

ATTACHMENT 1

**CITY COUNCIL RESOLUTION 08-__
CEQA RESOLUTION**

RESOLUTION NO. 08-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION (07-MND-003), ACCEPTING THE ADDENDUM DATED AUGUST 1, 2008, AND ADOPTING CEQA FINDINGS AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MARRIOTT RESIDENCE INN AND HOLLISTER CENTER PROJECT; 6300 HOLLISTER AVENUE; APN 073-050-020; CASE NO. 07-007-OA, -TPM, -DP AND 07-167-DP AM

WHEREAS, an application was submitted on February 1, 2007 by R.D. Olson Development and Sares Regis Group, applicants, requesting approval of an Ordinance Amendment, Vesting Tentative Parcel Map, Development Plan, and Development Plan Amendment; and

WHEREAS, the application was found complete for processing on February 28, 2007; and

WHEREAS, the application is for an ordinance amendment to add a Hotel Overlay to Article III, Goleta Inland Zoning Ordinance, a parcel map to divide the property into two parcels, a development plan for hotel development, and a development plan amendment to update the permit for the existing building onsite; and

WHEREAS, it was determined that the proposed project, inclusive of all of its various components, was subject to the California Environmental Quality Act, that one or more significant effects on the environment may occur, and that preparation of a Mitigated Negative Declaration would be required; and

WHEREAS, a Draft Mitigated Negative Declaration was prepared by the City of Goleta, and was released for public review between December 14, 2007 and January 14, 2008; and

WHEREAS, a total of fifteen letters or written statements were received on the Draft Mitigated Negative Declaration; and

WHEREAS, in response to written public comments received, a proposed Final Mitigated Negative Declaration was released on April 18, 2008, pursuant to the requirements of the State and City CEQA Guidelines; and

WHEREAS, an Addendum dated August 1, 2008 the the MND was prepared to address revisions to the project description and the Supplemental Extended Phase 1 cultural resources report; and

WHEREAS, on April 28, May 12, and August 11, 2008, the City of Goleta Planning Commission conducted duly noticed public hearings on the project application,

at which time all interested persons were given an opportunity to be heard; and considered the entire administrative record, including application materials, staff report, the Draft and Final Mitigated Negative Declaration, the Addendum dated August 1, 2008, and oral and written testimony from interested persons; and

WHEREAS, on August 11 2008, the City of Goleta Planning Commission adopted Resolution 08-08, recommending that the City Council adopt the Final Mitigated Negative Declaration (07-MND-003) and accept the Addendum dated August 1, 2008 pursuant to the State CEQA Guidelines and approve Cases 07-007-OA, -TPM, -DP, and 07-67 DP AM with recommended findings and conditions of approval; and

WHEREAS, on October 21, 2008, the City Council conducted a duly noticed public hearing on the project application, at which time all interested persons were given an opportunity to be heard; and considered the entire administrative record, including application materials, staff report, the Draft and Final Mitigated Negative Declaration, the Addendum dated August 1, 2008 and oral and written testimony from interested persons; and

WHEREAS, the City Council finds that adoption of the Mitigated Negative Declaration and acceptance of the addendum dated August 1, 2008 for the Marriott Residence Inn and Hollister Center Project would be based on its ability to make the required findings, including findings pursuant to the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA AS FOLLOWS:

SECTION 1. Recitals.

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

SECTION 2. Adoption of the Final Mitigated Negative Declaration (07-MND-003) and Acceptance of the Addendum dated August 1, 2008.

The City Council has examined the proposed Final Mitigated Negative Declaration and Addendum dated August 1, 2008, including the comments on the Draft MND received during the public review process, and finds that the Final Mitigated Negative Declaration has been prepared in compliance with the requirements of CEQA, including direct, indirect, and cumulatively significant effects and proposed mitigation measures; and hereby certifies that the Final Mitigated Negative Declaration constitutes a complete, accurate, adequate, and good faith effort at full disclosure, and reflects the City of Goleta's independent judgment and analysis pursuant to Section 15074 of the State CEQA Guidelines.

SECTION 3. CEQA Findings.

The City Council finds that the proposed project mitigates environmental impacts to the maximum extent feasible, and changes and alterations intended to avoid or substantially lessen the significant environmental effects identified in the Final Mitigated Negative Declaration (07-MND-003) and Addendum dated August 1, 2008 have been incorporated as required conditions of approval where feasible, pursuant to Section 15074 of the State CEQA Guidelines.

SECTION 4. Mitigation Monitoring and Reporting Program.

State CEQA Guidelines Section 15097 requires that the City adopt reporting or monitoring programs for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The procedures for mitigation monitoring and verification are described for each mitigation measure in the Final MND and Addendum dated August 1, 2008. The approved project description, the mitigation measures as described in the Final MND and Addendum dated August 1, 2008, and the conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

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. Publication.

The City Clerk shall certify to the adoption of this resolution.

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 City Council Resolution No. 08-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the ___ day of _____, 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

ATTACHMENT 2

**CITY COUNCIL ORDINANCE 08-__
ORDINANCE AMENDMENT FOR HOTEL OVERLAY**

ORDINANCE NO. 08-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AMENDING CHAPTER 35, ARTICLE III OF THE GOLETA MUNICIPAL CODE, THE INLAND ZONING ORDINANCE, TO ESTABLISH A HOTEL OVERLAY DISTRICT

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 Article III of Chapter 35, referred to as the "Inland Zoning Ordinance;" and

WHEREAS, on July 21, 2008, the City of Goleta Planning Commission held a duly noticed public hearing to consider the proposed Ordinance Text Amendment and various related matters, at which times all interested persons were given an opportunity to be heard; and

WHEREAS, on July 21, 2008, the City of Goleta Planning Commission adopted Resolution 08-06, recommending that the City Council approve the proposed Ordinance Text Amendment and various related matters; and

WHEREAS, on October 21, 2008, the City Council held a duly noticed public hearing to consider the proposed Ordinance Text Amendment and various related matters, at which times all interested persons were given an opportunity to be heard; and

WHEREAS, on October 21, 2008, the City Council adopted Resolution 08-__, adopting findings pursuant to the California Environmental Quality Act (CEQA) and adopting the Final Mitigated Negative Declaration (07-MND-003) and addendum dated August 1, 2008; and

WHEREAS, the City Council has considered the entire administrative record, including the application materials, staff reports, the Draft and Final Mitigated Negative Declaration, the Addendum dated August 1, 2008, 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. Ordinance Text Amendment.

The City Council hereby adopts an amendment to Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, to add language as set forth in Exhibit 1 to this ordinance.

SECTION 3. Administrative 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 Ordinance Text Amendment is in the interest of the general community welfare. The proposed Ordinance Amendment provides for a Hotel Overlay District consistent with the Hotel Overlay included in the General Plan on Figure 2-1 on the subject property. The associated benefits include the provision of needed hotel accommodations and increased transient occupancy tax base to the City of Goleta. These are benefits that contribute to the general community welfare. Lately, increased demand for hotel, restaurant, and conference space is being fueled by development approvals in and around Goleta (e.g., Cabrillo Business Park, Fairview Corporate Center, Village at Los Carneros, etc.), coupled with corporate growth (e.g., Citrix Online, Yardi Systems, etc.) and plans for expansion of UCSB and the improvement of the Santa Barbara Municipal Airport. The proposed Hotel Overlay District at this gateway property satisfies the community's economic demand for increased and improved hospitality services.
- b) The Ordinance Text Amendment is consistent with the General Plan as specified in the City Council staff report dated October 7, 2008, the requirements of State planning and zoning laws, and Chapter 35, Article III of the Goleta Municipal Code, the Inland Zoning Ordinance, as applicable.
- c) The Ordinance Text Amendment is consistent with good zoning and planning practices in that it implements the Hotel Overlay included in the General Plan on Figure 2-1 for the subject property.

SECTION 4. 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 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 _____ day of October, 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

**Section 35-250F HO - Hotel Overlay
(Added by Ordinance [08-__])**

Section 35-250F.1. Purpose and Intent

This Overlay District is only applicable to property having a land use designation of either Business Park (I-BP) or Office and Institutional (I-OI), and a Hotel Overlay as shown on the General Plan Land Use Map. The purpose of this district is to facilitate the co-location of commerce and hospitality services. By creating diverse and complementary employment opportunities and related economic activities, the intent is to minimize impacts to surrounding neighborhoods, manage traffic patterns and centralize services.

Section 35-250F.2. Permit and Processing Requirements

All new structures and development as well as alterations to existing structures within the HO Overlay District shall be subject to review by the Design Review Board. No permits for development within the Hotel Overlay project shall be issued except in conformance with an approved Development Plan.

Section 35-250F.3. Setbacks, Height Limits, and Other District Restrictions

Except as stipulated below, all new structures and development as well as alterations to existing structures shall comply with the requirements of the General Plan and base zone district, subject to any modifications that may be granted pursuant to the General Plan and/or Development Plan approval.

1. The recommended standard for FAR for hotel uses within the HO Overlay District shall be 0.50. This recommended standard may be revised by resolution of the decision making body for a specific project based upon a finding of good cause.
2. There may be a percentage of joint use of parking spaces. In this regard, conjunctive use shall be defined as the joint use of parking spaces for two or more land uses where the hours of operation and demand for parking are such that the parking spaces can be used by the individual uses at different times of the day or week and, therefore, can serve more than one use. The intent is to provide for possible reduction in the number of parking spaces ordinarily required for two or more land uses and the sharing of parking spaces under a set of unique circumstances, including the compatibility of the land uses, adjacent properties, and lack of need for separate parking facilities. A reduction in the number of required parking spaces may be granted subject to and contingent upon: (i) site-specific parking studies that account for shared uses conducted on the property; (ii) approval as part of the Development Plan.