



Agenda Item B.2
CONSENT CALENDAR
Meeting Date: June 4, 2019

TO: Mayor and Councilmembers

FROM: Peter Imhof, Planning and Environmental Review Director

CONTACT: Mary Chang, Supervising Senior Planner

SUBJECT: Second Reading of Ordinance Adopting a Rezone for the Hollister Village 27 Apartment Project; Case No. 18-152-RZ; APN 073-030-026, 027, -028, & -033

RECOMMENDATION:

Conduct the second reading (by title only) and waive further reading and adopt Ordinance No. 19 - _____ entitled "An Ordinance of the City Council of the City of Goleta, California Amending the Zoning Map to Redesignate Property from Shopping Center (Sc) to Design Residential (Dr-20) for the Hollister Village Apartment Project; Case No. 16-029-Rz; Apn 073-030-026,-027, -028, & -033."

BACKGROUND:

On May 21, 2019, the Council introduced the first reading of an ordinance to adopt a rezone for a 1.84-acre property within the Hollister Village Center. The rezone would change the zoning from Shopping Center (SC) to Design Residential (DR-20).

The ordinance is associated with the approval of the Hollister Village Apartment Project to develop 27 units (14 studios and 13 one-bedrooms), including 5 affordable studio units. The California Environmental Quality Act determinations (the Addendum) and the other project components (the General Plan Amendment, the Lot Line Adjustment, and the Development Plan Revision with modifications) were adopted on May 21, 2019 under related resolutions.

DISCUSSION:

The introduced ordinance is required to have a second reading before its adoption by the City Council. If the Council adopts this ordinance, it would then be effective on the thirty-first day after adoption.

FISCAL IMPACTS:

All costs are borne by the applicant.

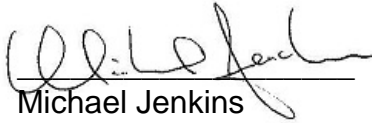
ALTERNATIVES:

In light of Council's introduction of the ordinance on May 21, 2019, as alternatives the Council could choose to:


- 1) Amend the ordinance and reintroduce it; or
- 2) Direct staff to return with further information; or
- 3) Take no action.

Each of these alternatives would prevent adoption at this time.

Legal Review By:


Michael Jenkins
City Attorney

Approved By:


Michelle Greene
City Manager

ATTACHMENTS:

1. An Ordinance of the City Council of the City of Goleta, California Amending the Zoning Map to Redesignate Property from Shopping Center (Sc) to Design Residential (Dr-20) for the Hollister Village Apartment Project; Case No. 16-029-Rz; Apn 073-030-026, -027, -028, & -033.

ATTACHMENT 1

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA
AMENDING THE ZONING MAP TO REDESIGNATE PROPERTY FROM SHOPPING
CENTER (SC) TO DESIGN RESIDENTIAL (DR-20) FOR THE HOLLISTER VILLAGE
APARTMENT PROJECT; CASE NO. 16-029-RZ; APN 073-030-026, -027, -028, & -033**

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AMENDING THE ZONING MAP TO REDESIGNATE PROPERTY FROM SHOPPING CENTER (SC) TO DESIGN RESIDENTIAL (DR-20) FOR THE HOLLISTER VILLAGE APARTMENT PROJECT; CASE NO. 16-029-RZ; APN 073-030-026,-027, -028, & -033.

The City Council of the City of Goleta does ordain as follows:

SECTION 1: The City Council finds and declares that:

- A. On May 21, 2019, Goleta Hollister Apts, LLC and Goleta Hollister Triangle, LLC (Applicant) submitted an application for a rezone (Project) on a 1.84-acre site from Shopping Center (SC) to Design Residential (DR-20) consistent with the requested General Plan Land Use Amendment in Resolution No. _____;
- B. The Project site is vacant land within the overall Hollister Village Development totaling 1.84 acres (Assessor's Parcel No. 073-030-026, -027, -028, & -033);
- C. The Project site has a General Plan Land Use Element designation of Community Commercial (C-C). Separately, the Applicant seeks a General Plan amendment to change the Land Use Element Figure 2-1 (The Land Use Plan Map) from C-C to Residential Medium Density (R-MD);
- D. The Project would allow the Hollister Village Apartments (the "Development") on 1.84 acres of the Project site consisting of 14 studio and 13 one-bedroom apartments, totaling 27 units, which include 5 affordable units;
- E. Subsequently, the City reviewed the Project and Development's environmental impacts in accord with the California Environmental Quality Act (Public Resources Code §§ 21000 *et seq.*, "CEQA"), the regulations promulgated thereunder (14 California Code of Regulations §§ 15000 *et seq.*, the "CEQA Guidelines"), and the City's Environmental Review Guidelines ("Goleta Guidelines");
- F. The City prepared an Addendum to the Westar Mixed-Use Village Final Environmental Impact Report (FEIR) assessing the Project and Development's potential environmental impacts;
- G. On April 22, 2019, the Planning Commission held a duly noticed public hearing and considered the entire administrative record, including staff

