

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**SECTION 5.0  
CONSISTENCY WITH PLANS AND POLICIES**

Section 5.0  
Consistency  
with Plans  
and Policies

The proposed Comstock Homes Development and the creation and management of the Ellwood Mesa Open Space are governed by a number of regulatory requirements, as well as state and local plans and policies. Each of the impact areas discussed in Section 4 includes a review of applicable federal, state, and local regulations. In accordance with the California Environmental Quality Act (CEQA), this Section considers the extent to which the proposed actions conform to applicable plans, policies, and goals.

As a recently incorporated city, the City of Goleta is in the process of preparing its General Plan and Local Coastal Plan land use planning documents. Consistent with California Government Code Section 65360, processing development without underlying land use plans, policies, and standards is permissible. California Government Code Section 65360 specifically states:

*“65360. The legislative body of a newly incorporated city or newly formed county shall adopt a general plan within 30 months following incorporation or formation. During that 30-month period of time, the city or county is not subject to the requirement that a general plan be adopted or the requirements of state law that its decisions be consistent with the general plan, if all of the following requirements are met:*

- a) The city or county is proceeding in a timely fashion with the preparation of the general plan.*
- b) The planning agency finds, in approving projects and taking other actions, including the issuance of building permits, pursuant to this title, each of the following:*
  - 1) There is a reasonable probability that the land use or action proposed will be consistent with the general plan proposal being considered or studied or which will be studied within a reasonable time.*
  - 2) There is little or no probability of substantial detriment to or interference with the future adopted general plan if the proposed use or action is ultimately inconsistent with the plan.*
  - 3) The proposed use or action complies with all other applicable requirements of state law and local ordinances.”*

In accordance with Government Code Section 65360, the City of Goleta is proceeding with development of its General Plan. In the event that this project is approved prior to completion of the General Plan and certification of the Local Coastal Plan by the California Coastal Commission, the above finding would be required to be made prior to final action on the proposed projects.

The City has adopted its implementing ordinances (including the Coastal Zoning Ordinance, subdivision, and grading ordinances); however, certification of these ordinances by the California Coastal Commission has not occurred. Therefore, without California Coastal Commission certified local land use policies, the California Coastal Act land use policies apply.

## COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

*Section 5.0 Consistency with Plans and Policies* The preliminary consistency analysis included in Section 5.1 focuses on the consistency of the proposed residential and open space plan projects with policies in the California Coastal Act and City of Goleta Coastal Zoning Ordinance.

As a separate analysis in Section 5.2, applicable policies from the Goleta Community Plan (GCP) and the County of Santa Barbara Local Coastal Plan (LCP) were examined. These documents derive their policies from the California Coastal Act. Although neither the GCP nor the LCP policies are binding on the City, the City of Goleta is preparing its own Coastal Plan that will likely contain policies at least as protective as the policies contained in these documents. Until the City of Goleta Coastal Plan is finalized and approved by the Coastal Commission, the GCP and LCP policies provide a useful benchmark against which to examine the proposed actions.

To simplify the results of this assessment, the actions associated with the Comstock Homes Development are treated separately from those associated with the Open Space. The following is a preliminary consistency analysis of the Coastal Act and Coastal Zoning Ordinance policies that are applicable to the proposed project. This analysis is followed by a preliminary review of the consistency of the proposed projects with the GCP and LCP. Final consistency determinations will be made by City of Goleta decision makers.

The only changes to the discussions of policy consistency between the Draft EIR and the Final EIR occurred in those policies that made statements about Riparian Corridors. Therefore, there are no margin bars denoting changes in Sections 5.1.1, 5.1.2, 5.1.3, and 5.1.4.

### **5.1 PRELIMINARY CONSISTENCY DETERMINATION – CALIFORNIA COASTAL ACT AND CITY OF GOLETA COASTAL ZONING ORDINANCE**

Section 5.1.1 and 5.1.2 provide a preliminary assessment of the Comstock Homes residential development project component's consistency with applicable policies of the California Coastal Act and City of Goleta Coastal Zoning Ordinance, respectively.

Sections 5.1.3 and 5.1.4 provide a preliminary assessment of the Ellwood Mesa Open Space Plan project component's consistency with applicable policies of the California Coastal Act and City of Goleta's Coastal Zoning Ordinance, respectively.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**5.1.1 Preliminary Consistency Determination of Comstock Homes  
Development - California Coastal Act**

*Section 5.0  
Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Act Finding 30001.5:</b> “The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:</p> <ul style="list-style-type: none"> <li>a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.</li> <li>b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.</li> </ul>	<p><b>Potentially Inconsistent:</b> The City has sought to balance the economic and social needs of their residents with the protection of coastal zone resources. The Comstock project design has gone through an iterative process whereby it has been scaled back and re-located away from sensitive coastal resources to minimize environmental impacts while providing much needed housing. The proposed project would be required to incorporate into its design (during construction and long term use) measures to reduce degradation of coastal resources. These measures would include BMPs to control runoff and sedimentation, setbacks from sensitive resources, a coastal access easement, and other beneficial features. The residential project’s potential consistency with applicable coastal zone resource protection policies is summarized below.</p> <p><b>Isolated Wetlands.</b> The City of Goleta’s policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Monarch Tree ESHA.</b> The City of Goleta’s policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta’s designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.</p> <p><b>Riparian Corridors.</b> The City of Goleta’s policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
	<p>flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City’s riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B.</b> A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p> <p><b>Native Grassland.</b> The proposed development would be constructed on a relatively flat site</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

Requirement	Preliminary Consistency Determination
	<p>dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3:1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.</p>
<p><b>Coastal Act Finding 30006:</b> “The Legislature further finds and declares that the public has a right to fully participate in decisions affecting coastal planning, conservation and development...and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation.”</p>	<p><b>Potentially Consistent:</b> The City of Goleta has sponsored a number of public meetings to elicit public comment on the proposed Comstock Homes Development. Initial public workshops for this project were held in June 2003. The EIR scoping meeting was held in August 2003. Additional public workshops on the Open Space Plan were held in November 2003. Additional opportunities for comment exist once the Draft EIR is issued.</p>
<p><b>Coastal Act Finding 30007.5:</b> “The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is most protective of significant coastal resources”</p>	<p><b>Potentially Inconsistent:</b> A goal of the City has been to have the design of the Comstock Homes Development balance conservation and the need for residential development. The City was instrumental in relocating the project away from the coast to a site adjacent to Hollister Avenue and away from the coastal bluffs and mesa. This created the opportunity to provide a net increase of 100 acres of recreationally zoned land, and to provide a 216-acre contiguous open space for passive coastal recreation as a part of the proposed 650-acre Ellwood-Devereux Coast Open Space Plan area. In addition, where the design impinged on significant coastal resources, it was scaled back and re-oriented. However, the proposed development would affect an ESHA, a riparian buffer, and existing scenic views in the project area, and is therefore potentially</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
	inconsistent pending final project design.
<b>COASTAL ACT PUBLIC ACCESS POLICIES</b>	
<p><b>Section 30210:</b> “Maximum access, which shall be conspicuously posted and recreational opportunities, shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.</p> <p><b>Section 30211:</b> “Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation”</p> <p><b>Section 30212:</b> “Public access from the nearest public roadway to the shoreline shall be provided in new development projects...”</p>	<p><b>Potentially Consistent:</b> Although the development would have a gated vehicle entrance, a dedicated public pedestrian and bicycle access would be provided through the development to the Ellwood Mesa Open Space. In addition, as part of the Open Space Plan, the current 15-space Santa Barbara Shores Park parking area would be relocated to the east to include a 40-space parking area and trailhead to provide public access to the Open Space and coastal beaches. Hollister Avenue, which fronts the Open Space, is served by the Route 28 bus which runs daily and connects residents to Goleta shopping areas and downtown Santa Barbara. Currently the nearest bus stop is at Hollister and Sandpiper Golf Course. Although a new bus stop is not currently proposed, the City has expressed a desire that a bus stop be located on Hollister, between the subdivision entrance and the entrance of the new parking lot. This bus stop could serve Open Space visitors and Comstock Home residents.</p>
<p><b>Section 30213:</b> “Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.”</p>	<p><b>Potentially Consistent:</b> By working to re-locate Comstock Homes away from the coast and creating a permanent Open Space, the applicant is enabling the City to preserve in perpetuity 216 contiguous acres for public recreation. The Comstock Homes Development would provide access to the proposed Open Space that would provide public recreational opportunities.</p>
<b>RECREATION POLICIES</b>	
<p><b>Section 30220:</b> Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.</p> <p><b>Section 30221:</b> Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.</p> <p><b>Section 30223:</b> Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible</p>	<p><b>Potentially Consistent:</b> The proposed project is potentially consistent with these three policies. Much of the Ellwood Mesa area is residentially-zoned and privately owned land. By relocating the Comstock Homes Development away from the center of the Mesa, the applicant is enabling the City to protect the long-term availability of this coastal property for public recreational use. Included in the proposed Open Space are upland areas that provide access to coastal beaches.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<b>MARINE ENVIRONMENT POLICIES</b>	
<p><b>Section 30230:</b> Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance...</p> <p><b>Section 30231:</b> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p> <p><b>Section 30232:</b> Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.</p> <p><b>Section 30233:</b> (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:</p> <ol style="list-style-type: none"> <li>(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.</li> <li>(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.</li> <li>(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area</li> </ol>	<p><b>Potentially Inconsistent:</b> The project proposes to add sewage flows to the Devereux Trunkline located in the Devereux Creek riparian corridor, a designated ESHA. This use of a sewer line in a designated ESHA is potentially inconsistent with Section 30231 because any potential future leaks in the line would be likely to directly impact water quality in the Devereux Watershed. Sections of this line have root intrusion and cracks, but have not leaked according to the District. The Goleta West Sanitary District has plans to upgrade the sewer lines in the Ellwood area. This potential policy inconsistency would be avoided if the residential development were to connect to the existing Hollister Avenue trunkline. This alternative would require installation and maintenance of a sewer lift station due to site topography.</p> <p>The City would require the developer of Comstock Homes to control runoff, erosion, and sedimentation from the development site during construction and once the homes are built. Groundwater would not be used for the construction or long-term use of the residential development.</p> <p>Wetlands are subject to special protection under the Coastal Act. The project would incorporate mitigation measures to protect the wetlands and reduce impacts to the wetland buffer through restoration and revegetation of wetland habitats.</p> <p>Construction of the Comstock Homes may require the use of hazardous materials such as petroleum products, paints, and solvents. These could spill or leak onto soil. The spilled or leaked materials could be transported from the soil into coastal streams during periods of heavy rain. The project would include effective measures to contain and cleanup any spills of hazardous materials. Moreover, part of the construction specifications would be a requirement that non-hazardous products be substituted where possible.</p> <p>The residential project's potential consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.</p> <p><b>Isolated Wetlands.</b> The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0*

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.</p> <p>(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.</p> <p>(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.</p> <p>(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.</p> <p>(7) Restoration purposes.</p> <p>(8) Nature study, aquaculture, or similar resource dependent activities.</p> <p>(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.</p> <p>(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.</p> <p>For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where such improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.</p> <p>(d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal</p>	<p>in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Riparian Corridors.</b> The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B. A</b></p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.</p>	<p>portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p>

**LAND RESOURCES POLICIES:**

**Section 30240:** (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

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

**Potentially Inconsistent:** Relocation of Comstock Homes to a site adjacent to Hollister Avenue results in protection of sensitive coastal resources in the central part of Ellwood Mesa and will enable the City of Goleta to create a large parcel of contiguous open space. However, the current project design adversely affects portions of an ESHA (eucalyptus windrow used by monarch butterflies) and encroaches within a riparian buffer.

Impacts to eucalyptus trees that would be removed for housing construction on eight lots will be partially mitigated through additional plantings of trees off-site. However, the project would remain potentially inconsistent with Section 30240 due to loss of trees within a designated ESHA.

**Isolated Wetlands.** The City of Goleta’s policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
	<p>realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p>

**DEVELOPMENT POLICIES**

**Section 30250:** (a) New residential, commercial, or industrial development... shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

**Potentially Inconsistent:** The proposed residential development would be located in close proximity to similar residential developments. The project is sited in the northwest corner of the existing Santa Barbara Shores Park, within a suburban segment of Goleta, characterized by Hollister Avenue, Ellwood Elementary School, the Sandpiper Golf Course, and several residential communities including Ellwood, University Village, and Santa Barbara Shores. Originally, the developer (Santa Barbara Development Partnership [SBDP]) had proposed another residential development closer to the coast, within the proposed Open Space. To reduce impacts and to create a larger, contiguous Open Space area, the City of Goleta and Comstock Homes agreed to consider relocation of the residential development to a 36-acre portion of the existing Santa Barbara Shores Park.

Construction of Comstock Homes can be accommodated by existing public services. Water, sewer, electricity, trash collection, police and fire protection are readily available to this location. However, the proposed use of the Devereux trunkline for sewer service is potentially inconsistent with this policy because this sewer line is located within the Devereux Creek riparian corridor, which is a designated ESHA, and the line has experienced leaks in the past. Use of the existing Hollister Avenue trunkline and an associated sewer lift station would avoid this potential inconsistency.

Under the current project design, an estimated 50 eucalyptus trees located along the western parcel boundary, and which are considered part of an ESHA

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
	<p>(eucalyptus windrow used by monarch butterflies), would be removed by construction of houses on eight lots that currently contain these trees. Loss of these trees will be partially mitigated by off-site planting. However, off-site planting will not fully mitigate loss of trees in this ESHA, therefore the project is considered potentially inconsistent with this policy pending final project design.</p>
<p><b>Section 30251:</b> The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.</p>	<p><b>Potentially Inconsistent:</b></p> <p>Placement of the residential development at the proposed site would preserve valuable coastal viewsheds in the Open Space Plan area. However, as described in Section 4.9, Visual Resources, the residential development would change the viewshed in the project area, particularly from the vantage point of motorists and bicyclists on Hollister Avenue and recreational users of the Open Space Plan area. Most of the present views from Hollister Avenue toward the ocean and Santa Barbara Channel Islands would be blocked by the residential development. Trail users approaching the Hollister Avenue trailhead from the south would view the residential development in the foreground with the Santa Ynez Mountains in the background. These changes in the viewshed have been identified as a significant impact and are potentially inconsistent with the goal to protect views to and along ocean and scenic coastal areas. In the present design configuration, the proposed two-story residences along the perimeter of the subdivision would further contribute to the project's mass and bulk in relation to existing visual conditions. Recommended mitigation to redesign several perimeter homes to single-story residences and increase the perimeter landscaping would reduce or eliminate this potential inconsistency.</p> <p>Landscaping would be installed to partially screen the residential development from the Open Space and from Hollister Avenue. Further analysis of the visual impacts of Comstock Homes is provided in Section 4.9, Visual Resources.</p>
<p><b>Section 30252:</b> The location and amount of new development should maintain and enhance public access to the coast by 1) facilitating the provision or extension of transit service, 2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, 3) providing non-automobile circulation within the development, 4) providing adequate parking facilities or providing substitute means of</p>	<p><b>Potentially Consistent:</b> The Comstock Homes Development would have public access through it to the Open Space. A gate is proposed at Hollister Avenue that would connect pedestrians and cyclists to the Open Space. In addition, as part of the Open Space Plan, a proposed 40-space parking lot would maintain public access to the coast. The Metropolitan Transportation Division provides bus service to the Open Space via bus-stops at Sandpiper Golf Course</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0*

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>serving the development with public transportation, 5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.</p>	<p>and Ellwood. Although a new bus stop is not currently proposed, the City has expressed a desire that a bus stop be located on Hollister, as a part of the proposed Hollister Avenue frontage improvements to be installed by the Comstock Homes development between the subdivision entrance and the proposed Open Space Plan parking area.</p> <p>No motorized vehicles would be permitted within the Open Space. Once the City has evaluated the current carrying capacity of the open space, it can determine the impact of Comstock Homes residents upon the open space and can take measures to mitigate any recreational use impacts of Comstock residents.</p>
<p><b>Section 30253:</b> New development shall:</p> <ol style="list-style-type: none"> <li>(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard</li> <li>(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site, or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs</li> <li>(3) Be consistent with requirements imposed by an air pollution control district</li> <li>(4) Minimize energy consumption and vehicle miles traveled.</li> <li>(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.</li> </ol>	<p><b>Potentially Consistent:</b> The residential development, as proposed, would comply with all building code standards related to geologic, flood, and fire hazards. Further, the applicant intends to comply with all applicable Air Pollution Control District policies. Houses would be designed to be energy efficient.</p> <p>In addition, the development has been designed to minimize erosion. A bridge is proposed across drainage A1 as a way to minimize alteration of land forms. Drainage A2, located in the common open space area in the northeast portion of the subdivision, would not be altered. A section of Drainage B, located in the southern portion of the subdivision, would be altered to accommodate the residential access road (Road "A"). Grading in this area would result in a maximum finish grade approximately six feet above the present elevation of the drainage. This represents the largest alteration of topography within the proposed subdivision.</p> <p>Given the relative small size of this onsite drainage, and the proposed drainage plan features, which are designed to not substantially alter the existing hydrologic function of the nearby Devereux Creek riparian ESHA, this alteration of onsite topography is potentially consistent with Section 30253, pending implementation of recommended mitigation measures. Mitigation measures would include review and approval of final grading and drainage plans and implementation of construction phase and post-construction BMPs for stormwater and non-stormwater runoff.</p> <p>The Comstock Homes Development has been re-located and scaled back so as not to intrude on the</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
	existing Ellwood neighborhoods and their access and enjoyment of popular destinations on Ellwood Mesa.
<b>Coastal Act Procedure 30600:</b> “Any local government...wishing to undertake any development in the coastal zone...shall obtain a coastal development permit”.	<b>Potentially Consistent:</b> The applicant will be required to obtain a Coastal Development Permit for the proposed residential development.
<b>Coastal Act Procedure 30607.1:</b> “Where any dike and fill development is permitted in wetlands...mitigation measures shall include... acquisition of equivalent areas...or an in-lieu fee sufficient to provide an area of equal productive value...”	<p><b>Potentially Inconsistent:</b></p> <p><b>Isolated Wetlands.</b> The City of Goleta’s policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Riparian Corridors.</b> The City of Goleta’s policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City’s riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

