Chair Jenkins commented that 9:00 p.m. might be reasonable, especially for a tutoring situation.</p>	<p><i>See response above.</i></p>
<p>17.42.180.B.9 Commissioner Maynard commented that storage should be allowed in an accessory building for home occupations as long as guidelines are followed.</p>	<p><i>Standard removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Vice Chair Jenkins commented that storage requirements seem unenforceable.	<i>See response above.</i>
Chair Onnen questioned why the requirement is needed if there is a valid accessory building.	<i>See response above.</i>
<p>17.42.180.B.10 Commissioner Maynard questioned whether a small delivery van specific to a home occupation business would be allowed.</p>	<i>Section removed as it is overly complicated and issues covered in parking and vehicles subsections.</i>
Commissioner Fuller sought greater clarity as to what would be considered "inconsistent with the normal level of traffic on the street".	<i>See response above.</i>
Chair Onnen questioned whether defining the size of the vehicle should be defined as well as its use, rather than referring to commercial vehicles.	<i>See response above.</i>
Chair Onnen expressed concern regarding how to address an occasional need by a home occupation for the use of a sizeable vehicle. He also suggested considering size and weight factors with regard to commercial vehicles.	<i>See response above.</i>
<p>17.42.180.B.12 Commissioner Maynard commented for consideration if RV parking would be allowed in a driveway maybe similar types of vehicles for home occupation use could be allowed.</p>	<i>No change made.</i>
<p>17.42.180.B.13 Commissioner Maynard suggested 3D printers be added to the list of home occupation equipment.</p>	<i>Section removed. Nuisance subsection will address.</i>
Chair Onnen suggested focusing on the noise impact rather than defining a maximum of two horsepower as being permitted which may not be enforceable.	<i>See response above.</i>
<p>17.42.180.B.14 Commissioner Maynard suggested considering leather tanning and photo processing materials as possible hazardous materials for home occupations, and consulting with the Fire Department.</p>	<i>Sentence added to prohibit storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.180.D Chair Onnen commented that there are significant regulations regarding massage businesses in Goleta but massage is not addressed with regard to home occupations.</p>	<p><i>Massage businesses not expressly prohibited as Home Occupations. Due to on-site client contact, this use would require a Zoning Clearance. In addition, the operator must comply with Goleta Municipal Code Chapter 5.05.</i></p>
<p>Commissioner Maynard requested more information on massage businesses with regard to home occupations including legal background.</p>	<p><i>See response above.</i></p>
<p>17.42.180.D.2 Commissioner Maynard suggested adding "over four animals" with regard to animal care, sales, and services in consideration of situations where one or two dogs or cats at a time are cared for temporarily in a home.</p>	<p><i>Prohibition removed entirely. Other standards and nuisance cover.</i></p>
<p>17.42.180.D.3 Commissioner Maynard questioned whether taxis are permitted. She commented that parking one taxi should be appropriate. She noted that in some situations a taxi may be a person's only car.</p>	<p><i>Taxi business allowed if only one vehicle on site.</i></p>
<p>17.42.180.D.5 Commissioner Daniels questioned whether Airbnb's and similar uses would be prohibited.</p>	<p><i>Short-term rentals governed by Chapter 5.08 of Municipal Code.</i></p>
<p>Commissioner Fuller expressed concern that vacation rentals might be eliminated.</p>	<p><i>Short-term rentals governed by Chapter 5.08 of Municipal Code.</i></p>
<p>Commissioner Maynard requested more thoughtfulness regarding Airbnb's.</p>	<p><i>Short-term rentals governed by Chapter 5.08 of Municipal Code.</i></p>
<p>17.42.200.C Chair Onnen requested clarification and the reason with regard to the prohibition of the rental or sale of a portion of a live/work unit located above the ground level.</p>	<p><i>Reference to ground level removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.230 Commissioner Maynard supported consistency with the recently adopted ordinance regarding medical marijuana uses. She noted generally, it should be allowed somewhere in the city in some form.</p>	<p><i>New cannabis regulations included in updated draft.</i></p>
<p>17.42.240 Commissioner Fuller commented that he does not have a concern with mobile food trucks and noted they are easier to regulate.</p>	<p><i>No response required.</i></p>
<p>Commissioner Fuller commented that pushcarts are not appropriate, noting that pushcarts can be in the way of pedestrians.</p>	<p><i>No change made. Mobile vendor regulations focused on their operation on private property.</i></p>
<p>17.42.240.A Commissioner Maynard suggested consideration to allow other functions for mobile vendors other than the sale of food.</p>	<p><i>Mobile Vendor definition broader than just food trucks.</i></p>
<p>17.42.240.C.2 Commissioner Maynard suggested that parking in a street parking space for a short period of time should be allowed for mobile vendors.</p>	<p><i>Right-of-way regulation not included in this section.</i></p>
<p>Chair Onnen agreed with Commissioner Maynard's comment.</p>	<p><i>See response above.</i></p>
<p>17.42.240.C.4 Commissioner Maynard questioned where mobile food trucks should be stored overnight, noting there should be a place.</p>	<p><i>Storage could be at a private residence or at a business, an example being a restaurant.</i></p>
<p>17.42.240.F Commissioner Maynard commented that she supports ice cream trucks.</p>	<p><i>Prohibition on bells, chimes, etc. removed.</i></p>
<p>Chair Onnen questioned whether there should be some exception to allow for a use such as an ice cream truck.</p>	<p><i>See response above.</i></p>
<p>Vice Chair Jenkins commented he would miss the ice cream truck.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.250.B Commissioner Maynard questioned why the language needs to be specific regarding products for sale in nurseries and garden centers and questioned allowing decorative garden items and books.</p>	<p><i>Specific Use standards for Nurseries and Garden Centers removed. No clear need for specific standards.</i></p>
