



**TO:** Mayor and Councilmembers

**SUBMITTED BY:** Peter Imhof, Planning and Environmental Review Director

**PREPARED BY:** Anne Wells, Advance Planning Manager  
Andy Newkirk, Supervising Senior Planner  
Cam Audras, Assistant Planner

**SUBJECT:** Initiation of General Plan Amendments to the Safety Element, Open Space Element, and Either the Addition of an Environmental Justice Element or the Addition of Related Goals, Policies, and Objectives Integrated in Other Elements, as Needed, to Satisfy State Planning Law and Finding the Initiation to be Exempt from the California Environmental Quality Act; Case No. 24-0003-GPA

**RECOMMENDATION:**

Adopt Resolution No. 24-\_\_ entitled “A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of City-initiated General Plan Amendments to the Safety Element, Open Space Element, and Either the Addition of an Environmental Justice Element or the Addition of Related Goals, Policies, and Objectives Integrated in Other Elements, as Needed, to Satisfy State Planning Law and Finding the Initiation to be Exempt from the California Environmental Quality Act; Case No. 24-0003-GPA.”

**BACKGROUND:**

The City of Goleta adopted the Goleta General Plan/Coastal Land Use Plan (General Plan) on October 2, 2006. The General Plan contains the following seven State-required elements and two optional elements as follows: Land Use Element, Open Space Element, Conservation Element, Safety Element, Visual and Historic Resources Element, Transportation Element, Public Facilities Element, Noise Element, and Housing Element. Since its adoption, the General Plan has been amended on 30 occasions. The most recent amendment occurred on April 2, 2024, via City Council Resolution No. 24-19.

General Plan Amendment Initiation Process

City Council Resolution No. 12-13 and Goleta Municipal Code (GMC) Section 17.67.030 include procedures for the initiation of processing requests for General Plan Amendments (GPAs). These procedures require that all requests for GPAs be referred to the City

Council for initiation at a public hearing prior to processing. Resolution No. 12-13 and GMC Section 17.67.030 list five factors the City Council must consider in order to initiate a GPA. These five factors are:

1. The amendment proposed appears to be consistent with the Guiding Principles and Goals of the General Plan;
2. The amendment proposed appears to have no material effect on the community or the General Plan;
3. The amendment proposed provides additional public benefit to the community as compared to the existing land use designation or policy;
4. Public facilities appear to be available to serve the affected site, or their provision will be addressed as a component of the amendment process; or
5. The amendment proposed is required under other rules or regulations.

Once initiated, the GPAs and any related environmental document are prepared and considered by the Planning Commission and a recommendation is made to the City Council via resolution. The City Council takes final action at a subsequent public hearing.

### New General Plan Requirements

Mandatory requirements for the General Plan are included in State Planning Law within the California Government Code (Government Code). State Planning Law outlines mandatory elements and required content for the General Plan. Over time, the State amends the Government Code to add additional requirements. Typically, these new requirements must be added to the General Plan based on some trigger, like the next update to a Housing Element, or by a certain date. Based on new requirements, explained in more detail below, the City must update its Safety Element, Open Space Element, and either add an Environmental Justice Element or add related goals, policies, and objectives integrated in other elements in order to comply with State Planning Law. The Council has already recognized the need to update these General Plan Elements by making them a work priority during adoption of the Planning and Environmental Review Department's FY 2024-25 Annual Work Program.

#### *Safety Element*

Government Code Sections 65302(g)(2), (4), (5), and 65302.15 require Safety Element amendments because of the City's adoption of the Housing Element 2023-2031 on December 5, 2023. The Safety Element update must include new and/or updated flood hazard information pursuant to Government Code Section 65302(g)(2). Goals, policies, objectives, and implementation measures based on the new or updated flood information to protect the community from flood risks are also required.

Government Code Section 65302(g)(4) requires additional Safety Element amendments because of the City's adoption of the 2023 City of Goleta Annex to the Santa Barbara County Multi-Jurisdiction Hazard Mitigation Plan on April 4, 2023. Pursuant to these

requirements, the Safety Element must be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to the City.