Requirement	Preliminary Consistency Determination
	<p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B.</b> A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**5.1.2 Preliminary Consistency Determination of Comstock Homes  
Development – City of Goleta Coastal Zoning Ordinance**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Zoning Ordinance Sec. 35-59:</b> “new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.”</p>	<p><b>Potentially Inconsistent:</b> The residential development consists of 78 single-family residences on a 36-acre parcel adjacent to Hollister Avenue. The Comstock Homes Development will be landscaped to partially screen the homes and frontage areas from public views, and from existing nearby residential developments. The current site plan places the proposed single family residences onto 18 acres of the 36-acre parcel. The remaining area will remain in public and private open space and internal roadways. The project would not alter the existing undeveloped areas except for installation of runoff retention basins/bioswales. Landscaped areas will use native, locally-occurring plants. Four styles of house designs will be offered to prospective buyers. These designs will vary in square footage, elevations, exteriors, and layout. The homes would be 2,900 sq. ft. to 4,500 sq. ft., which is larger than many of the existing homes in nearby neighborhoods. The circulation patterns within the development will be somewhat limited due to the size and configuration of the project.</p> <p>This EIR recommends additional landscape screening and reduction in height of several perimeter houses from 2-story to 1-story. These mitigations would partially reduce the project’s visibility and could also affect the project’s bulk, scale, and mass. The project is considered potentially inconsistent until such time as the proposed mitigation measures are incorporated and additional visual assessment is conducted.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-60:</b> “The long-term integrity of groundwater basins or sub-basins located wholly within the coastal zone shall be protected.”</p> <p>“new development...shall be serviced by the appropriate public sewer and water district...”</p> <p>“Water-conserving devices shall be used in all new development.”</p> <p>“the County shall make the finding, based on information provided by environmental documents, staff analysis...the adequate public or private services are available to serve the proposed development.”</p>	<p><b>Potentially Consistent:</b> Groundwater would not be used or affected by the residential development. Utilities would be provided by local providers including Goleta Water District and Goleta West Sanitary District, and no service supply constraints are anticipated. Part of the Comstock permitting process will entail a finding by the City that adequate services exist for the project and that water-conserving devices are used.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-96.1:</b> “protect significant coastal view corridors from U.S. 101 to the ocean in areas of the County where such</p>	<p><b>Potentially Consistent:</b> The residential development is clustered on the northwestern edge of the Open Space and is not visible from U.S. 101.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
view corridors currently exist.”	However, the development will reduce visibility toward the open space, ocean, and island views from Hollister Avenue. These views from Hollister are currently experienced briefly by persons traveling past the site in vehicles or on bicycles.
<p><b>Coastal Zoning Ordinance Sec. 35-97.10. Development Standards for Native Grassland Habitats:</b> Development shall be sited and designed to protect native grassland areas.</p>	<p><b>Potentially Consistent: Native Grassland.</b> The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3:1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-97.12. Development Standards for Butterfly Tree Habitats:</b> Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season. Adjacent development shall be set back a minimum of 50 feet from the trees.</p>	<p><b>Potentially Inconsistent:</b> The City of Goleta’s policy is to require a 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta’s designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-97.14. Development Standards for White-Tailed Kite Habitats:</b></p> <p>I. There shall be no development including agricultural development, i.e., structures, roads, within the area used for roosting and nesting.</p>	<p><b>Potentially Inconsistent:</b> The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>2. Recreational use of the roosting and nesting area shall be minimal, i.e., walking, bird watching. Protective measures for this area should include fencing and posting so as to restrict, but not exclude, use by people.</p> <p>3. Any development around the nesting and roosting area shall be set back sufficiently far as to minimize impacts on the habitat area.</p> <p>4. In addition to preserving the ravine plant communities on More Mesa for nesting and roosting sites, the maximum feasible area shall be retained in grassland to provide feeding area for the kites.</p>	<p>development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest. Recreational use of the known roosting areas in the project vicinity would be limited to passive recreation, as described in Section 3.0 and Section 4.10 of this EIR.</p>

**Coastal Zoning Ordinance Sec. 35-97.18. Development Standards for Native Plant Community Habitats.** When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.

**Potentially Consistent: Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3:1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.

Areas of native vegetation exist in the nearby drainages, as well as offsite in the vicinity of Devereux Creek. Recommended mitigation measures would require Best Management Practices to minimize potential impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation.

**Coastal Zoning Ordinance Sec. 35-97.19:** "a buffer strip, a minimum of 100 feet in width shall be maintained in natural condition along the periphery of

**Potentially Inconsistent:** The residential project's potential consistency with the City of Goleta's wetland, riparian, and other resource protection

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences.	<p>policies, including compliance with established setbacks and buffers, is summarized below.</p> <p><b>Isolated Wetlands.</b> The City of Goleta’s policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Riparian Corridors.</b> The City of Goleta’s policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City’s riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>	<i>Section 5.0</i>
	<p>basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B.</b> A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p>	<i>Consistency with Plans and Policies</i>
<p><b>Coastal Zoning Ordinance Sec. 35-148</b></p> <p>“1. Utility Lines</p> <p>Utilities...shall be placed underground...except where cost of undergrounding would be so high as to deny service.</p> <p>(utility) lines which cross fault lines shall be subject to additional safety standards.”</p>	<p><b>Potentially Consistent:</b> The residential development includes underground utilities. Connection of the utilities to trunk lines along Hollister will not cross fault lines.</p>	

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

**5.1.3 Preliminary Consistency Determination of Ellwood Mesa Open Space Plan – California Coastal Act**

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Act Finding 30001.5:</b> “The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:</p> <p>(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.</p> <p>(b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.</p>	<p><b>Potentially Consistent:</b> Rezoning of lands from residential use to recreation would protect coastal resources from development. Implementation of the Open Space Plan would restore and enhance this coastal resource through long-term restoration and revegetation projects in the Open Space Area. A principal goal of the Open Space Plan is to balance the protection and restoration of sensitive coastal resources with suitable public recreational opportunities.</p>
<p><b>Coastal Act Finding 30006:</b> “The Legislature further finds and declares that the public has a right to fully participate in decisions affecting coastal planning, conservation and development...and that the continuing planning and implementation of programs for coastal conservation and development should include the widest opportunity for public participation.”</p>	<p><b>Potentially Consistent:</b> The City of Goleta has sponsored a number of public meetings to elicit public comment on the proposed Ellwood-Devereux Open Space and Habitat Management Plan. Public workshops on the Open Space Plan were held in June 2003 prior to preparation of a draft plan. In October 2003, a Preliminary Concepts Document was released to the public that presented preliminary restoration and Trail System recommendations. This release was followed by Public Workshops on November 5th and 12<sup>th</sup>, 2003 to elicit public input on the Open Space and Habitat Management Plan. Comments on the Preliminary Concepts document were considered in the draft plan and this EIR. Additional opportunities for comment exist once the Draft Open Space Plan is issued, during the EIR public comment period, and during public hearings.</p>
<p><b>Coastal Act Finding 30007.5:</b> “The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is most protective of significant coastal resources”</p>	<p><b>Potentially Consistent:</b> A goal of the City has been to balance conservation and the need for recreational activities. To reduce impacts and to create a larger, contiguous Open Space area, the City of Goleta and Comstock Homes agreed to consider relocation of the residential development to a 36-acre portion of the existing Santa Barbara Shores Park. Furthermore, within the Open Space, the City has sought to balance public access and resource protection by designing a Trail System and various restoration and preservation projects that are protective of sensitive resources. Potentially incompatible uses such as use of motorized vehicles or provision of organized sport facilities would not be permitted in the Open Space.</p>
<b>COASTAL ACT PUBLIC ACCESS POLICIES</b>	
<p><b>Section 30210:</b> “Maximum access, which shall be conspicuously posted and recreational opportunities,</p>	<p><b>Potentially Consistent:</b> The Open Space Plan area includes a 40-space parking area and several</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.</p> <p><b>Section 30211:</b> “Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation”</p> <p><b>Section 30212:</b> “Public access from the nearest public roadway to the shoreline shall be provided in new development projects...”</p>	<p>trailheads to provide public access to the Open Space and coastal beaches. Public pedestrian and bicycle access also would be provided from Hollister Avenue, the nearest public roadway, through the Comstock Homes Development to the Ellwood Mesa Open Space Plan area. Hollister Avenue, which fronts the Open Space, is served by the Route 28 bus which runs daily and connects residents to Goleta shopping areas and downtown Santa Barbara. Currently the nearest bus-stop is at Hollister and Sandpiper Golf Course. Although a new bus-stop is not currently proposed, the City has expressed a desire that a bus-stop be located on Hollister, between the subdivision entrance and the entrance of the new parking lot. This bus-stop would serve Open Space Plan area visitors.</p>
<p><b>Section 30212.5:</b> “Wherever appropriate and feasible, public facilities, including parking areas or facilities shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area...”</p>	<p><b>Potentially Consistent:</b> Currently, public facilities associated with the Santa Barbara Shores Park property include a dirt parking lot on the northwest corner of the property. Parking, including parking for horse trailers, is also available along the unimproved south shoulder of Hollister Avenue. No restroom currently exists. The existing parking lot is proposed to be relocated and expanded. In addition, depending on the way the road is striped, improvements along the Hollister Avenue frontage may result in the elimination of parallel parking along Hollister Avenue. However, the proposed replacement parking lot would provide a total of 40 parking spaces, including 3 equestrian trailer parking spaces and 2 ADA-compliant disabled parking spots. In addition, a public restroom and new trailhead are proposed to be co-located with the new parking lot to serve Open Space visitors. These facilities would compliment the restroom and parking to be provided at the eastern edge of the Open Space Plan area as well as trail heads located along the northern boundary of the Area.</p>
<p><b>Section 30213:</b> “Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.”</p>	<p><b>Potentially Consistent:</b> By working to re-locate residential development away from the coast and creating a permanent Open Space Plan area, the Comstock Homes applicant is enabling the City to create a large area of contiguous open space which will be an integral part of the larger 650 acres within the Ellwood-Devereux Coast Open Space Plan area. Rezoning the Ellwood Mesa to recreational use will preserve this land for public recreation. The Ellwood Open Space Plan area would be available for passive recreation to all visitors at no cost. Public</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p><b>Section 30214:</b> (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to the following:</p> <ol style="list-style-type: none"> <li>(1) Topographic and geologic site characteristics.</li> <li>(2) The capacity of the site to sustain use and at what level of intensity.</li> <li>(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.</li> <li>(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter...</li> </ol> <p>c) In carrying out the public access policies of this article, the commission...shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.</p>	<p>transportation can be used to reach the area.</p> <p><b>Potentially Consistent:</b> The City of Goleta may monitor the “carrying capacity” of the Open Space Plan area to ensure that sensitive coastal resources are protected and not adversely impacted by long-term public use of the Area by the Comstock Homes residents and the general public. Moreover, the City is committed to protecting the character of the Ellwood neighborhoods that border the Open Space Plan area. If monitoring data suggests that public use is having a detrimental impact on sensitive resources, the City would consider limiting or eliminating access to those areas that are showing signs of degradation. Similarly, if Ellwood residents find that their neighborhood privacy is significantly affected by non local visitors, provisions will be made to limit public access by such means as limiting on street parking to permitted residents. The management framework for directing carrying capacity studies and for instituting corrective actions based on such studies has not yet been determined.</p> <p>Litter would be removed from neighborhoods adjacent to the Open Space Plan area by City trash collection and street sweeping services. In addition, the new parking space and select trailheads would have trashcans and signs urging visitors to properly dispose of their trash.</p> <p>The Coronado Preserve is cared for by a team of volunteers and a private organization (Land Trust). Also, the University of California Coal Oil Point Natural Reserve operates a very successful docent program to protect the western snowy plover on beaches fringing the southern end of the proposed Open Space.</p> <p>The City will explore opportunities for using volunteers and interested private organizations to regulate the time, place, and manner of public access as well as to enforce proper trash disposal and animal waste practices.</p>

**RECREATION POLICIES**

**The following four policies are closely related and are dealt with as a unit in assessing the consistency of the proposed actions with their provisions:**

**Section 30220:** Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

**Potentially Consistent:** The City’s proposed Open Space Plan would protect coastal beaches. Much of the Ellwood Mesa area is residentially-zoned and privately owned land. By relocating the Comstock Homes Development away from the center of the Mesa, and preserving the Ellwood Open Space Area in perpetuity, the City is assuring the long-term availability of this coastal property for public

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p><b>Section 30221:</b> Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.</p> <p><b>Section 30222:</b> The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.</p> <p><b>Section 30223:</b> Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.</p>	<p>recreational use.</p> <p>The Open Space and Habitat Management Plan recommends a Trail System that would support passive recreational uses along upland areas, coastal bluffs and beaches. Commercial recreational activities would not be compatible with the rustic, rural nature of the Open Space that the City is seeking to protect. Visitors to the area will be able to enjoy passive coastal recreation such as hiking, biking, horseback riding, and sunbathing.</p> <p>Upland areas that provide access to the beach are included in the Open Space Plan area and would be part of the acreage dedicated to open space.</p>

**MARINE ENVIRONMENT POLICIES**

<p><b>Section 30230:</b> Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance...</p> <p><b>Section 30231:</b> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p> <p><b>Section 30232:</b> Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.</p> <p><b>Section 30233:</b> Diking, filling, or dredging; continued movement of sediment and nutrients</p> <p>a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no</p>	<p><b>Potentially Consistent:</b> Construction of trails and related amenities would employ BMPs to control runoff, erosion and sedimentation. Groundwater would not be used for Open Space Plan area projects. The City's Draft Storm Water Management Plan proposes a number of measures that will improve Open Space surface water quality by reducing the amount of contamination that currently reaches Devereux Creek and Slough in storm water from upland areas. As part of the Open Space Plan, the City intends to restore riparian, vernal pool and wetland habitats. These restoration projects include vegetation buffer areas and would be undertaken as funding and requisite approvals are obtained.</p> <p>Construction of the Ellwood Mesa Open Space parking lot and certain trails may require the use of hazardous materials such as petroleum products, paints and solvents. These could spill or leak onto soil. The spilled or leaked materials could be transported from the soil into the marine environment during periods of heavy rain. The City would ensure that effective measures are taken during construction to contain and cleanup any spills of hazardous materials. Moreover, part of the construction specifications would be a requirement that nonhazardous products be substituted where possible.</p> <p>No diking, filling, or dredging of open coastal waters or wetlands would be conducted in the Open Space Plan area, with the possible exception of habitat</p>
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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0*

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:</p> <ol style="list-style-type: none"> <li>1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.</li> <li>2) Maintaining existing, or restoring previously dredged, depths in existing navigation channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.</li> <li>3) In wetland areas only, entrance channels for new expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.</li> <li>4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.</li> <li>5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.</li> <li>6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.</li> <li>7) Restoration purposes.</li> <li>8) Nature study, aquaculture, or similar resource dependent activities.</li> </ol> <p>b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore</p>	<p>restoration activities. Any such restoration activities would be carried out in such a way as to avoid disruption to marine and wildlife habitats and water circulation, and would be designed to provide long-term enhancement of the functional capacity of the wetland. Any structures such as footbridges, boardwalks, or culverts would be designed so as to avoid alteration of coastal wetlands and not impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>current systems.</p> <p>c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the function capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.</p> <p>d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.</p>	

*Section 5.0  
Consistency  
with Plans  
and Policies*

**LAND RESOURCES POLICIES:**

**Section 30240:**

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

**Potentially Consistent:** The Open Space Plan focuses on restoration and preservation of sensitive environmental resources. Public access to the Open Space would be directed onto a Trail System that has been designed to avoid sensitive species and locations. Recreational development would be kept to a minimum, limited to rustic trails, benches, and boardwalks. Existing trails that encroach upon sensitive habitats would be closed to protect the resources.