<p>Vice Chair Jenkins commented that large businesses like Home Depot and OSH consider themselves as garden centers and questioned whether items can be excluded.</p>	<p><i>See response above.</i></p>
<p>17.42.250.C Commissioner Maynard commented that the enclosure requirements for nurseries and garden centers seems excessive and not consistent with existing nurseries and garden centers, and requested more leniency.</p>	<p><i>See response above.</i></p>
<p>17.42.260.D Commissioner Maynard noted there could be some situations where furnishings and fixtures in outdoor dining and seating areas are permanently affixed that would be appropriate.</p>	<p><i>Moved to Eating and Drinking Establishments. Furnishing and Fixtures standard removed.</i></p>
<p>17.42.270.B.2.b Commissioner Maynard recommended adding “or bikes” at the end of the sentence.</p>	<p><i>Bicyclists added.</i></p>
<p>17.42.300.C.1 Commissioner Fuller commented that locating a recycling processing facility at least 100 feet from an R District seems close.</p>	<p><i>Recycling Processing Facilities removed from the NZO as it does not fit well as a use in the City.</i></p>
<p>Chair Onnen agreed with Commissioner Fuller’s comment.</p>	<p><i>See response above.</i></p>
<p>17.42.290.F Vice Chair Jenkins commented that exterior wall treatment and design requirements are design guidelines and should be in a separate design guideline document.</p>	<p><i>Section removed.</i></p>
<p>17.42.300.B.1 Chair Onnen questioned the reason for limiting the footprint to 350 square feet for recycling collection facilities.</p>	<p><i>Recycling Collection Facilities removed from the NZO as it does not fit well as a use in the City.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.300.B.8 Chair Onnen questioned whether rainwater runoff should be addressed with regard to the site for recycle collection facilities, noting the facility seems to be vulnerable.</p>	<p><i>See response above.</i></p>
<p>17.42.300.E.1 Commissioner Fuller commented that the 250-foot distance from an R District seems too close for conversion technology facilities and transformation facilities, noting possible unpleasant odors.</p>	<p><i>Conversion Technology use removed from the NZO as it does not fit well as a use in the City.</i></p>
<p>17.42.300.D Vice Chair Jenkins recommended adding a condition regarding location from an R District for composting and waste disposal facilities.</p>	<p><i>Composting and Waste Disposal Facilities removed from the NZO as it does not fit well as a use in the City.</i></p>
<p>Commissioner Maynard suggested considering locating the composting portion of a facility in an Agricultural district away from an R District.</p>	<p><i>See response above.</i></p>
<p>17.42.300.D.1 Commissioner Maynard requested clarification with regard to what counts as an infestation and questioned whether language should be added to implement best management practices to reduce pests.</p>	<p><i>See response above.</i></p>
<p>17.42.300.E Commissioner Maynard requested more language, possibly from APCD, with regard to emissions related to conversion technology facilities, and possibly adding an item #4.</p>	<p><i>See response above.</i></p>
<p>17.42.320.D Commissioner Maynard questioned why there should not be multiple entrances for single room occupancy housing.</p>	<p><i>Language revised to allow emergency and service support exits.</i></p>
<p>17.42.320.H Commissioner Fuller commented that four square feet per living unit seems too small for common area for single room occupancy housing, and suggested at least 10 square feet per unit.</p>	<p><i>Revised to create a simple 200 square feet standard.</i></p>
<p>Commissioner Daniels noted that 20 square feet of common open space is required for persons in residential care facilities, large, in <u>17.42.310.B.</u></p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.320.K.1 Commissioner Maynard requested more clarity in the language with regard to “defensible space” and “user surveillance”, as well as including expectations.</p>	<p><i>Terms removed.</i></p>
<p>17.42.330 Vice Chair Jenkins questioned whether a separate water meter is required for second dwelling units.</p>	<p><i>ADU Ordinance adopted as a separate process and incorporated into the New Zoning Ordinance with minor revisions where needed and/or suggested by City Council.</i></p>
<p>17.42.330.A.2 Commissioner Fuller commented that the language with regard to second dwelling units is not comprehensible and he is concerned that the language seems burdensome.</p>	<p><i>See response above.</i></p>
<p>17.42.330.A.3.b Chair Onnen commented that “consistent” is not the correct language.</p>	<p><i>See response above.</i></p>
<p>17.42.330.B.1.b Commissioner Fuller noted that this requirement may preclude many properties from building a second unit.</p>	<p><i>See response above.</i></p>
<p>17.42.330.B.1.d Commissioner Maynard requested clarification as to why the “by right” language is used and whether it could be softened.</p>	<p><i>See response above.</i></p>
<p>17.42.330.B.1.e Commissioner Maynard requested clarification regarding the intent for the kind of bathroom, i.e., full or half, etc.</p>	<p><i>See response above.</i></p>
<p>Commissioner Fuller commented that the bathroom should be a full bathroom.</p>	
<p>Chair Onnen also requested more definition regarding bathroom facilities.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.350.A.4 Commissioner Maynard requested clarification regarding how flexible the sustainable living site uses can be if the use of the property changes or new uses are integrated into the policy. What would be the change process?</p>	<p><i>Sustainable Living Research Site regulations removed. Flexibility provided through modifications to standards.</i></p>
<p>17.42.350.A.6 Commissioner Fuller questioned why only rental housing is allowed with regard to sustainable living research sites.</p>	<p><i>See response above.</i></p>
<p>17.42.350.A.9 Commissioner Maynard requested more guidance regarding the objective, and also if the research fails to meet its objective what are the guidelines for how much it would need to fail to meet its objective.</p>	<p><i>See response above.</i></p>
<p>17.42.350.B.1.b Commissioner Maynard noted that this requirement may preclude many properties from building a second unit.</p>	<p><i>See response above.</i></p>
