



**TO:** Mayor and Councilmembers

**FROM:** Peter Imhof, Planning and Environmental Review Director

**CONTACT:** Anne Wells, Advance Planning Manager  
Andy Newkirk, Senior Planner

**SUBJECT:** Title 17 (Zoning) Amendments Ordinance and Determination that the Ordinance is Exempt from the California Environmental Quality Act

**RECOMMENDATION:**

Conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 23-\_\_, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the Goleta Municipal Code and Finding the Amendments to be Exempt from the California Environmental Quality Act.”

**BACKGROUND:**

On March 3, 2020, the City Council adopted Title 17 (Zoning) of the Goleta Municipal Code (GMC). Title 17 became effective on April 3, 2020. Since adoption, the City has conducted three rounds of amendments to Title 17 to address “clean-up” items, including necessary revisions related to changes in State law and to clarify various provisions in the Title. The first of these amendments to Title 17 were adopted by the City Council on October 6, 2020, via Ordinance No. 20-09. A second set of amendments were adopted on September 21, 2021, via Ordinance No. 21-07. A third set of amendments were adopted on May 17, 2022, via Ordinance No. 22-06.

Since that time, staff has continued to track implementation of Title 17 and identified additional amendments needed to (1) address potential inconsistencies with State law, (2) implement the recently adopted Housing Element 2023-2031, (3) better clarify the intent and application of Title 17 development standards based upon issues raised during review of development applications, and (4) correct typographical errors and ambiguities in the Title. The proposed amendments were presented to the Planning Commission at a public hearing on April 24, 2023. At that hearing, the Planning Commission recommended to the City Council the adoption of the amendments with no changes.

**DISCUSSION:**

On May 16, 2023, the City Council reviewed the Planning Commission recommendation and unanimously introduced and conducted the first reading of the Ordinance, as provided as Attachment 1. The Ordinance includes a correction to a scrivener's error in Section 4(Q). The correction adds "ESHA" to the end of GMC subsection 17.24.100(A)(4)(a).

The City Council must conduct a second reading of the Ordinance prior to the Ordinance going into effect. The City Council has the opportunity to conduct the second reading and adopt the Ordinance, which would then be effective on the thirty-first day after adoption.

During the hearing on May 16, 2023, the City Council discussed potential additional amendments to story pole requirements. Issues regarding story poles and potential changes to story pole requirements and timing will be considered as part of a future Planning and Environmental Review Department work program item to implement General Plan implementation action VH-IA-3 (Preparation and Adoption of Story Pole/Visual Simulation Procedures).

**FISCAL IMPACTS:**

There is no direct fiscal impact from adoption of the Ordinance. Funding for Planning and Environmental Review staff time to prepare the Ordinance was included in the adopted FY 2022-23 Budget under Program 4300 of the Advance Planning Division.

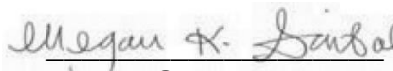
**ALTERNATIVES:**

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

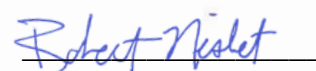
**Reviewed By:**

  
Kristine Schmidt  
Assistant City Manager

**Legal Review By:**

  
Megan Garibaldi  
City Attorney

**Approved By:**

  
Robert Nisbet  
City Manager

**ATTACHMENTS:**

1. Ordinance No. 23-\_\_\_, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the Goleta Municipal Code and Finding the Amendments to be Exempt from the California Environmental Quality Act"

## **Attachment 1**

Ordinance No. 23-\_\_\_, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the Goleta Municipal Code and Finding the Amendments to be Exempt from the California Environmental Quality Act”

## **ORDINANCE NO. 23-\_\_**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING VARIOUS AMENDMENTS TO TITLE 17 OF THE GOLETA MUNICIPAL CODE AND FINDING THE AMENDMENTS TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS** the City of Goleta (City) adopted Title 17 (Zoning) of the Goleta Municipal Code (GMC) on March 3, 2020; and

**WHEREAS**, since the adoption of Title 17, City staff has identified a variety of edits that are needed to improve Title 17 by addressing State law and Housing Element 2023-2031 implementation, remedying minor errors and inconsistencies, and by providing clarification for other ambiguities; and

**WHEREAS** the Planning Commission conducted a duly noticed public hearing on April 10, 2023, 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 17 Amendments Ordinance on April 24, 2023; and

**WHEREAS** the City Council conducted a duly noticed public hearing on \_\_\_\_\_, 2023 at which time all interested persons were given an opportunity to be heard; and

**WHEREAS** the City Council adopted Ordinance No. 23-\_\_, which amends Title 17 of the GMC, by a majority vote on \_\_\_\_\_, 2023.

**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 Ordinance Amendments**

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

- 1. 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 textual amendments relate to minor clerical revisions that do not alter the previous findings of Title 17 consistency with the General Plan.

The Ordinance serves as implementation of various Housing Element implementation programs to support housing. Specifically, the Ordinance serves as implementation for Housing Element subprograms HE 2.1(e) (increased densities), 2.1(f) (replacement of lost units), 2.1(g) (sites in previous Housing Elements), 2.2(c) (Live/Work units), 3.2(b) (Emergency Shelters), 3.2(c) (Low Barrier Navigation Centers), 3.2(d) (Transitional and Supportive Housing), 3.2(e) (Residential Care Facilities), and 3.2(i) (Reasonable Accommodations). Implementation of these subprograms also serve to align the City's zoning regulations with State housing law requirements.

Additionally, the Ordinance will amend Title 17 and bring the City's zoning regulations into compliance with other aspects of State planning law. Specifically, the ordinance updates the City's electrical vehicle charging station and hydrogen fueling stations consistent with Government Code Section 65850.7 and solar energy systems consistent with Government Code Section 65850.5. The Ordinance also updates the City's regulations to include a finding to ensure consistency with State housing law to ensure there is no net loss of housing development potential in the City, consistent with Government Code Section 65863(b)(2).

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

**2. 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 to help ensure the consistent application of City land use regulations.

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

**3. 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 Amendment 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 aspect 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 Amendment is consistent with good zoning and planning practices.

### **SECTION 3**                      **Environmental Assessment**

The Ordinance is not subject to the California Environmental Quality Act (CEQA) 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(b)(5) as an organizational or administrative activity by government that will not result in direct or indirect physical changes in the environment.

The Ordinance is 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 Ordinance will be more severe than described in the General Plan EIR and there are no cumulative or off-site impacts from the proposed Ordinance that were not addressed in the General Plan EIR. As such, the Ordinance is exempt from further CEQA review.

### **SECTION 4**                      **Title 17 of the Goleta Municipal Code Amendments**

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

#### ***A. Section 17.03.060 is amended to read as follows:***

Dwelling unit density per acre is calculated using total lot area.

#### ***B. Subsection 17.03.070(B) is amended to read as follows:***

**Excluded from Floor Area.** Floor area does not include mechanical, electrical, and communication equipment rooms; attics; any crawl space or other non-habitable space below finished grade; bay windows or other architectural projections where the vertical distance between the lowest surface of the projection and the finished floor is 30 inches or greater; areas that qualify as restricted open space; and areas required for off-street parking spaces or loading spaces, driveways, ramps between floors of a

multi-level parking garage, and maneuvering aisles that are located below the finished grade of the property.

**C. *The introduction Section 17.03.110 (without change to subsections (A)-(E) and Figure 17.03.110) is amended to read as follows:***

Lot coverage is the ratio of the total footprint area of all structures on a lot to the lot area, typically expressed as a percentage. The footprints of all principal and accessory structures (including, but not limited to, garages, carports, covered patios, and roofed porches) are summed in order to calculate lot coverage. The following structures are excluded from the total footprint area used in the lot coverage calculation:

**D. *Table 17.07.020 is amended as follows:***

1. For Residential Care Facilities, Large: Change the “CU” to “P” in the “RM” and “RH” District cells.
2. For Supportive Housing: Amend the text to read “See § 17.41.290, Supportive Housing.”

**E. *The preamble for Section 17.07.030 is amended to read as follows:***

Table 17.07.030 prescribes development regulations for the Residential Districts for permitted and conditionally permitted uses. Letters in parentheses (e.g., (A)) refer to the regulations following the table. When in the “Additional Regulations” column, the regulations apply to all districts. When in just one district’s column, the regulations apply only to that particular district. The numbers in each illustration below refer to corresponding regulations in the “#” column in the associated table. Regulations specifically applicable to one or more residential districts can be found below in Section 17.07.040 et seq. Regulations applicable to all zoning districts are in Part IV of this Title.

**F. *Subsection 17.07.040(A) is amended to read as follows (prior to Table 17.07.040):***

**Maximum Floor Area.** No single-unit dwelling or habitable accessory structure may be constructed or expanded unless the proposed structure or expansion complies with the following standards for maximum allowable floor area for all structures on the lot, including garages. Development that exceeds these floor area standards may be approved subject to Design Review approval by the Design Review Board.

**G. *Table 17.08.020 is amended as follows:***

1. Create a new row under “Residential Uses” for “Low Barrier Navigation Centers” with a “P” in the CC, OT, and CG Districts, a “-” in the CR, VS, and CI Districts, and the following text in the “Additional Regulations” cell: “See § 17.41.280, Low Barrier Navigation Centers”

2. For Residential Care Facilities, Large: Change the “CU1” to “P” in the “CG” District cell.
3. For Supportive Housing: Amend the text to read “See § 17.41.290, Supportive Housing.”
4. Create a new row under “Commercial Uses” for “Hydrogen Fueling Stations” with “P” in all Districts and the following text in the “Additional Regulations” cell: “See § 17.41.270, Hydrogen Fueling Stations”
5. For Live/Work Units: Change the “MU” to “P” in the “CC” and “OT” District cells.

**H. *The preamble for Section 17.08.030 is amended to read as follows:***

Table 17.08.030 prescribes development regulations for the Commercial Districts for permitted and conditionally permitted uses. Letters in parenthesis (e.g., (A)) refer to the regulations following the table. When in the “Additional Regulations” column, the regulations apply to all districts. When in just one district’s column, the regulations apply only to that particular district. The numbers in each illustration below refer to corresponding regulations in the “#” column in the associated table. Regulations applicable to all zoning districts are in Part IV of this Title.

**I. *Table 17.09.020 is amended as follows:***

1. Create a new row under “Residential Uses” for “Low Barrier Navigation Centers” with a “P” in the OI District, a “-” in the BP District, and the following text in the “Additional Regulations” cell: “See § 17.41.280, Low Barrier Navigation Centers”
2. For Residential Care Facilities, Large: Change the “CU” to “P” in the “OI” District cell.
3. For Supportive and Transitional Housing: Delete out “and Transitional” from the “Use” column and amend the text to read “See § 17.41.290, Supportive Housing”
4. Create a new row under “Residential Uses” for “Transitional Housing” with a single text box in the remainder of the row that reads “Subject only to those standards permit procedures as they apply to other residential dwellings of the same type (use) in the same zone.”
5. Create a new row under “Commercial Uses” for “Hydrogen Fueling Stations” with “P” in both Districts and the following text in the “Additional Regulations” cell: “See § 17.41.270, Hydrogen Fueling Stations”
6. For Live/Work Units: Change the “MU” to “P” in the “OI” District cell.

