

RESOLUTION NO. 08-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA TO APPROVE CASE NO. 03-050-GPA AMENDING GENERAL PLAN/COASTAL LAND USE PLAN POLICY CE 10.3

WHEREAS, an application was submitted by Rockber LLC on April 1, 2003 requesting approval of a General Plan Amendment to allow for greater flexibility in the design of stormwater runoff control facilities where warranted by the a project's design, location within its watershed, and opportunities for use of innovate engineering practices to better protect property within the City from flooding as well as the water quality of the City's streams, lakes, sloughs, and offshore ocean waters; the project application was deemed complete on October 10, 2003; and

WHEREAS, the application is an element of a proposal to construct 275 multi-family residential units within nine (9) buildings with associated recreational amenities/community center, landscaping, roads, utilities, drainage facilities, other supporting infrastructure on 16.11 acres comprising Lots 2 and 5 of TM 14,500; and

WHEREAS, it was determined that the proposed project, inclusive of all of its various components including the requested General Plan/Coastal Land Use Plan amendment, is subject to the California Environmental Quality Act, that one or more significant effects on the environment may occur, and that preparation of a Environmental Impact Report is required; and

WHEREAS, a Draft Environmental Impact Report was prepared by Envicom Corporation under contract to the City and released to the public on March 30, 2007, and a proposed Final Environmental Impact Report was prepared by Envicom Corp under contract to the City and released to the public on November 2, 2007; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on November 13, 2007, at which time all interested persons were given an opportunity to be heard; and the Planning Commission subsequently recommended that the City Council certify the EIR; and

WHEREAS, the City Council conducted duly noticed public hearings on February 5, 2008 and February 19, 2008, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council has considered the entire administrative record, including the staff reports, the Draft and Final EIRs, comments and responses to comments, the application materials, the recommendation of the Planning Commission, 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. Amendment to the General Plan/Coastal Land Use Plan:

Finding: The City Council adopts the findings set forth in Exhibit 1 of this resolution pursuant to Section 65358 of the Government Code for an amendment to General Plan/Coastal Land Use Plan Policy CE 10.3 as requested by the applicant to allow for greater flexibility in the design of stormwater runoff control facilities where warranted by the a project's design, location within its watershed, and opportunities for use of innovate engineering practices to better protect property within the City from flooding as well as the water quality of the City's streams, lakes, sloughs, and offshore ocean waters.

Action: The City Council approves the proposed amendment to Policy CE 10.3 of the City's General Plan/Coastal Land Use Plan with a "City Council Hearing Exhibit #1" stamp dated February 19, 2008.

SECTION 2. Documents: The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 3. The City Clerk shall certify to the adoption of this resolution.

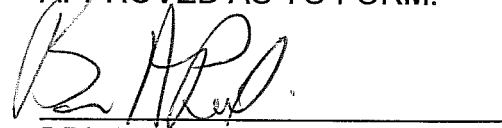
PASSED, APPROVED AND ADOPTED this 19th day of February, 2008.


MICHAEL T. BENNETT, MAYOR

ATTEST:


DEBORAH CONSTANTINO
CITY CLERK

APPROVED AS TO FORM:


BRIAN A. PIERIK
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 08-06 was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 19th day of February, 2008, by the following vote of the Council members:


AYES: MAYOR BENNETT, MAYOR PRO TEMPORE ACEVES,
COUNCILMEMBERS BLOIS, ONNEN AND WALLIS

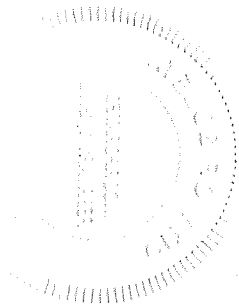
NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

(SEAL)


DEBORAH CONSTANTINO
CITY CLERK



**EXHIBIT 1
FINDINGS**

**AMENDMENT TO GENERAL PLAN/COASTAL LAND USE PLAN
POLICY CE 10.3; CASE NO. 03-050-GPA**

ADMINISTRATIVE FINDINGS

- 1.0 *General Plan Amendment: Government Code Section 65358 requires that any adopted general plan amendment must be in the public interest.*

The proposed amendment to General Plan Policy CE 10.3 ensures policy consistency with the City's adopted Stormwater Management Program by allowing for greater flexibility in the design of stormwater runoff control facilities where warranted to take advantage of a project site's location within a given watershed, opportunities for innovate engineering practices, and to provide for resource efficient and effective protection within the City from flooding as well as to better protect the water quality of the City's streams, lakes, sloughs, and offshore ocean waters.

EXHIBIT 2

Text of Amendments to CE 10.3

CE 10.3 Incorporation of Best Management Practices for Stormwater Management [GP/CP]: New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from non-point sources to the maximum extent feasible consistent with the requirements and standards of the Central Coast Regional Water Quality Control Board. ~~Post-development peak stormwater runoff discharge rates shall not exceed the estimated predevelopment rate. Dry weather runoff from new development shall not exceed the predevelopment baseline flow rate to receiving surface water bodies. Post construction structural BMPs shall be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms in accordance with the City's Stormwater Management Program. Up to and including the 85th percentile, 24-hour storm event for volume based BMPs and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor) for flow based BMPs.~~ Examples of BMPs include the following:

- a. Retention and detention basins;
- b. Vegetated swales;
- c. Infiltration galleries or injection wells;
- d. Use of permeable paving materials;
- e. Mechanical devices such as oil-water separators and filters;
- f. Revegetation of graded or disturbed areas.
- g. Other measures that are promoted by the Central Coast Regional Water Quality Control Board and those described in the BMP report of the Bay Area Association of Stormwater Management Agencies.