<p>17.42.350.B.2 Commissioner Maynard requested specific metrics with regard to the objectives and more guidance regarding findings for a sustainable living site.</p>	<p><i>See response above.</i></p>
<p>17.42.350.B.3 Commissioner Maynard suggested referring to surety bond language in <u>17.43.040.I.</u></p>	<p><i>See response above.</i></p>
<p>Commissioner Maynard requested more clarity on how the Sustainable Living Research Site might be administered.</p>	<p><i>See response above.</i></p>
<p>17.42.350.C.6 Commissioner Maynard suggested adding “and any other applicable plans or policies adopted by the City Council”.</p>	<p><i>See response above.</i></p>
<p>Commissioner Maynard requested clarification regarding what is the scope where any changes could occur with regard to sustainable living research sites.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.360.A.1 Commissioner Maynard commented that it would be more appropriate to allow temporary car washes once a month on a site in order to support community activities rather than not more than four times per calendar year.</p>	<p><i>Car washes exemption changed to allow one car wash event per month.</i></p>
<p>Commissioner Daniels agreed with Commissioner Maynard’s comment.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen questioned whether a two-day car wash activity would be considered one or two occurrences.</p>	<p><i>Language clarified that event could be a total of 16 hours over a two-day period.</i></p>
<p>17.42.360.B.1 Commissioner Maynard requested clarity regarding what would warrant a special event that would need a Temporary Use Permit.</p>	<p><i>No change made.</i></p>
<p>17.42.360.B.1 Commissioner Maynard requested clarification regarding allowing no more than four temporary special events and sales events at one site within 12 months. She noted events are held more frequently at parks.</p>	<p><i>Events at public parks would need to receive a Special Event Permit and would therefore be exempt from this section.</i></p>
<p>17.42.360.B.2.c Commissioner Maynard requested adding “bike paths” after “walkways”; and also adding “or bike,” after “pedestrian”.</p>	<p><i>Language added.</i></p>
<p>17.42.360.B.4 Commissioner Maynard questioned whether notice could be given to neighbors when there will be temporary commercial filming, noting it would be helpful if within the City’s purview.</p>	<p><i>Filming references removed. Covered by Chapter 12.05 of the Municipal Code.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.42.360.B.8 Commissioner Maynard noted that temporary classrooms have been used for a long period of time and questioned whether regulations with regard to temporary are trying to be too restrictive.</p>	<p><i>No changes made. Public schools do not need to adhere to zoning requirements. Private schools could have long-term temporary classrooms, but would need a Major CUP as the long term nature of the classrooms would need further evaluation.</i></p>
<p>Member Daniels commented with regard to quonset huts</p>	<p><i>See response above. If expected to remain on sit for long duration, Major CUP required or may be approved as normal development.</i></p>
<p>Chapter 17.44 – Wind Energy Conversion Systems</p>	
<p>17.44.030.A Vice Chair Jenkins commented that there is the potential for up to five wind energy conversion systems on any lot which seems excessive. He recommended there should be some relationship to the size of the lot and if it is located in a residential area.</p>	<p><i>Chapter 17.44 removed from the NZO as these types of wind energy systems are more appropriate in rural settings.</i></p>
<p>Commissioner Maynard commented that energy conversion units are becoming more efficient and it does not seem appropriate for requirements to be based on the energy produced because it will become outdated quickly. She recommended that requirements be based on other factors such as size, noise, and location.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.44.040 Commissioner Maynard recommended adding language in a new item K with regard to including the study of bird migrations and measures taken to reduce bird kill.</p>	<p><i>See response above.</i></p>
<p>Table 17.44.050 Commissioner Maynard recommended using the manufacturer’s recommendations for minimum distance separation for all of the Rated Microturbine Capacity items.</p>	<p><i>See response above.</i></p>
<p>17.44.060 Vice Chair Jenkins questioned whether there are setback requirements for wind energy conversion systems.</p>	<p><i>See response above.</i></p>
<p>17.44.060.I Commissioner Maynard questioned how there would be access for repairs on wind farm sites if on-site roadways are minimized.</p>	<p><i>See response above.</i></p>
<p>17.44.060.J.2 Commissioner Maynard noted that wind farms are very controversial from a visual impacts perspective and suggested adding language that is more specific to describe “adverse visual impacts” with regard to wind energy conversion systems.</p>	<p><i>See response above.</i></p>
<p>17.44.060.K Commissioner Maynard suggested adding language from <u>17.43.040.D.7</u> regarding lighting that would be helpful when people are present at night.</p>	<p><i>See response above.</i></p>
<p>Chapter 17.52 – Planning Authorities</p>	
<p>17.52.040 Vice Chair Jenkins requested that <u>17.52.040</u> be included in the review by the Design Review Board with regard to the Design Review Board powers and duties.</p>	<p><i>No response required.</i></p>
<p>Chair Onnen suggested adding <u>17.52.040.C</u> to add the authority of the Design Review Board to make recommendations on policies with regard to matters related to design guidelines, if appropriate.</p>	<p><i>Language added.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Commissioner Maynard suggested language that is specific to design and signage within design and architectural guidelines with regard to the authority of the Design Review Board to make recommendations on policies with regard to matters related to design. If there is an ordinance related to design and architecture specifically she would support including the DRB with regard to approval.</p>	<p><i>Language added.</i></p>
<p>Commissioner Maynard commented that she would support codifying DRB review in the process.</p>	<p><i>See response above. DRB review not required, but clearly spelled out as an option.</i></p>