**J. *The preamble for Section 17.09.030 is amended to read as follows:***



Table 17.09.030 prescribes development regulations for Office Districts for permitted and conditionally permitted uses. Letters in parenthesis (e.g., (A)) refer to the regulations following the table. When in the “Additional Regulations” column, the regulations apply to all districts. When in just one district’s column, the regulations apply only to that particular district. The numbers in each illustration below refer to corresponding regulations in the “#” column in the associated table. Regulations applicable to all zoning districts are in Part IV of this Title.

**K. Table 17.10.020 is amended as follows:**

1. Create a new row under “Commercial Uses” for “Hydrogen Fueling Stations” with a “P” in both Districts and the following text in the “Additional Regulations” cell: “See § 17.41.270, Hydrogen Fueling Stations”

**L. The preamble for Section 17.10.030 is amended to read as follows:**

Table 17.10.030 prescribes development regulations for Industrial Districts for permitted and conditionally permitted uses. Letters in parenthesis (e.g., (A)) refer to the regulations following the table. When in the “Additional Regulations” column, the regulations apply to all districts. When in just one district’s column, the regulations apply only to that particular district. The numbers in each illustration below refer to corresponding regulations in the “#” column in the associated table. Regulations applicable to all zoning districts are in Part IV of this Title.

**M. The preamble for Section 17.11.030 is amended to read as follows:**

Table 17.11.030 prescribes development regulations for the Public and Quasi-Public Districts for permitted and conditionally permitted uses. Letters in parenthesis (e.g., (A)) refer to regulations following the table. When in the “Additional Regulations” column, the regulations apply to all districts. When in just one district’s column, the regulations apply only to that particular district. Regulations applicable to all zoning districts are in Part IV of this Title.

**N. Table 17.12.020 is amended as follows:**

1. For Supportive Housing: Amend the text to read “See § 17.41.290, Supportive Housing.”

**O. The preamble for Section 17.12.030 is amended to read as follows:**

Table 17.12.030 prescribes development regulations for the Open Space and Agricultural Districts for permitted and conditionally permitted uses. Letters in parenthesis (e.g., (A)) refer to the regulations following the table. When in the “Additional Regulations” column, the regulations apply to all districts. When in just one district’s column, the regulations apply only to that particular district. Regulations applicable to all zoning districts are in Part IV of this Title.

**P. Subsection 17.24.020(D)(4) is added to read as follows:**

**Bus Stops.** Santa Barbara Metropolitan Transit District bus stop structures are allowed in front and street side setbacks if the structures meet the standards established in the Santa Barbara Metropolitan Transit District Bus Stop Standards as adopted by the Santa Barbara Metropolitan Transit District Board of Directors.

**Q. Section 17.24.100 is amended to read as follows:**

This section provides additional information for grading and grubbing activities that are not associated with a larger approved project, which are themselves cumulatively considered a project and subject to this section.

**A. Permit Requirements.**

1. **Exempt.** The following grading and grubbing activities are exempt from Zoning Permits, pursuant to this Title:

- a. Grading on a single lot of less than 50 cubic yards, less than two feet in depth, and not within 500 feet of any ESHA.
- b. Grubbing on a single lot of less than one-half acre and not within 500 feet of any ESHA.
- c. The annual or semiannual plowing, tilling, preparation, and planting of land for ongoing farming and agricultural operations.

2. **Zoning Clearance.** The following grading and grubbing activities require a Zoning Clearance, pursuant to this Title:

- a. Grading of less than 50 cubic yards and within 500 feet, but not closer than 300 feet, of any ESHA.
- b. Grading activities occurring on two or more contiguous lots and less than 500 square feet in area.
- c. Grubbing of more than one-half acre, but less than one acre.
- d. Grubbing less than 500 feet, but not within 300 feet, of any ESHA.

3. **Land Use Permit or Coastal Development Permit.** The following grading and grubbing activities require a Land Use Permit or Coastal Development Permit, pursuant to this Title:

- a. Grading of 50 cubic yards or more.
- b. Grading activities requiring a Grading Permit from the City.
- c. Grading activities occurring on two or more contiguous lots and 500

square feet or more in area.

d. Grading or grubbing within 300 feet of, but more than 100 feet from any ESHA.

e. Grubbing of more than one acre.

4. **Major Conditional Use Permit.** The following grading and grubbing activities require a Major Conditional Use Permit pursuant to this Title:

a. Grading or grubbing within 100 feet of ESHA.

**R. Section 17.24.180 is amended to read as follows:**

This Section provides procedures for the review of solar energy systems, where the Building Official finds that solar energy systems could have a specific adverse impact upon the public health or safety, consistent with Goleta Municipal Code Section 15.14.070(E).

A. **Exempt.** Where the Building Official does not make the finding in Goleta Municipal Code Section 15.14.070(E), the solar energy system is exempt from all standards and requirements of Title 17.

B. **Permit Required.** Where the Building Official makes the finding in Goleta Municipal Code subsection 15.14.070(E), that a proposed solar energy system could have a specific adverse impact upon the public health or safety, issuance of a Land Use Permit is required.

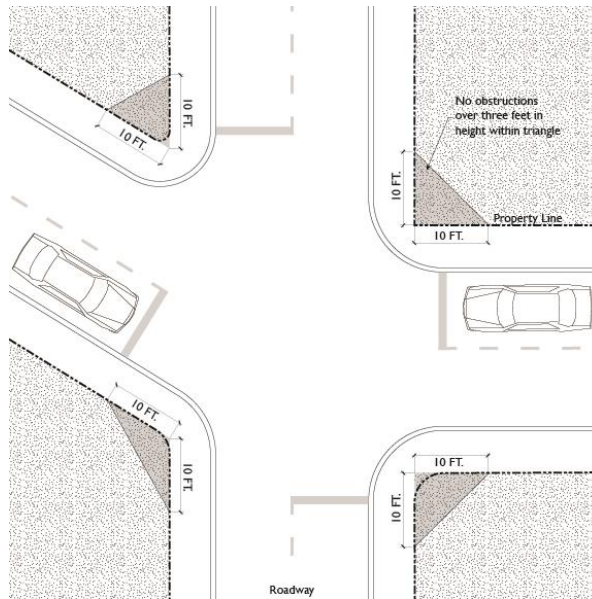
C. **Finding for Approval.** The Director shall issue a Land Use Permit for a solar energy system only if the following finding can be made:

1. The proposed solar energy system installation would not have a specific, adverse impact upon the public health or safety.

No additional findings are required for a solar energy system, notwithstanding any other provisions of this Title.

D. **Finding for Denial.** If the Director denies the project based on the finding in subsection (C)(1) above, the denial shall include a finding by the Building Official that 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.

**S. The image for Figure 17.24.210(A)(1) is replaced with the following image:**



**T. Section 17.24.220 is amended to read as follows:**

This section provides procedures for the review of electric vehicle (EV) charging stations, as they are defined in Goleta Municipal Code Section 15.20.030, where the Building Official finds that the EV charging station could have a specific adverse impact upon the public health or safety, consistent with Goleta Municipal Code Section 15.20.070(A).

A. **Exempt.** Where the Building Official does not make the finding in Goleta Municipal Code Section 15.20.070(A), the EV Charging Station is exempt from all standards and requirements of Title 17.

B. **Permit Required.** Where the Building Official makes the finding in Goleta Municipal Code subsection 15.20.070(A) that a proposed EV charging station could have a specific adverse impact upon the public health or safety, issuance of a Land Use Permit is required.

C. **Finding for Approval.** The Director shall issue a Zoning Clearance for an EV charging station only if the following finding can be made:

1. The proposed EV charging station installation would not have a specific, adverse impact upon the public health or safety.

No additional findings are required for an EV charging station, notwithstanding any other provisions of this Title.

D. **Finding for Denial.** If the Director denies the project based on the finding in subsection (C)(1) above, the denial shall include a finding by the Building Official that 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.

**U. Section 17.29.030 is amended to read as follows:**

**A. Demolition of Multi-Unit Dwellings.** In addition to the requirements of subsection (B) below, the City will not allow the demolition of any multiple unit dwelling structures unless the project will create at least as many residential dwellings as will be demolished, or the building or structure is exempt from this requirement pursuant to Section 17.29.010, Applicability.

**B. New Development Under State Law.**

1. Any development on a site that currently has residential uses, or within the past five years has had residential uses that have been vacated or demolished, that are or were subject to affordability restrictions as detailed in Government Code Section 65583.2(g)(3), shall replace of all those units affordable to the same or lower income level in accordance with Government Code Section 65583.2(g)(3).

2. In accordance with Government Code Section 66300(d), no housing development project, as defined by Government Code Section 65589.5(h)(2), that will require the demolition or other loss of legally established residential dwelling units shall be approved unless the project will create at least as many residential dwellings as will be demolished or otherwise lost and no housing development project that will require the demolition of occupied or vacant protected units, as that term is defined in Government Code Section 66300(d)(2)(F)(vi), shall be approved unless all the requirements of Government Code Section 66300(d)(2) are met. When this subsection applies, all applicable requirements of Government Code Section 66300(d) must be met.

**C. Timing of Replacement.** The City shall not issue a certificate of occupancy for any other Building Permits for the project until all certificates of occupancy have been issued for the replacement unit(s).

**V. Subsection 17.30.030(A) is amended to read as follows:**

**Initial Site Assessment Screening.** The City must conduct an initial site assessment screening for all development applications to determine the potential presence of ESHA within 300 feet of the development activity. The initial site assessment screening must include a review of reports, resource maps, aerial photographs, site inspection and additional resources as necessary to determine the presence of ESHA.

**W. Subsection 17.30.030(B) is amended to revise the introductory language (without amending subsections 17.30.030(B)(1)-(9)), as follows:**

**Biological Study.** For any development applications within 300 feet of ESHA, or with the potential to adversely impact ESHA, a site-specific biological study must be prepared. The biological study must address all relevant General Plan policies and may be peer reviewed, at the Director's discretion. All costs of the biological study and any peer review are borne by the applicant.

**X. Subsection 17.30.040(A)(1) is amended to read as follows:**

**Exception.** Where consistent with the provisions of this Section, new Capital Improvement Program projects, public accessways and trails, habitat restoration and enhancement projects when consistent with Sections 17.30.060(G) and 17.54.020(A)(6), and nature education and research activities.

**Y. Subsection 17.30.060(G) is amended to read as follows:**

Habitat restoration or enhancement projects that are not subject to Section 17.54.020(A)(6), Zoning Clearance, shall be subject to review and approval of a Minor Conditional Use Permit unless a Development Plan or other approval is already required for a project that includes the habitat restoration or enhancement.

**Z. Subsection 17.30.070(C)(2) is amended to read as follows:**

Upon receipt of an application for an SPA upland buffer reduction, the Director may direct preparation by a City-selected consultant of a Biological Report, an economic/financial analysis and/or any other study or report the Director deems necessary in the Director's reasonable discretion, at the applicant's expense, to assist the Review Authority in making the above findings. At the request of the Director, the applicant shall provide information that the Director deems necessary, in the Director's reasonable discretion, to produce the above-referenced studies or reports, including, but not limited to, financial data, land appraisal data, acquisition cost, land development/construction cost data, prospectuses, and financial/revenue projections. The application will not be deemed complete until the required reports are completed to the Director's satisfaction.

**AA. Subsection 17.30.070(F) is added to read as follows:**

**Notification to Impacted Property Owners.** The City shall notify, at a developer's expense where applicable, all property owners where a development or restoration project will result in a change to the mapped riparian habitat that would lead to a change in the developable area on the owner's property.

**BB. Table 17.38.040(A) is amended as follows:**

**1. For Single-Unit Dwellings, the parking requirement is amended to read as follows:**

2 covered spaces per dwelling unit. See subsection 17.07.040(B) for exceptions in RS.

**2. For Emergency Shelters, the parking requirement is amended to read as follows:**

2 spaces for facility staff.

**CC. Section 17.41.130 is amended to read as follows:**

Emergency shelters must be located, developed, and operated in compliance with the following standards where allowed by Part II, Base Zoning District Standards and Allowed Uses:

A. **Permit Required.** Unless Discretionary Approval of a Conditional Use Permit is required pursuant to Table 17.08.020, a Land Use Permit is required where Emergency Shelters are allowed.

B. **Proximity.** No emergency shelter is permitted within 300 feet of a site with an operating emergency shelter.

C. **Number of Residents.** Not more than 25 persons may be served on a nightly basis. A shelter operator may request a higher capacity with Discretionary Approval of a Minor Conditional Use Permit by demonstrating that the combined shelter capacity in the City is less than the most recent homeless census.

D. **Length of Stay.** Maximum length of stay of a person in an emergency shelter is limited to 180 days in any 12-month period.

E. **Management.** Each emergency shelter must have an on-site management office, with at least one staff member on duty at all times the emergency shelter is in operation. A minimum of two staff members must be on duty when more than 10 beds are occupied.

F. **Security.** If required by law enforcement, an emergency shelter must have on-site security staff, with at least one security staff present at all times the emergency shelter is in operation.

G. **Site Design.** Client waiting, intake, and pick-up areas must be located inside a building or interior courtyard, or at a rear or side entrance.

**DD. Section 17.41.180 is amended to read as follows:**

Live/work units must be located, developed, and operated in compliance with the following standards, where allowed by Part II, Base Zoning District Standards and Allowed Uses, of this Title:

A. **Permit Required.** Where allowed, a Land Use Permit is required.

B. **Nonresidential Uses.** Work activities in live/work units are limited to uses that are permitted outright or allowed with a Land Use Permit or Conditional Use Permit within the zone district the units are located in.

C. **Sale or Rental of Live or Work Portions of Unit.** No portion of a live/work unit may be separately rented or sold as a commercial space for a person or persons not

living on the premises, or as a residential space for a person or persons not working on the premises.

D. **Configuration.** The nonresidential area shall be limited to the first floor or main floor of the live/work unit. The residential and nonresidential areas of the live/work unit shall be integrated, contiguous, and accessible from each other.

E. **Outdoor Living Area.** Common or private outdoor living area must be provided for the use of occupants at a rate of at least 60 square feet per live/work unit. This space may be attached to individual units or located on the roof or adjoining the building in a yard.

**EE. Section 17.41.270, entitled “Hydrogen Fueling Stations,” is added to read as follows:**

This section provides procedures for the review of Hydrogen Fueling Stations where the Building Official finds that the Hydrogen Fueling Station could have a specific adverse impact upon the public health or safety.

A. **Exempt.** Where the Building Official does not make a finding that the Hydrogen Fueling Station could have a specific adverse impact upon the public health or safety, the Hydrogen Fueling Station is exempt from all standards and requirements of Title 17.

B. **Permit Required.** Where the Building Official makes a finding that the Hydrogen Fueling Station could have a specific adverse impact upon the public health or safety, issuance of a Land Use Permit is required.

C. **Location.** The Hydrogen Fueling Station must be on a parcel that satisfies either of the following:

1. The parcel is zoned for industrial or commercial development and does not contain any residential units, or
2. The parcel was previously developed with service station. For purposes of this subsection, “service station” means any establishment which offers for sale or sells gasoline or other motor vehicle fuel to the public.

D. **Standards.** Hydrogen Fueling Stations shall meet all of the following, as applicable:

1. Health and safety standards and requirements imposed by State and local permitting authorities.
2. Safety and performance standards established by the Society of Automotive Engineers and accredited nationally recognized testing laboratories.



3. Any rules established by the State Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures.
4. Guidance established by the Governor's Office of Business and Economic Development, as outlined in the Hydrogen Station Permitting Guidebook.

D. **Finding for Approval.** The Director shall issue a Land Use Permit for a Hydrogen Fueling Station if the following findings can be made:

1. The proposed Hydrogen Fueling Station installation would not have a specific, adverse impact upon the public health or safety.
2. The proposed Hydrogen Fueling Station meets the standards of this Section.

No additional findings are required for a Hydrogen Fueling Stations, notwithstanding any other provisions of this Title.

E. **Finding for Denial.** If the Director denies the project based on a finding in subsection (D) above, the denial shall include a finding by the Building Official that 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.

**FF. Section 17.41.280, entitled "Low Barrier Navigation Centers," is added to read as follows:**

Low Barrier Navigation Centers must be located, developed, and operated in compliance with the following:

A. **Zone Districts.** Low Barrier Navigation Centers are allowed in zone districts that allow mixed-use residential development and any non-residential zone district that allows multi-unit dwellings.

B. **Permit Required.** A Land Use Permit is required.

C. **Use Requirements.** The Low Barrier Navigation Center shall:

1. Offer services to connect people to permanent housing through a services plan that identifies services staffing.
2. Be linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing.
3. Comply with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

4. Have a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

D. **Processing Timelines.** Within 30 days of receipt of an application for a Low Barrier Navigation Center, the City shall notify the applicant whether the application is complete pursuant to Government Code Section 65943. Within 60 days of receipt of a completed application for a Low Barrier Navigation Center, the City shall act upon its review of the application.

**GG. Subsection 17.41.290, entitled “Supportive Housing,” is added to read as follows:**

Supportive Housing must be located, developed, and operated in compliance with the following:

A. **General Application of Standards and Procedures.** Supportive Housing is subject only to those standards and permit procedures as they apply to other residential dwellings of the same type (use) in the same zone.

