

RESOLUTION NO. 15-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA ADOPTING AMENDMENTS TO THE GENERAL PLAN/COASTAL LAND USE PLAN OPEN SPACE ELEMENT AND CONSERVATION ELEMENT, APN 073-140-016, CASE NO. 09-140-GPA

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

SECTION 1: Recitals. The City Council finds and declares that:

- A. On June 1, 2012, Harwood White, agent for John Price Cortona LLP, submitted a revised application requesting a Development Plan for 176 residential apartment units and associated improvements at 6830 Cortona Drive, APN 073-140-016 (project site); and
- B. On August 6, 2013, the application was amended to include a request for a General Plan/Coastal Land Use Plan (GP/CLUP) amendment (GPA) to the Open Space Element and Conservation Element, and;
- C. Currently, the GP/CLUP shows that there is an Environmentally Sensitive Habitat Area (ESHA) consisting Sage Scrub/Dune/Bluff Scrub on the project site and Exhibits 1 and 2 (maps of ESHAs in the City) of the Open Space Element and Conservation Element show an ESHA designation on the project site;
- D. As part of the project environmental review process to comply with the California Environmental Quality Act (Public Resources Code, §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations, §§ 15000, et seq., the "CEQA Guidelines"), and the City's Environmental Review Guidelines ("Goleta Guidelines"); a biological assessment of the site was done and no ESHA was found on the project site; and
- E. The amendment to the GP/CLUP is set forth graphically in Exhibits 1 and 2; and
- F. The GPA seeks to amend the Open Space Element and Conservation Element to make the following revisions:
 1. Revise GP/CLUP Open Space Element, Figure 3-5, Open Space Plan Map, to remove the ESHA designation on the project site.
 2. Revise the GP/CLUP Conservation Element, Figure 4-1, Special-Status Species and Environmentally Sensitive Habitat Areas, to remove the ESHA Designation of Sage Scrub/Dune/Bluff Scrub on the project site.

- G. The procedures for processing amendments to the GP/CLUP have been followed as required by state and local laws and GP/CLUP Section 1.8 and Conservation Element Policy CE 1.5 regarding corrections to maps of ESHAs are present to warrant the map changes noted in Subsection 1 F above; and
- H. The Planning Commission conducted a duly noticed public hearing regarding the GPA on November 24, 2014, at which time all interested persons were given an opportunity to be heard; and
- I. The Planning Commission considered the entire administrative record, including staff reports and oral and written testimony from interested persons and recommended to the City Council adoption of the proposed General Plan Amendments; and
- J. On January 20, 2015, the City Council conducted a duly noticed public hearing regarding the GPA, at which time all interested persons were given an opportunity to be heard. Further, the City Council considered the entire administrative record, including staff reports and oral and written testimony from interested persons.

SECTION 2: Environmental Assessment Findings.

- A. Pursuant to CEQA Guideline § 15378(b)(5), the GPA does not qualify as a “project” because the GPA will not result in direct or indirect physical changes in the environment.

SECTION 3: General Plan Amendment Findings. The City Council hereby finds that the GPA is in the public interest pursuant to Government Code § 65358 as it will provide the City with accurate maps of ESHA.

SECTION 4: Actions: The City Council hereby takes the following actions:

- A. Adopt a revision to General Plan/Coastal Land Use Plan, Open Space Element, Figure 3-5, Open Space Plan Map to remove the Environmentally Sensitive Habitat Area (ESHA) designation on the project site (APN 073-140-016) as shown in Exhibit 1.
- B. Adopt a revision to General Plan/Coastal Land Use Plan, Conservation Element, Figure 4-1, Special-Status Species and Environmentally Sensitive Habitat Areas to remove the ESHA designation of Sage Scrub/Dune/Bluff Scrub on the project site (APN 073-140-016) as shown in Exhibit 2.

SECTION 5. *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: *Limitations.* The City Council analysis and evaluation of the project, including this Resolution, are based on the entire record, including the best information currently available. This includes competent and substantial evidence, both oral and written. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 8: This resolution will remain effective until superseded by a subsequent Resolution.

