

## RESOLUTION NO. 04-27

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA  
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR  
THE COMSTOCK HOMES DEVELOPMENT AND ELLWOOD-DEVEREUX  
COAST OPEN SPACE AND HABITAT MANAGEMENT PLAN**

**WHEREAS**, in March 2003 the City of Goleta entered into a Memorandum of Understanding with the University of California, Santa Barbara, and the County of Santa Barbara to implement the various recommendations within the *Joint Proposal for the Ellwood - Devereux Coast*, a report issued by the University and County in 2002;

**WHEREAS**, the three entities have participated in the preparation of the draft *Ellwood-Devereux Coast Open Space and Habitat Management Plan*;

**WHEREAS**, a key goal of the *Joint Proposal* and the Open Space Plan is to complete a land exchange between the City of Goleta and the Santa Barbara Development Partnership / Comstock Homes to transfer potential residential development from the 137-acre environmentally-sensitive Ellwood Mesa Property situated long the ocean bluffs to a less-sensitive 36-acre site located further inland within the existing City-owned Santa Barbara Shores Park;

**WHEREAS**, an application was submitted by the City of Goleta on March 5, 2004 requesting approval of a Tentative Parcel Map, Development Plan, and related Design Review Board approval to create the 36-acre parcel at Santa Barbara Shores Park for the purposes of the Comstock Homes development and to relocate and expand the existing public parking lot at the park;

**WHEREAS**, an application was originally submitted by Comstock Homes to the County of Santa Barbara on November 21, 2001 and resubmitted to and authorized by the newly-incorporated City of Goleta on August 20, 2002, requesting approval of a Vesting Tentative Map to create 78 residential lots for development of single-family dwellings on the proposed 36-acre parcel at the City-owned Santa Barbara Shores Park;

**WHEREAS**, it was determined that the proposed project, inclusive of all of its various components, was subject to the California Environmental Quality Act, that one or more significant effects on the environment may occur, and that preparation of an Environmental Impact Report would be required;

**WHEREAS**, Draft and Final Environmental Impact Reports were prepared by URS Corporation under contract to the City of Goleta;

**WHEREAS**, a Notice of Preparation of an Environmental Impact Report was issued on July 25, 2003, for a 30-day review by responsible, trustee, and interested agencies and individuals;

**WHEREAS**, a public scoping meeting was held on August 13, 2003;

**WHEREAS**, the Draft EIR was prepared pursuant to State CEQA Guidelines 15126, including direct, indirect, and cumulatively significant effects and proposed mitigation measures; significant irreversible environmental changes; growth-inducing impacts; and project alternatives;

**WHEREAS**, a Notice of Completion was filed with the State Office of Planning and Research (OPR) and distributed to responsible, trustee, and interested agencies and individuals on March 26, 2004;

**WHEREAS**, a Notice of Availability of, and Public Hearing on, the Draft Environmental Impact Report (04-EIR-01) was noticed by publication in two newspapers of general circulation within the City of Goleta on March 18 and March 21, 2004, and by direct mailing to interested agencies and individuals in the manner prescribed by the State CEQA Guidelines and the City of Goleta's CEQA Guidelines;

**WHEREAS**, the Notice of Availability of, and Public Hearing on, the Draft Environmental Impact Report was distributed to the Office of the County Clerk of the County of Santa Barbara for posting for a period of at least 30 days;

**WHEREAS**, the State Clearinghouse [SCH # 2003071179] assigned a 45-day review period from March 26, 2004 to May 6, 2004;

**WHEREAS**, a public hearing to receive comments on the adequacy of the Draft EIR was held at joint meetings of the Goleta Planning Agency and City Council on April 12, 19, and 22, 2004, and was concluded on May 10 and May 18, 2004;

**WHEREAS**, a total of 42 letters or written statements were received on the Draft EIR, and more than 590 separate comments were provided either in written statements or in oral comments at the public hearings;

**WHEREAS**, in response to oral and written public comments received, revisions were made to the Draft EIR and a proposed Final EIR was released on June 11, 2004, pursuant to the requirements of the State and City CEQA Guidelines, including written responses to comments received on the draft document; and

**WHEREAS**, the City Council has reviewed the proposed Final EIR, including comments and responses to comments, has considered the entire administrative record, and has received and considered the written recommendation of the Planning Agency regarding certification of the Final EIR.

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

**Section 1. Findings.** The City Council, in light of the whole record before it, including but not limited to, the Final EIR, all documents incorporated by reference therein, and comments on the Draft EIR received and responses provided, and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and §21082.2) within the record and/or provided at the public hearing hereby recommends as follows:

1. The recitals set forth above are true and correct;
2. The Final EIR for the Comstock Homes Development and the Ellwood-Devereux Coast Open Space and Habitat Management Plan has been completed in compliance with the requirements of the California Environmental Quality Act and the State and City CEQA Guidelines.
3. The Final EIR was presented to the City Council and the City Council has reviewed and considered the information contained in the Final EIR prior to taking actions on the various project components.
4. The Final EIR reflects the independent judgment and analysis of the City of Goleta, the Lead Agency for the project.

**Section 2. Certification.** The City Council has examined the proposed Final Environmental Impact Report, including the comments and responses to comments on the Draft EIR, received on June 11, 2004, and finds that the Final Environmental Impact Report has been prepared in compliance with the requirements of CEQA and hereby certifies that the Final Environmental Impact Report constitutes a complete, accurate, adequate, and good faith effort at full disclosure, and reflect the City of Goleta's independent judgment and analysis pursuant to §15090 of the State CEQA Guidelines.

**Section 3. 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 4.** The City Clerk shall certify to the adoption of this resolution.

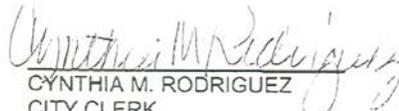
**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of June, 2004.

  
CYNTHIA BROCK, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

JULIE HAYWARD BIGGS  
CITY ATTORNEY

  
CYNTHIA M. RODRIGUEZ  
CITY CLERK

  
By: ROBERT F. MESSINGER  
ASSISTANT CITY ATTORNEY

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

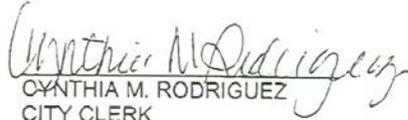
I, CYNTHIA M. RODRIGUEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 04-27 was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 21<sup>st</sup> day of June, 2004, by the following vote of the Council:

AYES:       COUNCILMEMBERS CONNELL, HAWXHURST, MAYOR PRO  
               TEMPORE WALLIS AND MAYOR BROCK.

NOES:       NONE.

ABSENT:     COUNCILMEMBER BLOIS.

(SEAL)

  
 CYNTHIA M. RODRIGUEZ  
 CITY CLERK