

Planning Commission Workshop on the New Zoning Ordinance, February 2⁵, 2019

Under the Land Use Element, I have found no mention of a zoning issue that is very important to the residents of Goleta. That issue is LU 7.5 which requires a vote of the citizens of Goleta before agricultural land of ten acres or more can be rezoned. This was important enough that 72% of the voters supported the initiative. *It should be listed on page 4 of key issues guidelines and the Zoning Ordinances.*

Page 2, General Plan Policy LU 1.8 Private views should be considered during review.

Page 5, General Plan Policy LU-IA-1 It would make the ordinance simpler and might better protect the residents if the entire Zoning Ordinance was the same for both Inland and Coastal areas.

Page 9, General Plan Policy CE 1.3 The site-specific biological study should have up to date added. 17.30.030B should read "an up to date site-specific biological study must be prepared."

Page 14, General Plan Policy VH 3 I don't remember seeing the wording "pedestrian-scale" used in the scope of Design Review. It should definitely be added.

Page 16, General Plan Policy TE 2 Reducing parking does nothing to reduce traffic or pollution but does cause problems. Cars have to drive around hunting for parking spaces and they take up valuable parking spaces on the street, thereby making a problem for people coming to the businesses. Reducing onsite parking isn't a valid incentive that will help the problem but it will increase the parking problem for everyone else.

General Plan Policy TE 9 There will be an increased need for parking when you combine the current shortage in most areas and the ever-increasing population. This will only cause more cars to be driving around looking for parking creating more congestion and pollution along with stress and hostility.

Page 17, General Plan Policy TE 13 Inadequate transportation infrastructure and failure to maintain current infrastructure continues will get worse partly due to inadequate in-lieu fees. Roads were not being adequately maintained when we became a City and currently the roads are in worse shape. Part of the problem may be that a fair amount of money is being spent on excessive bicycle infrastructure.

General Plan Policy TE 1A-5 The General Plan expected that RDA money, which no longer exists, would supplement in-lieu fees which are inadequate. There isn't even an assessment district. This is all wishful thinking.

Page 18, General Plan Policy PF3.9 and 6 The finding of adequate infrastructure and services is always made although it is currently inadequate and additional development will only make it a more serious problem. Western Goleta has had substandard fire protection for many years and this will continue until Fire Station 10 is constructed.

General Plan Policy HE 1.5 The City should adopt regulations to discourage the conversion of housing to nonresidential uses.

Barbara Massey 2/24/19

From: [Anne Wells](#)
To: [Andy Newkirk](#); [Jay Ritterbeck](#)
Subject: FW: Goleta - Zoning Memo
Date: Thursday, March 07, 2019 10:51:38 AM
Attachments: [Zoning Memo -City of Goleta 3-7-19.pdf](#)

Letter attached

-----Original Message-----

From: Robert Atkinson [Robert_Atkinson@sywest.com]
Received: Thursday, 07 Mar 2019, 10:43AM
To: Anne Wells [awells@cityofgoleta.org]
CC: Tracy LaTray [Tracy_LaTray@SyWest.com]
Subject: Goleta - Zoning Memo

Good morning Anne,

Per my voice mail message, attached is our letter related to the proposed Zoning Code update. Unfortunately none of the written comments we provided in our 2016 letter appear to have been addressed and we would like to discuss that with Planning.

Also, the Zoning Code update is more restrictive than the current proposed ALUCP safety map changes and it is important that these documents are coordinated in order to avoid unnecessary restrictions on development and land use in the Zoning Code Update.

We are planning a trip to Goleta in the near future to attend one of the upcoming PC Workshops, however we would like to first schedule a time to chat with you next week, can you let us know what days/times work best for a call together?

Thanks.

Robert Atkinson
SVP – SyWest Development
W # 415-448-8397

SYWEST

DEVELOPMENT

March 7, 2019

Attn: Anne Wells
City of Goleta
130 Cremona Drive
Goleta, CA 93117

Re: 907 S. Kellogg
Goleta, CA 93117
APN # 071-190-035-00

Dear Anne,

SyWest Development represents the property owner of 907 S. Kellogg in Goleta, CA. We recently reviewed the January 2019 Revised Draft Goleta Zoning Ordinance and had an opportunity to evaluate modifications to various zoning designations as currently proposed. While we certainly appreciate the City's zoning update objectives, in having completed our assessment we find it necessary to address specific items that will have a potentially significant effect on our property. We ask that you please consider the following;

Specific to any proposed change of zoning from M-S-GOL to IS:

- 1) **17.40.080 Noise - The change proposes to lower the maximum allowable noise levels from 75 dBL to 70 dBL.** There are no sensitive receptors or residential in the vicinity, and we are abutting a state highway, Highway 217, where ambient noise levels already exceed the proposed new noise levels. Further, due to the industrial nature of our current zoning and the fact that all property surrounding are industrial zoned, we do not believe any change is necessary, and that noise standards in the IS District should be consistent with standards in the IG District.
- 2) **17.10.030 Side - The changes propose to increase the 'street side' setbacks from 10' to 20' and then require in 17.35.030(A) that the entire area is landscaped.** This increased setback will greatly reduce the areas available for the site improvements (parking, bio swales, etc.) as well as the building footprint. Considering the ongoing drought conditions in CA, and the overall industry movement toward decreasing water consumption through irrigation/landscape reduction, a proposed 100% increase in the amount of required landscaping along side streets does not appears to be a prudent or environmentally friendly change. In addition to a straight forward reduction to the size of the setback area as proposed, please consider including in the new ordinance viable alternative for compliance, such as; allowing averages across the setback area, dual use all frontage and interior landscape/bio-swales, exemption for frontages against open space or other types of undevelopable areas, etc.

3) 17.16.040 – AE Airport Environs Overlay District

The boundaries of the AE Airport Environs Overlay Zoning District are not consistent with the SBCAG Exhibit A-2 Safety Compatibility Data Map for the San Barbara Municipal Airport dated February 2018. For example, the ZO “Clear Zone” extends east over a portion of our property, while Zone 1 in the SBCAG map does not extend over our property. To avoid confusion, the ZO map should be consistent with SBCAG map in both boundary limits and in the Zone types.

4) 17.35.030(B) Landscaping – Unused Areas:

This section states that “All visible areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, must be landscaped or left in an undisturbed state provided there is adequate vegetation to prevent erosion and the area is adequately maintained for weed control and fuel maintenance.”

We recommend that this requirement is exempt for properties with previous site improvements, or add “existing paving” after vegetation.

Specific to the proposed change of zoning from our current M-1 to IS

17.10.030 Coverage – Lot coverage requirements were removed from Table 17.10.030 in the Jan 2019 Draft ZO, while the 2016 ZO specified lot coverage requirements. If lot coverage requirements are not applicable in certain zoning districts, then it should be stated in the ZO document.

In addition to issues noted above in the program text, the proposed Zoning Map changes will subject our property to increased development restrictions. Currently, our property is under the jurisdiction of two zoning designations (both M-S-GOL and M-1), and the new map proposes a change to a more restrictive ‘IS Service Industrial’ designation over our entire property. If applied in this manner, the new IS designation will negatively impact the development potential of this land and result in reduced opportunities for any redeployment. This degradation in value is primarily attributable to the reduction in the maximum intensity of employment being newly evoked over our entire parcel.


We are very interested in understanding what options are available to the City to ensure that any change or updates to current our zoning designation do not reduce the development potential of our property and/or degrade it’s underlying value. As you are aware, we have an application Deemed Completed for the proposed development of a new industrial complex on our property and we are very concerned about the negative impact these proposed zoning designation changes may have on our current or future tenant negotiations. Please be advised, any reduction in the maximum intensity of employment could result in our proposed development becoming financially infeasible.

It should also be mentioned, our sister company, Westwind Public Markets has been a member of the Goleta business community for many years in their operating the drive-in facility. We expect the current use of our property will remain unaffected by any proposed zoning changes or update, and should we ultimately abandon our development efforts the long term preservation of the existing use will remain operating on the property.

We do appreciate the efforts of the City Staff to undertake the monumental effort of updating the Zoning Ordinance and we would urge that you take the time necessary to ensure that any change is well conceived and the general public is given ample time to understand and comment on the changes.

We look forward to your response to our comments and any questions that you may have.

