



Agenda Item A.7
CONSENT CALENDAR
Meeting Date: November 18, 2008

TO: Mayor and Council Members

FROM: Dan Singer, City Manager

CONTACT: Steve Chase, Director, Planning and Environmental Services
Patricia S. Miller, Manager, Current Planning Division
Shine Ling, Assistant Planner

SUBJECT: Case No. 08-057-GPA, -RZ: Harwin/Aero Camino General Plan Amendment and Rezone; 6390, 6398, and 6416 Hollister Avenue; APN 073-070-024, -021, -005

RECOMMENDATION:

Conduct the second reading (by title only), waive further reading, and adopt City Council Ordinance 08-__ entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Official Zoning Map Referenced in Section 35-204 of Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to Change the Zone District Applicable to 6390, 6398, and 6416 Hollister Avenue; 073-070-024, 073-070-021, 073-070-005". (Attachment 1)

BACKGROUND:

The proposed project is described in the staff report for the November 4, 2008 City Council hearing and includes a rezone of the three subject properties from M-1 (General Industrial) to C-3 (General Commercial). At the November 4, 2008 hearing the Council accepted the CEQA exemption, passed the General Plan Amendment to change the land use designation of the properties, and introduced and conducted the first reading of the ordinance for the rezone of the properties.

DISCUSSION:

A second reading of the ordinance is required for adoption.

GOLETA STRATEGIC PLAN:

The Harwin/Aero Camino Project would be consistent with the following Goals in the Strategic Plan entitled: "Promote a Healthy Business Climate" and moves the City closer towards realizing its vision as defined in the City's Strategic Plan.

ALTERNATIVES:

None are recommended.

LEGAL REVIEW:

This staff report has been reviewed by the City Attorney.

FISCAL IMPACTS:

The processing costs associated with the Harwin/Aero Camino Project are paid by the applicant.

Submitted By:

Reviewed by:

Approved By:

Steve Chase, Director
Planning and Environmental
Services

Michelle Greene, Director
Administrative Services

Daniel Singer
City Manager

ATTACHMENTS:

1. City Council Ordinance 08-___; Rezone

ATTACHMENT 1

City Council Ordinance 08-___; Rezone

ORDINANCE NO. 08-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AMENDING THE OFFICIAL ZONING MAP REFERENCED IN SECTION 35-204 OF ARTICLE III OF THE GOLETA MUNICIPAL CODE, THE INLAND ZONING ORDINANCE, TO CHANGE THE ZONE DISTRICT APPLICABLE TO 6390, 6398, AND 6416 HOLLISTER AVENUE; APN 073-070-024, 073-070-021, 073-070-005

WHEREAS, on February 1, 2002, the City Council adopted Ordinance 02-01 entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting by Reference the Santa Barbara County Code and Other Relevant Non-Codified Santa Barbara County Ordinances as City Ordinances," which code and ordinances remain in effect except as expressly repealed or amended by the City; and

WHEREAS, the ordinances adopted by the City included Article III of Chapter 35, referred to as the "Inland Zoning Ordinance;" and

WHEREAS, an application was submitted on April 1, 2008 by Steve Welton of Suzanne Elledge Planning and Permitting Services, agent for Lisa Harwin of the Harwin Family Trust, property owner, requesting approval of a General Plan Amendment and Rezone; and

WHEREAS, the application was found complete for processing on May 28, 2008; and

WHEREAS, the application is for a General Plan Amendment to change the General Plan land use designation of the property at 6390 Hollister Avenue (APN: 073-070-005) from General Industrial (I-G) to General Commercial (C-G); and a rezone of the subject property from M-1 (Light Industry) to C-3 (General Commercial); and

WHEREAS, the City Council of the City of Goleta initiated processing of the applicant's request for a General Plan Amendment at its meeting of July 15, 2008, and at the same time also initiated study of a change in General Plan land use designation of the properties at 6398 Hollister (APN 073-070-021) and 6416 Hollister (APN 073-070-005) from General Industrial (I-G) to General Commercial (C-G); and

WHEREAS, the procedures for processing the project application have been followed as required by state and local laws; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on September 8, 2008, at which time all interested persons were given an opportunity to be heard; and the City of Goleta Planning Commission adopted Resolution 08-10 recommending that the City Council approve the proposed rezone; and

