



**SPECIAL  
CITY COUNCIL  
MEETING MINUTES  
Thursday, January 16, 2020**

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

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE.**

Mayor Pro Tempore Richards called the City Council meeting to order at 5:31 P.M., followed by the Pledge of Allegiance.

**ROLL CALL OF CITY COUNCIL**

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

**PUBLIC FORUM**

None

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None

**A. CONSENT CALENDAR**

**A.1 Development of Vehicle Miles Traveled California Environmental Quality Act Thresholds**

A. Authorize the City Manager to execute a Professional Services Agreement with GHD to develop Vehicles Miles Traveled California Environmental Quality Act Thresholds in the amount not to exceed \$159,478 with the term ending September 1, 2020; and B. Authorize an additional appropriation of \$180,478 from General Fund Unassigned Fund Balance to the Current Planning program accounts as listed in the Fiscal Impact section.

Development of Vehicle Miles Traveled California Environmental Quality Act Thresholds

MOTION: Councilmembers Aceves/Kyriaco to A. Authorize the City Manager to execute a Professional Services Agreement with GHD to develop Vehicles Miles Traveled California Environmental Quality Act Thresholds in the amount not to exceed \$159,478 with the term ending September 1, 2020; and B. Authorize an additional appropriation of \$180,478 from General Fund Unassigned Fund Balance to the Current Planning program accounts as listed in the Fiscal Impact section.

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

**B. DISCUSSION/ACTION ITEM**

**B.1 Goleta Parks, Facilities and Playgrounds Draft Master Plan**

Adopt the Goleta Parks, Facilities and Playgrounds Master Plan.

Goleta Parks, Facilities and Playgrounds Draft Master Plan

Public Comment

Staff Speakers:

Joanne Plummer, Parks and Recreation Manager, and Michael Singleton, Principal, KTU&A provided a presentation to the City Council titled "Goleta Parks, Facilities and Playgrounds Draft Master Plan," dated January 16, 2020 (presentation on file).

Michelle Greene, City Manager  
Charles W. Ebeling, Public Works Director

Vyto Adomaitis, Neighborhood Services and Public Safety Direct

Public Speaker:

Katherine Emery, Executive Director, Audubon society, Scott Cooper, Dr. Ingeborg Cox, Vic Cox and Debra Williams, Parks and Recreation Commissioner stated concerns and suggestions for the Goleta Parks, Facilities and Playgrounds Draft Master Plan.

**RECESS 8:34 P.M. - 8:46 P.M.**

MOTION: Councilmember Aceves/Mayor Pro Tempore Richards to refer  
WITHDRAWN the Goleta Parks, Facilities and Playgrounds Draft Master Plan to the Parks and Recreation Commission.

MOTION: Councilmembers Kasdin/Kyriaco to adopt the Goleta Parks, Facilities and Playgrounds Master Plan, as amended.

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

**B.2 Resolution to Provide No Parking Zone on Kellogg Avenue at Surfrider Way, and on Glen Annie Road at SCE Vault**

[Adopt Resolution No. 20-\\_\\_\\_, entitled "A Resolution of the City Council of the City of Goleta, California, Authorizing No Parking Zones on Kellogg Avenue at Surfrider Way and on Glen Annie Road at SCE Vault."](#)

[Resolution to Provide No Parking Zone on Kellogg Avenue at Surfrider Way, and on Glen Annie Road at SCE Vault](#)

[Public Comment](#)

Staff Speakers:

Charles W. Ebeling, Public Works Director, and Derek Rapp, Consultant, provided a presentation titled "Resolution to Provide No Parking Zone on Kellogg Avenue at Surfrider Way, and on Glen Annie Road at SCE Vault," dated January 16, 2020, to the City Council (presentation on file).

Public Speakers:

Jonathon Miller, Board member for the Winslowe Home Owners Association, Natalie Taylor, Jeff Wood and Tyler Long, expressed support for staff recommendation.

MOTION: Councilmembers Kasdin/Kyriaco to adopt Resolution No. 20-01, entitled "A Resolution of the City Council of the City of Goleta, California, Authorizing No Parking Zones on Kellogg Avenue at Surfrider Way and on Glen Annie Road at SCE Vault."

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

**ADJOURNED AT 9:23 P.M.**

GOLETA CITY COUNCIL

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

ATTEST:

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



**CITY COUNCIL  
MEETING MINUTES  
Tuesday, January 21, 2020**

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

**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 AT 4:00 P.M.**

**CLOSED SESSION**

Megan Garibaldi, 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 LEGAL COUNSEL - ANTICIPATED LITIGATION**

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

### **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

### **5:30 P.M. - REGULAR AGENDA**

#### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Perotte called the meeting to order at 5:35 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**

Megan Garibaldi, Attorney, reported on closed session items as follows:

### **CONFERENCE WITH LABOR NEGOTIATORS**

(Government Code section 54957.6)

Agency designated representative: City Attorney

Unrepresented employee: City Manager

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

Action: No Reportable Action.

## PUBLIC FORUM

Pat Kistler, volunteer on the Goleta Valley Community Center's Board of Directors and on the Santa Barbara County Library Advisory Committee, reported on the Goleta Valley Community Center's Outreach Plan. Ms. Kistler reported on the formation of the Friends of the Goleta Valley Community Center and the challenge of the seismic retrofit (letter on file).

## AMENDMENTS OR ADJUSTMENTS TO AGENDA

None

### A. CONSENT CALENDAR

#### A.1 Approval of the City Council Meeting Minutes of December 3, 2019 and December 17, 2019.

Approve the City Council Meeting Minutes of December 3, 2019 and December 17, 2019.

Approval of the City Council Meeting Minutes of December 3, 2019 and December 17, 2019

MOTION: Councilmembers Aceves/Kyriaco to approve the City Council Meeting Minutes of December 3, 2019 and December 17, 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 December 2019 Check Register and Investment Transaction Report

A. Accept the check register for the month of December 2019;

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

Acceptance of the December 2019 Check Register and Investment Transaction Report

MOTION: Councilmembers Aceves/James Kyriaco to accept the check register for the month of December 2019; and accept the investment transaction report for the month of December 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 Amendment No. 4 to Professional Services Agreement No. 2017-018 with Laura M. Bridley, AICP**

Authorize the City Manager to execute Amendment No. 4 to Professional Services Agreement No. 2017-018 with Laura M. Bridley for professional planning and permitting services for the Fire Station 10 project, extending the term of the agreement to June 30, 2021, and increasing the maximum contract amount by \$10,550 for a total not-to-exceed amount of \$71,210.

Amendment No. 4 to Professional Services Agreement No. 2017-018 with Laura M. Bridley, AICP

MOTION: Councilmembers Aceves/Kyriaco to authorize the City Manager to execute Amendment No. 4 to Professional Services Agreement No. 2017-018 with Laura M. Bridley for professional planning and permitting services for the Fire Station 10 project, extending the term of the agreement to June 30, 2021, and increasing the maximum contract amount by \$10,550 for a total not-to-exceed amount of \$71,210.

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. PUBLIC HEARING**

**B.1 Public Hearing to Consider Case No. 19-144-ORD: New Accessory Dwelling Unit Ordinance**

A. Adopt on a four-fifths vote Ordinance No. 20-   entitled, "An Urgency Ordinance of the City Council of the City of Goleta, California Repealing and Replacing Ordinance No. 18-01 Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA."; and B. Introduce on a simple majority vote and conduct the first reading (by title only and waive further reading) of Ordinance No. 20-   entitled, "An Ordinance of the City Council of the City of Goleta, California Repealing and Replacing Ordinance No. 18-01 Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA."

[Public Hearing to Consider Case No. 19-144-ORD New Accessory Dwelling Unit Ordinance](#)

[Public Comment](#)

Public Speakers:

Andy Newkirk, Senior Planner, provided a presentation titled New Accessory Dwelling Unit Ordinance dated January 21, 2020 (presentation on file).

Megan Garibaldi, Attorney

Peter Imhof, Planning and Environmental Review Director

J. Ritterbeck, Senior Planner

OPENED PUBLIC HEARING AT 6:14 P.M.

Public Speakers:

Kevin Barthel spoke in support of the State provisions for Accessory and Junior Accessory Dwelling Units and raised concerns about the height provisions in the City's Ordinance.

George Relles suggested looking to what other coastal cities are doing, and to lobby in conjunction with other jurisdictions. Mr. Relles pointed out the purpose for the Accessory and Junior Accessory Dwelling Units is to add more affordable housing, and raised concerns for their potential to end up as short term vacation rentals.

Andy Roteman pointed out the septic tanks are overseen by the County Environmental Health, property that is more than two acres may have a second septic system, and they would not allow an enlargement of a tank to deal with additional flow. Mr. Roteman provided an example of the City's high Accessory and Junior Accessory Dwelling Units fees as one of the reasons the State stepped in for enforcement.

CLOSED PUBLIC HEARING AT 6:39 P.M.

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to adopt Ordinance No. 20-01 entitled, "An Urgency Ordinance of the City Council of the City of Goleta, California Repealing and Replacing Ordinance No. 18-01 Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA."

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

MOTION: Councilmembers Kasdin/Kyriaco to introduce on a simple majority vote and conduct the first reading (by title only and waive further reading) of Ordinance No. 20-\_\_ entitled, "An Ordinance of the City Council of the City of Goleta, California Repealing and Replacing Ordinance No. 18-01 Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA."

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

Council provided direction to staff to return with the single story/second story issue.

## **B.2 Public Hearing to Consider Case No. 19-135-GPA: Initiation of a General Plan Amendment to Consider Amending the Streamside Protection Areas Buffer Policy, Sub-policy CE 2.2**

[Adopt Resolution No. 20-\\_\\_\\_, entitled "A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of a City-Requested General Plan Amendment to Consider Amending Conservation Element Subpolicy CE 2.2: Streamside Protection Areas."](#)

### [Public Hearing to Consider Case No. 19-135-GPA Initiation of a General Plan Amendment](#)

Staff Speaker:

Anne Wells, Advance Planning Manager  
Peter Imhof, Planning and Environmental Review Director  
Andy Newkirk, Senior Planner

OPENED PUBLIC HEARING AT 6:57 P.M.

Public Speakers:

Linda Krop, Chief Counsel of the Environmental Defense Center and on behalf of the Urban Creeks Council, and Barbara Massey spoke in support of staff's recommendation.

Dr. Ingeborg Cox spoke in support of staff's recommendation, streamside protection however suggested a 100 foot minimum creek setback, and the inclusion of climate changes and ocean rising as part of the theme. Dr. Cox raised concerns that the dumping of storm drain materials will occur at the Goleta Beach

Park and Carpinteria Beach which would impact the water and should be included in the new study.

Kevin Barthel spoke in support of staff's recommendation and suggested a 100 foot setback and keeping the creeks natural with no concrete. Mr. Barthel strongly encouraged the City Council to listen to the Environmental Defense Center's suggestions.

CLOSED PUBLIC HEARING AT 7:26 P.M.

MOTION: Mayor Pro Tempore Richards/Councilmember Kyriaco to adopt Resolution No. 20-02, entitled "A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of a City-Requested General Plan Amendment to Consider Amending Conservation Element Subpolicy CE 2.2: Streamside Protection Areas."

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

### **B.3 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 a public hearing in February 2020.

Staff hand out

Public Comment

Adoption of the New Zoning Ordinance

Staff Speakers:

Anne Wells, Advance Planning Manager, noted this hearing is a continuation of the November 5, 2019, December 3, 2019 and December 17, 2019 Public Hearings on the adoption of the New Zoning Ordinance and provided a recap of those meetings. The City Council previously provided direction on 8 items and tonight staff seeks direction from the City Council on the remaining and new

issues such as the public comment (written and oral), and issues identified by staff including: Office Districts/Business Park, Fences; Freestanding Walls, and Hedges; Nonconforming Structures; Mobile Vendors; Accessory Dwelling Units; Substantial Conformity Determination; Airport Overlay and Exempt Signs.

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

#### Public Speakers:

Ben Calo, Hanson Aggregates, commented on Hanson Aggregates, a 60 year old ready mix concrete plant located at 50 S. Kellogg Avenue and reported he submitted a letter to the City Council on January 3, 2020 requesting the City Council include language that would allow the longstanding business to modernize and remain in business for many more years. The letter suggested language that would allow for the replacement of structures and equipment that are non-conforming as to the height as long as there is not increase to the height size or capacity, and that the City revert to the height limit of 35 feet as in the current Zoning Code, and allow for equipment to extend beyond 45 feet which would allow flexibility for future modifications. The facility modernization Hanson Aggregates is seeking to accomplish would allow for new equipment that is easier to maintain, cleaner, and would reduce emissions. The height of a concrete plant is a necessary design feature therefore Hanson Aggregates would be unable to set up a concrete plant according to the New Zoning Ordinance height limit. Hanson Aggregates is seeking to modernize in a way necessary to continue operating and which would be prohibited under the new ordinance (letter on file).

Ginger Anderson, Stantec, suggested extending the vesting and sunset dates in the New Zoning Ordinance and noted the dates should start at certification or adoption and then move out three to five years. Ms. Anderson commented on the Streamside Protection Areas and recommended simple language and that the management plan is warranted. Ms. Anderson pointed out that there is County ordinance language regarding equipment that is specific to this Hanson Aggregates site and that the language would be a simple carryover.

Jason Chapman expressed support of the parking credit in Old Town Goleta and the in lieu fee, and provided the scenario that if you were to build Old Town with the current parking requirements it wouldn't be possible. Mr. Chapman pointed out that the lack of surface parking makes Old Town more walkable and accessible. Mr. Chapman questioned the increase to parking spaces for one bedroom/studio apartments, noting that this type of housing is important for the workforce and is being built in places that are amenable for walking, biking and taking transit and this should be encouraged as a way to meet housing goals. Mr. Chapman pointed out that the space needed for two parking spaces is the equivalent of the space needed for one studio apartment. Mr. Chapman concluded that we need to plan for transit, walking and biking, and if we building for parking, walking or driving

that's what people are going to do and recommended the City Council consider reducing the studio and one bedroom parking minimums.

April Reid commented that if parking is limited, it will not decrease cars people have, however it will take the problem and increases it into the community. Ms. Reid noted every household in her community has three or more cars. Mrs. Reid pointed out there was a compromise at the last City Council meeting that was sufficient which included buses and electric cars. Mr. Reid recommend a separate clause for Old Town Goleta for parking and a sunset clause because we are still using old zoning ordinances.

Anne Wells, Advance Planning Manager reported all documents related to this item, and public comment, including the errata sheet are available online and at [goletazoning.com](http://goletazoning.com). Ms. Wells commented an errata sheet would be prepared including a strikethrough version of the New Zoning Ordinance once the City Council's input is received. Ms. Wells noted public comment was received from Hansen Aggregates, Item B.12, and requested flagging this item because there is additional information.

Staff provided a presentation to the City Council titled "Public Hearing Draft New Zoning Ordinance," dated January 21, 2020 (presentation on file).

### **Office Districts (Business Park)**

#### **Staff Speakers:**

Anne Wells, Advance Planning Manager noted General Plan Land Use Element policy 4.2 supports indoor activities in Business Park areas, outdoor storage, processing, manufacturing, and vehicle repair, also known as outdoor storage is prohibited in the General Plan in the Business Park Designation. Ms. Wells noted staff is flagging this as the New Zoning Ordinance does not include this prohibition in Business Parks and recommended that adding the prohibition to the New Zoning Ordinance to be consistent with the General Plan that would be prohibiting those outdoor storage type activities in Business Parks.

J. Ritterbeck, Senior Planner  
Andy Newkirk, Senior Planner

#### **Public Speakers:**

Kevin Barthel, spoke in opposition to staff's recommendation noting that many business that have been in Goleta for decades will no longer be able to function under the Outdoor Storage banning in Business Parks.

The City Council expressed support for staff recommendation.

## **Fences, Freestanding Walls, and Hedges**

### **Staff Speakers:**

Anne Wells, Advance Planning Manager reported on fences, free-standing walls and hedges with a focus on the hedges. The current zoning code does not regulate hedge height. The proposed New Zoning Ordinance does and it treats them similarly to fences and walls within Section 17.24.090. Ms. Wells reported that there's no amortization period in the proposed New Zoning Ordinance that would force Hedges into compliance with the New Zoning Ordinance standards and staff is recommending the addition of a 3-month sunset provision for non-conforming Hedges to ensure that that these not confirming Hedges would be brought into compliance with the New Zoning Ordinance.