The Open Space Plan parking lot and restroom are proposed for a site adjacent to Hollister Avenue away from Environmentally Sensitive Habitats.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<b>DEVELOPMENT POLICIES:</b>	
<p><b>Section 30251:</b> The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.</p>	<p><b>Potentially Consistent:</b> The proposed Trail System would lead visitors to locations where they can appreciate the dramatic coastal and mountain views on the mesa. The Trail System itself would not alter existing landforms and is designed to be natural and rustic to be visually compatible with the surrounding area. Where feasible, the Open Space Plan recommends restoration of degraded areas, such as those that have been significantly eroded or compromised by the introduction of invasive weeds. Scenic coastal views within the Open Space Plan area would be preserved. Landscaping would be installed to screen the proposed parking lot and restroom from the Open Space.</p>
<p><b>Section 30252:</b> The location and amount of new development should maintain and enhance public access to the coast by 1) facilitating the provision or extension of transit service, 2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, 3) providing non-automobile circulation within the development, 4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, 5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.</p>	<p><b>Potentially Consistent:</b> A gate is proposed at Hollister Avenue that would connect pedestrians and cyclists to the Open Space via a dedicated easement through the residential development. In addition, the proposed 40-space parking lot would maintain public access to the coast. The Metropolitan Transportation District provides bus service to the Open Space via bus-stops at Sandpiper Golf Course and Ellwood. The City has expressed a desire that a new bus stop be located between the subdivision and the Open Space Plan parking area as a part of the Comstock Homes frontage improvements. No motorized vehicles would be permitted within the Open Space. The designation of a large contiguous permanent open space will provide recreation opportunities for both existing and future residents. The City would periodically review the carrying capacity of the Open Space to determine if habitat degradation is occurring from overuse. If appropriate, the City would take steps to establish a carrying capacity by further limiting or restricting public access.</p>
<p><b>Section 30253: New development shall:</b></p> <ul style="list-style-type: none"> <li>(5) Minimize risks to life and property in areas of high geologic, flood, and fire hazard</li> <li>(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site, or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs</li> <li>(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.</li> </ul>	<p><b>Potentially Consistent:</b> The proposed trail system, related amenities, and restoration projects would comply with applicable geologic, flood, and fire standards. In addition, the Open Space Plan projects have been designed to be non-intrusive and to minimize erosion. New trails will be set back 30 feet from the bluff edge and areas prone to erosion will be avoided where practicable.</p> <p>The proposed Open Space trail system would protect popular visitor destinations such as the monarch groves, the coastal bluffs, and beaches.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>	<i>Section 5.0</i>
<b>Coastal Act Procedure 30600:</b> “Any local government...wishing to undertake any development in the coastal zone...shall obtain a coastal development permit”.	<b>Potentially Consistent:</b> Coastal Development Permits will be obtained prior to installation of Open Space Plan improvements, including trail construction, installation of the parking lot, and possible well abandonment, soil remediation, and debris removal activities.	<i>Consistency with Plans and Policies</i>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

**5.1.4 Preliminary Consistency Determination of Ellwood Mesa Open Space Plan – City of Goleta Coastal Zoning Ordinance**

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Zoning Ordinance Sec. 35-62:</b> “Recreational uses on oceanfront lands, both public and private, that do not require extensive alteration of the natural environment shall have priority over uses requiring substantial alteration.”</p>	<p><b>Potentially Consistent:</b> The Plan supports passive recreation activities such as walking, biking, horseback riding, and bird watching. These activities primarily would be directed onto a Trail System that has been designed to protect sensitive coastal resources. Although a variety of trail design options are proposed, the Trail System would not require extensive alteration of the existing environment because improved trails would be superimposed onto existing trails. Only one new trail is proposed: a short trail that connects the proposed Comstock Homes Development to Ellwood Mesa. Approximately one-third of existing trails on the Ellwood Mesa pass through areas identified as high priority for resource protection and enhancement. These trails are proposed to be closed. The majority of the remaining trails would be two- to three-foot wide pedestrian paths, surfaced with native materials. Other trails proposed for equestrian and/or mixed-use would be six to 12 feet wide, crowned for proper drainage, and surfaced with imported, compacted material. Beach access would be maintained for the public in areas that would not degrade coastal resources. The Trail System, public access points and related amenities would be rustic and natural in design to fit into the natural, undeveloped character of the Open Space Plan area.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-65:</b> “...project design shall be required which avoids impacts to cultural sites if possible...adequate mitigation shall be required...Native Americans shall be consulted...”</p>	<p><b>Potentially Consistent:</b> The Plan includes management actions to protect cultural resources. A survey of the proposed Open Space Plan area identified 15 archaeological sites within the boundaries of the Area. Proposed trails and related amenities would avoid these locations. If cultural artifacts are discovered during construction or restoration projects, work would be halted and an assessment would be made by a professional archaeologist regarding what steps would need to be taken, including consultation with Native Americans, as appropriate.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-67:</b> “above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years...” “bluff setbacks may be required...to minimize or avoid impacts on public views from the beach...”</p>	<p><b>Potentially Consistent:</b> No above-ground structures are proposed near the bluff edge at Ellwood Mesa with the possible exception of rustic benches at scenic vista points. The existing coastal bluff trail at Ellwood Mesa and Santa Barbara Shores is proposed to remain as is.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p>“Within the required blufftop setback, drought tolerant vegetation shall be maintained...Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory to prevent damage to the bluff by surface and percolating water.”</p>	<p>Portions of this pass very close to the bluff edge. Periodically, and following major rain events, the City of Goleta will monitor the condition of the bluff top trail and will make adjustments as appropriate to improve public safety and resource protection. If necessary and appropriate for resource protection and public safety, the City of Goleta will realign the bluff trail and/or relocate benches further from the bluff edge. In addition, the Plan contains recommended management actions such as vegetation plantings and select trail closures to reduce bluff top erosion from surface water runoff.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-89:</b> “no property shall be rezoned to the REC district unless the City of Goleta shall first make the following findings:</p> <ol style="list-style-type: none"> <li>5. The level of facility development is in conformance with the environmental carrying capacity of the area to be rezoned, i.e. the proposed recreational activities are of the kind, intensity, and location to ensure protection of habitat resources.</li> <li>2. Coastal dependent and coastal related recreational uses are given priority.</li> <li>3. The proposal conforms with all applicable policies...</li> <li>4. The proposed recreational activities are compatible with land uses on adjacent parcels.</li> <li>5. ...adequate public access to and along the beach is provided.</li> </ol>	<p><b>Potentially Consistent:</b> By shifting existing development rights from privately owned coastal property to a smaller, less sensitive site near Hollister Avenue through a property exchange or purchase, the City would be able to expand coastal recreationally zoned land from a single 116-acre parcel at Santa Barbara Shores to a 217-acre contiguous area that combines the 137-acre Ellwood Mesa parcels with the 80-acre remainder of the Santa Barbara Shores parcel. The City would also rezone Coronado Preserve and adjacent City-owned parcels from residential to recreation.</p> <p>The Open Space Plan supports passive recreation that is compatible with the restoration and conservation objectives of the Plan. Moreover, the carrying capacity of the Open Space Area will be monitored over time to ensure that sensitive habitats are not degraded by overuse. The trails within the Open Space have been designed to provide public access to the beaches, the bluff tops, and other popular coastal destinations. The Plan has been written to be consistent with applicable policies. The proposed passive, low-key recreation is compatible with nearby residential developments. A number of trailheads and several parking locations are identified in the Plan to maintain and improve public access to the beaches.</p>
<p><b>Coastal Zoning Ordinance Sec. 35-95:</b> “...avoid exposing new development to flood hazard and to reduce the need for future flood control protective works...”</p>	<p><b>Potentially Consistent:</b> The Plan calls for little or no development in the floodplain of Devereux Creek and its tributaries. One or more boardwalks or prefabricated pedestrian span bridges may be constructed to traverse portions of Devereux Creek and associated wet or eroded areas in the Ellwood Main Butterfly Grove where numerous visitors cross the creek during the rainy season to view butterflies. If built, these will be designed to conform with applicable flood control requirements. These</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
	structures would be monitored periodically to ensure that debris does not accumulate around them thereby contributing to flood hazard. Future flood control protective works would not be needed as a result of any Open Space Plan area management actions.
<b>Coastal Zoning Ordinance Sec. 35-97.7:</b> “A coastal development permit may be issued subject to compliance with conditions set forth in the permit which are necessary to ensure protection of the habitat area(s).”	<b>Potentially Consistent:</b> Mitigation measures proposed in the discussion of Biological Resources (Section 4) will become conditions of approval for any coastal development permits needed. This will ensure protection of sensitive habitats.
<b>Coastal Zoning Ordinance Sec. 35-97.8:</b> “All non-authorized motor vehicles shall be banned from beach and dune areas. All...recreational uses shall be regulated...to protect critical bird habitats during breeding and nesting seasons...foot traffic on vegetated dunes shall be minimized. Where access through dunes is necessary, well-defined footpaths shall be developed and used.”	<b>Potentially Consistent:</b> The Open Space Plan bans all motorized vehicles except for emergency vehicles, from the area. Signs informing visitors of the need to respect snowy plover habitat restrictions will continue to be posted throughout the area. The Open Space Plan incorporates the management actions of the Coal Oil Point Reserve (COPR) for protecting the snowy plover. If these birds are found in areas outside of the COPR, these measures would be applied to the new areas used by the birds. The Plan contains management actions regarding recreational uses and restoration efforts to reduce impacts to sensitive species during breeding and nesting seasons. Well-defined trails and boardwalks are proposed for dunes within the Open Space to protect vegetation from trampling and disturbance of shorebirds. Boardwalks would prevent trampling of dune vegetation and accelerated erosion, while adherence to well-defined trails would limit impacts to specific areas and discourage uncontrolled access.
<b>Coastal Zoning Ordinance Sec. 35-97.9:</b> “Where feasible, the outer boundary of the wetland buffer zone should be established at prominent and essentially permanent topographic or manmade features. In no case shall such a boundary be closer than 100 feet from the upland extent of the wetland area...The boundary definition shall not be construed to prohibit public trails within 100 feet of a wetland.” “No unauthorized vehicle traffic shall be permitted in wetlands and pedestrian traffic shall be regulated...” Mosquito abatement practices shall be limited to the minimum necessary to protect health and prevent damage to natural resources...Biological controls are encouraged.”	<b>Potentially Consistent:</b> Wetlands within the Open Space will be restored and protected through a number of management actions including: the establishment of minimum 100-foot buffers using natural barriers, the routing of trails away from the wetlands and wetland buffers, the prohibition of motorized vehicles or “active” recreation anywhere within the Open Space Area, improvement of water quality, the replacement of exotic and non-native vegetation with local genetic stock, and monitoring programs to ensure the effectiveness of restoration efforts. Mosquito abatement practices would be limited to riparian areas and would use biological controls to the maximum extent feasible. If necessary, use of chemicals in these riparian areas will be strictly regulated and supervised by a professional biologist. Mosquito abatement practices would be prohibited in any vernal pool in the Open Space Area.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<b>Coastal Zoning Ordinance Sec. 35-97.10:</b> “Development shall be sited and designed to protect native grassland habitats.”	<b>Potentially Consistent:</b> The Open Space Plan identifies native grassland habitats. Existing trails in these areas are limited to a few trails that provide public access to the beach, bluff tops, and other portions of the Open Space Area. Existing trails that adversely impact native grasslands are proposed to be closed and revegetated with native grasses and other native plants.
<b>Coastal Zoning Ordinance Sec. 35-97.11:</b> “No mosquito control activity shall be carried out in vernal pools...No grass cutting shall be allowed within the vernal pool area or within a buffer zone of five feet or greater. Development shall be sited and designed to avoid vernal pool sites...”	<b>Potentially Consistent:</b> The management actions proposed in the Open Space Plan will comply with these provisions. Buffers of at least 100 feet wide will be established around each vernal pool using natural barriers. The buffers will exclude visitors from these areas and will preclude grass cutting from occurring too close to the pools. Mosquito control will not be carried out in these areas.
<b>Coastal Zoning Ordinance Sec. 35-97.12:</b> “Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season. Adjacent development shall be set back a minimum of 50 feet from the trees.”	<b>Potentially Consistent:</b> Only diseased eucalyptus trees will be removed so that they do not infect other trees or pose a threat to public safety. Tree removal or pruning will not occur during the butterfly overwintering period (October through March). Pruning will be done under the supervision of a qualified monarch specialist. Proposed amenities such as parking facilities will be located at least 50 feet from the dripline of trees.
<b>Coastal Zoning Ordinance Sec. 35-97.14:</b> “There shall be no development...within the area used for roosting and nesting. Recreational use of the roosting and nesting area shall be minimal. Protective measures...should include fencing and posting to restrict use. Any development around the nesting and roosting area shall be set back...to minimize impacts...”	<b>Potentially Consistent:</b> Nesting and/or roosting sites used by white-tailed kites and other raptors have been mapped and the Open Space Plan includes management actions to keep trails, amenities, and visitors a minimum of 500 feet away from these locations to protect these species from disturbance. In addition, habitat restoration and trail maintenance activities will be scheduled to avoid the nesting/fledging season, which extends from 1 February to 1 July.
<b>Coastal Zoning Ordinance Sec. 35-97.17:</b> “Recreational activities near areas used for roosting and nesting shall be controlled to avoid disturbance to seabird populations...”	<b>Potentially Consistent:</b> The Open Space Plan incorporates the Coal Oil Point Reserve management program for snowy plovers. Signs informing visitors of the need to avoid and respect areas used by the plovers and other marine wildlife will be located throughout the Open Space Plan area.
<b>Coastal Zoning Ordinance Sec. 35-97.18:</b> “All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation.”	<b>Potentially Consistent:</b> The location, design, and construction methods for trails and related amenities reflect the need to protect native vegetation, especially trees, from soil erosion. In areas where present erosion issues or existing trails impinge on sensitive vegetation and habitats, the trails are proposed for repair or closure.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

<b>Requirement</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Zoning Ordinance Sec. 35-97.19:</b> “The minimum buffer strip for streams...shall be presumptively 100 feet...Riparian vegetation shall be protected and included in the buffer...No structures shall be located within the stream corridor except: public trails...All development shall incorporate the best mitigation measures feasible... All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.”</p>	<p><b>Potentially Consistent:</b> The Open Space Plan identifies stream buffers and proposes management actions for restoring native riparian vegetation in these areas. The remaining trails that cross or closely parallel Devereux Creek and its tributaries will be improved by crowning the trails to facilitate drainage and installing imported, compacted materials on the trail surface that will minimize soil erosion. One or more boardwalks or prefabricated pedestrian span bridges may be constructed to traverse portions of Devereux Creek and associated wet or eroded areas in the Ellwood Main Butterfly Grove where numerous visitors congregate to view butterflies. Structural trail improvements and revegetation of closed trails would occur only during the dry season (1 May to 1 November) in order to avoid soil erosion.</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**5.2 PRELIMINARY CONSISTENCY DETERMINATION – SANTA BARBARA COUNTY LOCAL COASTAL PLAN (LCP) AND GOLETA COMMUNITY PLAN (GCP)**

*Section 5.0  
Consistency  
with Plans  
and Policies*

As previously discussed, the City is in the process of developing its Local Coastal Plan and General Plan. Until the California Coastal Commission approves these documents, the policies found in the Coastal Act and the City of Goleta’s adopted Coastal Zoning Ordinance will apply. Certain policies contained in the Santa Barbara County Local Coastal Plan (LCP) and the Compendium of Goals, Objectives, Policies, Programs, Actions, and Development Standards of the Goleta Community Plan (GCP Compendium, as updated March 9, 1999) provide additional important guidelines for this preliminary policy consistency analysis because it is anticipated that Goleta’s General Plan and Local Coastal Plan policies will be at least as protective as Santa Barbara County’s LCP and GCP policies.

Sections 5.2.1 and 5.2.2 provide a preliminary assessment of the Comstock Homes residential development project component’s consistency with relevant policies of the Santa Barbara County LCP and GCP, respectively.

Sections 5.2.3 and 5.2.4 provide a preliminary assessment of the Ellwood Mesa Open Space Plan project component’s consistency with relevant policies of the Santa Barbara County LCP and GCP, respectively.

**5.2.1 Preliminary Consistency Determination of Comstock Homes Development – Santa Barbara County Local Coastal Plan (LCP)**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
<b>COASTAL PLAN POLICIES</b>	
<b>Coastal Plan Policy 1-4:</b> Prior to the issuance of a coastal development permit, the County shall make the finding that the development reasonably meets the standards set forth in all applicable land use plan policies.	<b>Potentially Inconsistent:</b> As noted above, Santa Barbara County policies are not binding on this project, however several policies within the County’s LCP are relevant to the City of Goleta’s review and approval of this project. Therefore, the Comstock Homes Development has been analyzed in relation to relevant County LCP and CGP policies. The Draft EIR has identified a number of Class I impacts. Based on this EIR and preliminary policy consistency analysis, revisions to the project design may be necessary to support project consistency with all relevant policies. The City of Goleta will make a final determination of the project’s consistency with all relevant and applicable land use plan policies.
<b>Land Use Policies</b>	
<b>Coastal Plan Policy 2-1:</b> In order to obtain approval for a division of land, the applicant shall demonstrate that adequate water is available to serve the newly created parcels except for parcels designated “Not a	<b>Potentially Consistent:</b> The Comstock Homes Development would be served by the Goleta Water District. The Water District has preliminarily indicated that adequate water supplies would be available for the

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
Building Site” on the recorded final or parcel map.	project. A can and will serve letter from the District will be required prior to project approval.
<b>Coastal Plan Policy 2-4:</b> Within designated urban areas, new development other than that for agricultural purposes shall be serviced by the appropriate public sewer and water district or an existing mutual water company, if such service is available.	<b>Potentially Consistent:</b> The project would receive water and sewer services from the Goleta Water District and Goleta West Sanitary District, respectively. Adequate water and sewer capacity exist to accommodate the project.
<b>Coastal Plan Policy 2-5:</b> Water conserving devices shall be used in all new developments.	<b>Potentially Consistent:</b> Water conserving devices will be installed in the project.
<b>Coastal Plan Policy 2-6:</b> Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan. Where an affordable housing project is proposed pursuant to the Affordable Housing Overlay regulations, special needs housing or other affordable housing projects which include at least 50% of the total number of units for affordable housing or 30% of the total number of units affordable at the very low income level are to be served by entities that require can-and-will-serve letters, such projects shall be presumed to be consistent with the water and sewer service requirements of this policy if the project has, or is conditioned to obtain all necessary can-and-will-serve letters at the time of final map recordation, or if no map, prior to issuance of land use permits ( <i>amended by 93-GP-11</i> ).	<b>Potentially Consistent:</b> Adequate public services and resources exist to meet the needs of this project. However, road impacts have been identified at the Storke/Hollister intersection. Recommended mitigations would reduce impacts to area roads and intersections, as discussed in Section 4.12. The applicant may be required to provide a substantial contribution to a high priority alternative transportation project (or projects) as identified in the Goleta Transportation Improvement Program (GTIP) that: a) substantially improves the alternative transportation network, b) has a reasonable relationship to the project, and c) is proportional to the size and extent of the project's impact on Goleta's transportation system. The project does not fall within the Affordable Housing Overlay. The estimated annual water demand of 30 acre feet per year is well within the Goleta Water District's current capacity. Similarly, the project's estimated demand for sewer services (an estimated 3,100 gallons per day) is well within the Goleta West Sanitary District's existing capacity, even after consideration of permit limitations and cumulative projects.
<b>Coastal Plan Policy 2-8:</b> In Goleta, the County shall give highest priority to low and moderate income housing and agricultural expansion followed by public recreation and visitor-serving commercial uses.	<b>Potentially Consistent:</b> The proposed project would satisfy affordable housing requirements through payment of in-lieu fees. Public recreational uses would also be facilitated through the associated Open Space Plan.
<b>Coastal Plan Policy 2-11:</b> All development, including agriculture, adjacent to areas designated on the land use plan or resource maps as environmentally sensitive habitat areas shall be regulated to avoid adverse impacts on habitat resources. Regulatory measures include, but are not limited to, setbacks, buffer zones, grading controls, noise restrictions, maintenance of natural vegetation, and control of runoff.	<b>Potentially Inconsistent:</b> The project has been generally designed to avoid impacts and a number of mitigation measures are proposed in the Draft EIR to reduce project-related impacts to less than significant levels. The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below. <b>Isolated Wetlands.</b> The City of Goleta's policy is to

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Policy	Preliminary Consistency Determination	Section 5.0
	<p>require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Monarch Tree ESHA.</b> The City of Goleta’s policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta’s designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.</p> <p><b>Riparian Corridors.</b> The City of Goleta’s policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City’s riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p>	<p><i>Consistency with Plans and Policies</i></p>

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Policy

Consistency  
with Plans  
and Policies

Preliminary Consistency Determination

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**Raptor Roosts and Nests.** The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest.

**Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>	<i>Section 5.0 Consistency with Plans and Policies</i>
	mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3:1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.	
<b>Coastal Plan Policy 2-12:</b> The densities specified in the land use plan are maximums and shall be reduced if it is determined that such reduction is warranted by conditions specifically applicable to a site, such as topography, geologic or flood hazards, habitat areas, or steep slopes. However, density may be increased for affordable housing projects provided such projects are found consistent with all applicable policies and provisions of the Local Coastal Program. <i>(amended by 93-GP-11)</i>	<b>Potentially Consistent:</b> Prior to granting approval for this project, the City will determine the number of units that can best be accommodated on the 36 acre parcel without adversely affecting sensitive coastal resources. The presence of designated ESHA at the western eucalyptus windrow could result in a reduction in project density, and/or introduction of multifamily units to maintain the proposed number of units while avoiding this resource. Other site constraints (topography, geologic or flood hazards, or steep slopes) do not present significant concerns provided that the final project design incorporates the recommended mitigation measures identified in this EIR.	
<b>Coastal Plan Policy 2-17:</b> Use of flexible design concepts, including clustering of units, mixture of dwelling types, etc., shall be required to accomplish as much as possible all of the following goals: <ul style="list-style-type: none"> <li>a. protection of the scenic qualities of the site</li> <li>b. protection of coastal resources, i.e., habitat areas, archaeological sites, etc.</li> <li>c. avoidance of siting of structures on hazardous areas</li> <li>d. provision of public open space, recreation, and/or beach access</li> <li>e. preservation of existing healthy trees</li> <li>f. provision of low and moderate housing opportunities</li> </ul>	<b>Potentially Inconsistent:</b> The proposed project has been re-located and re-oriented to reduce impacts to coastal resources. Within the proposed subdivision, approximately 13 acres of common open space are proposed to avoid development in wetland and riparian areas. The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.  <b>Isolated Wetlands.</b> The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.  <b>Monarch Tree ESHA.</b> The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.  <b>Riparian Corridors.</b> The City of Goleta's policy is to	

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Policy

Consistency  
with Plans  
and Policies

Preliminary Consistency Determination

require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Policy	Preliminary Consistency Determination	Section 5.0
	<p data-bbox="802 279 1386 338">relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p> <p data-bbox="802 348 1386 674"><b>Raptor Roosts and Nests.</b> The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper’s hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest.</p> <p data-bbox="802 684 1386 877">Detailed investigations of potential soil contamination would be completed prior to construction within and next to the 36-acre parcel. Where necessary, soil remediation would be carried out. No known archaeological sites exist within the proposed 36 acre parcel</p> <p data-bbox="802 888 1386 984">A public access easement would be provided through the development by means of a pedestrian /cycle pathway from Hollister Avenue to the Open Space.</p> <p data-bbox="802 995 1386 1089">Low and moderate housing opportunities would not be included in the project; however, payment of in-lieu fees would be required.</p> <p data-bbox="802 1100 1078 1131"><b>Potentially Consistent:</b></p> <p data-bbox="802 1142 1386 1929"><b>Native Grassland.</b> The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3:1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.</p>	<p data-bbox="1409 279 1523 310">Consistency</p> <p data-bbox="1409 310 1523 342">with Plans</p> <p data-bbox="1409 342 1523 373">and Policies</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0*

*Consistency  
with Plans  
and Policies*

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Plan Policy 3-8:</b> Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, a geologic report shall be required. Mitigation measures shall be required where necessary.</p>	<p><b>Potentially Consistent:</b> Based on the analysis in this Draft EIR, the southernmost residential lots' (lots 41-47) structures would be located approximately 200 feet from the nearest identified potential geologic hazard, the North Branch of the More Ranch fault, which roughly corresponds with the Devereux Creek riparian area (Figure 4.2-3). Structures would be required to incorporate design features consistent with the California Building Code for anticipated ground acceleration. Additional measures would be incorporated to avoid impacts from expansive soils found onsite. Recommended mitigations would ensure that erosion, flooding, and other potential hazards are avoided or fully mitigated.</p>
<p><b>Coastal Plan Policy 3-10:</b> Major structures, i.e., residential, commercial, and industrial, shall be sited a minimum of 50 feet from a potentially active, historically active, or active fault. Greater setbacks may be required if local geologic conditions warrant.</p>	<p><b>Potentially Consistent:</b> As discussed above and in Section 4.2, Geology and Geohazards, the project would not construct structures within 50 feet of the north branch of the More Ranch fault, the nearest active fault.</p>
<p><b>Coastal Plan Policy 3-11:</b>All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</p>	<p><b>Potentially Consistent:</b> The project would not construct structures or conduct grading and excavation within a 100-year floodplain. The southernmost residential lots (lots 41-49) would be located approximately 150 feet from the mapped 100-year floodplain, and all finish floor elevations would be located above the 100-year flood elevations based on the most recent (2001) floodplain map (Figure 4.3-2). Proposed flood retention basins would be constructed within 90 feet of the mapped floodplain.</p>
<p><b>Coastal Plan Policy 3-12:</b>Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work, i.e., dams, stream channelizations, etc.</p>	<p><b>Potentially Consistent:</b> The preliminary grading and drainage plans indicate that post-development peak runoff would not exceed pre-development peak runoff rates. However, based on a review of these preliminary plans, the applicant will need to further demonstrate through supplemental plan drawings and calculations, that a sufficient volume of anticipated runoff would be detained in the retention basins so as not to result in offsite flooding in excess of pre-development conditions. Public flood control expenditures would not be required provided that the recommended flood control mitigations are implemented (i.e., review and approval of final grading and drainage plans in accordance with established flood control standards).</p>
<p><b>Coastal Plan Policy 3-13:</b> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p>	<p><b>Potentially Consistent:</b> Project grading during construction would result in changes in topography. The proposed project would require removal of the upper 3 to 4 feet of soils in proposed building areas. Grading would include excavation of approximately</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>	<i>Section 5.0</i>
<p><b>Coastal Plan Policy 3-14:</b> All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soils, geologic, flood, erosion, or other hazards shall remain in open space.</p>	<p>62,100 cubic yards of cut and a similar amount of fill for net balance onsite. Although this volume of material is substantial, few significant geologic hazards would be created as a result. This is because the grading would be spread across a large gently-sloping area, would be constructed in accordance with the California Building Code and City of Goleta Grading Ordinance standards, and would not create unstable slopes. Up to several feet of cut and fill will be required on most of the building pads, which are proposed to approximately coincide with the average existing grade of each lot. The largest change in topography would occur on the southern portion of the property, where up to about 6 feet of fill will be placed to infill a portion of Drainage B for a proposed road (Road F). Given the relatively small size of this onsite drainage and the proposed drainage plan features, which are designed to not substantially alter the hydrologic function of nearby riparian ESHA, this localized alteration of onsite topography is potentially consistent with this policy, pending implementation of the recommended mitigation measures (i.e., review and approval of a final grading and drainage plan, which would incorporate several BMPs for long-term erosion control).</p>	<p><i>Consistency with Plans and Policies</i></p>
<p><b>Coastal Plan Policy 3-15:</b> For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and</p>	<p><b>Potentially Inconsistent:</b> The residential site plan is generally designed to fit the site topography, and most natural landform features and native vegetation would be avoided. However, as noted in Policy 3-13, a portion of Drainage B would be filled with up to six feet of new fill soils to accommodate road access to several residences. This represents the largest land alteration within the project. Pending review and approval of the grading and drainage plan with all relevant BMPs, this design feature is potentially inconsistent with the policy. Approximately 190 eucalyptus trees in varying stages of heath would be removed along the western and northern parcel boundaries to accommodate residential construction. Although these trees are not considered native, many of the trees are in a designated ESHA for monarch butterfly habitat and raptors. Therefore the project as presently designed is potentially inconsistent with this policy.</p> <p><b>Potentially Consistent:</b> The proposed housing site is gently sloping and does not include steep slopes. Implementation of recommended mitigation measures would effectively minimize land exposure so as to minimize erosion. The project involves storm water retention basins/bioswales as part of the initial phase of construction that would capture and filter surface</p>	

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**Section 5.0**

*Consistency  
with Plans  
and Policies*

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
stabilizing slopes should be in place before the beginning of the rainy season.	runoff from the construction area prior to discharge into existing drainages. Site construction involving grading or other soil disturbance would be restricted to the dry season (1 May to 1 November), unless all approved erosion and sediment control measures are in effect. Refer to Mitigation GEO-2. Dust control measures would be implemented. BMPs for managing sediments and stabilizing cut and fill areas would be implemented. These would include the cessation of grading activities during periods of heavy rainfall.
<b>Coastal Plan Policy 3-16:</b> Sediment basins (including debris basins, desilting basins, or silt traps) shall be installed on the project site in conjunction with the initial grading operations and maintained throughout the development process to remove sediment from runoff waters. All sediment shall be retained onsite unless removed to an appropriate dumping location.	<b>Potentially Consistent:</b> The project would incorporate construction-phase BMPs, such as silt fences, prompt planting of native vegetation species on exposed surfaces, and use of tarps on stockpiled soil to manage sediment, erosion, and runoff. Storm water retention basins/bioswales would be constructed during initial site grading along the west side of Drainage A and along the southern portions of the parcel to capture and filter surface runoff from the project site. The basins will be maintained during construction and sediment retained in these structures will periodically be cleaned out and transported to an approved location.
<b>Coastal Plan Policy 3-17:</b> Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized immediately with planting of native grasses and shrubs, appropriate nonnative plants, or with accepted landscaping practices.	<b>Potentially Consistent:</b> The project developer would be required to protect site soils disturbed during construction. BMPs, such as slope stabilization, silt fencing, and planting exposed areas with native grasses, would be employed.
<b>Coastal Plan Policy 3-18:</b> Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.	<b>Potentially Consistent:</b> Drainage will be modified through onsite grading to direct runoff to sediment basins located onsite. Water that accumulates in these unlined ponds will be allowed to percolate into the groundwater.
<b>Coastal Plan Policy 3-19:</b> Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.	<b>Potentially Consistent:</b> Construction of the proposed project would be subject to conditions that require proper management of hazardous materials to prevent accidental releases of such materials. Procedures for quickly and effectively containing and cleaning up any spills would be required of all contractors and their subcontractors.
<b>Coastal Plan Policy 3-20:</b> All development within the coastal zone shall be subject to the slope density curve (Plate A) of the County Zoning Ordinance No.	<b>Potentially Consistent:</b> The project is located on gently sloping land that does not exceed 40% slopes. Grades of 5 to 10 percent characterize most of the

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
661 (Article VII, Section 20). However, in no case shall above-ground structures, except for necessary utility lines and fences for agricultural purposes, be sited on undisturbed slopes exceeding 40 percent.	northern portion of the parcel. Slopes steepen to about 30% at the southernmost portion of the development in the vicinity of Devereux Creek and Drainage B.
<b>HOUSING POLICIES</b>	
<b>Coastal Plan Policy 4-4:</b> In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.	<b>Potentially Inconsistent:</b> As discussed under Coastal Zoning Ordinance Section 35-59, the Development is clustered and a variety of single-family housing designs are available to prospective buyers. Proposed houses would range in size from 2,900 to 4,500 square feet with a maximum height of 28 feet above grade. Houses of this size are generally larger than what is found in nearby Ellwood neighborhoods. Circulation patterns are somewhat limited because of the size of the project. This EIR recommends additional landscape screening and reduction in height of several perimeter houses from 2-story to 1-story. These mitigations would partially reduce the project's visibility and also affect the project's bulk, scale, and mass. The project is considered potentially inconsistent until such time as the proposed mitigation measures are incorporated and additional visual assessment is conducted.
<b>Coastal Plan Policy 4-7:</b> Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where the cost of undergrounding would be so high as to deny service.	<b>Potentially Consistent:</b> Utilities will be underground.
<b>Coastal Plan Policy 5-5:</b> In large residential developments of 20 units or more, housing opportunities representative of all socioeconomic sectors of the community shall be preferred. Such developments would include a range of apartment sizes (studios, one, two, three, and four bedroom units) and a mix of housing types (apartments, condominiums, and single family detached) to provide for balanced housing opportunities, where feasible.	<b>Potentially Consistent:</b> The proposed project consists of 78 single-family dwellings that would not likely be affordable to all socioeconomic sectors of the community. However, payment of in-lieu fees would be required.
<b>Coastal Plan Policy 7-2:</b> For all development between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless: a) Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or b) Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or	<b>Potentially Consistent:</b> The Comstock Homes Development would be located next to Hollister Avenue (a public roadway). Although the development would have a gated vehicle entrance, public pedestrian and bicycle access would be provided via a dedicated public easement through the development to the Ellwood Mesa Open Space. In addition, as a part of the Open Space Plan, the current Santa Barbara Shores Park parking area would be relocated to the east to include a larger 40-space parking area and trailhead to provide public access to the Open Space and coastal beaches.

Section 5.0  
Consistency  
with Plans  
and Policies

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<i>Section 5.0</i>	<b>Policy</b>	<b>Preliminary Consistency Determination</b>
<i>Consistency with Plans and Policies</i>	<p>c) Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or</p>	
	<p><b>Coastal Plan Policy 7-3:</b> For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County, based on findings reflecting historic use, existing and future public recreational needs, and coastal resource protection. At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.</p>	<p><b>Potentially Consistent</b> The proposed project does not preclude access to the shoreline. Although the development would have a gated vehicle entrance, public pedestrian and bicycle access would be provided via a dedicated public easement through the development to the Ellwood Mesa Open Space. In addition, as a part of the Open Space Plan, the current Santa Barbara Shores Park parking area would be relocated to the east to include a larger 40-space parking area and trailhead to provide public access to the Open Space and coastal beaches. Lateral coastal access would not be affected by the project because it has been substantially set back from the coastal bluffs.</p>
	<p><b>Coastal Plan Policy 7-25:</b> Easements of trails shall be required as a condition of project approval for that portion of the trail crossing the parcel upon which the project is proposed.</p>	<p><b>Potentially Consistent:</b> The development would provide a dedicated public easement through it that would enable pedestrians and cyclists to access the open space.</p>
	<p><b>Coastal Plan Policy 9-1:</b> Prior to issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies or the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.</p>	<p><b>Potentially Inconsistent:</b> The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.</p> <p><b>Isolated Wetlands.</b> The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Monarch Tree ESHA.</b> The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.</p>

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Policy	Preliminary Consistency Determination	Section 5.0
	<p><b>Riparian Corridors.</b> The City of Goleta’s policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City’s riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B.</b> A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian</p>	<i>Consistency with Plans and Policies</i>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Plan Policy 9-9:</b> A buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences, or structures necessary to support the uses in Policy 9-10.</p> <p>The upland limit of a wetland shall be defined as: 1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; or 2) the boundary</p>	<p>corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p> <p><b>Raptor Roosts and Nests.</b> The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper’s hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest.</p> <p><b>Potentially Consistent:</b></p> <p><b>Native Grassland.</b> The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3:1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.</p> <p><b>Potentially Inconsistent:</b> The residential project’s consistency with the City of Goleta’s wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.</p> <p><b>Isolated Wetlands.</b> The City of Goleta’s policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the</p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
<p>between soil that is predominantly hydric and soil that is predominantly nonhydric; or 3) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not.</p> <p>Where feasible, the outer boundary of the wetland buffer zone should be established at prominent and essentially permanent topographic or man-made features (such as bluffs, roads, etc.). In no case, however, shall such a boundary be closer than 100 feet from the upland extent of the wetland area, nor provide for a lesser degree of environmental protection than that otherwise required by the plan. The boundary definition shall not be construed to prohibit public trails within 100 feet of a wetland.</p>	<p>development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Riparian Corridors.</b> The City of Goleta’s policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City’s riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B.</b> A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48</p>

Section 5.0  
Consistency  
with Plans  
and Policies

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
	would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.
<b>Coastal Plan Policy 9-10:</b> Light recreation such as birdwatching or nature study and scientific and educational uses shall be permitted with appropriate controls to prevent adverse impacts.	<b>Potentially Consistent:</b> The project, as currently designed, calls for the placement of portions of two retention basins/bioswales within a 50-foot wide riparian buffer zone along the west side of Drainage A. These basins would likely be fenced to prevent unauthorized access for safety reasons, and although the basins are not directly associated with recreation, they would not preclude passive recreational activities, such as birdwatching.
<b>Coastal Plan Policy 9-11:</b> Wastewater shall not be discharged into any wetland without a permit from the Regional Water Quality Control Board finding that such discharge improves the quality of the receiving water.	<b>Potentially Consistent:</b> The project would not involve regulated point source discharges of wastewater. The project would implement construction BMPs to prevent accidental discharge of liquid and solid wastes generated by non-point source during construction. Once complete, the project would convey sanitary wastes to existing sanitary sewer lines. Pollutants in storm water runoff and non-storm discharges would be treated via the onsite retention basins/bioswales, and other BMPs are recommended to be incorporated into the design and maintenance of the subdivision.
<b>Coastal Plan Policy 9-13:</b> No unauthorized vehicle traffic shall be permitted in wetlands and pedestrian traffic shall be regulated and incidental to the permitted uses.	<b>Potentially Inconsistent:</b> <b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.  Road construction would temporarily disturb the bed and banks of this ephemeral drainage within the footprint of the roadway improvements. Construction would occur during the dry season when no water is

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>	<i>Section 5.0</i>
<p><b>Coastal Plan Policy 9-14:</b> New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.</p>	<p>present in this drainage, unless all erosion and sediment control features are installed and operating effectively to the City of Goleta's satisfaction.</p> <p><b>Potentially Inconsistent:</b> The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.</p> <p><b>Isolated Wetlands.</b> The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.</p> <p><b>Riparian Corridors.</b> The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be</p>	<p><i>Consistency with Plans and Policies</i></p>

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

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**Policy**

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**Preliminary Consistency Determination**

constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

The residential development itself will be set back from adjacent wetlands and open space by a six-foot high fence in order to reduce noise and human-presence impacts to wildlife. However, the development will result in over 200 persons living in close proximity to adjacent wetlands and open space and thus is potentially inconsistent with this policy.