<p>17.52.050.D Commissioner Fuller requested clarification of the process for violations of permit terms and conditions and the Director’s duties.</p>	<p><i>Part V has an enforcement section that includes a role for the Director (and his or her staff in PER).</i></p>
<p>17.52.060 Commissioner Maynard suggested it might be helpful to add a table that consolidates the decisions that can be made by the Zoning Administrator for clarification.</p>	<p><i>Table added on all Review Authorities.</i></p>
<p>17.52.060.B Commissioner Fuller requested review by the Planning Commission of written rules and procedures issued by the Zoning Administrator.</p>	<p><i>Responsibility moved to PER Director. No addition regarding Planning Commission review. These are typically minor procedural matters that would not rise to the level of Planning Commission.</i></p>
<p>17.52.060.F.4 Commissioner Maynard recommended that all Negative Mitigations and Mitigated Negative Declarations are reviewed by the Planning Commission.</p>	<p><i>No change. CEQA review language made more generic so each Review Authority would have CEQA review as a part of all projects under their purview.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.52.060.I Commissioner Fuller commented that it would be helpful to include a cross-reference to the section where there is reference to signs that do not require action by the Design Review Board.</p>	<p><i>(I) removed. Director to review Zoning Entitlement Permits.</i></p>
<p>Commissioner Fuller commented that cross-references in the Zoning Ordinance would be helpful for the public.</p>	<p><i>No change.</i></p>
<p>Chair Onnen commented that there needs to be a reference to signs that can have administrative sign review.</p>	<p><i>No change. This section is meant to be general in nature.</i></p>
<p>Chapter 17.53 – Common Procedures</p>	
<p>17.53.020.B Vice Chair Jenkins requested streamlining the application forms and eliminating repetitiveness.</p>	<p><i>Application forms will be developed in conjunction with the New Zoning Ordinance.</i></p>
<p>17.53.030.D Commissioner Fuller commented that 30 business days from the application seems like a long time for a preliminary review conference to take place.</p>	<p><i>Preliminary Review Process eliminated.</i></p>
<p>Commissioner Fuller requested consistency in language with regard to “business days” and “calendar days”.</p>	<p><i>Clarified in Part I. Days typically calendar days unless otherwise specified.</i></p>
<p>17.53.060 Chair Onnen commented with regard to public notification that he requested any changes that can address and clarify at what point the public is notified. He also commented that there is public interest regarding when applications are submitted and are deemed complete.</p>	<p><i>Notice prior to hearing or action. No notice added to when a project is deemed complete. Information on pending projects included in Cumulative Projects list.</i></p>
<p>Vice Chair Jenkins commented that in some jurisdictions an architect is required to knock on the doors of 10 neighbors to advise them of a proposed project and provide an opportunity to review the plans, as a “good neighbor” policy. If the neighbor is not home, a form is left there.</p>	<p><i>No change made.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Commissioner Maynard commented in favor of knocking on the door of 10 closest neighbors with regard to reviewing plans for a proposed project.	<i>See above.</i>
Vice Chair Jenkins questioned whether the issue with regard to copyrights is addressed regarding posting of architectural plans online	<i>City staff will review but not something that needs to be addressed in the NZO.</i>
Commissioner Fuller suggested sending notices out as soon as possible.	<i>See response above.</i>
Commissioner Maynard commented that the public can sign up for notifications on the City’s website and suggested adding a category regarding notice of new applications.	<i>City email notices DRB, Director decisions, and hearings.</i>
Commissioner Maynard requested delineating when it would be appropriate to issue a press release; for example, a large development, or a change in land use.	<i>No press release requirement added.</i>
<p>17.53.060.B.4 Commissioner Fuller commented that it would be good to have more detail in the general description of the proposed project in the public notice; for example, a list of the requested modifications, or variances, or changes in the General Plan that might be requested.</p>	<i>Variances, Modifications, GPAs would all be part of project description. Language regarding modifications added.</i>
Commissioner Maynard supported Commissioner Fuller’s comment.	<i>See above.</i>
<p>17.53.060.C.1.b Commissioner Maynard commented that the notification requirements of 300 feet outside the Coastal Zone and 100 feet within the Coastal Zone are small distances. She requested increasing the distances, especially for larger projects, and supported 1,000 feet. She questioned why the distance within the Coastal Zone is shorter than outside the Coastal Zone, and requested that the numbers be increased.</p>	<i>Noticing made consistent with Inland and Coastal areas. No extension of noticing added at this time.</i>
<p>17.53.060.C.3 Vice Chair Jenkins commented that there needs to be a pen or marker that can be used that will not fade on posted signs.</p>	<i>Requirement not included in Zoning Ordinance.</i>
Commissioner Fuller noted a typo that needs to be changed from “posed” to “posted”.	<i>Edit made.</i>
<p>17.53.060.C.5 Commissioner Maynard questioned who would be responsible for noticing blind, aged, and disabled community members with regard to drive-through facilities, and for keeping track of the list.</p>	<i>PER Staff.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.53.070.C Commissioner Fuller recommended including “staff recommendation” as part of the presentation.</p>	<p><i>Presentation language removed. Staff will typically provide a presentation, but not included as a codified process.</i></p>
<p>17.53.070.D Chair Onnen commented that he has a concern and questioned whether it is appropriate that the presiding officer may require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.</p>	<p><i>Allowance removed.</i></p>
<p>17.53.070.F Commissioner Fuller requested clarification if there would be a time period for director’s research, and if it would be available to the public within a certain time before the hearing.</p>	<p><i>Section removed. Any research by Director and staff would be included in a staff report and/or presentation.</i></p>
