



**PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
Monday, October 07, 2019**

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

***Members of the Planning Commission***

*Jennifer R. Smith, Chair  
Robert K. Miller, Vice Chair  
Ed Fuller, Commissioner  
Katie Maynard, 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 Smith at 6:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL OF PLANNING COMMISSION**

Present: Chair Smith, Vice Chair Miller, Commissioner Fuller,  
Commissioner Maynard, 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; Todd Leishman, Counsel, with Best Best & Krieger; Martha Miller, Consultant, with Lisa Wise Consulting; Winnie Cai, Assistant City Attorney; and Linda Gregory, Recording Clerk.

**PUBLIC FORUM**

None.

## **AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None.

### **A. ADMINISTRATIVE AGENDA**

#### **A.1 Planning Commission Meeting Minutes from September 23, 2019**

**Review and approve Minutes from the Planning Commission Meeting of September 23, 2019.**

##### **Planning Commission Meeting Minutes 9-23-19**

**MOTION:** Vice Chair Miller/Commissioner Fuller to approve the Minutes from the Planning Commission Meeting of September 23, 2019, as submitted.

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

### **B. PUBLIC HEARING**

#### **B.1 Adoption of the New Zoning Ordinance**

- 1. Adopt Planning Commission Resolution No. 19-\_\_, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Recommending to the City Council Adoption of the New Zoning Ordinance and Repeal or Amendment of Various City Regulations," included as Attachment 1;**
- 2. Incorporating the edits listed within the errata sheet including recommendations for General Plan amendments in the Land Use and Conservation Elements; and**
- 3. Incorporating all additional edits, by reference, specifically requested by majority vote of the Planning Commission at the hearing of October 7, 2019.**

##### **B.1 Staff Report - 10-07-19**

##### **B.1 Attachment 1 - Staff Report 09-09-19 & New Zoning Ordinance Draft**

##### **B.1 Attachment 2 - New Zoning Ordinance Errata Sheet 10-7-19**

Staff Speakers:

Peter Imhof, Planning and Environmental Review Director

Anne Wells, Advance Planning Manager

Andy Newkirk, Senior Planner

J. Ritterbeck, Senior Planner

Winnie Cai, Assistant City Attorney

Todd Leishman, Counsel with Best Best & Krieger

Martha Miller, Consultant with Lisa Wise Consulting

Chair Smith opened the continued public hearing at 6:04 p.m.

Chair Smith provided an overview of the procedures for the public hearing.

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, Public Hearing Draft New Zoning Ordinance, Planning Commission Adoption Hearing, Presentation by Peter Imhof, Anne Wells, Andy Newkirk, J. Ritterbeck; October 7, 2019".

Staff presented the following Key Topics by topic, followed by staff response to clarifying questions from the Planning Commissioners, public comment, and deliberation by the Planning Commission which is recorded in the video of the meeting.

Key Topic #8: ESHA

Public Speakers:

Bert Brounstein (spoke on Residential Care)

Brian Trautwein, Environmental Analyst and Watershed Program Coordinator, with EDC representing EDC and Santa Barbara Urban Creeks Council

Tara Messing, staff attorney, EDC, on behalf of EDC and Santa Barbara Urban Creeks Council

Barbara Massey

Steve Amerikaner, attorney, representing SyWest Development

The Planning Commissioners confirmed the language in the Errata Sheet for ESHA, and the revisions provided by staff on October 7, 2019 (Chair Smith, Vice Chair Miller, Commissioners Fuller, Maynard and Shelor). Chair Smith, Vice Chair Miller, and Commissioner Shelor agreed with comments by Commissioner Maynard.

Key Topic #9: Lighting

No public speakers

By consensus, Chair Smith, Vice Chair Miller, Commissioner Fuller, Commissioner Maynard, and Commissioner Shelor confirmed language in the Errata Sheet with regard to Lighting.

Additional Topics - Cultural Resources:

Public Speaker:

Frank Arredondo, Chumash MLD

By consensus, Chair Smith, Vice Chair Miller, Commissioner Fuller, Commissioner Maynard, and Commissioner Shelor supported the staff recommended action with regard to Cultural Resources.

Additional Topics – Inclusionary Housing - Acquisition and Rehab Units:

No public speakers

Vice Chair Miller, Commissioner Fuller, and Commissioner Shelor agreed with the staff recommendation.

Additional Topics – Inclusionary Housing – Eligibility, Selection, and Restrictions:

No action needed by Planning Commission.

No public speakers

Vice Chair Miller, Commissioner Fuller, and Commissioner Shelor opposed the recommendation by Commissioner Maynard and Chair Smith to retain Section 17.28.070.C Changes in Title and Section 17.28.080.C Foreclosure.

Additional Topics – Inclusionary Housing - "Good Cause"

No action needed by Planning Commission

No public speakers

MOTION: Commissioner Maynard/Commissioner Fuller to consider adding a timeline component to Section 17.28.110 (Performance Security for Inclusionary Housing Units) where the decision-maker can set an initial deadline of up to two years to delay and may make an extension for another two-year period.

VOTE: Motion approved by the following voice vote: Ayes: Vice Chair Miller, Commissioner Fuller, Commissioner Maynard, Commissioner Shelor. Noes: Chair Smith.

Additional Topics – Public Notification, Story Poles:

Story Poles

Public Speakers:

Cecilia Brown

Barbara Massey  
Kevin Barthel

MOTION: Commissioner Maynard/Vice Chair Miller to add a requirement in the Public Notification section that any development other than a single-family residence that is taller than 20 feet in height, as measured by the proposed zoning code guidelines for height measurement, would require story poles.

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

Additional Topics – Public Notification - On-site Noticing:

Public Speakers:

Cecilia Brown

Barbara Massey

By consensus, the Planning Commissioners agreed to recommend requiring that the on-site noticing sign be as large as the maximum allowable Freestanding Real Estate Sign allowed in the zone district, which would be 32 sq. ft. (for non-residential) and at least 8 sq. ft. for residential.

Additional Topics – Public Notification - Mailed Noticing:

Public Speakers:

Cecilia Brown

Barbara Massey

Steve Amerikaner, attorney, for SyWest Development (spoke on Development Plans)

MOTION: Commissioner Maynard/Commissioner Fuller to delete Section 17.52.050.C.1.c Alternative Method for Large Mailings.

VOTE: Motion approved by the following voice vote: Ayes: Vice Chair Miller, Commissioner Fuller, Commissioner Maynard, Commissioner Shelor. Noes: Chair Smith.

Additional Topics – Public Notification - Spanish Translation:

Public Speakers:

Barbara Massey

Kevin Barthel

MOTION: Commissioner Maynard/Commissioner Shelor that any emailed or printed mailed notification in the Public Notification section should be translated into Spanish and that signage should include a sentence in Spanish advising how someone could access information in Spanish regarding that project.

VOTE: Motion approved by the following voice vote: Ayes: Chair Smith, Commissioner Maynard, Commissioner Shelor. Noes: Vice Chair Miller, Commissioner Fuller.

RECESS HELD FROM 8:23 P.M. TO 8:30 P.M.

Additional Topics – Public Notification, Press Release:

MOTION: Commissioner Maynard/Commissioner Fuller to require projects that are 10,000 square feet or larger provide notification of the first Design Review Board review of the project through a press release.

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

Additional Projects - DOGGR (Division of Oil, Gas & Geothermal Resources)

No public speakers

No action needed by Planning Commission

Additional Topics - Telecommunication Facilities

Public Speaker:

Cecilia Brown

MOTION: Commissioner Shelor/Commissioner Maynard to recommended that an applicant for telecommunication facilities should be required to provide photo simulations for review with regard to aesthetics.

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

By consensus, all Planning Commissioners supported staff recommendation with regard to Telecommunication Facilities to add a

reference to clarify that the chapter applies to: small cell facilities on private property and large cell facilities in the public rights-of-way (ROW).

#### Additional Topics - Fences and Freestanding Walls

Public Speaker

Cecilia Brown

Kevin Barthel

By consensus, all Planning Commissioners supported the staff recommendation to prohibit encroachment into vision clearance triangle instead of requiring a Zoning Clearance, and the public comment recommending a change the language to clarify that these exempt fences are 6 feet in height or less rather than less than 6 feet.

#### Additional Topics – Guest Parking

MOTION: Commissioner Shelor/Vice Chair Miller to change the recommendation for the number of guest parking spaces in multi-unit development to one guest parking space for every three units.

VOTE: Motion approved by the following voice vote: Ayes: Chair Smith, Commissioner Fuller, Commissioner Maynard, Commissioner Shelor. Noes: Vice Chair Miller.

#### Additional Comments from Public Speakers:

Parking

April Reid

Robert Atkinson, representing SyWest Development and Syufy Enterprises (spoke on the NZO process)

Residential Care

Hersel Mikaelian

Accessory Dwelling Units

Kevin Barthel

Electric Vehicle Charging

Robert Atkinson, representing SyWest Development and Syufy Enterprises

Residential Care

Hersel Mikaelian

The Planning Commissioners provided final comments and input which is recorded in the video of the meeting.

Chair Smith closed the public hearing at 9:50 p.m.

MOTION: Commissioner Maynard/Vice Chair Miller to:

1. Adopt Planning Commission Resolution No. 19-10, entitled "A Resolution of the Planning Commission of the City of Goleta, California, Recommending to the City Council Adoption of the New Zoning Ordinance and Repeal or Amendment of Various City Regulations," included as Attachment 1;
2. Incorporating the edits listed within the errata sheet including recommendations for General Plan amendments in the Land Use and Conservation Elements; and
3. Incorporating all additional edits, by reference, specifically requested by majority vote of the Planning Commission at the hearing of October 7, 2019.

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

Chair Smith thanked members of public for their input, and city staff and the City Council for their effort in the New Zoning Ordinance process. Vice Chair Miller, Commissioner Maynard and Commissioner Fuller expressed appreciation to city staff for their work and to the public for their participation in the process.

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

Peter Imhof, Director of Planning and Environmental Review, thanked the Planning Commission, the Advance Planning staff, and the public for their work and participation in the New Zoning Ordinance Project. Mr. Imhof reported that the Planning Commission meeting for October 14, 2019, is cancelled, and the next Planning Commission meeting is scheduled for October 28, 2019.

#### **D. ADJOURNMENT**

Adjournment at 9:53 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>