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**Coastal Plan Policy 9-15:** Mosquito abatement practices shall be limited to the minimum necessary to protect health and prevent damage to natural resources. Spraying shall be avoided during nesting seasons to protect wildlife, especially the endangered light-footed clapper rail and Belding's savannah sparrow. Biological controls are encouraged.

**Potentially Consistent:** Mosquito abatement practices within the Comstock Homes development residential lots will be controlled through CC&Rs. Abatement practices in the common open space areas within the development parcel will be managed by the City of Goleta through the conservation easement for those areas. Abatement practices within the Comstock site will be generally consistent with the guidelines described in the Ellwood Mesa Open Space Plan. Under those guidelines, the City intends to work closely with appropriate agencies to strictly control mosquito abatement practices to protect wetlands, monarch butterflies, vernal pools, and other sensitive receptors. Spraying would be avoided. If required, the City would only consider biological control measures that have minimal environmental impacts and carefully regulated application practices. Mosquito abatement practices would be prohibited in any vernal pools.

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**Coastal Plan Policy 9-18:** Development shall be sited and designed to protect native grassland areas.

**Potentially Consistent:** The residential development would avoid direct impacts to the estimated 33 acres of native grasslands on the Ellwood Mesa. The proposed development would be constructed on a relatively flat site dominated by non-

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>	<i>Section 5.0 Consistency with Plans and Policies</i>
	<p>native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3:1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.</p>	
<p><b>Coastal Plan Policy 9-21:</b> Development shall be sited and designed to avoid vernal pool sites as depicted on the resource maps.</p>	<p><b>Potentially Consistent:</b> The residential development would avoid direct impacts to the established 2 acres of vernal pools on the Ellwood Mesa. There are no identified vernal pools on the residential development site.</p>	
<p><b>Coastal Plan Policy 9-22:</b> Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season.</p>	<p><b>Potentially Inconsistent:</b> Residential development would remove approximately 190 of the 450 mature eucalyptus trees that occur along the northern and western boundaries of the project site to allow for residential unit construction and provide an adequate fire and safety buffer from these windrows. Because the majority of the trees proposed for removal are located along the southwestern parcel boundary, at least 65% (approximately 50 trees) of the existing eucalyptus windrow north of the “Sandpiper Golf Course” monarch autumnal/overwintering site would be eliminated by residential development in proposed lots 34-41. Loss of monarch roosting trees would be partially offset through offsite replacement of eucalyptus. Complete avoidance of tree removal and adherence to the required 100-foot buffer in the area of these eight lots proposed in this portion of the subdivision would render the project potentially consistent with this policy.</p>	
<p><b>Coastal Plan Policy 9-23:</b> Adjacent development shall be set back a minimum of 50 feet from the trees.</p>	<p><b>Potentially Inconsistent:</b> As discussed in Policy 9-22, eight of the proposed lots along the western portion of the project site encroach into a eucalyptus</p>	

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
	windrow that is considered part of an ESHA for monarch butterflies. Other trees that are proposed to be removed are not part of a designated monarch roosting site. The City's minimum buffer from this ESHA would be 100 feet. Adherence to a 100-foot setback from the monarch roost trees would render the project potentially consistent with this policy.
<b>Coastal Plan Policy 9-26:</b> There shall be no development including agricultural development, i.e., structures, roads, within the area used for roosting and nesting.	<b>Potentially Inconsistent:</b> The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest. The increased human presence, noise, light, and pets associated with residential occupancy could negatively affect use of the remaining ESHA and other nearby ESHAs as nesting and roosting habitat for raptors. Pending final project design, these project elements are potentially inconsistent with policy.
<b>Coastal Plan Policy 9-28:</b> Any development around the nesting and roosting area shall be set back sufficiently far as to minimize impacts on the habitat area.	<b>Potentially Inconsistent:</b> The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest. The increased human presence, noise, light, and pets associated with residential occupancy could negatively affect use of the remaining ESHA and other nearby ESHAs as nesting and roosting habitat for raptors. Pending final project design, these project elements are potentially inconsistent with policy.
<b>Coastal Plan Policy 9-36:</b> When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.	<b>Potentially Consistent:</b> The proposed project would be constructed on a relatively flat site dominated by non-native vegetation. However, several small patches of native grassland, none exceeding 100 feet in diameter, would be removed by project build-out. On-site and off-site habitat restoration and revegetation would establish more acreage of native grassland in areas currently dominated by non-native vegetation than would be lost to development. Grading for the proposed project would be designed to minimize

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

<b>Policy</b>	<b>Preliminary Consistency Determination</b>	<i>Section 5.0 Consistency with Plans and Policies</i>
<p><b>Coastal Plan Policy 9-37:</b> The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the Department of Fish and Game and Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams:</p> <ol style="list-style-type: none"> <li>a. soil type and stability of stream corridors</li> <li>b. how surface water filters into the ground</li> <li>c. slope of the land on either side of the stream</li> <li>d. location of the 100-year flood plain boundary</li> </ol> <p>Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the reestablishment of riparian vegetation to its prior extent to the greatest degree possible. (p. 136)</p>	<p>erosion, runoff, and sedimentation so as to avoid impacts to native vegetation. Construction would require the removal of approximately 190 eucalyptus trees along the northern and western parcel boundaries. These trees are not native to California and these trees would be replaced by off-site planting.</p> <p><b>Potentially Inconsistent:</b> The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.</p> <p><b>Riparian Corridors.</b> The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.</p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely</p>	

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Policy

Consistency  
with Plans  
and Policies

Preliminary Consistency Determination

result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**Coastal Plan Policy 9-38:** No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.

**Potentially Inconsistent:**

**Riparian Corridors.** The City of Goleta's policy is to require a minimum 50-foot buffer from most drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Policy	Preliminary Consistency Determination	Section 5.0 Consistency with Plans and Policies
<p><b>Coastal Plan Policy 9-41:</b> All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.</p>	<p>over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B.</b> A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p> <p><b>Potentially Inconsistent:</b></p> <p><b>Drainage A1 Road Crossing.</b> A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.</p> <p><b>Drainage A Detention Basins/Bioswales.</b> A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.</p> <p><b>Residential Lots near Drainages A2 and B.</b> A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward</p>	

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

<b>Policy</b>	<b>Preliminary Consistency Determination</b>
<p><b>Coastal Plan Policy 9-42:</b> The following activities shall be prohibited within stream corridors: cultivated agriculture, pesticide applications, except by a mosquito abatement or flood control district, and installation of septic tanks.</p>	<p>at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.</p> <p><b>Potentially Consistent:</b> The project would not involve septic systems. Project implementation includes the construction of storm water retention basins/bioswales along the west side of Drainage A and along the southern portions of the project site that would be designed to capture and filter surface runoff from the site during construction and residential occupancy. The basins will be planted with wetland and other native vegetation and would not require chemical treatment. Mosquito abatement activities, if they occur, would be limited to biological controls approved by the City of Goleta.</p>

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

5.2.2 Preliminary Consistency Determination of the Comstock Homes  
Development – Santa Barbara County Goleta Community Plan

Section 5.0

Consistency  
with Plans  
and Policies

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**GENERAL**

**GCP Policy G-GV-2:** The Development Standards contained within the GCP shall be utilized to implement the policies of the Plan. Where appropriate, each of these standards shall be applied to the project under review unless the standard would be inapplicable or ineffective and/or other standards have been required that implement the policies.

**Potentially Consistent:** Where appropriate, the City may apply the Development Standards in the GCP as conditions of project approval.

**GCP LU-GV-5:** Appropriate planning tools should be explored and adopted which provide for the clustering or relocation of development from environmentally sensitive or visually prominent areas, or other sites which are deemed unsuitable for development, to less sensitive areas or parcels.

**Potentially Inconsistent:** The City has sought to balance conservation and the need for residential development by relocating the project away from the coast to a site adjacent to Hollister Avenue. In addition, the project design is generally oriented to minimize potential impacts to significant resources. Although the proposed site is generally less sensitive than alternative sites on the Ellwood Mesa, the proposed project, as currently designed would result in impacts to a designated ESHA, as summarized below.

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

Additionally, changes to the area's visual character are considered significant.

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**RESIDENTIAL STANDARDS**

**DevStd LUDS-GV-3.3:** Development shall be sited and designed to minimize and avoid disruption of the site's natural resources and environmentally sensitive habitats, and shall, with the exception of the passive recreational development permitted on the SWD parcel, be located outside of all ESH areas.

**Potentially Inconsistent:** The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.

**Isolated Wetlands.** The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.

## COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

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### Section 5.0

#### Consistency with Plans and Policies

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

**Riparian Corridors.** The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward

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COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

---

Section 5.0

Consistency  
with Plans  
and Policies

based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**Raptor Roosts and Nests.** The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest.

**Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement

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COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Consistency  
with Plans  
and Policies

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**DevStd LUDS-GV-3.4:** The Specific Plan shall protect unique, rare or fragile habitats to ensure their survival in the future. The Plan shall recognize and respect native grasses through a combination of preservation and active management (see Figure 12).

ration of 3: 1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.

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**Potentially Inconsistent:** The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.

**Isolated Wetlands.** The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

**Riparian Corridors.** The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.

**Drainage AI Road Crossing.** A paved access road and bridge would be constructed across Drainage AI through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

---

Section 5.0  
Consistency  
with Plans  
and Policies

applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**Raptor Roosts and Nests.** The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest.

**Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small

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# COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

## Section 5.0

### Consistency with Plans and Policies

patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3: 1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.

### PARCEL SPECIFIC STANDARDS

**DevStd LUDS-GV-3.5:** New development shall be designed to accommodate maximum public access to the site, consistent with the protection of ESH areas and the site's natural features, and maintenance of reasonable privacy for new residents of the site. Such access, to be provided by the developers of the site, shall include the following:

- Public access from the east end of the site shall be provided via coordination of the trail system with the West Devereux project, including a coastal bikeway.
- Parking for beach access shall be accommodated on the County owned parcel in small lots and should be located well north of the Bluffs.
- An informal trail system aligned as closely as possible with the existing major historic trails onsite and linking to three access points to the beach, and including accommodations for pedestrians, equestrians, and bikers. Interpretive signage, informal seating areas bicycle racks and public restrooms shall be provided as deemed appropriate by the County.

**Potentially Consistent** The proposed project does not preclude access to the shoreline. Although the development would have a gated vehicle entrance, public pedestrian and bicycle access would be provided through the development to the Ellwood Mesa Open Space. In addition, as a part of the Open Space Plan, the current Santa Barbara Shores Park parking area would be relocated to the east to include a larger 40-space parking area and trailhead to provide public access to the Open Space and coastal beaches.

**DevStd LUDS-GV-3.6:** Vernal pools, and the eucalyptus grove along the northern boundary shall be preserved. Development shall avoid all butterfly, turkey vulture, and black shouldered kite roosts.

**Potentially Inconsistent:**

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

**Raptor Roosts and Nests.** The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest.

The increased human presence, noise, light, and pets associated with residential occupancy could negatively affect use of the remaining ESHA and other nearby ESHAs as nesting and roosting habitat for raptors. Pending final project design, these project elements are potentially inconsistent with policy. The proposed development avoids vernal pools.

**DevStd LUDS-GV-3.7:** New development shall utilize low profile construction (one or two stories), natural building materials and colors compatible with the surrounding terrain, and landscape screening to further minimize visual disruption of Santa Barbara Shores.

**Potentially Inconsistent:** The proposed project would construct 78 single-family homes. The proposed landscaping plan would provide partial screening of the homes and frontage improvements. This EIR assesses the visual impacts of the project and recommends two measures that would reduce the visibility of the project and the project's bulk, mass, and scale from key observation points. First, additional landscape features are recommended in this EIR to further screen homes along the perimeter of the Open Space Plan area and the Hollister Avenue frontage improvements. Second, this EIR recommends that several homes on the project perimeter be reduced to one-story structures. The project is subject to review and approval by the City of Goleta's Design Review Board (DRB). DRB will also review the design and recommend changes to the building design, building materials, and landscape screening so as to minimize visual disruption of Santa Barbara Shores and ensure that the project is compatible with the surrounding neighborhoods. The project is potentially inconsistent with this policy pending implementation of recommended mitigations and DRB review and approval.

**DevStd LUDS-GV-3.8:** Concurrent with the **Potentially Consistent:** An open space plan has

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

preparation of the environmental document for the Specific Plan for development on the site, the applicant shall fund the preparation of a habitat and open space management plan to be prepared under the direction of P&D in consultation with other interested agencies (e.g.: the University, State Department of Fish and Game, Regional Water Quality Control Board, Coastal Commission). This plan shall provide recommendations on methods for the long term management, enhancement of the site's open space and environmentally sensitive areas and management of the upland drainage area of Devereux Slough in order to protect this wetland habitat from adverse impacts of development or recreational use of the site. This plan should be created to complement and coordinate with other appropriate management practices that may occur as a result of development on the University Exchange Site to the east and the University Preserve, or as part of any overall Plan for a Devereux Slough Ecological Preserve.

been prepared concurrent with the environmental document for development of this site. The scope of the Open Space Plan has changed in comparison to earlier development standards as a result of the current project's configuration and location.

**DevStd LUDS-GV-3.9:** To the maximum feasible, vegetation consisting of drought tolerant and other native species shall be used for landscaping to screen development from public use areas and to create a buffer from ESH areas. Landscaping shall be designed to complement, enhance and restore native habitats onsite.

**Potentially Consistent:** The proposed landscaping plan generally meets these requirements. Review, amendments, and approval of the landscape plan by the City of Goleta's DRB will further ensure compliance with this policy, including buffers from designated ESHAs.

**DevStd LUDS-GV-3.10:** Prior to issuance of a CDP, the applicant shall file a performance security with the County sufficient to cover the cost of all public improvements and mitigations required, and the maintenance of such improvements for a period of at least five years. The total amount of this performance security shall be determined by the Publics Works Department in consultation with the Parks Department and P&D.

**Potentially Consistent:** It is anticipated that the City would require a performance security to cover the cost of public improvements and mitigations.

**PUBLIC FACILITIES AND SERVICES**

**Action G-GV-2.1:** New public services and facilities, as outlined in the Capital Improvements Plan, shall be constructed and operational in advance of service and facility demand from new development.

**Potentially Consistent:** The City would require the applicant to demonstrate that the necessary service connections are made in advance of housing construction.

**Policy G-GV-3:** The County shall encourage developers to use innovative measures such as but not limited to payment of development impact fees; direct public service facility improvements; creation of public service facility benefit assessment districts etc., to mitigate the public service impacts from their developments, in addition to standard in-lieu fees.

**Potentially Consistent:** The City may require the applicant to use innovative measures in addition to standard fees to cover the cost of public service impacts.

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Consistency  
with Plans  
and Policies

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**FIRE PROTECTION**

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**DevStd FIRE-GV-1.3:** Two routes of ingress and egress shall be required for any discretionary new development or subdivision of land unless the Fire Department waives the requirement.

**Potentially Consistent:** As currently designed, the development has one gated access to and from Hollister Avenue and no secondary ingress or egress. The project's fire protection design features have been preliminarily reviewed by the City of Goleta; however, pending final design, additional fire protection provisions may be required.

**Policy FIRE-GV-2:** All private roads which serve structures served by the Fire Department shall be constructed to Fire Department standards unless the Fire Department waives the standard.

**Potentially Consistent:** Roadways within the development have been preliminarily reviewed by the Fire Department and will be reviewed again based on final design plans prior to approval by the City.

**Policy FIRE-GV-4:** Emergency access shall be a consideration in the siting and design of all new development.

**Potentially Consistent:** As currently designed, the development has one gated access to and from Hollister Avenue and no secondary ingress or egress. The project's fire protection design features have been preliminarily reviewed by the City of Goleta; however, pending final design, additional fire protection provisions may be required.

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**RECREATION EASEMENTS**

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**Policy PRT-GV-9:** The County Parks Department shall be responsible for reviewing trail easement requirements, location, and design on a case-by-case basis. In addition, they shall be responsible for obtaining appropriate permits and environmental review prior to trail construction on publicly owned land.

**Potentially Consistent:** The development would include an easement that would accommodate a pedestrian and cyclist pathway providing access through the subdivision to the Open Space.

**Policy PRT-GV-10:** All trails developed by and/or dedicated to the County shall be multi-use.

**Potentially Consistent:** The development would include an easement that would accommodate a pedestrian and cyclist pathway providing access through the subdivision to the Open Space.

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**RESOURCE RECOVERY**

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**Action RRC-GV-1.1:** The County shall continue to implement and increase a curbside recycling program in the residential areas of the Goleta Planning Area. Curbside recycling shall be required for all new development and encouraged in current housing as determined appropriate by the County Public Works Department.

