



TO: Mayor and Councilmembers

FROM: Peter T. Imhof, Planning and Environmental Review Director

CONTACT: Anne Wells, Advance Planning Manager
Andy Newkirk, Senior Planner

SUBJECT: Zoning Amendment to Allow Indoor Sports and Recreation in the General Commercial Zoning District

RECOMMENDATION:

Conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 21-___, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting an Amendment to Title 17 of the Goleta Municipal Code to Allow Certain Entertainment and Recreation Services Related Uses in the General Commercial Zoning District."

BACKGROUND:

On May 18, 2021, City Council initiated a General Plan Amendment (GPA), via Resolution No. 21-20, authorizing staff to process a potential GPA to allow "Entertainment and Recreation Services" in the C-G land use designation.

After initiation, staff prepared the GPA for Planning Commission and City Council consideration. In addition to the GPA, staff proposed an amendment to Title 17 (Zoning) of the Goleta Municipal Code (GMC) to allow Indoor Sports and Recreation in the C-G zoning district in Table 17.08.020, consistent with the proposed GPA.

The Planning Commission considered the proposed GPA, an Ordinance to amend Table 17.08.020 of the GMC to allow Indoor Sports and Recreation in C-G and associated environmental documentation at a public hearing on September 13, 2021. At that hearing, the Planning Commission adopted Planning Commission Resolution No. 21-07, recommending to City Council adoption of the GPA, Ordinance, and environmental documentation.

DISCUSSION:

On October 19, 2021, the City Council reviewed the Planning Commission recommendation and unanimously introduced and conducted the first reading of the Ordinance, provided as Attachment 1, adopted the GPA, and adopted an Addendum to the Goleta General Plan/Coastal Land Use Plan Final Environmental Impact Report. The

City Council must conduct a second reading of the Ordinance prior to the Ordinance going into effect. City Council has the opportunity to conduct the second reading and adopt the Ordinance, which would then be effective on the thirty-first day after adoption.

FISCAL IMPACTS:

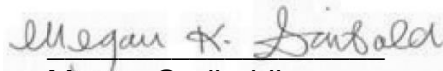
There is no direct fiscal impact from adoption of the Ordinance. Funding for Planning and Environmental Review staff time to prepare the Ordinance was included in the adopted FY 2021-22 Budget under Program 4300 of the Advance Planning Division.


Reviewed By:

Legal Review By:

Approved By:


Kristine Schmidt
Assistant City Manager


Megan Garibaldi
City Attorney


Michelle Greene
City Manager

ATTACHMENT:

1. Ordinance No. 21-__, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting an Amendment to Title 17 of the Goleta Municipal Code to Allow Certain Entertainment and Recreation Services Related Uses in the General Commercial Zoning District"

Attachment 1

Ordinance No. 21-__, entitled “An Ordinance of the City Council of the City of Goleta, California, Adopting an Amendment to Title 17 of the Goleta Municipal Code to Allow Certain Entertainment and Recreation Services Related Uses in the General Commercial Zoning District”

ORDINANCE NO. 21-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING AN AMENDMENT TO TITLE 17 OF THE GOLETA MUNICIPAL CODE TO ALLOW CERTAIN ENTERTAINMENT AND RECREATION SERVICES RELATED USES IN THE GENERAL COMMERCIAL ZONING DISTRICT

WHEREAS the City of Goleta (City) adopted Title 17 (Zoning) of the Goleta Municipal Code (GMC) on March 3, 2020; and

WHEREAS Chapter 17.66 of the GMC provides procedures to amend Title 17 of the GMC, including required, noticed public hearings in front of the Planning Commission and City Council; and

WHEREAS the Planning Commission conducted a duly noticed public hearing on September 13, 2021, at which time all interested parties were given an opportunity to be heard; and

WHEREAS the Planning Commission recommended to City Council adoption of the Title 17 Amendment Ordinance on September 13, 2021; and

WHEREAS the City Council conducted a duly noticed public hearing on October 19, 2021 at which time all interested persons were given an opportunity to be heard.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals

The City Council hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. Required Findings for the Title 17 Amendment

Pursuant to subsection 17.66.050(B) of the Goleta Municipal Code, the City Council makes the following findings:

- A. The amendment is consistent with the General Plan, the requirements of State planning and zoning laws, and Title 17 of the Goleta Municipal Code.**

The Ordinance, which amends the Goleta Municipal Code Title 17, is consistent with all applicable provisions of the City's General Plan that relate to development on real property throughout the City. Specifically, the proposed amendment complies with Table 2-2 (Allowable Uses and Standards for Commercial Use

Categories) as Table 2-2 allows Entertainment and Recreation Services in the General Commercial (C-G) land use designation. Additionally, noticing for the public hearing regarding the Ordinance were, and will continue to be, done in compliance with California Government Code Sections 65091 and 65094. Therefore, the Ordinance is in consistent with the General Plan, the requirements of State planning and zoning laws, and Title 17 of the Goleta Municipal Code and this finding is made.

B. The amendment is in the interests of the general community welfare.

The Ordinance, which amends Goleta Municipal Code Title 17, will allow the City to permit indoor sports and recreation uses in areas that have historically been used for such uses and thus reflect community expectation. Creating greater flexibility within Title 17 supports the general community welfare by meeting public expectations and by ensuring that uses, such as physical fitness centers, martial arts and dance studios, and athletics clubs, which typically serve City residents and workers, will have adequate potential sites to locate within the City. Therefore, the Ordinance is in the interest of the general community welfare and this finding is made.

C. The amendment is consistent with good zoning and planning practices.

The Ordinance, which amends Goleta Municipal Code Title 17, will help the City continue to implement the community goals, objectives, and policies of the General Plan. Specifically, the Ordinance supports Land Use Element Guiding Principle and Goal Number 6, to “[m]aintain a balance community, with an appropriate mix of residences, workplaces, and services,” by slightly expanding the suitable sites for which recreation services, in particular indoor sports and recreation uses, that serve the residents and workers of the City may be located.

Furthermore, the amendment will allow a use in a General Commercial zoning district. This type of use is typically allowed in General Commercial zones in southern Santa Barbara County. In particular, this type of use was allowed under the City’s original zoning regulations inherited from the County of Santa Barbara in most of the areas now within the General Commercial land use designation and zoning district. The amendment does not expand the use allowance to districts that typically do not permit such uses.

Therefore, the Ordinance is consistent with good zoning and planning practices and this finding is made.

SECTION 3. Environmental Assessment

An Addendum to the Goleta General Plan/Coastal Land Use Plan Final Environmental Impact Report was prepared for the Ordinance, and associated General Plan

Amendment, in compliance with the requirements of the California Environmental Quality Act (CEQA) as approved by City Council via Resolution No. 21-____.

SECTION 4. **Title 17 of the Goleta Municipal Code Amendment**

Table 17.08.020: LAND USE REGULATION—COMMERCIAL DISTRICTS of the Goleta Municipal Code is amended as follows:

Allow the “*Indoor Sports and Recreation*” use in the “CG” Zone District with a “P” (Zoning Permit or Exempt) requirement.

SECTION 5. **Effect of Amendment**

To the extent any provision of this Ordinance repeals, amends, 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 6. **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 7. **Codification**

The City Clerk shall cause this amendment to be appropriately renumbered and codified in Title 17 of the Goleta Municipal Code on the effective date of this Ordinance.

SECTION 8. **Certification of City Clerk**

The City Clerk shall certify to the adoption of this Ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 9. **Effective Date**

This Ordinance shall take effect on the 31st day following adoption by the City Council.

INTRODUCED ON the ___ day of _____, 2021.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2021.

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 Ordinance No. 21-__ was introduced on _____, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the _____, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK