



**Agenda Item D.1  
PUBLIC HEARING  
Meeting Date: May 20, 2008**

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**TO:** Mayor and Councilmembers

**FROM:** Steve Chase, Director, Planning & Environmental Services

**SUBJECT:** Public Hearing to Consider Case No.07-102-GPA; Bacara Resort and Spa General Plan Amendments Initiation; 8301 Hollister Avenue, APNs 079-200-012 & 013

**RECOMMENDATION:**

- A. Open the public hearing on the Bacara Resort and Spa General Plan Amendments Initiation request.
- B. Allow oral presentations from staff and the applicant regarding the request.
- C. Take public testimony.
- D. Deliberate and adopt the recommended actions identified in Attachment 1.

Refer back to staff if the City Council decides to take action other than the recommended action.

**BACKGROUND:**

The General Plan policy amendments addressed herein are proposed by the ownership of Bacara Resort and Spa, HT Santa Barbara. The amendments are before the City Council for a determination of whether they will be initiated. If initiated, the amendments will be subjected to CEQA environmental review and policy consistency analysis with respect to the City's General Plan and Coastal Land Use Plan. If not initiated, the amendments will be set forth for summary denial.

The policy amendments are associated with Bacara's Completion Phase Project, generally understood to comprise the development of a sixty two (62) unit hotel condominium complex to be located on the eastern portion of the resort, as well as the relocation of a public parking lot and vertical beach accessway to Haskell's Beach. The application status of the Completion Phase Project is "incomplete" and not before the City Council at this time.

**DISCUSSION:**

The proposed initiation request includes significant changes to the City’s adopted General Plan, including changes to the Open Space, Conservation, Safety, Visual and Historic Resources, and Noise Elements.

The applicant has proposed eleven (11) amendments to General Plan maps and policies, two which affect the Open Space Plan Map are combined into one (1) amendment for purposes of this analysis and recommendation. Several of the proposed amendments are specific to the Bacara property, the Completion Phase Project in particular, while other proposed amendments would affect city-wide policies and shoreline properties.

Please refer to Attachment 1, General Plan Amendment Data Sheets, for a more detailed description and explanation of the proposed amendments, applicant rationale, and staff recommendations. The staff recommendations provided in Attachment 1 include:

<b>GENERAL PLAN</b>	<b>TITLE</b>	<b>STAFF RECOMMENDATION</b>
OS 1.2 Figure 3-1	Coastal Access Map	Initiate
OS 1.10.d	Management of Public Lateral Access Areas	Subpart “b” is already initiated in Track 3 process Deny subpart “d”
OS 2.3	Preservation of Existing Vertical Accessways	Initiate
OS 2.8	Management of Vertical Accessways	Deny subpart “b” Initiate subpart “f”
OS 6.2 Table 3-1	Existing and Planned Parks and Open Space Areas	Deny
OS 7.2 Figure 3-5	Open Space Plan Map	Initiate Removal of ESHA designation Deny Removal of Passive Parks/Open Space designation
CE 1.2 Figure 4-1	Special-Status Species & Environmentally Sensitive Habitat Areas	Initiate
SE 6.1 Figure 5-2	Fire, Flood and Tsunami Hazards Map	Deny
VH Figure 6-1	Scenic Resources Map	Deny
NE Section 9.2	Guiding Principles and Goals #2	Deny

The City Council should recall that staff was authorized to contract with Dudek Engineering + Environmental for case planning services on the Completion Phase Project, including any associated General Plan Amendments. April Verbanac of Dudek provided the staff analysis that frames the recommendations presented in Attachment 1. Those recommendations were reviewed, deliberated on and modified as presented herein by the Planning Director.

The recommendations set forth are just that, recommendations, and, as such, would benefit from any further information and policy considerations derived from the initiation public hearing.

The matter at-hand is whether or not to initiate further study of the proposed amendments. The analysis to-date is not exhaustive; rather, it looks at the implications of the proposed amendments in a general way. The initiation process actually seeks an early read from staff and, more importantly, the City Council as to the tolerance for making changes to the General Plan. Knowing the Council's tolerance for such up-front is preferred to extensive, lengthy case processing that may be for naught on what is essentially a legislative matter of which the Council has complete discretion to decide on face value.

**ALTERNATIVES:**

Not applicable.

**LEGAL REVIEW:**

The content of Attachment 1 was discussed with the City Attorney's office.

**FISCAL IMPACTS:**

The case processing costs associated with the initiation of the proposed General Plan Amendments are paid by the applicant.

**CONCLUSION:**

Following the staff presentation and testimony from the applicant and public, the City Council should consider each of the proposed amendments, one by one. Staff is seeking the City Council's determination on whether to initiate or summarily deny said amendments. Therefore, it is suggested that the City Council take up deliberations and actions on each of the proposed amendments separately.

Submitted By:

Reviewed by:

Approved By:

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Steve Chase, Director  
Planning & Environmental  
Services

\_\_\_\_\_  
Michelle Greene, Director  
Administrative Services

\_\_\_\_\_  
Daniel Singer  
City Manager

**ATTACHMENTS:**

1. General Plan Amendment Data Sheets

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	OS 1.2/Figure 3-1
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	
<b>Date:</b>	05/09/08			
			<b>GP Page #:</b>	Follows 3-6

**Policy Objective:** *To provide for the creation of continuous public lateral beach and bluff-top access along the entire Goleta shoreline and increase and enhance opportunities for enjoyment of beach, shoreline, and bluff-top areas, consistent with the natural shoreline character, private property rights, and public safety.*

**Policy Text:**

Figure 3-1, Open Space Element, Coastal Access Map

OS 1.2 Adoption of Coastal Access Plan Map. [GP/CP] The overall coastal access system plan, shown in Figure 3-1, is hereby adopted. The Coastal Access Plan map identifies Goleta's existing and proposed coastal access facilities, including later and vertical accessways, the California Coastal Trail and Juan Bautista de Anza National Historic Trail (Anza Trail) corridors, other trails, beach access locations, and public parking areas.