**Potentially Consistent:** Onsite curbside recycling would be available to the project site.

**Action RRC-GV-1.2:** As funding becomes available, the County shall pursue an aggressive residential, commercial, and industrial recycling program throughout the Goleta Planning Area. All new residential, commercial, and industrial development as well as current housing shall be required to participate in these efforts as determined by the County Department of Public Works.

**Potentially Consistent:** Onsite curbside recycling would be available to the project site.

**Policy RRC-GV-2:** All new residential development in the Urban area and, where feasible, outside the

**Potentially Consistent:** The project would participate in the City's yard waste collection

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

Urban area shall participate in yard waste collection programs as may be provided by the County of Santa Barbara. Such programs may include yard waste accumulation bins, curbside pickups and backyard composting.

program.

**Action RRC-GV-2.1:** As funding becomes available, the County Solid Waste Division shall actively pursue the development of a yard waste collection program or siting of accumulation bins within existing neighborhoods.

**Potentially Consistent:** The project would participate in the City's yard waste collection program.

**Policy RRC-GV-3:** Recycling bins shall be provided at all construction sites to minimize construction-generated waste which goes to the landfill.

**Potentially Consistent:** The City can require the applicant to recycle materials such as lumber, concrete, metal rods etc. during construction.

**SCHOOLS**

**Policy SCH-GV-1:** The maximum allowable school facility fees shall be levied on all new residential, commercial, and industrial projects within the Goleta Planning Area.

**Potentially Consistent:** Maximum allowable school fees would be levied on the development.

**SEWER & STORM DRAINAGE**

**Policy SD-GV-2:** The County shall work with the sewer districts to acquire grants and other funding to relocate untreated effluent lines out of Environmentally Sensitive Habitat and riparian areas.

**Potentially Consistent:** The City would work with the sanitary district to relocate the sewer main out of Devereux Creek and to have the new development hook up to the existing sewer trunkline located in Hollister Avenue.

**TRAFFIC, CIRCULATION, AND PARKING**

**Roadway and Intersection Standards for Determination of Project Consistency**

The following Goleta Community Plan standards define how acceptable capacity levels are identified for roadways in the GCP area, as defined in Appendix A of the GCP Compendium, as updated March 9, 1999.

**Roadway Standards:** A project's consistency with this section shall be determined as follows:

**Potentially Consistent:** The proposed Comstock Homes development was analyzed for consistency with these GCP roadway and intersection standards, as described in Section 4.12, and summarized below.

- A. For roadways where the Estimated Future Volume does not exceed the acceptable capacity, a project would be considered consistent with this section of the community plan if the number of ADTs contributed by the project would not cause an exceedance of acceptable capacity.
- B. For roadways where the Estimated Future Volume exceeds the acceptable capacity but does not exceed Design Capacity, a project would be considered consistent with this section of the community plan only if:
  - 1) the number of ADTs contributed by the project to the roadway does not exceed 150 ADTs, or
  - 2) if the project provides a substantial contribution to a high priority alternative transportation project (or projects) as identified in the GTIP that:

**Roadway Consistency:** All of the study-area roadway segments are forecast within their GCP Circulation Element Acceptable Capacities and Cumulative plus Project traffic (See Section 4.12.3.3).

**Intersection Consistency:** Most of the study-area intersections are forecast to operate at LOS C or better with Cumulative plus project traffic (see Section 4.12.3.3). The Storke Road/Hollister Avenue intersection is forecast to operate at LOS E. The project would add 0.008 to the V/C ratio, which would not exceed the Circulation Element standard for LOS E (standard is V/C addition of greater than 0.020). The project would therefore be consistent with the Circulation Element intersection standards.

The following additional discussion provides a summary of the impacts and recommended

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

- 
- a) substantially improves the alternative transportation network,
  - b) has a reasonable relationship to the project, and
  - c) is proportional to the size and extent of the project's impact on Goleta's transportation system.
- C. For roadways where the Estimated Future Volume exceeds the Design Capacity, a project would be considered consistent with this section of the community plan only if:
- 1) the number of ADTs contributed by the project to the roadway does not exceed 50 ADTs, or
  - 2) if the project constructs or funds operation of a high priority alternative transportation project (or projects) as identified in the GTIP that:
    - a) substantially improves the alternative transportation network,
    - b) has a reasonable relationship to the project, and
    - c) is proportional to the size and extent of the project's impact on Goleta's transportation system.

mitigations associated with the residential development, as presented in Section 4.12, Traffic and Circulation.

**Direct Project Impacts:** The proposed Comstock Homes development would generate an estimated 746 ADT on area roadways and intersections. Based on roadway design capacities, it was determined that most roadway segments in the study area would continue to operate acceptably at LOS C or better with existing plus project ADT volumes. The EIR identified no impacts to study area roadways.

However the development would generate an estimated 79 P.M. peak hour trips on the study-area circulation system resulting in a significant project-specific impact at the Storke Road / Hollister Avenue intersection (36 total intersection PHT and 26 critical movement trips). This intersection currently operates at LOS D and the development would exceed the City's traffic impact threshold of 15 P.M. peak hour trips. Recommended mitigations include a) providing a right turn merge lane on the southbound Storke Road lane to ease congestion on the west turn movement onto Hollister Avenue; b) adding a third eastbound left turn lane on Hollister; c) adding a third lane on Storke Road northbound from Hollister Avenue to the U.S. 101 southbound ramp intersection; and d) adding a third westbound through lane at Storke Road / Hollister Avenue intersection.

The applicant may be required to provide a substantial contribution to a high priority alternative transportation project (or projects) as identified in the Goleta Transportation Improvement Program (GTIP) that: a) substantially improves the alternative transportation network, b) has a reasonable relationship to the project, and c) is proportional to the size and extent of the project's impact on Goleta's transportation system.

Additional recommended mitigations include frontage improvements at the project entrance to accommodate a future street right-of-way of 104 feet; installation of a westbound left turn pocket at the project driveway; meandering sidewalks; an 8-foot bikelane; and other curbing improvements. Project impacts would remain significant unless the improvements are fully funded and implemented concurrent with development of the project.

A Traffic Management Plan would be required to minimize construction impacts on motorists, pedestrians, and bicyclists using Hollister Avenue during construction. Construction during summer

# COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

## Section 5.0

### Consistency with Plans and Policies

months would minimize impacts to students at Ellwood Elementary School.

**Cumulative Impacts:** A cumulative analysis was performed based on traffic forecasts generated by the Goleta Traffic Model. The proposed Comstock Homes development would generate an estimated 746 ADT on area roadways and intersections under cumulative conditions. Based on roadway design capacities, it was determined that most roadway segments in the study area would continue to operate acceptably at LOS C or better with cumulative plus project ADT volumes. The EIR identified no cumulative impacts to study area roadways.

The development would generate an estimated 79 P.M. peak hour trips at the study-area intersections under cumulative conditions, resulting a significant cumulative impact to the Storke Road Hollister Avenue intersection, as described above. Cumulative impacts would remain significant unless the recommended improvements are fully funded and implemented concurrent with development of the project.

**Intersection Standards:** Intersection capacity is stated in the terms of the proportion of the volume of traffic carried (V) to its design capacity (C); with a volume to capacity ratio (V/C) of 1.00 equal to gridlock, a V/C ratio of .90 equal to LOS E, on down to a V/C ratio of .70 equal to LOS C and a V/C ratio of .50 equal to LOS A.

A. Projects contributing Peak Hour Trips to intersections that operate at a Estimated Future Level of Service A shall be found consistent with this section of the Community Plan unless the project results in a change in V/C ratio greater than 0.20.

- For intersections operating at a estimated future Level of Service B, no project shall result in a change in V/C ratio greater than 0.15.
- For intersections operating at a estimated future Level of Service C, no project shall result in a change of V/C ratio greater than 0.10.
- For intersections operating at a estimated future Level of Service D, no project shall result in a change of V/C ratio greater than 0.03.
- For intersections operating at a estimated

**Potentially Consistent:** See discussion above.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0*

*Consistency  
with Plans  
and Policies*

- 
- future Level of Service E, no project shall result in a change of V/C ratio greater than 0.02.
- For intersections operating at a estimated future level of Service F, no project shall result in a change of V/C ratio greater than 0.01.
- B. Notwithstanding the standards in subdivision a, above, projects that send fewer than 15 peak hour trips to an intersection shall be considered consistent with the Community Plan.
- C. In order to make a finding of consistency with the Community Plan where a project's traffic contribution does result in a measurable change in V/C ratio and also results in a finding of inconsistency with the above intersection standards, the project shall be required to either:
- 1) construct intersection improvements that are sufficient to offset the project-associated change in V/C ratio, in excess of the applicable intersection standards above,
  - 2) if the project constructs or funds operation of a high priority alternative transportation project (or projects) as identified in the GTIP that:
    - a) substantially improves the alternative transportation network,
    - b) has a reasonable relationship to the project, and
    - c) is proportional to the size and extent of the project's impact on Goleta's transportation system.
  - 3) provide for a County-approved combination of the above.
- D. These intersection standards shall also apply to projects which generate Peak Hour Trips to intersections within incorporated cities that are operating at levels of service worse than those allowed by the city's Circulation Element.

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**Special Standards for Projects which include Comprehensive Plan Amendments to Land Use Designations: (amended by 95-GP-4, -5; Resol.s 95-389, -390; 8/22/95)**

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- a. Comprehensive Plan Amendments submitted by private applicants that propose changes in land use designation on any given parcel in the planning area shall be required to demonstrate that the proposed change in land use would not potentially result in traffic levels higher than those anticipated for that parcel by the Community Plan, its associated environmental
- Potentially Consistent:** The project includes a rezone of the 36-acre building site from Recreation to Residential and development of 78 single family residences. A related project involves a rezone of the Ellwood Mesa parcels from Planned Residential to Recreation, thus eliminating the potential to build up to 162 homes on that site.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

documents and as identified by the ten year traffic model or future updated traffic models. If higher traffic levels could potentially result from such an amendment, then in order to approve the amendment, at least one of the following findings must be made by the Board of Supervisors:

- i. The increase in traffic is not large enough to cause the affected roadways and/or intersections to exceed their designated acceptable capacity levels at buildout of the Community Plan, or
- ii. Road improvements included as part of the project description are consistent with the GTIP and are adequate to fully offset the identified potential increase in traffic, or
- iii. Alternative transportation improvements are included as part of the project description that are consistent with the Community Plan, have a reasonable relationship to the project, and substantially enhance the alternative transportation system consistent with the GTIP.

**Policy CIRC-GV-8:** New development shall be sited and designed to provide maximum access to non-motor vehicle forms of transportation, including well designed walkways, paths and trails between new residential development and adjacent and nearby commercial uses and employment centers.

**Potentially Consistent:** The development would be directly adjacent to the Open Space Plan area, which would provide extensive pedestrian and cyclist access to trails between the development and nearby commercial uses and employment centers.

**Policy CIRC-GV-12:** Developers shall be encouraged to pursue innovative measures to fully mitigate the transportation impacts associated with their projects.

**Potentially Consistent:** The development is served by a public bus route along Hollister Avenue and a pathway would connect pedestrians and cyclists to trails within the Open Space.

**WATER**

**Policy WAT-GV-1, -2, -11:** For discretionary projects which would result in a net increase in water use, there shall be a sufficient supply of water to serve known existing commitments plus the proposed project.

**Potentially Consistent:** Adequate water supply would be available to the project from the Goleta Water District.

**Policy WAT-GV-5:** Where physically and financially feasible, all new discretionary development shall utilize reclaimed wastewater for exterior landscaping consistent with State and County standards.

**Potentially Consistent:** In the event that a sufficient and reliable quantity of reclaimed water is available to the project, it could be used for landscaping and could include dual plumbing.

**Action WAT-GV-5.1:** In areas where reclaimed water is available by pipeline, new development shall include dual plumbing systems for the use of reclaimed water unless infeasible due to the nature/scale of the development.

**Potentially Consistent:** In the event that a sufficient and reliable quantity of reclaimed water is available to the project, it could be used for landscaping and could include dual plumbing.

**Policy WAT-GV-6, -12:** In order to minimize water use to the maximum extent possible all new development shall utilize water-conserving

**Potentially Consistent:** The landscaping plan will include use of drought tolerant vegetation, low flow irrigation and water conserving plumbing devices.

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

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landscaping, low-flow irrigation, and water conserving plumbing devices.

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Section 5.0

**AIR QUALITY**

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Consistency  
with Plans  
and Policies

**DevStd AQ-GV-1.1 and 1.2:** Future project construction should follow all requirements of the SBCAPCD, and should institute Best Available Control Technology (BACT) where necessary to reduce emissions below APCD threshold levels.

**Potentially Consistent:** Conditions of project approval would require standard air quality control measures including the use of BACT and dust control measures, such as use of a water truck, to reduce air quality impacts during construction.

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**Policy AQ-GV-5 and DevStd AQ-GV-5.1:** The County shall require the use of techniques designed to conserve energy and minimize pollution.

**Potentially Consistent:** Conditions of project approval would require use of energy conservation devices.

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**BIOLOGICAL RESOURCES**

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**Policy BIO-GV-2:** Environmentally Sensitive Habitat (ESH) areas and Riparian Corridors within the Goleta Planning Area shall be protected and, where feasible and appropriate, enhanced.

**Potentially Inconsistent:** The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.

**Isolated Wetlands.** The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

**Riparian Corridors.** The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following

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COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Consistency  
with Plans  
and Policies

project components trigger the City's riparian protection policies.

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**DevStd BIO-GV-2.2:** New development within 100 feet of an Environmentally Sensitive Habitat (ESH), shall be required to include setbacks or undeveloped buffer zones from these habitats consistent with those detailed in specific habitat protection policies as part of the proposed development except where setbacks or buffer zones would preclude reasonable

**Potentially Inconsistent:** The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.

**Isolated Wetlands.** The City of Goleta's policy is to require a minimum 100-foot buffer around all

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

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use of the parcel. In determining the location, width and extent of setbacks and buffer zones, the Goleta Biological Resources Map and other available data shall be used (e.g., maps, studies, or observations). If the project would result in potential disturbance to the habitat, a restoration plan shall be required. When restoration is not feasible onsite, offsite restoration may be considered.

wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

**Riparian Corridors.** The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

Section 5.0  
Consistency  
with Plans  
and Policies

## COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

### Section 5.0

#### Consistency with Plans and Policies

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

#### **Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3: 1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.

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**DevStd BIO-GV-2.4:** Landscaping which includes **Potentially Consistent:** Project approval would be

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**Section 5.0**  
*Consistency  
with Plans  
and Policies*

---

exotic invasive species shall be prohibited in or near Environmentally Sensitive Habitat (ESH) areas, Riparian Corridors and appropriate buffers. The California Native Plant Society publishes a list of invasive species to which the applicant may refer. Landscaping in ESH areas and appropriate buffers shall include compatible native species.

contingent on the approval of a landscaping plan that maximizes the use of native species.

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**Policy BIO-GV-3, BIO-GV-6, DevStd BIO-GV-6.1:** Development within areas designated as ESH or Riparian Corridor shall comply with the applicable habitat protection policies.

Monarch Butterfly roosting habitats shall be preserved and protected.

Any construction, grading or development within 200 feet of known or historic butterfly roosts shall be prohibited between the months of November 1 and April 1. This requirement may be modified/deleted on a case-by-case basis where P&D concludes that one or more of these activities would not impact monarchs using the trees or where it would preclude reasonable use of the parcel.

**Potentially Inconsistent:** Construction of eight residential lots in the southwestern portion of the development would remove approximately 50 eucalyptus trees in a eucalyptus windrow along the western parcel boundary that is used by monarch butterflies as an overwintering roost site. Because these trees are located within an ESHA, proposed off-site mitigation measures cannot fully mitigate for on-site losses. Construction activities within 200 feet of the known butterfly roosts would be restricted between November 1 and April 1.

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**Policy BIO-GV-8 and BIO-GV-8.1:** The minimum buffer strip and setbacks from streams and creeks for new development and actions within the ESH overlay that are regulated by the County Zoning Ordinances shall be as follows, except on parcels designated for agriculture in inner rural areas where Policy BIO-GV-9 shall apply:

- a. ESH areas within urban, inner rural and existing developed rural neighborhoods: a setback of 50 feet from either side of top-of-bank of creeks or existing edge of riparian vegetation, whichever is further, minimizing all ground disturbance and vegetation removal, shall be indicated on all grading plans. These minimum buffers may be adjusted upward or downward on a case-by-case basis but shall not preclude reasonable use of a parcel.

**Potentially Inconsistent:** The residential project's compliance with established setbacks and buffers, is summarized below.

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

**Riparian Corridors.** The City of Goleta's policy is to require a 100-foot buffer most drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Consistency  
with Plans  
and Policies

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**DevStd BIO-GV-8.2:** Except in rural areas designated Agriculture, P&D may require that a temporary protective fence be installed along the outer buffer boundary (*this applies to riparian buffer*) at the applicant's expense, prior to initiation of any grading or development activities associated with a Land Use Permit. Storage of equipment, supplies, vehicles, or placement of fill or refuse, shall not be permitted within the fenced buffer region.

**Potentially Consistent:** Recommended mitigation measures include the use of temporary construction fencing in the setback areas of Devereux Creek and Drainages A, A1, A2, B, and C, during the initial grading and site preparation.

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

---

**DevStd BIO-GV-8.3:** To the maximum extent feasible, projects subject to land use permits within the ESH Overlay shall provide on-site restoration of any project-disturbed creek buffer or riparian vegetation within the riparian corridor boundary with the intent being to maintain a continuous canopy of appropriate native trees along such corridors.

**Potentially Consistent:** Recommended mitigation measures include onsite restoration of disturbed areas within riparian corridors.

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**DevStd BIO-GV-8.4:** Projects subject to land use permits within ESH areas in urban and inner rural areas, existing developed rural neighborhoods and Mountainous-GOL Zone Districts shall provide on-site restoration of any project-disturbed buffer or riparian vegetation if feasible or unless it would preclude reasonable use of the parcel. A riparian revegetation plan, approved by the County, shall be developed by a County approved biologist (or other experienced individual acceptable to the County) and implemented at the applicant's expense. The revegetation plan shall use native species that would normally occur at the site prior to disturbance. The plan shall contain the source of the plant material, planting methods and locations, site preparation, weed control, and monitoring criteria and schedules.

