



**Agenda Item C.1**  
**PUBLIC HEARING**  
**Meeting Date: April 6, 2021**

---

**TO:** Mayor and Councilmembers

**FROM:** Peter Imhof, Planning and Environmental Review Director

**CONTACT:** Lisa Prasse, Current Planning Manager

**SUBJECT:** Consideration of Initiation of a General Plan Amendment to the Visual and Historic Resources Element; Case No. 20-004-GPA

**RECOMMENDATION:**

Adopt Resolution No. 21-\_\_\_\_, entitled "A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of a City-initiated General Plan Amendment to the Visual and Historic Resources Element of the General Plan/Coastal Land Use Plan; Case No. 20-0004-GPA."

**BACKGROUND:**

General Plan Amendment (GPA) Initiation

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 23 occasions. The most recent amendment occurred on January 19, 2021 regarding the land use designation for 5631 Calle Real.

The GPA process is governed by Article 6 of State Planning and Zoning Law (Government Code Sections 65350 et seq.). Pursuant to state law, GPAs require the Planning Commission's consideration and recommendation. However, the final decision is a legislative action and is reserved for the City Council.

City Council Resolution No. 12-13 and Goleta Municipal Code (GMC) Section 17.67.030 include procedures for the initiation of processing requests for 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 Section 17.67.030 list five factors the City Council must consider for the initiation of 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 GPA 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 public hearing.

### **DISCUSSION:**

As Council is aware, staff has been working on a Historic Preservation Ordinance (Ordinance) for the past few years. Hearings on the Ordinance before the Planning Commission began on December 14, 2020. The draft Historic Resources provisions were generally well received by the Planning Commission and public in December with the following comments/direction provided:

- Provide more details/information as to why each property is proposed to be placed on the proposed Eligibility List;
- Clarify if it is the primary structure on the property or any accessory buildings on the property that would be placed on the Eligibility list;
- Clarify how ADU requirements (no design review for additions) correspond with the Ordinance requirements for design review of additions to Historic Resources;
- Reconsider the right level of Historic Preservation Commission (HPC) review authority;
- Reconsider the make-up/number of the Historic Preservation Commissioners including whether it is appropriate to having a Planning Commissioner and Design Review Board member on the HPC;
- Consider if it is best practice to allow Historic Preservation Commissioners to submit nominations for designation;
- Change "Point of Interest" designation category to "Point of Historical Interest" designation category;
- Add economic hardship as a factor in the consideration of granting a Mills Act contract;
- Increase length of time to getting a building permit after demolishing without approval for non-residential projects;
- Reconsider the wording of the demolition provisions to make sure it only captures demolition of Historic Resources and not everything over 50 years; and
- Review language of the alteration exemptions to be clearer.

As prepared, the draft Ordinance deviates from the policies and information provided in the General Plan Visual and Historic Resources Element. The changes are not significant and will likely not change the intent of the policies but rather update the policy wording based on the work done on the Ordinance and the Eligibility List, including the relationship of Table 6-1 and Graphic 6-2 to the new ordinance. Should the Ordinance move forward as currently envisioned, amendments to the General Plan will be needed in order to ensure consistency between the General Plan and the Ordinance. Such changes may include language changes to the policies regarding eligibility criteria (VH 5.2), alterations (VH 5.5) and demolition (VH 5.6), so that General Plan policies accurately reflect and are consistent with such Ordinance details.

As previously noted, the Council must consider a specific set of five factors when determining whether to initiate a GPA. Pursuant to Resolution 12-13 and GMC Section 17.67.030, staff presents the following discussion of the GPA initiation factors for City Council consideration:

**1. The proposed GPA is consistent with the Guiding Principles and Goals of the City's General Plan.**

The applicable Visual and Historic Resources Element Guiding Principles and Goals are:

- Guiding Principle VH-4 (preserve links to Goleta's architectural past whenever possible to avoid loss of community character);
- Guiding Principle VH-5 (preserve the city's historic structures and sites as irreplaceable resources and protect these resources from deterioration, inappropriate alterations, and demolition);
- Guiding Principle VH-6 (encourage owners of historic structures and sites to invest in maintenance and restoration efforts, and, if eligible, seek historic landmark status);
- Guiding Principle VH-7 (strengthen the character of Goleta Old Town [Old Town] to reflect its position as the historic hub of the community);
- Guiding Principle VH-8 (ensure that new construction and additions to existing buildings maintain the character and livability of existing neighborhoods and are designed to fit appropriately within the context of the surrounding area); and
- General Plan Goal VH-5 Historic Resources (to identify, protect, and encourage preservation of significant architectural, historic, and prehistoric sites, structures, and properties that comprise Goleta's heritage).

