



**CITY COUNCIL
MEETING MINUTES
Tuesday, December 03, 2019**

Closed Session - 4:00 P.M.
Regular Meeting - 5:30 P.M.
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the City Council

Paula Perotte, Mayor
Kyle Richards, Mayor Pro Tempore
Roger S. Aceves, Councilmember
Stuart Kasdin, Councilmember
James Kyriaco, Councilmember

Michelle Greene, City Manager
Deborah S. Lopez, City Clerk
Michael Jenkins, City Attorney

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

4:00 P.M. - CLOSED SESSION

CALL TO ORDER IN COUNCIL CHAMBERS

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco

ABSENT: None

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

RECESS TO CLOSED SESSION IN CONFERENCE ROOM 1

CLOSED SESSION

Michael Jenkins, City Attorney, read into record closed session items by title only:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section § 54957 (b)(1)

Title: City Manager

Pursuant to the provisions of Government Code Section 54956.9 (a), the City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) with regard to one potential case.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:

- Venoco, LLC (17-10828); pending in the U.S. Bankruptcy Court for the District of Delaware

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:

- Thornwood Real Estate LLC v. City Council of the City of Goleta, a California municipality, Planning Commission of the City of Goleta and DOES 1-10, inclusive - Case No. 19CV05887

CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matters of pending litigation:

- City of Goleta v. City Ventures Homebuilding LLC, Case No. 19CV01943

5:30 P.M. - REGULAR AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Perotte called the meeting to order at 5:36 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco

ABSENT: None

REPORT FROM CLOSED SESSION

Michael Jenkins, City Attorney, reported on closed session matters as follows:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section § 54957 (b)(1) Title: City Manager

Action: No Reportable Action

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) with regard to one potential case.

Action: No Reportable Action

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:

- Venoco, LLC (17-10828); pending in the U.S. Bankruptcy Court for the District of Delaware

Action: No Reportable Action

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:

- Thornwood Real Estate LLC v. City Council of the City of Goleta, a California municipality, Planning Commission of the City of Goleta and DOES 1-10, inclusive - Case No. 19CV05887

Action: No Reportable Action

CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matters of pending litigation: • City of Goleta v. City Ventures Homebuilding LLC, Case No. 19CV01943

Action: No Reportable Action

PUBLIC FORUM

Grace Wallis, Goleta Old Town Association, announced the Old Town Christmas Parade, and asked the City for help protecting the flowers from being trampled on during the parade.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Michelle Greene, City Manager, noted corrections on items A.4 - Fiscal Year 2019/20 First Quarter Financial Review a corrected position title and A.6 - Financing for

Purchase of 130 Cremona Drive and Fund Balance that has a table with corrected dollar figures. The corrections were provided to the City Council at the dais and to the public.

A. CONSENT CALENDAR

A.1 Approval of the City Council Meeting Minutes of November 5, 2019

Approve the City Council Meeting Minutes of November 5, 2019.

Approval of the City Council Meeting Minutes of November 5, 2019

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to approve the City Council Meeting Minutes of November 5, 2019.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.2 Acceptance of the October 2019 Check Register and Investment Transaction Report

A. Accept the check register for the month of October 2019.

B. Accept the investment transaction report for the month of October 2019.

Acceptance of the October 2019 Check Register and Investment Transaction Report

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to A. Accept the check register for the month of October 2019. B. Accept the investment transaction report for the month of October 2019.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.3 Acceptance of Quarterly Treasurer's Report for the Quarter Ending September 30, 2019

Accept the Quarterly Treasurer's Report for the Quarter Ending September 30, 2019.

Acceptance of Quarterly Treasurer's Report for the Quarter Ending September 30, 2019

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to accept the Quarterly Treasurer's Report for the Quarter Ending September 30, 2019.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.4 Fiscal Year 2019/20 First Quarter Financial Review

Adopt Resolution No. 19- entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta Schedule of Authorized Positions, Salary Schedule and Classification Plan for Fiscal Year 2019/20, and amending the City's Operating and CIP Budget for Fiscal Year 2019/20."

Fiscal Year 2019-20 First Quarter Financial Review

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to adopt Resolution No. 19-71 entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta Schedule of Authorized Positions, Salary Schedule and Classification Plan for Fiscal Year 2019/20, and amending the City's Operating and CIP Budget for Fiscal Year 2019/20, as corrected"

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.5 Consideration of the 2020 City Council Meeting Schedule and City Hall Holiday Schedule

A. Authorize cancellation of the City Council meetings of July 7 and August 4, 2020 and January 5, 2021; and

B. Authorize closure of City Hall from December 24, 2020 through January 3, 2021.

Consideration of the 2020 City Council Meeting Schedule and City Hall Holiday Schedule

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to A. Authorize cancellation of the City Council meetings of July 7 and August 4, 2020 and January 5, 2021; and B. Authorize closure of City Hall from December 24, 2020 through January 3, 2021.

VOTE: Motion approved by the following voice vote: Ayes: Mayor

Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.6 Financing for Purchase of 130 Cremona Drive and Fund Balance

Authorize staff to submit an application to the California Infrastructure and Economic Development Bank in an amount of \$10,000,000, for Financing of the City Hall Purchase and Improvements Project, in accordance with Resolution No. 19-55.

Financing for Purchase of 130 Cremona Drive and Fund Balance

Financing for Purchase of 130 Cremona Drive and Fund Balance - (Revised Page 9)

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to authorize staff to submit an application to the California Infrastructure and Economic Development Bank in an amount of \$10,000,000, for Financing of the City Hall Purchase and Improvements Project, in accordance with Resolution No. 19-55.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.7 Initiation of 2020-2021 Community Development Block Grant (CDBG) and Goleta City Grant Programs

Initiation of 2020-2021 Community Development Block Grant (CDBG) and Goleta City Grant Programs.

Initiation of 2020-2021 Community Development Block Grant (CDBG) and Goleta City Grant Programs

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to Initiate the 2020-2021 Community Development Block Grant (CDBG) and Goleta City Grant Programs.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.8 Purchase and Sale Agreement and Grant Contract for Mathilda Drive Parcel Acquisition (APN 079-554-031)

A. Authorize the City Manager to execute the attached Purchase and Sale Agreement for a parcel located at the south end of Mathilda Drive, identified as Assessor's Parcel Number 079-554-031 (owned by Henrietta Ash/Henrietta A

Ash Trust).

B. Authorize the Mayor to execute the attached agreement between the City and the County of Santa Barbara for use of funding from a Coastal Resource Enhancement Fund Grant and a Monarch Butterfly Habitat Acquisition Grant and the accompanying "Conservation Easement Deed and Agreement."

C. Authorize a budget amendment to increase miscellaneous grant revenues by \$80,000 and appropriate \$80,000 in grant funds and up to \$2,300 in Park DIF to the Ellwood Mesa Land Acquisition account for Fiscal Year 2019/20 for acquisition of the parcel.

Purchase and Sale Agreement and Grant Contract for Mathilda Drive Parcel Acquisition (APN 079-554-031)

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to A. Authorize the City Manager to execute the attached Purchase and Sale Agreement for a parcel located at the south end of Mathilda Drive, identified as Assessor's Parcel Number 079-554-031 (owned by Henrietta Ash/Henrietta A Ash Trust). B. Authorize the Mayor to execute the attached agreement between the City and the County of Santa Barbara for use of funding from a Coastal Resource Enhancement Fund Grant and a Monarch Butterfly Habitat Acquisition Grant and the accompanying "Conservation Easement Deed and Agreement." C. Authorize a budget amendment to increase miscellaneous grant revenues by \$80,000 and appropriate \$80,000 in grant funds and up to \$2,300 in Park DIF to the Ellwood Mesa Land Acquisition account for Fiscal Year 2019/20 for acquisition of the parcel.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.9 Approval of Project Contract Documents and Authorization to Advertise for Bids for the 2019 Annual Miscellaneous Concrete Repair Project

A. Approve the contract documents for the 2019 Annual Miscellaneous Concrete Repair Project.

B. Authorize staff to advertise a notice inviting bids for the 2019 Annual Miscellaneous Concrete Repair Project.

Approval of Project Contract Documents and Authorization to Advertise for Bids for the 2019 Annual Miscellaneous Concrete Repair Project

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to A. Approve the contract documents for the 2019 Annual Miscellaneous Concrete Repair Project, B. Authorize staff to

advertise a notice inviting bids for the 2019 Annual Miscellaneous Concrete Repair Project.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.10 Pre-Authorized Qualified Consultant List

Approve the establishment of a pre-authorized qualified consultants list for various professional services.

