



TO: Mayor and Councilmembers

FROM: Dan Singer, City Manager

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

SUBJECT: Goleta Growth Management Ordinance 2008 Annual Report

RECOMMENDATION:

- A. Receive the Goleta Growth Management Ordinance 2008 Annual Report.
- B. Grant an allocation of 7,770 SF to the Best Buy project under Section 8.6 of the Goleta Growth Management Ordinance.

BACKGROUND:

The Goleta Growth Management Ordinance (No. 03-04) was adopted on May 5, 2003. Pursuant to the ordinance, the Planning and Environmental Services Department shall prepare a growth management report to the City Council in June and December of each year at a noticed public hearing. A copy of the ordinance is included in Attachment 1.

In December 2008 the Council amended the Goleta Growth Management Ordinance to remove text regarding expired exemptions for certain properties and add text regarding an exemption for Goleta Valley Cottage Hospital and related offices/medical services (also included in Attachment 1).

DISCUSSION:

2008 Base Allocation/Carryover. The Base Allocation in any year shall be calculated as the number of building permits issued for new residential units in the preceding year, multiplied by 400 SF per residential unit. Carryover of unused allocations from one year to the next is allowed, subject to a cap of 80,000 SF on the amount of total allocation in any year. A total of 90,451 SF was available at the beginning of 2008. (A "Base Allocation" of 4,400 SF from building permits for 11 new residential units issued in 2007 and a "Carryover" of 86,051 from 2007.)

2008 Priority Projects. The Goleta Growth Management Ordinance identifies priority projects for which 20,000 SF are reserved each year. Of this amount, 1/8 of the total allocation (up to 10,000 SF) is for new small projects and additions that result in a net increase of no more than 5,000 SF each. For 2008, the amount available in this category was 10,000 SF. There were two requests for allocation in this category in 2008 as follows:

Cambridge Drive Community Church	449 SF
Cox Communications	120 SF

Both requests were granted and the total amount allocated was 569 SF.

2008 Competitive Allocations. Allocations from the Competitive Allocation category are subject to an award of points by the approving authority (Planning and Environmental Services Director, the Zoning Administrator, the Planning Commission, or City Council, depending on the permit type). Points were awarded in 2008 for three projects (Best Buy, Rincon Palms Hotel and Restaurant, and Marriott Residence Inn). The only project that is ready for consideration of an allocation is the Best Buy addition to an existing building at Camino Real Marketplace (7,770 SF). The addition was processed as a Development Plan Amendment and was approved by the Director of Planning and Environmental Services on September 22, 2008. The project received a total of 3 points under the GGMO Point Criteria and points were awarded at the time of project approval. The request is for an allocation of 7,770 SF.

The GGMO specifies that this point total shall be confirmed by the Council and that an allocation shall be assigned based on total point rankings (GGMO, Section 8.6). For 2008, there are no other requests for allocations and therefore there would be no ranking of additional projects. Thus, the only allocation that must be granted is for Best Buy.

2009 Base Allocation. A total of 202 building permits for new residential units have been issued to date in 2008. This creates a "Base Allocation" of 80,800 SF for 2009.

2009 Total Allocation. The total allocation in 2009, which is the sum of the "Base Allocation" (80,800 SF) and any "Carryover" from 2008 (82,112 SF; remainder after deducting 2008 allocations), would be 162,912 SF. However, as per the ordinance, the Total Annual Allocation in 2009 cannot exceed 80,000 SF. Therefore, the Total Annual Allocation for the 2009 calendar year under the Goleta Growth Management Ordinance will be 80,000 SF.

GOLETA STRATEGIC PLAN:

Not applicable to the annual review of the Goleta Growth Management Ordinance.

ALTERNATIVES:

Administration of the GGMO is required by ordinance. Thus there is no alternative to the preparation of an annual report.

FISCAL IMPACTS:

Staff costs for administration of the GGMO throughout the year are budgeted. Approximately 5 hours of staff time were required to prepare this staff report and attend the public hearing.