The proposed GPA would be in keeping with the above-referenced Guiding Principles and Goals as the purpose of this amendment is to create harmony between the General Plan and Ordinance. The proposed changes are based on the work done to create regulations and standards to implement the General Plan and on the recent survey work to identify local historic resources. The GPA

will not alter the intent of the above-referenced Guiding Principles and Policies, but will strengthen, enhance, and implement what has previously been adopted.

2. **The proposed GPA will have no material effect on the community or the General Plan.**

The amendment will have no material effect on the community or the General Plan. The GPA will not change the intent of the Visual and Historic Resources Element policies but will foster clarity and harmony between the General Plan and the proposed Ordinance. The amendment will make revisions and updates to the General Plan Policies related to historic and cultural resources based on the additional information resulting from the work of the City's historic resources consultant. The historic and cultural resources policies were adopted over 14 years ago without the benefit of a detailed study of the City by a historic consultant.

3. **The amendment proposed provides additional public benefit to the community as compared to the existing land use designation or policy.**

As indicated above, the amendment will make revisions and updates to the General Plan policies related to historic and cultural resources based on the additional information resulting from the work of the City's historic resources consultant. These policies were adopted over 14 years ago without the benefit of a detailed study of the City by a historic consultant. The benefit to the City is to have updated policies that are in keeping with both National and State historic resource practices.

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.**

This factor is not applicable given the nature of the proposed GPA.

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

The proposed GPA may be required under other rules or regulations. The Ordinance may create minor inconsistencies between the General Plan and the City's zoning regulations in GMC Title 17. Pursuant to California Government Code Section 65860, the City's zoning ordinances shall be consistent with the General Plan. In addition, pursuant to GMC subsection 17.66.040(B)(1), any zoning ordinance amendment must be consistent with the General Plan to be adopted. As such, to remain consistent with state and City rules and regulations, this General Plan Amendment may be required.

The initiation of a GPA is not a project under the California Environmental Quality Act (CEQA) because the initiation merely instructs staff to further consider the amendment and does not obligate the City to any further action in the future or result in any direct physical change in the environment or any reasonably foreseeable change in the environment. Staff is recommending the City Council adopt the proposed resolution

initiating the processing of a city-initiated General Plan amendment to the Visual and Historic Resources Element of the General Plan/Coastal Land Use Plan; Case No. 20-0004-GPA (Attachment 1).

**FISCAL IMPACTS:**

The only costs associated with this GPA Initiation are those related to the staff time involved. This will also be the case during the development and review of the GPA.

**ALTERNATIVES:**

The City Council could choose not to initiate processing the proposed GPA. If not initiated, City staff would need to limit the scope of the Historic Resources Ordinance to ensure complete consistency with the General Plan. Such a limitation would limit the ability of the City to utilize the extensive work undertaken during the Historic Resources project.

If initiated, the GPA will be wrapped into the overall processing of the Ordinance tasks including review by the Planning Commission leading to a recommendation and then review and action by the City Council.

**Reviewed By:**

**Legal Review By:**

**Approved By:**



Kristine Schmidt  
Assistant City Manager



Michael Jenkins  
City Attorney



Michelle Greene  
City Manager

**ATTACHMENT:**

1. A Resolution of the City Council of the City of Goleta, California, Initiating the Processing of a City-initiated General Plan Amendment to the Visual and Historic Resources Element of the General Plan/Coastal Land Use Plan; Case No. 20-0004-GPA

## **ATTACHMENT 1**

RESOLUTION NO. 21- \_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, INITIATING THE PROCESSING OF AN CITY-INITIATED GENERAL PLAN AMENDMENT TO THE VISUAL AND HISTORIC RESOURCES ELEMENT OF THE GENERAL PLAN/COASTAL LAND USE PLAN; CASE NO. 20-0004-GPA