**Potentially Consistent:** Recommended mitigation measures include onsite restoration of disturbed areas within riparian corridors.

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**Policy BIO-GV-10:** To the greatest extent feasible, natural stream channels shall be maintained in an undisturbed state in order to protect banks from erosion, enhance wildlife passageways, and provide natural greenbelts.

**Potentially Inconsistent:**

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Consistency  
with Plans  
and Policies

**DevStd BIO-GV-10.1:** No structures shall be located within a riparian corridor except: public trails that would not adversely affect existing habitat; dams necessary for water supply projects; flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety; where alternative structures or developments have been approved by the Army Corps of Engineers pursuant to a Section 404 permit; and other development where the primary function is for the improvement of fish and wildlife habitat or where this policy would preclude reasonable use of a parcel. Culverts, agricultural roads and crossings in rural areas zoned for agricultural use, fences, pipelines, and bridges may be permitted when no alternative route or location is feasible, or where other environmental constraints or site design considerations (e.g.: public safety) would require such structures. All development shall incorporate the best mitigation measures feasible to minimize the impact to the greatest extent.

wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**Potentially Inconsistent:**

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. The City of Goleta's policy is to require a 100-foot buffer from drainage features and from wetlands that

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**DevStd BIO-GV-10.2:** When the activities permitted in stream corridors would require removal of riparian plants, revegetation with local native plants, obtained from within as close proximity to the site as feasible shall be required consistent with the intent of this district.

**Potentially Consistent:** Recommended mitigation measures require use of local native plants for onsite restoration.

**Policy BIO-GV-13:** Areas of one or more acres of coastal sage scrub shall be preserved to the maximum extent feasible, consistent with reasonable use of a parcel.

**Potentially Consistent:** The project area has been sited to avoid most areas of coyote bush scrub (a variant of coastal sage scrub). Less than 0.3 acres of this habitat type falls within proposed residential lots. On-site and off-site restoration and revegetation proposals would establish more of this habitat than would be lost to development.

**DevStd BIO-GV-13.1:** To the maximum extent feasible, development shall avoid impacts to coastal sage scrub that would isolate, interrupt, or cause a break in a contiguous habitat which would disrupt animal movement patterns, seed dispersal routes, or increase vulnerability of species to weed invasion or local extirpations such as fire, flooding, disease, etc.

**Potentially Consistent:** The project area has been relocated from Ellwood Mesa to a site dominated by non-native vegetation. The development envelope at this location has been sited to avoid most areas of coyote bush scrub (a variant of coastal sage scrub). Less than 0.3 acres of this habitat type falls within proposed residential lots. On-site and off-site restoration and revegetation proposals would establish more of this habitat than would be lost to development.

**DevStd BIO-GV-13.2:** Impacts to coastal sage scrub shall be minimized by providing a minimum 10 foot buffer vegetated with native species and by placing the project outside of the buffer rather than in or through the middle of the habitat area, except where such an action would preclude reasonable use of a parcel.

**Potentially Consistent:** The project area has been relocated from Ellwood Mesa to a site dominated by non-native vegetation. The development envelope at this location has been sited to avoid most areas of coyote bush scrub (a variant of coastal sage scrub). Less than 0.3 acres of this habitat type falls within proposed residential lots. On-site and off-site restoration and revegetation proposals would establish more of this habitat than would be lost to development.

**DevStd BIO-GV-13.3:** Onsite mitigation such as revegetation, erosion and water quality protection, and other measures which would minimize the impact

**Potentially Consistent:** The project area has been relocated from Ellwood Mesa to a site dominated by non-native vegetation. The development envelope at

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

of development on coastal sage scrub shall be included in the project design as necessary.

- c. When restoration is proposed, on-site rather than off-site restoration shall be the preferred alternative.

this location has been sited to avoid most areas of coyote bush scrub (a variant of coastal sage scrub). Less than 0.3 acres of this habitat type falls within proposed residential lots. On-site and off-site restoration and revegetation proposals would establish more of this habitat than would be lost to development. The Common Areas included in the development envelope provide ample area for on-site restoration.

**Policy BIO-GV-14:** To the maximum extent feasible, areas of native grasslands shall be preserved.

**Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3: 1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.

**DevStd BIO-GV-14.1:** To the maximum extent feasible, development shall avoid impacts to native grasslands that would isolate, interrupt, or cause a break in a contiguous habitat which would disrupt animal movement patterns, seed dispersal routes, or increase vulnerability of species to weed invasion or local extirpations such as fire, flooding, disease, etc.

**Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3: 1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.

**DevStd BIO-GV-14.2:** Impacts to native grasslands shall be minimized by providing a minimum 10 foot buffer vegetated with native species and by placing the project outside of the buffer rather than in or through the middle of the habitat area, except where such an action would preclude reasonable use of a parcel.

**Potentially Consistent:** The project site would be relocated from Ellwood Mesa to avoid extensive, contiguous patches of native grassland. The proposed project would be constructed on a relatively flat site dominated by non-native vegetation. Several isolated and fragmented patches of native grassland, none exceeding 100 feet in diameter, would be removed by project build-out. However, on-site and off-site habitat restoration and revegetation, as described in a proposed Grassland Mitigation Plan, would establish more acreage of native grassland in areas currently dominated by non-native vegetation than would be lost to development. Conditions of project approval would specify measures for protecting the grasslands from construction of the proposed project. Measures for controlling erosion, sedimentation, and runoff would be incorporated into these project conditions.

**DevStd BIO-GV-14.3:** Onsite mitigation such as revegetation, erosion and water quality protection, and other measures which would minimize the impact of development on native grasslands shall be included in the project design as necessary.

**Potentially Consistent:** The project area was relocated from Ellwood Mesa to avoid extensive, contiguous patches of native grassland. The proposed project would be constructed on a relatively flat site dominated by non-native vegetation. Several isolated and fragmented patches of native grassland, none exceeding 100 feet in diameter, would be removed by project build-out. However, on-site and off-site habitat restoration and revegetation, as described in a proposed Grassland Mitigation Plan, would establish more acreage of native grassland in areas currently dominated by non-native vegetation than would be lost to development. Conditions of project approval would specify measures for protecting the grasslands from construction of the proposed project. Measures for controlling erosion, sedimentation, and runoff would be incorporated into these project conditions. Measures for controlling erosion, sedimentation, and runoff would be incorporated into these project conditions.

**Policy BIO-GV-15:** Significant biological communities shall not be fragmented into small

**Potentially Inconsistent:**  
**Monarch Tree ESHA.** The City of Goleta's policy

## COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0 non-viable pocket areas by development.

Consistency  
with Plans  
and Policies

is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

**Drainage AI Road Crossing.** A paved access road and bridge would be constructed across Drainage AI through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

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	<p>acreage of native grassland (by using a replacement ratio of 3: 1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.</p>
<p><b>DevStd BIO-GV-15.2:</b> The County shall require appropriate protective measures (e.g. fencing) where necessary to protect sensitive biological resources during construction.</p>	<p><b>Potentially Consistent:</b> Portions of two storm water retention basins would encroach on the 50-foot riparian buffer along the west side of Drainage A. Mitigation measures, including either temporary or permanent fencing to protect the riparian resource, would be included as conditions of project approval.</p>
<p><b>DevStd BIO-GV-15.3:</b> In those cases where adverse impacts to biological resources cannot be avoided after impacts have been minimized to the greatest extent feasible, on-site restoration may be required. Restoration may also be required for parcels on which development is proposed and on which disturbance has previously occurred if the currently proposed development would exacerbate the existing impact. Where onsite preservation is infeasible, or not desirable in terms of long-term preservation, an off-site easement and/or restoration that covers comparable habitat/area and will ensure long-term preservation may be considered. The following policies shall be used as guidelines for the restoration effort but shall not preclude reasonable use of a parcel:</p>	<p><b>Potentially Consistent:</b> The project development footprint provides 13 acres for native plant revegetation, an area approximately equal to development that would be the subject of a proposed landscaping plan. This acreage would be supplemented by off-site restoration and revegetation activities that are detailed in the Grassland Mitigation Plan, Wetland Mitigation Plan, and Open Space and Habitat Management Plan related to this development project.</p>
<p>a. The revegetation effort shall include the appropriate diversity and density of plants native to the locality;</p> <p>b. Restoration plans shall incorporate maintenance measures to insure that the remedial action is carried out for the duration of the impact;</p> <p>c. When restoration is proposed, on-site rather than off-site restoration shall be the preferred alternative.</p>	
<p><b>DevStd BIO-GV-15.4:</b> Where sensitive or valuable biological resources exist within or border a project site, a County approved biologist or other experienced individual acceptable to the County may be required to monitor construction within/bordering the resource area as determined necessary by P&amp;D.</p>	<p><b>Potentially Consistent:</b> Implementation of applicable mitigation measures would be monitored by a qualified local biologist.</p>
<p><b>Policy BIO-GV-20:</b> Where appropriate, voluntary open space and conservation easements should be considered by project applicants and supported by the County as a method to preserve important biological habitats.</p>	<p><b>Potentially Consistent:</b> The proposed development includes a conservation easement that would be granted to the City of Goleta for long-term maintenance of common open space areas within the subdivision.</p>
<p><b>Policy BIO-GV-21:</b> The use of locally occurring native plants propagated from plants in close</p>	<p><b>Potentially Consistent:</b> Locally-occurring native plants would be used in project landscaping and</p>

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

proximity to the sites to be revegetated in landscaping shall be encouraged, especially in parks, buffers adjacent to native habitats and in designated open space.

would be specifically required in buffer areas, as specified in the preliminary landscaping plan, which would be subject to review and approval by the City.

**Policy BIO-GV-22:** Where sensitive plant species and sensitive animal species are found pursuant to the review of a discretionary project, efforts shall be made to preserve the habitat in which they are located to the maximum extent feasible. For the purposes of this policy, sensitive plant species are those species that appear on a list in the County's list of locally rare, rare or endangered plants and the California Native Plant Society's *Inventory of Endangered Vascular Plants of California*. Sensitive animal species are defined as those animal species identified by the California Department of Fish and Game, the U.S. Fish and Wildlife Service and/or are listed in Tate's *The Audubon Blue List* (birds).

**Potentially Inconsistent:** Construction of eight residential lots in the southwestern portion of the development would remove approximately 50 eucalyptus trees from an ESHA (eucalyptus windrow along the western parcel boundary used by monarch butterflies as an overwintering roost site). Whereas raptors are not known to nest or habitually roost in the eucalyptus windrow along the western parcel boundary north of the ESHA, the development project would remove approximately 190 eucalyptus trees along the western and northern parcel boundaries that could be used as nesting/roosting habitat and places a number of residential lots within 450 feet of known nest sites for Cooper's hawks and white-tailed kites (Figure 4.4-3). The loss of these trees and increased human presence, noise, light, and pets associated with residential occupancy could negatively affect use of the remaining ESHA and other nearby ESHAs as nesting and roosting habitat for raptors. Pending final project design, these project elements are potentially inconsistent with policy.

**Action BIO-GV-22.1:** Where sites proposed for new development contain sensitive or important habitats and areas to be preserved over the long term, the impacts to these habitats shall be avoided or mitigated to the extent feasible. One method to assist in the long-term protection of such areas is by means of requiring project applicants to dedicate open space easements covering such areas. Other methods include onsite restoration programs utilizing appropriate locally occurring native species propagated from plants in close proximity to the site, and/or contributions toward habitat acquisition and management. One or a combination of the above shall be required, as determined by the evaluating resource specialist and regulatory agency. Where onsite preservation is infeasible, or not desirable in terms of long-term preservation, an offsite easement and/or restoration which covers comparable habitat/area and will ensure long-term preservation may be considered.

**Potentially Inconsistent:** The residential project's consistency with the City of Goleta's wetland, riparian, and other resource protection policies, including compliance with established setbacks and buffers, is summarized below.

**Isolated Wetlands.** The City of Goleta's policy is to require a minimum 100-foot buffer around all wetlands. An isolated and degraded wetland is located in the western central portion of the subdivision. The proposed project is potentially consistent with applicable wetland policies at this site because the development would maintain the required 100-foot wetland buffer around this wetland resource.

**Monarch Tree ESHA.** The City of Goleta's policy is to require a minimum 100-foot buffer around monarch butterfly trees. The project as presently designed could be considered inconsistent with monarch tree policies because eight residential lots in the southwest corner of the subdivision (Lots 34 through 41) would encroach into the City of Goleta's designated 100-foot buffer from monarch butterfly trees. In addition, construction of these lots would result in removal of eucalyptus trees along the western property edge of the property; this area is part of a monarch butterfly ESHA.

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

---

Section 5.0  
Consistency  
with Plans  
and Policies

**Riparian Corridors.** The City of Goleta's policy is to require a 100-foot buffer most drainage features and from wetlands that are contained within defined drainage banks. Riparian buffers can be adjusted upward or downward as deemed appropriate. Onsite drainages are assigned a 50-foot buffer to reflect the degraded nature of the wetlands and their reliance on upstream hydrology as opposed to adjacent sheet flow. Direct impacts to identified wetlands within riparian corridors (e.g., by removal of wetland vegetation, or shading of wetland vegetation from new structures) are not permitted. The following project components trigger the City's riparian protection policies.

**Drainage A1 Road Crossing.** A paved access road and bridge would be constructed across Drainage A1 through the riparian buffer which would involve temporary impacts to the bed and banks of this drainage within the construction footprint. Design, construction, and maintenance would incorporate all applicable BMPs to reduce or eliminate impacts to adjacent habitat from sedimentation and erosion. However, as presently designed, this structure would impact wetland vegetation due to shading effects from the bridge. This project feature is potentially inconsistent with riparian and wetland policies pending implementation of a recommended mitigation measure that would require a slight southward realignment of the road and bridge in order to avoid impacts to wetland resources in the riparian corridor at this location. Additional project details will be needed to determine consistency.

**Drainage A Detention Basins/Bioswales.** A stormwater detention basin/bioswale would be constructed partially within the riparian buffer along the west side of Drainage A. This project feature could be considered potentially consistent with riparian policies if the buffer is adjusted downward based on the fact that over time, these detention basins/bioswales will likely result in a net increase in wetland and other native vegetation once restoration and revegetation mitigation measures are implemented.

**Residential Lots near Drainages A2 and B.** A portion of Lot 75 would be located partially in the 50-foot buffer adjacent to the head of Drainage A2. This proposed use could be considered inconsistent with riparian policies unless the buffer is adjusted downward at this location. Additionally, portions of Lots 47 and 48 would be partially located on the

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## COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

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### Section 5.0

#### Consistency with Plans and Policies

slopes of Drainage B. Drainage B is not a designated wetland or riparian corridor; however these land uses would be on relatively steep slopes and 200 feet upslope of the Devereux Creek riparian corridor and ESHA.

**Raptor Roosts and Nests.** The proposed development would place residential lots in the southeast portion of the development as close as 200 feet from the nearest known nest sites for white-tailed kites. The development would also place residential lots in the southwestern portion of the development as close as 450 feet from known Cooper's hawk and kite nests (Figure 4.4-3). Construction work within 500 feet of active nests would be suspended until the young have fledged the nest.

The increased human presence, noise, light, and pets associated with residential occupancy could negatively affect use of the remaining ESHA and other nearby ESHAs as nesting and roosting habitat for raptors.

For those areas that would remain in open space, the applicant would grant a conservation easement to the City of Goleta for long-term maintenance and restoration.

#### **Potentially Consistent:**

**Native Grassland.** The proposed development would be constructed on a relatively flat site dominated by non-native vegetation. Several small patches of isolated and fragmented native grasslands exist within the Comstock site (a combined total of approximately 0.4 acres), none of which exceed 100 feet in diameter. Although these grasslands meet the density standard that triggers a CEQA Class I impact (i.e., removal of more than 0.25 acres of native grassland where the native species comprise at least 10 percent of the total relative ground cover, and which are part of a larger ecosystem), they are not contiguous to grasslands that are considered ESHA and therefore can be mitigated by near-site and offsite replacement. The proposed project is potentially consistent with native grassland policies because ESHA grasslands would be preserved and because isolated, fragmented grasses would be mitigated. As described in a recommended Grassland Mitigation Plan, mitigation would establish more acreage of native grassland (by using a replacement ration of 3: 1) in areas currently dominated by non-native vegetation than would be lost to development. Refer to recommended mitigation measure BIO-8 for additional information.

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

**DevStd BIO-GV-22.2:** A minimum replacement ratio of 2: 1 shall be required for significant native habitat areas eliminated. The area to be restored, acquired, or dedicated for a permanent protective easement shall be of comparable biological value to that which is destroyed.

**Potentially Consistent:** Habitat replacement ratios have not been finalized, but they would meet or exceed minimum values. The areas that are proposed to be dedicated for permanent protection have either comparable or superior biological value to that which is proposed to be destroyed, with the exception of the eucalyptus trees that are proposed to be removed in the designated ESHA.

**FLOODING**

**Policy FLD-GV-2:** No structures (except flood control) shall be allowed within creek channels or along creekbanks. Structural setbacks (usually a minimum of 50-feet from top-of-bank) which are adequate to protect life and property from potential flood hazards shall be provided.

**Potentially Consistent:** Residential structures would be located more than 100 feet upslope from the 100-year floodplain (Figure 4.3-2).

**GEOLOGY**

**Policy GEO-GV-4:** Excessive grading for the sole purpose of creating or enhancing views shall not be permitted.

**Potentially Consistent:** Proposed grading would generally result in minimal changes to existing topography and not be conducted for the sole purposes of creating or enhancing views.

**DevStd GEO-GV-4.1:** New residential structures shall be limited to an average maximum height of 16 feet above finished grade where site preparation results in a fill 10 feet or greater in height.

**Potentially Consistent:** The maximum height of proposed fill is approximately six feet above native grade for the proposed home sites, located in the southernmost portion of the subdivision, therefore this specific height restriction would not likely apply.