<p>17.53.090 Commissioner Fuller questioned whether public testimony or evidence submitted at hearings would be part of the conditions of approval.</p>	<p><i>Potentially, if the Review Authority determines it is necessary.</i></p>
<p>17.53.100.C Commissioner Maynard noted a typo at the end of the paragraph (remove the extra period).</p>	<p><i>Edits made to this section, typo no longer included.</i></p>
<p>17.53.110.A Commissioner Maynard commented that language needs to be added regarding substantial conformity. Also, add language with regard to revisions to existing development plans.</p>	<p><i>Substantial conformity language added. Language on process to change discretionary approvals added.</i></p>
<p>17.53.130.C Commissioner Fuller commented that ten days seems short as a time limit for filing an appeal.</p>	<p><i>Ten-day standard kept. Intent is to balance opportunity for appeal with applicant’s desire for finality.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Vice Chair Jenkins commented that ten days is very common as a time limit for filing an appeal and he is comfortable with 10 days.	<i>See above.</i>
17.53.130.D.3 Vice Chair Jenkins recommended adding item “I” regarding fees required for filing of appeals.	<i>Appeal language revised. Fee language not included as not included elsewhere for submittals.</i>
17.53.130.D.3.h Commissioner Fuller requested a definition of the term “petition”.	<i>Appeal language revised.</i>
17.53.130.E.5 Commissioner Fuller pointed out that there should be consistency between “business days” and “calendar days”.	<i>Clarified in Part I. Days means calendar days unless otherwise specified.</i>
Chapter 17.54 – Zoning Clearance	
17.54.020 Commissioner Fuller expressed concern with regard to applicability for a Zoning Clearance. For example, he expressed concern that the language would restrict the built environment to very confined uses because of the parking regulations. Also, he noted the language does not exclude residential uses.	<i>Zoning Clearance now not required for all new uses. However, if a new use requires an increase in parking, that is still considered a Change of Use and must get a permit.</i>
17.54.030.B Chair Onnen commented that he supports the process that the Zoning Administrator may refer a Zoning Clearance for determination by the Planning Commission as deemed necessary.	<i>Decisionmaker now the Director. No referral language included.</i>
17.54.040 Commissioner Fuller questioned what uses and structures are not subject to any building or zoning regulations.	<i>Exempt section added to Part V to clarify.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chapter 17.56 – Design Review	
<p>17.56 Vice Chair Jenkins commented that this section will be reviewed by the Design Review Board.</p>	<p><i>Chapter significantly revised. Will return to DRB for review.</i></p>
<p>17.56 Design Review Bullet #1 regarding sending new non-residential stand-alone landscaping projects to DRB and all non-residential re-landscaping projects visible from City right-of-ways to DRB. Commissioner Daniels commented that the requirements for conformance should be in the DRB guidelines. Vice Chair Jenkins commented that there should be consistency and appropriateness for every applicant. He supported sending landscaping projects visible from the public street to the DRB. He supported not sending to the DRB re-landscaping projects that are not visible from the street. Commissioner Fuller supported sending re-landscaping projects visible from public streets to the DRB, and ministerial approval for landscaping projects not visible. Commissioner Maynard supported comments from Vice Chair Jenkins and Commissioner Fuller. Chair Onnen supported having a ministerial or non-DRB review process available for landscaping projects depending on the significance of the project so that not all landscaping projects require DRB review. He noted that sometimes only a small portion of a project may be visible and did not want to overdo which projects need to go to DRB.</p>	<p><i>The State and City WELO requirements trigger some reviews of new and refurbished landscaping plans. The NZO has mirrored these triggers. Also, the DRB will be reviewing their Design Review triggers concurrently with the Public Review of the Revised NZO.</i></p>
<p>17.56 Design Review Bullet #2 regarding Administrative Design Review (ADR) for second units if no exterior changes are made to the main structure. Commissioner Maynard supported Bullet #2 noting that if there is any type of modification requested it should go to DRB for review. She commented that DRB review may be needed when the second unit is visible from the street. Commissioner Fuller supported Bullet #2 noting if there is any change to the exterior structure the project should be reviewed by the DRB. Chair Onnen supported the language in Bullet #2. Vice Chair Jenkins supported the language in Bullet #2. Commissioner Daniels supported the language in Bullet #2.</p>	<p><i>ADU Ordinance dictates process for Design Review.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.56 Design Review Bullet #3 regarding ADR for non-illuminated building-mounted signs outside the Old Town Heritage Overlay District. Chair Onnen supported Bullet #3 and commented that he supports an ADR process for signs because the cost and time for sign approval is significant. Vice Chair Jenkins supported Bullet #3 and Chair Onnen’s comment. Commissioner Fuller requested further definition, guidelines, and parameters rather than just a non-illuminated building-mounted sign, regarding which signs would qualify for ADR. Commissioner Maynard supported Bullet #3 as long as there are no modifications to the Zoning Ordinance.</p>	<p><i>Entire Design Review section was revised. No longer an ADR, since this is a discretionary action. Signs Chapter also revised for clarity and guidance.</i></p>
<p>17.56 Design Review Bullet #4 regarding multiple levels of design approval at one meeting. Vice Chair Jenkins supported Bullet #4 because it provides flexibility. Commissioner Daniels supported Bullet #4 and agreed with Vice Chair Jenkins comments. Commissioner Maynard supported Bullet #4. Commissioner Fuller supported Bullet #4. Chair Onnen supported Bullet #4.</p>	<p><i>Chapter significantly revised.</i></p>