Submitted By:

Reviewed By:

Approved By:

Steve Chase, Director
Planning and Environmental
Services

Michelle Greene, Director
Administrative Services

Daniel Singer
City Manager

ATTACHMENTS:

1. Goleta Growth Management Ordinance 03-04 and Amending Ordinance 08-____
2. Best Buy GGMO Point Criteria

ATTACHMENT 1

GOLETA GROWTH MANAGEMENT ORDINANCE 03-04

AMENDING ORDINANCE 08-____

ORDINANCE NO. 03-04

AN ORDINANCE OF THE CITY OF GOLETA REPEALING CHAPTER 35A OF THE COUNTY OF SANTA BARBARA CODE, AS ADOPTED BY CITY ORDINANCE 02-01, AND ADOPTING REVISED GROWTH MANAGEMENT REGULATIONS APPLICABLE TO NON-RESIDENTIAL DEVELOPMENT WITHIN THE CITY OF GOLETA

The City Council of the City of Goleta ("the City") finds, determines and declares that:

WHEREAS, on February 1, 2002, the City Council adopted Ordinance No. 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;

WHEREAS, the ordinances adopted by the City included Ordinance No. 4350, as amended, titled "Ordinance Repealing and Replacing Chapter 35A of the County Code Establishing a Growth Management Plan and a Restricted Resource Overlay District for the Goleta Planning Area;"

WHEREAS, Ordinance No. 4350 established regulations to manage the quantities of both residential and non-residential development allowed annually within the Goleta Valley;

WHEREAS, the regulations set forth in Ordinance No. 4350 were specifically written to apply to lands within the entire Goleta Valley, including the unincorporated territory as well as the City of Goleta, and such regulations have not been amended to establish appropriate growth management standards and regulations that would apply exclusively to those land areas within the City of Goleta;

WHEREAS, the City of Goleta has initiated the preparation of its first general plan and the intent in adopting the regulations set forth in this ordinance is to establish growth management policies that will prevent the frustration of the City's efforts to establish sound land use and development standards for the City in a manner that reflects the particular standards, goals, and objectives of residents of the City of Goleta, and that the regulations and standards set forth herein may be superseded by growth management policies and regulations that may be created through the adoption of a new general plan;

WHEREAS, at its meeting on February 10, 2003 the City Council provided direction for preparation of a revised growth management ordinance for the City of Goleta that would establish regulations applicable only to non-residential development within the City of Goleta and set 17 March 2003 as the date for a public hearing to consider that ordinance;

WHEREAS, on March 17, 2003 the City Council held a duly noticed public hearing to consider a revised growth management ordinance, at which time all interested persons were given an opportunity to be heard;

WHEREAS, the City Council considered all of the written and oral testimony offered at the public hearing held on March 17, 2003 concerning the proposed new growth management ordinance;

WHEREAS, adoption of a revised growth management ordinance that regulates the rate of non-residential development in a manner that correlates the amount of floor area allowed with new residential development is a measure intended to assure maintenance and protection of the environment, as described in section 2.2 herein, and is exempt from the California Environmental Quality Act pursuant to Categorical Exemption Class 8, "Actions by Regulatory Agencies for Protection of the Environment," as set forth in Section 15308 of the State of California CEQA Guidelines.

WHEREAS, the City Council finds that establishing a revised growth management ordinance is a matter of City-wide importance and is not directed towards nor targeting any particular parcel of property or proposed development.

NOW THEREFORE, the City Council of the City of Goleta ordains as 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: Repeal of County of Santa Barbara Ordinance No. 4350

This ordinance repeals and replaces County of Santa Barbara Ordinance No. 4350 as adopted by reference by City Ordinance No. 02-01 and 02-17.

SECTION 3: Short Title and Purpose

3.1 Short Title.

This ordinance shall be known as the "Goleta Growth Management Ordinance" and is referred to herein as "this ordinance."