SECTION 9: The City Clerk shall certify as to the adoption of this resolution and is directed to mail a copy of this Resolution to Harwood White, 1553 Knoll Circle, Santa Barbara, CA 93103 and to any other person requesting a copy.

SECTION 10: This Resolution will become effective upon adoption.

SECTION 11: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

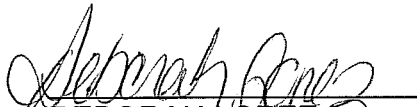
PASSED, APPROVED, AND ADOPTED this 20th day of January, 2015




PAULA PEROTTE, MAYOR

ATTEST:

APPROVED AS TO FORM:



DEBORAH LOPEZ
CITY CLERK



TIM GILES
CITY ATTORNEY

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

I, DEBORAH LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 15-03 was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 20th day of January, 2015, by the following vote of the City Council:

AYES: MAYOR PEROTTE, MAYOR PRO TEMPORE FARR,
 COUNCILMEMBERS ACEVES, BENNETT, AND VALLEJO.

NOES: NONE

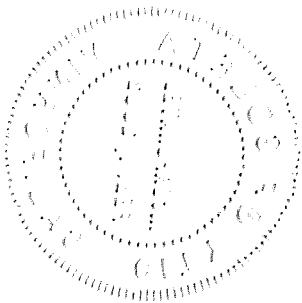
ABSTAIN: NONE

ABSENT: NONE

(SEAL)