<p>Commissioner Maynard commented that she looks forward to the review by the Design Review Board.</p>	<p><i>Chapter significantly revised. To be reviewed by DRB.</i></p>
<p>17.56.020.A.1; 17.56.020.A.4; 17.56.020.A.5 Commissioner Fuller commented that it seems 17.56.020.A.4 and 17.56.020.A.5 are covered in 17.56.020.A.1 with regard to exterior alterations and installations for which a building permit required.</p>	<p><i>Extensive revisions made to clarify this entire Chapter.</i></p>
<p>17.56.020.B.3 Commissioner Maynard commented that second units and residential accessory structures should be reviewed by the DRB not just the Zoning Administrator.</p>	<p><i>Review limited by State law.</i></p>
<p>Commissioner Fuller agreed with Commissioner Maynard’s comment.</p>	<p><i>See response above.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chair Onnen commented that there is a level with regard to second units and residential accessory structures that should be reviewed by the DRB, and there are also opportunities where DRB review would not be needed.	<i>See response above.</i>
<p>17.56.020.B.6 Commissioner Fuller commented that he is not sure about removing non-illuminated building mounted signs, except in the Old Town Heritage District, from review by DRB.</p>	<i>Non-illuminated signs outside Old Town Overlay District removed administrative design review.</i>
<p>17.56.020.C.4 Commissioner Fuller commented with regard to the language “does not significantly change the streetscape” that any development that would change the streetscape should not be exempt from Design Review.</p>	<i>No change made. This will have to be a judgement call, but the intent is that not every single visible development from the street need go to full DRB.</i>
Vice Chair Jenkins requested that 17.56.020.C.4 be reworked because he believes an addition of 750 square feet could affect the streetscape and should have Design Review. Also, any addition to the second story should have Design Review.	<i>If the development changes the streetscape, the DRB review trigger. Intent here is to exempt additions in the rear of primary structure.</i>
<p>17.56.030.A.1 Commissioner Maynard commented that codifying Conceptual Review is limited to one meeting is restrictive and suggested it would be helpful to allow flexibility for the DRB to continue Conceptual Review in situations where needed.</p>	<i>Chapter significantly revised. To be reviewed by DRB.</i>
Commissioner Fuller agreed with Commissioner Maynard’s comment.	<i>Chapter significantly revised. To be reviewed by DRB.</i>
Vice Chair Jenkins suggested adding language indicating that Planning Commission review would be added if necessary.	<i>Conceptual review language revised. Reference to the Planning Commission removed.</i>
Vice Chair Jenkins recommended that the DRB has an opportunity to request additional Conceptual Review if needed.	<i>Chapter significantly revised. To be reviewed by DRB.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.56.030.C.2 Chair Onnen requested clarification with regard to the language “with assistance where appropriate from the Design Review Board Chair or the Chair’s designee”.</p>	<p><i>Section removed as DRB procedures revised.</i></p>
<p>17.56.030.D Commissioner Maynard requested assurance that there is flexibility for the DRB to continue an item with multiple levels of approval to another meeting if needed.</p>	<p><i>No change made. DRB not obligated to take action at any given stage at any given meeting.</i></p>
<p>Commissioner Fuller agreed with Commissioner Maynard’s comment.</p>	<p><i>See response above.</i></p>
<p>Chair Onnen supported 17.56.030.D regarding multiple levels of approval at a single meeting.</p>	<p><i>No response required.</i></p>
<p>17.56.040 Commissioner Fuller recommended including architectural details with regard to scope of review.</p>	<p><i>Architectural details not including explicitly, however, architectural features captured in the 10 items now listed under DRB scope.</i></p>
<p>17.56.060.E Vice Chair Jenkins suggested adding language to indicate “where appropriate”.</p>	<p><i>Criterion removed. Criteria simplified considerably.</i></p>
<p>Commissioner Maynard requested more clarity with regard to the “surveillance” aspect, and possibly seeking input whether that is a goal of the community.</p>	<p><i>See response above.</i></p>
<p>17.65.060.F Commissioner Fuller suggested adding “or improves” prior to “the historical or visual character”.</p>	<p><i>See response above.</i></p>
<p>17.56.060.I Commissioner Fuller suggested including language encouraging on-site renewable energy production if this is the appropriate place in the Zoning Ordinance.</p>	<p><i>Not made explicit. Renewable energy not a requirement, but encouraged under the Draft NZO.</i></p>
<p>Commissioner Maynard commented that the language is vague and recommended language regarding more specific goals.</p>	<p><i>Energy efficiency criterion revised.</i></p>
<p>Chapter 17.58 – Coastal Development Permit</p>	

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.58.050 Vice Chair Jenkins requested the definition of “de minimis development”.</p>	<p><i>Definition added.</i></p>
<p>17.58.080.C.2 Commissioner Maynard questioned whether the appeal rights are a Coastal Commission restriction or if an appeal can be allowed for a second time.</p>	<p><i>This provision is just applicable to the intent to waive a public hearing. If appealed, then it would require a public hearing.</i></p>
<p>17.58.120.B Commissioner Maynard questioned whether there can be an option for notice by electronic mail.</p>	<p><i>No. The Coastal Commission requires mailed NOFAs.</i></p>
<p>Chair Onnen agreed with Commissioner Maynard’s request.</p>	<p><i>See response above.</i></p>
<p>17.58.130.B Commissioner Fuller suggested rewording the language with regard to application after denial.</p>	<p><i>Section removed. Common procedures regulate resubmissions.</i></p>
<p><i>Chapter 17.59 - Modifications</i></p>	
<p>17.59 Vice Chair Jenkins recommended considering language with regard to noticing neighbors.</p>	<p><i>Noticing covered in Common Procedures for Public Hearing.</i></p>
<p>Commissioner Maynard agreed with the request to add noticing language.</p>	<p><i>See response above.</i></p>
<p>17.59.010 Commissioner Fuller suggested rewording the purpose away from suggesting a modification is a substitute when a variance is not granted.</p>	<p><i>Reference to Variances removed.</i></p>