3.2 Purpose.

The purposes of this ordinance are to:

- a. Establish interim regulations to control the rate of non-residential growth prior to completion and adoption of the City's first general plan in a manner that will prevent the frustration of the City's efforts to establish sound development

policies and standards which reflect the particular standards, goals, and objectives of residents of the City of Goleta.

- b. Insure an appropriate balance between the rate of development of commercial-industrial space and the rate of housing growth in the City.
- c. Reduce future increases in commute trips from residential locations outside the city and county to job locations within Goleta.
- d. Reduce further deterioration in the levels of service experienced on the 101 Freeway and its interchanges.
- e. Reduce further deterioration in the levels of service on the arterial and collector street system, including key intersections, within Goleta.
- f. Reduce further significant deterioration in local ambient air quality.
- g. Insure adequacy of fire protection, water supply and distribution, and other public infrastructure systems within Goleta.
- h. Preserve agricultural and open space lands and discourage their conversion to urban uses.

SECTION 4: Applicability and Requirement for Growth Management Allocation

4.1 Applicability.

The requirements set forth herein shall be applicable to all proposed non-residential development projects located within the City of Goleta, unless specifically exempted by provisions of this ordinance.

4.2 Requirement.

No Land Use Permit or building permit for non-residential development shall be approved or issued by the City of Goleta unless or until the project has been assigned a growth management allocation or has received a Certificate of Exemption pursuant to this ordinance.

SECTION 5: Annual Determination of Amount of Floor Area to be Allocated

5.1 Total Annual Allocation.

The total amount of non-residential floor area to be allocated in any year shall be the sum of the Base Allocation and any "carryover" of unassigned allocation from the preceding year, provided that the Total Annual Allocation shall not exceed 80,000 square feet.

5.2 Calculation of Base Allocation.

The Base Allocation in any year shall be calculated as the following product: The number of building permits issued for new residential units in the preceding year multiplied times 400 square feet per residential unit equals the Base Allocation. The Base Allocation shall be measured as gross floor area.

5.3 Carryover.

Any portion of the Total Annual Allocation from the preceding year that is unassigned to new development projects may be carried over to the current year and added to the Base Allocation for the current year, subject to the limitation that the Total Annual Allocation for the subject year shall not exceed 80,000 square feet of floor area.

SECTION 6. Exempt Projects and Procedures for Exempt Projects

6.1 Exempt Projects.

The following projects are exempt from the requirement to obtain a growth management allocation pursuant to this ordinance:

- a. **Public Utilities.** Physical facilities for the transmission of electricity and gas and for the provision or transmission of water, sewage collection, treatment, and reclamation, except that associated office uses are not exempt.
- b. **Goleta Old Town Key Site 10** (Fairview Corporate Center) - up to 77,500 net new square feet of floor area. This exemption is subject to the terms of a Development Agreement that provides for dedication of the full right of way width for a segment of the future Eckwill Street along and parallel to the southerly property line.
- c. **Goleta Old Town Key Site 7a** (Rosenstein) - up to 68,000 square feet of floor area. This exemption is subject to a condition that the applicable property owner(s) execute an Irrevocable Offer to Dedicate the necessary right-of-way for extension of Fowler and Eckwill Streets.
- d. **Goleta Old Town Key Site 4** (Old Town Hotel Project) – up to a 105-room hotel with a maximum of 60,000 square feet, subject to a condition that the project include general retail space adjacent to Hollister Avenue.
- e. **Goleta Old Town Key Site 3** (Sumida) – a hotel development project up to a maximum of 150 rooms.
- f. **Goleta Old Town Key Site 6** (Page) – a development project consisting of a hotel, conference center, and related commercial development up to 221,500 square feet, including no more than 250 hotel rooms. This exemption is subject to a condition that the property owner(s) execute an Irrevocable Offer to Dedicate the necessary right of way for extension of Eckwill Street.

The exemptions set forth in items c. through f. shall expire and be of no further force or effect two years following the effective date of this ordinance, unless the applicable property owner(s) requests a one-year extension in writing prior to the expiration date and approval of the request is granted by the Goleta City Council.

6.2 Procedure for Exempt Projects.

Applicants shall submit a written request for a Certificate of Exemption from the requirement to obtain a growth management allocation pursuant to this ordinance to the Planning and Environmental Services Department at the time of application for a Land Use Permit for the project, or building permit in instances where a Land Use Permit is not required. A Certificate of Exemption may be issued by the Planning and Environmental Services Director concurrent with the approval of the Land Use Permit, or building permit in instances where a Land Use Permit is not required. All applicable conditions imposed upon the approval of the discretionary planning permits, except for the payment of development impact fees and/or the posting of performance securities, shall be satisfied prior to issuance of the Certificate of Exemption. Any project determined not to be eligible for a Certificate of Exemption may be resubmitted for consideration in the competitive allocation system set forth in Section 8.

SECTION 7. Non-competitive Allocation for Priority Projects

7.1 Priority Projects.

A. Outpatient Clinic for Veterans.

An allocation of up to 35,000 square feet shall be reserved for development of a clinic providing outpatient services to veterans that is operated and owned or leased by the federal government. If an application for assignment of a growth management allocation has not been received as of November 30, 2005, this priority reservation shall expire and be of no further force or effect.

B. Other Priority Projects

In addition, up to 20,000 square feet of floor area shall be reserved each year for the following priority projects:

- a. **Hollister Corridor, Goleta Old Town Key Site 12.** One-eighth of the base allocation, up to a total of 10,000 square feet of floor area each year, shall be reserved for new small-scale non-residential projects and additions located within Key Site 12 along the Hollister Corridor, as defined in the Goleta Old Town Revitalization Plan. Small-scale projects are defined as those that result in a net increase of no more than 5,000 square feet of non-residential floor area on the subject parcel or site.
- b. **Other Small Projects and Additions.** One-eighth of the base allocation, up to a total of 10,000 square feet of floor area each year, shall be reserved for new small-scale non-residential projects and additions that are in conformance with existing zoning on the site in effect as of the date of this ordinance. This priority category excludes lands within Key Site 12. Small-scale projects are defined as those that result in a net increase of no more than 5,000 square feet of non-residential floor area on the subject parcel or site.

7.2 Procedure for Priority Project Allocations.

A written request for a priority allocation for the project in Section 7.1A shall be submitted to the Planning & Environmental Services Department no later than January 15 in the year in which construction is expected to commence. The Planning & Environmental Services Director may approve assignment of an allocation of up to 35,000 square feet for the project. The amount of floor area allocated to the project in Section 7.1A shall be subtracted from the Total Annual Allocation to determine the amount of floor area that is available to assign to other priority projects and to projects in the competitive allocation system. If the amount of floor area assigned is equal to the Total Annual Allocation, no additional allocations shall be assigned to other priority projects or to projects in the competitive allocation process. If the Total Annual Allocation minus the allocation assigned to the project in Section 7.1A is less than 20,000 square feet, the allocation available for each category of project in Section B shall be 50 percent of the remaining balance of the total and no allocations shall be assigned to projects in the competitive process.

Applicants for priority projects pursuant to Section 7.1B shall submit a written request for a priority project allocation to the Planning & Environmental Services Department at the time of application for a Land Use Permit for the project, or building permit in instances where a Land Use Permit is not required. The Planning and Environmental Services Director may approve assignment of a growth management allocation for priority projects concurrent with the approval of the Land Use Permit, or building permit in instances where a Land Use Permit is not required. All applicable conditions imposed upon the approval of the discretionary planning permits, except for the payment of development impact fees and/or the posting of performance securities, shall be satisfied prior to approving assignment of an allocation.

