



TO: Mayor and Councilmembers

SUBMITTED BY: Peter T. Imhof, Planning and Environmental Review Director

PREPARED BY: Anne Wells, Advance Planning Manager
Andy Newkirk, Supervising Planner Staff

SUBJECT: Consideration of Title 16 (Subdivisions) and Title 17 (Zoning) Amendments to Implement State Planning Law and Provide Various Minor Zoning Changes and Clarifications and Determination that the Amendments are Exempt from the California Environmental Quality Act

RECOMMENDATION:

Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 25-___, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 16 (Subdivisions) and Title 17 (Zoning) of the Goleta Municipal Code to Implement State Planning Law and Provide Various Minor Zoning Changes and Clarifications and Finding the Amendments to be Exempt from the California Environmental Quality Act (Case No. 25-0003-ORD).”

BACKGROUND:

On March 3, 2020, City Council adopted Title 17 (Zoning) of the Goleta Municipal Code (GMC). Since adoption, the City has conducted several rounds of amendments to Title 17 to address changes in State law and to clarify various provisions in the Title.

Since the last round of Title 17 amendments, staff has continued to track implementation of Title 17 and identified additional amendments needed to (1) address changes in State law, including associated changes to Title 16 (Subdivisions) of the GMC, (2) better clarify the intent and application of Title 17 development standards and procedures based upon issues raised during review of development applications, and (3) correct typographical errors and ambiguities in the Title.

A draft ordinance to amend Title 16 and Title 17 (Proposed Ordinance) was presented to the Planning Commission at a public hearing on October 27, 2025. At that hearing, the Planning Commission recommended to the City Council the adoption of the amendments as presented below.

DISCUSSION:

The Proposed Ordinance is provided as Attachment 1 to the staff report. The proposed amendments to Title 16 can be found in Section 4 of the Proposed Ordinance. The proposed amendments to Title 17 can be found in Section 5 of the Proposed Ordinance. The amendments in the Proposed Ordinance are in a “clean” format, meaning they do not show the actual proposed changes to the adopted regulations. For ease of understanding these proposed changes, a table of proposed amendments showing tracked changes from the currently adopted regulations of Title 17 is provided as Attachment 2. Proposed amendments are summarized below by topic area.

State Law Consistency

Below is a summary of amendments needed to ensure the GMC complies with, and implements, requirements of State law.

Single-Family Residential Development

Senate Bill (SB) 9 of 2021 (SB 9) requires cities to both (a) allow single-family lots to be split, roughly into halves, with resulting lots as small as 1,200 square feet, and (b) allow up to two single-family dwellings to be developed on each single-family residential lot. These approvals must occur ministerially with no subjective considerations with limited local government control. The City implemented SB 9 through additions to Title 16 and Title 17 of the GMC.

Recently approved SB 450 (2024) further reduces the scope of local authority to regulate SB 9 projects. Most notably, under SB 450, the City:

- May no longer impose standards on second primary dwelling unit projects that do not apply uniformly to development within the underlying zone unless the SB 9-specific standards are more permissive.
- May only impose standards on urban lot splits that are “related to the design or to improvements of a parcel” (e.g., lot size, access, and grading).
- Must approve or deny a completed application for an urban lot split or second primary dwelling unit project within 60 days (failure to act results in the application being deemed approved).
- Must provide detailed comments with any denial of an urban lot split or second primary dwelling unit application.
- May no longer deny an application for an urban lot split or second primary dwelling due to specific adverse impacts to the “physical environment” (now only adverse impacts on “public health and safety” are a valid basis for denying an SB 9 application).

To implement the changes in SB 450, the Proposed Ordinance includes amendments to Chapter 16.18 and subsection 17.07.040(C). Note that three additional edits have been

made since the Planning Commission recommendation. The first change is to the title of subsection 17.07.040(C) to correct a State law citation and remove reference to urban lot split provisions. The second is to remove a citation to SB 9 subdivision provisions in subsection 17.07.040(C)(1). The third is to remove language making a distinction between illegal zoning conditions and nonconforming zoning conditions in subsection 16.18.050(J) in order to match the language of State law.

These revisions are shown in tracked changes in Attachment 3 and in a clean version in the Proposed Ordinance as Exhibits A and B, respectively.

Community Clinics Providing Reproductive Health Services

Assembly Bill (AB) 2085 (2024) established new mandatory streamlining procedures for Community Clinics Providing Reproductive Health Services, as defined under State law. These new streamlining provisions apply to the citing of construction of structures to support this use. The Proposed Ordinance includes new allowances for the use in various zone districts in Part II of Title 17, new use standards in a new Section 17.41.300, and a definition for the use. New development associated with the use must be processed ministerially through the issuance of a Land Use Permit or Coastal Development Permit with objective design review conducted by the Director of the Planning and Environmental Review Department. (See subsections 5(C)(3), 5(D), 5(AA), 5(MM), and 5(RR)(5) of the Proposed Ordinance.)

Density Bonus

The Proposed Ordinance includes a new subsection in the City's State density bonus law (SBDL) implementing regulations in Chapter 17.27. While not driven by a recent change in SDBL, the proposed amendments include findings and are intended to better implement and document the City's processing of SDBL projects. Three findings, where the City denies various types of SDBL applicant requests (a concession or incentive, a waiver or reduction, and a density bonus or concession for a childcare facility), were prepared to explicitly match requirements of SDBL. The fourth finding, when the City approves a development under SDBL, was prepared to ensure the City clearly documents how the applicant qualified for what was requested under SDBL. (See subsection 5(K) of the Proposed Ordinance.)

Parking Waivers

In 2022, the State adopted AB 2097. Subject to certain limited exceptions, AB 2097 prohibits the City from imposing or enforcing a minimum parking requirement on most development that is within one-half mile of a "major transit stop," as that term is defined in State law. At the time of adoption, this law had limited impact in the City. However, in 2024, the State amended the definition of "major transit stop" through AB 2553. With the change, the City is now more likely to see parking waivers pursuant to AB 2097. To reflect this reality, the Proposed Ordinance includes a new parking waiver for projects that qualify for such a waiver under Government Code Section 65863.2 (the implementing provisions of AB 2097). (See subsection 5(V) of the Proposed Ordinance.)

Noticing for Changes in Allowed Uses

Historically under State law, all public hearings for zoning amendments before the Planning Commission and City Council required notice at least 10 days prior to the hearing. However, AB 2094 (2024) changed that noticing rule to 20 days for ordinance recommendation hearings in front of the Planning Commission where the ordinance proposes to alter allowed uses of real property. To implement AB 2094, the Proposed Ordinance includes an amendment in Chapter 17.66 to clarify the noticing requirements for such zoning amendments. (See subsection 5(OO) of the Proposed Ordinance.)

Low-Barrier Navigation Centers

In 2023, the City adopted regulations for Low-Barrier Navigation Uses, consistent with State law. SB 1395 (2024) made a minor change to the definition of “Low-Barrier Navigation Center” to specify that a Low-Barrier Navigation Center may be “non-congregate and relocatable.” The Proposed Ordinance includes a change to the use definition for “Low-Barrier Navigation Center” to match the change in State law. (See subsection 5(QQ) of the Proposed Ordinance.)

Proposed Minor Revisions

Below is a summary of minor issues staff identified as warranting revisions based on administration of Title 17 to development applications and inquiries.

Automobile Uses

Currently, Title 17 has two different uses, “Automobile Rentals” and “Automobile/Vehicle Sales and Leasing,” that have significant functional overlap yet are allowed in different zone districts. In an effort to simplify Title 17 uses, these two uses have been consolidated in the Proposed Ordinance into a new use: “Automobile/Vehicle Sales, Rentals, and Leasing,” which is proposed to be allowed in all zones where either of the two consolidated uses is currently allowed. (See subsections 5(C)(1), 5(C)(2), 5(F), 5(U)(2), 5(U)(3), 5(Z), 5(RR)(2), and 5(RR)(3) of the Proposed Ordinance.)

Trash Enclosures

Trash, recycling, and green waste container enclosures (trash enclosures) are currently regulated pursuant to subsection 17.24.140(B)(2). This subsection includes, among other standards, details on where such trash enclosures are allowed on a site. However, these trash enclosures also typically meet the definition of “accessory structures,” which are regulated pursuant to subsection 17.24.020. Subsection 17.24.020(D) includes regulations on the location of accessory structures that create conflicts with the allowed location of trash enclosures. The Proposed Ordinance includes amendments to remove this conflict and clarify that trash enclosures are regulated pursuant to the location

standards specific to trash enclosures in subsection 17.24.140(B)(2). (See subsections 5(G) and 5(J) of the Proposed Ordinance.)

Fence and Retaining Wall Heights

The Proposed Ordinance includes two amendments related to how the City regulates the heights of fences and retaining walls. Currently, all fences above 6 feet in height in front and street side setbacks and above 8 feet in interior side and rear setbacks require a Land Use Permit (LUP) or Coastal Development Permit (CDP). However, there is no maximum height listed for fences. Without a limit, the maximum height allowed is the zone district height maximum (which range from 25 to 35 feet). The LUP/CDP provides no specific means for denying fences as high as the base zone district height maximum. To address this, the Proposed Ordinance includes replacing the requirement for the LUP/CDP with a Minor Conditional Use Permit. These changes allow the Zoning Administrator to deny fences taller than the heights specified above, where they do not fit within the context of the proposed site. These changes also align with the permitting requirements in place prior to the original adoption of Title 17. (See subsections 5(H) and 5(I) of the Proposed Ordinance.)

Inclusionary Housing

Several amendments are proposed for Chapter 17.28 (Inclusionary Housing) and are summarized below:

- A revision is proposed to make clear that piecemealing of development (multiple separate projects) cannot be used to circumvent the City's inclusionary housing requirements. The revision would require the City to include cumulative housing development on a site over the course of the previous five years for considering when the threshold of "two or more housing units" is met for purposes of applying the City's inclusionary housing requirements. (See subsection 5(L) of the Proposed Ordinance.)
- Two amendments are proposed to clarify how off-site units will be assessed for satisfying the City's inclusionary housing requirement. The first is proposed to clarify that comparability in terms of "location" means that these units can be anywhere in the City. This revision is proposed because the entire City is identified in High or Highest Resource areas pursuant to the California Tax Credit Allocation Committee Opportunity Map (which identifies areas associated with positive economic, educational, and health outcomes for low-income families). The second is proposed to clarify that comparability in terms of "character" relates to building materials, on-site facilities and amenities, and unit sizes. (See subsection 5(M) of the Proposed Ordinance.)
- Because the City sets the monetary amount required when in-lieu fees are paid rather than developing inclusionary housing units on- or off-site by City Council resolution, an amendment is proposed to make that clear. (See subsection 5(N) of the Proposed Ordinance.)

- An amendment is proposed to fix an internal inconsistency and make clear that approvals of trade-offs to meet the City's inclusionary housing requirements, can be made by the project's Review Authority, not just City Council. (See subsection 5(O) of the Proposed Ordinance.)
- Finally, several provisions of Chapter 17.28 are proposed for deletion because these operational standards are included in the City's Affordable Housing Policies & Procedures Manual (Manual) that City Council adopted in 2023. Because the Manual was adopted by resolution, updates and refinements to the document are easier to make than amendments to the City's zoning regulations. Consequently, deletion of redundant requirements in Chapter 17.28 is proposed to ensure the City is able to adjust requirements in the nimblest way possible. Proposed deletions include requirements related to principal residence requirements, eligibility and selection for inclusionary units, and certain limitations related to inclusionary units. In place of these requirements, new language is also proposed to reference the Manual for these regulations. (See subsections 5(P), 5(Q), and 5(R) of the Proposed Ordinance.)

Projects Approved Prior to Title 17

Title 17 includes a provision that states that any project legally permitted through the approval of a Development Plan issued prior to the adoption of Title 17 in 2020 shall not be considered nonconforming. This provision was included in Title 17 in acknowledgement that many development standards were altered or added with the adoption of Title 17, and the City did not want to negatively impact previous development that did everything that was required of them under the zoning regulations in place when that development was approved, including the discretionary process of receiving a Development Plan. However, this provision has proved limiting because some physical development, which would typically be approved with a Development Plan, was approved by the County of Santa Barbara prior to Goleta's incorporation through a Conditional Use Permit. To resolve this issue, a revision is proposed to subsection 17.36.020(D), to include Conditional Use Permits (to the extent that a Conditional Use Permit approved physical development). (See subsection 5(T) of the Proposed Ordinance.)

Consolidated Expiration Dates

Different approvals within Title 17 have different expiration dates. Below are three examples:

- Development Plans: Five years after the effective date, unless substantial physical construction has been completed.
- Final Design Review Approval: Three years from the date of approval, unless a Zoning Permit has been issued.
- Conditional Use Permits: Eighteen months after approval, unless a Zoning Clearance has been issued.

All three of the above-listed approvals for a project could occur at the same time, leading to a confusing mismatch of expiration dates. To simplify this issue, the Proposed Ordinance includes a provision to be added subsection 17.52.090(C)(4) to state that where a project includes multiple expiration dates, all approvals shall have the expiration date of the latest expiration date of a single approval for the project. (See subsection 5(EF) of the Proposed Ordinance.)

Changes to Prior Permits and Approvals

Title 17 includes specific findings for changes to prior permits and approvals in Section 17.52.100. For both minor changes and amendments, one of the findings is that the findings required for the original development approval for the site can still be made. A challenge occasionally arises in applying this finding for projects approved by the County of Santa Barbara prior to Goleta's incorporation. In some instances, the City does not have the original County findings on file. To address this issue, that Proposed Ordinance includes an exception to this finding when the original findings are not on file with the City, with a replacement finding proposed to ensure that adequate infrastructure and public services are available to serve the proposed development. (See subsections 5(FG) and 5(GG) of the Proposed Ordinance.)

Stay of Design Review Board Appeals

Currently, any appeal of a Design Review Board approval is stayed until action is taken on any accompanying Zoning Permits, under subsection 17.52.120(A)(3)(a). However, in 17.54.040(B), an effectuating Zoning Clearance can only be issued after all necessary prior approvals have been obtained and an appeal stays the Design Review Board approval. These provisions create a conflict because an appeal would be stayed until a Zoning Clearance is issued, which cannot be issued until the appeal process is completed. To resolve this issue, a revision is proposed to provide an exception for Zoning Clearances from the appeal staying provision. (See subsection 5(IJ) of the Proposed Ordinance.)

Timelines for Design Review Levels

Currently, subsection 17.58.100(A) allows only one year for a Preliminary Design Review approval to be valid unless a project receives Final Design Review approval, with a possible extension of this timeline by one year made by the Director of Planning and Environmental Review. This one-year timeline, with a one-year extension, is limiting in practice. Consequently, the Proposed Ordinance adds an additional year to the validity of the Preliminary Approval, allowing up to three years (including a one-year extension) to better reflect the reality and needs of many development projects. (See subsection 5(LL) of the Proposed Ordinance.)

Height Modifications

Title 17 allows for a Modification to zone district heights standards through a discretionary process and only by Planning Commission or City Council, as detailed in subsection

17.62.020(B)(1)(a). Currently, this provision allows for a maximum Modification of 30% of the base district height maximum in the Coastal Zone and 20% of the base district height maximum in the Inland Area for the Planned Residential (RP), Residential – Medium Density (RM), and Residential – High Density (RH) zone districts. The greater flexibility in the Coastal Zone was reflective of the fact that the maximum height for these zone districts was 25 feet in the Coastal Zone, compared to 35 feet in the Inland Area.

However, the City recently updated the maximum height standards in the Coastal Zone for these districts to 35 feet as part of Housing Element implementation. The differential Modification should have been updated at that time so the height standards and Modification potential were consistent throughout the City. The Proposed Ordinance corrects this oversight so that the Modification allowances for these districts are uniform at 20%. (See subsection 5(NN) of the Proposed Ordinance.)

Clean-Up Revisions

The Proposed Ordinance includes clarifying amendments to clear up ambiguities, improve formatting, or correct typographical errors. Below is a brief summary of these proposed changes:

- Add a reference to the “High Density Residential” Overlay District in Table 17.01.070(B). (See subsection 5(A) of the Proposed Ordinance.)
- Clarify that the limitation on certain commercial uses to 20% of a lot in the Office and Institutional (OI) and Business Park (BP) zone districts only applies to the portions of a lot that is actually within one of those two zones. (See subsection 5(E) of the Proposed Ordinance.)
- Remove a standard for subdivisions in areas with known hazards, in Section 17.32.070, as subdivisions are regulated by Title 16 of the GMC. (See subsection 5(S) of the Proposed Ordinance.)
- Move the parking reductions for senior housing and income-restricted units from the parking standards table (Table 17.38.040(A)) to the parking reductions section (17.38.050) for consistency with other parking reductions in Chapter 17.38. (See subsections 5(U)(1) and 5(X) of the Proposed Ordinance.)
- Clarify that the use of a bus pass program as a Transportation Demand Management Program parking reduction measure pursuant to subsection 17.38.050(C)(1)(i) can be applied to residents of a project (in addition to employees). (See subsection 5(W) of the Proposed Ordinance.)
- Correct a typo regarding the type of Conditional Use Permit (from Minor to Major) for Day Care Facilities in the City’s industrial zones, in the text of subsection 17.41.110(A)(3). Title 17 correctly states that a Major Conditional Use Permit is required for Day Care Facilities in the General Industrial (IG) and Service Industrial (IS) zone districts in Table 17.10.020 and in the title of subsection 17.41.110(A)(3). (See subsection 5(Y) of the Proposed Ordinance.)

- Remove an “and” from the list of projects that are not exempt from the requirements of Chapter 17.43 (Cultural Resources) to ensure stylistic consistency. (See subsection 5(BB) of the Proposed Ordinance.)
- Replace a semicolon with a period in subsection 17.44.010(B)(1) for stylistic consistency. (See subsection 5(CC) of the Proposed Ordinance.)
- Correct a cross-reference citation in subsection 17.44.010(C)(1). (See subsection 5(DD) of the Proposed Ordinance.)
- Clarify in subsection 17.52.120(A)(1)(b) that Time Extensions approved pursuant to subsection 17.52.090(D) are appealable. (See subsection 5(HH) of the Proposed Ordinance.)
- Replace the reference to “Zoning Permit” with “approval” in the introductory language to Section 17.53.020 detailing exempt development. This clarification would make it clear that the exemption provisions apply to qualifying development, where the proposed development would otherwise require a Substantial Conformity Determination or Amendment, which are not considered “Zoning Permits.” (See subsection 5(JJ) of the Proposed Ordinance.)
- Clarify that the exemption for awnings not extending beyond 36 inches from an exterior wall in subsection 17.53.020(J) applies universally. (See subsection 5(KK) of the Proposed Ordinance.)
- Resolve an internal conflict to make clear that the Director of Planning and Environmental Review can administratively extend Design Review approvals by one year in Section 17.58.100. (See subsection 5(LL) of the Proposed Ordinance.)
- Correct a misspelling of “therefore” in subsection 17.70.120(C). (See subsection 5(PP) of the Proposed Ordinance.)
- Correct typographical errors in the definition of the Boarding Kennel use classification in subsection 17.72.030. (See subsection 5(RR))(1) of the Proposed Ordinance.)
- Clarify the definition of the Catering Services use classification in subsection 17.72.030 to make clear that the off-site consumption of the prepared food is at events (to differentiate the use from a take-out restaurant). (See subsection 5(RR)(4) of the Proposed Ordinance.)
- Remove reference to massage establishments in the definition of the General Personal Services use classification, in subsection 17.72.030, as massage establishments are included in the definition of the Restricted Personal Services use classification. Also, reference is added to the specific license needed for massage establishments in Chapter 5.05 of the GMC in the Restricted Personal Services. (See subsections 5(RR)(6) and 5(RR)(7) of the Proposed Ordinance.)

ENVIRONMENTAL REVIEW:

The amendments are not subject to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.) pursuant to Section

15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in Section 15378(a) but it is an organizational or administrative activity by government that will not result in direct or indirect physical changes in the environment pursuant to Section 15378(b)(5).

The amendments are also exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the activity is covered by the general rule, which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

Furthermore, pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, projects that are consistent with the development density of existing zoning, community plan, or General Plan policies for which an Environmental Impact Report (EIR) was certified shall be exempt from additional CEQA analysis, except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review. There is no new substantial information indicating that the impacts of adopting the amendments will be more severe than described in the General Plan EIR and there are no cumulative or off-site impacts from the proposed amendments that were not addressed in the General Plan EIR.

Finally, amendments to Title 16 and Title 17 to implement SB 450 are exempt from CEQA pursuant to Government Code Sections 65852.21(k) and 66441.7(n). These provisions state that a local agency ordinance to implement the provisions of SB 9, as amended by SB 450, are not a project under CEQA.

A draft of the proposed Notice of Exemption is provided as Attachment 4.

FISCAL IMPACTS:

There is no direct fiscal impact from the adoption of the Proposed Ordinance. Funding for Planning and Environmental Review staff time to prepare the amendments was included in the adopted FY 2025-26 Budget under Program 4300 of the Advance Planning Division.

ALTERNATIVES:

The City Council could choose not to adopt the Proposed Ordinance. Failure to adopt the Proposed Ordinance would maintain inconsistencies between State law and the City's zoning regulations and delay needed improvements to Title 17.

LEGAL REVIEW BY: Isaac Rosen, City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENTS:

1. Ordinance No. 25-___, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 16 (Subdivisions) and Title 17 (Zoning) of the Goleta Municipal Code to Implement State Planning Law and Provide Various Minor Zoning Changes and Clarifications and Finding the Amendments to be Exempt from the California Environmental Quality Act (Case No. 25-0003-ORD).”

Exhibit A: Chapter 16.18 – Government Code Section 66441.7 Urban Lot Splits

Exhibit B: Subsection 17.07.040(C) – Government Code Section 65852.21

2. Title 17 Proposed Ordinance Amendments in Tracked Changes Table (For Reference Purposes Only)
3. Amendments to GMC Chapter 16.18 and Subsection 17.07.040(C) Pursuant to SB 450
4. CEQA Notice of Exemption
5. Staff Presentation

ATTACHMENT 1

Ordinance No. 25-__, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 16 (Subdivisions) and Title 17 (Zoning) of the Goleta Municipal Code to Implement State Planning Law and Provide Various Minor Zoning Changes and Clarifications and Finding the Amendments to be Exempt from the California Environmental Quality Act (Case No. 25-0003-ORD).”

ORDINANCE NO. 25-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING VARIOUS AMENDMENTS TO TITLE 16 (SUBDIVISIONS) AND TITLE 17 (ZONING) OF THE GOLETA MUNICIPAL CODE TO IMPLEMENT STATE PLANNING LAW AND PROVIDE VARIOUS MINOR ZONING CHANGES AND CLARIFICATIONS AND FINDING THE AMENDMENTS TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CASE NO. 25-0003-ORD)

WHEREAS the City's subdivision regulations are contained in Title 16 (Subdivisions) of the Goleta Municipal Code (Title 16); and

WHEREAS the City's zoning regulations are contained in Title 17 (Zoning) of the Goleta Municipal Code (Title 17); and

WHEREAS City staff identified needed amendments to Title 16 and Title 17 address State law consistency, remedy issues identified during implementation of Title 17, and provide clarity to existing regulations in Title 17; and

WHEREAS the Planning Commission conducted a duly noticed public hearing on October 27, 2025, at which time all interested parties were given an opportunity to be heard; and

WHEREAS the Planning Commission recommended to City Council adoption of the Title 16 and Title 17 Amendments Ordinance on October 27, 2025; and

WHEREAS the City Council conducted a duly noticed public hearing on _____, 2025 at which time all interested persons were given an opportunity to be heard; and

WHEREAS the City Council adopted Ordinance No. 25-__, which amends Title 16 and Title 17 of the Goleta Municipal Code, by a majority vote on _____, 2025;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1 Recitals

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2 Required Findings for Amendments to Title 17 of the Goleta Municipal Code

Pursuant to subsection 17.66.050(B) of the Goleta Municipal Code, the City Council makes the following findings:

A. The amendment is consistent with the General Plan, the requirements of State planning and zoning laws, and Title 17 of the Goleta Municipal Code.