J. Ritterbeck, Senior Planner

Andy Newkirk, Senior Planner

Peter Imhof, Planning and Environmental Review Director

### **Public Speakers**

Gulcin Dagli spoke in support of staff's recommendation to limit hedge height. Ms. Dagli noted her two story house is overwhelmed by her neighbor's hedges commenting that the hedges block their view, sunlight and is a source of dust.

Connie Cornwell spoke on an unfriendly neighbor that will not maintain their hedges and expressed support for staff's recommendations on hedge height and amortization.

The City Council expressed support for staff recommendation regarding hedges.

Kevin Barthel spoke in opposition to the proposed ban on chain link fences.

Dr. Ingeborg Cox noted many residents will have to undergo a lot of monetary expenditure to replace chain link fences which she noted are common in Goleta.

Cecilia Brown noted chain link fences come in many shapes and sizes and suggested the City Council create a more defined definition of a chain link fence within the proposed New Zoning Ordinance.

George Relles echoed Cecilia Brown's comments noting that "chain link fences" needs to be defined better as fences can come in many shapes, sizes and colors.

The City Council expressed support for staff recommendation with the exception of the proposed ban on chain link fences, City Council directed staff to bring that item back to a future meeting.

## **Nonconforming Uses and Structures 17.36.020**

### **Staff Speakers:**

Anne Wells, Advance Planning Manager reported on the establishment of nonconformity, chapter 17.36 establishes provisions for the regulations of non-conforming uses and structures that were lawfully permitted before the adoption of the New Zoning Ordinance, this chapter also establishes affirmative termination provisions for nonconforming uses to bring the non-conforming properties into compliance with the New Zoning Ordinance while balancing property owners legal rights, it allows for the short-term continuation of nonconformity until they are removed but not encourage their perpetuation. There are exemptions such as hedges and outdoor storage. The proposed New Zoning Ordinance requires unpermitted non-conformities to come into compliance within 90 days and as staff has been assessing the draft we believe that the 90-day timeline will be challenging for many uses and structures and as such staff recommends the removal of the 90-day permit timeline for unpermitted non-conformities and instead rely on enforcement to state the process for resolving any non-conformities.

J. Ritterbeck, Senior Planner

The City Council stated support for staff recommendation.

## **Nonconforming Uses and Structures 17.36.050**

### **Staff Speakers:**

Anne Wells, Advance Planning Manager report on item B.12 relating to non-conforming uses and structures section 17.36.050, limiting the ability to reconstruct a nonconforming structure that has been damaged or partially destroyed by fire, flood, earthquake or other natural disasters. Property owners are allowed to repair these non-conforming structures also a non-conforming structure that was partially destroyed by a natural disaster may be restored or rebuilt if the cost doesn't exceed 75% of the replacement cost and that's determined by the building official. In the desire to avoid perpetuating these non-conforming uses, if the cost of the repair or reconstruction of the non-conforming building or structure exceeds 75% of the replacement cost of the land and the building would be subject to the New Zoning Ordinance and so staff has a couple things to flag here the first is a change in the section to address Government Code Section 6585 2.25, this section of the government code prohibits the city from preventing the reconstruction of multi-unit dwellings. This change would include the addition of a special provision to allow rebuilding non-conforming multi-unit dwellings per the Government Code and we also think that if we're going to do multi-unit dwellings that adding and single-unit dwellings for consistency purposes would be prudent.

The City Council stated support for staff recommendation

Anne Wells, Advance Planning Manager reported on the second part of B.12. Ms. Wells noted staff received a comment letter from Hanson Aggregate requesting the City Council reconsider the language restricting their ability to replace their industrial facility equipment for a land use designation in a zoning district that is conforming. The issue is the structure I question is non-conforming. When staff looks at the request and the New Zoning Ordinance that the course of action would be for the applicant to seek a development plan where they could get possibly obtain a discretionary permit where they could get heights that would work for their industrial facility.

The City Council stated support for staff recommendation

Public Speakers:

Ginger Anderson, Stantec Consultants Inc. spoke in support of Hansen Aggregates' request to replace equipment on their facility. Ms. Anderson pointed out that because Hansen Aggregates is not repairing and maintaining but replacing, the facility is not protected under the legal non-conforming definitions anymore and suggested the City consider the language that was put into the County's ordinance for this specific facility in order to let a long standing business continue on the site that it's been located at for decades. Ms. Anderson pointed out the equipment is more modern and better for the environment.