Additionally, pursuant to Government Code Section 65302(g)(5), the Safety Element must be updated to identify residential developments in any hazard area identified in the Safety Element that do not have at least two emergency evacuation routes.

Finally, Government Code Section 65302.15 stipulates that the Safety Element shall be reviewed and updated as necessary to identify evacuation routes and their capacity, safety, and viability and evacuation locations under a range of emergency scenarios.

### *Open Space Element*

Government Code Section 65565.5 requires every city and county to review and update its local open-space plan (Open Space Element) by January 1, 2026. New requirements include policies that address (1) access to open space for all residents in a manner that considers social, economic, and racial equity, (2) climate resilience and other co-benefits of open space, and (3) rewilding opportunities.

### *Environmental Justice Element or Policies Integrated in General Plan Elements*

Pursuant to the Government Code Section 65302(h)(2), the City must adopt an Environmental Justice Element or related environmental justice goals, policies, and objectives upon the adoption or next revision of two or more General Plan elements concurrently. As detailed in Government Code Section 65302(h)(1), the additional element or related policies integrated in other elements must identify objectives and policies to (1) reduce the unique or compounded health risks in disadvantaged communities, (2) promote civic engagement in the public decision-making process, and (3) prioritize improvements and programs that address the needs of disadvantaged communities.

The City amended three General Plan elements concurrently on November 7, 2023 (the Land Use, Safety, and Noise Elements) to ensure consistency with the Santa Barbara Airport Land Use Compatibility Plan. These amendments triggered the requirements of Government Code Section 65302(h).

### **DISCUSSION:**

The proposed initiation would authorize staff to process GPAs to update the Safety Element, Open Space Element, and either add an Environmental Justice Element, or add related goals, policies, and objectives integrated in other elements, as needed, to comply with the requirements of the Government Code.

As previously noted, the City Council must consider a specific set of five factors when determining whether to initiate GPAs. Staff presents the following discussion of the GPA initiation factors for consideration:

**Factors 1-4.** For purposes of this initiation, the first four factors are not relevant, given the State law requirements discussed below.

**Factor 5. The amendment proposed is required under other rules or regulations.**

The proposed GPAs are required by State Planning Law. As noted above, Government Code Sections 65302(g)(2), (4), (5), and 65302.15 require various amendments to the Safety Element; Government Code Section 65302(h)(1) requires either the addition of an environmental justice element, or related goals, policies, and objectives integrated in other elements; and Government Code Section 65565.5 requires the City to update the Open Space Element. As such, the GPAs initiation is warranted based solely upon Factor 5, due to the requirements of State Planning Law.

The resolution initiating the GPAs based on the factors discussed above is provided as Attachment 1. Note that the resolution also authorizes non-mandated updates as needed to support the State mandates. City staff will return to the Planning Commission and City Council with the recommended GPAs for subsequent consideration and adoption in the future.

**ENVIRONMENTAL REVIEW:**

The initiation of GPAs is not subject to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.) pursuant to Section 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in Section 15378(a). Rather, it is an organizational or administrative activity by government that will not result in direct or indirect physical changes in the environment pursuant to Section 15378(b)(5).

The GPAs are also exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

A draft Notice of Exemption from CEQA is provided as Attachment 2.

**FISCAL IMPACTS:**

The fiscal impacts of Council's direction to initiate the processing of GPAs would be the staff time needed in preparation of said amendments as well as consultant costs. Staff time and related costs for this project are included in the Advance Planning Division Work Program and budget for 2024-25.

**ALTERNATIVES:**

The City Council could choose not to initiate processing of the proposed GPAs. If not initiated, the City would not be able to begin the State-mandated revisions to the General Plan.