## RESOLUTION NO. 21- \_

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, INITIATING THE PROCESSING OF AN CITY-INITIATED GENERAL PLAN AMENDMENT TO THE VISUAL AND HISTORIC RESOURCES ELEMENT OF THE GENERAL PLAN/COASTAL LAND USE PLAN; CASE NO. 20-0004-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, “If it deems it to be in the public interest, the legislative body may amend all or part of an adopted general plan. An amendment to the general plan shall be initiated in the manner specified by the legislative body. Notwithstanding Section 66016, a legislative body that permits persons to request an amendment of the general plan may require that an amount equal to the estimated cost of preparing the amendment be deposited with the planning agency prior to the preparation of the amendment”; 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 a General Plan Amendment (GPA); 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**, on June 2016, the City Council approved a contract with Historic Resources Group (HRG) for the development of a Historic Preservation Ordinance and, in order to maintain consistency between the General Plan and the Ordinance, refinements to some of the Visual and Historic Policies have been identified that do not change the intent of the adopted policies; and

**WHEREAS** the General Plan contains several General Plan policies related the Historic Resources in the Visual and Historic Resources Element; and

**WHEREAS**, while exact changes to the General Plan are not known yet pending the public processing of a Historic Preservation Ordinance, potential changes may include language changes to General Plan policies regarding eligibility criteria (VH 5.2), alterations (VH 5.5) and demolition (VH 5.6).

**WHEREAS** the City Council conducted a duly noticed public hearing on April 6, 2021, 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, 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.**

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. The proposed GPA is consistent with the Guiding Principles and Goals of the City's General Plan. The applicable Visual and Historic Resources Element Guiding Principles and Goals are:
  - Guiding Principle VH-4 (preserve links to Goleta's architectural past whenever possible to avoid loss of community character);
  - Guiding Principle VH-5 (preserve the city's historic structures and sites as irreplaceable resources and protect these resources from deterioration, inappropriate alterations, and demolition);
  - Guiding Principle VH-6 (encourage owners of historic structures and sites to invest in maintenance and restoration efforts, and if eligible, seek historic landmark status;
  - Guiding Principle VH-7 (strengthen the character of Goleta Old Town (Old Town) to reflect its position as the historic hub of the community);
  - Guiding Principle VH-8 (ensure that new construction and additions to existing buildings maintain the character and livability of existing neighborhoods and are designed to fit appropriately within the context of the surrounding area); and
  - General Plan Goal VH-5 Historic Resources (to identify, protect, and encourage preservation of significant architectural, historic, and prehistoric sites, structures, and properties that comprise Goleta's heritage).

The proposed GPA would be in keeping with the above-referenced Guiding Principles and Goals as the purpose of this amendment is to create harmony between the General Plan and Ordinance. The proposed changes are based on the work done to create regulations and standards to implement the General Plan and on the recent survey work to identify local



historic resources. The GPA will not alter the intent of the above-referenced Guiding Principles and Policies, but will strengthen, enhance, and implement what has previously been adopted.

- b. The proposed GPA will have no material effect on the community or the General Plan. The GPA will not change the intent of the Visual and Historic Resource Element policies but will foster clarity and harmony between the General Plan and proposed Ordinance. The amendment will make revisions and updates to the General Plan policies related to historic and cultural resources based on the additional information resulting from the work of the City's historic resources consultant.
- c. The proposed GPA provides additional public benefit to the community as compared to the existing land use policies. As indicated above, the amendment will make revisions and updates to the General Plan policies related to historic and cultural resources based on the additional information resulting from the recent work of the City's historic resources consultant. The historic and cultural resources policies were adopted over 14 years ago without the benefit of a detailed study of the City by a historic consultant. The benefit to the City is to have updated policies that are in keeping with both National and State historic resource practices.
- d. No public facilities are needed to serve this project given the nature of the proposed GPA.
- e. The proposed GPA may be required under other rules or regulations. Given the current direction for the Historic Preservation Ordinance, the Ordinance may create minor inconsistencies between the General Plan and the City's zoning regulations in GMC Title 17. Pursuant to California Government Code Section 65860, the City's zoning ordinances shall be consistent with the General Plan. In addition, pursuant to GMC subsection 17.66.040(B)(1), any zoning ordinance amendment must be consistent with the General Plan to be adopted. As such, to remain consistent with state and City rules and regulations, this General Plan Amendment may be required.
- f. The foregoing recitals, which are incorporated herein by reference, are true and correct.

## **SECTION 2.**

The City Council hereby authorizes staff to initiate processing of the proposed Visual and Historic Resources Element GPA. The initiation of the GPA does not suggest how the City Council may ultimately act on the GPA when it is brought forward for City Council consideration. The initiation of the GPA shall not influence the City Council's consideration of the GPA.

**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 \_\_\_\_\_ day of \_\_\_\_\_ 2021.

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH S. 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 Resolution No. 21-\_\_ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

---

DEBORAH S. LOPEZ  
CITY CLERK