Pre-Authorized Qualified Consultant List

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to approve the establishment of a pre-authorized qualified consultants list for various professional services.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.11 Amendment No. 1 to Professional Services Agreement No. 2018-121 for Planning Services with Bret McNulty, McNulty Consulting

Authorize the City Manager to execute an Amendment No. 1 to Professional Services Agreement No. 2018-121 (Attachment 1) with Bret McNulty, McNulty Consulting, to provide planning services in the amount of \$130,000 with the term of the agreement extended to June 31, 2021.

Amendment No. 1 to Professional Services Agreement No. 2018-121 for Planning Services with Bret McNulty, McNulty Consulting

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to authorize the City Manager to execute an Amendment No. 1 to Professional Services Agreement No. 2018-121 (Attachment 1) with Bret McNulty, McNulty Consulting, to provide planning services in the amount of \$130,000 with the term of the agreement extended to June 31, 2021.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

RECESS TO THE RDA SUCCESSOR AGENCY

RECONVENE THE CITY COUNCIL MEETING

B. PRESENTATION

B.1 City Tile - Senior Deputy, Dave Valadez, Community Resource Deputy

City Tile - Dave Valadez, Community Resource Deputy

Staff Speaker:

Vyto Adomaitis, Neighborhood Services and Public Safety Director

Mayor Perotte presented a City Tile to Senior Deputy, Dave Valadez, Community Resource Deputy for his six years of service to the City of Goleta.

B.2 Employee 15 Year Pin - Anne Wells, Advance Planning Manager

Employee 15 Year Pin - Anne Wells, Advance Planning Manager

Staff Speakers:

Peter Imhof, Planning and Environmental Director and Michelle Greene, City Manager.

Mayor Perotte presented a Employee 15 Year Pin to Anne Wells, Advance Planning Manager

C. DISCUSSION/ACTION ITEM

C.1 Selection of Mayor Pro Tempore

A. Select a Mayor Pro Tempore from among the members of the City Council.

B. Appoint the Mayor to serve as the Chair and the Mayor Pro Tempore to serve as the Vice Chair of the Successor Agency to the Redevelopment Agency for the City of Goleta.

Selection of Mayor Pro Tempore

Staff Speaker:

Deborah S. Lopez, City Clerk

MOTION: Councilmember Kasdin nominated Councilmember Richards for Mayor Pro Tempore.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

C.2 Ekwil Street and Fowler Road Extensions Project - Resolution of Necessity for Parcel 071-130-062

Adopt, by a two thirds majority vote, Resolution No. 19- entitled "A Resolution of the City Council of the City of Goleta, California Adopting a Resolution of Necessity for the Acquisition of Certain Parcels, Identified as Assessor Parcel Number 071-130-062, Required for the Ekwil Street and Fowler Road Extensions Project."

Ekwil Street and Fowler Road Extensions Project - Resolution of Necessity for Parcel 071-130-062

Staff Speakers:

Gerald Comati, Project Manager

Winnie Cai, Assistant City Attorney

MOTION: Councilmember Kasdin/Mayor Pro Tempore Richards to adopt, by a two thirds majority vote, Resolution No. 19-72 entitled "A Resolution of the City Council of the City of Goleta, California Adopting a Resolution of Necessity for the Acquisition of Certain Parcels, Identified as Assessor Parcel Number 071-130-062, Required for the Ekwil Street and Fowler Road Extensions Project."

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

D. PUBLIC HEARING

D.1 General Plan Amendment to Housing Element Policy HE 2.5: Inclusionary Housing

Adopt Resolution No. 19- entitled, "A Resolution of the City Council of the City of Goleta, California, Approving a General Plan Amendment to Amend the City's Housing Element Policy HE 2.5: Inclusionary Housing and to Determine that the General Plan Amendment is Exempt from CEQA, Pursuant to CEQA Section 15061(b)(3)" (Attachment 2).

General Plan Amendment to Housing Element Policy HE 2.5 Inclusionary Housing

Staff Speakers:

Peter Imhof, Planning and Environmental Review Director

Anne Wells, Advance Planning Manager, provided a presentation to the City Council titled "Inclusionary Housing," dated December 3, 2019 (presentation on file).

OPENED THE PUBLIC HEARING AT 6:29 P.M.

Public Speakers:

Cheryl Rogers, representing the League of Women Voters stated support for the Planning Commission's recommendation of a requirement of 20% inclusionary rental housing be added to the revised General Plan Housing Element for 5 or more units outside the central Hollister Avenue affordable housing opportunity sites. Ms. Rogers pointed out affordable housing would be an improvement over the existing for sale only requirement in order to achieve more affordable housing in Goleta and the addition of a requirement for inclusionary rental housing is very important given the current state of unaffordable housing in the City and the region. Ms. Rogers also noted the need for more senior housing which could be added under this element.

George Relles spoke in support of staff recommendation however questioned what the City can do if a tenant receives a promotion or gains a roommate altering their income. Mr. Relles also questioned how to monitor the affordable units, what is the mechanism for enforcement as these are not City owned units, what monitoring would there be to ensure rents are not raised?

Ken Alker noted the undue hardship this resolution would place on smaller projects. and spoke on the 60 unit Kenwood Village and suggested the City Council look at that project for affordable units when it comes to them.

CLOSED THE PUBLIC HEARING AT 6:41 P.M.

MOTION: Councilmembers Kasdin/Kyriaco to adopt Resolution No. 19-73 entitled, "A Resolution of the City Council of the City of Goleta, California, Approving a General Plan Amendment to Amend the City's Housing Element Policy HE 2.5: Inclusionary Housing and to Determine that the General Plan Amendment is Exempt from CEQA, Pursuant to CEQA Section 15061(b)(3)" (Attachment 2).

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Kasdin and Kyriaco. Noes: Councilmember Aceves.

RECESS 6:44 P.M. - 6:54 P.M.

D.2 Adoption of the New Zoning Ordinance

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A. Adopt the Planning Commission's recommendation and introduce and conduct the first reading (by title only) of Ordinance No. 19- , entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting the New Zoning Ordinance as Title 17 of the Goleta Municipal Code, Repealing Various City Ordinances, and Repealing or Amending Various Sections of the Goleta Municipal Code" (Attachment 1); and delay the second reading until any General Plan Amendments necessary to implement the recommendation are initiated and adopted; or B. After consideration of certain alternate recommendations from staff, continue the hearing and direct staff to return with New Zoning Ordinance revisions at a public hearing in December 2019. Note: At this continued hearing, staff will provide an overview presentation and general public comment will be taken. Following that, there will be a staff presentation, public comment, and Council discussion on the "key topics" outlined in the staff report (City Projects, Environmentally Sensitive Habitat Areas (ESHA), and Noticing). After the discussion on key topics, if time permits, there will be a presentation and discussion about Other Items Summary. Otherwise, these items will be continued to a future meeting.

Adoption of the New Zoning Ordinance

Public Comment

Presentations

Staff Speakers:

Anne Wells, Advance Planning Manager noted this hearing is a continuation of the November 5, 2019 public hearing, on the adoption of the New Zoning Ordinance and provided a recap of that meeting, including City Council direction on two of the eight key topics, Good Cause for Inclusionary Housing and Residential Care Facilities and direction on the Public Noticing for on-site posted notices. Ms. Wells noted on November 5, staff received requests from City Council for additional information and/or direction. Staff completed these requests including: additional research on two key topics, City Projects and Public Noticing for mailed notices; direction from the Public Engagement Commission for public noticing requirements; addition of a visual resource protection objective standards; and completing responses to November 5 public comment that is posted Goletazoning.com. Ms. Wells noted 24 public comments were received since November 5, 2019. Ms. Wells pointed out that public comments will be addressed in the other items list that is expanding, in addition staff also received a request to summarize the changes between the existing and the proposed New Zoning Ordinance. Copies of the New Zoning Ordinance User's Guide and overview of changes have been provided to the public.

Peter Imhof, Planning and Environmental Review Director noted that staff would need to reevaluate the language in 17.16 in regards to projects in the Airport Approach Zone going to the Airport Land Use Commission.

Andy Newkirk, Senior Planner
Winnie Cai, Assistant City Attorney
Charles W. Ebeling, Public Works Director
Vyto Adomaitis, Neighborhood Services and Public Safety Director
Martha Miller, Consultant

Staff provided a presentation to the City Council titled "Public Hearing Draft New Zoning Ordinance," dated December 3, 2019.

Mayor Perotte invited general public comment noting they could speak to any topic not specific to the key topics being discussed tonight.

Ken Alker, Owner of the Kenwood Village Development which has a completed project application from 2010 and was designed under the current zoning ordinance, spoke on the New Zoning Ordinance Section 17.01.040 E4 "project applications deemed complete" that states "at the applicant's election of project application is deemed complete prior to September 1, 2019, show they be processed into the zoning regulations at the time of determination or under the new title." Mr. Alker pointed out a new sentence was added that reads "The allowances under this provision shall sunset on December 31, 2021, if a project has not received all required land use entitlements, after which, the project shall be subject to all regulations of this Title." Mr. Alker noted attending a Planning Commission meeting where a time limit for entitlements was being discussed, it was pointed out that developers have limited time after being issued permits in order to build their project. Mr. Alker commented that a project timeline is not under the developer's control, but public entities and Mother Nature and putting an arbitrary time limit on the ability to use the current zoning code is not realistic or fair to those who have obtained letters of completion. Mr. Alker noted he has already paid for architectural plans, numerous studies, a scoping document and two Environmental Impact Reports, under the current zoning ordinance. Mr. Alker noted the Kenwood Village project was put on hold due to a moratorium and is unaware how long it will take City staff to reprocess the Environmental Impact Report and pointed out the moratorium could last for years. Mr. Alker concluded that there are 3 projects in the city that could be affected by the sunset clause and commented that it is unfair to be forced to put more money and effort under the New Zoning Ordinance and asked the City Council to remove the sentence in 17.01.040 E4.

Jason Chapman suggested reducing parking reductions from the current zoning standards. Mr. Chapman noted parking minimums have negative impacts on transportation, housing and environmental goals.

Joanna Kaufman, Coalition for Sustainable Transportation, (COAST) suggested that lowering the parking requirements in the New Zoning Ordinance will lower the cost of building housing.

Troy White, TW Land Planning and Development, representing Storke Road II LLP noted trying to perform a remodel of a shopping center, being recently informed by City Staff that the project cannot be approved because of the pending New Zoning Ordinance Airport Environmental Overlay policies. Mr. White noted the proposed airport environment overlay within the New Zoning Ordinance would cede significant authority over land use matters to the Santa Barbara County Association of Governments (SBCAG) and the City of Santa Barbara. City staff and the City Council recently provided comments to the Santa Barbara County Association of Governments related to this proposed adoption of the Airport Land Use Compatibility Plan, those comments were largely focused on the detrimental impact of the plans adoption and impacts of the plan on existing commercial industrial properties within the city. Mr. White noted that historically, under the existing zoning ordinance, only projects requiring a legislative act were required to refer to Santa Barbara County Association of Governments Airport Land Use Commission. Mr. White questioned why the AE overlay has been drafted in such a way that all projects require consultation with the Airport Lands Commission and the City of Santa Barbara. Mr. White asked the City Council to have staff study this issue and consult and reconsider the impacts of the proposed policies on redevelopment and development projects within the approach zone of the City.

Mark Linehan, Owner, Camino Real Marketplace, expressed surprise in the Airport Overlay Zone which he noted contains a significant portion of Goleta's tax base. Mr. Linehan spoke on provision 17.16 which states the City must consult with the Airport Land Use Commission consisting of seven Mayors and five Supervisors, pointing out that only one Goleta Council Member is on the Commission, and the City of Santa Barbara on all development projects in the airport approach zone. Mr. Linehan questioned why the City would cede authority to the Airport Commission when every development project, remodel or change of use must go to the Airport Commission if the project is in the approach zone. Mr. Linehan pointed out that non-residential uses prohibit anything over 25 people per acre, which he noted was most of Goleta.

April Reid spoke in support of the sunset clause so that the City can ensure new construction is built within the current values of the City of Goleta. Ms. Reid suggested increasing parking requirements for new developments.

Steve Amerikaner, Brownstein, Hyatt, Faber and Schrek, representing Sywest Development, owner of the Goleta Drive-in located at 907 S. Kellogg, noted that while the Drive-in has a completed application, the application could be threatened by a sunset clause inserted by the Planning Commission into the New

Zoning Ordinance that would take effect in two-years. Mr. Amerikaner noted the time frame for the project is out of the applicant's hands and spoke on a prejudice against the applicant and urged the City Council to remove the sunset clause and leave the current rules in place.

Linda Krop, Chief Counsel, Environmental Defense Center, noted that the sunset clause is not necessary explaining that an applicant has a vested right to maintain the rules and regulations in place at the time of the application if they receive all their discretionary permits, conduct substantial ground work, applied for tentative tract map or if they offer development agreement, they're giving something in return for freezing the rules. Ms. Krop suggested finding out what projects are within the 2 year time frame and how the new ordinance would affect those projects versus the existing ordinance noting there may not be substantive changes as the General Plan hasn't changed.

KEY TOPICS

Inclusionary housing

Anne Wells, Advance Planning Manager, noted the proposed New Zoning Ordinance is aligned with General Plan Housing Element HE 2.5 as it existed before the hearing earlier this evening so it doesn't apply to rental units. The recommendation is for the City Council to direct staff to make the corresponding changes in the New Zoning Ordinance to include rental housing in the affordable housing requirement.

The City Council expressed support for staff recommendation.

City projects

Anne Wells, Advance Planning Manager, noted that all the New Zoning Ordinance regulations including permitting, would apply to City projects, noting City and developer projects would be similarly treated. Ms. Wells raised the issue flagged by Staff and the City Attorney's Office is the New Zoning Ordinance permit requirements for City projects would be redundant to the public process that occurs with the City Council, slowing the City's efforts to implement projects. Ms. Wells noted that currently, City Zoning exempts City Projects from obtaining zoning permits except for in the inland area that are located in Environmentally Sensitive Habitat Area and in the coastal zone located in Environmentally Sensitive Habitat Area and/or beyond repair and maintenance, in some instances the decision-maker for City projects would be the Planning Commission and those would be for example development plans or major conditional-use permits and they may have expiration dates on the approvals. Staff is recommending that there be no expiration date to be included in the New Zoning Ordinance and also consideration for changing the decision maker when it's the Planning Commission to the City Council as the Council is already familiar with the Capital Improvement Program.

Winnie Cai, Assistant City Attorney

The City Council expressed support for staff recommendation.

ESHA Streamside protection areas

Anne Wells, Advance Planning Manager spoke on the Streamside protection area and a discussion with the Environmental Defense Center and the California Coastal Commission who sent letters about the New Zoning Ordinance raising the larger topic of a local coastal program process.

Peter Imhof Planning and Environmental Review Director

Public Speakers:

Tara Messing, Staff Attorney, Environmental Defense Center, and on behalf of the Urban Creeks Council, noted throughout this process, the Environmental Defense Center and Urban Creeks Council have repeatedly asked for City staff and the California Coastal Commission staff to coordinate on the New Zoning Ordinance before adoption as coordination between the City and the California Coastal Commission early in the process allows for efficient resolution of any issues and it is common practice for City staff and California Coastal Commission staff to coordinate on issues prior to releasing public drafts and before adoption. Ms. Messing commented that the City did not coordinate with the California Coastal Commission and the California Coastal Commission's preference was to pause the New Zoning Ordinance adoption process to allow time for City staff to consult with the California Coastal Commission staff. Ms. Messing noted the Environmental Defense Center and Urban Creeks Council support this approach, however the California Coastal Commission identified a second best option which is to have the City Council adopt the New Zoning Ordinance for the inland portion but for City Council to authorize City Staff to coordinate with the California Coastal Commission staff before submittal of the City's Local Coastal Program to the Commission. Regarding the New Zoning Ordinance section pertaining to Streamside Projection Areas Ms. Messing urged the City Council to adopt proposed revisions to the section as well as edits to Section 17.01.040 regarding property takings. Ms. Messing noted the recommended language is consistent with and implements General Plan Policy CE 2.2 A through B and is based on language created by the California Coastal Commission and adopted in neighboring jurisdictions without controversy. Ms. Messing noted that the Planning Commission recommended adopting the California Coastal Commission's language in the New Zoning Ordinance. Ms. Messing commented that if the City is not ready to take this action, she urged the City Council to direct staff to leave a placeholder for this section while City staff and the California Coastal Commission coordinate and consult about the language, and strongly recommended that the City Council not adopt the City Attorney's proposed text for the provisions pertaining to Streamside Projection Areas, rather hoping that the City and Commission will work together to bring the Local Coastal Program and New

Zoning Ordinance back for action in a timely manner, otherwise Goleta creeks and habitats may not be adequately protected from encroaching development.

Brian Trautwein, Environmental Analyst and Watershed Program Coordinator with the Environmental Defense Center, spoke on utilizing the proposed amendment to the Kellogg Crossing Self Storage project as an example of where the City continues to grapple with implementation of Policy CE 2.2. Mr. Trautwein explained that the site is constrained by the Union Pacific railroad tracks and San Jose Creek, originally approved in 2011 with a 50-foot creek setback, half the required minimum and inadequate to protect creeks, however it remains clear that the project could have been approved with a larger buffer as evidenced by the most recent amendment currently proposed. Mr. Trautwein noted recently the applicant proposed that the change to the project would increase both the square footage of the project and would increase the Streamside Protection Area from 50 to 75 feet. Given the proposal to increase both the square footage and Streamside Protection Area it's clear that the Streamside Protection Area could have been larger than 50 feet as originally permitted. It may also be possible to increase the buffer to 75 feet if no increase in square footage is proposed, this underscores the need for an ordinance to spell out the process of determining when under limited circumstances creek buffers can be reduced. Mr. Trautwein explained why the City should stick with the current New Zoning Ordinance framework recommended by staff with respect to providing equal protection for creeks both in the inland area and the coastal zone areas commenting that Goleta's creeks are special environments which support rare species, give clean water, provide areas for recreation and enhance our cities aesthetics. Mr. Trautwein urged to keep creek protection on both sides of the coastal zone equal.

Linda Krop, Chief Counsel, Environmental Defense Center, explained why no General Plan Amendment is needed to adopt language recommended by the Environmental Defense Center and the California Coastal Commission, existing General Plan Policy regarding setbacks already provides for a taking analysis to ensure a reasonable economic use of a parcel, specifically General Plan policy Conservation Element 2.2 B states "if the provisions above which require the Streamside Protection Area buffer would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the Land Use Plan exceptions to the foregoing may be made to allow a reasonable economic use of the parcel subject to approval of a conditional use permit." This language is derived directly from the California Coastal Commission's standard language which equates takings analysis with the determination of whether a parcel retains a reasonable economic use, the standard has been adopted by other local jurisdictions including the City and County of Santa Barbara, the California Coastal Commission guidance is attached to the letter Environmental Defense Center submitted and states "with full adherence with all Local Coastal Program policies including setbacks and other hazardous avoidance measures would preclude a reasonable economic use of

the property as a whole the City may allow the minimum economic use and/or development of the property necessary to avoid an unconstitutional taking of private property without just compensation.” Accordingly the language recommended is consistent with both the General Plan and the Coastal Act. Ms. Krop urged the City Council not to wait for the Creek and Watershed Management Plan to complete the New Zoning Ordinance noting they are two separate issues. Ms. Krop commented that the purpose of the New Zoning Ordinance is to implement the existing General Plan policies including policy 2.2, the purpose of the Creek and Watershed Management Plan is to develop a long-term vision and stewardship for the network of City creeks and drainage ways the plan may or may not result in any new General Plan policies and certainly isn't needed to implement and enforce the city's existing setback policies, in closing Environmental Defense Center and the Urban Creeks Council urge the City Council to adopt the recommendations as part of the New Zoning Ordinance however if the City Council is not willing to we urge you to please adopt the New Zoning Ordinance with a placeholder for those sections.

Daniel McCarter, President, Santa Barbara Urban Creeks Council, a 501 (c)(3) nonprofit public benefit organization, reported attending the Goleta Watershed Management Workshop and noted the positive public attendance and participation and that many prioritized biodiversity, clean water, recreation and safety which would benefit from an effective Ordinance guiding implementation of CE 2.2. Mr. McCarter noted the community vision to improve water quality, removing pollution, re-establishing steelhead populations, increasing ground water absorption capabilities, reducing erosion, improving wildlife habitat, improving public access for recreation and green transportation, creating educational opportunities for schools and communities and providing a beauty element to the City. Mr. McCarter encouraged the City to utilize the tools the Environmental Defense Center and the California Coastal Commission have crafted that will transform the City's vision into a successful plan. Mr. McCarter urged the City Council to support the recommendations to adopt the California Coastal Commission's language for analyzing when a setback from a creek or other habitats may be reduced and please apply the City's New Zoning Ordinance to both the inland and coastal portions of the City to ensure that all sections of the creeks are treated the same and to avoid confusing standards for creek protection in inland areas.

Scott Cooper, a Professor of Ecology at UCSB, member of the local Audubon Chapters Conservation Committee, member of the Technical Advisory Committee for the development of Goleta's Creek and Watershed plan, spoke to the Stream Protection Area Ordinance Section 17.30.07 being biodiversity hotspots, wildlife habitat, and provide many recreational amenities and reported attending a public workshop where participants were nearly unanimous in their support of creek and riparian zone preservation. Mr. Cooper noted setbacks from streams and riparian zones minimize the loss of life and property during floods and debris flows and

reviews of the literature on stream setbacks show the minimum 100 foot setback backed by scientific studies protect water quality, biodiversity and wildlife migration, reductions down to a minimum of twenty-five feet can be allowed but only if the projects are deemed infeasible with the setbacks and if there are no adverse effects on riparian vegetation in creek biotic quality. Mr. Cooper noted the Environmental Defense Center and Urban Creeks Council spell out clear processes and evidentiary findings for reducing creek setbacks and these determinations the Planning Commission has largely integrated into its recommendations. Mr. Cooper stated the Audubon Society's endorsement of the Environmental Defense Center and Urban Creeks Council language for dealing with proposed Streamside Buffer Area reductions and it should be applied to both inland and coastal zones.

Brian Baker commented on the science of a minimum hundred foot setback that is needed for protecting streams adequately and that the ordinance is only as effective as the process and threshold for making exceptions to that ordinance. Mr. Baker urged the City Council to either adopt the proposed Environmental Defense Center language that incorporates the California Coastal Commission's language or taking other options such as placeholder text. Mr. Baker spoke on the need to protect streams in the coastal zone and inland zone and consult with staff from the California Coastal Commission.

Shirin Tolle, board member, Urban Creeks Council, urged the City Council to support the recommendations made by the Environmental Defense Center and Urban Creeks Council to adopt the California Coastal Commission's language for analyzing when a setback from creeks or habitats may be reduced. Ms. Tolle noted the City must safeguard protections for streamside areas by including a clear process in the New Zoning Ordinance for evaluating buffer reductions upon request by an applicant. Ms. Tolle spoke on the test of an ordinance, how exceptions are handled and whether the process is clear and the considerations in the public interest are addressed. Ms. Tolle noted the environmental benefits to the 100 foot stream buffer and commented that the buffers are going to be increasingly more important to public safety and for the protection of property as climate change takes hold.

Barbara Massey spoke in support of a 100 foot creek setback and Environmental Defense Center proposed language for Streamside Protection Areas .

April Reed spoke in support of a minimum 100 foot creek setback and noted the Kenwood Village Development, next to the El Encanto Creek, where the developers own environmental report says that there are rare or endangered species living in the creek, are proposing a build less than one hundred feet from the creek which could harm endangered species. Ms. Reed spoke in opposition to waivers and exceptions for developers who want to be closer than a 100 hundred foot setback.

George Relles, on behalf of the Goodland Coalition, spoke in agreement with the Environmental Defense Center and their position, noted the difficult position the City Council is in and pointed out the upcoming election of the City Council could change the interpretation, decision and the standards and concluded that the Goodland Coalition stands with the Environmental Defense Center.

Michael Jenkins, City Attorney, introduced proposed language regarding Streamside Protection Areas for the City Council to consider.

Public Speaker:

Linda Krop, Chief Counsel, Environmental Defense Center, suggested adopting the language introduced by the City Attorney less the definitions.

The City Council expressed support for the Environmental Defense Center's proposal of altering the City Attorney's language to remove the definitions from the section.

The City Council continued the public hearing to the December 17, 2019, City Council meeting.

E. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

Councilmember Kasdin reported attending a Economic Development and Revitalization Standing Committee Meeting on November 18, 2019.

Mayor Pro Tempore Richards reported attending a Grant Funding Review Standing Committee Meeting on November 7, 2019 and November 12, 2019 and a Finance and Audit Standing Committee Meeting on November 21, 2019.

F. CITY MANAGER/STAFF REPORT

Michelle Greene, City Manager, announced there would be a Homeless Strategic Plan Workshop at the Goleta Valley Community Center on December 11, 2019, at 4:00 P.M.

G. CITY ATTORNEY REPORT

None

ADJOURNED AT 10:10 P.M.