**LEGAL REVIEW BY:** Megan Garibaldi, City Attorney

**APPROVED BY:** Robert Nisbet, City Manager

**ATTACHMENTS:**

1. Resolution No. 24-\_\_\_, entitled “A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of City-initiated General Plan Amendments to the Safety Element, Open Space Element, and Either the Addition of an Environmental Justice Element or the Addition of Related Goals, Policies, and Objectives Integrated in Other Elements, as Needed, to Satisfy State Planning Law and Finding the Initiation to be Exempt from the California Environmental Quality Act; Case No. 24-0003-GPA”
2. Notice of Exemption
3. Staff Presentation

## **ATTACHMENT 1**

Resolution No. 24-\_\_\_, entitled "A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of City-initiated General Plan Amendments to the Safety Element, Open Space Element, and Either the Addition of an Environmental Justice Element, or the Addition of Related Goals, Policies, and Objectives Integrated in Other Elements, as Needed, to Satisfy State Planning Law and Finding the Amendments to be Exempt from the California Environmental Quality Act; Case No. 24-0003-GPA"

**RESOLUTION NO. 24-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, INITIATING THE PROCESSING OF CITY-INITIATED GENERAL PLAN AMENDMENTS TO THE SAFETY ELEMENT, OPEN SPACE ELEMENT, AND EITHER THE ADDITION OF AN ENVIRONMENTAL JUSTICE ELEMENT, OR THE ADDITION OF RELATED GOALS, POLICIES, AND OBJECTIVES INTEGRATED IN OTHER ELEMENTS, AS NEEDED, TO SATISFY STATE PLANNING LAW AND FINDING THE AMENDMENTS TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; CASE NO. 24-0003-GPA**

**WHEREAS**, the Goleta General Plan/Coastal Land Use Plan (General Plan) is the City’s official policy that guides land use and physical development of the geographic area of the incorporated City limits; and

**WHEREAS**, California Government Code Sections 65350 et seq. authorize cities and counties to prepare, adopt and amend General Plans and their elements; and

**WHEREAS**, California Government Code Section 65358(a) reads, in part. that “[a] amendment to the general plan shall be initiated in the manner specified by the legislative body”; and

**WHEREAS**, City Council Resolution No. 12-13 and Goleta Municipal Code (GMC) Section 17.67.030 establish a procedure for the initiation of processing of requests for General Plan Amendments (GPAs); and

**WHEREAS**, City Council Resolution No. 12-13 and GMC Section 17.67.030 require the City Council to consider certain factors for the initiation of GPAs, including consistency with the Guiding Principles and Goals of the General Plan, consistency with the surrounding community or General Plan, possible public benefits, availability of or the future study of the availability of public services, or rules or regulations that may drive the need to amend the General Plan; and

**WHEREAS**, City Council adopted the Housing Element 2023-2031 on December 5, 2023; and

**WHEREAS**, California Government Code Section 65302(g)(2) states that the Safety Element amendments must occur upon the next revision of the Housing Element to identify information regarding flood hazards; and

**WHEREAS**, California Government Code Section 65302(g)(5) states that the Safety Element amendments must occur upon the next revision of the Housing Element

to identify residential developments in any hazard area identified in the Safety Element that do not have at least two emergency evacuation routes; and

**WHEREAS**, City Council adopted the 2023 City of Goleta Annex to the Santa Barbara County Multi-Jurisdiction Hazard Mitigation Plan on April 4, 2023; and

**WHEREAS**, California Government Code Section 65302(g)(4) states that the Safety Element amendments must occur upon the next revision of the local hazard mitigation plan to address climate adaptation and resiliency strategies applicable to the City; and

**WHEREAS**, California Government Code Section 65302.15 states upon the next revision of a local hazard mitigation plan on or after January 1, 2022, the Safety Element shall be reviewed and updated as necessary to identify evacuation routes and their capacity, safety, and viability and evacuation locations under a range of emergency scenarios; and

**WHEREAS**, California Government Code section 65565.5, requires every city and county to review and update its local open-space plan (Open Space Element) by January 1, 2026; and

**WHEREAS**, the City adopted amendments to the Land Use, Safety, and Noise Elements of the General Plan to ensure consistency with the Santa Barbara Airport Land Use Compatibility Plan on November 7, 2023; and

**WHEREAS**, California Government Code Section 65302(h)(2) requires an Environmental Justice Element, or related goals, policies, and objectives integrated in other elements, that identifies disadvantaged communities within the area covered by the General Plan of the City upon the revision of two or more General Plan elements concurrently; and

**WHEREAS**, the City Council conducted a duly noticed public hearing on August 20, 2024, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the City Council considered the entire administrative record, including staff reports, the General Plan, the governing State Law, and oral and written testimony from interested persons.

