



**PLANNING COMMISSION  
MEETING MINUTES  
Monday, February 25, 2019**

6:00 PM  
City Hall  
130 Cremona Drive, Suite B  
Goleta, California

***Members of the Planning Commission***

*Ed Fuller, Chair*

*Jennifer R. Smith, Vice Chair*

*Katie Maynard, Commissioner*

*Robert K. Miller, Commissioner*

*Bill Shelor, Commissioner*

*Peter Imhof, Secretary*

*Winnie Cai, Assistant City Attorney*

*Linda Gregory, Recording Clerk*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order by Chair Fuller at 6:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL OF PLANNING COMMISSION**

Present: Chair Fuller, Vice Chair Smith, Commissioner Maynard,  
Commissioner Miller, Commissioner Shelor

Absent: None.

Staff Present: Peter Imhof, Director of Planning and Environmental Review; Anne Wells, Advance Planning Manager; Andy Newkirk, Senior Planner; J. Ritterbeck, Senior Planner; Shannon McAlpine, Intern, Advance Planning; Winnie Cai, Assistant City Attorney; and Linda Gregory, Recording Clerk.

## **ELECTION OF PLANNING COMMISSION CHAIR AND VICE CHAIR**

MOTION: Commissioner Shelor/Commissioner Maynard to elect Vice Chair Smith as Chair of the Planning Commission.

VOTE: Motion approved by the following unanimous voice vote:  
Ayes: Chair Fuller, Vice Chair Smith, Commissioner Maynard, Commissioner Miller, and Commissioner Shelor.  
Noes: None.

MOTION: Chair Smith/Commissioner Maynard to elect Commissioner Miller as Vice Chair of the Planning Commission.

VOTE: Motion approved by the following unanimous voice vote:  
Ayes: Chair Smith, Commissioner Fuller, Commissioner Maynard, Commissioner Miller, and Commissioner Shelor.  
Noes: None.

Chair Smith and Vice Chair Miller assumed their positions on the dais.

## **PUBLIC FORUM**

No speakers.

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None.

### **A. ADMINISTRATIVE AGENDA**

#### **A.1 Planning Commission Minutes for the Planning Commission Meeting of February 11, 2019**

**Approve the Planning Commission Minutes for the meeting of February 11, 2019**

#### **2019-02-11 PC Minutes - Unapproved**

MOTION: Vice Chair Miller/Commissioner Maynard to approve the Planning Commission Minutes for the meeting of February 11, 2019, as submitted.

VOTE: Motion approved by the following unanimous voice vote:  
Ayes: Chair Smith, Vice Chair Miller, Commissioner Fuller, Commissioner Maynard, and Commissioner Shelor. Noes: None.

## **B. PUBLIC WORKSHOP**

### **B.1 Revised Draft New Zoning Ordinance - Key Issues Guide**

**Receive a presentation, allow public comments, and provide feedback on the Revised Draft New Zoning Ordinance (NZO) with focus on the questions and issues highlighted in the Key Issues Guide (Attachment 1).**

[B.1 NZO Workshop 1 - Staff Report](#)

[B.1 NZO Workshop -- PRESENTATION](#)

[B.1 NZO Workshop -- PUBLIC COMMENT](#)

Staff Speakers:

Peter Imhof, Director of Planning and Environmental Review

Anne Wells, Advance Planning Manager

Andy Newkirk, Senior Planner

J. Ritterbeck, Senior Planner

The staff report was presented by Anne Wells, Advance Planning Manager; Andy Newkirk, Senior Planner; and J. Ritterbeck, Senior Planner; including a PowerPoint presentation entitled, "City of Goleta, Revised Draft New Zoning Ordinance, Planning Commission Workshop 1 of 7, Presentation by: Peter Imhof, Anne Wells, Andy Newkirk, J. Ritterbeck; February 25, 2019".