<p>17.59.020 Vice Chair Jenkins questioned clarification regarding whether there is a hearing required for a modification. He noted that in other jurisdictions, the procedure is lengthy. He questioned whether we are serving the public well with a limited procedure.</p>	<p><i>Language clarified to make clear a hearing is required.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Vice Chair Jenkins questioned whether the request from the public to increase the modifications to 20 percent should be considered.	<i>Modifications revised to reflect existing modification allowance. Additional adjustments to development standards allowed through Conditional Use Permit and Development Plan approvals.</i>
Commissioner Maynard commented that administrative review would be acceptable as long as the modification stays at up to 10 percent and the height standard for a building is removed and considered at a public hearing.	<i>Revisions made to reflect existing Modification standards and requirements of General Plan.</i>
Chair Onnen commented that he would support an administrative modification procedure to allow for minor changes to be done because it would be cost effective and time effective and would be appealable.	<i>No administrative Modifications allowed.</i>
17.59.040.C.1 Commissioner Maynard commented that the required findings seem vague. She requested definition with regard to “exceptional or extraordinary circumstances”, and “superior design”.	<i>Findings revised.</i>
17.59.040.C.4 Commissioner Maynard commented that “superior quality” is vague.	<i>Findings revised.</i>
Chapter 17.61 – Emergency Permits	
17.61.020.E Chair Onnen commented that there was a recent situation that required an Emergency Permit and wondered whether these findings created any undue pressure.	<i>No change. Director has flexibility in making findings.</i>
Chapter 17.62 – Development Agreements	
17.62.060,A Commissioner Fuller requested clarification regarding why the applicant is required to initiate the required annual review.	<i>Annual review language removed.</i>
Chair Onnen agreed with Commissioner Fuller’s comments.	<i>See above.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
Chair Onnen commented in support of the annual review process. He requested looking at how the process is initiated.	<i>See above.</i>
17.62.080.B Commissioner Fuller commented that the language is not clear.	<i>No change made.</i>
Commissioner Maynard questioned whether it is appropriate to still reference land use permits.	<i>Language changed to reference “development projects” for clarity.</i>
Chapter 17.63 – Amendments to Zoning Regulations and Zoning Map	
17.63.020.A Vice Chair Jenkins suggested including the Planning Commission with regard to authority to initiate an amendment to the Zoning Map or zoning regulations.	<i>Planning Commission added to reflect existing process.</i>
Chapter 17.64 – Amendments to the General Plan	
17.64.040.C.1 Commissioner Maynard commented that <u>17.64.040.C.1</u> covers the goals with the General Plan.	<i>No response needed.</i>
17.64.040.C.2 Commissioner Maynard suggested removing “or in the General Plan” because she believes it was accomplished in <u>17.64.040.C.1</u> , and any amendment will have an effect on the General Plan.	<i>No change, language adopted by City Council in 2012.</i>
17.64.040.C.4 Commissioner Maynard questioned whether the language in <u>17.64.040.C.4</u> with regard to public facilities needs to be included as a requirement in the findings.	<i>No findings for initiation resolution. Will remain one of five factors. Assurance of availability of public facilities analyzed at the project level.</i>
Chapter 17.70 – Use Classifications	
17.70.010 Residential Care Facilities, Large Commissioner Fuller recommended that reference be made that these requirements are State terms and may be changed by the State.	<i>No change made. Multiple uses guided or directed by State law.</i>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.70.010 Supportive Housing Commissioner Maynard noted a typo which is a space missing between the section code number and “of”.</p>	<p><i>Space added.</i></p>
<p>17.70.020 Community Assembly Commissioner Maynard requested clarification whether banquet centers would be either in Community Assembly or Commercial Entertainment and Recreation, Banquet and Conference Center (17.70.030).</p>	<p><i>Reference to banquet centers removed.</i></p>
<p>Chair Onnen commented that it seems confusing that day care centers are excluded in Community Assembly and seems inconsistent with some uses in types of church facilities.</p>	<p><i>Reference to day care centers removed. Would be considered accessory uses.</i></p>
<p>17.70.020 Sustainable Living Research Site Commissioner Maynard commented that she believes “in partnership with educational institutions” is too restrictive and suggested language such as “in partnership with accredited experts including educational institutions”.</p>	<p><i>Use classification removed.</i></p>
<p>17.70.030 Automobile/Vehicle Sales and Services Chair Onnen commented that there is no use listed for selling large trucks and buses.</p>	<p><i>Light trucks included in this use. Larger and heavier vehicles included in Heavy vehicles and Large Equipment Sale/Rental, Service, and Repair.</i></p>
<p>17.70.030 Automobile/Vehicle Service and Repair, Major Chair Onnen recommended more specific language with regard to large equipment such as large trucks and buses.</p>	<p><i>See response above.</i></p>
<p>17.70.030 Commercial Entertainment and Recreation, Banquet and Conference Center Commissioner Maynard requested clarification whether banquet centers would be either in Community Assembly (<u>17.70.020</u>) or Commercial Entertainment and Recreation.</p>	<p><i>Banquet center reference removed from Community Assembly use classification.</i></p>
<p>17.70.030 Building Materials, Sales and Service Vice Chair Jenkins commented that there are some large big-box type of stores that include building materials sales, and questioned whether this is considered globally.</p>	<p><i>Change to use classification definition to clearly distinguish Large Format Retail from Building Materials, Sales, and Service.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.70.030 Lodging and Visitor Services Commissioner Maynard suggested language with regard to Airbnb's may be helpful.</p>	<p><i>Short-term rentals regulated by Chapter 5.08 of the Municipal Code. A section was added to specific use standards reference this Chapter was added for clarity.</i></p>
