



**UNAPPROVED  
PLANNING COMMISSION MINUTES  
MONDAY, DECEMBER 10, 2007**

6:00 P.M.  
City Hall  
130 Cremona Drive, Suite B  
Goleta, California

***Members of the Planning Commission***

*Edward Easton, Chair  
Kenneth Knight, Vice Chair  
Brent Daniels  
Doris Kavanagh  
Julie Kessler Solomon*

*Patricia Miller, Secretary  
Linda Gregory, Recording Clerk*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

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

**ROLL CALL OF PLANNING COMMISSION**

Present: Planning Commissioners Easton, Kavanagh, Knight, and Solomon.  
Absent: Planning Commissioner Daniels.

Staff present: Planning Commission Secretary/Current Planning Manager Patricia Miller, Legal Counsel Scott Porter, Director of Planning and Environmental Services Steve Chase, and Recording Clerk Linda Gregory.

**PUBLIC FORUM**

No speakers.

**AMENDMENTS OR ADJUSTMENTS TO AGENDA**

None.

**A. ADMINISTRATIVE AGENDA**

**A.1 Planning Commission Minutes for November 13, 2007.**

MOTION: Vice Chair Knight moved/Commissioner Kavanagh seconded to approve the Planning Commission Minutes for October 8, 2007, as submitted.  
VOTE: Motion approved by a unanimous voice vote.

## **B. DISCUSSION ITEMS**

### **B.1 General Plan Amendment Work Program – Status Update.**

Recommendation:

Receive report and provide comment.

Documents: 1) Goleta General Plan Amendment Work Program (Tracks 2 and 3), with columns: “Author/Letter #”, “Policy Number”, “General Plan Text”, “Proposed Change”, “Track”, “Author’s Rationale”, and “Action”. 2) Goleta General Plan Amendment Work Program (Tracks 2 and 3), with Columns “General Plan Text”, “Proposed Change”, and “Rationale”.

**STAFF SPEAKERS:**

Director of Planning and Environmental Services Steve Chase  
Current Planning Manager Patricia Miller  
Legal Counsel Scott Porter

Director of Planning and Environmental Services Steve Chase made a staff presentation and discussed the next steps in the General Plan Amendment Work Program. He reported that a public hearing of the City Council has been set for January 17, 2008, at 6:30 p.m., to consider whether to continue to process all 80 proposed amendments of original interest to the City or to refine the list based on what was learned through the workshop process along with the day-to-day application of the General Plan which is now one year old. He stated that at this time the anticipated timeframe would be to conduct Planning Commission public hearings in April, 2008, regarding those items that are determined not to need further environmental analysis, documentation and public review, followed by City Council hearings in the April timeframe. He said that Planning Commission hearings would be held tentatively in September, 2008, regarding those items that will need environmental review, followed by City Council hearings in the September timeframe.

Director of Planning and Environmental Services Steve Chase stated that the handout document entitled “Goleta General Plan Amendment Work Program (Tracks 2 and 3)” lists the 80 proposed city initiated general plan amendments that have been suggested by staff after condensing information from letters received by the City last winter through early spring. He stated that staff is currently conducting an assessment of each of the 80 proposed amendments which will result in a set of worksheets that will indicate staff’s recommendation for each of the policies that will include each policy’s stated objective, the existing text, the proposed amendment, the author/letter#, author’s rationale, feedback from the workshops both specific and generic, lessons learned, further considerations, CEQA considerations, staff recommendation, staff rationale, and recommendation regarding the processing path. As part of this assessment, he said that staff is reviewing information received from the seven workshops held in September and October of 2007, which includes notes, dialogue, comment forms, letters and television tapes. He said that staff is working with the City’s environmental consulting firm, Jones and Stokes, to determine where each proposed amendment fits regarding CEQA requirements. He stated that other

considerations being utilized during the assessment process include applying the current planning cases to the existing plan for the past year, legal analysis, the experience of staff in other jurisdictions, and staff's professional training. He noted that when a recent project was reviewed, the Village at Los Carneros, there were some changes made and there were lessons learned that will be applied to the analysis.

Director of Planning and Environmental Services Steve Chase stated that the worksheets with the results of the staff assessment will be available tentatively on December 19, 2007, nearly one month prior to the hearing in January, which will allow for public review and an opportunity for any interested parties to discuss the information with staff.

Director of Planning and Environmental Services Steve Chase stated that he read the adopted General Plan when he joined the City in September 2006, and has worked with the plan over the last fifteen months and attended the workshop process. He commented that from his perspective he still believes it is a very good plan but it needs some improvements in some areas which he thinks can be addressed through this General Plan Amendment Work Program process.

Vice Chair Knight stated that a lot of good information has been provided by staff. He requested that staff comment regarding the role of the Planning Commission.

Director of Planning and Environmental Services Steve Chase stated that the Planning Commission will review those items of the 80 initiated amendments that will need further environmental analysis, documentation and public review.

Current Planning Manager Patricia Miller clarified that the zoning code requires that the Planning Commission shall make the recommendation for final action.

Commissioner Solomon requested that staff comment regarding whether there would be a point when the process would not be open for additional amendments.

Director of Planning and Environmental Services Steve Chase clarified that the General Plan can be amended no more than four times per year by the City Council. He also stated that a private applicant may seek to amend the plan at any point in time and that the City Council would determine whether the amendment would be processed. He further discussed the process for initiating general plan amendments which he said is somewhat complicated because when an amendment is considered, the analysis needs to include how the amendment would affect the entirety of the plan.

Current Planning Manager Patricia Miller stated that it is likely there will be a need to schedule extra meeting dates during the process and that staff will check with the Commissioners regarding their availability at the meeting prior for a special meeting. She said that extra meeting dates will be reserved for February and March, with the fourth Monday of the month being the probable first choice.

## B.2 Draft Planning Commission Procedures

Recommendation:

Review and provide comment for adoption by resolution at a later Planning Commission meeting.

STAFF SPEAKERS:

Director of Planning and Environmental Services Steve Chase

Current Planning Manager Patricia Miller

Legal Counsel Scott Porter

Current Planning Manager Patricia Miller stated that the purpose of this item is for the Planning Commission to review the Draft Planning Commission Procedures and provide comment for adoption by resolution at a later Planning Commission meeting. She said that staff recommends the following changes to the Draft Planning Commission Procedures document: 1) Staff will review the resolution adopted by the City Council regarding rules of conduct for meetings and will add items that are not included in the Planning Commission document which will be identified for review, primarily regarding decorum with regard to both the Planning Commission and persons addressing the Commission. One item the Planning Commission may consider discussing is the City Council provision that a vote would be held regarding whether to continue the meeting past ten o'clock p.m. 2) Attachment B to the Draft Planning Commission Procedures, which is the Rosenberg's Rules of Order (League of California Cities, 2003), shall be removed because if the Rosenberg's Rules were an attachment it would be expected they be followed exactly, which is not a requirement. She said that copies of Rosenberg's Rules of Order will be distributed and made available for informational purposes.

Chair Easton reported that on December 3, 2007, the City Council elected a Chair and Vice Chair for the Planning Agency, which may need to meet, if needed, regarding any projects that were originally reviewed by the Planning Agency prior to the establishment of the Planning Commission for the purpose of continuity.

The Planning Commission reviewed the City of Goleta Draft Planning Commission Procedures, Planning and Environmental Services, December 2007, document.

2.0 Authority Under State Law, 65103 Planning Agency Functions (c): Vice Chair Knight commented that it would be helpful to understand the role of the Planning Commission under State Planning and Zoning Law, Government Code Section 65103, with regard to the annual review of the capital improvement program of the city or county and the local public works projects of other local agencies for their consistency with the general plan. He requested consideration of a process for the Planning Commission to schedule and review these programs and projects in order to give these items the attention they deserve before the capital improvement program has been completed and gone through the budget process.

2.0 Authority Under State Law, 65103 Planning Agency Functions (f): Vice Chair Knight commented that he is interested in making sure that the City's plans are

coordinated with other public agencies, particularly UCSB because its Long Range Development Plan will have a profound impact on the City. He suggested that the Planning Commission's long-term planning schedule include discussion items to consider other agencies' plans regarding what would be appropriate to address and possibly make suggestions or recommendations to these agencies as a deliberative body.

Current Planning Manager Patricia Miller stated that staff will identify local plans and programs that may impact the City and advise regarding which items would be appropriate for discussion by the Planning Commission.

Chair Easton said that there has been discussion regarding a presentation from UCSB representatives of its Long Range Development Plan.

**SPEAKER:**

Barbara Massey, Goleta, requested that the provision in Section 5.1 Agendas be changed to require a five-day minimum for posting agendas for Planning Commission meetings which would replace the provision that meeting agendas shall be posted at least 72 hours in advance of a Planning Commission meeting. She expressed concern that when agendas are posted on Friday before a meeting on Monday, there is not enough time for the public to read the agenda and determine whether they need to attend the meeting. She commented that the 72-hour requirement does not provide the openness she would hope Goleta would want to indicate.

Chair Easton stated that he will request during discussion of Section 7.2 Staff Reports that the agendas be available at the same time when the packets are available, at least one week in advance.

Current Planning Manager Patricia Miller clarified that the agenda materials are made available to the public as soon as the agendas are posted on the City's website and the Planning Commissioners have been notified by staff that their packets are ready to be picked up, which is an administrative procedure. She recommended that the 72-hour posting requirement be retained because it complies with State law. She said that staff strives to provide the packets in a range from seven to ten days prior to the meeting. She stated that generally the packets would be ready seven days prior, if there are substantive items that require study, and ten days prior to the meeting when environmental documents are included; however there is a need for some flexibility.

Legal Counsel Scott Porter stated that the State law allows for posting an agenda at least 24 hours in advance of a Special Meeting. He recommended that the 24-hour requirement be added to Section 5.1 Agendas to provide for this ability if there is a need for an item to be considered at a Special Meeting.

Section 5.1 Agendas: By consensus, the Planning Commission directed that language be added to the Draft Planning Commission Procedures, Section 5.1 Agendas, to provide that meeting agendas shall be posted at City Hall at least 24 hours in advance of a Special Meeting of the Planning Commission.

Section 6.2 Public Hearing Procedures, Section 6.3 General Rules for Those Providing Testimony: Legal Counsel Scott Porter stated that the outlines recommended by staff in Section 6.2 and Section 6.3 are a good summary of public hearing procedures that he strongly encourages, some of which are required for legal reasons. He clarified that there is not a requirement for the City to codify any particular rules regarding public hearing and public testimony.

Commissioner Solomon commented that procedures that have been used by the Planning Commission generally followed the outlines in 6.2 Public Hearing Procedures and 6.3 General Rules for Those Providing Testimony, and tend to be working fine.

Chair Easton requested that staff comment regarding whether ex-parte conversations need to be reported regarding matters that are related to the general conduct of the Commission as well as matters related to public hearings.

Legal Counsel Scott Porter stated that the purpose for reporting ex-parte conversations relates to public hearings to allow people to rebut evidence that has been presented for the administrative record and that there is not a requirement to report conversations that generally relate to non-administrative hearings or legislative action in general.

Section 6.3 General Rules for Those Providing Testimony: Current Planning Manager Patricia Miller commented as a point of information that generally people providing testimony are encouraged to submit Speaker Slips so the comments and names are properly recorded in the meeting minutes; however, there is not a legal requirement to fill out the slips.

Section 7.2 Staff Reports: By consensus, the Planning Commission directed that the language be changed in the second sentence of the second paragraph in Section 7.2 Staff Reports, to read: "Packets are generally available at least seven days prior to the meeting."

Chair Easton commented that changing the language from "generally available a week prior" to "generally available at least seven days prior" in Section 7.2 Staff Reports would provide for a requirement that is more tight.

Current Planning Manager Patricia Miller stated that new language in Section 7.2 Staff Reports will allow for some flexibility in some instances that are not under staff's control.

Vice Chair Knight encouraged that any fiscal analysis include as part of the analysis any recommended changes to work programs or implementing procedures within the City that might require a fiscal allocation in order to proceed. He said that these fiscal impacts should be taken into consideration particularly with regard to affordable housing because the impacts are critical when dealing with long-term projections of affordability.

Planning Commissioner Solomon commented that there may be expenses involved with additional research or additional consultants and that it would be helpful from a decision-making standpoint to see the fiscal impacts these actions have on the City.

Current Planning Manager Patricia Miller provided a brief overview of the fiscal analysis process for public projects and stated that generally fiscal information could be provided if not included in the staff report. She said that with regard to private projects, fiscal analysis may not always be required by CEQA but there may an opportunity to review some fiscal information.

Section 7.3 California Environmental Quality Act Requirements: Chair Easton requested that staff comment on how information will become available regarding State legislative and administrative requirements related to greenhouse gas emissions and global warming.

Director of Planning and Environmental Services Steve Chase stated that greenhouse gas emissions and global warming will be a keynote issues at the League of California Cities Planners Institute to be held March 26-28, 2008, and that staff is anticipating that more definitive information and guidance will be provided by that time.

Section 7.6 Recommendation to City Council: Vice Chair Knight commented that he believes it would be a good procedure to have a representative from the Planning Commission attend a City Council meeting when there is a recommendation to the City Council, in the event there are questions, although it may not be necessary to add this procedure as a requirement in Section 7.6. He said that having a representative at a City Council meeting would also be useful in terms of feedback information regarding the City Council's action.

Current Planning Manager Patricia Miller stated that there are no requirements in the Ordinance Relating to the Establishment of the Planning Commission that a member shall be designated to attend a City Council meeting and defend the decision or recommendation of the Planning Commission; however it would be useful for a member to be available in the event there are questions.

Current Planning Manager Patricia Miller stated that staff will make the following changes to the Draft Planning Commission Procedures and return the item on the agenda in January or February, 2008, for further review: 1) Incorporate changes as directed by consensus of the Planning Commission to Section 5.1 Agendas and Section 7.2 Staff Reports. 2) Add appropriate procedures from the City Council resolution that are not included in the Draft Planning Commission Procedures. 3) Remove Attachment B, Rosenberg's Rules of Order.

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

Director of Planning and Environmental Services Steve Chase stated that all of the Planning Commissioners are strongly encouraged to attend the Planners Institute sponsored by the League of California Cities in Sacramento, March 26-28, 2008, which he said will be an excellent opportunity for planning commissioners, planning directors, and planning staff to learn the latest information about the major planning and land use issues facing cities.

**D. PLANNING COMMISSION COMMENTS**

Chair Easton said that he will be attending the City Council hearing on December 17, 2007, not as a representative of the Planning Commission but to observe the public hearing process regarding the Izzo appeal to the Planning Commission denial of the DRB approval of the project at 7295 Butte Drive.

**E. ADJOURNMENT: 7:17 P.M.**

Prepared by Linda Gregory, Recording Clerk

GOLETA PLANNING COMMISSION