Anne Wells, Advance Planning Manager, reported that public comments received are located in the Council Chambers at today's meeting and are also on the City's website at [www.goletaZoning.com](http://www.goletaZoning.com). The public comment list is updated weekly on the website and also provided at the workshops.

Planning staff responded to questions from the Planning Commissioners and public speakers during the workshop.

### **LAND USE AND OPEN SPACE ELEMENTS:**

#### **Public Speakers:**

Eric Torbet, organic farmer, requested consideration of changes in ordinances for agriculture parcels that would provide flexibility such as allowing multiple owners of a farm, collective ownership, formation of a cooperative farm, individuals living in small homes, and people living on the farm who are not farm employees and can live in Accessory Dwellings on

the farm. Mr. Torbet expressed concern that currently small farms are disappearing locally and nationwide, particularly when farms must consist of a single owner. Also, it is hard to find opportunity for potential single ownership because of the cost, and it is difficult to make a profit because of competition from larger entities and farm labor issues.

Barbara Massey commented: 1) requested that a policy be added to Page 4 with regard to LU 7.5 which requires a vote of the citizens of Goleta before agricultural land of ten acres or more can be rezoned, and noted she believes it should be in the Zoning Ordinance; 2) with regard to LU 1.8, private views should be considered during review; and 3) it would be simpler and better protect citizens if the entire New Zoning Ordinance was the same for both inland and coastal areas, with regard to LU-IA-1.

Vic Cox commented: 1) terms are being used that are not familiar to the general public; 2) questioned how a jurisdiction such as APCD would overlap with the Zoning Code; 3) the Ellwood Onshore Facility (EOF) should be a part of the New Zoning Code, in his opinion; and 4) questioned the application of rules for the rest of the City of Goleta that are not in the Coastal Zone.

Dr. Ingeborg Cox commented that she believes there needs to be good guidelines in the Zoning Code for the public to understand the agencies that would need to be part of the review process.

### **Planning Commission Comments:**

Commissioner Fuller suggested providing a list or matrix listing out other permits or approvals an applicant may need from other Agencies or note that those Agency conditions will be added to City permits.

#### **LU 1.6 - Retail and Other Commercial Centers:**

Commissioner Maynard commented that in LU 1.6, in CC and Old Town categories, there are no minimum common open space or minimum landscaping guidelines in the newest revision of the Zoning Ordinance, but in the 2015 version there were stronger guidelines. She noted this seems inconsistent with the language in LU 1.6, "Goleta's retail areas shall be designed to serve as community focal points and shall include appropriate outdoor gathering places." She believes there is some space in the Community Commercial categories to allow for some landscaping requirements, which she would like to see added.

17.08.010 - Purpose and Applicability:

Commissioner Maynard believes the following language in LU 1.6 should be reflected in 17.08.010: "The priority for new commercial uses shall be for the types that will meet local needs and those that provide goods and services not now available in the city."

LU 1.9 - Quality and Design in Built Environment:

Commissioner Maynard commented that she believes the Planning Commission should discuss open space along with LU 1.9, LU 1.2, and VH 3.6, including the definition of open space and goals in creating the open space requirement. The discussion should include: 1) should rooftop gathering areas count as open space?; 2) should these spaces be contiguous with the property or can they be separate?; 3) should a community center or building count as open space?; 4) is open space the appropriate term or is it more of a community entity?; 5) how much of the open space can be pavement or a building rather than landscape?; 6) what is an appropriate percentage of plants and whether they have to be real or plastic?; and 7) does asphalt count as open space?

LU 2.2 - Residential Use Densities:

Commissioner Maynard commented that she is curious about accounting for consistency with the standards for density and building intensity for a residential project (a-h); and about clarifying that a finding needs to be made that the density of a project is appropriate with regard to site constraints.

LU 2.4 - Single-Family Residential Use Category:

Commissioner Maynard requested clarity to ensure there are ways someone who places a solar panel on the roof could be protected from having a larger structure built next door that would limit sunlight on the solar panel.

LU 3.3 - Community Commercial:

Commissioner Maynard commented that the following language in LU 3.3 is strong and should be carried over to the description in 17.08.010: "Uses that may attract significant traffic volumes from outside the Goleta Valley are discouraged." Also, consider switching the review path for large format retail from permit to CUP in Community Commercial, as this would help with making a determination whether this is a use that may attract significant traffic volumes from outside the Goleta Valley and it may be too subjective for just a permitted process.

LU 3.4 - Old Town Commercial:

Commissioner Maynard questioned whether pedestrian access guidelines were moved to the Design Review Board, or another document because

she would not want it to get lost. Also, she noticed the same thing in the Residential District area.

LU 7.4 - Permitted Uses:

Commissioner Maynard does not believe that public safety facilities should be allowed on agricultural land because the agricultural land is limited and precious, and she thinks it is inconsistent with LU 7.4, and with the preservation of agricultural land.

LU 11.1 - No Limitation on Annual Residential Permits:

Commissioner Maynard commented that 17.55.040 does not include the specific guidelines laid out in LU 11.1, which she believes it should.

**LAND USE AND OPEN SPACE ELEMENTS:**

**Public Speakers:**

Vic Cox 1) questioned the application of rules for the rest of the City of Goleta that are not in the Coastal Zone; 2) requested staff distinguish between Vertical Access Rights and Lateral Access Rights; and 3) expressed appreciation for OS 8, Protection of Native American and Paleontological Resources.

Dr. Ingeborg Cox commented: 1) she believes the archeological sites should be respected, especially in the area of the Bacara, noting there are also Chumash sites where there are cemeteries that need to be addressed; and 2) questioned what happens if the City of Goleta is violating compatibility in a neighborhood or does not respect private views.

**Planning Commission Comments:**

OS 8 Protection of Native American and Paleontological Resources:

Commissioner Maynard recommended adding a reference to the Historic Preservation Ordinance.

**CONSERVATION ELEMENT:**

**Public Speakers:**

Barbara Massey requested that the language be added in CE 1.3 Site-Specific Studies that will require an “up-to-date” site-specific biological study. She also recommended that the SPA buffer requirement in 17.30.070.B.1 should be no less than 50 feet instead of 25, and noted she believes everything else under ESHA is 50 feet.

Vic Cox commented that he requests that environmental criteria be applied to projects before a project gets started. Mr. Cox also requested the City consider what it is doing to its own open spaces that diminishes the quality of life.

### **Planning Commission Comments:**

#### CE 1.9 Standards Applicable to Development Projects:

Commissioner Maynard would like wildlife corridors to be looked at similar to bike paths. Also, at some point it would be important to map the corridors holistically as a city rather than project by project. She noted her excitement about the work on the Creek Watershed Management Plan.

Commissioner Maynard commented that there is a lighting element in CE 1.9 and also some inconsistency. She noted there are a lot of great comment letters about dark skies to include in the discussion.

#### CE 2.2 Streamside Protection Areas:

Commissioner Maynard noted that she has comments when CE 2.2 is discussed.

Commissioner Shelor commented that he appreciates that a requirement for a major Conditional Use Permit has been added for the Streamside Protection Areas.

#### CE 3.4 Protection of Wetlands in the Coastal Zone:

Commissioner Maynard believes the opposite language was stated in the New Zoning Ordinance. She noted this is a big discrepancy that should be corrected.

#### CE 3.5 Protection of Wetlands Outside the Coastal Zone:

Commissioner Maynard requested that "restoration when feasible" language be included in the New Zoning Ordinance with regard to 17.30.100.

#### 17.30.110 Mitigation of Wetland Infill:

Commissioner Maynard believes the ratio of 3:1 should be maintained in the New Zoning Code for mitigation of wetland infill rather than allow the ratio of 2:1 in 17.30.110.

#### CE 9.2 Tree Protection Plan:

Commissioner Maynard commented that there are significant changes from the General Plan. She noted that the Tree Protection Plan clause covers sites containing protected native trees, not just Oak and Savannah trees.

