



Agenda Item A.6
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
Cindy Moore, Senior Planner

SUBJECT: Case No. 08-045-RZ: HCR Ltd. Rezone Project;
6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035

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 6466 Hollister Avenue and 170 Los Carneros Way; APN 073-070-035". (Attachment 1)

BACKGROUND:

The proposed project is described in the staff report for the November 4, 2008 City Council hearing and includes a rezone from M-RP (Industrial Research Park) to C-2 (Retail Commercial) to bring the property into conformity with the General Plan land use designation of General Commercial, as required by state law. At the November 4, 2008 hearing the Council accepted the CEQA exemption and introduced and conducted the first reading of the ordinance for the rezone of the property.

DISCUSSION:

A second reading of the ordinance is required for adoption.

GOLETA STRATEGIC PLAN:

The HCR Ltd. Rezone 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 HCR Ltd. 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 6466 HOLLISTER AVENUE AND 170 LOS CARNEROS WAY; APN 073-070-035

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, on August 11, 2008, the City of Goleta Planning Commission held a duly noticed public hearing to consider the proposed rezone from M-RP to C-2, at which times all interested persons were given an opportunity to be heard; and

WHEREAS, on August 11, 2008, the City of Goleta Planning Commission adopted Resolution 08-07, recommending that the City Council approve the proposed rezone; and

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

WHEREAS, on November 4, 2008, the City Council adopted Resolution 08-56, adopting findings pursuant to the California Environmental Quality Act (CEQA) and accepting the CEQA exemption; and

WHEREAS, the City Council has considered the entire administrative record, including the application materials, staff reports, the CEQA 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. Acceptance of the CEQA Exemption.

The City Council hereby accepts the CEQA Notice of Exemption for Case No. 08-045-RZ (15061b(3); no possibility of significant effect).

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 request for a Rezone is in the interest of the general community welfare in that the new commercial zoning designation of C-2 (Retail Commercial) would be consistent with the land use designation of C-G (General Commercial) in the City's General Plan, thereby facilitating implementation of the City's intended uses of the site as allowed by the land use designation which may serve as a buffer between industrial activities or major transportation corridors and residential areas.
- b) The request for a Rezone is consistent with the General Plan as specified in the City Council staff report for the hearing of November 4, 2008, the requirements of State planning and zoning laws, and Article III, Chapter 35 of the Goleta Municipal Code, the Inland Zoning Ordinance, as applicable.
- c) The new zoning designation of C-2 (Retail Commercial) would be consistent with the property's land use designation of C-G (General Commercial) in the City's General Plan. Further, a rezone of the parcel to C-2 would create a consistent land use designation and zoning pattern for the subject parcel and the adjacent parcel 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 applicable to 6466 Hollister Avenue and 170 Los Carneros Way (APN 073-070-035) to C-2 (Retail 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:

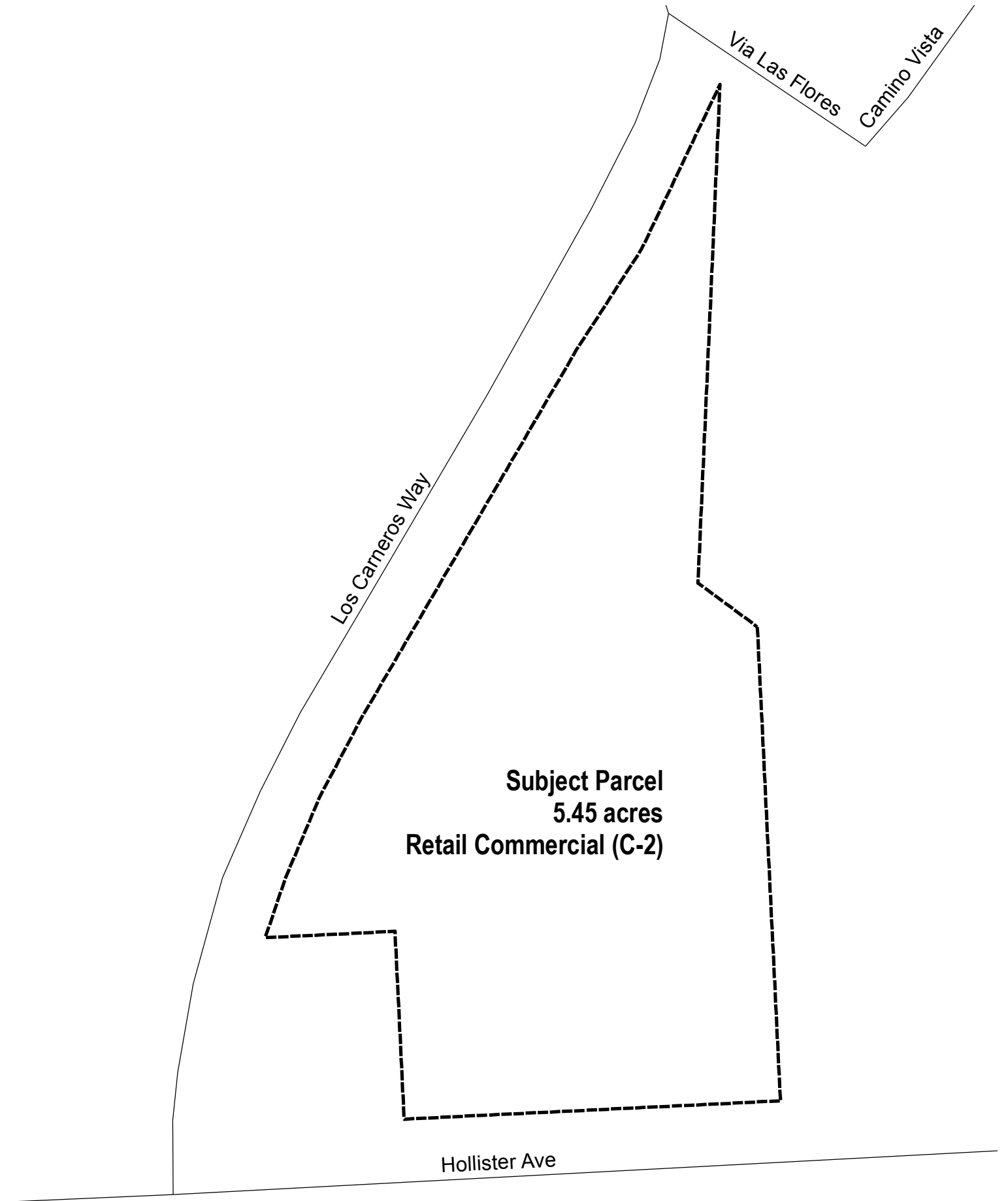
NOES:

ABSENT:

ABSTAIN:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK



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