reports, the Addendum and oral and written testimony from interested persons, all of whom were given an opportunity to be heard and recommended approval of the Project; and

- H. On May 21, 2019, the City Council conducted a duly noticed public hearing and approved an Addendum to the Westar Mixed-Use Village FEIR; a General Plan Amendment; a Lot Line Adjustment a Development Plan Revision with modifications; and a Zone Change for the project site. At this meeting, the City Council introduced this ordinance and conducted first reading.

SECTION 2: *Factual Findings and Conclusions.* In addition to the facts set forth in Sections 1 and 3, the City Council makes the following findings and conclusions:

- A. The Project involves a 1.84-acre site upon which the Development is proposed. The Project would allow the Development to be constructed on this site for 27 medium density residential units described in the DR-20 zone correspond to the uses permitted by the Project;
- B. The Project allows 14 studio and 13 one-bedroom apartments, which would otherwise not be permitted in the existing Shopping Center (SC) zone;
- C. The Project allows the Development to continue an integrated mixed-use neighborhood as envisioned by the Westar Mixed-Use Village Project planned for the site; and
- D. The Project is will facilitate the placement of more compatible residential uses along the S. Glen Annie Road residential corridor.

SECTION 3: *Environmental Assessment.* Resolution No. ____ adopted an Addendum which, among other things, properly assesses the environmental impact of this Project and the Development in accordance with CEQA. This Ordinance incorporates by reference the environmental findings and analysis set forth in Resolution No. ____ as if fully set forth herein.

SECTION 4: *General Plan and City of Goleta Inland Zoning Ordinance.* The Project conforms to the General Plan and Inland Zoning Ordinance (ZO) as set forth in the consistency analysis contained in Resolution No.____.

SECTION 5: *Rezone Findings.* Pursuant to ZO § 35-325.5 (Ordinance Text Amendments/Rezone), the City Council finds the following as to the Project application:

- A. The Project is in the public interest of the general community welfare for the reasons set forth in Section 2.
- B. The Project is consistent with the General Plan, the requirements of State

planning and zoning laws, and this article. As set forth in Sections 2, 3 and 4 of this Resolution, this project conforms to all applicable law, including, without limitation, the General Plan and the ZO.

- C. The Project is consistent with good zoning and planning practices. As set forth in Sections 2, 3, and 4, the request complies with the City's policies and goals for land use planning.

SECTION 6: *Action.* Based on the findings contained in Sections 1-5 above, the City Council approves the Project to change the Zoning Map referenced in ZO § 35-204 as shown on attached Exhibit 1, which is incorporated by reference. This Project changes the Project site's existing zoning designation of Shopping Center (SC) to Design Residential (DR-20), consistent with the requested General Plan Land Use Amendment in Resolution No. _____.

SECTION 7: *Technical Changes.* The City Manager, or designee, is authorized to make technical corrections, in a form approved by the City Attorney, to maps, diagrams, tables, and other, similar, documents (collectively, "Maps") that may be required to reconcile the changes made by this Ordinance with amendments made to the Maps by other City Council action in unrelated land use applications before 2019.

SECTION 8: *Reliance on Record.* Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 9: *Repeals.* To the extent any provision of this Ordinance repeals or supersedes any previous approvals, such repeal or replacement will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed or superseded part of previous approvals will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 10: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications, and, to this end, the provisions of this Ordinance are severable.

SECTION 11: The City Clerk is directed to certify the passage and adoption of the Ordinance, make a note of the passage and adoption in the records of this meeting, and within fifteen days after the passage and adoption of this Ordinance cause it to be published and posted in accordance with California law.

SECTION 12: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

INTRODUCED ON the ____ day of ____, 2019.

PASSED, APPROVED, AND ADOPTED this __ day of ____, 2019.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH LOPEZ
CITY CLERK

MICHAEL JENKINS
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 City Council Ordinance No. 19-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the __ day of _____, 2019, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK