

CALIFORNIA COASTAL COMMISSION

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DATE: March 23, 2006

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Deputy Director
Gary Timm, District Manager
Steve Hudson, Supervisor, Planning and Regulation
Shana Gray, Coastal Program Analyst

SUBJECT: Santa Barbara County Local Coastal Program Amendment No. MAJ-2-04-D (Open Space Management Plan) for Public Hearing and Commission Action at the April 13, 2006, Commission Meeting in Santa Barbara.

DESCRIPTION OF THE SUBMITTAL

Santa Barbara County is requesting an amendment to the Coastal Land Use Plan (LUP) portion of its certified Local Coastal Program (LCP) to add policies within the Goleta Community Plan consistent with the Ellwood-Devereux Coast Open Space and Habitat Management Plan (Open Space Plan or OSP). The Goleta Community Plan would be amended to include biological and recreation policies that require four properties (Ocean Meadows, Camino Corto Open Space Reserve, Del Sol Vernal Pool Reserve, and Devereux School) to be consistent with the Open Space Plan. The Open Space Plan includes resource and trail maps and new policies for biological resources, public access (including planned trail system, trail design options, public access points and parking), and environmental hazards (including erosion, sedimentation, water quality, hazardous materials management, and fire and emergency response).

The County of Santa Barbara submitted Local Coastal Program Amendment 2-04 on December 20, 2004. The amendment consists of four separate changes to the County's certified LCP: (A) updates to policies and regulations to address the environmentally preferred mode of transporting crude oil produced offshore; (B) new policies and regulations to promote timely and appropriate abandonment of oil and gas facilities; (C) modification of land use and zoning designations on a portion of APN 073-090-062 from Planned Residential Development to Recreation; and (D) amendment of the Goleta Community Plan to add policies consistent with the Ellwood-Devereux Open Space and Habitat Management Plan. ***This staff report and recommendation only deals with Part D of the amendment.*** Part A was withdrawn by the County. Part B was approved as submitted on February 16, 2005. Part C was approved with suggested modifications on March 7, 2006. The amendment submittal for all parts was deemed complete and filed on January 25, 2005. At its March 2005 Commission meeting, the Commission extended the 90-day time limit to act on Local Coastal Program Amendment 2-04 Parts C & D for a period not to exceed one year. ***The Commission must therefore act upon the amendment by its April 2006 Commission meeting.***

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after public hearing, **deny** the proposed amendment as submitted and **approve** it only if modified as suggested. See associated Motions and Resolutions on **Page 5**. The amendment proposes to incorporate the Ellwood-Devereux Coast Open Space and Habitat Management Plan (OSP) into the LCP by reference in order to apply the regional open space management approach to three specific areas (Ocean Meadows, Camino Corto Open Space Reserve & Del Sol Vernal Pool Reserve, and Devereux School) within the Ellwood Devereux Open Space Plan area. The standard of review for the subject amendment is whether the land use plan as amended is consistent with the policies of Chapter 3 of the Coastal Act.

As proposed, the amendment is not consistent with the Chapter Three policies of the Coastal Act. Specifically, Suggested Modifications 1 and 3 have been added to eliminate the references to the Ellwood-Devereux Open Space Plan because a majority of the OSP covers land outside of the three areas, including City of Goleta and University-owned lands that have not and cannot be evaluated until these jurisdictions submit their own amendments or applications to the Commission for review. The potential for the other jurisdictional segments to have Chapter 3 issues is significant due to the extensive nature of the new policies and resource maps in the OSP. Therefore Suggested Modifications 2 and 4 are necessary to focus the subject amendment on the substantive ESHA and public access changes that apply only to the three areas identified as the subject of this amendment.

Additionally, Suggested Modification 5 is necessary to incorporate substantive Open Space Plan issues into the Goleta Community Plan regarding wildlife corridors and riparian and wetland restoration. The sixth and final Suggested Modification addresses the long-term need for each of the jurisdictions to implement their portions of the Open Space Plan in order for the regional planning process to be successful. Suggested Modification 6 encourages the County to continue to coordinate with the City of Goleta and the University in order to develop an Open Space Plan that can be certified by the Commission at some point in the future.

STB-MAJ-2-04-D, in conjunction with STB-MAJ-2-04-C (approved at the March 7, 2006 hearing), correspond to the implementation of the County's portion of the Ellwood-Devereux Open Space Plan. The OSP represents the outcome of a multi-agency effort to create a 652-acre contiguous area of open space in the Ellwood Mesa area. As discussed above, the suggested modifications delete specific references to the Open Space Plan, but incorporate the individual OSP actions that apply to the three specific areas that are the subject of the County's amendment. Therefore, the OSP would not be certified as a result of the approval of this amendment. ***It shall be noted that the approval of this amendment does not in any way approve, or imply approval, of any portion of the Ellwood-Devereux Open Space Plan.***

TABLE OF CONTENTS

I. PROCEDURAL ISSUES.....	4
A. STANDARD OF REVIEW	4
B. PUBLIC PARTICIPATION.....	4
C. PROCEDURAL REQUIREMENTS	5
II. STAFF MOTIONS, RESOLUTIONS, & RECOMMENDATIONS	5
A. DENIAL OF THE LUP AMENDMENT AS SUBMITTED	5
B. CERTIFICATION OF THE LUP AMENDMENT WITH SUGGESTED MODIFICATIONS	6
III. SUGGESTED MODIFICATIONS ON THE LAND USE PLAN AMENDMENT	6
1. <i>Goleta Community Plan - Biological Policy</i>	6
2. <i>Goleta Community Plan – Fig. 30 ESH Overlay</i>	7
3. <i>Goleta Community Plan – Recreation and Trails Policy</i>	7
4. <i>Goleta Community Plan – Fig. 26 Parks, Rec. & Trail Map</i>	7
5. <i>Goleta Community Plan – Wildlife Corridors and Habitat Enhancement</i>	7
6. <i>Goleta Community Plan – Ellwood-Devereux Open Space</i>	8
IV. FINDINGS FOR APPROVAL IF MODIFIED AS SUGGESTED.....	8
A. AMENDMENT DESCRIPTION	8
B. BACKGROUND.....	10
1. <i>Ellwood-Devereux Open Space and Habitat Management Plan</i>	10
2. <i>Ocean Meadows Residences Project</i>	11
C. CONSISTENCY DISCUSSION	12
1. <i>Coastal Act Policies</i>	12
2. <i>Existing LCP Policies</i>	13
3. <i>Introduction</i>	15
4. <i>New Development & Implementation</i>	15
5. <i>ESHA</i>	17
6. <i>Public Access/Recreation</i>	20
D. CALIFORNIA ENVIRONMENTAL QUALITY ACT	23

EXHIBITS

Exhibit 1.	Board of Supervisors Resolution 04-299
Exhibit 2.	Board of Supervisors Resolution 04-300
Exhibit 3.	Board of Supervisors Resolution 04-304
Exhibit 4.	Vicinity Map
Exhibit 5.	County Lands Subject to This Amendment
Exhibit 6.	Parcel Maps
Exhibit 7.	Certified Figure 30 – ESH Overlay (Goleta Community Plan)
Exhibit 8.	Proposed Figure 30 – ESH Overlay (Goleta Community Plan)
Exhibit 9.	Proposed Figure 26 – PRT-3 Map (Goleta Community Plan)

SUBSTANTIVE FILE DOCUMENTS

Resolution No. 04-304, County of Santa Barbara, *In the matter of submitting to the Coastal Commission amendments to the text and maps of the Santa Barbara County Local Coastal Program*, passed, approved, and adopted by the Board of Supervisors October 26, 2004; Resolution No. 04-299, County of Santa Barbara, *In the matter of approving an amendment to the Goleta Community Plan Component of the Coastal Land Use Plan to incorporate the Ellwood-Devereux Open Space and Habitat Management Plan (Open Space Plan)* passed, approved, and adopted by the Board of Supervisors October 26, 2004; Resolution No. 04-300, County of Santa Barbara, *In the matter of approving an amendment to the Comprehensive Plan – Parks, Recreation and Trails Goleta – Santa Barbara Area Map (PRT-3) to incorporate public trails provided in the Ellwood-Devereux Open Space and Habitat Management Plan (Open Space Plan)* passed, approved, and adopted by the Board of Supervisors October 26, 2004;

Additional Information: Please contact Shana Gray, California Coastal Commission, South Central Coast Area, 89 So. California St., Second Floor, Ventura, CA. (805) 585-1800.

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act provides:

The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)... (Section 30513(c))

The amendment proposed affects the LUP components of the certified Santa Barbara County LCP, specifically the Goleta Community Plan. The standard of review that the Commission uses in reviewing the adequacy of land use plan amendments is whether the proposed changes are consistent with the policies of Chapter 3 of the Coastal Act.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The County held public hearings on July 28, 2004; August 11, 2004; September 1, 2004; October 19, 2004; and October 26, 2004 and received verbal and written comments regarding the project from concerned parties and members of the public. The hearings were noticed to the public consistent with Sections 13552 and 13551 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of the California Code of Regulations, the County, in its resolution for submittal, may submit a Local Coastal Program Amendment that will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. Staff is recommending that the subject amendment be approved only if modified as suggested in Section III of this staff report. If the amendment is approved subject to suggested modifications by the Commission, the County must act to accept the certified suggested modifications within six months from the date of Commission action in order for the Amendment to become effective (Section 13544.5; Section 13537 by reference;). Pursuant to Section 13544, the Executive Director shall determine whether the County's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. If the Commission denies the LCP Amendment, as submitted, no further action is required by either the Commission or the County.

II. STAFF MOTIONS, RESOLUTIONS, & RECOMMENDATIONS

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. DENIAL OF THE LUP AMENDMENT AS SUBMITTED

MOTION I: *I move that the Commission CERTIFY Amendment STB-MAJ-2-04-D to the County of Santa Barbara Coastal Plan, as submitted by the County of Santa Barbara.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the land use plan amendment as submitted and adoption of the following resolution. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of Amendment STB-MAJ-2-04-D to the County of Santa Barbara Coastal Plan and adopts the findings set forth below on grounds that the land use plan as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan would not meet the requirements of the California Environmental Quality

Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan as submitted.

B. CERTIFICATION OF THE LUP AMENDMENT WITH SUGGESTED MODIFICATIONS

MOTION II: *I move that the Commission CERTIFY Amendment STB-MAJ-2-04-D to the County of Santa Barbara Coastal Plan, if modified as suggested in this staff report.*

STAFF RECOMMENDATION TO CERTIFY IF MODIFIED:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY THE LAND USE PLAN WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies Amendment STB-MAJ-2-04-D to the County of Santa Barbara Coastal Plan if modified as suggested and adopts the findings set forth below on grounds that the land use plan amendment with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan if modified.

III. SUGGESTED MODIFICATIONS ON THE LAND USE PLAN AMENDMENT

The staff recommends the Commission certify the following, with the modifications as shown below. The existing language of the certified LCP is shown in straight type. Language recommended by Commission staff to be deleted is shown in ~~line-out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

1. Goleta Community Plan - Biological Policy

Policy BIO-GV-23: Development, including Rrecreational amenities, trail improvements, and other open space area development on the Ocean Meadows property (APN-073-

090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) shall be consistent with the occur in a manner protective of environmentally sensitive habitat areas as shown on Figure 30, Goleta Community Plan Area – Southern Section Environmentally Sensitive Habitats and Riparian Corridor Protection Overlays Ellwood-Devereux Open Space Plan.