The Planning and Environmental Services Director shall review and take action on applications for priority allocations pursuant to Section 7.1B according to the time order in which the applications are received by the City. Applications may be approved until the amount of square feet available for each category of priority projects is fully assigned. Any project determined not to be eligible for a priority project allocation, or any eligible project that fails to receive assignment of an allocation because the applications exceed the amount of square feet available for each category, may be resubmitted for consideration in the competitive allocation system set forth in Section 8.

SECTION 8: Competitive System for Assigning Allocations to Non-exempt Projects

Any project not exempt pursuant to Section 6 or eligible for assignment on a non-competitive basis of an allocation from the reservation for Priority Projects pursuant to Section 7 shall be subject to the competitive system for assigning allocations as set forth in this section. The amount of floor area to be assigned through the competitive allocation process each year shall be calculated as the Total Annual Allocation minus the square feet reserved for priority projects. Any portion of the reservation for priority projects that is unassigned as of the time of the second round of allocations to projects

within the competitive allocation system shall be added to the amount of floor area that is available to be assigned in the competitive process.

8.1 Purpose of Competitive Allocation System.

The purpose of the competitive system for assigning allocations is to assure that those projects which are consistent with the evaluative criteria set forth herein and contribute to achievement of the greatest number of community benefits will be allowed to proceed with development prior to other projects that have fewer community benefits.

8.2 Evaluative Criteria for Awarding Points to Projects.

Projects that are subject to the competitive growth management allocation system shall be evaluated and awarded point scores pursuant to the following criteria:

<u>CRITERIA</u>	<u>MAXIMUM POSSIBLE POINTS</u>
A. The applicant proposes improvements to transportation facilities identified in the Goleta Transportation Improvement Plan (GTIP) capital improvements list, over and above the payment of traffic mitigation fees or completion of required improvements in lieu of fees, and such improvements:	
1) Improve the V/C ratio by at least 0.05 at intersections presently operating at LOS D or worse	4 points per intersection
2) Improve the V/C ratio by at least 0.02 at intersections presently operating at LOS D or worse	2 points per intersection
3) Provide alternative transportation or pedestrian improvements (eg. Bus turn outs, bicycle facilities) identified in the GTIP	1-4 points
B. The development will provide neighborhood-serving uses (eg. Dry cleaners, small markets, drug stores) on lots zoned C-1, Limited Commercial, and CN, Neighborhood Commercial, in areas underserved by neighborhood commercial uses	1-3 points
C. The project is located in the MR-P or PI zoning district and includes commercial service uses that are subordinate to the principally-permitted uses and that meet the day-to-day needs of employees in the immediate vicinity (eg. banks, restaurants, cleaners, day care, etc.)	1-3 points
D. In addition to required dedications and payment of development impact fees, the project contributes substantially to the development of on-site or off-site public services or improvements to public facilities that benefit Goleta, including recreational facilities, day care centers, creek protection or flood management improvements, or substantial contributions to a Goleta open space acquisition fund.	1-4 points
E. The project provides environmental and/or design benefits on the	

project site over and above the minimum requirements of the Zoning Code, including but not limited to clustering with open space preservation, on-site habitat restoration or enhancement, parking to the rear of structures, enhanced architectural detailing and articulation of structures, variation in building height and wall planes, enhanced finish materials, enhanced landscaping to break up building mass or expanses of parking, enhanced energy efficiency and/or use of alternative energy sources, and use of "green" building standards.

1-5 points

F. The project is located within the Goleta Old Town Revitalization Plan (Redevelopment) area and contributes to the redevelopment objectives set forth in the plan.

5 points

G. The project includes residential uses that are secondary to the commercial use:

1) Housing comprises 40% to 50% of total floor area

6 points

2) Housing comprises between 25% and 40% of total floor area

4 points

3) Housing comprises between 10% and 24% of total floor area

2 points

In order to receive points for criterion G, mixed-use projects shall comply with the following requirements:

1. The project site shall be a single parcel or a group of contiguous parcels.
2. If more than one parcel, the contiguous parcels shall either be under a common ownership or all owners shall file a joint application for planning permits.
3. The project shall be subject to at least one planning permit that applies to the entirety of the project and is inclusive of all parcels and all proposed development.
4. The residential floor area shall not exceed 50% of the total floor area proposed.
5. The residential development shall proceed in advance of or concurrent with the non-residential portion of the project. Building and Occupancy Permits for the non-residential portion of the development shall not be issued prior to the equivalent permits for the residential dwelling units.

