

RESOLUTION NO. 23-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, TO MAKE FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21166 AND TO ADOPT THE HOUSING ELEMENT 2023-2031 AMENDMENTS ADDENDUM TO THE GENERAL PLAN/COASTAL LAND USE PLAN FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2005031151)

WHEREAS, at a duly noticed public hearing held on September 20, 2006, the Planning Agency recommended to the City Council adoption of findings and a Statement of Overriding Considerations and certification of the *Goleta General Plan/Coastal Land Use Plan* Environmental Impact Report [SCH #2005031151] (2006 Final EIR), pursuant to the California Environmental Quality Act (Public Resources Code, §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations, §§ 15000, et seq., "CEQA Guidelines"), via Resolution No. PA-06-09 and adoption of the *Goleta General Plan/Coastal Land Use Plan* (General Plan) via Resolution No. PA-06-10; and

WHEREAS, at a duly noticed public hearing held on October 2, 2006, the City Council adopted findings and a Statement of Overriding Considerations and certified the 2006 Final EIR, pursuant to CEQA and the CEQA Guidelines, via Resolution No. 06-37 and adopted the General Plan via Resolution No. 06-38; and

WHEREAS, the 2006 Final EIR and all subsequent CEQA documents approved by the City providing environmental analysis of General Plan amendments comprise the General Plan EIR as these documents collectively provide the complete environmental analysis of the General Plan as it is currently written; and

WHEREAS, based on feedback from the State regarding the City's adopted Housing Element 2023-2031, the City prepared amendments to the adopted Housing Element 2023-2031; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines section 15162 require additional environmental review; and

WHEREAS, the City has evaluated the proposed amendments to the adopted Housing Element 2023-2031 in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and State CEQA Guidelines section 15162, and concluded that the proposed

changes would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects that were previously disclosed in the General Plan EIR, and therefore no subsequent EIR or mitigated negative declaration is required; and

WHEREAS, the proposed changes would nonetheless necessitate minor changes or additions to the General Plan EIR and, thus, the City has prepared an Addendum for the Housing Element 2023-2031 Amendments (Case No. 21-0002-GPA) (Addendum), attached as Exhibit 1, to the General Plan EIR pursuant to State CEQA Guidelines section 15164 to address the changes in environmental effects associated with the amendments to the Housing Element 2023-2031; and

WHEREAS, the Addendum was prepared in full compliance with CEQA, CEQA Guidelines, and the City Environmental Review Guidelines; and

WHEREAS, State CEQA Guidelines Section 15164, subdivision (c) does not require the Addendum to be circulated for public review but can be included in or attached to a final EIR or adopted negative declaration; and

WHEREAS, under CEQA and the CEQA Guidelines and as referenced below, the "project" shall mean the amendments to the Housing Element 2023-2031 including implementation of the amendments; and

WHEREAS, consistent with the General Plan visual resource policies, the design of future housing projects on the rezoned housing sites may not degrade or obstruct scenic views and should incorporate mitigation, minimization, and avoidance strategies as provided by VH Policy 2.3 so as not to obstruct scenic viewsheds; and

WHEREAS, as part of the permitting process, future housing projects on the rezoned housing sites must be determined to be consistent with applicable General Plan Transportation Element policies, as determined by traffic studies that evaluate the potential effects of the proposed projects on local streets and roads, taking into account the cumulative effect of other nearby planned development, including potential effects on service levels, safety hazards, and other adverse effects and transportation concerns; and

WHEREAS, in determining General Plan consistency as part of the permitting process for future housing projects, the City must apply all applicable Transportation Element policies, including Policy TE 13.4, subject to State law. Policy TE 13.4 provides in substance that, if the transportation capital improvements needed to maintain the adopted transportation level of service at the standard level required by the General Plan, including circulation and traffic safety standards, are not able to be fully funded, then the City shall take one or more of four listed actions, including without limitation reducing the scope of the

development to reduce the traffic generation below the thresholds set by the General Plan; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on November 13 and 15, 2023 regarding the Addendum, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission considered the entire administrative record, including the staff report (and all attachments thereto), the General Plan EIR and Addendum, and oral and written testimony from interested persons; and

WHEREAS, on November 15, 2023, the Planning Commission recommended to the City Council adoption of the Addendum and by a 4-0 vote; and

WHEREAS, on December 5, 2023, the City Council considered the Addendum, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council considered the entire administrative record, including the staff report (and all attachments thereto), the General Plan EIR and Addendum, 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. Recitals

The City Council hereby finds and determines that the recitals above are true and correct and are each incorporated by reference and adopted as findings by the City Council.