Respectfully,



Robert Atkinson
SVP Development

CC: Bill Vierra, SyWest Development



March 8, 2019

Anne Wells
Advance Planning Manager
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117
(805) 961-7557
awells@cityofgoleta.org

Re: Revisions to Section 17.30.070 of the City of Goleta's Revised Draft New Zoning Ordinance Regarding Streamside Protection Areas

Dear Anne:

The following comments are submitted by the Environmental Defense Center ("EDC") on behalf of EDC and Santa Barbara Urban Creeks Council ("UCC") regarding proposed revisions to Section 17.30.070 the City of Goleta's ("City") Revised Draft New Zoning Ordinance concerning Streamside Protection Areas ("SPAs"). Attached hereto are EDC's proposed revisions to Section 17.30.070, which are based in large part on the California Coastal Commission's ("CCC") Suggested Modifications to the Eastern Goleta Valley Community Plan Local Coastal Program ("LCP") Amendment.

UCC is a non-profit grassroots organization dedicated to protecting and restoring streams and watersheds in Santa Barbara County. Over the past thirty years, UCC has partnered with a number of organizations on creek restoration projects and has been committed to educating people of all ages about the values of creeks. UCC has 3,000 members, including many families who live and recreate in Goleta and Santa Barbara. EDC is a non-profit, public interest law firm that protects and enhances the environment in Santa Barbara, Ventura, and San Luis Obispo counties through education, advocacy, and legal action.

Section 17.30.070 of the City's Revised Draft New Zoning Ordinance requires a minimum 100-foot SPA upland buffer on both sides of a creek, as is consistent with the requirements under Policy CE 2.2 of the City's General Plan.¹ The buffer may be increased or

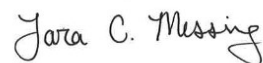
¹ City of Goleta Revised Draft New Zoning Ordinance, Section 17.30.070(B).

decreased upon a finding that (1) “[t]he project’s impacts will not have a significant adverse effect on streamside vegetation or the biotic quality of the stream, and” (2) “[t]here is no feasible alternative siting for development that will avoid the buffer.”² As presently drafted, however, Section 17.30.070 is void of any process or standards by which to determine whether these factors are met. For this reason, UCC and EDC advocate for clear zoning ordinance language which effectively implements Policy CE 2.2. To do so, Section 17.30.070 must set forth a process, required findings, and evidentiary requirements to inform the City’s determination of significant adverse effects and infeasibility. This clarity and transparency will benefit not only City decisionmakers, but also applicants and interested members of the public.

In accordance with the CCC’s Suggested Modification No. 13 to Eastern Goleta Valley Community Plan LCP Amendment, EDC has drafted proposed revisions to Section 17.30.070. CCC’s recommended language is directly relevant and instructive in crafting the City’s creek protection ordinance, especially with regards to determining when creek setbacks reductions may be permitted. EDC also recognizes that its proposed language may be applicable to other sections such that the language should have more general applicability. As long as it is clear that the requisite findings and evidence applies to Section 17.30.070 as well, EDC is open to other approaches for incorporating this language in the City’s new Zoning Ordinance.

For the foregoing reasons, we respectfully request that the City consider EDC’s revisions and amend Section 17.30.070 based on EDC’s proposed language.

Sincerely,

A handwritten signature in cursive script that reads "Tara C. Messing".

Tara C. Messing
Staff Attorney

Attachments:

A - Redline version of EDC proposed revisions to Section 17.30.070

B - Clean version of EDC proposed revisions to Section 17.30.070

² City of Goleta Revised Draft New Zoning Ordinance, Section 17.30.070(B)(1)(a)-(b).

17.30.070 Streamside Protection Areas

- A. **Purpose and Applicability.** The purpose of a streamside protection area (SPA) designation in the General Plan is to preserve the SPA in a natural state, in order to protect the associated riparian habitats and ecosystems as well as the water quality of streams. The SPA must include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area, ~~based upon the following:~~
- B. **Buffers.** The width of the SPA upland buffer must be 100 feet outward on both sides of the creek, measured from the top-of-bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The Review Authority may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review.
1. The ~~Planning Commission~~Review Authority may allow portions of a SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, subject to approval of a Major Conditional Use Permit. ~~Any~~ decision to decrease the 100-foot buffer shall be based on ~~the Initial Assessment and Biological Report, if needed, and~~ a finding that:
 - a. The project's impacts will not have a significant adverse effect on streamside vegetation or the biotic quality of the stream, and
 - b. There is no feasible alternative siting for development that will avoid the SPA upland buffer.
 2. A SPA upland buffer must not be adjusted downward unless the Review Authority makes affirmative findings of fact in writing supported by substantial evidence with respect to subsections (a) and (b) above.
 - a. The Review Authority must make one or more written findings for each potentially significant adverse effect on streamside vegetation or the biotic quality of the stream, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.
 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - b. Any and all findings required by the above sections shall be supported by substantial evidence derived from a City-approved, third-party biologist review and consideration of the application, project plans, Initial Assessment and Biological Report, public testimony, reports, and other relevant materials presented to the Review Authority.
 - c. The Review Authority may decrease the 100-foot buffer only if the Review Authority makes the following findings in addition to the findings required in Title V for approval or denial of a project and for the issuance of a Major Conditional Use Permit:

1. Based on a City-approved, third-party economic consultant's review and consideration of the economic information provided by the applicant, as well as any other relevant evidence, adherence to the 100-foot SPA upland buffer would not provide an economically viable use of the applicant's property.
 2. Application of the 100-foot SPA upland buffer would unreasonably interfere with the applicant's investment-backed expectations.
 3. The use proposed by the applicant is consistent with the applicable zoning.
 4. The use and project design, siting, and size are the minimum necessary to avoid a taking.
 5. The project is the least environmentally damaging alternative and is consistent with all provisions of the Zoning Ordinance other than the provision for which the exception is requested.
 6. The development will not be a public nuisance or violate other "background principles of the State's law of property," as that phrase was used in the U.S. Supreme Court's decision in *Lucas v. South Carolina Coastal Council*, 505 U.S. 20 1003, 1028-30 (e.g., public trust doctrine). If it would violate any such background principle of property law, the development shall be denied.
 7. The project is located on a legally created lot.
 8. The project is consistent with all other applicable biologic goals, objectives, policies, actions and development standards from the Goleta General Plan, Local Coastal Program, and Zoning Ordinances.
- d. A finding of infeasibility must be supported by substantial evidence based upon a City-approved, third-party biologist and economic consultant's review and consideration of the application, project plans, Initial Assessment and Biological Report, public testimony, reports, and other relevant materials presented to the Review Authority. The applicant shall also provide the following information, unless the Review Authority determines that one or more of the particular categories of information is not relevant to its analysis:
1. The date the applicant purchased or otherwise acquired the property, and from whom.
 2. The purchase price paid by the applicant for the property.
 3. The fair market value of the property at the time the applicant acquired it, describing the basis upon which the fair market value is derived, including any appraisals done at that time.
 4. The general plan, local coastal program, zoning or similar land use designations applicable to the property at the time the applicant acquired it, as well as any changes to these designations that occurred after acquisition.
 5. Any development restrictions or other restrictions on use, other than government regulatory restrictions described in subsection 4

- above, that applied to the property at the time the applicant acquired it, or which have been imposed after acquisition.
6. Any change in the size of the property since the time the applicant acquired it, including a discussion of the nature of the change, the circumstances and the relevant dates.
 7. A discussion of whether the applicant has sold or leased a portion of, or interest in, the property since the time of purchase, indicating the relevant dates, sales prices, rents, and nature of the portion or interests in the property that were sold or leased.
 8. Any title reports, litigation guarantees or similar documents in connection with all or a portion of the property of which the applicant is aware.
 9. Any offers to buy all or a portion of the property which the applicant solicited or received, including the approximate date of the offer and offered price.
 10. The applicant's costs associated with the ownership of the property, annualized for each of the last five calendar years, including property taxes, property assessments, debt service costs (such as mortgage and interest costs), and operation and management costs.
 11. Apart from any rents received from the leasing of all or a portion of the property, any income generated by the use of all or a portion of the property over the last five calendar years. If there is any such income to report it should be listed on an annualized basis along with a description of the uses that generate or has generated such income.
 12. Any additional information that the Review Authority requires to make the determination.

2.3. If this provision above would result in any legally created lot being made unusable in its entirety, exceptions to the foregoing may be made to allow a reasonable economic or beneficial use of the lot, subject to the approval of a Major Conditional Use Permit.

17.30.070 Streamside Protection Areas

- A. **Purpose and Applicability.** The purpose of a streamside protection area (SPA) designation in the General Plan is to preserve the SPA in a natural state, in order to protect the associated riparian habitats and ecosystems as well as the water quality of streams. The SPA must include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area.
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1. The Review Authority may allow portions of a SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, subject to approval of a Major Conditional Use Permit. A decision to decrease the 100-foot buffer shall be based on a finding that:
 - a. The project's impacts will not have a significant adverse effect on streamside vegetation or the biotic quality of the stream, and
 - b. There is no feasible alternative siting for development that will avoid the SPA upland buffer.
 2. A SPA upland buffer must not be adjusted downward unless the Review Authority makes affirmative findings of fact in writing supported by substantial evidence with respect to subsections (a) and (b) above.
 - a. The Review Authority must make one or more written findings for each potentially significant adverse effect on streamside vegetation or the biotic quality of the stream, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect.
 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - b. Any and all findings required by the above sections shall be supported by substantial evidence derived from a City-approved, third-party biologist review and consideration of the application, project plans, Initial Assessment and Biological Report, public testimony, reports, and other relevant materials presented to the Review Authority.
 - c. The Review Authority may decrease the 100-foot buffer only if the Review Authority makes the following findings in addition to the findings required in Title V for approval or denial of a project and for the issuance of a Major Conditional Use Permit:
 1. Based on a City-approved, third-party economic consultant's review and consideration of the economic information provided by the applicant, as well as any other relevant evidence, adherence to

- the 100-foot SPA upland buffer would not provide an economically viable use of the applicant's property.
2. Application of the 100-foot SPA upland buffer would unreasonably interfere with the applicant's investment-backed expectations.
 3. The use proposed by the applicant is consistent with the applicable zoning.
 4. The use and project design, siting, and size are the minimum necessary to avoid a taking.
 5. The project is the least environmentally damaging alternative and is consistent with all provisions of the Zoning Ordinance other than the provision for which the exception is requested.
 6. The development will not be a public nuisance or violate other "background principles of the State's law of property," as that phrase was used in the U.S. Supreme Court's decision in *Lucas v. South Carolina Coastal Council*, 505 U.S. 20 1003, 1028-30 (e.g., public trust doctrine). If it would violate any such background principle of property law, the development shall be denied.
 7. The project is located on a legally created lot.
 8. The project is consistent with all other applicable biologic goals, objectives, policies, actions and development standards from the Goleta General Plan, Local Coastal Program, and Zoning Ordinances.
- d. A finding of infeasibility must be supported by substantial evidence based upon a City-approved, third-party biologist and economic consultant's review and consideration of the application, project plans, Initial Assessment and Biological Report, public testimony, reports, and other relevant materials presented to the Review Authority. The applicant shall also provide the following information, unless the Review Authority determines that one or more of the particular categories of information is not relevant to its analysis:
1. The date the applicant purchased or otherwise acquired the property, and from whom.
 2. The purchase price paid by the applicant for the property.
 3. The fair market value of the property at the time the applicant acquired it, describing the basis upon which the fair market value is derived, including any appraisals done at that time.
 4. The general plan, local coastal program, zoning or similar land use designations applicable to the property at the time the applicant acquired it, as well as any changes to these designations that occurred after acquisition.
 5. Any development restrictions or other restrictions on use, other than government regulatory restrictions described in subsection 4 above, that applied to the property at the time the applicant acquired it, or which have been imposed after acquisition.

6. Any change in the size of the property since the time the applicant acquired it, including a discussion of the nature of the change, the circumstances and the relevant dates.
 7. A discussion of whether the applicant has sold or leased a portion of, or interest in, the property since the time of purchase, indicating the relevant dates, sales prices, rents, and nature of the portion or interests in the property that were sold or leased.
 8. Any title reports, litigation guarantees or similar documents in connection with all or a portion of the property of which the applicant is aware.
 9. Any offers to buy all or a portion of the property which the applicant solicited or received, including the approximate date of the offer and offered price.
 10. The applicant's costs associated with the ownership of the property, annualized for each of the last five calendar years, including property taxes, property assessments, debt service costs (such as mortgage and interest costs), and operation and management costs.
 11. Apart from any rents received from the leasing of all or a portion of the property, any income generated by the use of all or a portion of the property over the last five calendar years. If there is any such income to report it should be listed on an annualized basis along with a description of the uses that generate or has generated such income.
 12. Any additional information that the Review Authority requires to make the determination.
3. If this provision above would result in any legally created lot being made unusable in its entirety, exceptions to the foregoing may be made to allow a reasonable economic or beneficial use of the lot, subject to the approval of a Major Conditional Use Permit.