B. **Ministerial Processing.** Notwithstanding subsection (A) above, if the requirements of Government Code Section 65651(a) are met, the following processing requirements apply:

1. **Conversion of Existing Development.** Supportive Housing that is converted from an existing use in zone districts that allow multiple-dwelling units, including as part of mixed-use developments, a Land Use Permit is required.

2. **New Development.** Supportive Housing that requires new construction, the procedures and standards of Chapter 17.44, Multiple-Unit and Mixed-Use Objective Design Standards apply.

C. **Supportive Services Plan Required.** An applicant for a Supportive Housing use subject to this Section shall provide the City with a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, as required by Government Code Section 65651, and describing those services, which shall include all of the following:

1. The name of the proposed entity or entities that will provide supportive services.
2. The proposed funding source or sources for the provided onsite supportive services.
3. Proposed staffing levels.

D. **Parking Exception.** No parking is required for units occupied by Supportive Housing residents if the development is located within one-half mile of a public transit stop. Off-street parking for other units shall comply with the parking requirements for other residential dwellings of the same type (use) in Table 17.38.040(A).

E. **Processing Timelines.** The City shall notify the applicant whether their Supporting Housing use application is complete within 30 days of receipt of an application to develop supportive housing in accordance with this Section. The City shall complete its review of the application within 60 days after the application is complete for a project with 50 or fewer units, or within 120 days after the application is complete for a project with more than 50 units.

F. **Reduction in Residents.** Notwithstanding any other provision of this Section, the City shall, at the request of the project owner, reduce the number of residents required to live in Supportive Housing if the project-based rental assistance or operating subsidy for the Supportive Housing project is terminated through no fault of the project owner, but only if all of the following conditions have been met:

1. The owner demonstrates that it has made good faith efforts to find other sources of financial support.
2. Any change in the number of supportive service units is restricted to the minimum necessary to maintain project's financial feasibility.
3. Any change to the occupancy of the Supportive Housing units is made in a manner that minimizes tenant disruption and only upon the vacancy of any Supportive Housing units.

**HH. Section 17.42.010 is amended to read as follows:**

This chapter provides standards and procedures to regulate the development, siting, installation, and operation of wireless telecommunications antennas and related facilities consistent with the applicable requirements of Federal law. The regulations are intended to provide for the appropriate development of wireless telecommunication facilities within the City to meet the needs of residents, business-owners, and visitors while protecting public health and safety and preventing visual blight and degradation of the community's aesthetic character.

The requirements of this chapter apply to all telecommunication facilities within the City, not otherwise regulated by the City, pursuant to Goleta Municipal Code Chapter 12.20, Wireless Facilities in Public Road Rights-of-Way, that transmit and/or receive wireless electromagnetic signals, including, but not limited to, personal communications services (cellular and paging) and radio and television broadcast facilities.

A. These facilities include small and large cell facilities on privately-owned property and wireless facilities on public property not regulated by Goleta Municipal Code Chapter 12.20.

B. The requirements apply to telecommunication facilities that are the primary use of a property as well as those that are accessory facilities.

**II. Subsection 17.42.050(C)(2) is amended to read as follows:**

The owner or the Owner's agent shall provide written verification of the removal of the wireless telecommunication facility within 30 days of the date the removal is completed.

**JJ. Change the title of Chapter 17.44 to "MULTIPLE-UNIT AND MIXED-USE OBJECTIVE DESIGN STANDARDS"**

**KK. Subsection 17.44.010(B) is amended to read as follows:**

**Applicability.** The provisions of this Chapter apply to the following:

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;
2. Residential development where at least 20 percent of the residential units are affordable to lower-income households that is either:
  - a. On a vacant parcel that was used in the City's previous two Housing Elements sites inventories to accommodate lower-income units; or
  - b. On a nonvacant parcel that was used in the City's previous Housing Element sites inventory to accommodate lower-income units; and
3. Any other project that qualifies for objective, ministerial review pursuant to State housing law.

**LL. Subsection 17.52.030(A)(2) is amended to read as follows:**

To the fullest extent allowed by law, any illegal conditions on the subject premises have been remedied or would be remedied as part of the proposed project. Nothing in this provision limits the City's enforcement options under Chapter 17.69, Enforcement.

**MM. Subsection 17.52.050(C)(5) is amended to read as follows:**

**Story Poles.** All development over 20 feet in height, except for single-unit dwellings and development not requiring a public hearing, shall require story poles that accurately depict the proposed structure(s). When required, story poles must convey size, bulk, and scale and must be installed consistent with the following provisions:

- a. The story poles must be satisfactorily installed at least 14 days before the first scheduled public hearing date, unless an earlier date is deemed necessary by the Director and may be removed immediately following the hearing if no formal action is taken.
- b. The story poles must remain in place until the expiration of the project's local Appeal period and must be removed within 10 calendar days afterwards.
- c. Story poles shall depict a three-dimensional, full-scale silhouette that outlines major wall planes, gables, and ridges.
- d. Installation of story poles must be certified by a licensed land surveyor as to their accuracy. Any deviations from proposed heights stated on plan sheets and what is depicted by the story poles must be calculated and disclosed.
- e. Story poles must be of sturdy construction and braced or reinforced for safety purposes.
- f. Installed story poles and associated flagging and/or netting shall be of materials and method of installation to withstand reasonably foreseeable weather or other site factors for the required duration of display.
- g. If at any time the story poles become unsafe or shift location, they shall be repaired and reset.

**NN. Subsection 17.52.100(B)(1)(a) is amended to add subsection 17.52.100(B)(1)(a)(iv) read as follows:**

- iv. The project is located within the same general location as, and is topographically similar to, approved plans. The location must not be moved more than ten percent closer to a property line than the originally approved Permit or Plan.