<p>17.70.030 Mobile Food Facility/Vendor Commissioner Fuller commented that there is not a place for push carts in the community and suggested removing any reference to push carts.</p>	<p><i>No change made.</i></p>
<p>Commissioner Maynard commented if there will be consideration with regard to push carts, she would recommend making push carts a separate definition rather than eliminating it.</p>	<p><i>See response above. Still included in definition of Mobile Vendor.</i></p>
<p>17.70.030 Nurseries and Garden Center Commissioner Maynard suggested considering the concern with regard to building materials and nurseries and garden centers.</p>	<p><i>Sale of yard and garden tools added to use classification.</i></p>
<p>Chair Onnen commented that the requirement that fertilizer and soil products are stored and sold in package form only should be removed, noting that these items can be stored and sold in a bulk fashion.</p>	<p><i>Provision removed.</i></p>
<p>Commissioner Maynard commented that it seems like there needs to be a reference to alternatives or definitions when there are restrictions in place.</p>	<p><i>See response above.</i></p>
<p>17.70.050 Light Fleet-Based Services Chair Onnen requested that the capacity limit of 10,000 pounds be examined. For example, an ambulance could be excluded.</p>	<p><i>Standard changed to 15,000 pounds.</i></p>
<p>17.70.060 Agricultural Uses, Animal Raising Commissioner Maynard requested clarification with regard to the definition for raising animals not on a farm and not as a household pet.</p>	<p><i>See regulations for Animal Keeping in Part IV.</i></p>
<p>Chapter 17.71 – List of Terms and Definitions</p>	

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>17.71.010 Commissioner Maynard requested in general that the page number be listed to find the definition for the terms in the list, similar to an index.</p>	<p><i>No change made. Could require extensive clerical revisions if definitions are added, edited, or removed over time.</i></p>
<p>Design Review Board Vice Chair Jenkins recommended adding “(DRB)”.</p>	<p><i>Parenthetical added.</i></p>
<p>17.71.020 Carport Vice Chair Jenkins suggested changing “not more than two sides” to “not more than three sides”, noting that three sides are more common.</p>	<p><i>Revision made.</i></p>
<p>Design Review Board Vice Chair Jenkins recommended including “DRB” in parentheses.</p>	<p><i>Parenthetical added.</i></p>
<p>Floor Area Vice Chair Jenkins recommended definitions for both “floor area gross” and “floor area net”.</p>	<p><i>Change not made. Only one type of floor area used. This will be discussed further with the Planning Commission.</i></p>
<p>Pervious Vice Chair Jenkins recommended adding “permeable”, such as “pervious/permeable” because permeable is also a very common term when it deals with stormwater management.</p>	<p><i>Pervious not included. Permeable defined under Landscaping-related Terms.</i></p>
<p>Tree Commissioner Fuller questioned the language “See Tree Definitions”.</p>	<p><i>Reference to “See Tree Definitions” removed.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p>Lighting-Related Definitions Commissioner Maynard questioned whether there should be consistency for the illumination measurements with regard to the terms of foot-candle and lumens. She noted a different light rating was used in the Signs Chapter. Should one term be chosen?</p>	<p><i>No change made. Foot-candle and lumen are slightly different measurements and should not be used interchangeably. Foot-candle is a measure of light at a given distance from a light source, lumen is the amount of light radiated from a light source.</i></p>
<p>Figure 17.17.020.A Vice Chair Jenkins commented that the diagram is very helpful.</p>	<p><i>No response required.</i></p>
<p>Parking, Bicycle, Long-term Commissioner Fuller noted that there was previous discussion with regard to long-term bicycle parking designed for those who stay at a site for four hours or longer.</p>	<p><i>No response required.</i></p>
<p>Commissioner Maynard recommended adding language with regard to the discussion regarding parking in another chapter. She prefers the term “full time equivalent” as opposed to full time employees. She would support extending the number of hours from four hours to six or eight hours.</p>	<p><i>Reference to “four hours or longer” changed to “extended periods of time.”</i></p>
<p>Chair Onnen commented that he has concerns with the related requirement for fifty percent of long-term bicycle parking to have covered parking, and with the four hours for long-term parking.</p>	<p><i>See response above.</i></p>
<p>Sign Terms Vice Chair Jenkins requested that comments from the DRB and speaker Cecilia Brown are considered.</p>	<p><i>No response required.</i></p>
<p>Sign Terms, Electronic Copy Commissioner Maynard requested a separate definition for signs that can change copy by just flipping a number or letter as compared to signs with LED lights, for clarity with regard to the terms.</p>	<p><i>No change made. Distinction made in Sign Chapter.</i></p>
<p>Sign Terms, Window Sign Commissioner Maynard commented that it may be helpful to have two separate definitions with regard to a permanent window sign vs. a temporary window sign. For example, a temporary window sign could be a notice for a one-time purpose or notice.</p>	<p><i>No change made. However, Window Sign definition revised to make clear that Window Signs are treated as wall signs for purpose of sign allowances.</i></p>

Responses to PC Comments from PC Workshops

Planning Commission (PC) Comments	Staff Response
<p><i>Specified Sexual Activities</i> Vice Chair Jenkins noted there is a typo with regard to “public”.</p>	<p><i>Edit made.</i></p>
<p><i>Substantial Conformity</i> Vice Chair Jenkins recommended adding a definition with regard to Substantial Conformity.</p>	<p><i>Definition added.</i></p>
<p><i>Zoning Administrator</i> Commissioner Maynard recommended adding a definition that is more appropriate such as the Director of Planning and Environmental Review or such Director’s designee.</p>	<p><i>Language added to clarify the person is designated by the City Manager.</i></p>