From: [Cecilia Brown](#)
To: [Mary Chang](#)
Cc: [Andy Newkirk](#); Masseybarb@aol.com; grelles@cox.net
Subject: Sign Ordinance Comments for DRB Tuesday, March 12th
Date: Saturday, March 09, 2019 7:17:26 PM
Attachments: [Comments on proposed ZO Sign Ordinance.doc](#)

Hi Mary! Barbara Massey and I are submitting the attached comments on the proposed sign ordinance for DRB Review at their Tuesday meeting.

Pls make sure that you have a copy of the draft sign ordinance since I make reference to language in that document and ask why it was omitted in the jproposed zoning ordinance. It would be really nice if someone took the time to compare the differences we mention and explain why the language was not carried forward.

I have previously submitted some sign comments to Andy, but this should be the final version which is probably not much changed from what he already has. It would be nice if we could get staff to make some comment on what the public has submitted because the DRB isn't very rigorous in their review of the public's comments. Thank you

See you Tuesday.

Barbara Massey

Cecilia Brown

From: Former DRB members Cecilia Brown and Barbara Massey

To: City of Goleta Decisionmakers

Subj: **Comments on Proposed Zoning Ordinance Chapter 17.40 Signs**

Our request is that you review and explain numerical and policy differences from the current city sign ordinance/draft ordinance and the proposed sign ordinance and how the standards proposed are in conformance to General Plan policies (listed below).

These differences need to be known in order for decision-makers and the public to understand the implications of what is being proposed (e.g., Changes in square footage allowances from what currently exists? Some of the sign dimensions allowed are excessive, e.g. freestanding signs). In some cases, proposed ordinance language is contrary to the policies in the General Plan.

Below are those policies against which proposed regulatory language must be vetted. If the standards don't meet these policies, then they must be eliminated or changed in order that the proposed sign ordinance is consistent with the General Plan.

General Plan Policies regarding signage

Policy VH 1.4 Minimize structural intrusion into the skyline

Policy VH 2.3 for development along scenic corridors... (101 and Hollister) limit height and size of structures and minimize usage of signs

Policy VH 3.7 Community Design Character mentions that "character is enhanced through the use of restrained and tasteful signage that conveys an orderly and attractive appearance and enhances city image

Policy VH 4.13 Signage

- c. Signs shall not detract from viewsor streetscape. Protrusion of signs and/or sign structures into the skyline should be minimized.**
- f. Internally illuminated cabinet signs shall be prohibited**
- g. Billboards and other off-premise signs prohibited**

Review, provide comments or recommended changes addressed below on each of the sections of the proposed sign ordinance.

Section 17.40.030 Exempt Signs

D. Construction signs Where were the numerical standards obtained? Please review the standard for 8ft max height for construction signs in non-residential areas. This seems excessive.

E. Directional Signs: The draft ordinance had a better definition of directional signs, why was it changed? This one in the revised ordinance is too truncated to know what is allowed on a directional sign. Reinstate the draft ordinance language

H. Government Signs. The draft ordinance allowed other types of regulatory signs needed on commercial establishment windows and doors. Why was this information deleted?

Equipment signs: Why was this section eliminated in the proposed sign ordinance? What is occurring is that advertising signs are appearing on gas station pumps, like the small TVs on the gas station pumps at the Gas Depots. These kinds of signs are advertising, have nothing to do add to the visual clutter of the area and should not be allowed.

Window Signs in Commercial Areas. The draft ordinance restricted signage on commercial window signs as follows: “In non-residential zones, window signs not exceeding 10 percent of the area of the window and transparent door frontage on any building façade (were exempted). Any sign either hung within two feet of a window or attached to a display located within two feet of a window is considered a window sign and must be counted as part of the permitted signage.”

The proliferation of all kinds of signs on non-residential storefronts, most of which are primarily advertising, add clutter to shopkeeper’s windows, degrade the streetscape, allow more sign area than promulgated elsewhere in the ordinance, and are contrary to the General Plan policy about minimizing signage. Explain why this important standard for signs in non-residential areas was eliminated?” And restore it to the proposed Sign Ordinance.

17.40.040 Prohibited Signs

Section F. Permanent Outdoor Signs Display Off-site Businesses. This section is meant, I believe, to address billboard like signs which are not located on the property of the business. These signs could be a billboard or they could be a simpler sign, like a sign on a bench, advertising a business or a product. Whichever, believe the section should be written such that the signs include both **permanent and temporary signs**. Also, the language “off-site” should be changed to that used in the General Plan “off premise” and there should be a definition for it in Chapter 17.73 List of Terms of Terms and Definitions. Request review this section for needed changes.

Request add to section **O**. “Signs within five feet of a fire hydrant, street sign, or traffic signal.”

Request add a new section on **Roof Signs**. “Signs on rooftops structures such as penthouses, walls, or mechanical enclosures.

17.40.060 General Provisions for All Sign Types

K. Materials. Description of materials isn’t sufficient to prohibit signs to be made of less than durable materials. Some cabinet signs are being covered up with plastic covers when a sign face needs to be updated to a new tenant or sign content changed, like the sign covering the cabinet sign pole sign at Calle Real and Kellogg. There needs to be explicit language to prohibit the use of less than durable materials for signs. There was such language in the draft ordinance. Request add additional standard for materials to be used in signs.

I. Changeable Copy Signs. Review kinds of signs included in this section, height standards, color considerations and prohibition along scenic corridors.

1. Besides gas stations, indoor theater marquee signs, there are time and changeable copy temperature signs. These later types of signs need to be included in this section, but they change copy more frequently than the 2x per day, an ordinance standard. Request incorporate time and temperature signs into this section as a changeable copy signs.

2. Color: what color is allowed for electronic changeable copy signs? One color, like the red in the gas fuel pricing signs or the theater marquee sign or white in the time and temp signs. The intent should be just one color for the changeable copy, not multiple colors... Prohibit color changes throughout the day for the electronic changeable copy signs, unless it is only twice a day. Any more frequent change subverts the changeable copy limitation.

3. Height: Existing fuel pricing signs and marquee signs are currently higher than the 10ft height limit of the ordinance. Also, height for an electronic changeable copy sign for a public/quasi public use (change language in draft ordinance from semi-public use to quasi public since no definition for semi-public use) not might mean a freestanding sign at 10ft. This is too tall and not in accordance with general plan standards addressed elsewhere. Review these standards.

4. Request prohibit these signs in certain areas. There is a General Policy Plan policy to minimize the use of signage along scenic corridors (i.e., Hollister Ave). Changeable copy signs should be prohibited along these corridors.

5. There is no mention of the glare from any of these LED electronic changeable copy signs because of the intensity and quantity of LED lights as in the gas pricing signs, like the one at the Fuel Depot. Request you address this in the ordinance.

Section 17.040.080 Signage allowances for specific Uses and Special Signs

Freestanding Signs. If a freestanding sign is allowed to be 4ft tall and a max 100sq. feet for sign area, then that means the length would be 25ft. Or if the sign is allowed to be 6ft tall, it could be 16ft long. These dimensions area dimensions need to be reviewed since not appropriate considering General Plan visual policy standards to “minimize signage.” Review max area for dimensions.

Menu Boards: Missing from this or any section in the ordinance is the provision for “Menu Board for drive through restaurants” sign in the current ordinance. These kinds of signs are in use in the City and need to be added to the proposed ordinance. Even though there won’t be many drive-through restaurants in the future, standards for such signs must be allowed. They should not be included in the signage allowed for the drive-because they are a different kind of sign that a sign identifying the business and they have specific requirements as noted below. Request that Menu Boards be added to proposed sign ordinance...

Below are some standards from the SB County ordinance 35.38.100e. p. 3-79 that could be used for review.

1. Not to exceed two on-site single face signs
2. Locations limited to adjacent vehicle queuing lane for the service point of the drive-through
3. Free standing menu board shall not exceed eight feet in height as measured from the finished elevation of the vehicle queuing lane.
4. Menu board wall signs shall not exceed the height of the eave of the roof over the wall on which the sign is located
5. Not to exceed 36 square feet total in combined area of both signs unless a sign modification.

17.40.090 Standards for Specific Sign types

A-Frame Signs These are portable signs and not allowed per section 17.40.040. Resolve the discrepancy of prohibiting them in the sign ordinance as portable signs and then allowing them in this section. As a minimum, prohibit these signs in the public right of way or on any walkway on private property. Add size limitations.

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Section 17.40.110 Non Conforming Signs

A. **Continuance and Maintenance.** Does this section include allowance for a new sign face if there is no other maintenance or repair needed on the sign? DRB has allowed and reviewed throughout its history a new sign face on pole signs, which are prohibited under this ordinance. Address when a new sign face is allowed on a legal non-conforming sign.

Additional Consideration not addressed in the proposed Sign ordinance.