8.3 Award of Points to Projects.

At the time of approval of any discretionary planning permits for a project, or at the time of approval of a ministerial permit in instances where a discretionary permit is not required, the approving authority or body shall determine the number of points to be awarded to the project for each of the criteria set forth in section 8.2.

8.4 Appeals.

The action to award points may be appealed by the applicant or any interested person within 10 working days of the date of the action. Any appeals shall be heard by the City Council at the next public hearing where it receives the growth management report with rankings of projects as set forth in section 8.6.

8.5 Applications to Receive Allocations.

Applicants shall submit a written request for a growth management allocation at the time of application for a Land Use Permit for the project, or building permit in instances where a Land Use Permit is not required.

8.6 Ranking of Projects and Assignment of Allocations to Projects

In June and December of each year, the Planning & Environmental Services Department shall prepare a growth management report to the City Council for consideration at a noticed public hearing. The report shall list all projects subject to the competitive growth management system that have received approvals of all necessary discretionary planning permits but have not been assigned an allocation. The report shall identify those projects for which applications for growth management allocations have been received. The report shall also identify the amount of non-residential square feet in each project, the number of points awarded for each of the criteria set forth in section 8.2, and the total number of points awarded to each project. The projects shall be listed in order from the highest number of total points to the lowest number. Upon concluding the public hearing, the Council shall review and confirm or modify the project point totals and rankings based upon any appeals and comments received and shall assign allocations to projects based upon the total point rankings.

The amount of floor area allocations assigned to projects at the conclusion of the June hearing shall not exceed 50% of the total to be allocated through the competitive process during that year. The remaining 50%, plus any unassigned portion of the mid-year allocation, may be assigned to projects in December.

SECTION 9. Expiration of Allocations

The growth management allocation to a project shall expire and be of no further force or effect one year following the date the allocation was assigned to the project unless a building permit has been issued and construction of the project has begun. Prior to expiration of an allocation, the project applicant may request a 1-year extension. Requests for time extensions are subject to review and approval by the City Council.

SECTION 10. Amendment of Ordinance

This ordinance may be amended by City Council at any time, provided that such amendment shall take place only after notice and public hearing pursuant to Government Code Section 65090.

SECTION 11: Severability.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and

all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 12: Effective Date

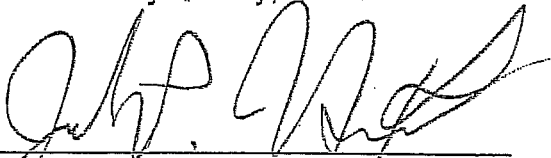
This ordinance shall take effect 30 days following the date of its final adoption.

SECTION 13: Publication

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


INTRODUCED ON the 21st day of April, 2003.

PASSED, APPROVED, AND ADOPTED this 5th day of May, 2003.



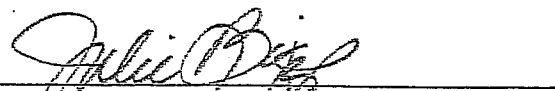
JACK HAWXHURST, MAYOR

ATTEST:



FREDERICK C. STOUDER
CITY CLERK

APPROVED AS TO FORM:



JULIE HAYWARD BIGGS
CITY ATTORNEY

COUNTY OF SANTA BARBARA)
CITY OF GOLETA) ss.