Also, the requirement for a report by a certified arborist or other certified expert was removed

CE 9.4 Tree Protection Standards; CE 9.5 Mitigation of Impacts to Native Trees:

Commissioner Maynard commented that CE 9.4 and CE 9.5 will be moved to a native tree protection chapter.

CE 10.1, 10.2, 10.3 New Development and Water Quality; Siting and Design of New Development; Incorporation of Best Management Practices for Stormwater:

Commissioner Maynard commented that CE 10.1, 10.2, and 10.3 refer to a Stormwater chapter that does not exist at this point.

17.30.050.D Development Standards:

Commissioner Maynard commented that 17.30.050.D includes most of 10.1 language, and recommended adding “urban runoff pollutants” as is in the General Plan, and also adding the stronger language from 10.1 that indicates “urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources”, as opposed to the language “reduced”. Also, Chapter 17.38 Parking and Loading might be a good reference point.

CE 10.5 Beachfront and Blufftop Development

Commissioner Maynard commented that most of the relevant text was removed from 17.33.040 between the last version and this version, so it appears to have lost some consistency with the General Plan.

CE 10.6, CE 10.8 Stormwater Management Requirements, Maintenance of Stormwater Facilities:

Commissioner Maynard commented that the Stormwater section has been removed and some of the language was moved to the parking section, and some of the language may have been lost or moved elsewhere.

CE11 Preservation of Agricultural Lands:

Commissioner Maynard believes that the CE 11 objective from the General Plan should be an explicit goal in Chapter 17.12.010 Open Space and Agricultural Districts in the Purpose and Applicability section.

CE 11.4 Buffers Adjacent to Agricultural Districts:

Commissioner Maynard commented that she believes consideration should be given to the historical land use and the future farming potential as the reason for trying to maintain agricultural land. She suggested considering removing 17.24.030.A.1 and 17.24.030.A.3 as she does not believe it is



consistent with the General Plan to support agriculture production. Also, she believes changing crops is problematic.

Commissioner Maynard commented that runoff and urban pollution sources should also be considered as roadway pollution. Also, consider distances between residences and animal raising, as well as noise issues such as roosters crowing.

CE 12.1 Land Use Compatibility:

Commissioner Maynard commented that CE 12.1 was not addressed in the section it was referenced and questioned if it appears elsewhere.

CE 12.2.D Control of Air Emissions from New Development:

Commissioner Maynard commented that only CE 12.2.a and CE 12.2.e were addressed, and she believes CE 12.2.b, CE 12.2.c and CE 12.2.d are important issues and need to be addressed.

CE 13.3 Use of Renewable Energy Sources:

Commissioner Maynard commented that CE 13.3.b was not included and it is important to include. The wind section was removed, and it seems inconsistent with CE 13.3.c.

CE 15.3 Water Conservation for New Development:

Commissioner Maynard commented that only the landscaping water was addressed. She recommended adding a reference to Title 24 where the building water fixtures are addressed.

Commissioner Maynard commented that there is very minimal language in 17.34.010.e supporting CE 15.3.

Commissioner Maynard commented that 17.34.050.A seems to be too broad and does not have much guidance with regard to the selection of plant materials.

Commissioner Maynard suggested considering changing the requirements in 17 34 050.B to a size limit for water features.

Commissioner Maynard commented that adding a reference to the State Water Conservation and Landscaping Act would be helpful.

**SAFETY ELEMENT:**

**Public Speaker:**

Barbara Massey questioned whether the City has a fault line map for the public to view, with regard to 17.32-050 Geologic Hazards. Also, Ms. Massey suggested a separate process for the battery storage issue because of the possible hazardous conditions that have recently become known.

#### **Planning Commission Comments:**

Commissioner Maynard requested more information regarding a public comment from Michael Pollard regarding the FAR Part 77 regulations.