SECTION 2. CEQA Findings; Approval of Addendum Recommendation

State CEQA Guidelines Section 15164 requires lead agencies to prepare an addendum to a previously certified EIR if some changes or additions to the project are necessary, but none of the conditions requiring preparation of a subsequent EIR are present. The City Council has reviewed and considered the administrative record, including but not limited to the General Plan EIR and the Addendum, which are all incorporated by reference as though set forth fully herein, and finds that those documents taken together contain a complete and accurate reporting of all the environmental impacts associated with the Housing Element 2023-2031

amendments. The City Council further finds that the Addendum and the administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City's Local Guidelines. The City Council finds and determines that the Addendum reflects the City's independent judgment.

The City Council finds that the foregoing is supported by substantial evidence in the record.

Furthermore, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the City is required to review any changed circumstances under Public Resources Code Section 21166 and State CEQA Guidelines Section 15162 to determine whether additional environmental review is required. Based on the substantial evidence set forth in the administrative record, including but not limited to the General Plan EIR and the Addendum, the City Council finds that none of the conditions under State CEQA Guidelines Section 15162 requiring subsequent environmental review have occurred because the Housing Element 2023-2031 amendments:

- a) do not constitute substantial changes that would require major revisions to the General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and
- b) do not constitute substantial changes with respect to the circumstances under which the project was developed that would require major revisions of the General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- c) do not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 2006 Final EIR was certified, showing any of the following: (i) that the project would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those previously analyzed would

substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

Pursuant to CEQA and CEQA Guidelines, the City Council hereby adopts the foregoing findings and adopts the Addendum attached as Exhibit 1.

SECTION 3. Certification

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

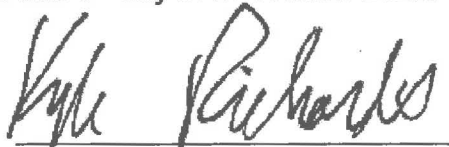
SECTION 4. Effective Date

This resolution shall become effective immediately upon its adoption.

SECTION 5. Severability

If any section, sentence, clause or phrase of this resolution or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect other provisions or applications of this resolution that can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable. The City Council hereby declares that it would have adopted this resolution and each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED this 5th day of December 2023.




KYLE RICHARDS
MAYOR PRO TEMPORE

ATTEST:



DEBORAH S. LOPEZ
CITY CLERK

APPROVED AS TO FORM:



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. 23-63 was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 5th day of December, 2023 by the following roll call vote of the City Council:

AYES: MAYOR PRO TEMPORE RICHARDS, COUNCILMEMBERS
 KASDIN, AND KYRIACO

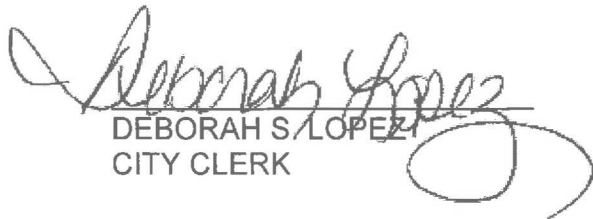
NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

RECUSALS: MAYOR PEROTTE AND COUNCILMEMBER REYES-
 MARTÍN

(SEAL)


DEBORAH S. LOPEZ
CITY CLERK

Housing Element 2023-2031 Amendments

Addendum to the General Plan/Coastal Land Use Plan (GP/CLUP) Final Environmental Impact Report (FEIR)

prepared by

City of Goleta

Planning and Environmental Review Department
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Goleta, California 93117
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October 2023



RINCON CONSULTANTS, INC.
Environmental Scientists | Planners | Engineers
rinconconsultants.com

Goleta General Plan

Chapter 6. Visual and Historic Resources Element

Policy VH 1: Scenic Views [GP/CP]

Objective: To identify, protect, and enhance Goleta's scenic resources and protect views or vistas of these resources from public and private areas

VH 1.4 Protection of Mountain and Foothill Views. [GP/CP] Views of mountains and foothills from public areas shall be protected. View protection associated with development that may affect views of mountains or foothills should be accomplished first through site selection and then by use of design alternatives that enhance, rather than obstruct or degrade, such views. To minimize structural intrusion into the skyline, the following development practices shall be used where appropriate...

Policy VH 2: Local Scenic Corridors [GP]

Objective: To protect and enhance the visual character and public views within and from Goleta's scenic corridors and locations from which scenic vistas can be enjoyed.

VH 2.1 Designated Scenic Corridors. [GP] The Scenic Resources Map in Figure 6-1 identifies corridors that pass through, or provide visual access to, areas of high scenic value. These corridors, or segments of corridors, include but are not limited to the following:

- a. US-101.
- b. Cathedral Oaks Road.
- c. Hollister Avenue...

VH 2.2 Preservation of Scenic Corridors. [GP] The aesthetic qualities of scenic corridors shall be reserved through retention of the general character of significant natural features; views of the ocean, foothills, and mountainous areas; and open space associated with recreational and agricultural areas including orchards, prominent vegetation, and historic structures.

VH 2.3 Development Projects Along Scenic Corridors. [GP] Development adjacent to scenic corridors should not degrade or obstruct views of scenic areas. To ensure visual compatibility with the scenic qualities, the following practices shall be used, where appropriate...