

## David Cutaia

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**From:** David Cutaia  
**Sent:** Tuesday, September 07, 2021 8:29 AM  
**To:** David Cutaia  
**Subject:** FW: Agenda item B3, public hearing comments Sept. 7, 2021 Title 17 Zoning Amendments Ordinances

**From:** Victor Cox <[vic.cox.freelance@gmail.com](mailto:vic.cox.freelance@gmail.com)>

**Date:** September 6, 2021 at 8:47:21 PM PDT

**To:** Deborah Lopez <[dlopez@cityofgoleta.org](mailto:dlopez@cityofgoleta.org)>

**Subject:** Agenda item B3, public hearing comments Sept. 7, 2021 Title 17 Zoning Amendments Ordinances

To: Deborah Lopez, for Mayor Perotte and all Councilmembers; plus Ms. Ann Wells, Andy Newkirk, and Director Peter Imhof

From Vic Cox

Something is wrong when City staff proposes 9-10 pages of changes to the New Zoning Code less than a year after Council passed the Codes and even had a follow-up "cleanup session". Maybe the City went too fast the first time? It seems to me that once again Council is being asked to approve vague and ill-considered Code changes under the banner of "streamlining" operations. The process is not in line with public transparency and should be slowed to another date.

More importantly where is the public in this discussion? Why are these changes not being analyzed and hashed out in the open instead of the restricted arenas of televised Council and Commission meetings?

Yes, I know the pandemic continues in California but a little creative thinking could broaden the bases of community involvement. We might use the Community Center, cleaned and sanitized, for a series of sessions that lay out the pluses and minuses of these ordinance changes. And I think there are positive points for some changes.

But there are also more omissions and negatives, too. For example, the lithium battery compound under construction off Storke Ave. is an unwise location for such a potentially hazardous operation. Making it even more menacing are the three-story towers surrounding it, assuming they are to be apartments. An uncontrolled fire would be a community disaster, and apparently no ordinance prohibits such risky ventures.

Examples of other unintended consequences are the added powers given to the Planning Director position. Will consolidated access open local government or close it down? We cannot know at this point but the later seems most likely.

Whatever the intent maybe there is no good reason to chuck the system of checks-and-balances that is the foundation of American government. Remember the chief justification for local government as well as for these changes: "**The amendments are in the interests of the general community welfare.**"

Thank you for considering these points.

## David Cutaia

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**From:** David Cutaia  
**Sent:** Tuesday, September 07, 2021 8:29 AM  
**To:** David Cutaia  
**Subject:** FW: Agenda Item B3 September 7, 2021 Title 17 (Zoning) Amendments Ordinance  
**Attachments:** City Council Item B3 Sep.7, 2021.docx

**From:** Inge Cox <[docoxie@gmail.com](mailto:docoxie@gmail.com)>  
**Date:** September 7, 2021 at 12:04:02 AM PDT  
**To:** Deborah Lopez <[dlopez@cityofgoleta.org](mailto:dlopez@cityofgoleta.org)>, Paula Perotte <[pperotte@cityofgoleta.org](mailto:pperotte@cityofgoleta.org)>, Stuart Kasdin <[skasdin@cityofgoleta.org](mailto:skasdin@cityofgoleta.org)>, Kyle Richards <[krichards@cityofgoleta.org](mailto:krichards@cityofgoleta.org)>, Anne Wells <[awells@cityofgoleta.org](mailto:awells@cityofgoleta.org)>, Andy Newkirk <[anewkirk@cityofgoleta.org](mailto:anewkirk@cityofgoleta.org)>, James Kyriaco <[jkyriaco@cityofgoleta.org](mailto:jkyriaco@cityofgoleta.org)>  
**Subject:** Agenda Item B3 September 7, 2021 Title 17 (Zoning) Amendments Ordinance

Dear Ms. Lopez:

Please see attached my comments for Goleta City Council meeting of September 7, 2021 Agenda Item B3 " Title 17 (Zoning) Amendments Ordinance".

Please make my comments part of the record for this Item.

Thank you for your consideration.

Sincerely yours,  
Ingeborg Cox MD,MPH

September 6, 2021

To: Deborah Lopez, Mayor Perotte, Mayor Pro Tem, City Councilmembers, Ms. Anne Wells, Andy Newkirk, Peter Imhof, Planning and Environmental Review,

RE: Agenda Item B3 Public Hearing September 7, 2021  
Title 17 (Zoning) Amendments Ordinance

From: Ingeborg Cox MD, MPH

On March 3, 2020, City Council adopted Title 17 (Zoning) of the Goleta Municipal Code; it became effective on April 3, 2020. Why is the written format of this document not available in the Goleta Public Library?

Why was Title 17 approved if it seems that “clean-up” items to “Title 17” continue to appear?

Noticing via mail or via e-mail about something that will happen near a property is the first thing the City should do for the parties that will be affected. That means the immediate neighbors.

Tenants should also have a voice. Please do not remove the reference to tenants and limit notification to only property owners. Why exclude someone just because they are renters?

In the Drawing/Illustration dated 12/2/2020 Quote Number 697-119170BS done for the City of Goleta by “Play & Park Structures”, there is a “**walkway 90 feet in length and four feet wide. Must meet ADA standards.**” It starts at Calle Real. Where this walkway is being planned it appears too close to 3-4 majestic trees that have been in the Winchester II Open Space for more than 40 years.

Under definition of “**Setbacks**” why does the **proposed drawing not show** any “Setback Numbers”? The setbacks in the “adopted” drawing show 3 (three) feet. What is the front setback?

The property line in this instance is where the STORM DRAIN of the City may be located and as stated in prior letters, it runs along the eastern wall of the park and the backyards all the way to Bradford.

You can also read at the bottom of the drawing: **IMPORTANT:** Never install play equipment over hard, unresilient surfaces such as asphalt, concrete or compacted earth. It is the **owner’s responsibility to ensure the “minimum area required”** contains an appropriate amount of resilient material to cushion accidental falls”.

I assume the owner of Winchester II Open Space is the City of Goleta.

It appears that the “Director” who is an employee of the City of Goleta, has ample discretion in interpreting the three situations on the slide of Title 17 “Director Determinations”.

He alone can determine whether a specific, unlisted use may be permitted. Does he also decide where is the zoning boundary in a dispute? (MORE)

Who is the Zoning Administrator? If it is the “Director” then is he partly taking over the duties of the Design Review Board? The Zoning Administrator should not be involved in the Design Review Board. Why is the City changing this part of the process?

Also, on the slide of Zoning Exemptions for **ADA Improvements** it states: “Currently require consideration of underlying approvals, such as Development plans, on project site.”

We have been requesting such plans for a long time and still have not seen them. Please do not approve “Streamline processing”.

Why are you deleting: “Cultural, oak tree and others from subsection 17.29.020 (B) (1)?

Somewhere tree root zones need to be protected if Title 17 does not do that now.

**To “Grub”**, according to the Webster Dictionary, is: to dig; clear of roots, stumps etc. another definition offered is to dig up by the roots; uproot (often fol. by up or out).

Why does staff want to redefine grubbing? It is stated that cutting down a tree is included in grubbing, even though the tree may not be uprooted at the same time or have its stump ground out at a later time. BUT that is NOT the definition in the Dictionary.

Cutting down a tree that is part of an Open Space or park should only be done if the tree is sick and the arborist has stated it needs to go, because it will fall.

Trees improve air and water quality. Reduce water needs, help recharge the groundwater, reduce soil erosion and keep the area cooler.

Shouldn’t the area where this walkway is being built for persons with disabilities be graded correctly and free of underground roots?

Thank you for your consideration.