**Proposed Amendment:**

Amend the Coastal Access Map, Figure 3-1, to depict one vertical access point that accommodates relocation of the existing access and proposed access and the removal of the proposed drop off point at the Bacara Resort.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	OS 1.2/Figure 3-1
			<b>Policy Title</b>	
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Figure 3-1, the Open Space Element Coastal Access Map, be modified to depict one vertical access point that accommodates relocation of the existing access and proposed access, and the removal of the proposed drop off point at the Bacara Resort for public safety reasons, and compliance with Fire Department mandates, safety protocol and project conditions of approval.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The precise location of a newly proposed vertical access easement relocation site will be established as a part of the case processing of the development application. The proposed revisions to Figure 3-1, Coastal Access Map, may result in potentially significant environmental impacts that trigger the requirement for environmental determination and review under CEQA.

**Track Assignment:** N/A

**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	OS 1.2/Figure 3-1
<b>Initiate:</b>	<b>X</b>		<b>Policy Title</b>	
<b>Edit:</b>				
<b>Deny:</b>				
<b>Defer to Development Application Review</b>	<b>X</b>			

**Staff Recommendation:** Staff recommends that the Council initiate the proposed amendment request, but evaluate it as a part of the case processing of the Completion Phase Project.

**Staff Rationale:** The proposed amendment to Figure 3-1 of the Open Space Element Coastal Access Map would include deleting an existing vertical accessway/beach access easement previously recorded on the property, pursuant to permit requirements, but which does not currently exist. The intent is to create a new proposed vertical access easement. The specific location of the new vertical accessway/beach access point would be established as a part of the development application process for the Completion Phase Project.

There is precedent for allowing relocation of public access easements where coastal communities and the California Coastal Commission have found that the revised location/s will better protect sensitive coastal resources from impacts of accessway construction and/or disturbance from public use, while providing maximum public access opportunities.

The relocation of the existing vertical access easement and beach access point may be consistent with Open Space Policy OS 2: Vertical Access to the Shoreline. That policy objective reads, in part, “...by preserving existing accessways and establishing new vertical access opportunities at key locations so as to increase opportunities for public enjoyment of beach... consistent with the natural shoreline character, private property rights, and public safety.” As such, the proposed amendment warrants further consideration in conjunction with the development application on file with the City, but not as a separate policy matter.

The proposed amendment also includes eliminating a proposed beach drop-off area from the map. Staff does not support the request to eliminate a beach access opportunity without good cause. A compelling argument for the elimination of the proposed drop-off area has not been provided.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	OS 1.10.d. and b.
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	Management of Public Lateral Access Areas
<b>Date:</b>	05/09/08		<b>GP Page #:</b>	3-8

**Policy Objective:** *To provide for the creation of continuous public lateral beach and bluff-top access along the entire Goleta shoreline and increase and enhance opportunities for enjoyment of beach, shoreline, and bluff-top areas, consistent with the natural shoreline character, private property rights, and public safety.*

**Policy Text:**

**OS 1.10 OS 1.10 Management of Public Lateral Access Areas. [GP/CP]** The following criteria and standards shall apply to use and management of lateral shoreline access areas:

- d. The hours during which coastal access areas are available for public use shall be the maximum feasible while maintaining compatibility with nearby neighborhoods and land uses. The hours for public use shall be set forth in each individual coastal development permit. Unless specific hours are described within a permit, the access shall be deemed to be 24 hours per day and 7 days per week.
- b. Temporary special events shall minimize impacts to public access and recreation along the shoreline. Coastal Development Permits shall be required for any temporary event that proposes to use a sandy beach area and involves a charge for admission or participation.

**Proposed Amendment:**

**OS 1.10 OS 1.10 Management of Public Lateral Access Areas. [GP/CP]** The following criteria and standards shall apply to use and management of lateral shoreline access areas:

- d. The hours during which coastal access areas are available for public use shall be the maximum feasible while maintaining compatibility **and ensuring public safety** with nearby neighborhoods and land uses. The hours for public use shall be set forth in each individual coastal development permit. Unless specific hours are described within a permit, the access shall be **deemed to be 24 hours per day and 7 days per week from sunrise to sunset.**
- b. Temporary special events shall minimize impacts to public access and recreation along the shoreline. ~~Coastal Development Permits shall be required for any temporary event that proposes to use a sandy beach area and involves a charge for admission or participation.~~

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	OS 1.10.d. and b.
			<b>Policy Title</b>	Management of Public Lateral Access Areas
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Policy OS 1.10.d., Management of Public Lateral Access Areas, be modified to change the hours during which coastal access areas are available for public use to be consistent with hours set by the City at the adjacent City Park (Santa Barbara Shores) and to minimize safety issues as reflected by law enforcement records.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The proposed changes to limit the hours during which coastal access areas are available for public use could trigger the requirement for environmental determination and review under CEQA. Changes would result in reduced recreational opportunities on the beach by limiting hours of access to beach use.

<b>Track Assignment:</b>	N/A
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**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	OS 1.10.d. and b.
<b>Initiate:</b>	<b>X</b>	Subpart “b” is already initiated in Track 3	<b>Policy Title</b>	Management of Public Lateral Access Areas
<b>Edit:</b>				
<b>Deny:</b>	<b>X</b>	Subpart “d”		
<b>Defer to Development Application Review</b>				

**Staff Recommendation:** Staff recommends that the Council deny initiation of portion “d” of the proposed amendment. As for portion “b”, it was already initiated under the City-sponsored Track 3 process.