GOLETA CITY COUNCIL

PAULA PEROTTE,
MAYOR

ATTEST: _____
DEBORAH S. LOPEZ
CITY CLERK



**CITY COUNCIL
MEETING MINUTES
Tuesday, December 17, 2019**

Closed Session – 4:00 PM
Regular Session - 5:30 PM
City Hall
130 Cremona Drive, Suite B
Goleta, California

Members of the City Council

Paula Perotte, Mayor
Kyle Richards, Mayor Pro Tempore
Roger S. Aceves, Councilmember
Stuart Kasdin, Councilmember
James Kyriaco, Councilmember

Michelle Greene, City Manager
Deborah S. Lopez, City Clerk
Michael Jenkins, City Attorney

4:00 P.M. - CLOSED SESSION

CALL TO ORDER IN COUNCIL CHAMBERS

Mayor Perotte called the meeting to order at 4:00 P.M.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco

ABSENT: None

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

RECESS TO CLOSED SESSION IN CONFERENCE ROOM 1

CLOSED SESSION

Michael Jenkins, City Attorney, read into record closed session items by title only:

CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Agency designated representative: City Attorney

Unrepresented employee: City Manager

CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Agency designated representatives:

Michelle Greene, City Manager

Kristy Schmidt, Assistant City Manager

Michael Jenkins, City Attorney

Employee Organization:

Goleta General Employees Unit and Goleta Miscellaneous Employees Unit

Pursuant to the provisions of Government Code Section 54956.9 (a), the City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) with regard to two potential cases.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

One item of threatened (anticipated) litigation against the City under Government Code section 54956.9(d)(2) and (e)(5) with regard to one potential case (Letter from Richard H. Close dated October 15, 2019)

CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:

- Thornwood Real Estate LLC v. City of Goleta (Santa Barbara Superior Court, Case No.19CV05887)

5:30 P.M. - REGULAR AGENDA

Mayor Perotte called the meeting to order at 5:34 p.m., followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco

ABSENT: None

PUBLIC FORUM

Caroline Abate commented on her support of President Trump's economic accomplishments.

REPORT FROM CLOSED SESSION

Michael Jenkins, City Attorney, reported on closed session items:

CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Agency designated representative: City Attorney

Unrepresented employee: City Manager

CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Agency designated representatives:

Michelle Greene, City Manager

Kristy Schmidt, Assistant City Manager

Michael Jenkins, City Attorney

Employee Organization:

Goleta General Employees Unit and Goleta Miscellaneous Employees Unit

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CONFERENCE WITH LEGAL COUNSEL-PENDING LITIGATION

Pursuant to the provisions of Government Code Section 54956.9(d)1 to confer with its legal counsel with regard to the following matter of pending litigation:

- Thornwood Real Estate LLC v. City of Goleta (Santa Barbara Superior Court, Case No.19CV05887)

Action: No reportable action.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

A. CONSENT CALENDAR

A.1 Acceptance of the November 2019 Check Register and Investment Transaction Report

A. Accept the check register for the month of November 2019. B. Accept the investment transaction report for the month of November 2019.

Acceptance of the November 2019 Check Register and Investment Transaction Report

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to
A. Accept the check register for the month of November 2019.
B. Accept the investment transaction report for the month of November 2019.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.2 Annual Financial Report of the City of Goleta's Development Impact Fees for Fiscal Year 2018-19

Adopt Resolution 19- , entitled "A Resolution of the City Council of the City of Goleta, California, Approving the Annual Development Impact Fee Financial Report"

Annual Financial Report of the City of Goleta's Development Impact Fee Program for Fiscal Year 2018-19

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to adopt Resolution 19-74, entitled "A Resolution of the City Council of the City of Goleta, California, Approving the Annual Development Impact Fee Financial Report"

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.3 Amendments to Public Works Professional Services Contracts for Fiscal Year 2019-2020

A. Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2019-017 with Solid Waste Solutions, Inc., for Engineering Support Services, increasing the contract authority by \$90,000, for a new total contract amount of \$209,000, extending the agreement to June 30, 2020, and approve a budget appropriation for additional funds in the amount of

\$90,000. B. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2018-078 with MNS Engineers, for Development Review Services, increasing the contract authority by \$250,560 for Fiscal Year 2019/20 and increasing by \$250,560 for Fiscal Year 2020/21 for a total contract authority increase by \$501,120, for a new total contract amount of \$801,120, extending the agreement to June 30, 2021.C. Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2019-013 with Dudek, for Professional Services, increasing the contract authority by \$109,010, for a new total contract amount of \$322,880, extending the agreement to June 30, 2020, and approve a budget appropriation for additional funds in the amount of \$109,010.D. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2019-063 with Rincon Consultants, Inc., for Professional Design Services, increasing the contract authority by \$90,000, for a new total contract amount of \$270,000 and extending the agreement to June 30, 2020. E. Authorize the City Manager to execute Amendment No. 2 to Professional Design Services Agreement No. 2017-131 with Kimley-Horn and Associates, Inc., for professional Design Services, to extend the agreement to December 31, 2020.F. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2018-126 with Kimley-Horn and Associates, Inc., for professional Design Services, increasing the contract authority by \$20,000, for a new total contract amount of \$238,401, and to extend the agreement to June 30, 2022. G. Authorize the City Manager to execute Amendment No. 4 to Professional Services Agreement No. 2016-117 with Stantec, for Professional Design Services, increasing the contract authority by \$125,000 for Fiscal Year 2019/20, by \$125,000 for Fiscal Year 2020/21 and by \$125,000 for Fiscal Year 2021/22 for a new total contract amount of \$775,000.H. Authorize the City Manager to execute a Professional Services Agreement with Stantec for Floodplain Management Plan Services in an amount not to exceed \$45,000 with a termination date of December 31, 2020. I. Authorize the City Manager to execute Amendment No. 3 to Professional Services Agreement No. 2017-037 with Beacon Integrated Professional Resources, Inc. dba Hamner, Jewell & Associates, for Right of Way Services, increasing the contract authority by \$25,000 for a new total contract amount of \$105,000.

Amendments to Public Works Professional Services Contracts for Fiscal Year 2019-2020

Public Speaker:

Dr. Ingeborg Cox suggested providing a detailed description that shows what the funds are being used for or how they will be used in the future.

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to
A. Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2019-017 with Solid Waste

Solutions, Inc., for Engineering Support Services, increasing the contract authority by \$90,000, for a new total contract amount of \$209,000, extending the agreement to June 30, 2020, and approve a budget appropriation for additional funds in the amount of \$90,000. B. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2018-078 with MNS Engineers, for Development Review Services, increasing the contract authority by \$250,560 for Fiscal Year 2019/20 and increasing by \$250,560 for Fiscal Year 2020/21 for a total contract authority increase by \$501,120, for a new total contract amount of \$801,120, extending the agreement to June 30, 2021. C. Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2019-013 with Dudek, for Professional Services, increasing the contract authority by \$109,010, for a new total contract amount of \$322,880, extending the agreement to June 30, 2020, and approve a budget appropriation for additional funds in the amount of \$109,010. D. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2019-063 with Rincon Consultants, Inc., for Professional Design Services, increasing the contract authority by \$90,000, for a new total contract amount of \$270,000 and extending the agreement to June 30, 2020. E. Authorize the City Manager to execute Amendment No. 2 to Professional Design Services Agreement No. 2017-131 with Kimley-Horn and Associates, Inc., for professional Design Services, to extend the agreement to December 31, 2020. F. Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2018-126 with Kimley-Horn and Associates, Inc., for professional Design Services, increasing the contract authority by \$20,000, for a new total contract amount of \$238,401, and to extend the agreement to June 30, 2022. G. Authorize the City Manager to execute Amendment No. 4 to Professional Services Agreement No. 2016-117 with Stantec, for Professional Design Services, increasing the contract authority by \$125,000 for Fiscal Year 2019/20, by \$125,000 for Fiscal Year 2020/21 and by \$125,000 for Fiscal Year 2021/22 for a new total contract amount of \$775,000. H. Authorize the City Manager to execute a Professional Services Agreement with Stantec for Floodplain Management Plan Services in an amount not to exceed \$45,000 with a termination date of December 31, 2020. I. Authorize the City Manager to execute Amendment No. 3 to Professional Services Agreement No. 2017-037 with Beacon Integrated Professional Resources, Inc. dba Hamner, Jewell & Associates, for Right of Way Services, increasing the contract authority by

\$25,000 for a new total contract amount of \$105,000.
VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.4 Approval of the 2019-20 Agreement for Operation of a County-wide Library System

Approve and authorize the City Manager to execute an Agreement for Operation of a County-Wide Library System for Fiscal Year 2019-20 between the County of Santa Barbara and the City of Goleta.

Approval of the 2019-20 Agreement for Operation of a County-wide Library System

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to approve and authorize the City Manager to execute an Agreement for Operation of a County-Wide Library System for Fiscal Year 2019-20 between the County of Santa Barbara and the City of Goleta.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco Noes: None.

A.5 Intent to Vacate Street Right of Way on Los Carneros Road and Calle Real

A. Adopt Resolution No. 19-____, entitled "A Resolution of the City Council of the City of Goleta, California, Declaring the Intention of the City Council of said City to Vacate an Excess Portion of Los Carneros Road Right Of Way to the Adjacent Property Located at 6491 Calle Real, APN 077-160-040, and Providing for the Holding of a Public Hearing, the Posting of Required Notices, and the Publication of this Resolution"; and B. Adopt Resolution No. 19-____, entitled "A Resolution of the City Council of the City of Goleta, California, Declaring the Intention of the City Council of said City to Vacate Excess Portions of Los Carneros Road and Calle Real Right Of Way to the Adjacent Property Located at 302 Los Carneros Road, APN 077-160-064, and Providing for the Holding of a Public Hearing, the Posting of Required Notices, and the Publication of this Resolution."

Intent to Vacate Street Right of Way on Los Carneros Road and Calle Real

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to A. Adopt Resolution No. 19-75, entitled "A Resolution of the City Council of the City of Goleta, California, Declaring the Intention of the City Council of said City to Vacate an Excess Portion of Los Carneros Road Right Of Way to the Adjacent Property Located at 6491 Calle Real, APN 077-160-040, and Providing for the Holding

of a Public Hearing, the Posting of Required Notices, and the Publication of this Resolution"; and B. Adopt Resolution No. 19-76, entitled "A Resolution of the City Council of the City of Goleta, California, Declaring the Intention of the City Council of said City to Vacate Excess Portions of Los Carneros Road and Calle Real Right Of Way to the Adjacent Property Located at 302 Los Carneros Road, APN 077-160-064, and Providing for the Holding of a Public Hearing, the Posting of Required Notices, and the Publication of this Resolution."

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.6 Amendment No. 1 to Professional Services Agreement with Rincon Consultants, Inc. for the Goleta Train Depot Station Area Master Plan

Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2019-005 between the City of Goleta and Rincon Consultants, Inc. for the Goleta Train Depot Station Area Master Plan to extend the term of the contract from December 31, 2019, to June 30, 2020.

Amendment No. 1 to Professional Services Agreement with Rincon Consultants, Inc. for the Goleta Train Depot Station Area Master Plan

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2019-005 between the City of Goleta and Rincon Consultants, Inc. for the Goleta Train Depot Station Area Master Plan to extend the term of the contract from December 31, 2019, to June 30, 2020.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

A.7 Amendment No. 2 to Agreement #2017-133 with KTU&A for the development of a Parks, Facilities, and Playgrounds Master Plan

Approve and authorize the City Manager to execute Amendment No. 2 to Agreement No. 2017-133 with KTU&A (KTU&A) for the development of a Parks, Facilities, and Playgrounds Master Plan (CIP 9068), extending the term of the agreement to June 30, 2020.

Amendment No. 2 to Agreement #2017-133 with KTU&A for the development of a Parks, Facilities, and Playgrounds Master Plan

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to approve and authorize the City Manager to execute Amendment No. 2 to Agreement No. 2017-133 with KTU&A (KTU&A) for the development of a Parks, Facilities, and Playgrounds Master Plan (CIP 9068), extending the term of the agreement to June 30, 2020.

VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

Public Speaker:

Dr. Ingeborg Cox raised concerns about the inconsistencies located within the draft Goleta Parks Master Plan table 5.3 and suggested notifying the public when Park names are changed or created.

Staff Speaker:

JoAnne Plummer, Parks and Recreation Manager

B. DISCUSSION/ACTION ITEM

B.1 Revised Project Plans and Specifications and Award of Construction Contracts for the Old Town Sidewalk Improvement Project

A. Approve revised Plans and Specifications for the Old Town Sidewalks Improvement Project; B. Authorize the City Manager to execute a construction contract with Toro Enterprises, Inc. for the Old Town Sidewalk Improvement Project in an amount not to exceed \$3,158,750.30, subject to the requirements of the contract documents; C. Authorize the City Manager to approve contingency contract change orders for the Old Town Sidewalk Improvement Project in an amount not to exceed \$631,750; D. Authorize the City Manager to execute a consultant services agreement with Filippin Engineering, Inc., in an amount not-to-exceed \$430,295 for Construction Management, Inspection, and Testing Services for Old Town Sidewalk Improvement Project with a termination date of June 30, 2022; E. Authorize additional appropriations of \$400,000 from the Measure A Fund, \$450,000 from the GTIP Fund, and \$953,133 from General Fund Unassigned Fund Balance to the Old Town Sidewalk Improvement Project account; and F. Authorize the City Manager to execute Amendment No. 3 to Professional Design Services Agreement with MNS Engineers, Inc., for the Old Town Sidewalk Improvement Project for an additional compensation of \$25,000 for a total not-to- exceed amount of \$807,814.

Revised Project Plans and Specifications and Award of Construction Contracts for the Old Town Sidewalk Improvement Project

Public Comment

Staff Speakers:

Charles W. Ebeling, Public Works Director

James Winslow, Senior Project Engineer, provided a presentation titled "Old Town Sidewalks" dated December 17, 2019 (presentation on file).

James Campero, Deputy Public Works Director

- MOTION: Councilmembers Kasdin/Kyriaco to A. Approve revised Plans and Specifications for the Old Town Sidewalks Improvement Project; B. Authorize the City Manager to execute a construction contract with Toro Enterprises, Inc. for the Old Town Sidewalk Improvement Project in an amount not to exceed \$3,158,750.30, subject to the requirements of the contract documents; C. Authorize the City Manager to approve contingency contract change orders for the Old Town Sidewalk Improvement Project in an amount not to exceed \$631,750; D. Authorize the City Manager to execute a consultant services agreement with Filippin Engineering, Inc., in an amount not-to-exceed \$430,295 for Construction Management, Inspection, and Testing Services for Old Town Sidewalk Improvement Project with a termination date of June 30, 2022; E. Authorize additional appropriations of \$400,000 from the Measure A Fund, \$450,000 from the GTIP Fund, and \$953,133 from General Fund Unassigned Fund Balance to the Old Town Sidewalk Improvement Project account; and F. Authorize the City Manager to execute Amendment No. 3 to Professional Design Services Agreement with MNS Engineers, Inc., for the Old Town Sidewalk Improvement Project for an additional compensation of \$25,000 for a total not-to-exceed amount of \$807,814 as amended only to correct the verbal motion which should have stated recommendations E. and F.
- VOTE: Motion approved by the following voice vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers Aceves, Kasdin, and Kyriaco. Noes: None.

B.2 Urgency Ordinance Enacting a Temporary Prohibition on No-Fault Evictions

Adopt Ordinance No 19- entitled "An Urgency Ordinance of the City Council of the City of Goleta, California, Temporarily to Prohibit No-Fault Evictions Through December 31, 2019 for Residential Real Property Built Prior to January 1, 2005 and Declaring the Urgency Thereof."

Urgency Ordinance Enacting a Temporary Prohibition on No-Fault Evictions

Public Comment Received

Staff Speakers:

Michael Jenkins, City Attorney

Winnie Cai, Assistant City Attorney

Public Speaker:

George Relles spoke in support of the Urgency Ordinance Enacting a Temporary Prohibition on No-Fault Evictions and suggested public outreach on this item.

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to adopt Ordinance No 19-__ entitled "An Urgency Ordinance of the City Council of the City of Goleta, California, Temporarily to Prohibit No-Fault Evictions Through December 31, 2019 for Residential Real Property Built Prior to January 1, 2005 and Declaring the Urgency Thereof ".

AMENDED MOTION FAILED: Councilmember Aceves/No Second to adopt Ordinance No 19-__ entitled "An Urgency Ordinance of the City Council of the City of Goleta, California, Temporarily to Prohibit No-Fault Evictions Through December 31, 2019 for Residential Real Property Built Prior to January 1, 2005 and Declaring the Urgency Thereof " as amended to strike Section 7 - the criminal portion of the ordinance.

MOTION: Mayor Pro Tempore Richards/Councilmember Kasdin to adopt Ordinance No 19-16 entitled "An Urgency Ordinance of the City Council of the City of Goleta, California, Temporarily to Prohibit No-Fault Evictions Through December 31, 2019 for Residential Real Property Built Prior to January 1, 2005 and Declaring the Urgency Thereof ".

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Richards, Councilmembers, Kasdin, and Kyriaco. Noes: Councilmember Aceves.

RECESS 7:01 P.M. - 7:10 P.M.

C. PUBLIC HEARING

C.1 Adoption of the New Zoning Ordinance

A. Adopt the Planning Commission's recommendation and introduce and conduct the first reading (by title only and waive further reading) of Ordinance No. 19-__, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting the New Zoning Ordinance as Title 17 of the Goleta Municipal Code, Repealing Various City Ordinances, and Repealing or Amending Various Sections of the Goleta Municipal Code"; and delay the second reading until any General Plan Amendments necessary to implement the

[recommendation are initiated and adopted; or B. After consideration of certain alternate recommendations from staff, continue the hearing and direct staff to return with New Zoning Ordinance revisions at the regularly scheduled public meeting on January 21, 2020.](#)

[Adoption of the New Zoning Ordinance](#)

[Public Comment](#)

Staff Speakers:

Anne Wells, Advance Planning Manager noted tonight's hearing is a continuation of hearings for the New Zoning Ordinance. The City Council provided direction on five of the eight key topics as follows: Within "Good Cause," "Extension for Inclusionary Units" is removed; Rental Inclusionary Units are added to the affordable housing requirements; Large Residential Care Facilities were removed from Single-Family Residential and Planned Residential Districts; City Projects will be reviewed by the City Council not the Planning Commission and there will be no permit expiration date; Streamside Protection Area language from the City Attorney's office will be utilized less the definitions; and partial direction was given on public noticing for on-site notices. Ms. Wells noted that the direction is in the worksheet, attached to the staff report (Attachment 1). On November 5, 2019, direction was also provided to perform research and outreach which will be summarized, and is also in the staff report for December 3, 2019, and announced that responses to written public comment and oral testimony at the public hearings are posted on GoletaZoning.com. Ms. Wells noted the website was also revised to add context and to make it easier for users to access the information, 69 public comments have been received since the public hearing process started, all posted on Goletazoning.com. Tonight staff seeks direction from the City Council on the remaining and new issues such as the ESHA lagoon buffers, woodlands and public noticing.

Staff provided a presentation to the City Council titled "Public Hearing Draft New Zoning Ordinance," dated December 17, 2019.

Mayor Perotte invited general public comment noting they could speak to any topic not specific to the key topics being discussed tonight.

Public Speakers:

Tara Messing, Staff Attorney, Environmental Defense Center and Urban Creeks Council, noted they have been heavily involved with the New Zoning Ordinance New Zoning Ordinance process focusing on protections for Streamside Protection Areas and Environmentally Sensitive Habitat Areas, advocating for an ordinance that outlines the robust process for evaluating buffer reductions to Streamside Protection Area areas upon on an applicant's request. Ms. Messing urged City staff to coordinate with California Coastal Commission staff about the New Zoning Ordinance and to resume discussions about the City's Coastal Land Use Plan.

Ms. Messing's testimony tonight pertained to the latter and asked that the City Council provide clear direction to City staff to coordinate with the California Coastal Commission staff on the City's New Zoning Ordinance and Coastal Land Use Plan prior to formal submittal of a Local Coastal Program to the California Coastal Commission, and requested that the City Council allow City staff to bring the draft Coastal Land Use Plan and Implementation Program back to the City Council for adoption with any necessary changes before they are submitted to the California Coastal Commission for approval as an Local Coastal Program. This recommendation is supported by the Environmental Defense Center, Urban Creeks Council, Peter Imhof, Planning and Environmental Review Director, and Steve Hudson former South Central Coast/South Coast Director for the California Coastal Commission. In a letter sent by Mr. Hudson to the City Council on November 26, 2019, he explained that allowing time for a collaborative process will give both City and California Coastal Commission staff an opportunity to work together to efficiently address and resolve any potential issues relating to consistency between the City's draft Local Coastal Program and the Coastal Act. Allowing for informal discussions will also minimize the number of potential suggested modifications by the California Coastal Commission. Mr. Hudson believes that going forward with this process will greatly increase the likelihood of successful adoption and certification of the City's Local Coastal Program. Ms. Messing pointed out that the City and California Coastal Commission staffs will not be at square one with regards to the Coastal Land Use Plan, as there has already been extensive staff coordination on the City's draft Coastal Land Use Plan from 2015 to 2016. A summary of significant issues that still need to be addressed or set forth in the May 3, 2016, letter attached to the California Coastal Commission's recent letter dated November 26, 2019. Ms. Messing urged the City Council to direct staff to coordinate with the California Coastal Commission staff on the City's New Zoning Ordinance and Coastal Land Use Plan prior to formal submittal to the California Coastal Commission.

George Relles requested two items be added to the key topics list. Substantial Conformity Determinations and Signage, specifically regarding protected free speech and the disparity in the standards between commercial and residential signage size.

ESHA - Lagoon Buffers

Staff Speakers:

Anne Wells, Advance Planning Manager noted as recommended by the Planning Commission, Lagoon Buffers are included within the 100-foot buffer. The issue that is noted by staff and the City Attorney's office is that General Plan Policy treats lagoons as wetlands which has specific buffer requirements in a different policy in the General Plan. What staff is recommending is a General Plan Amendment would be needed to Subpolicy CE 3.7 to establish unique buffer treatments for lagoon type wetlands which would delay the adoption of the New

Zoning Ordinance. What staff is recommending is removing lagoon buffer requirements which would avoid a General Plan Amendment and also would allow for the Wetland Buffer regulations to apply to lagoons consistent with the adopted General Plan adding consistency and clarity.

The City Council expressed support for staff's recommendation.

ESHA - Woodland and Savanna buffers

Staff Speakers:

Anne Wells, Advance Planning Manager noted the New Zoning Ordinance as proposed includes a 50-foot Oak Woodland Savannah buffer and the issue flagged by staff is the General Plan identifies this habitat type as sensitive habitat, however in policy CE 9.3 requires that a buffer be established through a Tree Protection Ordinance, staff has expressed caution that by putting a 50-foot buffer without the supporting documentation and analysis as to definitions and types and buffers, it's could be more complicated than what is could be perceived as an arbitrary 50-foot buffer that we feel by striking out the buffer from the New Zoning Ordinance allowing the city to move forward with the Tree Protection Ordinance and then we would have a comprehensive tool to establish the necessary buffers which might vary depending on the type of canopy in a location.

Peter Imhof, Planning and Environmental Review Director

Public Speakers:

Barbara Massey noted there is no protection for Oak Woodlands and Savanna and there will be no attempt to do a Tree Ordinance. Ms. Massey questioned why the public has to fight to get reasonable Environmentally Sensitive Habitat Area buffers that residents want.

The City Council expressed support for staff recommendation to remove the standard and directed staff to add a Tree Protection Ordinance to the Work Plan as well as engagement with the Public Tree Advisory Committee on this issue.

Noticing

Staff Speakers:

Anne Wells, Advance Planning Manager noted the Planning Commission recommended going beyond the current practice for noticing which is following state law. Ms. Wells noted, however, that the City goes beyond what is required by state law including email noticing, the City Banner, and early releases for hearing documents, which is not codified in the current zoning. The Planning Commission expanded the noticing requirements and they included some things that we have in practice now and embedded in the regulation, they also added requiring story poles for noticing purposes, asking for larger on-site posted

notices, required mailed noticing for all projects regardless of the number of notices to be mailed, asked that all mailed and emailed notices be Spanish translated, and they asked for press releases for proposed development over 10,000 square feet be released at conceptual review before design review. Two issues staff wants to discuss are the mail noticing and the story poles. Ms. Wells flagged the electronic noticing New Zoning Ordinance and the Spanish translation requirements that are in the New Zoning Ordinance. Staff has had internal discussions about having a more robust public outreach plan that are separate from the zoning ordinance and the need for a really comprehensive plan.

Andy Newkirk, Senior Planner
Kristine Schmidt, Assistant City Manager
Peter Imhof, Planning and Environmental Review Director
Michelle Greene, City Manager

Public Speakers:

George Relles acknowledged the passing of Connie Hannah, a strong supporter of Goleta and often stood up at this podium talking primarily about things like public notice. Ms. Relles stated support for the Public Engagement Committee proposals, and expressed agreement with the City Manager of an annual postcard with all the upcoming projects and noted as found with the Monarch Press, very few people would opt in on this noticing. Mr. Relles questioned why noticing would come out of the New Zoning Ordinance and urged for more flexibility so you can apply that standard to lots of other things.

Barbara Massey stated support for mailed noticing in the New Zoning Ordinance and commented on talking to other residents who said that they would like to be able to receive notices on the big projects. Ms. Massey commented that people she has talked to didn't know about some of the larger projects and noted many people do not have computers or do not receive newspapers.

The City Council expressed support for staff recommendation

Story Poles

Staff Speakers:

Anne Wells, Advance Planning Manager reported on November 5, 2019, the City Council provided staff with direction to add details about a story pole subsection. In lieu of the Planning Commission recommendation, which was to require story poles, they can be requested by the Director or the Design Review Board. Staff provided some basic story pole requirements which would apply to all structures over 20 feet in height except for single unit dwellings. The installation of the poles would be required 14 days before the first hearing and removal required within 10 days after the appeal period closed (if there was an appeal). There would have to be certification by a licensed land surveyor as to their accuracy, sturdy

construction and braced reinforcement to withstand weather, and last the duration of the required period. The story poles would have to be maintained. These basic requirements in the story pole section would greatly benefit the noticing requirement.

J. Ritterbeck, Senior Planner

The City Council expressed support for staff recommendation

Other Items Summary

Daycare Uses

Staff Speakers:

Anne Wells, Advance Planning Manager reported staff received direction to provide more flexibility for both daycare facilities and family daycares. Daycares are now allowed more broadly without a Conditional Use Permit and large and small family daycares are allowed by right within a single-unit dwelling in any zoning district. The New Zoning Ordinance includes incentives such as priority processing, parking reductions, lot coverage allowance and fee reductions. Staff also consolidated standards where they are comprehensively applied.

Andy Newkirk, Senior Planner

The City Council expressed support for staff recommendation

Design Review Board

Staff Speakers:

Anne Wells, Advance Planning Manager reported staff received direction on the Design Review Board and the Planning Commission to update the design review process. In Chapter 17.58 Design Review, three levels of review are required, a conceptual, preliminary and final. The New Zoning Ordinance clarifies that the Design Review Board plays the role as both a decision maker for ministerial projects and the recommending body for discretionary projects. Staff added a table that details the Design Review Authorities by project type to be clearer.

The City Council expressed support for staff recommendation

Lighting

Staff Speakers:

Anne Wells, Advance Planning Manager, noted current zoning does not include lighting regulations. The Design Review Board reviews and approves lighting plans, the proposed New Zoning Ordinance lighting regulations reflect input from

the Design Review Board, the Planning Commission, and the public. Staff added an outdoor lighting plan to application submittal requirements. Lighting plans are required for all development that requires Design Review Board and some light standards are included in the New Zoning Ordinance. Light temperature was ultimately not included as the Design Review Board process was determined to be the best approach. The Design Review Board has to ensure that exterior lighting is dark sky compliant.

Andy Newkirk, Senior Planner

The City Council expressed support for staff recommendation

Staff Speakers:

Anne Wells, Advance Planning Manager reported the Planning Commission expanded the number and types of required on-site parking for new developments, the provisions required 10% electric vehicle parking, 10% electric bike parking and two parking spaces per studio and one-bedroom apartment that was up from one which follows the current practice, as well as guest parking at one space per three units instead of every five units in multi-unit development. The proposed New Zoning Ordinance allows parking reductions in a Transportation Demand Management program and within the Old Town District. Staff is not recommending any specific changes, they were flagged because they were raised by public commenters seeking both increased and decreased parking. On the electric vehicle and bike parking, staff recommendation was 5% EV parking and no bike parking because of conversations with our Sustainability Coordinator, but the Planning Commission felt strongly that parking for bikes and specifically electric bikes was important.

Peter Imhof, Planning and Environmental Review Director

Andy Newkirk, Senior Planner

J. Ritterbeck, Senior Planner

Public Speakers:

April Reid spoke in opposition to decreasing the number of parking spaces required for multi-unit developments. Ms. Reid commented that the parking in the planned Kenwood Village residential project is inadequate and will force motorists to park in her neighborhood which is already low on vacant parking spaces. Ms. Reid stated concerns for the proposed 25% reduction for required parking spaces for multi-unit developments for senior housing and income restricted units commenting that is going to push the problem into the surrounding neighborhoods.

Joanne Kaufman, Coalition for Sustainable Transportation (COAST), commented that free parking drive congestion and encourage single-occupancy driving. Ms. Kaufman pointed out that some jurisdictions have climate action plans and targets

they have to meet for emissions and we don't think about the role parking plays. Ms. Kaufman noted COAST's support for any measure that reduce parking minimums.

The City Council expressed support for staff recommendation

Staff Speakers:

Anne Wells, Advance Planning Manager, reported the Planning Commission recommended that the New Zoning Ordinance ensure that an event receiving a special event permit from the City pursuant to Goleta Municipal Code Chapter 12.07 does not have to obtain a redundant permit pursuant to the New Zoning Ordinance. Staff is flagging this as the issue came up with Neighborhood Services and Public Safety staff and this item may be back for revision to clarify in the Goleta Municipal Code but not in the New Zoning Ordinance. You may consider adding seasonal youth leagues to the list of exemptions so that they would not need a temporary use permit and add large outdoor gatherings to the list of activities requiring a temporary use permit.

Peter Imhof, Planning and Environmental Review Director
J. Ritterbeck, Senior Planner

The City Council stated support for staff recommendation to add clarity for seasonal youth leagues and large outdoor gatherings.

Trailers and RV Parking

Staff Speakers:

Anne Wells, Advance Planning Manager, reported the Planning Commission recommended that trailers and RV parking and storage be allowed within the front and side setbacks of property along with other common sense requirements that were agreed upon by the greater Goleta RV/boating community.

J. Ritterbeck, Senior Planner

The City Council expressed support for staff recommendation

Application Vesting

Staff Speakers:

Anne Wells, Advance Planning Manager, reported the proposed New Zoning Ordinance addresses the issue of which projects will be allowed to continue using the City's existing Inland and Coastal Zoning Ordinance once Title 17 is adopted; applicants with complete applications as of September 1, 2019 have the choice of using the existing zoning or the New Zoning Ordinance. The Planning Commission did have a sunset clause of this provision of December 31, 2021. As

proposed after December 31 2021, all the projects without their land use entitlements would have to be processed under the New Zoning Ordinance, so staff noted that applications vested by virtue of a vesting tentative map would not be affected by the New Zoning Ordinance and there are several such projects. With the adoption of the New Zoning Ordinance, it affects very few applicants based on a current planning review of their case law. Staff is not seeking edits but if we could include a definition which is added into the worksheet for entitlement to add clarity.

Michael Jenkins, City Attorney
Peter Imhof, Planning and Environmental Review Director
J. Ritterbeck, Senior Planner
Andy Newkirk, Senior Planner

Public Speakers:

George Relles questioned whether you can opt for the New Zoning Ordinance or the Current Zoning Code if there's something that makes it advantageous.

April Reid spoke in support of the Sunset Clause which will help reflect Goleta's current values. Ms. Reid spoke on water moratoriums that can last for decades is the reason there should be a sunset clause as the values of the residents of Goleta can change significantly in years.

George Relles spoke in support of staff recommendation as well as the Sunset Clause.

The City Council stated support for staff recommendation for an added definition and directed staff to bring this item back to the City Council for further discussion.

Visual Resource Protection

Staff Speakers:

Anne Wells, Advance Planning Manager noted Visual Resource Protection was a request from Council members and a public comment to develop objective standards to strengthen the Visual Resource Protection regulations. Staff is recommending that you consider revisions to include a limitation on the structure height where more than 10% of the protected public view would be impacted and that would be in chapter 17.26.040. The language is summarized in your worksheet and it was included at our last public hearing on December 3, 2019. Staff is suggesting that we also include lateral views in the regulations.

Martha Miller, Consultant
J. Ritterbeck, Senior Planner

Public Speakers:

George Relles expressed concern about how the proposed language deal with something sticking up out of a building such as an air conditioner unit.

The City Council expressed support for staff recommendation

The City Council continued the public hearing to the January 21, 2020, City Council meeting.

D. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

Mayor Pro Tempore Richards reported attending a Monterey Community Powers Board meeting in Monterey, California, on December 4, 2019, and an Energy Green Issues Standing Committee meeting on December 12, 2019.

Councilmember Kyriaco received a Presidential appointment to serve on the League of California Cities Policy Committee.

Mayor Perotte reported attending a Highway 154 Safety Town Hall meeting as a Board Member of the Santa Barbara County Association of Governments (SBCAG) on December 16, 2019. Mayor Perotte announced an upcoming Elected Leaders Forum to address Homelessness on January 13, 2020. Mayor Perotte noted only two councilmembers can attend per the City Attorney. Mayor Perotte and Councilmember Kasdin will attend.

E. CITY MANAGER/STAFF REPORT

Michelle Greene, City Manager announced City hall will be closed from December 23, 2019 until January 2, 2020.

F. CITY ATTORNEY REPORT

None

ADJOURNED AT 9:47 P.M.

GOLETA CITY COUNCIL

PAULA PEROTTE,
MAYOR

ATTEST:

DEBORAH S. LOPEZ
CITY CLERK