I, FREDERICK C. STOUDEER, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 03-04 was duly adopted by the City Council of the City of Goleta at a meeting held on the 5th day of May, 2003, by the following vote of the Council:

AYES: COUNCILMEMBER BLOIS, CONNELL, MAYOR PRO
TEMPORE BROCK, MAYOR HAWXHURST

NOES: NONE

ABSENT: COUNCILMEMBER WALLIS

(SEAL)



FREDERICK C. STOUDEER
CITY CLERK

ORDINANCE NO. 08-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AMENDING ORDINANCE 03-04 AND ADOPTING REVISED GROWTH MANAGEMENT REGULATIONS APPLICABLE TO NON-RESIDENTIAL DEVELOPMENT WITHIN THE CITY OF GOLETA

WHEREAS, the City of Goleta was incorporated on February 1, 2002; and

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 Ordinance No. 4350, as amended, titled "Ordinance Repealing and Replacing Chapter 35A of the County Code Establishing a Growth Management Plan and a Restricted Resource Overlay District for the Goleta Planning Area;" and

WHEREAS, Ordinance No. 4350 established regulations to manage the quantities of both residential and non-residential development allowed annually within the Goleta Valley; and

WHEREAS, the regulations set forth in Ordinance No. 4350 were specifically written to apply to lands within the entire Goleta Valley, including the unincorporated territory as well as the City of Goleta, and such regulations have not been amended to establish appropriate growth management standards and regulations that would apply exclusively to those land areas within the City of Goleta; and

WHEREAS, on May 5, 2003, the City Council adopted Ordinance No. 03-04, a revised growth management ordinance that regulates the rate of non-residential development in a manner that correlates the amount of floor area allowed with new residential development intended to assure maintenance and protection of the environment; and

WHEREAS, on November 18, 2008, the City Council held a duly noticed public hearing to consider a revised growth management ordinance and various related matters, at which times all interested persons were given an opportunity to be heard; and

WHEREAS, on November 18, 2008, the City Council adopted Resolution 08-__, 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, 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. Amend Ordinance No. 03-04, Section 6

This ordinance amends City Ordinance No. 03-04, Section 6 as follows:

6.1 Exempt Projects.

The following projects are exempt from the requirement to obtain a growth management allocation pursuant to this ordinance:

- a. **Public Utilities.** Physical facilities for the transmission of electricity and gas and for the provision or transmission of water, sewage collection, treatment, and reclamation, except that associated office uses are not exempt.
- b. **Hospital Overlay** – Goleta Valley Cottage Hospital, related offices and medical services which are in the vicinity of Hollister Avenue and Patterson Avenue within the designated Hospital Overlay on the General Plan land use plan map, including up to 59,835 net new square feet on APN 065-090-022 for the hospital, up to 10,776 net new square feet on APN 065-090-023 for a medical office building, and up to 87,000 square feet of additional development on APN 065-090-028 for future medical offices or related services.

The exemption set forth in item b shall expire and be of no further force or effect three years following the effective date of this ordinance amendment (insert date), unless the property owner and/or applicant requests a one-year extension in writing prior to the expiration date and approval of the request is granted by the City Council.

SECTION 3. Amend Ordinance No. 03-04, Section 7

This ordinance amends City Ordinance 03-04, Section 7 as follows:

The language in Section 7.1 A. Outpatient Clinic for Veterans is deleted and the title only for Section 7.1 B. Other Priority Projects is deleted.

SECTION 4. Findings

The City Council finds that revising the growth management ordinance is a matter of City-wide importance and is not directed towards nor targeting any particular parcel of property or proposed development.

SECTION 5. Effective Date

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

SECTION 6. 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 18th 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)
CITY OF GOLETA) ss.

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

ATTACHMENT 2
BEST BUY GGMO POINT CRITERIA

**BEST BUY PROJECT
7090 Marketplace Drive (APN 073-440-013)
08-075-DP AM**

The project involves a 7,770 square foot addition to the existing building (Major 6, formerly occupied by CompUSA) located within the Camino Real Marketplace. The project will be considered by the Director of Planning and Environmental Services on September 22, 2008. The following points under the Goleta Growth Management Point Criteria are assigned:

<u>CRITERIA</u>	<u>MAXIMUM POSSIBLE POINTS</u>
A. The applicant proposes improvements to Transportation facilities identified in the Goleta Transportation Improvement Plan (GTIP) capital improvements list, over and above the payment of traffic mitigation fees or completion of required improvements in lieu of fees, and such improvements:	
1) Improve the V/C ratio by at least 0.05 at intersections presently operating at LOS D or worse	4 points per intersection (no points assigned)
2) Improve the V/C ratio by at least 0.02 at intersections presently operating at LOS D or worse	2 points per intersection (no points assigned)
3) Provide alternative transportation or pedestrian improvements (e.g. bus turn outs, bicycle facilities) identified in the GTIP	1 – 4 points (1 point assigned¹)
B. The development will provide neighborhood serving uses (e.g. dry cleaners, small markets, drug stores) on lots zoned C-1, Limited Commercial, and CN, Neighborhood Commercial, in areas underserved by neighborhood commercial uses.	1 – 3 points (no points assigned)
C. The project is located in the MR-P or PI zoning	1 – 3 points

¹ Bus passes would be offered to all Best Buy employees and bike racks are provided onsite. Therefore, one point is assigned for facilitating alternative modes of transportation.

district and includes commercial service uses that are subordinate to the principally-permitted uses that meet the day-to-day needs of employees in the immediate vicinity (e.g. banks, restaurants, cleaners, day care, etc). **(no points assigned)**

D. In addition to required dedications and payment of development impact fees, the project contributes substantially to the development of onsite or offsite public services or improvements to public facilities that benefit Goleta, including recreational facilities, day care centers, creek protection or flood management improvements, or substantial contributions to a Goleta open space acquisition fund. **1 – 4 points (no points assigned)**

E. The project provides environmental and/or design benefits on the project site over and above the minimum requirements of the Zoning Code, including but not limited to, clustering with open space preservation, onsite habitat restoration or enhancement, parking to the rear of structures, enhanced architectural detailing and articulation of structures, variation in building height and wall planes, enhanced finish materials, enhanced landscaping to break up building mass or expanses of parking, enhanced energy efficiency and/or use of alternative energy sources, and use of “green” building standards. **1 – 5 points (2 points assigned²)**

F. The project is located within the Goleta Old Town Revitalization Plan (Redevelopment) area and contributes to the redevelopment objectives set forth in the plan. **5 points (no points assigned)**

G. The project includes residential uses that are secondary to the commercial use: **(no points assigned)**

- 1) Housing comprises 40% - 50% of total floor area **6 points**
- 2) Housing comprises between 25% and 40% of total floor area **4 points**

² The following “green” components would be included as part of the project: 1) The existing HVAC system will be replaced with a more energy efficient system; 2) Most of the existing sprinklers used for irrigation throughout the Marketplace will be replaced with drip irrigation, reducing irrigation water demand; and 3) Existing wood beams removed to accommodate addition will be reused for the Best Buy project. As these environmental and/or design benefits are over and above the minimum requirements of the Zoning Code, two points are assigned.

- 3) Housing comprises between 10% and 24% of total floor area 2 points

In order to receive points for Criterion G, mixed-use projects shall comply with the following requirements:

- 1) The project shall be a single parcel or a group of contiguous parcels.
- 2) If more than one parcel, the contiguous parcels shall either be under a common ownership or all owners shall file a joint application for planning permits.
- 3) The project shall be subject to at least one planning permit that applies to the entirety of the project and is inclusive of all parcels and all proposed development.
- 4) The residential floor area shall not exceed 50% of the total floor area proposed.
- 5) The residential development shall proceed in advance of or concurrent with the non-residential portion of the project. Building and Occupancy Permits for the non-residential portion of the development shall not be issued prior to the equivalent permits for the residential dwellings.

TOTAL POINTS ASSIGNED

3 points