2. Goleta Community Plan – Fig. 30 ESH Overlay

Figure 30 of the Goleta Community Plan, “Goleta Community Plan Area – Southern Section Environmentally Sensitive Habitats and Riparian Corridor Protection Overlays,” shall be modified to reflect the ESH mapping for the Ocean Meadows property (APN-073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) as shown in Exhibits 8a and 8b of this staff report.

Figure 11 of the Goleta Community Plan, “West Devereux Specific Plan Area,” shall be modified to reflect the ESH mapping for the Ocean Meadows property (APN-073-090-062 & -012) as shown in Exhibit 8a of this staff report.

3. Goleta Community Plan – Recreation and Trails Policy

Policy PRT-GV-2A.1: In addition to the Goleta Trails Implementation Study, trail locations development and implementation on the Ocean Meadows property (APN-073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) shall be consistent with the Figure 26, Santa Barbara County Comprehensive Plan (PRT-3) Parks, Recreation and Trails, Goleta, Santa Barbara Area Ellwood-Devereux Open Space Plan. Trail development and implementation shall occur consistent with all other applicable provisions of the LCP.

4. Goleta Community Plan – Fig. 26 Parks, Rec. & Trail Map

Figure 26, Santa Barbara County Comprehensive Plan (PRT-3) Parks, Recreation and Trails, Goleta, Santa Barbara Area, shall be modified to reflect the trails mapping for the Ocean Meadows property (APN-073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) as shown in Exhibit 9 to this staff report.

5. Goleta Community Plan – Wildlife Corridors and Habitat Enhancement

Add two new policies to Goleta Community Plan, Section IV.C, Biological Habitats as follows:

Policy BIO-GV-24: If Storke Road is expanded in the future, wildlife corridors within drainage culverts shall be established to the maximum extent feasible. Any future

regional open space planning efforts, including development of an Open Space Management Plan for the Ellwood-Devereux area, shall include this policy.

Policy BIO-GV-25: Wetland and riparian vegetation enhancement shall be conducted to the maximum extent feasible along Devereux Creek, including any University-owned lands. Any future regional open space planning efforts, including development of an Open Space Management Plan for the Ellwood-Devereux area, shall include this policy.

6. Goleta Community Plan – Ellwood-Devereux Open Space

Add one new policy to Goleta Community Plan, Section III.C, Parks, Recreation, and Trails/Open Space as follows:

Policy PRT-GV-16: The development and implementation of the Ellwood Devereux Open Space Plan shall be coordinated with the City of Goleta, the University of California at Santa Barbara, and the California Coastal Commission. The future Ellwood Devereux Open Space Plan shall require certification by the Coastal Commission.

IV. FINDINGS FOR APPROVAL IF MODIFIED AS SUGGESTED

The following findings support the Commission's approval of the LCP amendment if modified as indicated in Section III (*Suggested Modifications*) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

Santa Barbara County is requesting an amendment to the Coastal Land Use Plan (LUP) portion of its certified Local Coastal Program (LCP) to add policies within the Goleta Community Plan that incorporate the Ellwood-Devereux Coast Open Space and Habitat Management Plan (Open Space Plan or OSP) by reference as part of the certified LCP. The Goleta Community Plan would be amended to include biological and recreation policies that require four properties (Ocean Meadows, Camino Corto Open Space Reserve, Del Sol Vernal Pool Reserve, and Devereux School) to be consistent with the Open Space Plan. The Board of Supervisors resolutions to submit and make the amendment changes are attached as Exhibits 1-3 of this staff report.

Specifically, the County proposes to amend the Coastal Land Use Plan (LUP) as follows:

1. Add new policy to the Goleta Community Plan, Section IV.C, *Biological Habitats*, as follows (County Resolution 04-299):

Policy BIO-GV-23: Recreational amenities, trail improvements, and other open space area development on the Ocean Meadows property (APN-073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal

Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) shall be consistent with the Ellwood-Devereux Open Space Plan.

2. Add new policy to the Goleta Community Plan, Section III.C, *Parks, Recreation, and Trails/Open Space*, as follows (County Resolution 04-299):

Policy PRT-GV-2A.1: In addition to the Goleta Trails Implementation Study, trail development and implementation on the Ocean Meadows property (APN-073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) shall be consistent with the Ellwood-Devereux Open Space Plan.

3. Modify Figure 26 of the Goleta Community Plan, Section III.C, *Parks, Recreation, and Trails/Open Space*, as follows (County Resolution 04-300):

Amendment to the Comprehensive Plan Parks, Recreation and Trails Goleta-Santa Barbara Area Map (PRT-3) to include the addition of proposed trail locations designated within the Ellwood-Devereux Open Space Plan on the Ocean Meadows property (APN-073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) shall be consistent with the Ellwood-Devereux Open Space Plan, as shown on Exhibit A.

4. Modify the Ellwood-Devereux Open Space and Habitat Management Plan (March 2004) to add the following (County Resolution 04-299):

Add to OSP Page 32:

Segment 5 (eastward): The JRP shall consider the feasibility of constructing a wildlife corridor within the drainage culvert during the widening of Storke Road.

Add to OSP Page 79:

Future Improvement Opportunities:

- Wildlife corridor through future Storke Road drainage
- Riparian vegetation enhancement east of Segment 5 on UCSB property

The amendment modifications above serve to incorporate the March 2004 Ellwood-Devereux Open Space and Habitat Management Plan (Open Space Plan) by reference. Therefore the amendment would result in the certification of the multi-agency Ellwood-Devereux Open Space Plan. The Open Space Plan includes resource and trail maps and new policies for biological resources, public access (including planned trail system, trail design options, public access points and parking), and environmental hazards (including erosion, sedimentation, water quality, hazardous materials management, and fire and emergency response) for the Ellwood-Devereux area.

B. BACKGROUND

1. Ellwood-Devereux Open Space and Habitat Management Plan

The County of Santa Barbara is one of three participants in the Ellwood-Devereux Coast Open Space and Habitat Management Plan (Ellwood-Devereux Open Space Plan). The Ellwood-Devereux Open Space Area is undeveloped open space that is used extensively for passive recreational use and coastal access. The Open Space Plan is a collaboration between the City of Goleta, University of California at Santa Barbara, and County of Santa Barbara to comprehensively plan the land use of the Ellwood-Devereux Coast to reduce the amount of residential development, relocate development to inland locations away from sensitive coastal resources, and establish a 652-acre contiguous area along the coast that includes open space and natural reserves managed for public access and natural resource protection.

The stated goal of the Ellwood-Devereux Open Space Plan is to protect and enhance the Ellwood-Devereux Open Space Plan Area and provide for public access compatible with the conservation of its regionally significant coastal resources. The Open Space Plan describes management goals, policies, and actions to guide management of public access and habitat protection. The primary elements of the Open Space Plan are a trail system and a framework of opportunities to restore sensitive coastal habitats.

The management actions developed in the Ellwood-Devereux Open Space Plan are intended to respect the area's undeveloped and ecological character, disperse recreation across the entire open space area (except in restricted portion of the Coal Oil Point Reserve), and maintain the diverse and informal character of existing recreation activities while protecting, restoring, and enhancing important habitats and ecological relationships in the area.

The Ellwood-Devereux Open Space Area is primarily undeveloped open space that is used extensively for passive recreational use and coastal access. There are numerous dirt trails on the bluffs and beach access points. Under existing plans and regulations, there is the potential for future development to occur in sensitive habitat areas and the most valued recreational lands, while less valuable lands for both habitat and public access could remain vacant or undeveloped. If development proceeds under existing plans, islands of development could fragment open space and disrupt coastal access, recreational use, and the overall ecosystem in the area. The Ellwood-Devereux Open Space Plan proposes to protect the resources in the area by relocating development away from coastal areas to the northern perimeter of the area where it would be clustered contiguous to existing development, roads, and services. Such a plan requires extensive coordination by the three participating jurisdictions and cooperation of private property owners to achieve this level of preservation.

The intent is for the sponsoring agencies to implement the Ellwood-Devereux Open Space Plan through their individual jurisdictional approvals of the proposed residential developments and the creation of the open space. The agencies would cooperate and

work together while maintaining separate authorities to plan, design, fund, permit, and construct public access, habitat, and other improvements described in the Plan.

Portions of the Ellwood-Devereux Open Space Plan will require amending the University's Long Range Development Plan (LRDP) and the County's LCP to adopt their relevant portions of the open space plan, which must be certified by the Commission. The City of Goleta does not have a certified LCP in place and will rely on individual permit approvals from the Commission until such time as the City of Goleta has an LCP certified by the Commission.

2. Ocean Meadows Residences Project

The Ocean Meadows Residences Project is one component of the Ellwood-Devereux Open Space Plan. The Ocean Meadows Residences Project, with its provision for permanent open space and recreation amenities, would partially fulfill the Open Space Plan goals within the County's jurisdiction. In conjunction with the Ocean Meadows Residences Project, the County previously submitted an LCP amendment to redesignate and rezone the golf course from Planned Residential to Recreation. This rezone was approved by the Commission on March 7, 2006 as Local Coastal Plan Amendment STB-MAJ-2-04-C.

The County considers the rezone of the golf course property to be an essential part of the Ocean Meadows Residence Project, which is intended to cluster residential development potential on the approximately 70 acre Ocean Meadows Golf Course parcel by limiting residential development to 6.5 acres of the parcel and allowing the golf course to continue operation on the remainder of the property. The redesignation/rezoning of the active golf course from residential to open space and recreation will eliminate all future residential development potential on that portion of the property and will allow the golf course to remain in perpetuity.

The Ocean Meadows Residences project entails subdivision of an existing 70.32 acre Ocean Meadows Golf Course parcel (APN 073-090-062) to create 41 separate lots, construction of a total of 60 residential dwelling units clustered on approximately 6.5 acres, construction of a new golf course club house, cart storage barn and maintenance building with two employee rental units, and preservation of approximately 63.6 acres (90.3 percent) of the golf course parcel in permanent open space and recreational use. The project also provides public access and recreational amenities including a public park area and pedestrian/bicycle trails through the project site, connecting to the Ellwood-Devereux Open Space Plan area trail network. The existing nine-hole golf course would remain in operation.

The Ocean Meadows Residences Project is located entirely within the Coastal Zone but crosses both the Commission's retained coastal permit issuance jurisdiction and the local government's LCP jurisdiction. The Ocean Meadows Residences Project requires a coastal development permit from the County, a separate coastal development permit from the Commission for the parts within the Commission's retained jurisdiction, and an amendment to the LCP to modify the land use and zoning designations. To date, the

local government's final approval of the Ocean Meadows Project has not been granted by the County of Santa Barbara. Additionally, the related Coastal Development Permit application (CDP 4-05-033) submitted to the Commission by Bermant Development Company for the Ocean Meadows Residence Project is currently incomplete.

The Commission's March 7, 2006 approval of amendment 2-04-C is specifically limited to the redesignation/rezone of a majority of the golf course property. **The approval of amendment 2-04-C did not in any way approve, or imply approval, of any portion of the Ocean Meadows Residences Project, or the components of the Ellwood-Devereux Open Space Plan.**

C. CONSISTENCY DISCUSSION

1. Coastal Act Policies

Coastal Act Section 30210 states that:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30211 states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Coastal Act Section 30220 addresses water-oriented activities as follows:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Coastal Act Section 30221 addresses recreational use and development as follows:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Coastal Act Section 30240 states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Section 30250 of the Coastal Act states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

2. Existing LCP Policies

Policy 2-6 of the LCP states, in part, that:

Prior to issuance of a development permit, the County shall make the finding...that adequate public or private services (i.e., water, sewer, roads, etc.) are available to serve the proposed development.

Policy 2-12 of the LCP states, in part, that:

The densities specified in the land use plan are maximums and shall be reduced if it is determined that such reduction is warranted by conditions specifically applicable to a site, such as topography, geologic, or flood hazards, habitat areas, or steep slopes.