Chair Smith suggested considering there may be lessons learned from the recent impact of flood and fire hazards in the community that can be applied to the New Zoning Ordinance, if consistent with the General Plan.

SE 1.2 Guidelines for Siting Highly Sensitive Uses and Critical Facilities:  
Commissioner Maynard commented that SE 1.2 is not addressed in this section.

#### SE 1.3 Site-Specific Hazards Studies:

Commissioner Maynard noticed that the timeframe was removed. She noted she would like to see the 100-year timeframe for sea level rise.

#### SE 5.3, SE 5.4 Avoidance of Landslide Hazards for Critical Facilities; Avoidance of Soil-Related Hazards:

Commissioner Maynard commented that the language about critical facilities was excluded and she believes it should be included.

#### SE 6.2 Areas Subject to Local Urban Flooding:

Commissioner Maynard suggested considering adding language from SE 6.2 to 17.32.030 Hazards. This language could also be added to 17.31.030.

#### SE 6.4 Avoidance of Flood Hazard Areas:

Commissioner Maynard commented that the language should be strengthened to more reflect the General Plan.

Commissioner Maynard questioned if there are flood prone areas outside of the 100-foot floodplain (to be tabled).

#### 17.32.060.C Rebuilding in high Fire Hazard Areas:

Commissioner Maynard commented that 17.32.060.C should include language referring to the loss of life as well as loss of structure.

SE 7 Urban and Wildland Fire Hazards:

Commissioner Maynard commented that 17.32.060.C should include reference to loss of life.

SE 10.4 Prohibition on New Facilities Posing Unacceptable Risks:

Commissioner Maynard commented she believes the following language should be added in 17.39.070.A Risk Exposure: "consistent with the General Plan, new or expanded hazardous facilities in proximity to existing residential and commercial development shall incorporate appropriate mitigation measures to minimize potential risks and exposures".

**VISUAL AND HISTORICAL RESOURCES ELEMENT:**

**Public Speaker:**

Barbara Massey commented that she is concerned that pedestrian scale needs to be considered within the scope of design review, and she did not see it mentioned. Also, she believes the Design Review Board needs to consider the General Plan.

**Planning Commission Comments:**

Commissioner Shelor questioned how the New Zoning Ordinance policies would protect scenic and mountain views with regard to a project and suggested taking a stronger look at the Environmental Impact Reports and staff reports.

Vice Chair Miller endorsed Commissioner Shelor's concerns regarding protection of scenic and mountain views.

Commissioner Maynard requested discussions regarding story poles and public notifications at upcoming workshops.

VH 1.3, VH 1.4 Protection of Ocean and Island Views, Protection of Mountain and Foothill Views:

Commissioner Maynard commented that it is very important to look at downcast, fully shielded, and full cutoff lighting of the minimum intensity needed for the purpose, and that more stringent language is needed in the ordinance regarding lighting.

VH 3.6 Public Spaces:

Commissioner Maynard noted that VH 3.6 has a link to the discussion about common open space and residential spaces.

#### VH 4.2 Old Town:

Commissioner Maynard commented that reference should be made to the Goleta Old Town Heritage District Architectural and Design Guidelines.

#### VH 4.4 Multifamily Residential Areas:

Commissioner Maynard commented that the language regarding providing amenities for “different age groups” should be considered with regard to Multifamily Residential Areas.

Commissioner Maynard believes the language in VH 4.4.d is missing and should be included in the Zoning Ordinance: "Where multifamily developments are located next to less dense existing residential development, open space should provide a buffer along the perimeter".

#### VH 4.6 Industrial Areas:

Commissioner Maynard suggested adding language from VH 4.6.c to 17.39.080.E Noise Attenuation Measures with regard to noise, which also affects NE 7.2 and NE 7.3. Language from VH 4.6 should also be included in 17.10.030 Industrial Districts, and there should be a discussion with regard to the meaning regarding appropriate increased setbacks.

### **Planning Commission Comments:**

#### **Public Speaker:**

Barbara Massey commented: 1) regarding TE 2 Transportation Demand Management, reducing parking does nothing to reduce traffic or pollution, but does cause problems because cars need to drive around looking for parking spaces and take up parking spaces on the street; 2) reducing on-site parking is not a valid incentive that will help the problem but will increase parking problems for others; 3) regarding TE 9 Parking, there will be an increased need for parking when the shortage of parking is combined with the increasing population; 4) regarding TE 13 Mitigating Traffic Impacts of Development, inadequate transportation infrastructure and failure to maintain infrastructure will get worse partly due to inadequate in-lieu fees; and 5) regarding TE-IA-5, the General Plan expected RDA money is no longer available.

### **Planning Commission Comments:**

Commissioner Fuller commented that comments by Barbara Massey, public speaker, regarding parking are very insightful.

Commissioner Shelor commented that when the Target project was reviewed by the Design Review Board, the applicant indicated that their

parking standards resulted in more parking demand than the City's traffic model, so he is not sure if the City's model is accurate in all situations and predictions, or whether Target is a unique circumstance.

Commissioner Shelor expressed concern with regard to TE 13 Mitigating Traffic Impacts of Development that the GTIP and Development Impact Fees will be inadequate to create any improvements to the Level of Service at the Storke/Hollister intersection.

## **PUBLIC FACILITIES ELEMENT:**

### **Public Speaker:**

Barbara Massey commented with regard to her concern a finding of adequate infrastructure and services is a requirement for approval of a project per the General Plan Public Facilities Element policies.

## **NOISE ELEMENT:**

### **Planning Commission Comments:**

Commissioner Maynard commented that she would like to make sure that 17.39.080 includes and remains consistent with NE 7, VH 4.6, and LU 1.5, all three of which reference noise.

## **HOUSING ELEMENT:**

### **Public Speaker:**

Barbara Massey requested adopting regulations to discourage the conversion of housing into non-residential uses, with regard to HE 1.5.

### **Planning Commission Comments:**

Commissioner Maynard commented that she supported the revisions to the Inclusionary Housing regulations.

Commissioner Maynard noted that it appears that HE 1.5 was mostly not included in the New Zoning Ordinance, and she commented that it is helpful to know where that information will go.

Commissioner Maynard noted that the next time we consider a Development Impact Fee study, we should look at HE 2.2.

Commissioner Shelor suggested considering the appropriateness of the level of the type of charging stations provided for electric vehicles in a parking facility with 20 or more spaces.

Commissioner Shelor recommended consideration of a sort of transfer of solar development rights in a situation that it might be efficient somewhere else in the City.

Commissioner Maynard commented regarding HE 2.5 that rental language was removed from 17.28.020.A.3 but there is language around rental affordable units in 17.28.080.A, and she would like to discuss rental housing.

Commissioner Maynard commented that there is a reference in 17.28.050.D.2.c.i and 17.28.050.D.3.c.i, to being infeasible to put affordable housing, and she would like to discuss it being infeasible at the housing.

Anne Wells, Advance Planning Manager, presented a brief overview of the Applicable State and Federal Laws, Applicable City Ordinances, and Goleta Municipal Code Overlap.

The Planning Commissioners supported the updated Workshop Schedule presented by Anne Wells, Advance Planning Manager, changing the Workshop 5 meeting from Thursday, April 4, 2019, to Monday, April 8, 2019.

#### **C. DIRECTOR'S REPORT**

No Report.

Peter Imhof, Director of Planning and Environmental Review, welcomed Commissioner Shelor to the Planning Commission.

#### **D. PLANNING COMMISSION COMMENTS**

Chair Smith welcomed Commissioner Shelor to the Planning Commission.

#### **E. ADJOURNMENT**

Adjournment at 10:00 p.m.

**Note:** The video of the meeting is available on the City's website at <http://www.cityofgoleta.org/i-want-to/news-and-updates/government-meeting-agendas-and-videos>