Cecelia Brown warned that through a discretionary review process the Hansen Aggregate equipment replacement could go to the Planning Commission and they could deny it and would have to come back to the City Council on appeal.

Ben Calo, Hanson Aggregates, requested they be provided with the exact pathway and language as they are trying to keep their business in place that has stood for decades. Mr. Calo noted Hansen Aggregates is the only Union concrete plant in the County.

The City Council expressed support for staff recommendation regarding the Hanson Aggregate facility.

## **Mobile Vendors**

Staff Speakers:

Anne Wells, Advance Planning Manager, reported on Mobile Vendors within chapter 17.41.190 of the New Zoning Ordinance and it includes new regulations for mobile vendors including food trucks when they're located on private property. These new standards include when mobile vendors need a temporary use permit and provide certain limitations and restrictions on their operation, it provides standards to be exempt from the New Zoning Ordinance otherwise a permit is needed. Staff recommends a revision to remove the vendor limit at events

receiving a special event permit and to revisions to clarify County department names and then council could also consider removing the 300 foot separation from similar uses requirement in the New Zoning Ordinance.

Winnie Cai, Assistant City Attorney

Peter Imhof, Planning and Environmental Review Director

Michelle Greene, City Manager

**MOTION:** Councilmembers Aceves/Kyriaco to take the mobile vendor regulations out of the New Zoning Ordinance and refer staff to create a business license specifically for mobile vendors, and to hear both arguments for this issue to be within the zoning ordinance or as a business license.

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

### **Accessory Dwelling Units**

Staff Speakers:

Peter Imhof, Planning and Environmental Review Director reported that staff is going to be incorporate the Accessory Dwelling Units in the New Zoning Ordinance that was previously adopted this evening. Mr. Imhof also respond to a public comment regarding Substantial Conformity Determinations that suggested they should be appealable, noticed and that the City should add in a trigger that takes it to a higher level of permit and an amendment if there is substantial controversy. Staff supports those changes that came through public comment and recommend those changes be integrated into the New Zoning Ordinance

Public Speakers:

Cecilia Brown and Barbara Massey spoke in support of staff recommendation.

The City Council expressed support for staff recommendation.

### **AE Airport Environs Overlay District**

Staff Speakers:

Anne Wells, Advance Planning Manager reported on the Airport Overlay District in the General Plan Safety Element which requires an airport overlay noting there's 5 related policies that address overlay requirements including requiring consistently with the Airport Land Use Plan which is also required by state law. Based on public comment, staff revised overlay language for Council's considerations which are eliminate the redundant requirement to consult with the Airport Land Use Commission staff and the Santa Barbara Airport staff and add the word "new" before "uses" in subsection 17.16.040 C to ensure that existing uses do not become non-conforming.

Andy Newkirk, Senior Planner  
Peter Imhof, Planning and Environmental Review Director

Public Speakers:

Dr. Ingeborg Cox expressed concern with certain items and titles being altered or deleted.

The City Council expressed support for staff recommendation

### **Exempt signs**

Staff Speakers:

Anne Wells, Advance Planning Manager, reported on the exempt sign section which reads noncommercial speech signs on residential uses may be no larger than 4 feet by 6 feet. There's no limit on the number of such signs, additionally protected noncommercial speech signs on commercial uses may not be higher than 6 feet and the signs may not total more than 25 feet cumulatively. Public comment expressed concern that the non-residential uses get more area. Staff is flagging this item for Council because the residential use signage is not cumulative so theoretically you can have an infinite number of square feet in area so long as no sign is greater than 6 square feet. This would ensure that there's no large signs on residential properties where the larger size might be more acceptable on commercial properties. Staff doesn't think that any changes are necessary.

Martha Miller, Consultant

Public Speakers:

George Relles suggested that commercial, residential and agriculture be held to the same sign standards.

The City Council directed staff to bring this item back to a later meeting.

### **C. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS**

Councilmember Aceves reported he would attend a tour of the Southern California Edison's Emergency Center on January 24, 2020 in Irwindale.

### **D. CITY MANAGER/STAFF REPORT**

None

**E. CITY ATTORNEY REPORT**

None

ADJOURNED AT 10:18 P.M.

GOLETA CITY COUNCIL

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

ATTEST:

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