The Ordinance, which amends the Goleta Municipal Code Title 17, is consistent with all applicable provisions of the City's General Plan that relate to development on real property throughout the City. Many of the amendments relate to minor procedural and clerical revisions that do not alter the previous findings of Title 17 consistency with the General Plan.

The Ordinance will amend Title 17 and bring the City's zoning regulations into conformity with various aspects of State planning law. Specifically, the ordinance updates the City's density bonus regulations to better align with State Density Bonus Law related to documentation of findings related to Density Bonus projects. The Ordinance updates the City's regulations to align with Senate Bill 450 (2024), which necessitated updates to the City's regulations related to Senate Bill 9 (2021). The Ordinance also includes regulations and procedures to implement Assembly Bill 2085 (2024) related to the Community Clinics Providing Reproductive Health Services. Updates to Title 17 included in the Ordinance also address updates to parking waiver standards under state law, noticing requirements for certain Planning Commission hearings, and a change to the definition of Low Barrier Navigation Centers.

Therefore, the Ordinance is consistent with the General Plan, the requirements of State planning and zoning laws, and Title 17 of the Goleta Municipal Code.

B. The amendment is in the interests of the general community welfare.

The Ordinance, which amends Goleta Municipal Code Title 17, will allow the City to continue to effectively exercise its police power rights over privately owned real property. These police powers ensure the City's ability to implement the goals, objectives, and

policies of the General Plan, which protect the health, safety, and general welfare of the community. Additionally, the Ordinance provides clarity to the City's zoning regulations, specifically related to a variety of ambiguities related to permit processing, to help ensure the clear and consistent application of City land use regulations.

Therefore, the Ordinance is in the interest of the general community welfare.

C. The amendment is consistent with good zoning and planning practices.

The Ordinance, which amends Goleta Municipal Code Title 17, will help the City continue to implement the community goals, objectives, and policies of the General Plan. Furthermore, the Ordinance will further enable the City to have better control over existing and future land uses and development on real property throughout Goleta and ensure full compliance with State law controlling the review of certain types of development. By updating Title 17 to align with State planning law, including details regarding several aspects of State housing law, the Ordinance is consistent with good zoning and planning practices. Additionally, providing clarity to Title 17 based on issues identified since the adoption of Title 17 demonstrates good zoning regulations maintenance.

Therefore, the Ordinance is consistent with good zoning and planning practices.

SECTION 3 Environmental Review

The amendments are not subject to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.) pursuant to Section 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in Section 15378(a) but it is an organizational or administrative activity by government that will not result in direct or indirect physical changes in the environment pursuant to Section 15378(b)(5).

The amendments are also exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

Furthermore, pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, projects that are consistent with the

development density of existing zoning, community plan, or General Plan policies for which an Environmental Impact Report (EIR) was certified shall be exempt from additional CEQA analysis, except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review. There is no new substantial information indicating that the impacts of adopting the amendments will be more severe than described in the General Plan EIR and there are no cumulative or off-site impacts from the proposed amendments that were not addressed in the General Plan EIR.

Finally, amendments to Title 16 and Title 17 to implement Senate Bill 450 (2024) are exempt from CEQA pursuant to Government Code Sections 65852.21(k) and 66441.7(n). These provisions state that a local agency ordinance to implement the provisions of Senate Bill 9 (2021), as amended by Senate Bill 450 (2024), are not a project under CEQA.

As such, the Ordinance is exempt from further CEQA review.

SECTION 4 **Title 16 of the Goleta Municipal Code Amendments**

Chapter 16.18, entitled "Government Code Section 66441.7 Urban Lot Splits," is amended to read as shown in Exhibit A.

SECTION 5 **Title 17 of the Goleta Municipal Code Amendments**

Title 17 of the Goleta Municipal Code is hereby amended as follows:

A. Table 17.01.070(B) is amended to add a new row as follows:

Map Symbol Column: "-RH"
Full Name Column: "High Density Residential"

B. Subsection 17.07.040(C), is retitled "Government Code Section 65852.21 Projects," and amended to read as shown in Exhibit B.

C. Table 17.08.020 is amended as follows:

1. Delete row for "*Automobile Rentals.*"
2. Change "*Automobile/Vehicle Sales and Leasing*" to "*Automobile/Vehicle Sales, Rentals, and Leasing.*"
3. Add a row for "*Community Clinic Providing Reproductive Health Services*" indented and under the row for "Medical, Dental, and Health-Related Services."

- a. Add a “P” in the columns for CR, CC, OT, and CG.
- b. Add “-“ in the VS and CI columns.
- c. Add “See § 17.41.300, Community Clinics Providing Reproductive Health Services” under the “Additional Regulations” column.

D. Table 17.09.020 is amended as follows:

- 1. Add a row for “*Community Clinic Providing Reproductive Health Services*” indented and under the row for “Medical, Dental, and Health-Related Services.”
 - a. Include a “P” in the columns for BP and OI.
 - b. Add “See § 17.41.300, Community Clinics Providing Reproductive Health Services” under the “Additional Regulations” column.

E. Table 17.09.020, Note 2 is amended to read in its entirety:

Cumulative development of these uses must not exceed 20% of the total floor area on any one lot. If a lot contains multiple zone districts, these uses are limited to 20% of the lot zoned BP and/or OI.

F. Table 17.10.020 is amended as follows:

- 1. Delete row for “*Automobile Rentals*.”
- 2. Change “*Automobile/Vehicle Sales and Leasing*” to “*Automobile/Vehicle Sales, Rentals, and Leasing*.”

G. Subsection 17.24.020(A) is amended to read in its entirety:

Applicability. These provisions apply to all accessory structures except for trash, recycling, and green waste container enclosures regulated under subsection 17.24.140(B). This section does not apply to accessory dwelling units, which are regulated by Section 17.41.030, Standards for Specific Uses and Activities—Accessory Dwelling Units (ADU).

H. Subsection 17.24.090(B)(1)(b) is amended to read in its entirety:

More than Six Feet. Minor Conditional Use Permit.

I. Subsection 17.24.090(B)(2)(b) is amended to read in its entirety:

More than Eight Feet. Minor Conditional Use Permit.

J. Subsection 17.24.140(B)(2)(e) is added to read in its entirety:

Permit Required. Enclosures are permitted according to subsection 17.24.020(B).

K. Subsection 17.27.030(D) is added to read in its entirety:

Findings. In addition to any other findings required by this Title, the following findings apply, where applicable pursuant to this Chapter.

1. ***Required Finding for Approval.*** The Review Authority shall approve a housing development pursuant to this Chapter only if the following finding is made:
 - a. The housing development provides the housing required by State Density Bonus Law to be eligible for the requested density bonus and/or any incentives, waivers, or parking reductions, as evidenced by this finding.
2. ***Finding for Denial of a Concession or Incentive.*** The Review Authority shall grant an incentive or concession requested by an applicant pursuant to this Chapter unless it makes a written finding, based on substantial evidence, of one or more of the following findings:
 - a. The concession or incentive does not result in identifiable and actual cost reductions, consistent with Government Code Section 65915(k), to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5; or for rents for the targeted units to be set as specified in Government Code Section 65915(c).
 - b. The concession or incentive would have a specific, adverse impact, as defined in Government code Section 65589.5(d)(2), upon the public health or safety or on any real property that is listed in the California Register of Historic Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the housing development unaffordable to low-income and moderate-income households.

- c. The proposed incentive would be contrary to state or federal law.

3. ***Finding for Denial of Waiver or Reduction.*** The Review Authority shall grant a waiver of development standards requested by an applicant for a housing development pursuant to this Chapter unless it makes a written finding of any of the following:

- a. The application of the development standard for which a waiver or reduction is requested would not have the effect of physically precluding the construction of a development meeting the criteria in Government Code Section 65915(b) at the densities or with the concessions or incentives permitted under Government Code Section 65915.
- b. The waiver or reduction would have a specific, adverse impact, as defined in Government code Section 65589.5(d)(2), upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- c. The waiver or reduction would have an adverse impact on any real property listed in the California Register of Historic Resources.
- d. The waiver or reduction would be contrary to state or federal law.

4. ***Finding for Denial of a Density Bonus or Concession for a Childcare Facility.*** The Review Authority may deny a request for a density bonus or incentive for a childcare facility that is based all or in part on the proposed provision of a childcare facility if the Review Authority makes a written finding, based on substantial evidence, that:

- a. The City already has adequate childcare facilities.

L. **Subsection 17.28.020(A) is amended in the initial sentence, with no additional amendments to the remainder of subsection 17.28.020(A), to read:**

Applicability. The requirements of this chapter apply to every residential development project that includes the addition of two or more housing units, including units added on the site in the previous five years, unless exempt by subsection B.

M. Subsection 17.28.050(D)(2)(c)(ii) is amended to read in its entirety:

The off-site location is within the City and comparable in character, with respect to building materials, on site facilities and amenities, and unit sizes, to the market-rate development location.

N. Subsection 17.28.050(D)(3)(a)(i) is amended to read in its entirety:

Amount. The amount of the in-lieu fee payments must be of equal value to the provision of the affordable units on site as set by City Council resolution.

O. Subsection 17.28.050(E)(1) is amended to read in its entirety:

Required Findings. If proposing tradeoffs pursuant to this chapter, each of the following findings must be made by the Review Authority:

1. The development of on-site extremely low- and very low-income units is infeasible.
2. The developer provides substantial evidence to demonstrate that the City's housing goals can be more effectively achieved through the proposed tradeoffs.

P. Subsection 17.28.060(C) is deleted in its entirety.

Q. Section 17.28.070 is retitled "Inclusionary Unit Procedures" and amended to read in its entirety:

Inclusionary unit eligibility, selection, residency requirements, and restrictions are regulated through the City's Affordable Housing Policies and Procedures Manual, as may be amended or superseded.

R. Section 17.28.080 is amended to read in its entirety:

A. Transfers and Conveyances. A new affordability housing covenant will be entered into upon each change of ownership of an inclusionary unit and upon any transfer or conveyance (whether voluntarily or by operation of law) of an owner-occupied inclusionary unit.

S. Section 17.32.070 is repealed in its entirety.

T. Subsection 17.36.020(D) is amended to read in its entirety:

Previously Approved Development Plans or Conditional Use Permits. Any physical development legally permitted through the approval of a Development Plan or Conditional Use Permit and in existence prior to the adoption of this Title shall not be considered nonconforming pursuant to this Title. In the event of damage or destruction, such projects shall be allowed to be restored or reconstructed as originally permitted with the approval of a Zoning Clearance as to conformance with the previously approved Development Plan or Conditional Use Permit. This subsection does not apply to any uses, or structures associated with said uses, that are inconsistent with the underlying base Zoning District.

U. Table 17.38.040(A) is amended as follows:

1. Delete text “Up to 25% reduction allowed for senior housing and income-restricted units.”
2. Delete row for “*Automobile Rentals.*”
3. Change “*Automobile/Vehicle Sales and Leasing*” to “*Automobile/Vehicle Sales, Rentals, and Leasing.*”

V. Subsection 17.38.040(A)(1) is added to read in its entirety:

Exception. No parking is required where a use qualifies for a waiver under Government Code Section 65863.2.

W. Subsection 17.38.050(C)(1)(i) is amended to read in its entirety:

Bus pass programs for employees and/or residents.

X. Subsection 17.38.050(E) is added to read in its entirety:

Senior Housing and Income-Restricted Units. Multiple-Unit Development housing units required parking spaces for senior housing or income-restricted units shall be reduced by 25 percent.

Y. Subsection 17.41.110(A)(3) is amended to read in its entirety:

Major Conditional Use Permit. Day care facilities are allowed with the approval of a Major Conditional Use Permit in the following districts: IS and IG.

Z. Subsection 17.41.200(B)(2)(c) is amended to read in its entirety:

Except for automobile/vehicle sales, rentals, and leasing, a four-foot pedestrian pathway must be maintained and remain unobstructed by either merchandise or displays. If there is more than a four-foot-wide pathway provided, merchandise may be displayed in an area outside of the required four feet.

AA. Section 17.41.300, entitled “Community Clinics Providing Reproductive Health Services” is added to read in its entirety:

An application for development associated with a Community Clinic Providing Reproductive Health Services may avail itself of the following standards, consistent with California Government Code Section 65914.900.

A. Applicability. The following requirements must be met for approval under this Section.

1. The requirements of Government Code Section 65914.900(a)(5)-(8) are met.
2. The development is consistent with all objective design review standards of this Title applicable to the site in effect when the application is submitted.

B. Permit Required. Any eligible project processed pursuant to this Section shall require a Land Use Permit or a Coastal Development Permit, if located within the Coastal Zone.

C. Design Review. Design Review of projects processed pursuant to this Section shall be conducted by the Director and shall only include consistency with adopted objective design standards.

D. Processing Timeline. The City shall approve or deny the application within 60 days of submission of the application unless the City provides written documentation of a conflict with this Section, pursuant to subsection (E)(1) below.

E. Conflicts. If the City determines that the development is in conflict with any of the requirements in this Section, then all of the following apply:

1. The City shall provide the applicant written documentation of the standard or standards with which the development conflicts, and an explanation for the reason or reasons the

development conflicts with that standard or standards. Such written documentation shall not be construed as a denial.

2. The applicant may submit materials to the City to address and resolve the conflict identified in subsection (E)(1).

3. Within 60 days after the City has received the materials submitted pursuant to subsection (E)(2), the City shall determine whether the development as supplemented or amended is consistent with the objective planning standards specified in this Section.

F. Appeals. Appeals of development pursuant to this Section shall be processed consistent with Section 17.52.120.

1. **Exception.** Where the applicant appeals a denial of a Land Use Permit pursuant to this Section, the City shall provide final written determination on the appeal no later than 60 days after receipt of the appeal.

G. Discontinuation of the Use. If a Community Clinic Providing Reproductive Health Services associated with development approved pursuant to this Section is not established on the site within six months after the certificate of occupancy is granted or ceases operation for six months or more, the development must meet the requirements for such development otherwise required by this Title.

BB. Subsection 17.43.020(B)(1) is amended to read in its entirety:

Earth-disturbing activities of any depth or size that are located within a documented archaeological site and/or tribal cultural resource.

CC. Subsection 17.44.010(B)(1) is amended to read in its entirety:

Multiple-unit residential and mixed-use development in all Zone Districts that qualify for streamlined, ministerial processing pursuant to California Government Code Section 65913.4.

DD. Subsection 17.44.010(C)(1) is amended to read in its entirety:

Exception. Any concessions, incentives, or waivers of development standards pursuant to Chapter 17.27, Density Bonus and Other Incentives of this Title.

EE. Subsection 17.52.090(C)(4) is added to read in its entirety:

Multiple Expiration Dates. Where a project includes multiple expiration dates, all approvals shall have the expiration date of the latest expiration date of a single approval for the project.

FF. Subsection 17.52.100(B)(2)(a) is amended to read in its entirety:

The findings required for the original approval can still be made.

- i. Exception. When the original findings are not on file with the City, this finding is to be replaced with the following finding: There are adequate infrastructure and public services available to serve the proposed development, including water and sewer service, existing or planned transportation facilities, fire and police protection, schools, parks, and legal access to the lot.

GG. Subsection 17.52.100(C)(2)(a) is amended to read in its entirety:

The findings required for the original approval can still be made.

- i. Exception. When the original findings are not on file with the City, this finding is to be replaced with the following finding: There are adequate infrastructure and public services available to serve the proposed development, including water and sewer service, existing or planned transportation facilities, fire and police protection, schools, parks, and legal access to the lot.

HH. Subsection 17.52.120(A)(1)(b) is amended to read in its entirety:

The following decisions of the Director may be appealed to the Planning Commission: Land Use Permits, Temporary Use Permits, Coastal Development Permits, and Waivers for De Minimis Development, Time Extensions, Zoning Code Determinations, Amendments, and Substantial Conformity Determinations.

II. Subsection 17.52.120(A)(3)(a) is amended to read in its entirety:

An appeal of a Design Review Board decision shall be stayed until action on any accompanying Zoning Permit, except for a Zoning Clearance, occurs.

JJ. Section 17.53.020 is amended to read in its first paragraph (with no changes to subsequent subsections except as detailed below):

The following development is exempt from the requirement to obtain an approval otherwise required of this Title. Exempt development must still comply with all applicable regulations of this Title, all associated policies of the General Plan, all State or Federal laws and codes, as well as any applicable conditions of a previously approved permit for the subject property.

KK. Subsection 17.53.020(J) is amended to read in its entirety:

Window awnings that are supported by an exterior wall and extend less than 36 inches from such exterior wall.

LL. Section 17.58.100 is amended to read in its entirety:

A. Design Review approval shall expire two one years from the date of preliminary approval, unless the project receives final approval.

1. Notwithstanding subsection 17.52.090(D), prior to expiration of such two-year period, the Director may grant one extension of up to one year.

B. The Design Review approval shall expire three years from the date of final approval, unless the associated Zoning Permit has been approved.

1. Notwithstanding subsection 17.52.090(D), prior to the expiration of such three-year period, the Director may grant one extension of up to two years.

MM. Subsection 17.59.020(A)(8) is added to read in its entirety:

Development associated with a Community Clinic Providing Reproductive Health Services processed pursuant to Section 17.41.300.

NN. Subsection 17.62.020(B)(1)(a)(i) is amended to read in its entirety:

Residential Districts.

(1) Up to 30 Percent. RS and RMHP Zone Districts.

(2) Up to 20 Percent. RP, RM, and RH Zone Districts.

OO. Subsection 17.66.040(C) is added to read in its entirety:

Noticing. Notwithstanding subsection 17.52.050, if an amendment affects the permitted uses of real property, hearing notice shall be given at least 20 days before the hearing.

PP. Subsection 17.70.120(C) is amended to read in its entirety:

If an existing development undergoes a change of use, only costs proportional to the amount of the improvement or facility that mitigates the need therefore attributable to and reasonably related to the given development shall be eligible for an in-lieu credit within 10 years, and then only against the specific relevant DIF(s) involved to which the facility or improvement relates.

QQ. Section 17.72.010 is amended as follows:

1. "Low Barrier Navigation Center" is amended to read in its entirety:

Low Barrier Navigation Center. A housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A Low Barrier Navigation Center may be non-congregate and relocatable.

RR. Section 17.72.030 is amended as follows:

1. "Boarding Kennel" is amended to read in its entirety:

Boarding Kennel. A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding, maintaining, or sheltering of dogs, cats or other household pets, whether owned or not owned by the kennel owner or operator. Typical uses include pet clinics, pet day care/overnight stays, and animal shelters, but excludes pet shops and animal hospitals that provide 24-hour accommodation of animals who are boarded for the sole purpose of receiving medical or grooming services.

2. "Automobile Rentals" is deleted.

3. "Automobile/Vehicle Sales and Leasing" is renamed as "Automobile/Vehicle Sales, Rentals, and Leasing" and amended to read in its entirety:

Automobile/Vehicle Sales, Rentals, and Leasing. Sale, rent, or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers, car rental agencies, and recreational vehicle sales agencies. This classification does not include automobile brokerage and other establishments which solely provide services of arranging, negotiating, assisting, or effectuating the purchase of an automobile for others.

4. "Catering Services" is amended to read in its entirety:

Catering Service. A business that prepares food for consumption at events on the premises of a client or at any other location separate from where the food was prepared.

5. "Community Clinic Providing Reproductive Health Services" is added as a subuse to "Medical, Dental, and Health-Related Services" and to read in its entirety:

Community Clinic Providing Reproductive Health Services. A Community Clinic licensed pursuant to California Health and Safety Code Section 1204 that provides reproductive health services as defined in California Penal Code Section 423.1(f).

6. "General Personal Services" is amended to read in its entirety:

General Personal Services. Services provided primarily to an individual rather than to large groups or the general public. These services also include those that are for personal convenience. Personal services include barber and beauty shops, shoe and luggage repair, fortune tellers, photographers, laundry and cleaning services and pick-up stations, copying, repair and fitting of clothes, and similar services.

7. "Restricted Personal Services" is amended to read in its entirety:

Restricted Personal Services. An establishment whose principal business activity is one or more of the following: (1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other

instruments designed to contact or puncture the skin, or (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration, or (3) massage establishments operating in compliance with Goleta Municipal Code, Chapter 5.05.

SECTION 6 **Effect of Amendments**

To the extent any provision of this Ordinance repeals, amends, or supersedes any previous approvals, such repeal or replacement will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed or superseded part of previous approvals will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 7 **Severability**

If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8 **Codification**

The City Clerk shall cause these amendments to be appropriately renumbered and codified in Title 16 and Title 17 of the Goleta Municipal Code on the effective date of this Ordinance.

SECTION 9 **Certification of City Clerk**

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 10 **Effective Date**

This Ordinance shall take effect on the 31st day following adoption by the City Council.

INTRODUCED ON the ____ day of _____, 2025.

PASSED, APPROVED, AND ADOPTED this _____day of _____
2025.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

ISAAC ROSEN
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 25-__ was introduced on _____, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the _____, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

EXHIBIT A

Chapter 16.18 – Government Code Section 66441.7 Urban Lot Splits

Chapter 16.18: Government Code Section 66411.7 Urban Lot Splits

§ 16.18.010. Purpose and Applicability.

The purpose of this section is to allow and appropriately regulate urban lot splits in accordance with Government Code Section 66411.7. This chapter only applies to projects under Government Code Section 66411.7.

§ 16.18.020. Definitions.

Pursuant solely to this chapter, the following definitions apply:

- A. Director. The Director of the Planning and Environmental Review Department.
- B. Urban Lot Split. The subdivision of an existing, legally subdivided lot into two lots in accordance with the requirements of this chapter.

§ 16.18.030. Application.

The following apply to urban lot split applications:

- A. The applicant must submit an application for a tentative parcel map in compliance with Section 16.02.010.
- B. An application for an urban lot split must be submitted on the City's approved form. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
- C. The applicant must agree, as part of the application, to hold the City harmless from all claims and damages related to the approval of a subdivision under this chapter and its subject matter and reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this chapter.)

§ 16.18.040. Approval Process.

- A. Tentative Parcel Map.
 - 1. Decision-Maker. The tentative parcel map shall be approved or denied ministerially, by the Director, without discretionary review. If approved, the tentative parcel map shall not be recorded.
 - 2. Findings Required. The Director must make the following findings to approve a tentative parcel map for an urban lot split:
 - a. The urban lot split conforms to all applicable objective requirements of the Subdivision Map Act (Government Code Section 66410 et seq.), including implementing requirements in this title and chapter, except as otherwise expressly provided in this chapter.
 - b. In concurrence with the Building Official, the urban lot split would not have a specific, adverse impact, as defined in California Government Code Section 65589.5(d)(2), on public health and safety or, if there is such an

impact, there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact.

3. Finding for Denial. If the Director fails to make the finding in subsection (A)(2)(b) above, the denial shall include a finding from the Building Official that, based on a preponderance of the evidence, there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact and the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

B. Final Map. Approval of a Final Parcel Map shall be processed consistent with Chapter 16.02.

C. Timing. An application under this Chapter shall be considered and approved or denied within 60 days from the date the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application shall be deemed approved.

D. Denial Comments. If the City denies an application for an urban lot split pursuant to subsection (A)(3) above, the City shall, within 60 days of receipt of the completed application, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

§ 16.18.050. Urban Lot Split Requirements.