WHEREAS, the City Council conducted a duly noticed public hearing on November 4, 2008, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council has considered the entire administrative record, including the application materials, staff reports, the CEQA Notice of Exemption, the recommendation of the Planning Commission, and oral and written testimony from interested persons.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLETA FOLLOWS:

SECTION 1. Recitals

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. CEQA Findings and Notice of Exemption

The City Council finds that the project will have no possibility of significant effect on the environment and is not subject to the California Environmental Quality Act, pursuant to Section 15061(b)(3) of the CEQA Implementation Guidelines, and hereby accepts the CEQA Notice of Exemption.

SECTION 3. Adoption of Findings

The following findings are adopted pursuant to Section 35-325 of Chapter 35, Article III, the Inland Zoning Ordinance, of the Goleta Municipal Code:

- a) The Rezone is in the interest of the general community welfare. The proposed rezone would provide the three subject properties with a more appropriate zoning for existing and proposed uses on site. The relatively small size of the subject lots and their location along the Hollister Avenue corridor make them more conducive to retail commercial and smaller food service uses, rather than light industrial uses. Commercial uses have been supported on the subject lots in the past, so the rezoning would be consistent with the past use and development of these lots. The introduction of a small commercial component to the area will round out the mix of land uses for the neighborhood, balancing out the industrial uses to the north and east of the subject lots and the residential neighborhood to the west. Therefore, the proposed rezone would be in the interest of the general community welfare in that intended uses for the property will be allowed on the property now and in the future.

- b) The Rezone is consistent with the General Plan, the requirements of State planning and zoning laws, and Article III, Chapter 35 of the Goleta Municipal Code, the Inland Zoning Ordinance, as specified in the City Council staff report dated November 4, 2008.
- c) The Rezone is consistent with good zoning and planning practices. The proposed zoning designation of C-3 (General Commercial) would be consistent with the historical and proposed uses on the subject properties. The three subject properties all have frontage on Hollister Avenue, and the rezoning of all three properties would create a consistent zone district that provides a buffer between the industrial zones to the north and east and the residential neighborhood to the west.

SECTION 4. Amendment of the Official Zoning Map Referenced in Section 35-204 of Article III

The zoning map referenced in Section 35-204 of Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, is hereby amended as follows and as shown on the map in Exhibit 1, attached hereto and incorporated herein by this reference:

- a. Change the zoning on the subject properties to C-3 (General Commercial), as of the effective date of the adopted ordinance.

SECTION 5. Documents

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 6. Effective Date

This ordinance shall take effect on the 31st day following the date of its final adoption.

SECTION 7. Publication

The City Clerk shall certify to the passage of this Ordinance and cause the same to be published and posted in the manner prescribed by California law.

INTRODUCED ON the 4th day of November, 2008.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2008.

MICHAEL T. BENNETT, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

TIM W. GILES
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 08-__ was duly adopted by the City Council of the City of Goleta at a meeting held on the __ day of _____, 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK



City Limit

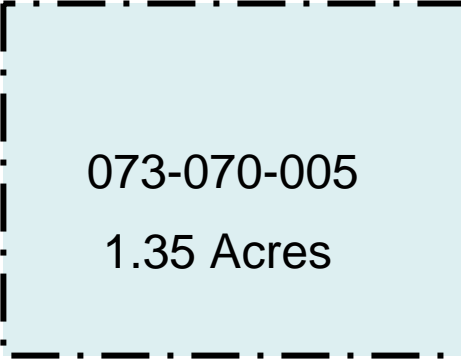


Property Boundary

**Ordinance 08-__ Exhibit 1
Rezone
Harwin/Aero Camino Project
(08-057-GPA)**

Change Zone District to
C-3 (General Commercial)
APNs 073-070-005, -021, -024

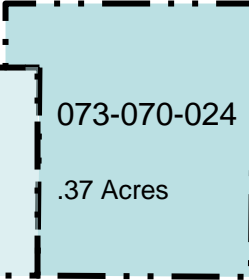
AERO CAMINO



073-070-005
1.35 Acres



073-070-021
.30 Acres



073-070-024
.37 Acres



HOLLISTER AVENUE

AIRPORT

NOT TO SCALE