

RESOLUTION NO. 12-46

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, CONSERVATION ELEMENT, AND SAFETY ELEMENT; CASE NOS. 11-080-GPA AND 11-081-GPA

WHEREAS, on June 17, 2008, Michael Towbes, LLC was the property owner of approximately 6.0 acres comprised of six parcels, including Assessor Parcel Numbers ("APNs") 073-060-044 to 073-060-048 and the adjacent parcel underlying the Via Luisa public right of way easement, as well as the land underlying the extension of the Camino Vista Road ("project site"); and

WHEREAS, an application for the project site was submitted on June 17, 2008, by Courtney Seepel representing Michael Towbes, LLC, requesting approval of the development of 100 condominium units on the project site, which involves a Vesting Tentative Map, a Development Plan, a Minor Conditional Use Permit and a Development Plan Amendment; and

WHEREAS, on February 28, 2012, Michael Towbes, LLC transferred APNs 073-060-044 to 073-060-048 to Willow Springs II, LP ("applicant"); and

WHEREAS, in order for the development to be approved for the project site, five (5) amendments to the General Plan/Coastal Land Use Plan ("GP/CLUP") are necessary, which are generally identified below; and

WHEREAS, the following two (2) amendments to the GP/CLUP affect only the project site:

1. Open Space Element, Figure 3-5, Open Space Plan Map: to remove the Environmentally Sensitive Habitat Area ("ESHA") designation on a portion of the project site; and
2. Conservation Element, Figure 4-1, Special-Status Species and Environmentally Sensitive Habitat Areas: to remove the ESHA designation on a portion of the project site; and

WHEREAS, the following two (2) amendments to the GP/CLUP affect only the project site and adjacent parcels (APNs 073-060-031 to -043):

3. Open Space Element, Table 3-1, Planned New Parks and Open Space Areas: to more accurately describe the location of the planned future neighborhood park, Willow Springs Park, north of Camino Vista Road; and

4. Open Space Element, Policy OS 6.11, Planned New Parks and Open Space: to more accurately describe the location of the planned future neighborhood park, Willow Springs Park, north of Camino Vista Road; and

WHEREAS, the following amendment to the GP/CLUP has a City-wide affect:

5. Safety Element, Figure 5-2, Fire, Flood, and Tsunami Hazards Map: to update the tsunami inundation area citywide; and

WHEREAS, the five (5) amendments to the GP/CLUP are hereinafter referred to as the "GPAs" and are set forth in detail in Exhibit 2; and

WHEREAS, the environmental analysis for the GP/CLUP as it is currently written is set forth in the *General Plan/Coastal Land Use Plan Final Environmental Impact Report*, SCH #2005031151 ("2006 Final EIR") and all subsequent CEQA documents to the 2006 Final EIR prepared to address amendments to the GP/CLUP ("GP/CLUP EIR"); and

WHEREAS, the procedures for processing amendments to the GP/CLUP have been followed as required by State and local laws; and

WHEREAS, the CEQA Addendum for Willow Springs II Project General Plan Amendments (Case Nos. 11-080-GPA and 11-081-GPA) dated May 11, 2012 ("Addendum") was prepared to provide the minor changes and additions to the GP/CLUP EIR necessary to address the GPAs; and

WHEREAS, the Addendum was prepared in full compliance with the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA"), the State CEQA Guidelines, Title 14, Division 6, Chapter 3 of the California Code of Regulations ("CEQA Guidelines"), and the City's Environmental Review Guidelines; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing regarding the GPAs on May 24, 2012, and continued to June 11, 2012, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission adopted Resolution No. 12-10, recommending that the City Council adopt the GPAs; and

WHEREAS, the City Council conducted a duly noticed public hearing regarding the GPAs on June 19, 2012 and continued to July 17, 2012, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council has considered the entire administrative record, including staff reports, the recommendation of the Planning Commission, the GP/CLUP EIR and Addendum, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA AS FOLLOWS:

SECTION 1. Recitals

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

SECTION 2. General Plan Amendment Findings

The City Council hereby finds that the GPAs are in the public interest pursuant to Government Code Section 65358 and the supporting findings are set forth in Exhibit 1, which is attached and incorporated herein by reference. The City Council hereby adopts the foregoing finding and the findings set forth in Exhibit 1.

SECTION 3. Approval of General Plan Amendments

The City Council hereby adopts the GPAs as described in Exhibit 2, which is attached and incorporated herein by reference.

SECTION 4. Production of General Plan/Coastal Land Use Plan Replacement Pages

The City Council hereby directs the Neighborhood Services and Public Safety Director and/or his designee to produce the replacement pages of the GP/CLUP effectuating the adoption of the GPAs, including all pages with amended text and all figures as amended.

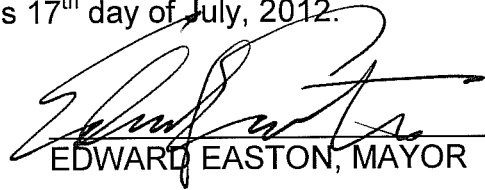
SECTION 5. Documents

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

SECTION 6. Certification

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 17th day of July, 2012.


EDWARD EASTON, MAYOR

ATTEST:


DEBORAH CONSTANTINO
CITY CLERK

APPROVED AS TO FORM:


TIM W. GILES
CITY ATTORNEY

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, DO HEREBY CERTIFY that the foregoing Resolution No. 12-46 was duly adopted by the City Council of the City of Goleta at a meeting, held on the 17th day of July, 2012, the following vote of the City Council:

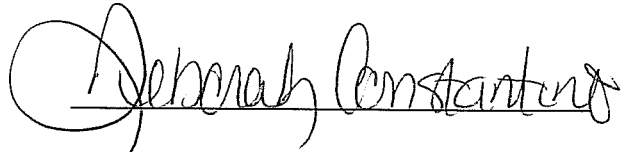
AYES: MAYOR EASTON, MAYOR PRO TEMPORE ACEVES,
COUNCILMEMBERS, BENNETT, CONNELL AND PEROTTE.

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

(SEAL)



DEBORAH CONSTANTINO
CITY CLERK



EXHIBIT 1
WILLOW SPRINGS II PROJECT
GENERAL PLAN AMENDMENT FINDINGS
CASE NOS. 11-080-GPA AND 11-081-GPA

Pursuant to Government Code Section 65358, the City Council hereby finds that the GPAs are in the public interest for the following reasons:

Amendments to the General Plan/Coastal Land Use Plan under Case No. 11-080-GPA

The following two (2) amendments to the GP/CLUP affect only the project site:

1. Space Element, Figure 3-5, Open Space Plan Map: to remove the ESHA designation on a portion of the project site; and
2. Conservation Element, Figure 4-1, Special-Status Species and Environmentally Sensitive Habitat Areas: to remove the ESHA designation on a portion of the project site.

GP/CLUP Conservation Element, Subpolicy CE 1.5, Corrections to Map of ESHAs, provides that if a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1, Special-Status Species and Environmentally Sensitive Habitat Areas, does not contain habitat that meets the definition of an ESHA, the final decision-maker shall review all available information and determine if the area in question should no longer be considered an ESHA. GP/CLUP Conservation Element, Subpolicy CE 1.1, Definition of Environmentally Sensitive Habitat Areas, defines ESHAs as any areas that through biological evaluation are determined to meet the following criteria:

- (a) Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments;
- (b) Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas;
- (c) Any area that has been previously designated as an ESHA by the California Coastal Commission, the California Department of Fish and Game, City of Goleta, or other agency with jurisdiction over the designated area.

GP/CLUP Conservation Element, Subpolicy CE 1.5, also provides that if the final decision-maker determines that the area is not an ESHA, Figure 4-1 shall be modified. GP/CLUP Open Space Element, Subpolicy OS 7.3, Open Space for Preservation of Natural Resources, provides that Figure 3-5, Open Space Plan Map, designates all ESHAs as protected open space and that the designated ESHAs shall be managed in accordance with the Conservation Element.

It is in the public interest to amend Open Space Element, Figure 3-5, and Conservation Element, Figure 4-1, to remove the ESHA designation on the project site in accordance with GP/CLUP Subpolicies CE 1.5 and OS 7.3 where a biological study has shown an ESHA to not exist. Specifically, these figures incorrectly identify ESHAs of coastal sage scrub within the project site. Based on biological study and field work, coastal sage scrub habitat is not present on the project site. Vegetation on the project site is comprised primarily of coyote brush scrub. The coyote brush scrub onsite is dominated by non-native grasses and forbs including fennel, mustard, and rattail fescue and there are also areas of bare dirt. The biological study establishes that the coyote brush scrub onsite does not meet the definition of ESHA because it is not "rare or especially valuable because of its special nature or role in an ecosystem" and is not recognized as threatened or endangered by the state or federal government or otherwise recognized as sensitive habitat.

Therefore, there is a site-specific biological study that contains substantial evidence that the area shown as an ESHA on the project site is not habitat that meets the definition of ESHA under GP/CLUP Subpolicy CE 1.1. As a result, it is in the public interest for the City to correct Open Space Element, Figure 3-5, and Conservation Element, Figure 4-1 by removing the ESHA designation on the project site in these figures pursuant to GP/CLUP Subpolicies CE 1.5 and OS 7.3.

The following two (2) amendments to the GP/CLUP affect only the project site and adjacent parcels (APNs 073-060-031 to -043):

3. Open Space Element, Table 3-1, Planned New Parks and Open Space Areas: to more accurately describe the location of the planned future neighborhood park, Willow Springs Park, north of Camino Vista Road; and
4. Open Space Element, Subpolicy OS 6.11, Planned New Parks and Open Space: to more accurately describe the location of the planned future neighborhood park, Willow Springs Park, north of Camino Vista Road.

It is in the public interest to amend the GP/CLUP Open Space Element, Table 3-1 and Subpolicy OS 6.11, to ensure that the location for planned future neighborhood parks located within the City are properly and appropriately located. The amendments to Open Space Element, Table 3-1 and Subpolicy OS 6.11, are limited to clarifying that the location of the planned future neighborhood park, Willow Springs Park, will be north of Camino Vista Road. These amendments do not alter the identified need for this park. In addition, these amendments do not alter the specific design requirements identified in the GP/CLUP for "neighborhood parks" under Open Space Element, Subpolicy OS 6.4, Neighborhood Parks. Therefore, the amendments to Open Space Element, Table 3-1 and Subpolicy OS 6.11, are in the public interest.

Amendment to the General Plan/Coastal Land Use Plan under Case No. 11-081-GPA

The following amendment to the GP/CLUP has a City-wide affect:

5. Safety Element, Figure 5-2, Fire, Flood, and Tsunami Hazards Map: to update the tsunami inundation area citywide.

It is in the public interest to amend the GP/CLUP Safety Element, Figure 5-2, Fire, Flood and Tsunami Hazards Map, to ensure the identification of such hazards are based on accurate and up to date information. GP/CLUP Safety Element, Subpolicy SE 1.1, Maintenance of Maps and Resources on Hazards, provides that the City shall maintain and make available to the public maps and resources provided by other agencies that depict or describe areas of known safety hazards, including flooding hazards. Further, Subpolicy SE 1.1 provides that the City shall periodically update such maps and resources as new or refined information becomes available. This amendment updates the tsunami inundation area within the City based on the Tsunami Map for Emergency Planning, Dos Pueblos Canyon and Goleta Quadrangle, dated January 31, 2009 (modeled by the University of Southern California, funded through the California Emergency Management Agency by the National Tsunami Hazard Mitigation Program). This updated information provides residents, developers, workers, visitors, and public agencies important information regarding this natural hazard.

**CITY COUNCIL RESOLUTION 12-46, EXHIBIT 2
WILLOW SPRINGS II PROJECT
GENERAL PLAN AMENDMENTS
CASE NOS. 11-080-GPA AND 11-081-GPA**

Amendments to the GP/CLUP under Case No. 11-080-GPA

1. Open Space Element, Open Space Plan Map, Figure 3-5: to remove the ESHA designation on a portion of the project site.
2. Conservation Element, Special-Status Species and Environmentally Sensitive Habitat Areas, Figure 4-1: to remove the ESHA designation on a portion of the project site.
3. Open Space Element, Subpolicy OS 6.11, Planned New Parks and Open Space, to read as follows:

“OS 6.11 Planned New Parks and Open Space. [GP] The locations of planned new public parks and open space are shown on Figure 3-2 and described in Table 3-1. Specific improvements will be implemented as conditions require and when funding is available. These planned new public parks and open space include:

- a. Expansion of the Armitos Park. An approximately 4-acre neighborhood park located in the vicinity of Old San Jose Creek between Hollister Avenue and Armitos Avenue adjacent to the Armitos Park in Old Town.
- b. A park in the southern portion of Old Town. A 4- to 5-acre active recreation community park, potentially including sports fields, located on or in the vicinity of the former drive-in theater in Old Town between the Santa Barbara Airport and SR-217.
- c. Willow Springs Park. A 2- to 3-acre neighborhood park in the proposed Willow Springs Phase II North project located south of US-101 and east of Los Carneros Road, and north of Camino Vista Road, on property totaling approximately 49-16.19 gross acres.
- d. Village at Los Carneros Park. A 3- to 5-acre neighborhood park in the proposed Village at Los Carneros project located south of US-101 and west of Los Carneros Road, on property totaling approximately 18 acres. The park should include active recreation facilities, such as fields suitable for organized sports.
- e. Cabrillo Business Park Open Space. An approximately 15-acre neighborhood open space located west of Santa Barbara Airport on an approximately 92-acre property bound by Hollister Avenue and Los Carneros Road.

Parks and open space in new developments shall be open to the general public and not limited to residents of individual development projects.”

4. Open Space Element, Table 3-1, Existing and Planned Parks and Open Space Areas, to read as follows:

**TABLE 3-1
EXISTING AND PLANNED PARKS AND OPEN SPACE AREAS**

Assessor's Parcel Number	Map# ¹	Name	Park Type	Acres	Description
<i>Existing Parks and Open Space Areas</i>					
079-570-046	1	San Miguel	Neighborhood Park	2.71	0.52-acre lawn; timber play structure; picnic areas
079-600-061 079-600-060	1	San Miguel Open Space	Neighborhood Open Space	3.07	Creek with bridge crossing; picnic areas
079-344-014	2	Winchester II	Neighborhood Park	1.20	0.7-acre lawn; swing set; softball backstop; play field; 2 picnic tables
079-371-005	3	Winchester I	Neighborhood Park	1.14	0.20-acre lawn; playground; merry-go-round; 2 picnic tables; footbridge
079-383-013	4	Winchester I Open Space	Neighborhood Open Space	2.22	Undeveloped
079-382-005	5	Brandon	Neighborhood Open Space	2.22	Undeveloped field
079-121-011 079-121-012 079-121-013	6	Evergreen Acres	Community Park	28.72	3.47-acre lawn; 2 tennis courts; 18-hole disc golf course; 1 bench; 3 foot-bridges; playing field; softball backstop; walkways; playground; 2 picnic tables; 1 portable restroom
079-560-008 079-560-009	7	Koarts Apartments	Neighborhood Open Space	6.60	Open field
079-110-045	8	Koarts Apartments	Neighborhood Open Space	0.34	Undeveloped sloping hillside
077-391-011	9	Bella Vista III	Neighborhood Park	0.77	Undeveloped road shoulder
077-351-001	10	Bella Vista I & II	Neighborhood Park	3.50	2.87-acre lawn; playground; 2-foot-bridges; 8 picnic tables; walkway; bench
077-121-022 077-121-023	11	Glen Annie at Del Norte	Neighborhood Open Space	0.99	Undeveloped
077-160-061	12	Lake Los Carneros Natural and Historical Preserve (Including Stow House)	Regional Open Space	139.99	22-acre lake; hiking paths; elevated boardwalk over lake; 3 benches; 2 portable toilets; George Adams picnic area with 3 tables; 1 bench, earth dam; Stow House Museum; Goleta Train Depot Railroad Museum
077-160-009	13	Stow Grove Park	Community Park	11.10	0.45-acre lawn; soccer field; ball diamond, volleyball courts; horseshoe pits; swing sets; reservation group BBQ areas; children's picnic tables; redwood groves
077-361-011	14	Stonebridge	Neighborhood Open Space	2.60	Parallels San Pedro Creek; undeveloped; hiking trail
077-331-017	15	Stow Tennis Courts	Community Park	2.68	0.74-acre lawn; 2 tennis courts; 1 bench
077-470-052 077-470-051 077-480-062 077-480-064	16	La Goleta	Neighborhood Open Space	6.13	Parallels Las Vegas Creek; undeveloped
069-391-001 069-380-001 069-401-001	17	Oro Verde	Neighborhood Open Space	2.65	Undeveloped
069-380-011 069-392-008	18	Oro Verde	Neighborhood Open Space	4.70	Undeveloped
069-362-001 069-463-003	19	Andamar	Neighborhood Park	2.45	1.0-acre lawn; play equipment; 1 picnic table
069-322-011 069-413-010	20	Emerald Terrace Tennis Courts	Community Park	4.20	1.49-acre lawn; 2 handicap-accessible tennis courts; swings; 2 picnic tables; 4 benches
069-142-038 069-142-039 069-153-001	21	San Jose Creek	Neighborhood Open Space	4.87	Parallels San Jose Creek; undeveloped
071-090-080	22	Armitos Park	Neighborhood Park	1.63	Parallels San Jose Creek; undeveloped

TABLE 3-1 (CONTINUED)

Assessor's Parcel Number	Map# ¹	Name	Park Type	Acres	Description
071-130-009	23	Community Center	Community Center	9.84	Various adult and children's classes, Headstart, Rainbow Preschool, Boys & Girls Club, lawn with gazebo
071-061-023	24	Nectarine	Mini Park	0.13	Sandlot with toddler playground equipment and bench
073-060-050	25	Willow Springs Open Space <i>(private)</i>	Neighborhood Open Space	2.37	For protection of cultural resources
073-440-020 073-440-021	26	Girsh Park ² <i>(private)</i>	Community Park	24.90	Softball, soccer, and basketball facilities, grassy open space, community meeting room, play equipment, barbecue-picnic areas
073-195-023	27	Armstrong	Mini Park	0.46	0.2-acre lawn; swing set; 1 toddler picnic table; 1 picnic table; 2 benches
073-260-056 073-230-049 073-240-058 073-260-021	28	University Village	Neighborhood Park	3.16	1.74-acre lawn; footbridge over drainage ditch.
Lot 7, Ellwood Acres No.2	29	Mathilda	Mini Park	0.20	Play equipment; picnic table
079-210-051 079-210-024	30	Sperling Preserve	Regional Open Space	136.60	136.6 acres of open space; monarch butterfly habitat sites; extensive trails w/ beach access to Ellwood Beach
079-395-015 079-210-050 079-445-001 079-491-016 079-442-023	31	Campus Glen	Regional Open Space	6.31	Eucalyptus groves
079-210-045	32	Coronado Preserve ² <i>(private)</i>	Regional Open Space	6.83	Monarch butterfly informational markers; small circular theatre sitting area
079-322-001 079-332-014	33	Santa Barbara Shores (Small)	Neighborhood Open Space	4.83	0.15-acre lawn; playground; 1 picnic table
079-321-001 079-355-009	33	Santa Barbara Shores Open Space (Small)	Neighborhood Open Space	1.24	Eucalyptus groves
079-210-067	34	Santa Barbara Shores Park	Regional Open Space	91.7	91.7 acres of open space; coastal vista, trails; bluff top, shoreline, and public parking lot
NA	35	Haskell's Beach	Regional Open Space	NA	Pacific shoreline and beach
079-200-013	36	Haskell's Beach Access <i>(private)</i>	Regional Open Space	0.89	50 space public parking lot with beach access walkway
Planned New Parks and Open Spaces					
071-090-036	A	Expansion of Armitos Park	Neighborhood Park	4.0	Parallels San Jose Creek; undeveloped
071-190-035	B	Potential Active Recreation Park	Community Park	4.0-5.0	Active recreation park by State Route 217 (SR-217) and Old Drive-in Theatre
073-060-031 to 073-060-048 073-060-043	C	Willow Springs Park	Neighborhood Park	2.0-3.0	Camino Vista by Willow Springs Phase II Apartments South of US-101, east of Los Carneros Road, and north of Camino Vista Road
073-330-028 073-330-029	D	Village at Los Carneros Park	Neighborhood Park	3.0-5.0	Castilian Dr. by proposed Village at Los Carneros Project adjacent to creek
073-450-005	E	Cabrillo Business Park Open Space	Neighborhood Open Space	15.8	Los Carneros Road. (by southeast corner of parcel)
¹ See Figure 3-2. ² Private parks are owned and maintained by nonprofit private entities.					

Amendment to the GP/CLUP under Case No. 11-081-GPA

5. Safety Element, Fire, Flood, and Tsunami Hazards Map, Figure 5-2: to revise the denoted tsunami inundation area consistent with the Tsunami Map for Emergency Planning, Dos Pueblos Canyon and Goleta Quadrangle, dated January 31, 2009 (modeled by the University of Southern California, funded through the California Emergency Management Agency by the National Tsunami Hazard Mitigation Program).