Why is there no mention of Old Town guidelines in the proposed sign ordinance? This needs to be corrected... There is a General Plan Policy VH 4.2 Old Town which applies. It states that all design shall be consistent with the three pages of the sign guidelines in the Old Town Heritage District Architecture and Design Guidelines.

Goleta Zoning Ordinance Workshop

March 12, 2019

My name is Eileen Monahan. I am an early care and education consultant, formerly with First 5 Santa Barbara, a Board member of the Isla Vista Youth Projects, and a Goleta resident for over 35 years. Today I am here as a resident but bring my knowledge of child care facility development with me to comment on the Draft New Zoning Ordinance. I unfortunately missed Workshops 1 and 2, and some of my comments relate to the topics addressed in those meetings.

High quality licensed child care provides a strong foundation for children, and allows their parents to find work, and be productive at their jobs. In this area, there is just 1 licensed space for every 2 children ages 0-5 who need care (parents working or going to school), and just 1 for every 5 babies. We desperately need more spaces for infants and toddlers, as well as for older children. The federal and state budgets are dramatically expanding opportunities for child care service and facilities, and in order to take advantage of those opportunities for Goleta residents and employees, it is critical that you adopt the least restrictive requirements and processes, and limit or eliminate cost, to allow for the development of child care needed by people who live and work here.

The adventure of starting or expanding a child care program is herculean, but critical for the city, and fortunately, there are heroes willing to do the work. The state regulates child care centers and family child care homes – the environment, staffing, ratios, age groupings of children, etc. It is quite thorough, so the operation of the program is not something you need to consider. Through your zoning ordinance as well as through other opportunities, though, such as the permitting process and fee schedule, as well as the General Plan, you can directly affect the child care supply in a positive way. When this project was in its infancy, I met with planning staff and provided some input to them directly, and during the hearings. The city is fortunate to have the planning staff they have, because they really listened and adopted some important changes, as reflected in this current draft. There are still some things, which are perhaps bolder but more impactful, that can be done to expand child care in the city.

Here are my recommendations

1. Family Child Care

- a. Allow Large Family Child Care by right, as with Small – this simple and efficient change can dramatically expand capacity and save the City and providers a lot of time and money. The Land Use application and Permitting process is a challenge for providers – it is complex, takes time and can be expensive. As the State limits conditions that can be applied locally, providers are able to comply with the ordinance requirements. Many California cities, such as San Diego, San Francisco and San Jose, as well as our own Santa Maria and Lompoc, allow large family child care homes by right and do not find this creates problems, but rather has encouraged the development of many new spaces.
- b. Ensure all staff know that family child care is not affected by Conditions, Covenants and Restrictions of a neighborhood association.

2. Centers

- a. Allow all centers by right, or with a Ministerial or Minor Conditional Use Permit

- b. Allow child care centers in the General Commercial zone.
 - c. Require a CUP in Intersection Commercial with CUP, if necessary.
 - d. Consider an ordinance that allows small child care centers by right when they have met specific criteria, including the number of children who may attend.
 - e. Parking for centers –There is a constant battle for space between cars and children. During the development process, space that should be available for children – the facility and/or the playground, is required for parking of cars, and other regulations such as setbacks and parking lot design. Consider parking in this light and create the smallest footprint possible. Allow for modification plans from the applicant such as parking based on drop off/pick up schedules, age ranges of children, and number of siblings, that are specific to the program. Encourage the use of loading/unloading zones and temporary parking places in lieu of permanent spaces, as well as off-site parking for staff within a specified number of feet from the facility.
3. General
- a. Streamline the process and reduce or eliminate costs for anyone who is willing to do what it takes to start or expand a child care center or family child care home in Goleta.
 - b. Offer incentives or encouragement to all child care applicants, as well as to developers to include child care space in their nonresidential or residential projects.
 - c. Use the terms Family Child Care and Child Care Facility instead of Day Care – this distinguishes child care from adult day care and pet day care and is the more common and up to date term.
 - d. Designate a City staff person to be the child care expert, to be knowledgeable about child care development, the City's policies, and the process.
 - e. Plan for child care – study it and include it in discussions throughout the City government, and specifically in the Planning department. At this point, it is in the hands of individual child care providers to see the need and respond, navigating through all the processes and regulations. The City can support its citizens by taking the leadership on this process and creating a plan for child care for Goleta.

Thank you for this thoughtful process, and for considering my recommendations.

Sincerely,

Eileen Monahan