DEBORAH LOPEZ
CITY CLERK



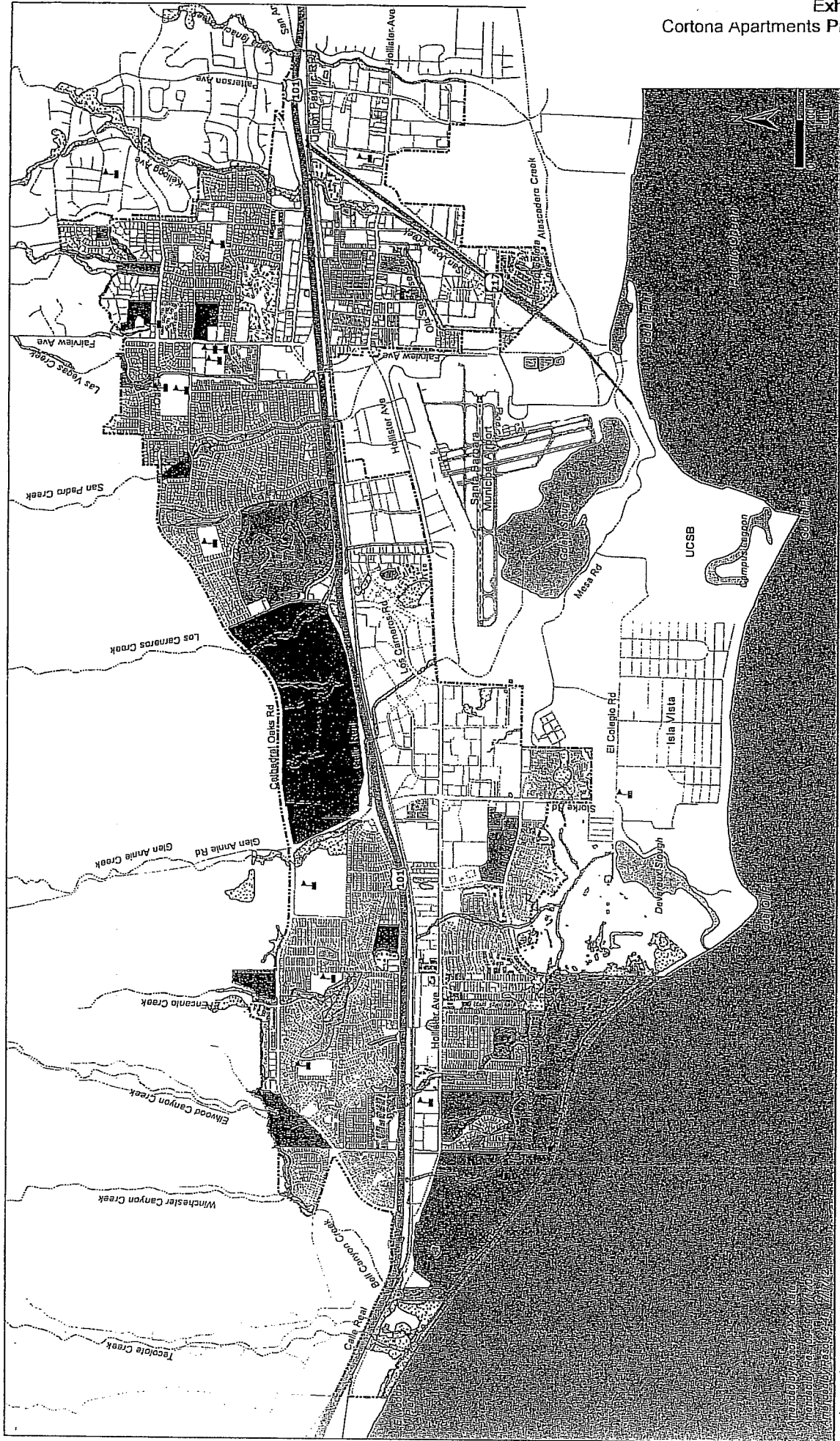


Figure 3-5
 OPEN SPACE PLAN MAP

GENERAL PLAN/COASTAL LAND USE PLAN

Note: Tsunami run-up areas and flood plain information are shown in Society Element Figure 5-2.

- Legend**
- Open Space for Outdoor Recreation
 - Active Park Sites
 - Passive Parks/Open Space Areas
 - Private Recreational Areas
 - Open Space for Preservation of Natural Resources
 - Environmentally Sensitive Habitats Areas
- Open Space for Managed Production of Resources**
- Agriculture
 - Open Space for Public Health and Safety
 - Flood Plains (See Note)
 - Tsunami Run-up Areas (See Note)
- Other Features**
- Goleta City Boundary
 - Coastal Zone
 - Creeks
 - Schools

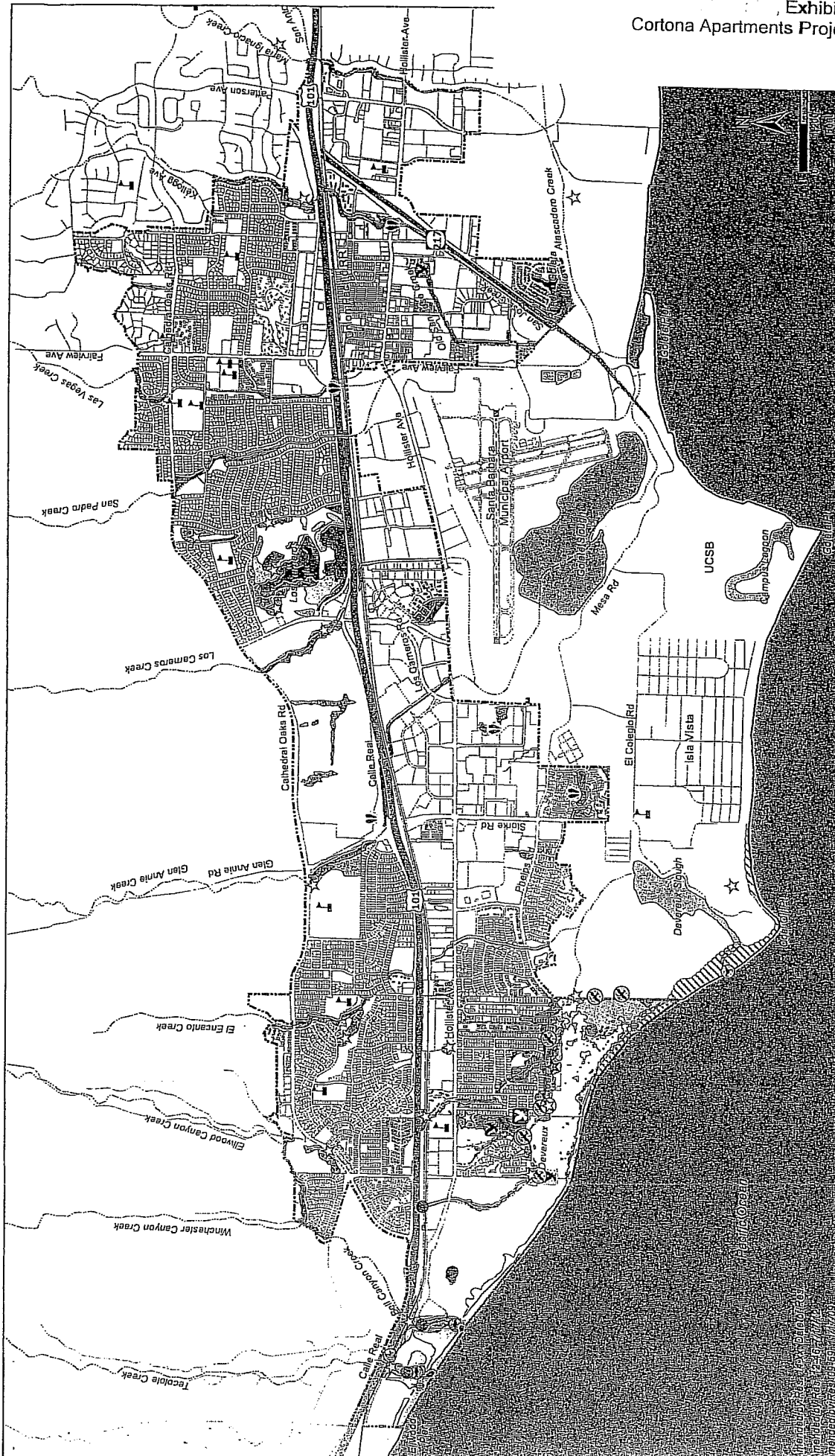


Figure 4-1

SPECIAL-STATUS SPECIES AND ENVIRONMENTALLY SENSITIVE HABITAT AREAS

Source: Habitat mapping conducted by Jones & Stokes in April-May 2009 based on aerial imagery (1-foot resolution) and field observation, merged with 1) information on the occurrence of special status habitats and species collected by City from recent information from local environmental review; 2) mapping of ponds, ponds, lakes and reservoirs based on US topographic maps; 3) habitat management plan documents, air photo interpretation, and field notes on US Department of the Interior, Bureau of Land Management, and other sources for occurrence of special status species in the Goleta and Dos Pueblos quadrangles and vicinities (2008 data); Habitats reflect those comprising an ESHA.

Note: ESHA locations are approximate. Any areas not designated on the ESHA map that meets the ESHA criteria shall be designated as such on the map. If the area was not shown on the map, refer to the applicable policy in the General Plan for the specific buffer widths.

- Legend**
- | | | | |
|-----------------------------|--|-------------------------------|--------------------------|
| Riparian/Marine/Vernal Pool | Native Grassland | Tiltwater Goby | Special-Status Species |
| Beach and Shoreline | Sage Scrub/Dune/Bluff Scrub | Red-Legged Frog | Cooper's Hawk Nest |
| Unvegetated Open | Native Upland Woodlands/Savannahs | Globose Dune Beetle | King Nest |
| Open Water | Monarch Butterfly and/or Riparian/Roadside Habitat | Santa Barbara Honeycreeper | Red-Shouldered Hawk Nest |
| Riparian/Marine/Vernal Pool | Chilled Habitat for the Western Snowy Plover | Black-Flowerer Flycatcher | Red-Tailed Hawk Nest |
| | | Southern Tanager | Vulture Roost |
| | | Monarch Butterfly/Aggregation | Western Snowy Plover |
| | | Elwood Main Monarch Grave | |
- Other Features**
- Goleta City Boundary
 - Casear Zone
 - Schools
 - Creeks