Goleta Community Plan Policy LUDS-GV-2 and associated development standards:

Policy LUDS-GV-2: The entire Specific Plan area (APNs 79-090-10,50) shall have a maximum buildout of 409 units. The existing golf course (APN 79-090-10) shall be designated PD 58 and zoned PRD 58. The remainder of the site (APN 79-090-13, 50) shall be designated PD 351 and zoned PRD 351. All development within the Specific Plan area shall comply with the following development standards [in relevant part]:

DevStd LUDS-GV-2.7: Concurrent with or prior to the preparation of the environmental document for the Specific Plan for residential development on the site, the applicant shall fund the preparation of a habitat and open space management plan to be prepared under the direction of RMD in consultation with other interested agencies (e.g., the University, State Department of Fish and Game, Regional Water Quality Control Board, Coastal Commission). This plan shall provide recommendations on methods for the long term management and enhancement of the site's open space, including restoration of degraded areas south of the golf course, and management of the upland drainage area of Devereux Slough in order to protect this wetland habitat and

the sensitive dune, backdune and freshwater pond areas from adverse impacts of development or recreational use of the site. This plan should also consider the appropriate design and location of the trail system, review the appropriate role for the ephemeral drainage located in the southern portion of the developable area, and provide recommendations regarding the possible restoration of this channel. These latter recommendations should include stabilization, possible regarding and the potential for revegetation with native species as well as the incorporation of this channel into a combination landscape buffer and public access corridor for the coastal hiking and biking trail. This plan should be created to complement and coordinate with other appropriate management practices in the adjacent University Preserve, or that may occur as a result of development on the Southwest Diversified/Santa Barbara Shores property, or as part of the overall Management Plan for Devereux Slough Ecological Preserve.

DevStd LUDS-GV-2.8: Attractive fencing around the dune area shall be provided to restrict horses, ORV's and mountain bikes. Signs shall also be posted informing the public of the fragility of the area and requesting that they keep off the dunes.

DevStd LUDS-GV-2.9: An informal trail system shall be provided in locations which are aligned as closely as possible, with the existing main historic trails onsite, consistent with the protection of ESH areas and the recommendations of the Habitat and Open Space Management Plan. At a minimum, this trail system shall provide for access to the site and through the site to the beach from both Phelps and Storke Roads, with a small parking area for 20 cars provided off Phelps Road near the northwest corner of the site. The design of this trail system shall be coordinated with that of Ellwood Beach to the west, to assure that at least one continuous trail links the properties. A revegetated drainage course and open space buffer, which could include the existing ephemeral drainage and/or other physical access restrictions (eg: walls, fences, etc.), consistent with the recommendations of the Open Space and Habitat Management Plan, shall be provided along the southern boundary of the area developed in residential uses in order to direct public access onto the trail system and limit other impacts of residential development on ESH areas.

DevStd LUD-GV-2.13: The West Devereux Specific Plan shall provide for a minimum 200 foot buffer between the north side of the existing access road traversing the property (as depicted in Exhibit 8) and any permitted development north of the access road; this buffer shall be maintained in open space, and shall be revegetated with appropriate native plant species. Additionally, the riparian habitat along Devereux Creek within the Ocean Meadows Golf Course shall be restored as part of the development of either the Ocean Meadows Golf Course or the development of the University Exchange parcel if the development rights from Ocean Meadows are transferred to the surrounding University Exchange property. The Ocean Meadows' property owner is responsible for completing the restoration in either event.

DevStd LUD-GV-2.14: The Ellwood Marine Terminal facilities shall be removed upon termination of the current operation and the natural habitat values of the site shall be restored to a condition approximating those which existed prior to the initial construction of the facilities.

DevStd LUD-GV-2.15: The West Devereux Specific Plan shall be coordinated with the Specific Plan for the Santa Barbara Shores – Ellwood Beach properties to ensure maximum protection of Devereux Creek, the Devereux Slough, and the adjacent upland and marine habitats.

3. Introduction

The subject amendment includes changes to the Coastal Land Use Plan (LUP) portion of its certified Local Coastal Program (LCP), and therefore must be reviewed for consistency with the Chapter 3 policies of the Coastal Act. The Coastal Act requires the protection of coastal resources, including public access, land and marine habitat, and scenic and visual quality. Additionally the certified LUP contains provisions for new development, visual resources, environmentally sensitive habitat, water quality, public access and recreation policies, and other policies and provisions to protect coastal resources which should be used as guidance. Additionally, the Goleta Community Plan (a certified component of the County's LCP) includes a Specific Plan for the West Devereux Area, which includes the Ocean Meadows Golf Course Property. The West Devereux Specific Plan component includes one overriding policy, Policy LUDS-GV-2, and several associated development standards that describe land uses, density of development, access, and resource protection for the West Devereux parcels.

In this case, the amendment triggers consistency analysis under the following issue areas: new development and implementation, environmentally sensitive habitat areas (ESHA), and public access & recreation. The proposed LCP amendment's consistency with the provisions of the Coastal Act is detailed below.

4. New Development & Implementation

The Coastal Act requires the protection of coastal resources, including public access, land and marine habitat, and scenic and visual quality. Focusing new development to areas in close proximity to existing development with available public services serves to minimize the impacts of remote "leap-frog" development that would require the construction of roads, utilities, and other services. Section 30250 of the Coastal Act requires that new residential, commercial, or industrial development is located near existing developed areas, and where it will not have significant adverse impacts, either individually or cumulatively on coastal resources.

The Open Space Plan is a collaboration between the City of Goleta, University of California at Santa Barbara, and County of Santa Barbara to comprehensively plan the land use of the Ellwood-Devereux Coast to reduce the amount of residential development, relocate development to inland locations away from sensitive coastal resources, and establish a 652-acre contiguous area along the coast that includes open

space and natural reserves managed for public access and natural resource protection. The Ellwood-Devereux Open Space Area is primarily undeveloped open space that is used extensively for passive recreational use and coastal access. There are numerous dirt trails on the bluffs and beach access points. Under existing plans and regulations, there is the potential for future development to occur in sensitive habitat areas and the most valued recreational lands, while less valuable lands for both habitat and public access could remain vacant or undeveloped. If development proceeds under existing plans, islands of development could fragment open space and disrupt coastal access, recreational use, and the overall ecosystem in the area. The Ellwood-Devereux Open Space Plan proposes to protect the resources in the area by relocating development away from coastal areas to the northern perimeter of the area where it would be clustered contiguous to existing development, roads, and services. Such a plan requires extensive coordination by the three participating jurisdictions and cooperation of private property owners to achieve this level of preservation.

This type of cross-jurisdictional, regional approach is the ideal form for executing Coastal Act Section 30250 and is highly encouraged by the Commission. In this case, the area of the County covered under the Open Space Management Plan represents approximately 98 acres, or 15% of the overall open space. This is due to the fact that the amendment is limited to only three areas: the Ocean Meadows Golf Course, Devereux School, and the Camino Corto/Del Sol Reserve areas (Exhibit 4-5). The vast majority of the Open Space Plan would be implemented by the University (approximately 314 acres) and the City of Goleta (approximately 240 acres).

The Open Space Plan represents a regional approach to protecting public access and habitat. It requires each of the jurisdictions to fulfill their portion of the agreement in order for the total public benefit to be realized. The Commission has encouraged and supported the concept of such regional strategies in the past. In practice, however, it requires the individual local jurisdictions to submit their own LCP amendments in order to implement components that directly apply in their area. This amendment represents the first LCP (or in the University's case, LRDP) amendment to be processed to implement the provisions of the Ellwood-Devereux Open Space Plan.

Though the Commission recognizes the Ellwood-Devereux Open Space Management Plan as a valuable planning tool, implementation of the Open Space Management Plan within the present context of the subject amendment could result in inconsistencies with neighboring jurisdictions, thereby creating ambiguities with regard to future Coastal Act consistency analysis for the other jurisdictions. This is because the Open Space Management Plan is inextricably integrated with the University and City of Goleta components. In addition, as proposed, the OSP is integrally related to specific development proposed which has not yet been reviewed, or authorized, by the Commission. One of these projects includes the proposal by the University to construct more than 430 housing units on land in the Ellwood-Devereux Bluffs/Slough area. As a result of the complex integration of the Open Space Plan document, Commission staff could not identify a means of incorporating, and modifying, *only* the parts of the document that apply to three identified County lands.

Since a majority of the OSP covers land outside of the three areas, the Open Space Management Plan cannot be fully evaluated until these jurisdictions submit their own amendments or applications to the Commission for review. The potential for the other jurisdictional segments to have Chapter 3 issues is significant due to the extensive nature of the new policies and resource maps in the OSP. Therefore, **Suggested Modifications One (1) and Three (3)** have been added to eliminate the references to the Ellwood-Devereux Open Space Plan so that it shall not be incorporated by reference into the Open Space Management Plan.

Furthermore, in order to ensure that this important planning process is successfully completed and the Open Space Plan is finalized by all jurisdictions, **Suggested Modification Six (6)** addresses the long-term need for each of the jurisdictions to implement their portions of the Open Space Plan. Suggested Modification 6 encourages the County to continue to coordinate with the City of Goleta and the University in order to develop an Open Space Plan that can be certified by the Commission at some point in the future.

As detailed above, the suggested modifications delete specific references to the Open Space Plan, but incorporate the individual OSP actions that apply to the three specific areas that are the subject of the County's amendment. Therefore the OSP would not be certified as a result of the approval of this amendment. Consequently, the approval of this amendment does not in any way approve, or imply approval, of any portion of the Ellwood-Devereux Open Space Plan.

For the above reasons, the Commission finds that the proposed amendment would adequately implement Coastal Act Section 30250 if modified as suggested. The Commission further finds that the proposed amendment is consistent with the Coastal Act and certified LCP with regard to new development and implementation, only if modified as suggested.

5. ESHA

The Coastal Act requires the protection of environmentally sensitive habitat areas (ESHA) against any significant disruption of habitat values. No development may be permitted within ESHA, except for uses that are dependent on the resource. Section 30240 of the Coastal Act further requires development adjacent to ESHA to be sited and designed to prevent impacts that would significantly degrade ESHA and be compatible with the continuance of the habitat areas. LUP Policy 2-11 requires all development adjacent to environmentally sensitive habitat areas be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff. Additionally the LUP provides specific development standards by ESHA type.

ESHA has been mapped in the existing certified LCP for each of the subject areas (Exhibit 7), including southern vernal pool habitat on the Camino Corto Open Space and Del Sol Reserve and freshwater marsh and riparian habitats on Ocean Meadows Golf Course, Camino Corto Open Space, and Devereux School.

The existing 70-acre Ocean Meadows Golf Course operation is a pre-coastal use of the site that has been in operation since the 1960s. The on-site vegetation consists primarily of golf course turf grass and related ornamental plantings. Annual grassland occurs along the margins of the turf grass and in disturbed, unmaintained areas, and ornamental plantings border the golf course from the adjacent University-owned properties. The habitat associated with three creek drainages that cross through the golf course are designated ESHA in the Goleta Community Plan (Exhibit 7). These include Devereux Creek from the west, Phelps Ditch from the north, and an unnamed eastern tributary of Devereux Creek that drains the eastern arm of the golf course. The three drainages total approximately 1,700 feet in length. Wetland/freshwater marsh and riparian scrub form dense cover with small ponded water areas within the drainages. Some coastal salt marsh plant species are present due to the high salinity that remains in the soil from when the slough was drained and filled to create the golf course in the 1960s, prior to the effective date of the Coastal Act. Additionally, under CDP 4-02-176, the wetland marsh habitat along the lower portion of Devereux Creek was expanded as mitigation for implementation of a ten-year flood control maintenance program.

The certified ESHA mapping for the Ocean Meadows Golf Course is internally inconsistent. The West Devereux Specific Plan (Figure 11 of the Goleta Community Plan) and the ESHA and Riparian Corridor Overlay (Figure 30 of the Goleta Community Plan) show approximately the same (but not identical) configurations of mapped ESHA. The proposed ESHA is substantially in conformance with the previous certified maps, following the marsh and riparian habitat of Devereux Creek and two tributaries that traverse the golf course. The proposed ESHA configuration also follows the creek and drainage corridors, with an expanded width in several areas. Two historic areas of fill would not be mapped as ESHA but if restored at some point in the future, would be evaluated for ESHA status on a site-specific basis as required by the certified LCP. The additional mapped ESHA on the parcel reflects the additional presence of marsh and riparian habitat as a result of the flood control enhancement project and clarification through more accurate mapping techniques. Though the ESHA delineation is consistent with the ESHA protection provisions of the Coastal Act, **Suggested Modification Two (2)** is necessary to clarify that the appropriate Goleta Community Plan Maps, Figure 11 and Figure 30, shall be updated with the revised ESHA configuration on the Ocean Meadows parcel to ensure internal consistency with the LCP.

Camino Corto Open Space (approximately 21 acres) and the Del Sol Vernal Pool Reserve (approximately 13 acres) areas are comprised primarily of non-native grassland interspersed with areas of vernal pools. Coyote bush scrub, eucalyptus woodland, and ornamental plantings occur in small patches. A few coast live oaks occur in clumps of coyote bush. The vernal pools occur in shallow basins and drainages in uplands. Several of the vernal pools have been created, restored, or enhanced, with

restoration efforts ongoing. This area serves as an ecological connection between Devereux Slough and the Goleta Slough. As proposed, the LCP amendment would modify the certified ESHA map to show additional ESHA on Camino Corto Open Space and Del Sol Reserve properties (Exhibit 8a). The proposed ESHA designation represents an update of the certified 1993 ESHA map due to the identification of additional vernal pool areas. The proposed modifications do not reduce any areas of existing ESHA as shown on the certified map. To ensure that the Goleta Community Plan is updated consistent with Section 30240 of the Coastal Act and the proposed amendment, the Commission finds that **Suggested Modification Two (2)** is necessary to reflect the new areas of ESHA within the Camino Corto Open Space and Del Sol Reserve as proposed in Figure 6, *Environmentally Sensitive Habitat Areas*, of the Open Space Plan and illustrated in Exhibit 8a of this staff report. Additionally, **Suggested Modification One (1)** is necessary to ensure that future development, including recreational amenities and trail improvements, takes place in a manner that is protective of the revised ESHA map, as shown on Exhibit 8a.

The Devereux School site encompasses approximately 33 acres. Most of this property is developed as part of the school facility. The developed area surrounds salt marsh habitat within the south finger of Devereux Slough. This extension of Devereux Slough is connected to the body of the slough by a 36-inch reinforced concrete pipe that maintains brackish water flow. Native habitats include a large coastal saltmarsh immediately upstream of the concrete pipe and scattered small patches of riparian scrub and riparian forest in areas where salinity levels are reduced. Additionally, there is a dense eucalyptus woodland adjacent to the south finger of the slough. The Final Environmental Impact Report for this project identifies this eucalyptus grove as a monarch butterfly autumnal aggregation site. The final EIR (March 2004) states the following:

The Devereux School site is an important autumnal aggregation site and is located on the bank of the South Finger of Devereux Slough... Clusters of monarch butterflies form in eucalyptus trees in a depression that flows from the school into the south finger. The site is relatively open, and harbors a large number of butterflies early in the season. As weather conditions become more extreme towards winter the site is abandoned in favor of more protected locations, such as the Ellwood Main (Meade 1999).

The Monarch butterfly is considered a state "sensitive animal" and wintering sites for this species are considered sensitive resources by the California Department of Fish and Game. Though the Monarch butterfly is not endangered, its overwintering sites and annual migration are threatened by human activity. In 1984, the International Union for Conservation of Nature and Natural Resources classified the migration and overwintering behavior of the monarch butterfly as a "threatened phenomenon." Many scientists agree that if overwintering sites are not protected, especially in Mexico, the migration and overwintering phenomenon could disappear in as little as 20 years (Marriott, in Outdoor California, February 2002).

For the above reasons, the Commission recognizes the eucalyptus groves at this site as a unique and sensitive habitat area. Furthermore, habitat for the monarch butterfly is protected under the County's LCP as an Environmentally Sensitive Habitat area. To ensure accurate ESHA mapping and long-term protection of monarch butterfly habitat consistent with Coastal Act Section 30240, **Suggested Modification Two (2)** requires Goleta Community Plan Figure 30, *Environmentally Sensitive Habitat Areas*, to be updated to show the Monarch Butterfly Habitat at Devereux School as ESHA. Additionally, **Suggested Modification One (1)** is necessary to ensure that future development, including recreational amenities and trail improvements, takes place in a manner that is protective of the ESHA shown on the revised ESHA map, as shown on Exhibit 8a.

The proposed amendment includes substantive changes to the Open Space Management Plan with regard to biological resources (Exhibit 1). However, as detailed in Section IV.3.C of this staff report, all references to the Ellwood-Devereux Open Space Management Plan have been eliminated pursuant to Suggested Modifications 2 and 4 because a majority of the OSP covers land outside of the three areas, including City of Goleta and University-owned lands that have not and cannot be evaluated until these jurisdictions submit their own amendments or applications to the Commission for review. The potential for the other jurisdictional segments to have Chapter 3 issues is significant due to the extensive nature of the new policies and resource maps in the OSP. Therefore, given that all references to the Ellwood-Devereux Open Space Management Plan have been eliminated due to multi-agency implementation issues, **Suggested Modification Five (5)** is necessary to incorporate the additional substantive Open Space Plan issues into the Goleta Community Plan regarding wildlife corridors and riparian and wetland restoration. Specifically, Suggested Modification 5 adds two new policies to the Goleta Community Plan, the first policy requires wildlife corridors to be established if Storke Road is expanded and the second additional policy requires wetland and riparian vegetation enhancement to be conducted along Devereux Creek to the maximum extent feasible. Additionally, these policies are to be incorporated directly into any future regional open space planning efforts.

For the above reasons, the Commission finds that the proposed amendment would not result in any adverse impacts to ESHA if modified as suggested. The Commission further finds that the proposed amendment is consistent with the Coastal Act and certified LCP with regard to environmentally sensitive habitats, only if modified as suggested.

6. Public Access/Recreation

To carry out the requirement of Section 4 of Article X of the California Constitution, Coastal Act Section 30210 provides that maximum access and recreational opportunities be provided consistent with public safety, public rights, private property rights, and natural resource protection. Coastal Act Section 30211 requires that development not interfere with the public's right of access to the sea with certain

exceptions. Section 30240 of the Coastal Act further requires that development adjacent to parks and recreation areas be sited and designed to prevent impacts.

The cornerstone of the Public Access and Recreation Element of the Open Space Plan is a regionally planned trail system. The trail system described in the Open Space Plan is based on the existing network of formal and informal trails in the Open Space Plan Area and within Coal Oil Point Reserve. The trail system is primarily designed for pedestrians; however, trails to accommodate bicycles and equestrian uses are also included. The main east-west trail connections can be attributed to the Anza and Coastal Trails. A variety of trails provide north-south connections across the Open Space Plan Area to the beach. The trail system links with trails and bike paths adjacent to the Open Space Plan Area, including the public trails at Coal Oil Point Reserve.

As the main east-west trail segments, the Anza Trail and Coastal Trail are significant features of the overall trail system. The Anza Trail is part of an overall federal initiative and the Coastal Trail is part of a state initiative. Within the Open Space Plan Area, the Coastal and Anza Trails form an east-west connection that extends from Isla Vista to Hollister Avenue in western Goleta. The Anza Trail commemorates the route Juan Bautista de Anza took on behalf of Spain in 1775-1776 and highlights the Spanish colonial influence on Arizona and California. When completed, the Anza Trail will stretch from Nogales, Mexico to San Francisco, California, a distance of over 1,200 miles. Within the Open Space Plan Area, the Anza Trail would accommodate pedestrians, bicyclists, and equestrians. The California Coastal Trail will be approximately 1,200 miles when completed, stretching from the Oregon-California border to the California-Mexico border. The Coastal Trail is intended to provide a network of publicly accessible trails for pedestrians, bikers, and equestrians along the entire coastline of California. The Coastal Trail within the Open Space Plan Area would consist of various surfaces to accommodate pedestrians-only in some areas and serve multiple user groups in other areas. The Coastal Trail would split into north and south segments around COPR, with the northern section combining with the Anza Trail along Veneco Road and the southern section extending to the beach. There are no extensions of the Anza Trail or Coastal Trail through any of the three specified County areas. However, the Anza trail overlaps the Veneco access road which is adjacent to the southernmost tip of the golf course, where Devereux Creek drains to Devereux Slough.

The open space plan includes closure of trails that traverse environmentally sensitive habitat areas such as native grasslands, vernal pools, creeks and/or dune scrub. Other trails would be closed because they are hazardous (e.g., gullies, eroding bluffs). In these situations, nearby trails are maintained to provide similar access. In some cases, trails are closed because they are located parallel to, and in close proximity to, other trails. Where it is necessary to close a trail segment, methods such as low-profile signs, earthen berms, embedded logs or rocks, and plantings would be used. The planned trails network would not reduce overall access in the Open Space Plan despite the trail closures. The trail closures would, however, redirect users to adopt new, nearby and convenient routes.

Some open space amenities would be established to accommodate users such as benches trail markers, signage, trash cans, and mutt mitt stations. Additionally, natural barriers to establish protection for sensitive plants and animals, and in some places, small bridges and boardwalks would be constructed to protect sensitive habitats. Large-scale amenities include a plan to provide additional public access parking and public restroom facilities.

Within Camino Corto Open Space and Del Sol Preserve, approximately 4,800 feet of pedestrian-only trails and 3,700 feet of pedestrian and bicycle trails would be designated. There are no trails through the Ocean Meadows Golf Course or Devereux School sites. However, existing trails that are proposed for permanent incorporation into the regional trail system skirt the property boundaries of these entities. Documentation of a certified land survey determining the exact location of the existing trails on the subject areas versus the neighboring property has not been submitted by the County for review. And in fact, the broad planning approach to the trails network would not warrant such a specific determination.

Given the multiple jurisdictions, it is important to retain the trails designation within the County lands in order to maximize public access consistent with Section 30210 of the Coastal Act. Accordingly, **Special Condition Four (4)** requires that the trail segments that align the border of Ocean Meadows Golf Course and Devereux School be shown on Figure 26 of the Goleta Community Plan, *Santa Barbara County Comprehensive Plan (PRT-3) Parks, Recreation and Trails, Goleta, Santa Barbara Area*, as specifically illustrated in Exhibit 9 of this staff report. Additionally, **Suggested Modification Three (3)** is necessary to ensure that trail locations on the Ocean Meadows property, Camino Corto Open Space Reserve, Del Sol Vernal Pool Reserve, and Devereux School property take place consistent with the revised Figure 26 Trails Map.

As discussed in Section IV.3.C above, the County of Santa Barbara, City of Goleta and University of California, Santa Barbara have taken the initiative to coordinate a regional planning process to situate development in locations away from sensitive areas to establish a contiguous 652-acre public open space area that would protect sensitive resources and preserve public access. The intent is for the sponsoring agencies to implement the Ellwood-Devereux Open Space Plan through their individual jurisdictional approvals of the proposed residential developments and the creation of the open space. The agencies would cooperate and work together while maintaining separate authorities to plan, design, fund, permit, and construct public access, habitat, and other improvements described in the Plan.

Though the existing Ellwood-Devereux Open Space Management Plan is valuable, there are many integrated details among the jurisdictions that would need to be examined in coordination with one another. This would not occur unless all three jurisdictions submitted coastal development permit applications, LCP amendments, and/or LRDP amendments for their portions of the OSP at the same time. The University submitted their portion of the Open Space Plan as an LRDP amendment, which was subsequently withdrawn. The City of Goleta has not come in with a coastal

development permit application or new LCP for certification. The very basis that makes the concept so successful, jurisdictional coordination and integration, hinders Commission staff's present review of the subject LCP amendment. Consequently, all references to incorporate the entire Open Space Plan document into the County's certified LCP have been eliminated pursuant to Suggested Modifications 2 and 4. However, the Commission finds that the regional approach has significant value to protect coastal resources and preserve public access and must be completed by all three jurisdictions in order to be fully and successfully implemented. Therefore the Commission finds it necessary to require **Suggested Modification Six (6)** to address the long-term need for each of the jurisdictions to implement their individual portions of the Open Space Plan with future approval from the Coastal Commission. Suggested Modification 6 encourages the County to continue to coordinate with the City of Goleta and the University in order to develop an Open Space Plan that can be certified by the Commission at some point in the future.

For the above reasons, the Commission finds that the proposed amendment would not result in any adverse impacts to public access and recreation if modified as suggested. Therefore the amendment is consistent with the Coastal Act and certified LCP with regard to recreation and public access, only if modified as suggested.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to Section 21080.9 of the California Environmental Quality Act ("CEQA"), the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LCP, "...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."

The proposed amendment is to the County of Santa Barbara's certified Local Coastal Program Land Use Plan. The Commission originally certified the County of Santa Barbara's Local Coastal Program Land Use Plan and Implementation Ordinance in 1981 and 1982, respectively. For the reasons discussed in this report, the LCP amendment, as submitted is inconsistent with the intent of the applicable policies of the Coastal Act and the certified Land Use Plan and feasible alternatives are available which would lessen any significant adverse effect which the approval would have on the environment. The Commission has, therefore, modified the proposed LCP amendment to include such feasible measures adequate to ensure that such environmental impacts of new development are minimized. As discussed in the preceding section, the Commission's suggested modifications bring the proposed amendment to the Land Use Plan component of the LCP into conformity with the Coastal Act. Therefore, the

Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Land Use Plan.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVING AN)
AN AMENDMENT TO THE GOLETA)
COMMUNITY PLAN COMPONENT)
OF THE COASTAL LAND USE PLAN)
TO INCORPORATE THE ELLWOOD-)
DEVEREUX OPEN SPACE AND)
HABITAT MANAGEMENT PLAN)
(OPEN SPACE PLAN))

RESOLUTION NO. 04-299
CASE NO. 04GPA-00000-00008

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Plan; and
- B. On July 19, 1982, by Ordinance 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- C. On July 20, 1993, by Resolution No. 93-402, the Board of Supervisors adopted the Goleta Community Plan update to the Coastal Land Use Plan.
- D. It is now deemed to be in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County to adopt an amendment to the Goleta Community Plan component of the Local Coastal Program to include the following new policies that incorporates the Ellwood-Devereux Open Space Plan:
 - 1. Policy BIO-GV-23: Recreational amenities, trail improvements and other open space area development on the Ocean Meadows property (APN 073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029) shall be consistent with the Ellwood-Devereux Open Space Plan. (added by 04GPA-00000-00008, October 19, 2004).
 - 2. Policy PRT-GV-2A.1: In addition to the Goleta Trails Implementation Study, trail development and implementation on the Ocean Meadows property (APN 073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029), shall be consistent with the Ellwood-Devereux Open Space Plan (added by 04GPA-00000-00008, October 19, 2004).
 - 3. During the California Coastal Commission review and certification of the Ellwood-Devereux Open Space Plan, submitted by the County of Santa Barbara,

City of Goleta and University of California at Santa Barbara, should be revised to include:

A) Add to OSP page 32:

Segment 5 (eastward): The JRP shall consider the feasibility of constructing a wildlife corridor within the drainage culvert during the widening of Storke Road.

B) Add to OSP page 79:

Future Improvement Opportunities:

- Wildlife corridor through future Storke Road drainage
- Riparian vegetation enhancement east of Segment 5 on UCSB property

- E. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the Planning Commission on the said proposed amendments in a duly noticed public hearing pursuant to Section 65353 of the Government Code, and the Planning Commission hereby sends its written recommendations to the Board pursuant to Section 65354 of the Government Code.
- F. This Board has held a duly noticed public hearing, as required by Section 65355 of the Government Code, on the proposed amendment, at which hearing the amendment was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Section 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes are hereby adopted as amendments to the Goleta Community Plan component of the Coastal Land Use Plan of the Santa Barbara County Comprehensive Plan.
3. The Chair and Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other material in accordance with this Resolution to show the above mentioned action by the Board.

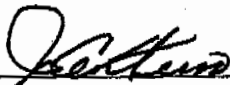
PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 26th day of October, 2004, by the following vote:

AYES: Supervisor's Schwartz, Rose, Marshall, Gray and Centeno


NOES: None

ABSTAIN: None

ABSENT: None



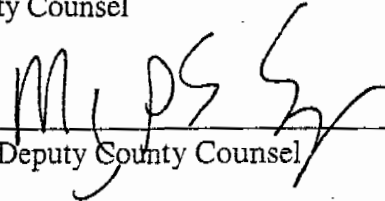
JOE CENTENO, Chair
Board of Supervisors, Santa Barbara County

ATTEST:


MICHAEL F. BROWN
CLERK OF THE BOARD OF SUPERVISORS

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By: 

Deputy County Counsel

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVING)
AN AMENDMENT TO THE)
COMPREHENSIVE PLAN - PARKS,)
RECREATION AND TRAILS GOLETA-)
SANTA BARBARA AREA MAP (PRT-3))
TO INCORPORATE PUBLIC TRAILS)
PROVIDED IN THE ELLWOOD-)
DEVEREUX OPEN SPACE)
AND HABITAT MANAGEMENT)
PLAN (OPEN SPACE PLAN))

RESOLUTION NO. 04-300
CASE NO. 04GPA-00000-00009

WITH REFERENCE TO THE FOLLOWING:

- A. On December 22, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Comprehensive Plan and associated Parks, Recreation and Trails Maps.
- B. As part of the Community and Area Plan updates, the Comprehensive Plan Parks, Recreation and Trails Map is to be amended concurrently to ensure consistency.
- D. It is now deemed to be in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County to adopt an amendment to the Comprehensive Plan Parks, Recreation and Trails Goleta-Santa Barbara Area Map (PRT-3) to include the addition of proposed trail locations designated within the Ellwood-Devereux Open Space Plan on the Ocean Meadows property (APN 073-090-062 & -012), Camino Corto Open Space Reserve (APN 075-010-028), Del Sol Vernal Pool Reserve (APN 075-010-037), and Devereux School property (APN 073-090-029), shall be consistent with the Ellwood-Devereux Open Space Plan, as shown on Exhibit A.
- E. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the Planning Commission on the said proposed amendments in a duly noticed public hearing pursuant to Section 65353 of the Government Code, and the Planning Commission hereby sends its written recommendations to the Board pursuant to Section 65354 of the Government Code.
- F. This Board has held a duly noticed public hearing, as required by Section 65355 of the Government Code, on the proposed amendment, at which hearing the amendment was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.

2. Pursuant to the provisions of Section 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes are hereby adopted as amendments to the Goleta Community Plan component of the Coastal Land Use Plan of the Santa Barbara County Comprehensive Plan.
3. This Board certifies that these amendments are intended to be carried out in a manner fully in conformity with the California Coastal Act.
4. The Chair and Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to show the above mentioned action by the Board of Supervisors.


PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 26th day of October, 2004, by the following vote:

AYES: Supervisor's Schwartz, Rose, Marshall, Gray and Centeno


NOES: None

ABSTAIN: None

ABSENT: None




JOE CENTENO, Chair
Board of Supervisors, Santa Barbara County

ATTEST:


MICHAEL F. BROWN
CLERK OF THE BOARD OF SUPERVISORS

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By: 

Deputy County Counsel

RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF SUBMITTING TO THE)	RESOLUTION NO: 04-304
COASTAL COMMISSION AMENDMENTS TO THE)	CASE NO.s:
TEXT AND MAPS OF THE SANTA BARBARA)	04GPA-00000-00006, 04ORD-00000-00008;
COUNTY LOCAL COASTAL PROGRAM)	04GPA-00000-00014, 04ORD-00000-00014;
)	03GPA-00000-00003, 03RZN-00000-00002;
)	04GPA-00000-00008, 04GPA-00000-00009.

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Plan; and
- B. On July 19, 1982, by Ordinance 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- C. The Board of Supervisors, having deemed it to be in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County, has amended the Local Coastal Program as specified below.

Abandonment of Oil and Gas Facilities, attached as Exhibit A:

- 1. 04GPA-00000-00006, amend the Resource Protection and Development Policies of the Santa Barbara County Coastal Plan (Industrial and Energy Development), as follows: Add a new Section 3.6.8, titled **Abandonment of Onshore Infrastructure**.
- 2. 04ORD-00000-00008, amend Article II of Chapter 35 of the Santa Barbara County Code, to implement the new abandonment policies, as follows: Amend existing sections **Definitions; Oil and Gas Facilities; Permit Procedures; and Administration**.

Oil Transportation, attached as Exhibit B:

- 1. 04GPA-00000-00014, amend the Resource Protection and Development Policies of the Santa Barbara County Coastal Plan (Industrial and Energy Development), as follows: Amend existing section 3.6.4 **Land Use Proposals** to update oil transportation policies.
- 2. 04ORD-00000-00014, amend Article II of Chapter 35 of the Santa Barbara County Code, to implement the revised oil transportation policies and repeal sections concerning marine terminals, as follows: Amend existing sections **Zoning Districts; and Oil and Gas Facilities**.

Ocean Meadows Residences project General Plan Amendment and Rezone, attached as Exhibit C:

- 1. 03GPA-00000-00003, amend the Santa Barbara County Coastal Plan by changing the Land Use Designation of Lot 41, resulting after subdivision under TM 14,628, from Planned Residential Development to Recreation.
- 2. 03RZN-00000-00002, rezone Lot 41 from Planned Residential Development (PRD-58) to Recreation and amend the Coastal Zoning Map for the Coastal Plan Zoning Districts accordingly, under the provisions of Article II of Chapter 35 of the Santa Barbara County Code.

Ellwood-Devereux Open Space and Habitat Management Plan, attached as Exhibit D:

1. **04GPA-00000-00008**, amend the Santa Barbara County Comprehensive Plan, Goleta Community Plan to add policies incorporating the Ellwood-Devereux Open Space and Habitat Management Plan (OSP).
 2. **04GPA-00000-00009**, amend the Santa Barbara County Comprehensive Plan, Parks, Recreation and Trails Goleta-Santa Barbara Area Map to add new trails provided by the OSP.
- D. Public officials and agencies, civic organizations, and citizens have been consulted on and have advised the Planning Commission on the said proposed amendments in duly noticed public hearings pursuant to Section 65353 of the Government Code, and the Planning Commission has sent its written recommendations to the Board pursuant to Section 65354 of the Government Code.
- E. This Board has held duly noticed public hearings, as required by Section 65355 and 65856 of the Government Code, on the proposed amendments, at which hearings the amendments were explained and comments invited from the persons in attendance.
- F. These amendments to the Local Coastal Program are consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Plan, and the requirements of State Planning and Zoning laws as amended to this date.
- G. The Board now wishes to submit these amendments to the California Coastal Commission.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Section 65356 and 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes have been previously adopted as amendments to the Santa Barbara County Coastal Plan, Coastal Zoning Ordinance text, and Coastal Zoning Maps.
3. The Board certifies that these amendments are intended to be carried out in a manner fully in conformity with the said California Coastal Act.
4. The Board submits these Local Coastal Program amendments to the California Coastal Commission for review and certification.
5. The Chairman and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 26th day of October, 2004, by the following vote:


AYES: Supervisor's Schwartz, Rose, Marshall, Gray and Centeno

NOES: None

ABSTAIN: None

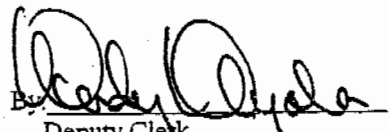
ABSENT: None

(SIGNATURES ON FOLLOWING PAGE)


JOSEPH CENTENO, Chair
Board of Supervisors
County of Santa Barbara

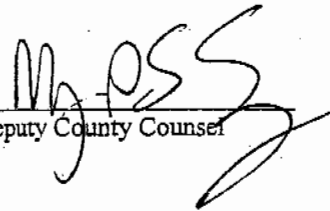
ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors


Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By: 
Deputy County Counsel

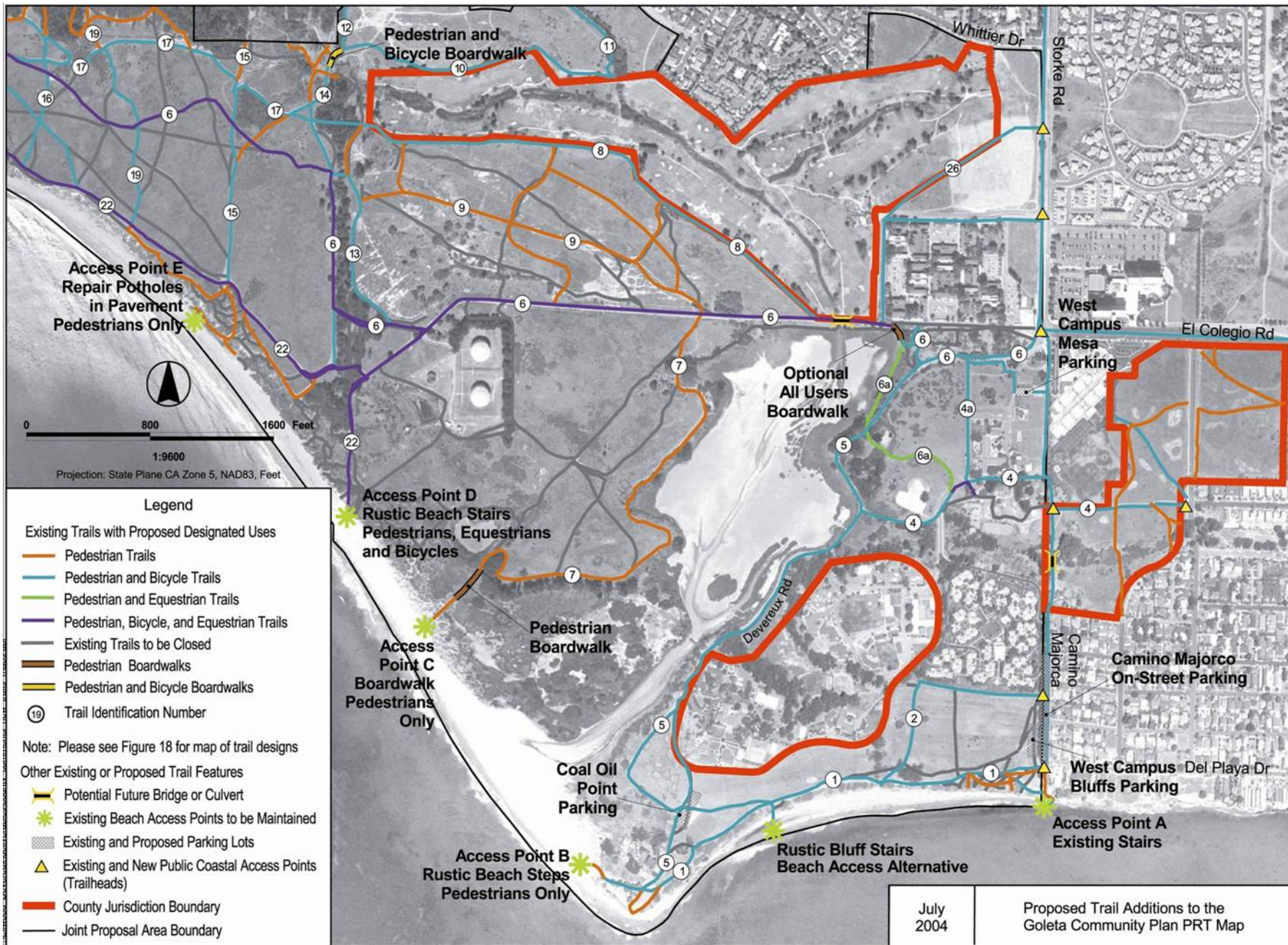




Exhibit 4
STB-MAJ-2-04-D
Vicinity Map

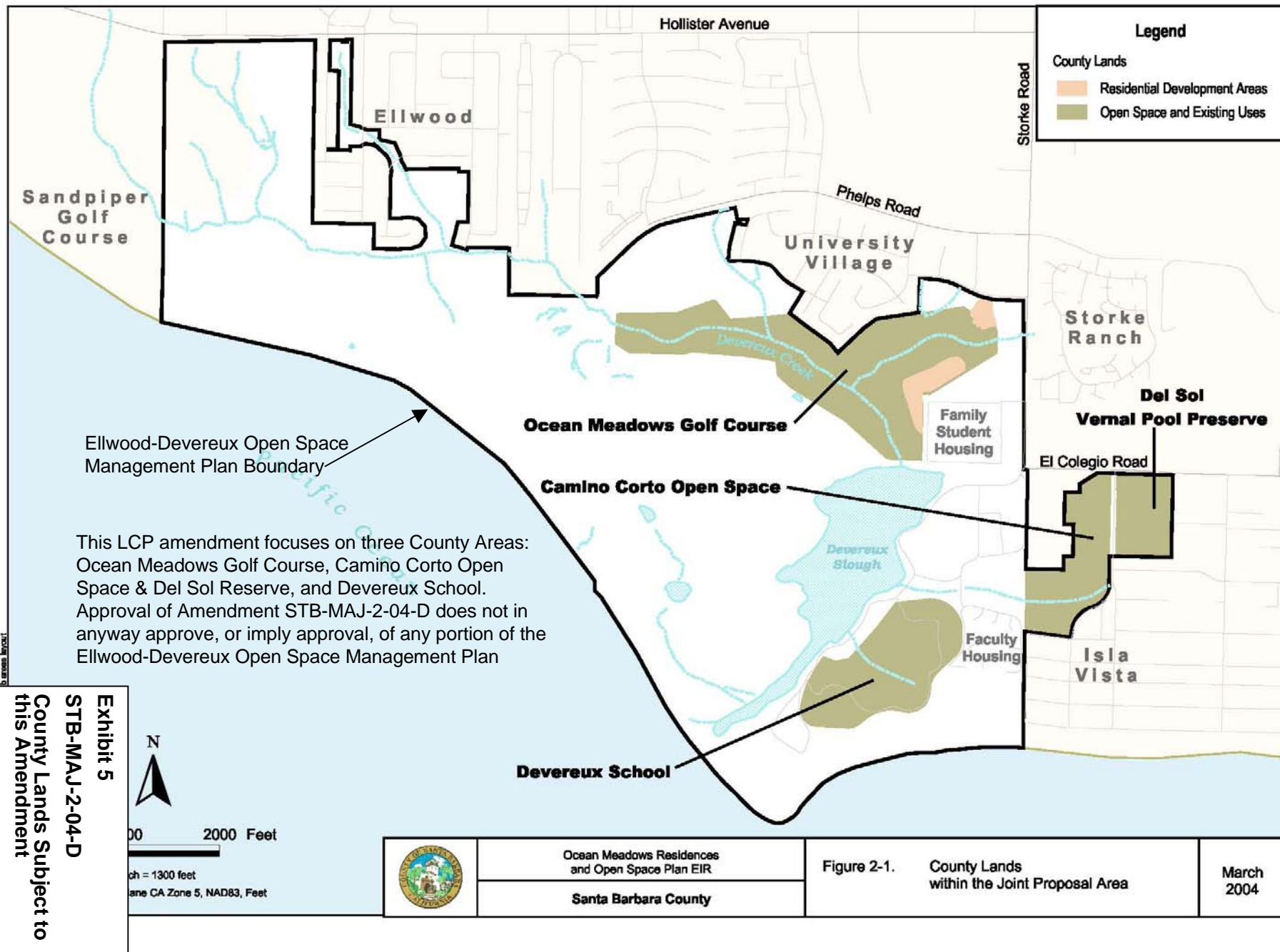


Exhibit 5
STB-MAJ-2-04-D
County Lands Subject to this Amendment



Ocean Meadows Residences
and Open Space Plan EIR

Santa Barbara County

073-09

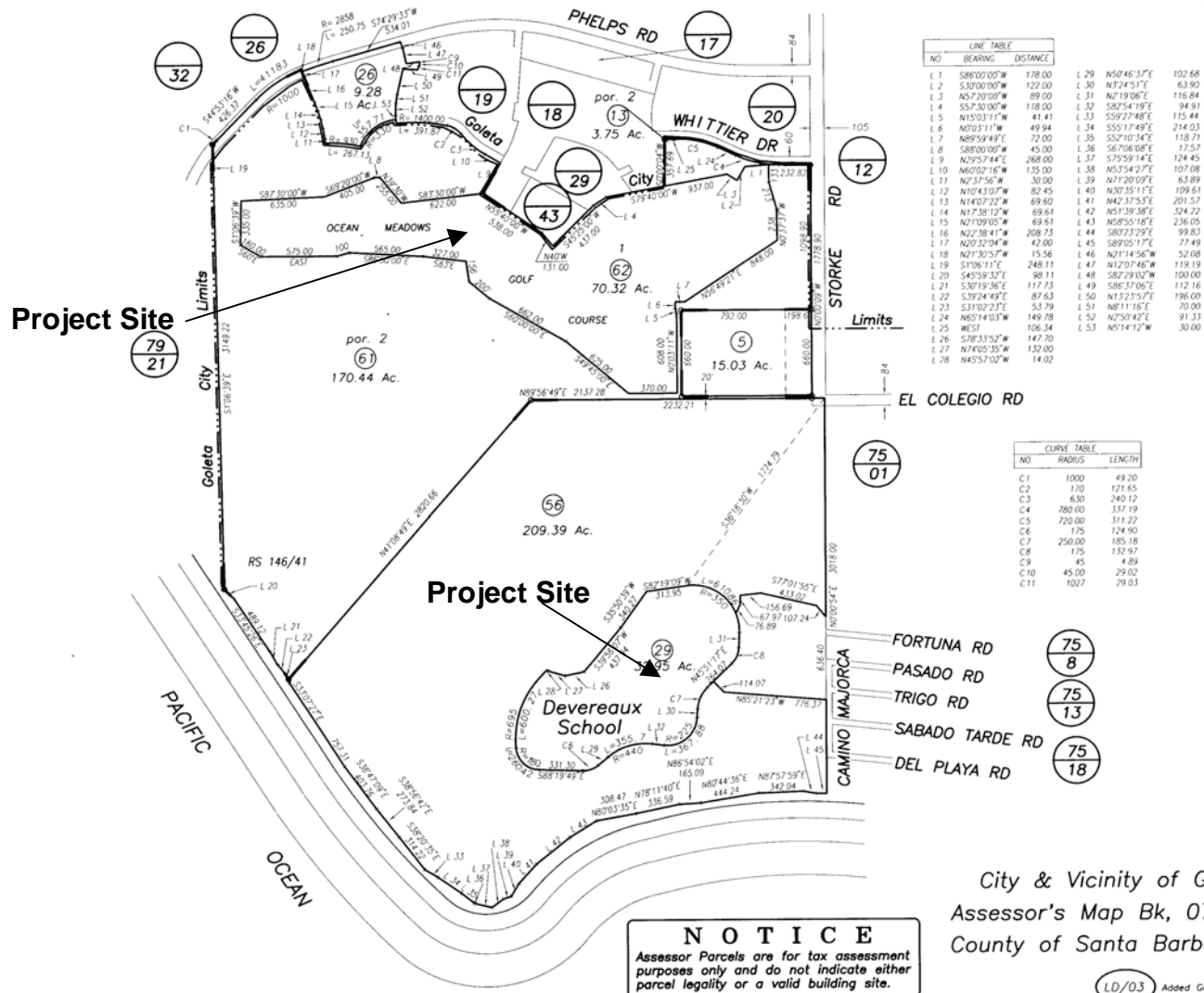


Exhibit 6a
STB-MAJ-2-04-D
Assessor Parcel Map

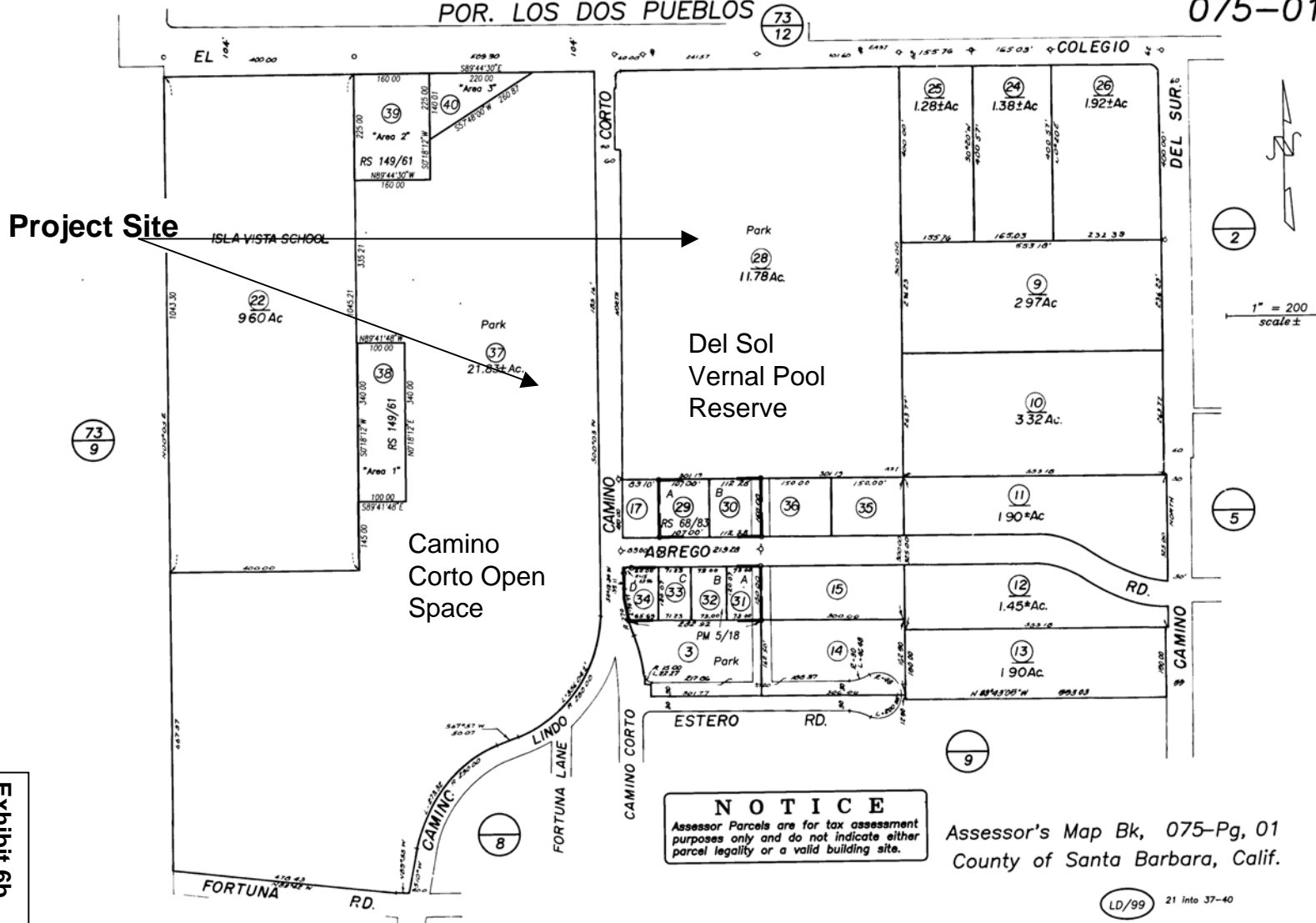


Exhibit 6b
STB-MAJ-2-04-D
Assessor Parcel Map

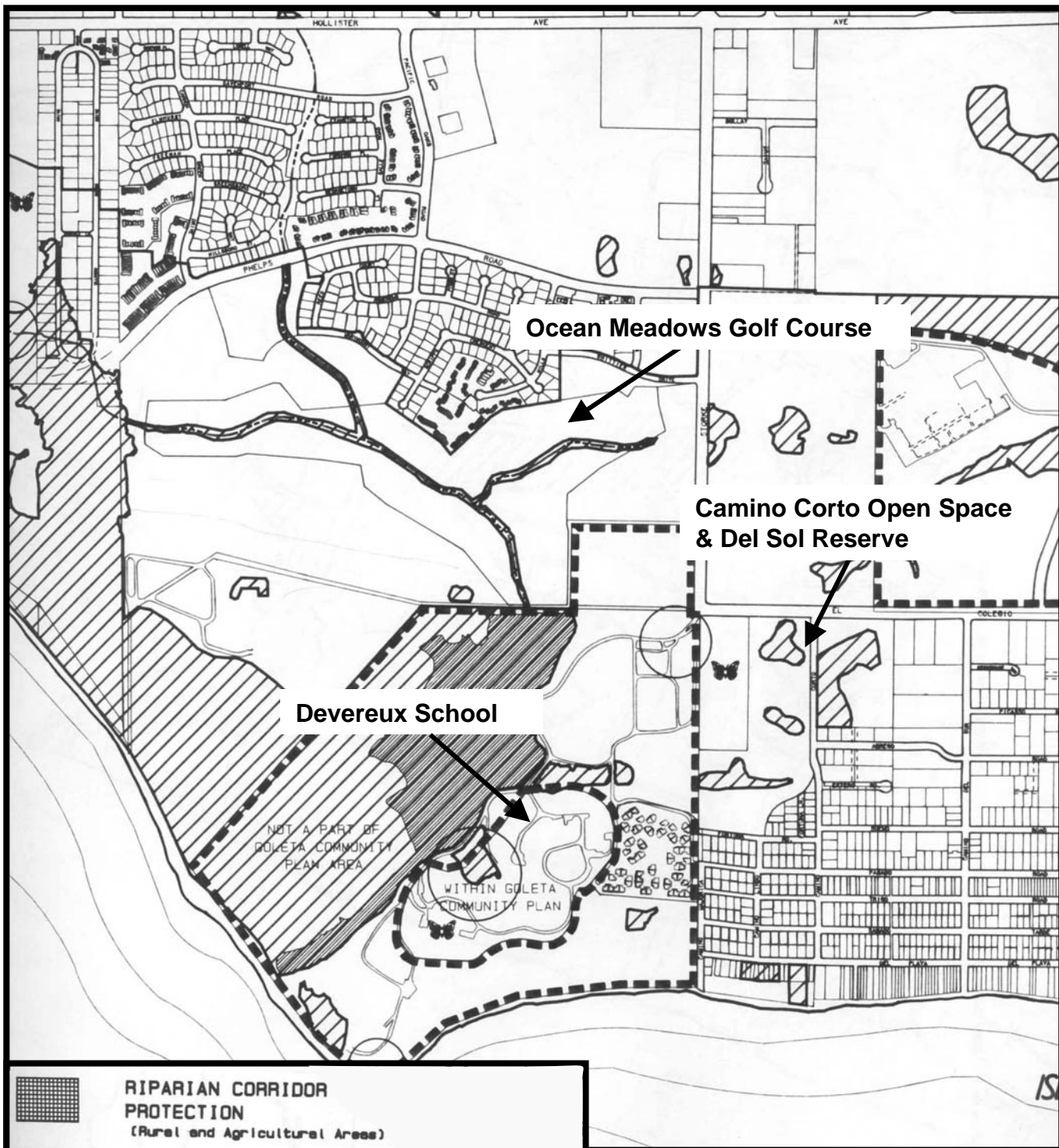
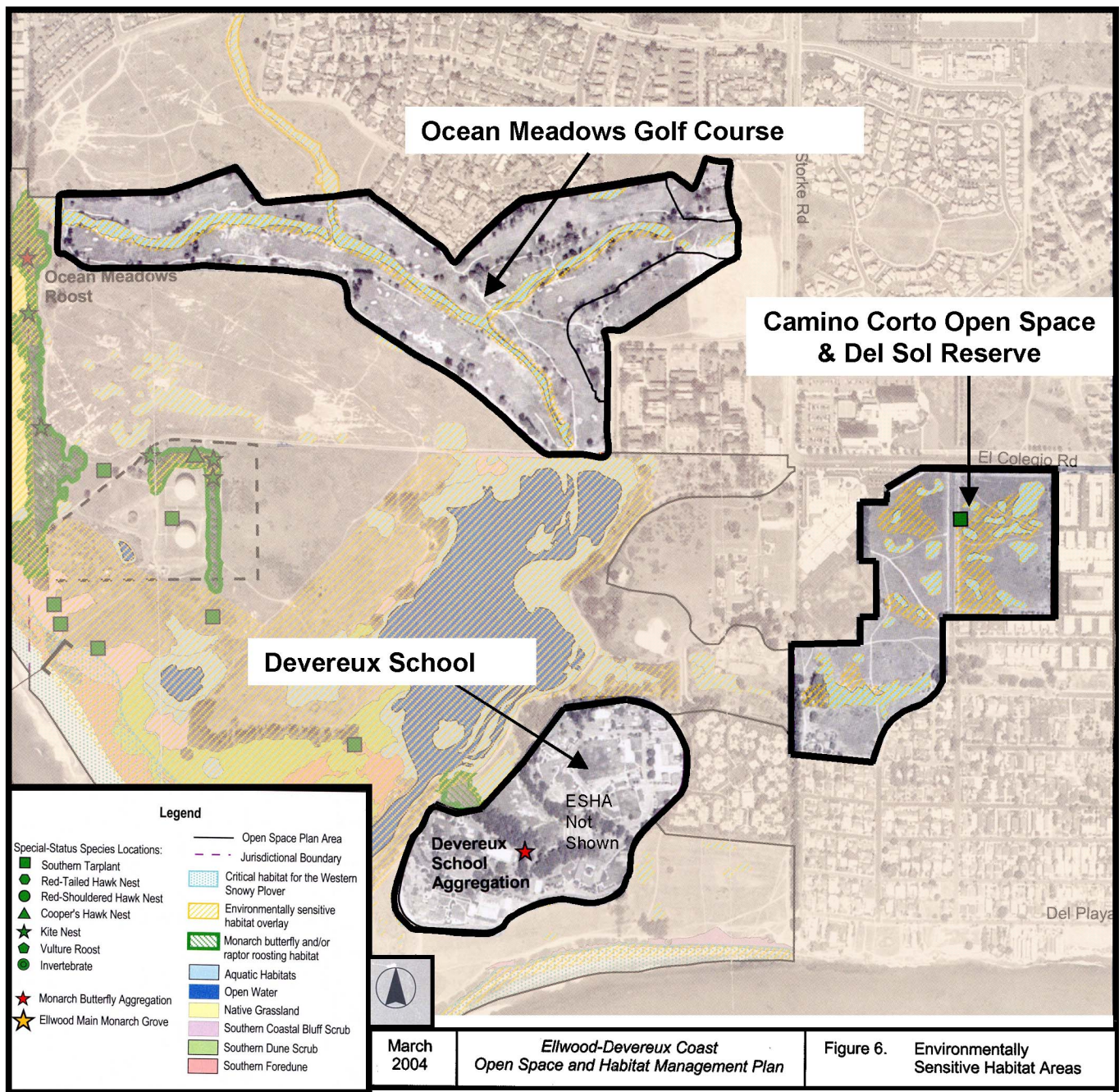


