

Attachment K

Applicant's Request for Adjustment to Development Standards
(Rear Setback for Trash Enclosure)

Brian Hiefield

From: Steve Fort <stevef@sepps.com>
Sent: Thursday, October 01, 2020 10:20 AM
To: Brian Hiefield
Cc: Steve Ekegren
Subject: RE: Trash Enclosure Regs - Kellogg Auto Square

Brian

Please accept this email as a request for an adjustment to a development standard, per Section 17.59.040 Adjustment to Development Standards of the City of Goleta Zoning Ordinance. Specifically, the applicant is requesting a required 10-foot rear yard setback be adjusted to 5-feet for the proposed City required trash enclosure at the Toyota dealership. The trash enclosure is proposed to be 5 feet from the proposed property line between the Toyota and Nissan dealerships. The Toyota Development Plan case number is 19-074-DP. The parcel map case number that will create the subject lot line is 19-072-TPM.

Justification for the adjustment is as follows. The subject lot line, while technically a rear lot line as described in the City Zoning ordinance due to the configuration of the Toyota lot and Hollister and South Kellogg Avenues, will effectively serve as a side yard between the Toyota and Nissan dealerships. The applicant notes that there is no required side yard setback in the OT zone. Regardless, The adjustment is justified and consistent with the intent of applicable General Plan policies, notably polices related to Streamside Protection Areas (SPA) and commercial land uses.

The ideal location for the trash enclosure would likely be along the westerly property line but the applicant is prohibited from proposing such a location due to the SPA. The proposed location is outside the SPA and is located so as to generally not to be seen from Hollister or South Kellogg Avenues (behind buildings and automobile inventory). There is practically no location for a trash enclosure outside the SPA that would be less visible than where it is currently proposed. Note DRB has granted the project Preliminary approval.

The adjustment is also consistent with the following provisions of the General Plan Land Use Element:

Goal 1 Guiding Principles and Goals – *“Ensure that the amounts, locations, and characteristics of new development are determined in a manner that will preserve sensitive habitats and other natural resources.”* The location is outside the SPA.

Goal 10 Guiding Principles and Goals – *“Ensure that all new development and changes to existing development are compatible with the character, scale, and design of the neighborhood.”* The location and adjusted setback are compatible with development in the area, characterized by auto dealerships and commercial uses. The opposite side of the proposed property line at the Nissan dealership will be considered a side yard with no setback requirement. Therefore the impact of an adjustment to a 5-foot setback for a trash enclosure at Toyota is negligible.

Policy LU 3.4 – The C-OT *“designation is intended to permit a wide range of local- and community-serving retail and office uses. A major purpose is to enhance the physical and economic environment for existing businesses and uses of the Old Town commercial district”*. The adjustment allows Toyota to locate the trash enclosure in a location that has the least physical impact on their ability to continue to effectively operate and contribute to the City's economy and tax base.

Further, a 5-foot setback reduces the possibility of a larger setback area being used for miscellaneous storage in the future.

I trust this justification statement will suffice for your use and staff and the Zoning Administrator will agree that the adjustment is necessary and appropriate.

Sincerely,

Steve Fort, AICP

Senior Planner

SEPPS

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