**Staff Rationale:** The proposed amendment would add language to include public safety as a factor in determining hours during which coastal access areas should be available for public use. Staff sees no issue with this proposed text amendment as it is consistent with the policy objective to *“provide for the creation of continuous public lateral beach... consistent with the natural shoreline character, private property rights, and public safety.”* This component of the proposed amendment is consistent with the California Coastal Commission’s Local Coastal Plan update guidelines relative to protecting public access to the coast.

However, the proposed amendment would also delete text from section “d” and, thereby, restrict the public’s use of lateral shoreline areas, such as Haskell’s Beach, from sunrise to sunset. The proposed amendment could limit public use and enjoyment of lateral beach access areas along the entirety of the city’s shoreline, unless otherwise specified within a Coastal Development Permit. In a sense, it reverses the burden of proof from what exists today.

Staff has researched a number of management programs for various public accessways along the California coast. The record indicates no instances where the California Coastal Commission has approved limitations on the hours of lateral beach access as a blanket policy. However, the Coastal Commission has approved limitations within Coastal Development Permits for individual development projects, where found necessary to protect sensitive habitat values or fragile topographic features, to protect the privacy of residential development, and to ensure public safety. The distinction is whether to entertain such limitations as a broad policy that is applicable to the entirety of the city’s shoreline (as the proposed amendment would do), or to treat the matter as a component of the Completion Phase Project and its associated entitlements and permits.

The existing text of the General Plan is consistent with California Coastal Act policies and California Coastal Commission practices. It sets forth a standard for public beach use as 24 hours per day and 7 days per week, unless otherwise specified per an individual Coastal Development Permit. The General Plan allows the City to consider limitations on public access and beach use on a case-by-case basis and, where necessary, to address issues of site constraints, compatibility, and public safety. Given the variation in site conditions along Goleta’s shoreline, the Coastal Development Permit review process (for individual project-specific permits), rather than a city-wide policy, should be the mechanism of choice. Should the applicant desire to request restrictions and/or limitations on lateral beach access at Haskell’s beach, the General Plan’s existing policy language provides the ability to do so as part of the Coastal Development Permit process. Therefore staff is recommending denial of portion “d” of the proposed amendment.

The applicant has also requested a text amendment to section “b” of Policy OS 1.10 relating to temporary special event uses on the beach. Portion “b” was already initiated as part of Track 3 of the General Plan Amendment Work Program. The applicant is carrying this provision forward in the event that Track 3 is delayed or that the amendment is not approved as a part of that City-sponsored process.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	OS 2.3
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	Preservation of Existing Vertical Accessways
<b>Date:</b>	05/09/08		<b>GP Page #:</b>	3-9

**Policy Objective:** *To provide for expanded and enhanced public vertical access to Goleta's shoreline by preserving existing accessways and establishing new vertical access opportunities at key locations so as to increase opportunities for public enjoyment of beach, bluff-top, and other shoreline areas, consistent with the natural shoreline character, private property rights, and public safety.*

**Policy Text:**

**OS 2.3 Preservation of Existing Vertical Accessways. [GP/CP]** Vertical access to Goleta's Pacific shoreline was limited to two locations as of 2005. These include access to Haskell's Beach within the Bacara Resort property and access at the City-owned Santa Barbara Shores Park and Sperling Preserve properties. The latter includes numerous trails that provide access to the bluff tops, although access from the bluff top to Ellwood Beach is available at only two locations. Existing public vertical coastal access facilities shall be protected and preserved and shall be expanded or enhanced where feasible (see related Policies LU 9 and OS 4).

**Proposed Amendment:**

**OS 2.3 Preservation Protection of Existing Vertical Accessways. [GP/CP]** Vertical access to Goleta's Pacific shoreline was limited to two locations as of 2005. These include access to Haskell's Beach within the Bacara Resort property and access at the City owned Santa Barbara Shores Park and Sperling Preserve properties. The latter includes numerous trails that provide access to the bluff tops, although access from the bluff top to Ellwood Beach is available at only two locations. Existing public vertical coastal access facilities shall be protected **and preserved** and shall be expanded or enhanced where feasible (see related Policies LU 9 and OS 4). **In the event an existing vertical accessway must be relocated, it shall be sited so as not to unreasonably diminish the public's right of access.**

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	OS 2.3
			<b>Policy Title</b>	Preservation of Existing Vertical Accessways
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Policy OS 2.3, Preservation of Existing Vertical Accessways, be modified to allow for flexibility in relocating accessways in cases where it does not unreasonably diminish the public's right of access as consistent with the conditions of approval.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The proposed amendment does not create or facilitate any physical changes to existing vertical accessways. If, in the future, any existing vertical accessways are proposed to be relocated or altered, an environmental determination and review would be triggered under CEQA.

**Track Assignment:** N/A

**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	OS 2.3
<b>Initiate:</b>	<b>X</b>		<b>Policy Title</b>	Preservation of Existing Vertical Accessways
<b>Edit:</b>	<b>X</b>			
<b>Deny:</b>				
<b>Defer to Development Application Review</b>				

**Staff Recommendation:** Staff recommends that the Council initiate the proposed amendment with one word change.

**Staff Rationale:** The proposed amendment to policy OS 2.3 would strike text referencing "preservation" or "preserved" and in turn rely on text referencing "protection" and "protected" in relation to public vertical coastal accessways.