An urban lot split must satisfy each of the following requirements:

- A. Off-Site Improvements. Notwithstanding Government Code Section 66411.1, no dedication of rights-of-way or construction of off-site improvements is required.
- B. Zone. The lot to be split is in the RS Zone District.
- C. Lot Characteristics. The parcel being subdivided satisfies the requirements of Government Code Section 66411.7(a)(3)(C) (referencing Government Code Sections 65913.4(a)(6)(B- K) as that section read on September 16, 2021).
- D. Historic Resources. The lot to be split must not be proposed within either:
 1. A historic district or property that is included on the State Historic Resources Inventory, or
 2. Within a site that is designated by the City as a historic resource pursuant to Chapter 17.33.
- E. No Prior Urban Lot Split.
 1. The lot to be split was not established through a prior urban lot split.
 2. The lot to be split is not adjacent to any lot that was established through a prior urban lot split by the owner of the lot to be split or by any person acting in concert with the owner.
- F. No Impact on Protected Housing. The urban lot split must not require or include the demolition or alteration of any of the following types of housing:

1. Housing that is income-restricted by recorded covenant, ordinance or law at levels affordable to households of moderate, low, or very low income.
2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
3. A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
4. Housing that has been occupied by a tenant in the last three years.

G. Lot Size.

1. The newly created parcels must be no smaller than 1,200 square feet.
2. Each of the resulting lots must be between 60% and 40% of the original lot area.

H. Easements.

1. The owner must enter into an easement agreement with each public-service provider, as needed, to establish easements for the provision of public services and facilities to each of the resulting lots. On-site wastewater treatment systems are not allowed.
2. Each easement must be shown on the tentative parcel map.
3. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final map will be approved.

I. Lot Access. Each resulting lot must have access to, provide access to, or adjoin the public right-of-way.

1. Parking Access. Lots not adjoining the public right-of-way have parking access, where parking is required pursuant to Goleta Municipal Code Section 17.07.040(C)(9)(g).

J. Nonconforming Conditions. Nonconforming zoning conditions need not be corrected prior to or as a condition of approval of an urban lot split.

K. Nonresidential Use Prohibition. No nonresidential use is permitted on any lot created by urban lot split.

L. Owner Occupancy. The applicant for an urban lot split must sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the urban lot split is approved unless the applicant is a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).

M. Deed Restriction. The owner must record a deed restriction, on a form provided by the City, that does each of the following:

Exhibit A: Chapter 16.18 – Government Code Section 66441.7 Urban Lot Splits

1. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.
2. Expressly prohibits any nonresidential use of the lots created by the urban lot split.
3. Expressly prohibits further subdivision of either of the resulting lots using the urban lot split procedures provided in this Chapter.

EXHIBIT B

Subsection 17.07.040(C) – Government Code Section 65852.21 Projects

Section 17.07.040: Additional Development Regulations for the RS District.

C. Government Code Section 65852.21 Projects.

1. **Purpose.** The purpose of this subsection is to allow and appropriately regulate through a ministerial, objective process housing development projects containing no more than two residential units within a lot in a single-family residential zone in accordance with Government Code Sections 65852.21.
2. **Applicability.** This subsection only applies to qualifying projects pursuant to Government Code Section 65852.21. Except as otherwise provided in this subsection, development must comply with the objective standards of the RS District. The objective standards of the RS District apply unless there is a conflict with a standard in this subsection, in which case the standard in this subsection applies. If any standard in this subsection conflicts with Government Code Section 65852.21, state law prevails.
3. **Permit Required.**
 - a. *Inland Area.* Within the inland area of the City, ministerial review, approval, and issuance of a Land Use Permit by the Director is required for construction of a project pursuant to this subsection.
 - b. *Coastal Zone.* Within the Coastal Zone of the City, review, approval, and issuance of a Coastal Development Permit by the California Coastal Commission is required for construction of a project pursuant to this subsection.
4. **Hold Harmless.** Applicants must agree, as part of the application, to hold the City harmless from all claims and damages related to the approval and its subject matter and reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this chapter.
5. **Required Findings.** The required findings for a Land Use Permit under this subsection are limited to the following findings:
 - a. The proposed project is consistent with the standards in this subsection.
 - b. The proposed project conforms to all other objective standards within this Title and the General Plan to the extent that such objective standards do not conflict within any requirements or standards within this subsection.
 - c. Any zoning violation enforcement on the subject premise has been resolved as permitted by law.
 - d. The proposed development is located on a legally created lot.
 - e. In concurrence with the Building Official, the proposed project would not have a specific, adverse impact, as defined in California Government Code Section 65589.5(d)(2), on public health and safety or, if there is such an impact, there is a feasible method to satisfactorily mitigate or avoid the

specific adverse impact.

No additional findings are required for a project processed pursuant to this subsection, notwithstanding any other provisions of this Title.

6. ***Finding for Denial.*** If the Director fails to make the finding in subsection (C)(5)(e) above, the denial shall include a finding from the Building Official that, based on a preponderance of the evidence, there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact and the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
7. ***Timing.*** An application under this subsection shall be considered and approved or denied within 60 days from the date the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application shall be deemed approved.
8. ***Denial Comments.*** If the City denies an application for a proposed housing development pursuant to subsection (C)(5) above, the City shall, within 60 days of receipt of the completed application, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.
9. ***Development Standards.*** A project must meet the following requirements.
 - a. ***Development Location.*** Development must be located consistent with the requirements of Government Code Section 65852.21(a)(2) (referencing Government Code Sections 65913.4(a)(6)(B-K), as that section read on September 16, 2021).
 - b. ***Historic Resources.*** The development must not be within:
 - i. A district or property that is included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1; or
 - ii. A site that is designated by the City as a historic resource pursuant to Chapter 17.33.
 - c. ***Protected Housing.*** The project shall not require or include the demolition or alteration of any of the following types of housing:
 - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very- low income;
 - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; or
 - iii. Housing that has been occupied by a tenant in the last three years.
 - d. ***Withdrawn Accommodation.*** The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent

or lease within 15 years before the date that the development proponent submits an application.

- e. *Number of Dwelling Units.*
 - i. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, “dwelling unit” includes, but is not limited to, a principal dwelling unit, a unit created under this section, an ADU, or a JADU.
 - ii. A lot that is not created by an urban lot split may have up to a two-unit project under this section, plus any ADU or JADU that must be allowed pursuant to Section 17.41.030, Accessory Dwelling Units (ADUs).
- f. *Setbacks for Existing Structures.* No setback is required for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.
- g. *Parking.* Each new principal dwelling unit must have at least one off-street parking space in a garage.
 - i. Exception. No parking is required if one of the following applies:
 - (A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in Public Resources Code Section 21155(b), or a major transit stop, as defined in Public Resources Code Section 21064.3.
 - (B) The site is located within one block of a car-share vehicle location.
- 10. **Zoning Violations.** A project may only be approved if any zoning violation enforcement on the subject premises has been resolved as permitted by law.
- 11. **Building Code Requirements.** All structures built on the lot must comply with Title 15 of the Goleta Municipal Code.
- 12. **Short-Term Vacation Rentals.** No dwelling unit on the lot may be rented as a short-term vacation rental, as the term is defined in Goleta Municipal Code Section 5.08.020.
- 13. **Deed Restriction.** The owner must record a deed restriction, on a form provided by the City, that does the following:
 - a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days, unless already included in a deed restriction.
- 14. **General Exception.** The standards imposed by this subsection 17.07.040(C) and this Title must yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 square feet in floor area.
 - a. *Setback Exception.* An exception to the general exception applies such that no structure shall be less than four feet from a side or rear property line.

ATTACHMENT 2

Title 17 Proposed Ordinance Amendments in Tracked Changes Table (For Reference Purposes Only)

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Citation	Revised Text
Table 17.01.070(B)	-RH High Density Residential
17.07.040(C) (and 16.18)	See Attachment 3 to the Staff Report
Table 17.08.020	Automobile Rentals — CU — P
Table 17.08.020	Automobile/Vehicle Sales, Rentals, and Leasing
Table 17.08.020	Community Clinic Providing Reproductive Health Services P P P - - P <u>“See § 17.41.300, Community Clinics Providing Reproductive Health Services”</u>
Table 17.09.020	Community Clinic Providing Reproductive Health Services P P <u>“See § 17.41.300, Community Clinics Providing Reproductive Health Services”</u>
Table 17.09.020 note 2	Cumulative development of these uses must not exceed 20% of the total floor area on any one lot. <u>If a lot contains multiple zone districts, these uses are limited to 20% of the lot zoned BP and/or OL.</u>
Table 17.10.020	Automobile Rentals P P
Table 17.10.020	Automobile/Vehicle Sales, Rentals, and Leasing
17.24.020(A)	Applicability. These provisions apply to all accessory structures <u>except for trash, recycling, and green waste container enclosures regulated under subsection 17.24.140(B).</u> This section does not apply to accessory dwelling units, which are regulated by Section 17.41.030, Standards for Specific Uses and Activities—Accessory Dwelling Units (ADU).
17.24.090(B)(1)(b)	b. More than Six Feet. <u>Minor Conditional Use Permit</u> Land Use Permit or Coastal Development Permit.
17.24.090(B)(2)(b)	b. More than Eight Feet. <u>Minor Conditional Use Permit</u> Land Use Permit or Coastal Development Permit.
17.24.140(B)(2)(e)	<u>Permit Required.</u> Enclosures are permitted according to subsection 17.24.020(B).
17.27.030(D)	Findings. In addition to any other findings required by this Title, the following findings apply, where applicable pursuant to this Chapter. 1. Required Finding for Approval. The Review Authority shall approve a housing development pursuant to this Chapter only if the following finding is made: a. <u>The housing development provides the housing required by State Density Bonus Law to be eligible for the requested density bonus and/or any incentives, waivers, or parking reductions, as evidenced by this finding.</u> 2. Finding for Denial of a Concession or Incentive. The Review Authority shall grant an incentive or concession requested by an applicant pursuant to this Chapter unless it makes a written finding, based on substantial evidence, of one or more of the following findings: a. <u>The concession or incentive does not result in identifiable and actual cost reductions, consistent with Government Code Section 65915(k), to provide for affordable housing costs, as defined in Health and Safety Code Section 50052.5; or for rents for the targeted units to be set as specified in Government Code Section 65915(c).</u> b. <u>The concession or incentive would have a specific, adverse impact, as defined in Government code Section 65589.5(d)(2), upon the public health or safety or on any real property that is listed in the California Register of Historic Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the housing development unaffordable to low-income and moderate-income households.</u>

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Citation	Revised Text
	c. The proposed incentive would be contrary to state or federal law. 3. Finding for Denial of Waiver or Reduction. The Review Authority shall grant a waiver of development standards requested by an applicant for a housing development pursuant to this Chapter unless it makes a written finding of any of the following: a. The application of the development standard for which a waiver or reduction is requested would not have the effect of physically precluding the construction of a development meeting the criteria in Government Code Section 65915(b) at the densities or with the concessions or incentives permitted under Government Code Section 65915. b. The waiver or reduction would have a specific, adverse impact, as defined in Government code Section 65589.5(d)(2), upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. c. The waiver or reduction would have an adverse impact on any real property listed in the California Register of Historic Resources. d. The waiver or reduction would be contrary to state or federal law. 4. Finding for Denial of a Density Bonus or Concession for a Childcare Facility. The Review Authority may deny a request for a density bonus or incentive for a childcare facility that is based all or in part on the proposed provision of a childcare facility if the Review Authority makes a written finding, based on substantial evidence, that: a. The City already has adequate childcare facilities.
17.28.020(A)	Applicability. The requirements of this chapter apply to every residential development project that includes <u>the addition of</u> two or more housing units, <u>including units added on the site in the previous five years</u>, unless exempt by subsection B.
17.28.050(D)(2)(c)(ii)	The off-site location is <u>within the City and comparable in character, with respect to building materials, on site facilities and amenities, and unit sizes, and location</u> to the market-rate development location.
17.28.050(D)(3)(a)(i)	Amount. The amount of the in-lieu fee payments must <u>be</u> of equal value to the provision of the affordable units on site <u>as set by City Council resolution</u>.
17.28.050(E)(1)	Required Findings. If proposing tradeoffs pursuant to this chapter, each of the following findings must be made by the <u>Review Authority City Council</u>: a. The development of on-site extremely low- and very low-income units is infeasible. b. The developer provides substantial evidence to demonstrate that the City's housing goals can be more effectively achieved through the proposed tradeoffs.
17.28.060(C)	Principal Residence Requirement. All inclusionary units sold or rented to eligible households are subject to the following regulations. Compliance reporting shall be the responsibility of the property owner or affordable housing management entity in the case of rental units. 1. Principal Residence. The owner/renter must use and occupy the inclusionary unit as their principal place of residence. 2. No Rental of For Sale Units. The owner is expressly prohibited from leasing or renting the inclusionary unit, unless the City has given its prior written consent to such lease or rental on the basis of a demonstrated hardship by the owner. 3. No Subleasing of Rental Units. An eligible renter is expressly prohibited from subleasing the inclusionary unit, unless the City has given its prior written consent to such sublease on the basis of a demonstrated hardship by the renter. 4. Reporting. The Director may require certification of continuing occupancy of the inclusionary unit by eligible households, which must be verified to the reasonable satisfaction of the Director by means of a written report to the Director, setting forth the income and family size of the occupants of the inclusionary unit. The property owner or housing management entity will be deemed in default of the Inclusionary Housing Agreement if failing to deliver such annual report within 30 days after receipt of written notice from the Director

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Citation	Revised Text
	requesting such report and subject to enforcement pursuant to Section 17.28.110, Inclusionary Housing — Enforcement. The Director will have the option of establishing the type of form to be used for the report.
17.28.070	<u>Inclusionary Unit Procedures</u> <u>Inclusionary unit eligibility, selection, residency requirements, and restrictions are regulated through the City’s Affordable Housing Policies and Procedures Manual, as may be amended or superseded.</u> <u>Eligibility and Selection for Inclusionary Units.</u> <u>A. General Eligibility.</u> No household may purchase, rent, or occupy an inclusionary unit unless the City or City's designee has approved the household's eligibility based on income and affordability levels, as defined in California Health and Safety Code Section 50105 and California Code of Regulations, Section 6932, and, for ownership units, the household and City have executed and recorded an affordability housing covenant in the chain of title of the inclusionary unit. <u>B. Owner Occupancy.</u> A household that purchases or rents an inclusionary unit must occupy that unit as a “principal residence” as that term is defined for Federal tax purposes by the United States Internal Revenue Code, unless a hardship exception is approved by the Director. <u>C. Ineligibility.</u> The following individuals, by virtue of their position or relationship, are ineligible to occupy an affordable housing unit created pursuant to this section: 1. All employees and officials of the City or its agencies, authorities, or commissions who have, by the authority of their position, policy-making authority or influence over the implementation of this chapter and the immediate family of such City employees and officials. 2. The immediate relatives of the developer or owner who sells or rents the home(s) for initial sale or rental to the first set of income eligible households. <u>D. Selection.</u> The procedure for selection of eligible households for individual inclusionary units shall be determined by the City.
17.28.080	<u>Inclusionary Unit Restrictions.</u> <u>A. Initial Sales Price or Rent.</u> The initial sales price or rent of an inclusionary unit will be set in compliance with any affordable housing policy or resolution adopted by the City Council and/or an inclusionary housing agreement entered into with the City. The sales price or rent of each inclusionary unit is determined by the household income of the eligible household meeting the target income requirements specified in this chapter that offers to purchase or rent that unit. <u>B. A. Transfers and Conveyances.</u> A new affordability housing covenant will be entered into upon each change of ownership of an inclusionary unit and upon any transfer or conveyance (whether voluntarily or by operation of law) of an owner-occupied inclusionary unit. <u>C. Resale Price.</u> The maximum sales price and qualifications of purchasers permitted on resale of an inclusionary unit must be specified in an affordability housing covenant to be approved by the City Attorney. The maximum sales price permitted on resale of an inclusionary unit intended for owner occupancy shall not exceed the seller’s purchase price, adjusted for the percentage increase in median income since the seller’s purchase, plus the value of substantial structural or permanent fixed improvements to the property.
17.32.070	Land divisions, including lot line adjustments, are prohibited in areas subject to hazards unless it is demonstrated by the subdivider that all resulting lots will have sufficient developable land area that is situated outside the hazardous portions of the property.
17.36.020(D)	<u>Previously-Approved Development Plans or Conditional Use Permits.</u> Any <u>physical development</u> project legally permitted through the approval of a Development Plan <u>or</u> Conditional Use Permit and in existence prior to the adoption of this Title shall not be considered nonconforming pursuant to this Title. In the event of damage or destruction, such projects shall be allowed to be restored or

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Citation	Revised Text
	reconstructed as originally permitted with the approval of a Zoning Clearance as to conformance with the previously approved Development Plan or Conditional Use Permit. This subsection does not apply to any uses, or structures associated with said uses, that are inconsistent with the underlying base Zoning District.
Table 17.38.040(A)	Up to 25% reduction allowed for senior housing and income-restricted units.
Table 17.38.040(A)	Automobile Rentals 1 space per 500 sq. ft. of office area, in addition to spaces for all vehicles for rent.
Table 17.38.040(A)	Automobile/Vehicle Sales, Rentals, and Leasing
17.38.040(A)(1)	Exception. No parking is required where a use qualifies for a waiver under Government Code Section 65863.2.
17.38.050(C)(1)(i)	Bus pass programs for employees and/or residents.
17.38.050(E)	Senior Housing and Income-Restricted Units. Multiple-Unit Development housing units required parking spaces for senior housing or income-restricted units shall be reduced by 25 percent.
17.41.110(A)(3)	Major Conditional Use Permit. Day care facilities are allowed with the approval of a Minor Major Conditional Use Permit in the following districts: IS and IG.
17.41.200(B)(2)(c)	Except for automobile/vehicle sales, rentals, and leasing, a four-foot pedestrian pathway must be maintained and remain unobstructed by either merchandise or displays. If there is more than a four-foot-wide pathway provided, merchandise may be displayed in an area outside of the required four feet.
17.41.300	Community Clinics Providing Reproductive Health Services An application for development associated with a Community Clinic Providing Reproductive Health Services may avail itself of the following standards, consistent with California Government Code Section 65914.900. A. Applicability. The following requirements must be met for approval under this Section. 1. The requirements of Government Code Section 65914.900(a)(5)-(8) are met. 2. The development is consistent with all objective design review standards of this Title applicable to the site in effect when the application is submitted. B. Permit Required. Any eligible project processed pursuant to this Section shall require a Land Use Permit or a Coastal Development Permit, if located within the Coastal Zone. C. Design Review. Design Review of projects processed pursuant to this Section shall be conducted by the Director and shall only include consistency with adopted objective design standards. D. Processing Timeline. The City shall approve or deny the application within 60 days of submission of the application unless the City provides written documentation of a conflict with this Section, pursuant to subsection (E)(1) below. E. Conflicts. If the City determines that the development is in conflict with any of the requirements in this Section, then all of the following apply: 1. The City shall provide the applicant written documentation of the standard or standards with which the development conflicts, and an explanation for the reason or reasons the development conflicts with that standard or standards. Such written documentation shall not be construed as a denial. 2. The applicant may submit materials to the City to address and resolve the conflict identified in subsection (E)(1).

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	3. Within 60 days after the City has received the materials submitted pursuant to subsection (E)(2), the City shall determine whether the development as supplemented or amended is consistent with the objective planning standards specified in this Section. F. Appeals. Appeals of development pursuant to this Section shall be processed consistent with Section 17.52.120. 1. Exception. Where the applicant appeals a denial of a Land Use Permit pursuant to this Section, the City shall provide final written determination on the appeal no later than 60 days after receipt of the appeal. G. Discontinuation of the Use. If a Community Clinic Providing Reproductive Health Services associated with development approved pursuant to this Section is not established on the site within six months after the certificate of occupancy is granted or ceases operation for six months or more, the development must meet the requirements for such development otherwise required by this Title.
17.43.020(B)(1)	Earth-disturbing activities of any depth or size that are located within a documented archaeological site and/or tribal cultural resource; and
17.44.010(B)(1)	Multiple-unit residential and mixed-use development in all Zone Districts that qualify for streamlined, ministerial processing pursuant to California Government Code Section 65913.4;
17.44.010(C)(1)	Exception. Any concessions, incentives, or waivers of development standards pursuant to Chapter 17.272, Density Bonus and Other Incentives of this Title.
17.52.090(C)(4)	Multiple Expiration Dates. Where a project includes multiple expiration dates, all approvals shall have the expiration date of the latest expiration date of a single approval for the project.
17.52.100(B)(2)(a)	The findings required for the original approval can still be made. i. Exception. When the original findings are not on file with the City, this finding is to be replaced with the following finding: There are adequate infrastructure and public services available to serve the proposed development, including water and sewer service, existing or planned transportation facilities, fire and police protection, schools, parks, and legal access to the lot.
17.52.100(C)(2)(a)	The findings required for the original approval can still be made, including CEQA findings. i. Exception. When the original findings are not on file with the City, this finding is to be replaced with the following finding: There are adequate infrastructure and public services available to serve the proposed development, including water and sewer service, existing or planned transportation facilities, fire and police protection, schools, parks, and legal access to the lot.
17.52.120(A)(1)(b)	The following decisions of the Director may be appealed to the Planning Commission: Land Use Permits, Temporary Use Permits, Coastal Development Permits, and Waivers for De Minimis Development, <u>Time Extensions</u> , Zoning Code Determinations, Amendments, and Substantial Conformity Determinations.
17.52.120(A)(3)(a)	An appeal of a Design Review Board decision shall be stayed until action on any accompanying Zoning Permit, <u>except for a Zoning Clearance</u> , occurs.
17.53.020	The following development is exempt from the requirement to obtain an <u>approval Zoning Permit</u> otherwise required of this Title...
17.53.020(J)	Residential window awnings that are supported by an exterior wall and non-residential window awnings that are supported by an exterior wall and do not extend less <u>more</u> than 36 inches from such exterior wall.
17.58.100	A. Design Review approval shall expire <u>two one</u> years from the date of preliminary approval, unless the project receives final approval. 1. <u>Notwithstanding subsection 17.52.090(D), p</u> Prior to expiration of such <u>twoone</u>-year period, the Director may grant one extension of up to one year. B. The Design Review approval shall expire three years from the date of final approval, unless the associated Zoning Permit has been approved.

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	1. Notwithstanding subsection 17.52.090(D), <u>p</u> Prior to the expiration of such three-year period, the Director may grant one extension of up to two years.
17.59.020(A)(8)	<u>Development associated with a Community Clinic Providing Reproductive Health Services processed pursuant to Section 17.41.300.</u>
17.62.020(B)(1)(a)(i)	Residential Districts. (1) Up to 30 Percent. (a) All RS and RMHP Zone Districts,; and (b) RP, RM, and RH Zone Districts within the Coastal Zone. (2) Up to 20 Percent. RP, RM, and RH Zone Districts within the Inland area.
17.66.040(C)	<u>Noticing. Notwithstanding subsection 17.52.050, if an amendment affects the permitted uses of real property, hearing notice shall be given at least 20 days before the hearing.</u>
17.70.120(C)	If an existing development undergoes a change of use, only costs proportional to the amount of the improvement or facility that mitigates the need therefore attributable to and reasonably related to the given development shall be eligible for an in-lieu credit within 10 years, and then only against the specific relevant DIF(s) involved to which the facility or improvement relates.
17.72.010	A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. <u>A Low Barrier Navigation Center may be non-congregate and relocatable.</u>
17.72.030	Boarding Kennel. A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding, maintaining, or sheltering of dogs, cats or other household pets, whether owned or not owned by the kennel by the owner or operated or. Typical uses include pet clinics, pet day care/overnight stays, and animal shelters, but excludes pet shops and animal hospitals that provide 24-hour accommodation of animals who are boarded for the sole purpose of receiving medical or grooming services.
17.72.030	Automobile Rentals. Rental of automobiles. Typical uses include car rental agencies.
17.72.030	Automobile/Vehicle Sales, Rentals, and Leasing. Sale, <u>rent</u> , or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers, <u>car rental agencies</u> , and recreational vehicle sales agencies. This classification does not include automobile brokerage and other establishments which solely provide services of arranging, negotiating, assisting, or effectuating the purchase of an automobile for others.
17.72.030	Catering Service. A business that prepares food for consumption <u>at events</u> on the premises of a client or at any other location separate from where the food was prepared.
17.72.020	<u>Community Clinic Providing Reproductive Health Services. A Community Clinic licensed pursuant to California Health and Safety Code Section 1204 that provides reproductive health services as defined in California Penal Code Section 423.1(f).</u>
17.72.030	Personal Services. General Personal Services. Services provided primarily to an individual rather than to large groups or the general public. These services also include those that are for personal convenience. Personal services include barber and beauty shops, massage establishments <u>operating in compliance with Goleta Municipal Code, Chapter 5.05</u> , shoe and luggage repair, fortune tellers, photographers, laundry and cleaning services and pick-up stations, copying, repair and fitting of clothes, and similar services.

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	<i>Restricted Personal Services.</i> An establishment whose principal business activity is one or more of the following: (1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin, or (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration, or (3) massage establishments <u>operating in compliance with Goleta Municipal Code, Chapter 5.05.</u>

ATTACHMENT 3

Amendments to GMC Chapter 16.18 and Subsection 17.07.040(C) Pursuant to SB 450

Chapter 16.18: Government Code Section 66411.7 Urban Lot Splits

§ 16.18.010. Purpose and Applicability.

The purpose of this section is to allow and appropriately regulate urban lot splits in accordance with Government Code Section 66411.7. This chapter only applies to projects under Government Code Section 66411.7.

§ 16.18.020. Definitions.

Pursuant solely to this chapter, the following definitions apply:

A. Director. The Director of the Planning and Environmental Review Department.

B. Urban Lot Split. The subdivision of an existing, legally subdivided lot into two lots in accordance with the requirements of this chapter.

~~A.—~~

~~B. Individual Property Owner. Either:~~

- ~~1. A natural person holding fee title individually or jointly in the person's own name, whose primary residence at the time of application submittal (to the extent the proposed urban lot split requires demolition or alteration of any dwelling unit on the property) is on the subject property, or~~
- ~~2. A trustor and/or trustee of a trust that holds fee title to the property, and which at the time of application submittal (to the extent the proposed urban lot split requires demolition or alteration of any dwelling unit on the property), either the trustor or beneficiary uses the subject property as its primary residence. Individual property owner does not include any corporation or corporate person of any kind except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).~~

§ 16.18.030. Application.

The following apply to urban lot split applications:

~~A. Only individual property owners may apply for urban lot splits.~~

~~B.~~A. The applicant~~individual property owner~~ must submit an application for a tentative parcel map in compliance with Section 16.02.010.

~~C.~~B. An application for an urban lot split must be submitted on the City's approved form. Only a complete application will be considered. The City will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.

~~D.~~C. The ~~individual property owner~~applicant must agree, as part of the application, to hold the City harmless from all claims and damages related to the approval of a subdivision under this chapter and its subject matter and reimburse the City for all

costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this chapter.)

§ 16.18.040. Approval Process.

A. Tentative Parcel Map.

1. Decision-Maker. The tentative parcel map shall be approved or denied ministerially, by the Director ~~of Planning and Environmental Review~~, without discretionary review. If approved, the tentative parcel map shall not be recorded.
2. Findings Required. The ~~Planning and Environmental Review~~ Director must make the following findings to approve a tentative parcel map for an urban lot split:
 - a. The urban lot split conforms to all applicable objective requirements of the Subdivision Map Act (Government Code Section 66410 et seq.), including implementing requirements in this title and chapter, except as otherwise expressly provided in this chapter.
 - b. In concurrence with the Building Official, the urban lot split would not have a specific, adverse impact, as defined in California Government Code Section 65589.5(d)(2), on ~~either~~ public health and safety ~~or on the physical environment~~ or, if there is such an impact, there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact.
3. Finding for Denial. If the Director fails to make the finding in subsection (A)(2)(b) above, the denial shall include a finding from the Building Official that, based on a preponderance of the evidence, there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact and the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

B. Final Map. Approval of a Final Parcel Map shall be processed consistent with Chapter 16.02.

C. Timing. An application under this Chapter shall be considered and approved or denied within 60 days from the date the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application shall be deemed approved.

~~B.D.~~ Denial Comments. If the City denies an application for an urban lot split pursuant to subsection (A)(3) above, the City shall, within 60 days of receipt of the completed application, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

§ 16.18.050. Urban Lot Split Requirements.

An urban lot split must satisfy each of the following requirements:

- A. Off-Site Improvements. Notwithstanding Government Code Section 66411.1, no dedication of rights-of-way or construction of off-site improvements is required.

- B. Zone. The lot to be split is in the RS Zone District.
- C. Lot Characteristics. The parcel being subdivided satisfies the requirements of Government Code Section 66411.7(a)(3)(C) (referencing Government Code Sections 65913.4(a)(6)(B- K) as that section read on September 16, 2021).
- D. Historic Resources. The lot to be split must not be proposed within either:
1. A historic ~~property or within a historic district~~ district or property that is included on the State Historic Resources Inventory, or
 2. Within a site that is designated by the City as a historic resource pursuant to Chapter 17.33 ~~by ordinance as a City or County landmark or as a historic property or district.~~
- E. No Prior Urban Lot Split.
1. The lot to be split was not established through a prior urban lot split.
 2. The lot to be split is not adjacent to any lot that was established through a prior urban lot split by the owner of the lot to be split or by any person acting in concert with the owner.
- F. No Impact on Protected Housing. The urban lot split must not require or include the demolition or alteration of any of the following types of housing:
1. Housing that is income-restricted by recorded covenant, ordinance or law at levels affordable to ~~for~~ households of moderate, low, or very low income.
 2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
 - ~~2.3.~~ A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
 - ~~3.4.~~ Housing that has been occupied by a tenant in the last three years.
- G. Lot Size.
- ~~1. The lot to be split must be at least 2,400 square feet.~~
 - ~~2.1.~~ The ~~resulting lots must each be at least~~ newly created parcels must be no smaller than 1,200 square feet.
 - ~~3.2.~~ Each of the resulting lots must be between 60% and 40% of the original lot area.
- H. Easements.
1. The owner must enter into an easement agreement with each public-service provider, as needed, to establish easements ~~that are sufficient~~ for the provision of public services and facilities to each of the resulting lots. On-site wastewater treatment systems are not allowed.
 2. Each easement must be shown on the tentative parcel map.

3. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final map ~~may~~ will be approved.
- I. Lot Access. Each resulting lot must have access to, provide access to, or adjoin the public right-of-way.
 1. Parking Access. Lots not adjoining the public right-of-way have parking access, where parking is required pursuant to Goleta Municipal Code Section 17.07.040(~~BC~~)(9)(~~ig~~).
- J. Nonconforming Conditions. Nonconforming zoning conditions need not be corrected prior to or as a condition of approval of an urban lot split. ~~This provision shall not apply to illegal zoning conditions.~~

~~K. Separate Conveyance.~~

~~1. Within a Resulting Lot.~~

- ~~a. Principal dwelling units on a lot that is created by an urban lot split shall not be owned or conveyed separately from each other.~~
- ~~b. Condominium airspace divisions and common interest developments are not permitted on a lot that is created by an urban lot split.~~
- ~~c. All fee interest in a lot and all dwellings on the lot must be held equally and undivided by all individual property owners.~~

~~2. Between Resulting Lots. Separate conveyance of the resulting lots is permitted. If dwellings or other structures (such as garages) on different lots are adjacent or attached to each other, the urban lot split boundary may separate them for conveyance purposes if the structures meet building code safety standards and are sufficient to allow separate conveyance. If any attached structures span or will span the new lot line, the owner must record all documentation necessary to allocate rights and responsibility between the owners of the two lots.~~

~~L.~~ K. Nonresidential Use Prohibition. No nonresidential use is permitted on any lot created by urban lot split.

~~M.~~ L. Owner Occupancy. The applicant for an urban lot split must sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the urban lot split is approved unless the applicant is a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).

~~N.~~ M. Deed Restriction. The owner must record a deed restriction, on a form provided by acceptable to the City, that does each of the following:

1. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.
2. Expressly prohibits any nonresidential use of the lots created by the urban lot split.

2.3. Expressly prohibits further subdivision of either of the resulting lots using the urban lot split procedures provided in this Chapter.

~~3. Expressly prohibits any separate conveyance of a principal dwelling on the property, any separate fee interest, and any common interest development within the lot.~~

~~4. States that the property is formed by an urban lot split and is therefore subject to the City's urban lot split and zoning regulations, including all applicable limits on dwelling size and development found in Goleta Municipal Code Section 17.07.040(B).~~

Section 17.07.040: Additional Development Regulations for the RS District.

C. Government Code Section ~~65821~~65852.21 Projects ~~and Projects on Lots Created Through Urban Lot Splits.~~

1. **Purpose.** The purpose of this subsection is to allow and appropriately regulate through a ministerial, objective process housing development projects containing no more than two residential units within a lot in a single-family residential zone in accordance with Government Code Sections 65852.21 ~~and 66411.7.~~
2. **Applicability.** This subsection only applies to qualifying projects pursuant to Government Code Section 65852.21 ~~and to all housing proposals on lots created through an urban lot split pursuant to Chapter 16.18, Urban Lot Splits. Except as otherwise provided in this subsection, development must comply with the objective standards of the RS District. Objective City standards not found The objective standards of the RS District in this subsection~~ apply unless there is a conflict with a standard in this ~~subub~~ subsection, in which case the standard in this subsection applies. If any standard in this subsection conflicts with Government Code Section 65852.21, state law prevails.
3. ~~**Definition.** As used in this subsection, "Individual property owner" means either:~~
 - a. ~~A natural person holding fee title individually or jointly in the person's own name, whose primary residence at the time of application submittal (to the extent the proposed project requires demolition or alteration of any dwelling unit on the property) is on the subject property, or~~
 - b. ~~A trustor and/or trustee of a trust that holds fee title to the property, and which at the time of application submittal (to the extent the proposed project requires demolition or alteration of any dwelling unit on the property), either the trustor or beneficiary uses the subject property as its primary residence. Individual property owner does not include any corporation or corporate person of any kind except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).~~
4. ~~**Applicant.** Only individual property owners may apply for a development project pursuant to this section.~~
 - a. ~~The individual property owner must agree, as part of the application, to hold the City harmless from all claims and damages related to the approval and its subject matter and reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this chapter.~~

5.3. **Permit Required.**

- a. **Inland Area.** Within the inland area of the City, ministerial review, approval,

and issuance of a Land Use Permit by the Director is required for construction of a project pursuant to this subsection.

- b. Coastal Zone. Within the Coastal Zone of the City, review, approval, and issuance of a Coastal Development Permit by the California Coastal Commission is required for construction of a project pursuant to this subsection.

6.4. **Hold Harmless.** Applicants must agree, as part of the application, to hold the City harmless from all claims and damages related to the approval and its subject matter and reimburse the City for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this chapter.

7.5. **Required Findings.** The required findings for a Land Use Permit under this subsection are limited to the following findings:

- a. The proposed project is consistent with the standards in this subsection.
- b. The proposed project conforms to all other objective standards within this Title and the General Plan to the extent that such objective standards do not conflict within any requirements or standards within this subsection.
- c. Any zoning violation enforcement on the subject premise~~nonconformities on the subject parcel~~ has been resolved as permitted by law.
- d. The proposed development is located on a legally created lot.
- e. In concurrence with the Building Official, the proposed project would not have a specific, adverse impact, as defined in California Government Code Section 65589.5(d)(2), on ~~either public health and safety or on the physical environment~~ or, if there is such an impact, there is a feasible method to satisfactorily mitigate or avoid the specific adverse impact.

No additional findings are required for a project processed pursuant to this subsection, notwithstanding any other provisions of this Title.

6. **Finding for Denial.** If the Director fails to make the finding in subsection ~~(BC)~~(65)(e) above, the denial shall include a finding from the Building Official that, based on a preponderance of the evidence, there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact and the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

7. **Timing.** An application under this subsection shall be considered and approved or denied within 60 days from the date the City receives a completed application. If the City has not approved or denied the completed application within 60 days, the application shall be deemed approved.

8. **Denial Comments.** If the City denies an application for a proposed housing development pursuant to subsection (C)(5) above, the City shall, within 60 days of receipt of the completed application, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

9. **Development Standards.** A project must meet the following requirements.

- a. *Development Location.* Development must be located consistent with the requirements of Government Code Section 65852.21(a)(2) (referencing Government Code Sections 65913.4(a)(6)(B-K), as that section read on September 16, 2021).
- b. *Historic Resources.* The development must not be within:
 - i. A district or property~~historic property or historic district~~ that is included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1; or
 - ii. A site that is designated by by the City as a historic resource pursuant to Chapter 17.33~~ordinance as a city or county landmark or as a historic property or district~~.
- c. *Protected Housing.* The project shall not require or include the demolition or alteration of any of the following types of housing:
 - i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very- low income;
 - ii. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; or
 - iii. Housing that has been occupied by a tenant in the last three years.
- d. *Withdrawn Accommodation.* The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

~~d.e.~~ *Number of Dwelling Units.*

- i. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "dwelling unit" includes, but is not limited to, a principal dwelling unit, a unit created under this section, an ADU, or a JADU.
- ii. A lot that is not created by an urban lot split may have up to a two-unit project under this section, plus any ADU or JADU that must be allowed pursuant to Section 17.41.030, Accessory Dwelling Units (ADUs).

~~e.~~ *Dwelling Unit Size.*

- i. ~~The maximum floor area of each new principal dwelling is 800 square feet.~~
- ii. ~~A principal dwelling that was legally established on the lot prior to the~~

~~project and that is larger than 800 square feet is limited to the lawful floor area at the time of the project. The dwelling unit may not be expanded.~~

~~iii.—A principal dwelling that was legally established prior to the project and that is smaller than 800 square feet may be expanded to 800 square feet after or as part of the project.~~

~~f.—Height Restrictions.~~

~~i.—On a lot that is larger than 2,000 square feet, no new principal dwelling unit may exceed a single story or 16 feet in height.~~

~~ii.—On a lot 2,000 square feet or smaller, any portion of a new principal dwelling that exceeds one story must be stepped back by an additional four feet from the ground floor; no balcony deck or other portion of the second story may project into the setback.~~

~~g.—Limit on Demolition. The development may not involve the demolition of more than 25 percent of the existing exterior structural walls of an existing dwelling unit, unless the site has not been occupied by a tenant in the last three years.~~

~~h.f.~~ Setbacks for Existing Structures. No setback is required for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.

~~i.g.~~ Parking. Each new principal dwelling unit must have at least one off-street parking space in a garage. ~~The square footage of the garage does not count toward any maximum floor area for principal dwellings pursuant to Section 17.07.040(B)(8)(e).~~

i. Exception. No parking is required if one of the following applies:

~~(A)—The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in Public Resources Code Section 21155(b), or a major transit stop, as defined in Public Resources Code Section 21064.3. The lot is located within one-half mile walking distance of either:~~

~~(B)—A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours, or~~

~~(C)—A site that contains either:~~

~~(D)—An existing rail or bus rapid transit station, or~~

~~(E)(A) —The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.~~

~~(F)(B) —The site is located within one block of a car-share vehicle location.~~

- j. ~~*Design.*~~
- i. ~~If there is a principal dwelling on the lot that was established before the project, any new principal dwelling unit must match the existing principal dwelling unit in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.~~
 - ii. ~~If there is no principal dwelling on the lot before the project, and if two principal dwellings are developed on the lot, the dwellings must match each other in exterior materials, color, and dominant roof pitch. The dominant roof slope is the slope shared by the largest portion of the roof.~~
 - iii. ~~No window or door of a principal dwelling that is constructed on the lot may have a direct line of sight to, or be within 10 feet of, an adjoining residential property without screening. Fencing, landscaping, or privacy glass may be used to provide screening and prevent a direct line of sight.~~
 - iv. ~~No new rooftop deck is permitted on any new or remodeled dwelling unit or structure on a lot with a proposed project.~~
- k. ~~*Landscaping.*~~ Landscaping is required for each principal dwelling as follows:
- i. ~~At least one 15-gallon size plant shall be provided for every five linear feet of exterior wall. Alternatively, at least one 24-inch box size plant shall be provided for every 10 linear feet of exterior wall.~~
 - ii. ~~New landscaping must use water-efficient species only.~~
10. **Zoning Violations** ~~**Nonconforming Conditions.**~~ A project may only be approved if any zoning violation enforcement on the subject premises has been resolved as permitted by law. ~~all nonconforming zoning conditions on the lot are corrected.~~
11. ~~**Utilities.**~~
- a. ~~Each principal dwelling unit on the resulting lots must have its own direct utility connection to all utility service providers.~~
 - b. ~~On-site wastewater treatment systems are not allowed.~~
12. **11. Building Code Requirements.** All structures built on the lot must comply with Title 15 of the Goleta Municipal Code.
13. ~~**Separate Conveyance.**~~
- a. ~~Principal dwelling units on the lot shall not be owned or conveyed separately from each other.~~
 - b. ~~Condominium airspace divisions and common interest developments are not permitted within the lot.~~

~~c. All fee interest in the lot and all the dwellings must be held equally and undivided by all individual property owners.~~

~~14.~~12. **Short-Term Vacation Rentals.** No dwelling unit on the lot may be rented as a short-term vacation rental, as the term is defined in Goleta Municipal Code Section 5.08.020.

~~15. **Owner Occupancy.** Unless the lot was formed by an urban lot split, the individual property owner (or the beneficiary of a trust that is an individual property owner) of a lot with a proposed project must occupy one of the dwellings on the lot as the owners' principal residence and legal domicile.~~

~~16.~~13. **Deed Restriction.** The owner must record a deed restriction, on a form provided by ~~acceptable to~~ the City, that does ~~each of~~ the following:

a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days, unless already included in a deed restriction.

~~b. Expressly prohibits any separate conveyance of a principal dwelling on the property, any separate fee interest, and any common interest development within the lot.~~

~~c. If the lot is not created by an urban lot split: Expressly requires the individual property owners (or the beneficiary of a trust that is an individual property owner) to live in one of the dwelling units on the lot as the owners' primary residence and legal domicile.~~

~~17.~~14. **General Exception.** The standards imposed by this sub~~Section~~ 17.07.040(CB) and this Title must yield to the degree necessary to avoid physically precluding the construction of up to two units on the lot or either of the two units from being at least 800 square feet in floor area.

a. **Setback Exception.** An exception to the general exception applies such that no structure shall be less than four feet from a side or rear property line.

ATTACHMENT 4

CEQA Notice of Exemption

NOTICE OF EXEMPTION (NOE)

To: ☒ Office of Land Use and Climate Innovation
<https://ceganet.lci.ca.gov/>

☒ Clerk of the Board of Supervisors
County of Santa Barbara
105 E. Anapamu Street, Room 407
Santa Barbara, CA 93101

From: City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117



Subject: Filing of Notice of Exemption

Project Title: Title 16 (Subdivisions) and Title 17 (Zoning) Amendments to Implement State Planning Law and Provide Various Minor Zoning Changes and Clarifications (Case No. 25-0003-ORD)

Project Applicant: City of Goleta

Project Location (Address and APN): Citywide

Description of Nature, Purpose and Beneficiaries of Project:

The proposed amendments to Title 16 (Subdivisions) and Title 17 (Zoning) of the Goleta Municipal Code address State law consistency, remedy issues identified during implementation of Title 17, and provide clarity to existing regulations in Title 17. The topics for these amendments include:

- State law implementation related to Single-Family Residential Development Pursuant to Senate Bill 450 (2024), Community Clinics Providing Reproductive Health Services, State Density Bonus Law, Parking Waivers, Noticing for Changes in Allowed Uses, and Low-Barrier Navigation Centers.
- Minor revisions related to Fence and Retaining Wall Heights, Trash Enclosures, Inclusionary Housing, Projects Approved Prior to Title 17, Consolidated Expiration Dates, Stay of Design Review Board Appeals, Changes to Prior Permits and Approvals, Timelines for Design Review Levels, Height Modifications, and Automobile Uses.
- Other clarifying revisions.

Name of Public Agency Approving the Project: City of Goleta

Name of Person or Agency Carrying Out the Project: City of Goleta

Exempt Status: *(check one)*

- ☐ Ministerial (§15268)
- ☐ Declared Emergency (§15269 (a))
- ☐ Emergency Project (§15269 (b) (c))
- ☐ Categorical Exemption: (Insert Type(s) and Section Number(s))
- ☒ Statutory Exemption: Public Resources Code § 21083.3; CEQA Guidelines § 15183)
- ☒ Other: CEQA Guidelines § 15060(c)(3), § 15378(a), § 15378(b)(5), § 15061(b)(3); Government Code § 66441.7(n), § 65852.21(k)

NOTICE OF EXEMPTION (NOE)

Reason(s) why the project is exempt:

The amendments are not subject to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.) pursuant to Section 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in Section 15378(a) but it is an organizational or administrative activity by government that will not result in direct or indirect physical changes in the environment pursuant to Section 15378(b)(5).

The amendments are also exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

Furthermore, pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, projects that are consistent with the development density of existing zoning, community plan, or General Plan policies for which an Environmental Impact Report (EIR) was certified shall be exempt from additional CEQA analysis, except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review. There is no new substantial information indicating that the impacts of adopting the amendments will be more severe than described in the General Plan EIR and there are no cumulative or off-site impacts from the proposed amendments that were not addressed in the General Plan EIR.

Finally, amendments to Title 16 and Title 17 to implement Senate Bill 450 (2024) are exempt from CEQA pursuant to Government Code Sections 65852.21(k) and 66441.7(n). These provisions state that a local agency ordinance to implement the provisions of Senate Bill 9 (2021), as amended by Senate Bill 450 (2024), are not a project under CEQA.

City of Goleta Contact Person:

Peter Imhof

Director, Planning & Environmental Review

Date

ATTACHMENT 5

Staff Presentation

Title 16 and 17 Amendments Ordinance

Presentation By:
Anne Wells
Andy Newkirk

November 18, 2025



Public Hearing Agenda

- Suggested Format:
 - Staff Presentation
 - Council Questions
 - Public Comment
 - Council Deliberation
 - Action on Recommendation



Title 17 (Zoning) of the Goleta Municipal Code

March 3, 2020:	Title 17 Adopted
October 6, 2020:	Round 1 CC Adoption
September 21, 2021:	Round 2 CC Adoption
May 17, 2022:	Round 3 CC Adoption
June 6, 2023:	Round 4 CC Adoption
April 16, 2024:	Round 5 CC Adoption



State Law Consistency

- Single-Family Residential Development
 - SB 450
- Community Clinics Providing Reproductive Health Services
- Density Bonus
 - Findings
- Parking Waivers
- Noticing for Changes in Allowed Uses
- Low-Barrier Navigation Centers



Minor Revisions

- Automobile Uses
- Fence and Retaining Wall Heights
- Trash Enclosures
- Inclusionary Housing
- Projects Approved Prior to Title 17



Minor Revisions

- Consolidated Expiration Dates
- Changes to Prior Permits and Approvals
- Stay of Design Review Board Appeals
- Timelines for Design Review Levels
- Height Modifications



Clarifications and Clean-Ups

- Variety of revisions of a non-substantive nature



Hearing Steps

- Council Questions
- Public Comment
- Council Deliberation
- Action on Recommendation



Staff Recommendation

Introduce and conduct first reading (by title only) and waive further reading of Ordinance No. 25-___, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 16 (Subdivisions) and Title 17 (Zoning) of the Goleta Municipal Code to Implement State Planning Law and Provide Various Minor Zoning Changes and Clarifications and Finding the Amendments to be Exempt from the California Environmental Quality Act (Case No. 25-0003-ORD).”