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

**SECTION 1 General Plan Amendments Initiation Factors**



The City Council makes the following statements regarding the initiation factors outlined in City Council Resolution No. 12-13 and GMC Section 17.67.030:

- a. For purposes of this initiation, the first four factors in City Council Resolution No. 12-13 and GMC Section 17.67.030 are not relevant.
- b. The proposed GPAs are required by State Planning Law. As noted above, California Government Code Sections 65302(g)(2), (4), (5), and 65302.15 require various amendments to the Safety Element; California Government Code Section 65302(h)(2) requires either the addition of an Environmental Justice Element or related goals, policies, and objectives integrated in other elements; and California Government Code Section 65565.5 requires the City to update the Open Space Element. As such, the GPAs' initiation is warranted based solely upon Factor 5 due to the requirements of State Planning Law.

As such, the GPAs' initiation is warranted based solely upon Factor 5.

## **SECTION 2 City Council Action**

The City Council hereby authorizes staff to initiate processing of General Plan amendments to update the Safety Element, Open Space Element, either the addition of an Environmental Justice Element or the addition of related goals, policies, and objectives integrated in other elements, any relevant updates to support these requirements, and any other portions of the General Plan as needed to comply with the requirements of California Government Code Sections 65302(g)(2), (4), (5), 65302(h)(1), 65302.15, and 65565.5.

## **SECTION 3 Environmental Finding and Notice of Exemption**

The initiation of this General Plan Amendment is not subject to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.) pursuant to Section 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in Section 15378(a). Rather, it is an organizational or administrative activity by government that will not result in direct or indirect physical changes in the environment pursuant to Section 15378(b)(5).

The GPAs are also exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

Staff is directed to file a Notice of Exemption.

**SECTION 4 Certification**

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH S. LOPEZ  
CITY CLERK

\_\_\_\_\_  
MEGAN GARIBALDI  
CITY ATTORNEY

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

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 24-\_\_ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the \_\_ day of \_\_\_\_\_, 2024 by the following roll call vote of the Council:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

\_\_\_\_\_  
DEBORAH S. LOPEZ  
CITY CLERK

**ATTACHMENT 2**

Notice of Exemption

## NOTICE OF EXEMPTION (NOE)

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**To:**  Office of Planning and Research  
P.O. Box 3044, 1400 Tenth St. Rm. 212  
Sacramento, CA 95812-3044

**From:** City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Clerk of the Board of Supervisors  
County of Santa Barbara  
105 E. Anapamu Street, Room 407  
Santa Barbara, CA 93101



**Subject:** Filing of Notice of Exemption

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**Project Title:** Initiation of General Plan Amendments to the Safety Element, Open Space Element, and Either the Addition of an Environmental Justice Element or the Addition of Related Goals, Policies, and Objectives Integrated in Other Elements, as Needed, to Satisfy State Planning Law (Case No. 24-0003-GPA)

**Project Applicant:** City of Goleta

**Project Location (Address and APN):** Citywide

**Description of Nature, Purpose, and Beneficiaries of Project:**

The project includes the initiation of amendments to the Safety Element and Open Space Elements and either the addition of an Environmental Justice Element, or the addition of related goals, policies, and objectives integrated in other elements of the General Plan, to address State planning law consistency. The topics for future General Plan Amendments will include:

- Updating the Safety Element to include updated flood information; goals, policies, and objectives to protect the community from flood risks; identification of residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes; identification of evacuation routes and their capacity, safety, and viability and evacuation locations under a range of emergency scenarios; and goals, policies, and objectives addressing climate adaptation and resiliency strategies applicable to the City; pursuant to California Government Code (Government Code) Sections 65302(g)(2), (4), (5), and 65302.15.
- Adding an Environmental Justice Element or related goals, policies, and objectives integrated in other elements that identify objectives to reduce the unique or compounded health risks in disadvantaged communities, promote civic engagement in the public decision-making process, and prioritize improvements and programs that address the needs of disadvantaged communities; pursuant to Government Code Section 65302(h)(1).
- Updating the Open Space Element to include policies that provide access to open space for all residents in a manner that considers social, economic, and racial equity, climate resilience and other co-benefits of open space, and rewilding opportunities; pursuant to Government Code Section 65565.5.

**Name of Public Agency Approving the Project:** City of Goleta

**Name of Person or Agency Carrying Out the Project:** City of Goleta

## NOTICE OF EXEMPTION (NOE)

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**Exempt Status:** *(check one)*

- Ministerial (§15268)
- Declared Emergency (§15269 (a))
- Emergency Project (§15269 (b) (c))
- Categorical Exemption: (Insert Type(s) and Section Number(s))
- Statutory Exemption: CEQA Guidelines, §15060(c)(3); §15378(a); §15378(b)(5); §15061(b)(3)

**Reason(s) why the project is exempt:**

The initiation is not subject to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.) pursuant to Section 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in Section 15378(a) but it is an organizational or administrative activity by government that will not result in direct or indirect physical changes in the environment pursuant to Section 15378(b)(5).

The initiation is also exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

Thus, no further environmental review is required.

**City of Goleta Contact Person:** Cam Audras, Assistant Planner, [caudras@cityofgoleta.org](mailto:caudras@cityofgoleta.org)

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Peter Imhof

Director, Planning & Environmental Review

Date

# **ATTACHMENT 3**

Staff Presentation

# General Plan Amendments Initiation

Safety Element, Open Space Element, and Either  
the Addition of an Environmental Justice Element,  
or the Addition of Related Goals, Policies, and  
Objectives Integrated in Other Elements

August 20, 2024

City Council Public Hearing

Presentation by:

Anne Wells, Advance Planning Manager  
Andy Newkirk, Supervising Senior Planner  
Cam Audras, Assistant Planner





# Public Hearing Agenda

- Staff Presentation
- Council Questions
- Public Comment
- Comment and Deliberation
- Action on Recommendation



# Factors to Initiate a General Plan Amendment (GPA)

Resolution No. 12-13 and Goleta Municipal Code Section 17.67.030 list five factors the City Council must consider in order to initiate a GPA:

1. The amendment proposed appears to be consistent with the Guiding Principles and Goals of the General Plan;
2. The amendment proposed appears to have no material effect on the community or the General Plan;
3. The amendment proposed provides additional public benefit to the community as compared to the existing land use designation or policy;
4. Public facilities appear to be available to serve the affected site, or their provision will be addressed as a component of the amendment process; or
5. The amendment proposed is required under other rules or regulations.



# Government Code General Plan Requirements

- Sections 65302(g)(2), (4), (5), and 65302.15: Safety Element updates required
- Section 65302(h): an Environmental Justice Element or related goals, policies, and objectives integrated in other elements
- Section 65565.5: Open Space Element update required by January 2026



# Discussion

- Factors 1-4: N/A
- Factor 5: The amendment proposed is required under other rules or regulations
  - Required by California Government Code:
    - Section 65302(g)(2), (4), (5), and 65302.15
    - Section 65302(h)(1)-(2)
    - Section 65565.5



# Staff Recommendation

Adopt Resolution No. 24-\_\_\_, entitled "A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of City-initiated General Plan Amendments to the Safety Element, Open Space Element, and either the Addition of an Environmental Justice Element, or the Addition of Related Goals, Policies, and Objectives Integrated in Other Elements, as Needed, to Satisfy State Planning Law and Finding the Amendments to be Exempt from the California Environmental Quality Act; Case No. 24-0003-GPA"



# Next Steps

- Council Questions
- Public Comment
- Comment and Deliberation
- Action on Recommendation