The proposed amendment to policy OS 2.3 would add language such that, in the event an existing vertical accessway must be relocated, it shall be sited so as not to unreasonably diminish the public's right of access. Staff has researched a number of Coastal Commission permit actions involving relocation of existing and recorded public access easements and found that there is precedent for allowing relocation of public access easements where found that the revised location/s better protect sensitive coastal resources from impacts of accessway construction and/or disturbance from public use while providing maximum public access opportunities.

However, staff recommends that the word unreasonable be stricken from the proposed text to avoid any confusion in the future as to what constitutes "unreasonable". By merely simplifying the language to read "...so as not to diminish the public's right of access", the intent is maintained, and potential confusion is avoided.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	OS 2.8.b. and OS 2.8.f.
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	Management of Vertical Accessways
<b>Date:</b>	05/09/08			
			<b>GP Page #:</b>	3-11

**Policy Objective:** *To provide for expanded and enhanced public vertical access to Goleta's shoreline by preserving existing accessways and establishing new vertical access opportunities at key locations so as to increase opportunities for public enjoyment of beach, bluff-top, and other shoreline areas, consistent with the natural shoreline character, private property rights, and public safety.*

**Policy Text:**

**OS 2.8 Management of Vertical Accessways. [GP/CP]** The following standards shall apply to management of vertical accessways:

b. The hours during which vertical coastal access areas are available for public use shall be the maximum feasible while maintaining compatibility with nearby neighborhoods and land uses. The hours for public use shall be set forth in each individual coastal development permit. Unless specific hours are described within a permit, the access shall be deemed to be 24 hours per day, 7 days per week.

f. Motorized vehicles shall be prohibited on vertical accessways.

**Proposed Amendment:**

**OS 2.8 Management of Vertical Accessways. [GP/CP]** The following standards shall apply to management of vertical accessways:

b. The hours during which vertical coastal access areas are available for public use shall be the maximum feasible while maintaining compatibility and ensuring public safety with nearby neighborhoods and land uses. The hours for public use shall be set forth in each individual coastal development permit. Unless specific hours are described within a permit, the access shall be deemed to be 24 hours per day, 7 days per week from sunrise to sunset.

f. Motorized vehicles, except service, maintenance and public safety vehicles, shall be prohibited on vertical accessways.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	OS 2.8.b. and OS 2.8.f.
			<b>Policy Title</b>	Management of Vertical Accessways
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Policy OS 2.8, Management of Vertical Accessways, be modified to change the hours during which coastal access areas are available for public use to be consistent with hours set by the City at the adjacent City Park (Santa Barbara Shores) and to minimize safety issues as reflected by law enforcement records. The proposed amendment also requests that Policy OS 2.8 be modified to recognize and accommodate the necessary use of safety, service and maintenance vehicles on vertical accessways.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The proposed amendment to limit the hours during which coastal access areas are available for public use, on face value, runs counter to California Coastal Act policies that prioritize, promote and protect the public's access and recreational enjoyment of the beach. Any such limitation would be subject to an environmental determination and review under CEQA.

In addition, the proposed amendment to add text to clarify that service, maintenance and public safety vehicles be allowed on vertical accessways where other motorized vehicles are prohibited may also be subject to an environmental determination and review under CEQA

**Track Assignment:** N/A

**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	OS 2.8.b. and OS 2.8.f.
<b>Initiate:</b>	<b>X</b>	OS 2.8.f.	<b>Policy Title</b>	Management of Vertical Accessways
<b>Edit:</b>				
<b>Deny:</b>	<b>X</b>	OS 2.8.b.		
<b>Defer to Development Application Review</b>				

**Staff Recommendation:** Staff recommends that the Council deny initiation of the proposed text amendment to policy OS 2.8.b. Staff recommends that the Council initiate the proposed text amendment to policy OS 2.8.f.

**Staff Rationale:** The proposed amendment to Policy OS 2.8.b. would add language to include public safety as a factor in determining hours during which coastal access areas should be available for public use. This component of the proposed amendment is consistent with the policy objective to *“provide for expanded and enhanced public vertical access to Goleta’s shoreline by preserving existing accessways and establishing new vertical access opportunities... consistent with the natural shoreline character, private property rights, and public safety”*.

However, the proposed amendment to Policy OS 2.8.b. that seeks to restrict the public’s use of vertical accessways from sunrise to sunset, unless otherwise specified within a Coastal Development Permit, is problematical. The proposed policy text amendment could limit public access to all other beach access areas along Goleta’s coastline. Situations differ and should be addressed on a case-by-case basis and periodically reviewed as the public’s use and enjoyment change over time. The wholesale restrictions sought by the proposed amendment may or may not be warranted as physical conditions improve or deteriorate or incidents occur.

The proposed amendment fosters considerations about the City’s development and management of an existing parking area and vertical beach access point at Santa Barbara Shores Park/Sperling Preserve. Its use and operation is governed by a Coastal Development Permit granted by the California Coastal Commission. The proposed amendment, by the nature of “sunset to sunrise” and its applicability to all beach access areas along Goleta’s coastline would render that use as legal non-conforming. That use is governed by a permit condition that specifies a nightly closure from 10 p.m. to 4 a.m. That matter would have to be addressed with the California Coastal Commission, should the proposed amendment be adopted.

A records review indicates that the California Coastal Commission has granted night-time restrictions to site-specific cases, but not as a broad matter of Coastal Land Use Plan policy relative to the public’s use of vertical beach accessways.

