



**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  
Molly Cunningham, Assistant Planner

**SUBJECT:** Initiation of General Plan Amendments to All General Plan Elements to Attain a Certified Local Coastal Program

**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 All Elements to Attain a Certified Local Coastal Program and Finding the Initiation to be Exempt from the California Environmental Quality Act; Case No. 21-0004-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:

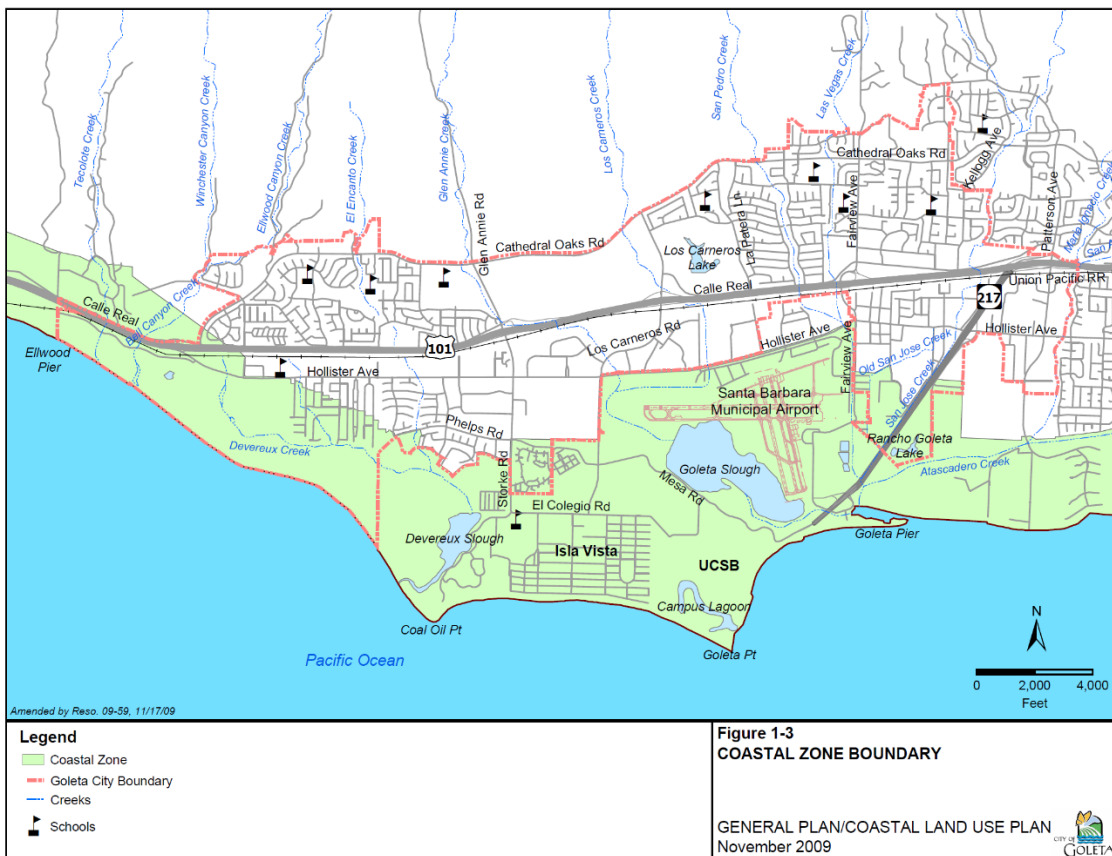
1. The amendment proposed appears to be consistent with the Guiding Principles and Goals of the General Plan;

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.

City’s Coastal Zone and Coastal Act Requirements

The California Coastal Act (Coastal Act) (California Public Resources Code Sections 30000 et seq.) guides development and protection of the land within the Coastal Zone. Section 30500(a) of the Coastal Act requires local governments in the Coastal Zone to create Local Coastal Programs (LCPs). Since the City contains area within the Coastal Zone, the above requirement applies to the City. Refer to General Plan Figure 1-3 below for a visual depiction of Goleta’s Coastal Zone boundary.



An LCP consists of a land use plan (Coastal Land Use Plan or “CLUP”) and implementing zoning regulations (Implementation Plan or “IP”). An LCP certified by the Coastal

Commission is required for the City to issue Coastal Development Permits for development within the City, as stated in Section 30600.5(b) of the Coastal Act. Upon certification, the City's General Plan will serve as the City's CLUP (hence the formal title of the document as the "City of Goleta General Plan/Coastal Land Use Plan") and regulations in Title 17 of the Goleta Municipal Code will serve as the City's IP.

An LCP must be submitted to the California Coastal Commission (Coastal Commission) for review of consistency with the Coastal Act. If the Coastal Commission finds that the LCP is consistent with the Coastal Act, the Coastal Commission "certifies" the LCP. Once the City's LCP is certified by the Coastal Commission, the Coastal Commission delegates the authority to, and responsibility for, issuing Coastal Development Permits for most new development in the City's Coastal Zone area to the City.<sup>1</sup> Until the City receives permit authority, the City will typically review development proposed in the Coastal Zone "in concept" and then the applicant proceeds to the Coastal Commission to receive their entitlement.

Over the past several years, City staff has conferred extensively with the Coastal Commission staff on the City's adopted General Plan policy language and potential amendments. Based on preliminary feedback from Coastal Commission staff, the City expects the need to amend various policies throughout the General Plan/Coastal Land Use Plan in order to receive LCP certification from the Coastal Commission. The Council has already recognized the need to update the General Plan for LCP certification by making it a work priority in the Planning and Environmental Review Department's Annual Work Program.

Any General Plan (CLUP) amendments would go through the public review process, including public outreach and adoption hearings, before the Planning Commission and City Council. Once that occurred, the City would update Title 17 (IP), as needed, to address policy changes. After that, the City would submit a formal application to the Coastal Commission seeking LCP (CLUP and IP) certification.

## **DISCUSSION:**

The proposed initiation would authorize staff to process GPAs to all Elements to attain a certified LCP. 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 City of Goleta expects the need to amend various policies throughout the General Plan to receive LCP certification from the Coastal Commission, as required by the Coastal Act. Therefore, the amendments are required under other rules or regulations.

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<sup>1</sup> An alternative to this process can be found in Coastal Act Section 30600(b)(1), which allows a local government to establish procedures for issuing Coastal Development Permits prior to LCP certification.

The resolution initiating the GPAs based on the factors discussed above is provided as Attachment 1. 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 is 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 to all elements in order to attain a certified LCP. If not initiated, the City would likely not be able to receive a certified LCP, which is required by the Coastal Act. Without a certified LCP, the City would not have the power to issue Coastal Development Permits.

**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 All Elements to Attain a Certified Local Coastal Program and

Finding the Initiation to be Exempt from the California Environmental Quality Act;  
Case No. 21-0004-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 All Elements to Attain a Certified Local Coastal Program and Finding the Initiation to be Exempt from the California Environmental Quality Act; Case No. 21-0004-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 ALL ELEMENTS TO ATTAIN A CERTIFIED LOCAL COASTAL PROGRAM AND FINDING THE INITIATION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; CASE NO. 21-0004-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**, the California Coastal Act (California Public Resources Code Sections 30000 et seq.) Section 30500(a), reads in part "[e]ach local government lying, in whole or in part, within the coastal zone shall prepare a local coastal program for that portion of the coastal zone within its jurisdiction"; and

**WHEREAS**, the California Coastal Act requires a certified Local Coastal Program in order for local governments to be able to issue Coastal Development Permits, as stated in the California Coastal Act Section 30600.5(b); and

**WHEREAS**, the City's General Plan will serve, upon certification by the California Coastal Commission, as the Coastal Land Use Plan portion of Goleta's Local Coastal Program; and

**WHEREAS**, the City expects the need to amend all elements of the General Plan in order to attain a certified Local Coastal Program from the California Coastal Commission; 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 the California Coastal Act. As noted above, the California Coastal Act Section 30600.5(b) requires a certified local coastal program in order for a local government to be able to issue coastal development permits. As such, the GPAs initiation is warranted based solely upon Factor 5 due to the requirements of the California Coastal Act.

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 all elements of the General Plan as needed to comply with the requirements of the California Coastal Act for certification as the City's Coastal Land Use Plan by the California Coastal Commission.



**SECTION 3.**

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 20<sup>th</sup> day of August 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 20<sup>th</sup> day  
of August, 2024 by the following roll call vote of the Council:

AYES:

NOES:

ABSENT:

(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 All Elements to Attain a Certified Local Coastal Program (Case No. 21-0004-GPA)

**Project Applicant:** City of Goleta

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

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

The California Coastal Act (California Public Resources Code Sections 30000 et seq.) requires local governments in the California Coastal Zone to create and implement Local Coastal Programs (LCPs). An LCP consists of a land use plan (Coastal Land Use Plan or "CLUP") and implementing zoning regulations (Implementation Plan or "IP"). The City's General Plan will serve as the City's CLUP (hence the formal title of the document as the "City of Goleta General Plan/Coastal Land Use Plan") and regulations in Title 17 of the Goleta Municipal Code will serve as the City's IP.

The California Coastal Commission must review the LCP and certify that the LCP is consistent with the Coastal Act. In order to receive certification, the City expects to amend policies throughout the General Plan. The project includes the initiation of amendments to all elements of the General Plan to attain a certified Local Coastal Program from the California Coastal Commission.