Exhibit 7
STB-MAJ-2-04-D
Certified LCP ESHA Map



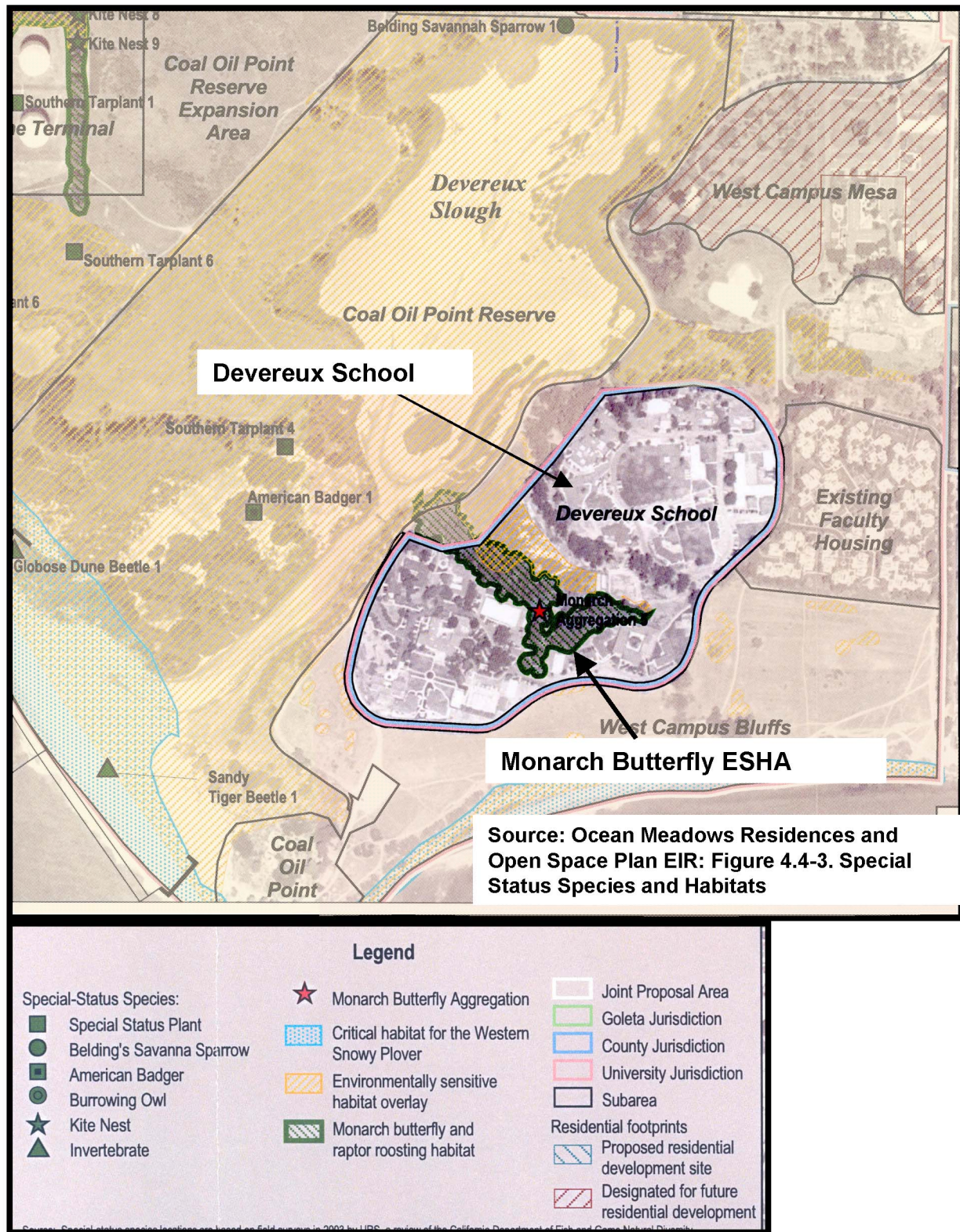
Pursuant to Suggested Modification 2 of this staff report, Figure 30 of the Goleta Community Plan, *Southern Section Environmentally Sensitive Habitats and Riparian Corridor Protection Overlays*, shall be modified to show Environmentally Sensitive Habitat Areas for Ocean Meadows and Camino Corto/Del Sol, as illustrated in this graphic. Although this graphic provides additional detail, approval of this LCP amendment would not include approval of any modifications to ESHA for lands outside of the three subject areas: Ocean Meadows Golf Course, Camino Cort/Del Sol, and Devereux School.

Note, Property boundaries delineated on this graphic are approximate and illustrative.

Exhibit 8a

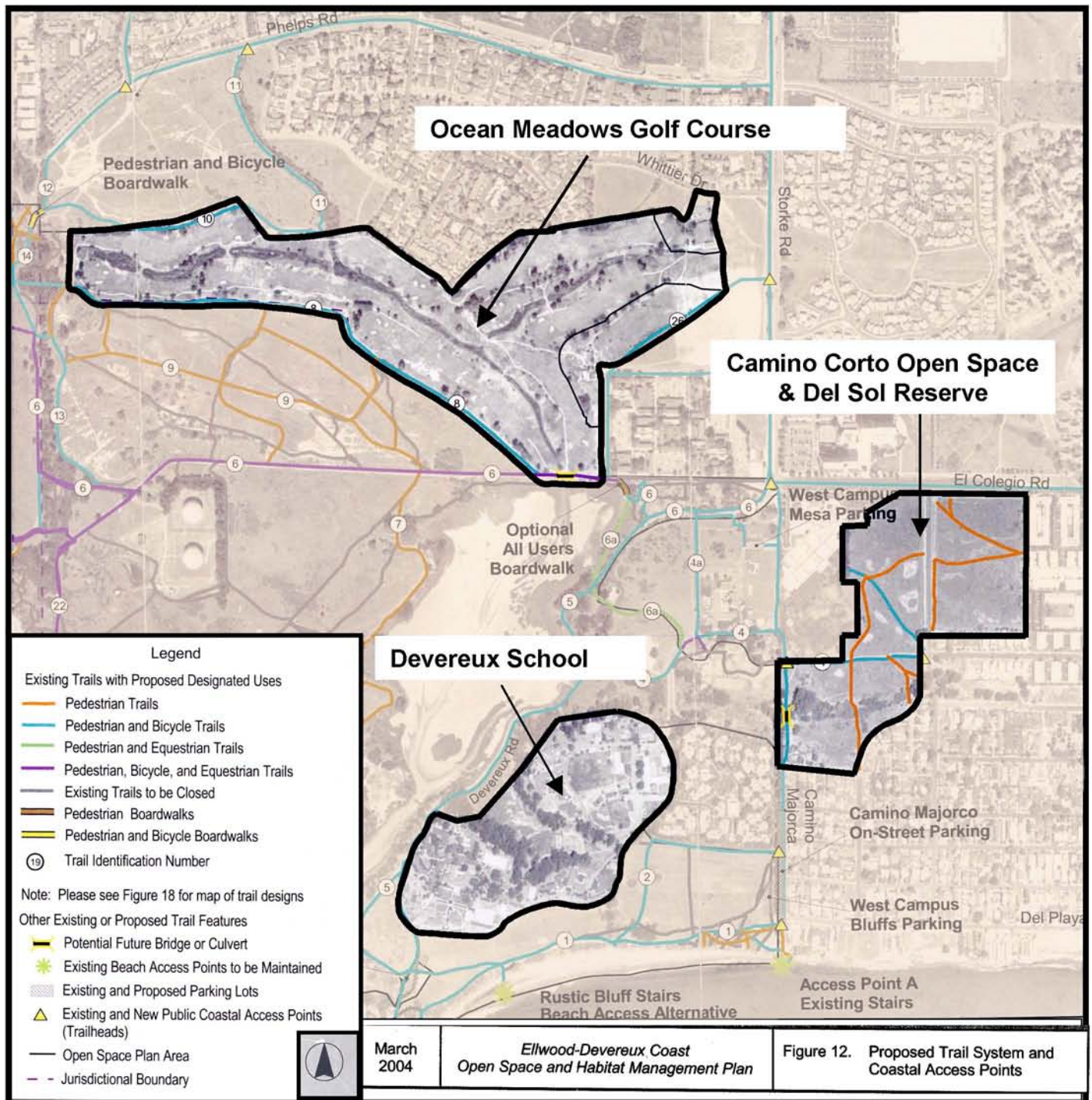
STB-MAJ-2-04-D

**Proposed ESHA as shown
in the Open Space Plan**



Pursuant to Suggested Modification 2 of this staff report, Figure 30 of the Goleta Community Plan, *Southern Section Environmentally Sensitive Habitats and Riparian Corridor Protection Overlays*, shall be modified to show Environmentally Sensitive Habitat Areas for the Devereux School property, as illustrated in this graphic. Although this graphic provides additional detail, approval of this LCP amendment would not include approval of any modifications to ESHA for lands outside of the three subject areas: Ocean Meadows Golf Course, Camino Cort/Del Sol, and Devereux School.

Exhibit 8b
STB-MAJ-2-04-D
ESHA shown in Final EIR
for the Open Space Plan



Pursuant to Suggested Modification 4 of this staff report, Figure 26 of the Goleta Community Plan, *Santa Barbara County Comprehensive Plan (PRT-3) Parks, Recreation and Trails, Goleta, Santa Barbara Area*, shall be modified to show the pedestrian and bicycle trails on the Camino Corto/Del Sol property and along the boundary of Ocean Meadows Golf Course & Devereux School property, as illustrated in this graphic. Although this graphic provides additional detail, approval of this LCP amendment would not include approval of any modifications to trails for lands outside of the three subject areas: Ocean Meadows Golf Course, Camino Corto/Del Sol Reserve, and Devereux School.

Note, Property boundaries delineated on this graphic are approximate and illustrative. The boundary of Ocean Meadows Golf Course has specifically been expanded in order to show the trails along the property line.

Exhibit 9

STB-MAJ-2-04-D

Proposed Trail System as shown in the Open Space Plan