The City’s existing policy language is consistent with current California Coastal Commission practices in that it establishes hours of public beach use as 24 hours per day and 7 days per week, unless otherwise specified per an individual Coastal Development Permit. The policy maximizes public access and recreation as mandated by the California Coastal Act, while allowing the City to consider limitations on public access and beach use on a case-by-case basis and where necessary to address issues of site constraints, compatibility, and public safety. Given the variation in site conditions along Goleta’s shoreline, the coastal development permit review process, rather than a city-wide policy, should be the mechanism by which any consideration of restricting and and/or limiting public access to the shoreline is considered. Should the applicant desire to request restrictions and/or limitations on vertical beach access at the project site, the General Plan provides the ability to do so as part of the Coastal Development Permit process. Therefore, the proposed amendment is unnecessary.

The requested amendment to Policy OS 2.8.f. would add text to clarify that service, maintenance and public safety vehicles would be allowed on vertical accessways. This policy revision warrants further consideration in that allowing limited vehicular access for purposes of ensuring and facilitating safety and maintenance of public use areas and support facilities is potentially consistent with the goal of expanding and enhancing public access opportunities consistent with public safety needs.



**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	OS 6.2/Table 3-1
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	
<b>Date:</b>	05/09/08			
			<b>GP Page #:</b>	3-23

**Policy Objective:** *To develop a well-maintained, interconnected system of multi-functional parks, recreation facilities and public open spaces that will meet the needs of existing and future residents and employees and that are attractive, safe, and accessible to all segments of the city's population, and supportive of established neighborhoods.*

**Policy Text:**

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

**Assessor's Parcel Number:** NA  
**Map #:** 35  
**Name:** Haskell's Beach  
**Park Type:** Regional Open Space  
**Acres:** NA  
**Description:** Pacific shoreline and beach

**OS 6.2 Equitable Distribution of Park Facilities. [GP]** ...The distribution of existing and planned future park and recreation facilities and public open space areas is shown on Figure 3-2, and information about each site is summarized in Table 3-1.

**Proposed Amendment:**

**Policy Text:**

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

**Assessor's Parcel Number:** NA  
**Map #:** 35  
**Name:** Haskell's Beach  
**Park Type:** Regional Open Space Private with a Public Access Easement  
**Acres:** NA  
**Description:** Pacific shoreline and beach

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	OS 6.2/Table 3-1
			<b>Policy Title</b>	
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Table 3-1, Existing and Planned Parks and Open Space Areas, be modified to identify the “correct status consistent with the General Plan’s Open Space definitions and coastal development permit.”

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The proposed revision to Table 3-1, Existing and Planned Parks and Open Space Areas (change the identification of the Haskell’s Beach area from “Regional Open Space” to “Private with a Public Access Easement”) represents a land use definition change and would not result in physical changes to the environment.

<b>Track Assignment:</b>	N/A	
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**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	OS 6.2/Table 3-1
<b>Continue:</b>	<input type="checkbox"/>		<b>Policy Title</b>	
<b>Edit:</b>	<input type="checkbox"/>			
<b>Deny:</b>	<input checked="" type="checkbox"/>			
<b>Defer to Development Application Review</b>	<input type="checkbox"/>			

**Staff Recommendation:** Staff recommends that the Council deny initiation of the proposed amendment.

**Staff Rationale:** The proposed amendment to Table 3-1, Existing and Planned Parks and Open Space Areas, would change the identification of the Haskell’s Beach area from “Regional Open Space” to “Private with a Public Access Easement”. Table 3-1 and Figure 3-2, Park and Recreation Plan Map, accurately reflect the Haskell’s Beach area as a public use area (either by-right of access to and along public trust lands and/or recorded public access easements), as expressly defined and intended in the General Plan. That description includes, among other things, areas with special amenities or features that attract people from throughout the city and the surrounding region, and areas that are easily accessible from surrounding neighborhoods and by automobile for visitors from more distant locations, and which may provide on-site parking and restroom facilities to support visitors from more distant locations.

The California State Lands Commission governs a process for determining the exact location and extent of public trust lands and private lands. To our knowledge, that process has not been conducted relative to the case at-hand. In the absence of such, no determination could be made in support of the proposed amendment, should there be a desire to do so.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	OS 7.2/Figure 3-5
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	
<b>Date:</b>	05/09/08			
			<b>GP Page #:</b>	Follows 3-28

**Policy Objective:** *To designate, preserve, and protect significant open space resources including agricultural, ecological, recreational, and scenic lands in Goleta and surrounding areas for current and future generations.*

**Policy Text:**

Figure 3-5, Open Space Element, Open Space Plan Map

**OS 7.2 Adoption of Open Space Plan Map. [GP]** Figure 3-5 designates land areas in Goleta that are planned for preservation as public and private open space.

**Proposed Amendment:**

Remove the Passive Parks/Open Space Areas designation from the parking lot, vertical access and snack bar from the Bacara Resort property.

Also remove the ESHA designations on this map from the Bacara Resort property.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	OS 7.2/Figure 3-5
			<b>Policy Title</b>	
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Figure 3-5, the Open Space Element, Open Space Plan Map, be modified by removing the Passive Parks/Open Space designations in areas that “do not meet the appropriate open space definition as identified in the General Plan or as defined in the existing conditions of approval”.

The applicant also requests that the environmentally sensitive habitat area (“ESHA”) designation be removed from the “artificially maintained landscape area previously designated for the balance of the project” indicating the current map incorrectly designates ESHA “where in fact such areas were previously contaminated by decades of petroleum-related operations, were remediated for the purposes of project completion, and presently are being artificially maintained with non-sensitive plant species”.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The General Plan affords a process for evaluating, defining, designating, mapping and managing ESHAs (Policy CE 1: Environmentally Sensitive Habitat Designations and Policy). Those policies include the delisting of areas mapped as ESHAs based on a site-specific biological study. The entirety of this process is guided by state and federal regulations, most notably CEQA and the California Coastal Act. Absent the exercise of that process, the requested amendment to delist a designated ESHA on Figure 3-5 of the Open Space Element would trigger the requirement for an environmental determination and review under CEQA. Potentially significant environmental effects to a mapped ESHA area may be at stake here.

<b>Track Assignment:</b>	N/A
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**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	OS 7.2/Figure 3-5
<b>Initiate:</b>	<b>X</b>		<b>Policy Title</b>	
<b>Edit:</b>				
<b>Deny:</b>	<b>X</b>	Removal of Passive Parks/Open Space designation		
<b>Defer to Development Application Review</b>	<b>X</b>	Removal of ESHA designation.		

**Staff Recommendation:** Staff recommends that the Council deny initiation of the proposed map amendment to remove Passive Parks/Open Space designation. Staff recommends that the Council initiate the proposed map amendment request to remove the ESHA designation as described in conjunction with the case processing of the Completion Phase Project.

**Staff Rationale:** The requested revision to Figure 3-5 of Open Space Element, Open Space Plan Map, would involve removing the Passive Parks/Open Space designation from the property that is intended to reflect the location of the vertical public access easement and associated support facilities (public parking lot, restrooms, and beach snack bar). The applicant indicates that these areas do not meet the appropriate open space definition as identified in the General Plan or as defined in the existing conditions of approval. However, policy LU 6.2 defines the Open Space/Passive Recreation land use to include, in part, areas with significant environmental values or resources, wildlife habitats, significant views, and other open space values with minimal improvements to accommodate passive public use, such as trails, nature education, beach access, and public viewing areas, including limited parking and public access improvements (provided that adverse impacts on the associated resources are either avoided or mitigated). As such, the current Passive Parks/Open Space designation contained in Figure 3-5 is appropriate. The proposed amendment is not supported by the facts at-hand.

The requested revision to Figure 3-5 would also involve removing the ESHA map designation from what the applicant identifies as an artificially maintained landscape area previously designated for the balance of the project and “where in fact such areas were previously contaminated by decades of petroleum-related operations, were remediated for the purposes of project completion, and presently are being artificially maintained with non-sensitive plant species”. The General Plan requires that ESHA determinations be based on site-specific evidence and other available independent evidence, as reviewed and confirmed by the City biologist and Planning Commission, which is consistent with current California Coastal Commission practices in interpreting and implementing the ESHA protection policies of the California Coastal Act. Historic and/or current uses of land that may degrade habitat value do not determine the occurrence or absence of ESHA.

ESHA map corrections are provided for pursuant to policy CE 1.5, Corrections to Map of ESHAs. Policy CE 1.5 provides, in part, that should a site-specific biological study provide substantial evidence that an area previously shown as ESHA on Figure 4-1 does not contain habitat that meets the definition, the City biologist and the Planning Commission shall review all available information and determine if the area in question should no longer be considered an ESHA, and therefore not be subject to the ESHA protection policies of the General Plan. Under this standard, the applicant is required to submit a site-specific biological study pursuant to Policy CE 1.3 , Site-Specific Studies and Unmapped ESHAs, which, in conjunction with an analysis of previous permit actions and conditions of approval, would be used to evaluate the proposed revision.

The proposed amendment to remove the ESHA map designation warrants further consideration pursuant to several ESHA policies of the Conservation Element (CE 1). However, the amendment request should be evaluated in conjunction with the case processing of the Completion Phase Project.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	CE 1.2/Figure 4-1
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	
<b>Date:</b>	05/09/08			
			<b>GP Page #:</b>	Follows 4-8

**Policy Objective:** *To identify, preserve, and protect the city's natural heritage by preventing disturbance of ESHAs.*

**Policy Text:**

Figure 4-1 of the Conservation Element, Special-Status Species and Environmentally Sensitive Habitat Areas

**CE 1.2 Designation of Environmentally Sensitive Habitat Areas. [GP/CP]** ESHAs in Goleta are generally shown in Figure 4-1, and Table 4-2 provides a summary of the ESHAs and examples of each. The provisions of this policy shall apply to all designated ESHAs...

**Proposed Amendment:**

Remove Sage Scrub/Dune/Bluff Scrub designation from the Bacara Resort property "in artificially maintained landscape area previously designated for the remainder of the project".

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	CE 1.2/Figure 4-1
			<b>Policy Title</b>	
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Figure 4-1 of the Conservation Element identifying Special-Status Species and Environmentally Sensitive Habitat Areas be modified to remove the Sage Scrub/Dune/Bluff Scrub ESHA designation “in artificially maintained landscape area previously designated for the remainder of the project”. The applicant’s position is that the current map incorrectly designates certain areas as being environmentally sensitive habitat areas (“ESHA”) “where in fact such areas were previously contaminated by decades of petroleum-related operations, were remediated for the purposes of project completion, and presently are being artificially maintained with non-sensitive plant species”.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The requested revisions to Figure 4-1 of Conservation Element would trigger the requirement for environmental review under CEQA. A site-specific biological study would need to be performed pursuant to Policy CE 1.3, Site Specific Studies and Unmapped ESHAs.

**Track Assignment:** N/A



**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	CE 1.2/Figure 4-1
<b>Initiate:</b>	<b>X</b>		<b>Policy Title</b>	
<b>Edit:</b>				
<b>Deny:</b>				
<b>Defer to Development Application Review</b>	<b>X</b>			

**Staff Recommendation:** Staff recommends that the Council initiate the proposed map amendment request to remove the ESHA designation as described, but only in conjunction with the case processing of the development application for the Completion Phase project.

**Staff Rationale:** Staff notes that historic and/or current uses of land that may degrade habitat value do not necessarily determine the occurrence or absence of ESHA. The General Plan requires that ESHA determinations be based on site-specific evidence and other available independent evidence, as reviewed and confirmed by the City biologist and Planning Commission, which is consistent with California Coastal Commission practices in interpreting and implementing the ESHA protection policies of the Coastal Act.

The proposed amendment to Figure 4-1 of the Conservation Element requests an ESHA map correction. ESHA map corrections can be made by following the existing process outlined in Policy CE1: Environmentally Sensitive Habitat Area Designations and Policy and, in particular, CE1.3, Site-Specific Studies and Unmapped ESHAs, as well as CE 1.5, Corrections to Map of ESHAs. The process calls for a site-specific biological study, subject to review by the City biologist and the Planning Commission. Because the area in question is currently mapped as ESHA, the applicant is required to submit a site-specific biological study pursuant to Policy CE 1.3 which, in conjunction with an analysis of previous permit actions and conditions of approval, will be used to evaluate the proposed revision to Figure 4-1.

The proposed amendment warrants further consideration pursuant to policies CE 1.1, Definition of Environmentally Sensitive Habitat Areas, CE 1.10, Management of ESHAs, CE 5.1, Designation of ESHAs, as well as CE 5.3, Protection of Coastal Sage Scrub and Chaparral. The amendment should be evaluated in conjunction with the case processing of the Completion Phase Project.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	SE 6.1/Figure 5-2
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	
<b>Date:</b>	05/09/08			
			<b>GP Page #:</b>	Follows 5-4

**Policy Objective:** *To minimize damage to structures and the danger to life caused by stream flooding, dam failure inundation, and other flooding hazards.*

**Policy Text:**

Figure 5-2, Safety Element: Coastal and Other Hazards (SE), Fire, Flood, and Tsunami Hazards Map

**SE 6.1 Map of Flood Hazard Areas. [GP/CP]** ...The map in Figure 5-2 is a facsimile rather than the official flood hazard map and is intended only to be illustrative of possible flood hazard areas.

**Proposed Amendment:**

Revise Figure 5-2 to depict only those portions of the site that are below the 11 foot contour as subject to potential tsunami run-up.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	SE 6.1/Figure 5-2
			<b>Policy Title</b>	
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Figure 5-2 of the Safety Element, Fire, Flood, and Tsunami Hazards Map be modified to depict only those portions of the site that are below the 11 foot contour consistent with the project specific EIR for the Hyatt Resort and Hotel (84-EIR-4).

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The proposed revision to Figure 5-2 to depict only those portions of the site that are below the 11 foot contour as subject to potential tsunami run-up could result in potentially significant environmental impacts that trigger the requirement for an environmental determination and review under CEQA. Potential tsunami run-up above the 11-foot contour is indicated by the federal and state hazards data/mapping utilized to make Figure 5-2.

<b>Track Assignment:</b>	N/A
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**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	SE 6.1/Figure 5-2
<b>Initiate:</b>	<input type="checkbox"/>		<b>Policy Title</b>	
<b>Edit:</b>	<input type="checkbox"/>			
<b>Deny:</b>	<input checked="" type="checkbox"/>			
<b>Defer to Development Application Review</b>	<input type="checkbox"/>			

**Staff Recommendation:** Staff recommends that the Council deny initiation of the proposed policy amendment.

**Staff Rationale:** The requested revision to Figure 5-2 of the Safety Element (the Fire, Flood, and Tsunami Hazards Map) would modify the map to illustrate only those portions of the site below the 11 foot contour as potentially subject to tsunami run-up based on the prior EIR prepared for the Hyatt Resort and Hotel (84-EIR-4). Staff does not support the proposed map revision in that the applicant's rationale is based on an outdated EIR and has provided no site-specific data indicating that particular site areas located above the 11 foot contour would not be subject to tsunami run-up.

In addition, Figure 5-2 of the Safety Element (the Fire, Flood, and Tsunami Hazards Map of the General Plan) was developed consistent with current methods and resources recommended for preparing and updating Local Coastal Programs. New and improved science has become available relative to hazards associated with tsunami. The California Coastal Commission LCP Update Guidelines recommend that recent scientific research be utilized to address such hazards which include, among other sources, the Governor's Office of Emergency Services (OES). The OES has worked closely with the National Oceanic & Atmospheric Administration (NOAA) to improve tsunami inundation and run-up maps for the local region. Those services included field verification of the tsunami run-up areas depicted in Figure 5-2 for accuracy. That state and federal process and the results drive staff's lack of support for the proposed amendment.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Policy ID #:</b>	VH 1.2/Figure 6-1
<b>Contributors:</b>	N/A		<b>Policy Title:</b>	
<b>Date:</b>	05/12/08			
			<b>GP Page #:</b>	Follows 6-4

**Policy Objective:** *To identify, preserve, and enhance Goleta's scenic resources and protect views or vistas of these resources from public and private areas.*

**Policy Text:**

Figure 6-1, Visual and Historic Resources Element, Scenic Resources Map

VH 1.2, Scenic Resources Map. The Scenic Resources Map in Figure 6-1 identifies locations on public roads, trails, parks, open spaces, and beaches that serve as public vantage points for viewing scenic resources. Views from these locations shall be protected by minimizing any impairment that could result from new development.

**Proposed Amendment:**

Revise Figure 6-1 to replace certain areas identified as having "Views to all Directions" with "Views to One Direction."

**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	VH 1.2/Figure 6-1
			<b>Policy Title</b>	
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Figure 6-1 of the Visual and Historic Resources Element, Scenic Resources Map, be revised to replace certain areas identified as having “Views to all Directions” with “Views to One Direction” for the Bacara Resort property indicating that the topography and a eucalyptus windrow prohibit views from the beach to the north.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The proposed amendment to Figure 6-1 would eliminate consideration of public views from the subject view location on Haskell’s Beach to inland areas as a scenic and visual resource warranting protection per the General Plan. The General Plan and the California Coastal Act require consideration of potential impacts to public visual resources in coastal areas, including significant mountain and foothill views, and open space views. The proposed amendment would trigger the requirement for an environmental determination and review under CEQA.

<b>Track Assignment:</b>	N/A
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**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	VH 1.2/Figure 6-1
<b>Continue:</b>	<input type="checkbox"/>		<b>Policy Title</b>	
<b>Edit:</b>	<input type="checkbox"/>			
<b>Deny:</b>	<input checked="" type="checkbox"/>			
<b>Defer to Development Application Review</b>	<input type="checkbox"/>			

**Staff Recommendation:** Staff recommends that the Council deny the proposed amendment.

**Staff Rationale:** The proposed amendment to Figure 6-1 of the Visual and Historic Resources Element, Scenic Resources Map, would involve changing the identified scenic view location on Haskell's Beach to one that consists only of views to and along the ocean and shoreline. It would eliminate consideration of public views from this location to inland areas as a scenic and visual resource warranting protection per the General Plan.

The proposed amendment could be inconsistent with the General Plan and California Coastal Act policies requiring consideration of potential impacts to public visual resources in coastal areas, including significant mountain and foothill views, and open space views. While existing mountain views may be blocked by the eucalyptus windrow, noted in the applicant's request in certain locations along Haskell's Beach, there continue to be inland views from the shoreline of a sizeable vegetated open space area that contributes to the overall visual resources of the beach area (per the General Plan's "open space" definition). This inland-oriented open space area adjacent to Haskell's Beach warrants consideration during review of any development activity. Staff does not support the proposed amendment in this regard.

**GENERAL PLAN AMENDMENT DATA SHEET (Section 1 of 3)**

<b>Analyst:</b>	April Verbanac		<b>Section #:</b>	Noise Element Section 9.2
<b>Contributors:</b>	N/A		<b>Section Title:</b>	Guiding Principles and Goals
<b>Date:</b>	05/09/08			
			<b>GP Page #:</b>	9-8

**Section Objective:** The intent of the Noise Element is to limit exposure of residents, workers, and visitors to excessive noise levels, while allowing future development consistent with the Land Use Element and other plan elements. The Noise Element also contains policies that serve to achieve certain resource protection objectives of the Open Space and Conservation Elements.

**Section Text:**

**9.2 GUIDING PRINCIPLES AND GOALS [GP]**

The following principles or goals, which are not in order of priority, provide the foundation for the detailed policies in subsequent sections; all policies have been established to be in conformity with the guiding principles and goals. Future actions of the City following adoption of the plan are required to be consistent with these policies.

2. Ensure that open space areas that support significant environmentally sensitive habitat are not subjected to disruptive levels of noise.

**Proposed Amendment:**

**9.2 GUIDING PRINCIPLES AND GOALS [GP]**

The following principles or goals, which are not in order of priority, provide the foundation for the detailed policies in subsequent sections; all policies have been established to be in conformity with the guiding principles and goals. Future actions of the City following adoption of the plan are required to be consistent with these policies.

2. Ensure that open space areas that support significant environmentally sensitive habitat are not subjected to long-term disruptive levels of noise that would significantly affect the habitat value of the area for sensitive species.



**GENERAL PLAN AMENDMENT DATA SHEET (Section 2 of 3)**

			<b>Policy ID #:</b>	Section 9.2
			<b>Policy Title</b>	Guiding Principles and Goals
<b>Author:</b>	Bacara Resort and Spa			

**Author Rationale:** The applicant requests that Section 9.2 of the Noise Element, Guiding Principles and Goals #2, be amended to allow for short-term construction-related activities to occur while still maximizing habitat protection.

**Workshop Feedback:** N/A

**Beta/Lessons Learned:** N/A

**Further Considerations:** N/A

**CEQA:** The proposed amendment to Section 9.2 of the Noise Element (Guiding Principles and Goals #2) is intended to narrow the policy application to only long-term noise levels that may significantly impact habitat area for sensitive species. The proposed text changes would effectively eliminate the General Plan requirement that short-term noise impact considerations be properly evaluated during environmental review. Potentially significant environmental impacts to ESHA are at stake here (i.e. short term noise effects caused by construction activities). The potential for such triggers the requirement for an environmental determination and review under CEQA.

<b>Track Assignment:</b>	N/A
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**GENERAL PLAN AMENDMENT DATA SHEET (Section 3 of 3)**

<b>Policy Amendment Summary:</b>			<b>Policy ID #:</b>	Section 9.2
<b>Initiate:</b>	<input type="checkbox"/>		<b>Policy Title</b>	Guiding Principles and Goals
<b>Edit:</b>	<input type="checkbox"/>			
<b>Deny:</b>	<input checked="" type="checkbox"/>			
<b>Defer to Development Application Review</b>	<input type="checkbox"/>			

**Staff Recommendation:** Staff recommends that the Council deny initiation of the proposed amendment.

**Staff Rationale:** The requested revision to Section 9.2 of the Noise Element, Guiding Principles and Goals #2, would narrow consideration of potential noise exposure and/or impacts to sensitive habitat and/or species to long-term noise sources only. The proposed revision would be inconsistent with California Coastal Act policies requiring that impacts to sensitive resources be avoided and minimized to the maximum extent feasible, including potentially significant short-term impacts to sensitive habitat and/or associated wildlife and/or special-status species. The inconsistency with Coastal Act policies drives staff's lack of support for the proposed amendment.