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

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

**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

**NOTICE OF EXEMPTION (NOE)**

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a project as defined in Section 15378(a) but 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:** Molly Cunningham, Assistant Planner,  
[Mcunningham@cityofgoleta.org](mailto:Mcunningham@cityofgoleta.org)

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Peter Imhof

Director, Planning & Environmental Review

Date

# **ATTACHMENT 3**

Staff Presentation

# General Plan Amendments Initiation to Attain a Certified Local Coastal Program

August 20, 2024

City Council Public Hearing

Presentation by:

Anne Wells, Advance Planning Manager  
Andy Newkirk, Senior Planner  
Molly Cunningham, Assistant Planner



# Public Hearing Agenda

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



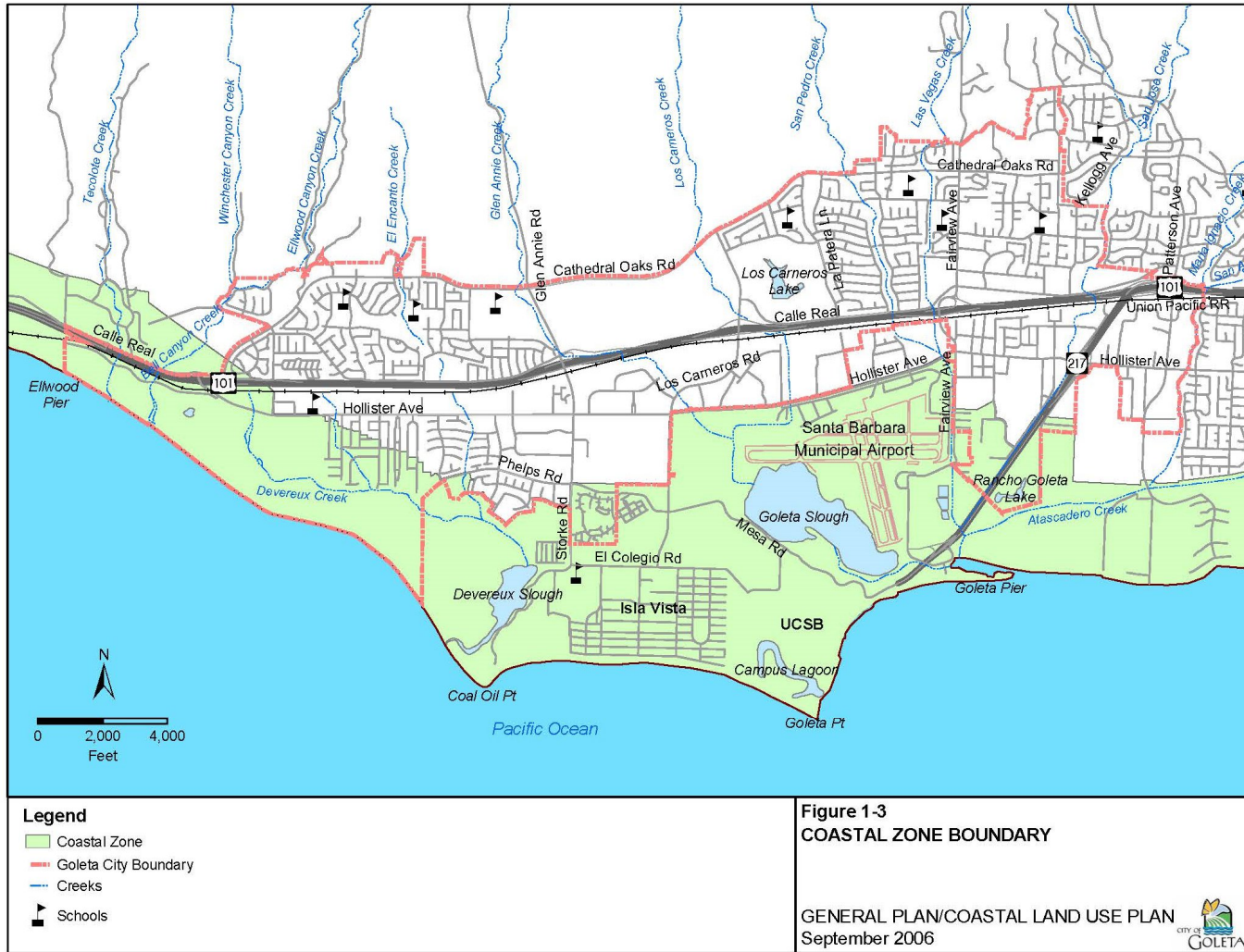


# Factors to Initiate a General Plan Amendment (GPA)

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.





# Coastal Act Requirements

- Section 30500(a): Each local government lying within the coastal zone shall prepare a Local Coastal Program for that portion of the coastal zone.
- Section 30600.5(b): Requires a certified Local Coastal Program by the California Coastal Commission in order for local governments to be able to issue Coastal Development Permits.



# Anticipated General Plan Amendments

- The City's General Plan will serve as the Coastal Land Use Plan portion of the Local Coastal Program
- In order to attain a certified Local Coastal Program, the City will need to undergo various amendments throughout General Plan based on preliminary feedback from the Coastal Commission



# Discussion

- Factors 1-4: N/A
- Factor 5: The amendment proposed is required under other rules or regulations
  - Coastal Act Sec. 30500(a)
  - Coastal Act Sec. 30600.5(b)



# 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 All Elements to Attain a Certified Local Coastal Program and Finding the Initiation to be Exempt from the California Environmental Quality Act; Case No. 21-0004-GPA."



# Next Steps

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