**OO. Delete subsection 17.52.100(B)(3) and renumber subsection 17.52.100(B)(4), entitled "Effectuation" as subsection 17.52.100(B)(3).**

**PP. Delete subsection 17.52.100(C)(4) and renumber subsection 17.52.100(C)(5), entitled "Consideration" as subsection 17.52.100(C)(4).**

**QQ. A new subsection 17.52.100(E) is added to read as follows:**

**Exception.** Changes to previously approved Development Plans for development on a lot with a single-unit dwelling where the proposed development is consistent with the standards in the Development Plan. In such cases where this exception applies, the other permitting and approval requirements for development pursuant to this Title apply and the standards of this Title apply unless the previously adopted Development Plans specifies different standards, in which case those standards would apply.

**RR. Subsection 17.58.020(B)(5) is amended to read as follows:**

Electric vehicle charging stations, as they are defined in Goleta Municipal Code Section 15.20.030.

**SS. Subsection 17.58.040(A) is amended to read as follows:**

**Administrative Review.** The Director shall make decisions to approve, approve with conditions, or deny, the following development:

1. Decks that are 30 inches or more above grade;
2. Swimming pools, hot tubs, and spas that are subject to Section 17.24.190, General Site Regulations—Swimming Pools and Spas, and are otherwise exempt from Zoning Permits; and
3. Other accessory structures not subject to review by the Design Review Board.

**TT.Subsection 17.59.020(A) is amended to read as follows:**

Any structural development where another approval requirement is specified under this Title or where the development is exempt pursuant to Chapter 17.53, Exemptions.

**UU. Section 17.63.030 is amended to read as follows:**

The Director must consider and act on requests for reasonable accommodation.

**VV. Subsection 17.63.040(B) is amended to read as follows:**

**Considerations.** The following factors must be considered in making a determination regarding an application filed pursuant to this chapter:

1. Need for the requested modification, including alternatives that may provide an equivalent level of benefit that satisfies the need;
2. Physical attributes of, and any proposed changes to, the subject property and structures;
3. Whether the requested modification would impose an undue financial or administrative burden on the City; and
4. Whether the requested modification would constitute a fundamental alteration of the City's zoning or building laws, policies, procedures, or subdivision program.

**WW. Subsection 17.69.030(D) is amended to read as follows:**

The City Attorney may, at the City Attorney's discretion, or upon order of the City Council, immediately commence action or proceedings for the abatement and removal and enjoinder of violations in the manner provided by law, and may take such other

steps and may apply to such courts as may have jurisdiction to grant such relief that will abate and remove such use or structure, and may seek to restrain and enjoin any person, firm, or corporation from such use of any property or structure, or from setting up, erecting, building, maintaining, or demolishing any such structure contrary to the provisions of this Title.

**XX. Subsection 17.70.040(H) is amended to read as follows:**

Affordable Housing Facilities (applicable only to non-residential projects and components of mixed-use projects not subject to Chapter 17.28).

**YY. Section 17.71.020, entitled “Development on Sites Used in the City’s Housing Element Sites Inventory” is added to read as follows:**

A. **Applicability.** This Section applies where the City approves, by administrative, quasi-judicial, legislative, or other action, development of any parcel with fewer units by income category than identified in the City’s Housing Element for that parcel.

B. **Required Finding.** The City shall make a written finding, supported by substantial evidence, as to whether or not the remaining sites identified in the City’s Housing Element are adequate to meet the requirements of Government Code Section 65583.2 and to accommodate the City’s share of the regional housing need pursuant to Government Code Section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction’s share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

**ZZ. Section 17.72.010 is amended as follows:**

**1. Amend the definition of the “Supportive Housing” use to read as follows:**

Housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving the resident’s health status, and maximizing the resident’s ability to live and, when possible, work in the community.

**2. Add a definition for “Low Barrier Navigation Center” to read as follows:**

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.

**AAA. Section 17.72.030 is amended as follows:**

**1. Add a use classification for “Hydrogen Fueling Station” to read as follows:**

The equipment used to store and dispense hydrogen fuel to vehicles according to industry codes and standards that is open to the public.

**BBB. Chapter 17.73 is amended as follows:**

1. Rename the Chapter as “Definitions”
2. Repeal Section 17.73.010, List of Terms
3. Move the definitions in Section 17.73.020 to Chapter 17.73
4. Repeal Section 17.73.020, Definitions

**CCC. The definitions in Chapter 17.73 are amended as follows:**

1. Add a definition for “Coordinated Entry System” to read as follows:

A centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

2. Amend the definition for “Inclusionary Housing In-Lieu Fee” to read as follows:

A monetary exaction or dedication, other than a tax or special assessment, which is required by the City of the applicant in-lieu of constructing affordable units on-site to meet the applicant’s affordable housing obligations through such payment. The City must deposit the payment in an Affordable Housing Trust Fund.

3. Amend the definition of “Lot Coverage” to read as follows:

Defined in Section 17.03.110, Lot Coverage, as the ratio of the total footprint area of all structures on a lot to the lot area, which is typically expressed as a percentage.

4. Add a definition for “Low Barrier” to read as follows:

Best practices to reduce barriers to entry, and may include, but is not limited to, the following: The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth; Pets; the storage of possessions; Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

5. Amend the definition for “Mobile Home” to read as follows:



A dwelling structure built on a steel chassis and fitted with wheels that is intended to be hauled, typically to a permanent or semi-permanent site for continuous habitation.

6. Add a new definition for “Supportive Services” that reads as follows:

Include, but are not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

7. Add a new definition for “Target Population” that reads as follows:

Persons, including persons with disabilities, and families who are “homeless,” as that term is defined by Section 11302 of Title 42 of the United States Code, or who are “homeless youth,” as that term is defined Government Code Section 12957(e)(2). Individuals and families currently residing in supportive housing meet the definition of “target population” if the individual or family was “homeless,” as that term is defined by Section 11302 of Title 42 of the United States Code, when approved for tenancy in the supportive housing project in which they currently reside.

## **SECTION 5**            **Zoning Map**

The existing Zoning Map is repealed and replaced with the Zoning Map as shown in Exhibit A.

## **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 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 31<sup>st</sup> day following adoption by the City Council.

**INTRODUCED ON** the \_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
PAULA PEROTTE  
MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
DEBORAH S. LOPEZ  
CITY CLERK

\_\_\_\_\_  
MEGAN GARIBALDI  
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. 23-\_\_ 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:

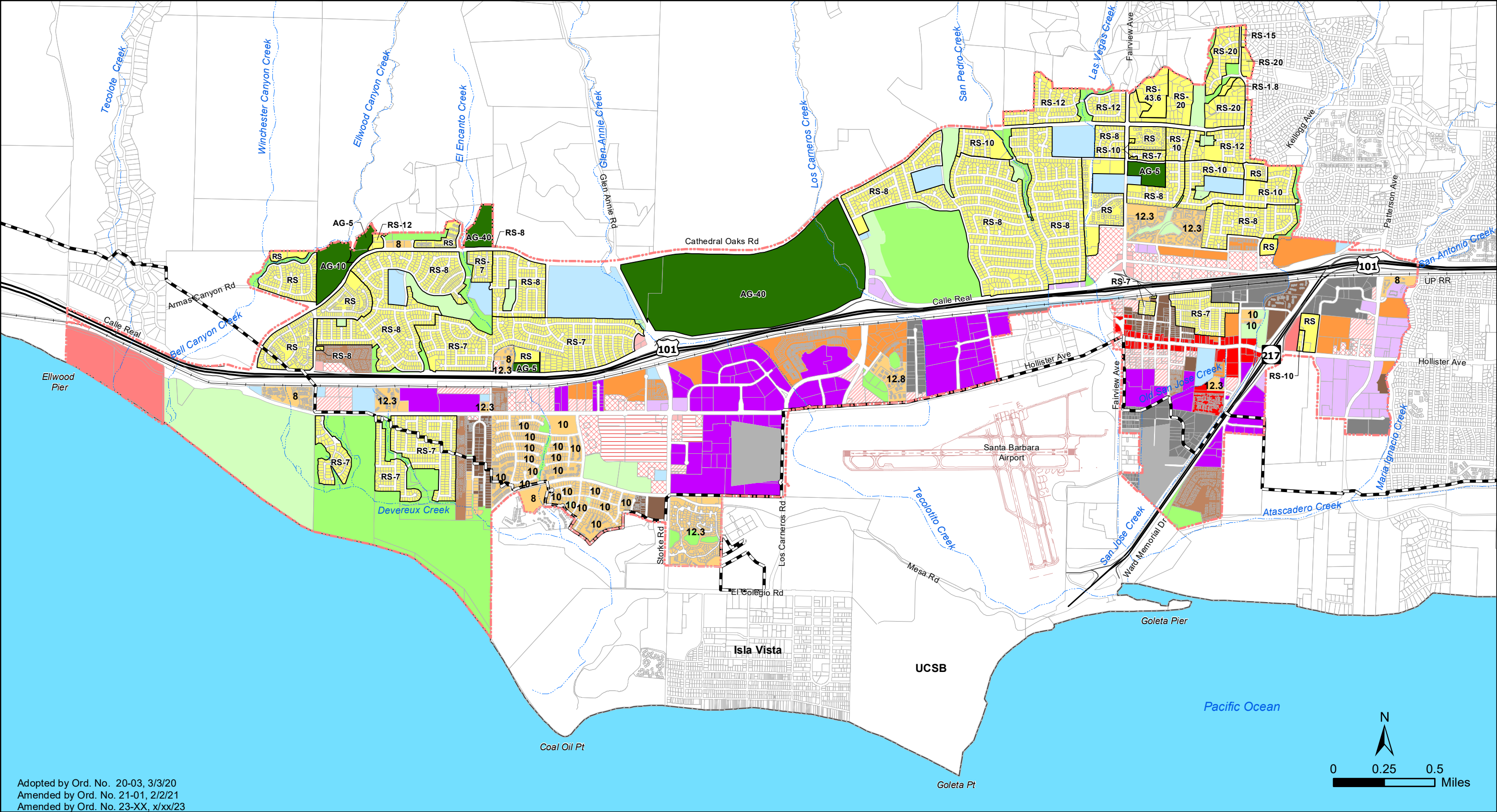
(SEAL)

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DEBORAH S. LOPEZ  
CITY CLERK

**EXHIBIT A**

**Zoning Map**



Adopted by Ord. No. 20-03, 3/3/20  
Amended by Ord. No. 21-01, 2/2/21  
Amended by Ord. No. 23-XX, x/xx/23

**Residential Districts**

- RS Single Family Residential
- RP Planned Residential
- RM Medium Density Residential
- RH High Density Residential
- RMHP Mobile Home Park

**Commercial Districts**

- CR Regional Commercial
- CC Community Commercial
- OT Old Town
- VS Visitor Serving Commercial
- CI Intersection Commercial
- CG General Commercial

**Office and Industrial Districts**

- BP Business Park
- OI Office and Institutional
- IS Service Industrial
- IG General Industrial

**Other Districts**

- PQ Public and Quasi-Public
- OSAR Open Space - Active Recreation
- OSPR Open Space - Passive Recreation
- AG Agricultural

**Other Features**

- Goleta City Boundary
- Coastal Zone Boundary

Notes:  
1. Labels for RS and AG represent minimum lot size (thousands of square feet).  
2. Labels for RP represent maximum residential density (units/acre).

**CITY OF GOLETA ZONING MAP**

April 2023