**DevStd GEO-GV-4.2:** If subject to BAR review, no grading permits for building pads shall be issued until the structure has received Final BAR approval.

**Potentially Consistent:** The project would be subject to Development Review Board review and approval prior to issuance of grading permits.

**Policy GEO-GV-6:** Projects shall be designed and located to minimize the number of persons and amount of property exposed to seismic hazard.

**Potentially Consistent:** Based on the analysis performed for this EIR, the proposed project would not expose persons to significant seismic hazards. Compliance with recommended mitigations and final design and construction in conformance with the California Building Code (Seismic Zone 4 standards) will ensure long-term seismic safety.

**DevStd GEO-GV-6.1:** New development shall be designed and constructed to withstand a horizontal bedrock acceleration of 0.25g. Critical structures and those on filled areas shall provide for an acceleration of 0.5g. The determination of structural adequacy shall be made by a qualified structural engineer.

**Potentially Consistent:** Based on the analysis performed for this EIR, the proposed project would not expose persons to significant seismic hazards. Recommended mitigation measures are consistent with this Standard. Compliance with recommended mitigations and final design and construction in conformance with the California Building Code (Seismic Zone 4 standards) will ensure long-term seismic safety.

**DevStd GEO-GV-6.2:** Expansive and/or liquefiable soils shall be identified, removed, and replaced, if present, with suitable engineered backfill. Expansive soils shall be reused for landscaping only.

**Potentially Consistent:** Based on the analysis performed for this EIR, the proposed project would not expose persons to significant seismic hazards. Recommended mitigation measures are consistent with this policy. Compliance with recommended

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

Consistency  
with Plans  
and Policies

mitigations and final design and construction in conformance with the California Building Code (Seismic Zone 4 standards) will ensure long-term seismic safety. The site does not contain seismic hazards, or expansive or liquefiable soils.

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**HISTORY & ARCHAEOLOGY**

**DevStd HA-GV-1. -1.2, -1.3, 1.5, 1.6:** Significant cultural, archaeological and historic resources in Goleta shall be protected

**Potentially Consistent:** A records search and field investigation of the site found no known resources on the project site. A recommended mitigation measure would require that construction work be monitored and halted if any such resources were uncovered during construction. Additional field investigations would be carried out as appropriate including Native American consultation, if necessary based on established City and State protocols.

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**NOISE**

**Policy N-GV-1:** Interior noise-sensitive uses (e.g., residential and lodging facilities, educational facilities, public meeting places and others specified in the Noise Element) shall be protected to minimize significant noise impacts.

**Potentially Consistent:** Short-term noise levels from grading and construction activities within the Comstock Homes project site could reach maximum values of over 80 dBA near the Ellwood School, and 72 dBA at the residences to the east in Santa Barbara Shores. Park users and golfers at the Sandpiper Golf Course to the west could experience short peak noise levels up to 90 dBA. This impact could occur intermittently for up to 6 to 8 weeks during grading activities.

Construction activity for site preparation and for future development would be limited to the hours between 7: 00 a.m. and 4: 00 p.m., Monday through Friday. No construction would occur on State holidays (e.g. Thanksgiving, Labor Day). Construction equipment maintenance would be limited to the same hours. A sign stating these restrictions would be provided by the applicant and posted on site. Signs would be in place prior to beginning of and throughout grading and construction activities. Violations could result in suspension of permits.

Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries would be shielded and located as far towards the interior of the construction site as practical to minimize the noise levels at the residences to the east and the golf course to the west. The equipment area would be designated on building and grading plans. Equipment and shielding would remain in the designated location throughout construction activities.

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**RISK**

**Policy RISK-GV-1:** Safety measures shall be required

**Potentially Consistent:** No historic petroleum wells

## COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

### Section 5.0

#### Consistency with Plans and Policies

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as part of project review to minimize the potential for risk of upset and public safety impacts within the Goleta Community Planning area.

occurred onsite, however the general area was significantly affected by historic oil and gas production activities and remnant oil and gas pipelines or other structures could exist onsite. Phase II Environmental Site Assessments of potential hazardous locations within the site boundaries would be completed prior to construction and where necessary, appropriate remediation would be carried out in coordination with the City of Goleta, the County Fire Protection Division, and the State Division of Oil, Gas, and Geothermal Resources. Venoco Inc.'s Ellwood Onshore Facility is located approximately ½ mile west of the residential development site, and Venoco's petroleum pipeline (Line 96) traverses the project site at Hollister Avenue. Based on previous studies conducted for those facilities, the proposed development would not be exposed to significant public safety hazards associated with these ongoing operations.

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**Policy RISK-GV-2:** Before approval of a specific project in areas impacted by oil and gas development, old petroleum facilities shall be inspected by the Division of Oil and Gas (DOG) and Planning and Development to determine compliance with current abandonment standards. If the site has been improperly abandoned, the developer shall follow the recommendations of the DOG and P&D regarding proper cleanup, monitoring, and new development on the contaminated sites. I

**Potentially Consistent:** No historic petroleum wells occurred onsite, however the general area was significantly affected by historic oil and gas production activities and remnant oil and gas pipelines or other structures could exist onsite. Phase II Environmental Site Assessments of potential hazardous locations within the site boundaries would be completed prior to construction and where necessary, appropriate remediation would be carried out in coordination with the City of Goleta, the County Fire Protection Division, and the State Division of Oil, Gas, and Geothermal Resources. Venoco Inc.'s Ellwood Onshore Facility is located approximately ½ mile west of the residential development site, and Venoco's petroleum pipeline (Line 96) traverses the project site at Hollister Avenue. Based on previous studies conducted for those facilities, the proposed development would not be exposed to significant public safety hazards associated with these ongoing operations.

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**DevStd RISK-GV-2.1:** In areas impacted by oil and gas development, the project developer shall submit to Santa Barbara County Department of Environmental Health Services a soil-sampling plan to investigate the extent of onsite soil contamination. Remedial measures shall be instituted by the developer as necessary in conjunction with the results of the soil sampling plan and the recommendations of EHS.

**Potentially Consistent:** No historic petroleum wells occurred onsite, however the general area was significantly affected by historic oil and gas production activities and remnant oil and gas pipelines or other structures could exist onsite. Phase II Environmental Site Assessments of potential hazardous locations within the site boundaries would be completed prior to construction and where necessary, appropriate remediation would be carried out in coordination with the City of Goleta, the County Fire Protection Division, and the State Division of Oil, Gas, and Geothermal Resources. Venoco Inc.'s Ellwood Onshore Facility is located approximately ½ mile west of the residential development site, and Venoco's petroleum pipeline

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Consistency  
with Plans  
and Policies

(Line 96) traverses the project site at Hollister Avenue. Based on previous studies conducted for those facilities, the proposed development would not be exposed to significant public safety hazards associated with these ongoing operations.

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**VISUAL/AESTHETICS/OPEN SPACE**

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**Policy VIS-GV-1:** The County shall through its discretionary and design review process, ensure the maintenance and where necessary the improvement of the quality in the design and landscaping of industrial, commercial, institutional, and residential facilities.

**Potentially Consistent:** The proposed project would be subject to a design review by the City that may result in recommendations for improvement. These may include revisions to design scale, appearance, height, arrangement, and number of units. Selection of materials, landscaping, and designs that would minimize impacts to the existing visual corridor would be part of the review process.

**DevStd VIS-GV-1.1:** Setbacks, landscaping, and structural treatments shall be emphasized along major roadways to help preserve viewsheds and create an aesthetic visual corridor. Parking lots and other impervious surfaces should be placed in side and rear, rather than frontage, areas in all development along roadways.

**Potentially Inconsistent:** The proposed project would be subject to a design review by the City that may result in recommendations for improvement. These may include revisions to design scale, appearance, height, arrangement, and number of units. Selection of materials, landscaping, and designs that would help create an aesthetic visual corridor would be part of the review process. The project is considered potentially inconsistent until such time as the proposed mitigation measures are incorporated and additional visual assessment is conducted.

**Policy VIS-GV-2:** All new development projects along the Hollister Avenue corridor shall be reviewed by the County Board of Architectural Review. Structural development along Hollister Avenue should minimize impacts on existing view corridors from the Hollister corridor.

**Potentially Inconsistent:** The proposed project would be subject to a design review by the City that may result in recommendations for improvement. These may include revisions to design scale, appearance, height, arrangement, and number of units. Selection of materials, landscaping, and designs that would help create an aesthetic visual corridor would be part of the review process. The project is considered potentially inconsistent until such time as the proposed mitigation measures are incorporated and additional visual assessment is conducted.

**Policy VIS-GV-3:** Maintenance and expansion of Goleta's tree population shall be a high priority in the Goleta planning area. The County shall encourage projects which expand onsite and offsite provision of appropriate tree plantings, both in terms of quantity and species diversity.

**Potentially Inconsistent:** In general, the project landscape plan would install several trees on the Hollister Avenue frontage and throughout the subdivision. However, the project would also remove 190 of 450 existing eucalyptus trees onsite, including an estimated 50 eucalyptus trees within a designated ESHA. A recommended woodland replacement program would replace eucalyptus trees as partial mitigation for the loss of trees within the ESHA.

**Policy VIS-GV-6:** Outdoor lighting in Goleta shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.

**Potentially Consistent:** The proposed project would use shielded outdoor lights that would direct light downward. Only outdoor lighting of the minimum number and wattage necessary to provide safety would be permitted.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

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**DevStd VIS-GV-6.1:** All new development with major outdoor lighting facilities should be illuminated with only fully shielded lighting with low glare design.

**Potentially Consistent:** No major outdoor lighting facilities are proposed. The proposed project would use shielded outdoor lights that would direct light downward. Only outdoor lighting of the minimum number and wattage necessary to provide safety would be permitted.

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*Section 5.0  
Consistency  
with Plans  
and Policies*

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

**5.2.3 Preliminary Consistency Determination of the Ellwood Mesa Open Space Plan – Santa Barbara County Local Coastal Plan (LCP)**

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**Coastal Plan Policy 3-1:** Seawalls shall not be permitted unless the County has determined that there are no other less environmentally damaging alternatives reasonably available for protection of existing principal structures. The County prefers and encourages non-structural solutions to shoreline erosion problems, including beach replenishment, removal of endangered structures and prevention of land divisions on shorefront property subject to erosion; and will seek solutions to shoreline hazards on a larger geographic basis than a single lot circumstance. Where permitted, seawall design and construction shall respect to the degree possible natural landforms. Adequate provision for lateral beach access shall be made and the project shall be designed to minimize visual impacts by the use of appropriate colors and materials.

**Potentially Consistent:** No seawalls are proposed. The City of Goleta will monitor bluff access points and make minor non-structural repairs as needed to maintain public safety. Lateral beach access will not be obstructed.

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**Coastal Plan Policy 3-2:** Revetments, groins, cliff retaining walls, pipelines and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and so as not to block lateral beach access.

**Potentially Consistent:** The Open Space Plan does not call for any structures of this kind that might alter natural shoreline processes.

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**Coastal Plan Policy 3-3:** To avoid the need for future protective devices that could impact sand movement and supply, no permanent above-ground structures shall be permitted on the dry sandy beach except facilities necessary for public health and safety, such as lifeguard towers, or where such restriction would cause the inverse condemnation of the parcel by the County.

**Potentially Consistent:** The Open Space Plan does not include any permanent aboveground structures on the sandy beaches.

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**Coastal Plan Policy 3-4:** In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used. The County shall determine the required setback. A geologic report shall be required by the County in order to make this determination. At a minimum, such geologic report shall be prepared in conformance with the Coastal Commission's adopted [Statewide Interpretive Guidelines](#) regarding "Geologic Stability of Blufftop Development."

**Potentially Consistent:** The Plan calls for little or no development in the floodplain of Devereux Creek and its tributaries. One or more boardwalks or prefabricated pedestrian span bridges may be constructed to traverse portions of Devereux Creek and associated wet or eroded areas in the Ellwood Main Butterfly Grove where numerous visitors cross the creek during the rainy season to view butterflies. If built, these will be designed to conform with applicable flood control requirements. These structures would be monitored periodically to ensure that debris does not accumulate around them thereby contributing to flood hazard. Future flood control protective works would not be needed as a result of any Open Space Plan area management actions.

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

---

**Coastal Plan Policy 3-5:** Within the required blufftop setback, drought-tolerant vegetation shall be maintained. Grading, as may be required to establish proper drainage or to install landscaping, and minor improvements, i.e., patios and fences that do not impact bluff stability, may be permitted. Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory to prevent damage to the bluff by surface and percolating water.

**Potentially Consistent:** The Open Space Plan includes restoration projects that recommend the use of drought-tolerant vegetation, grading and filling to correct patches of severe erosion, as well as grading to direct surface water so as to reduce bluff damage from surface runoff.

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**Coastal Plan Policy 3-6:** Development and activity of any kind beyond the required blufftop setback shall be constructed to insure that all surface and subsurface drainage shall not contribute to the erosion of the bluff face or the stability of the bluff itself.

**Potentially Consistent:** Construction of the parking area and the Anza Trail within Ellwood Mesa and possible future construction of restroom and boardwalks would employ BMPs to ensure that surface and subsurface drainage would not contribute to erosion of the bluff face or other areas within the Open Space Plan area. These BMPs include an approved drainage plan and careful grading to minimize erosion from surface runoff.

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**Coastal Plan Policy 3-7:** No development shall be permitted on the bluff face, except for engineered staircases or accessways to provide beach access, and pipelines for scientific research or coastal dependent industry. Drainpipes shall be allowed only where no other less environmentally damaging drain system is feasible and the drainpipes are designed and placed to minimize impacts to the bluff face, toe, and beach. Drainage devices extending over the bluff face shall not be permitted if the property can be drained away from the bluff face.

**Potentially Consistent:** No development is proposed on the bluff face in the Open Space Plan. Access to the beach will be provided via existing beach access points. Minor repairs will be made to two access points to enhance public safety and reduce erosion. The character of these beach access points will be maintained as natural and rustic as possible consistent with public safety and resource protection goals of the plan.

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**Coastal Plan Policy 3-8:** Applications for grading and building permits, and applications for subdivision shall be reviewed for adjacency to, threats from, and impacts on geologic hazards arising from seismic events, tsunami runup, landslides, beach erosion, or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards, a geologic report shall be required. Mitigation measures shall be required where necessary.

**Potentially Consistent:** Areas of known geologic hazard have been identified as part of the DEIR and Open Space Plan analyses. Trails and related amenities would be sited to avoid these hazards.

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**Coastal Plan Policy 3-12:** Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control work, i.e., dams, stream channelizations, etc.

**Potentially Consistent:** If stream crossing structures such as boardwalks or span bridges are constructed, these structures would be designed and periodically inspected to ensure that they do not contribute to flood hazards.

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**Coastal Plan Policy 3-13:** Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.

**Potentially Consistent:** The Open Space Plan proposed Trail System and amenities would be designed and constructed so as to minimize cut and fill. Most of the terrain is flat and very minor cut and fill operations would be necessary. Access to the beach along existing bluff trails would be maintained at two access points. These access points would be upgraded,

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0*

*Consistency  
with Plans  
and Policies*

---

**Coastal Plan Policy 3-14:** All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soils, geologic, flood, erosion, or other hazards shall remain in open space.

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**Coastal Plan Policy 3-15:** For necessary grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. The clearing of land should be avoided during the winter rainy season and all measures for removing sediments and stabilizing slopes should be in place before the beginning of the rainy season.

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**Coastal Plan Policy 3-18:** Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.

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**Coastal Plan Policy 3-19:** Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

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**Coastal Plan Policy 4-6:** Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.

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as needed, to promote public safety and reduce blufftop erosion.

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**Potentially Consistent:** As part of this DEIR and the Open Space Plan analysis, the area's topography, soils, geology, and hydrology were evaluated. Proposed trails and amenities would be designed to fit site topography, soils, geology, and other site features. Known hazards would be avoided. Natural features, landforms, and native vegetation would be preserved and, where degraded, restored as funding becomes available.

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**Potentially Consistent:** Specific trail segments within the Open Space Trail System would require grading to complete the planned improvements. Within Ellwood Mesa, trails would not be sited on hillsides. Two beach access points would lead from the bluff tops to the beach below. These are discussed above and would not require significant grading. Construction specifications for the Trail System and related amenities would stipulate that the smallest land surface would be exposed at any one time during construction and that land clearing would not be carried out during the rainy season. Appropriate BMPs for erosion, runoff, and sediment control would be specified in the construction specifications.

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**Potentially Consistent:** The Open Space Plan includes measures for storm water management and for controlling runoff, erosion, and sedimentation during construction. Trail construction would be managed to minimize land area exposed at any time and silt fences or other temporary barriers would be used to remove sediment from runoff.

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**Potentially Consistent:** Construction of the Ellwood Open Space amenities such as the parking lot, restroom, and certain trails may require the use of petroleum products, paints, and solvents or other hazardous materials. These could spill or leak onto soil. The spilled or leaked materials could be transported from the soil into the marine environment during periods of heavy rain. The City would ensure that effective measures are taken during construction to contain and cleanup any spills of hazardous materials. Moreover, part of the construction specification would be a requirement that non-hazardous products be substituted where possible.

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**Potentially Consistent:** Signs would be provided at trailheads providing information on trails, resource protection areas, and allowable uses. These signs would be discrete and rustic in nature.

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

---

**Coastal Plan Policy 4-7:** Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where the cost of undergrounding would be so high as to deny service.

**Potentially Consistent:** Utilities associated with the proposed parking lot and restroom (if constructed) would be underground.

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**Coastal Plan Policy 7-2:** For all development between the first public road and the ocean granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:

- a) Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or
- b) Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or
- c) Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or
- d) The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner. In no case, however, shall development interfere with the public's right of access to the sea where acquired through use unless an equivalent access to the same beach area is guaranteed.

The County may also require the applicant to improve the access corridor and provide bike racks, signs, parking, etc.

**Potentially Consistent:** The Open Space Plan includes a 40-space parking area and trailhead to provide public access to the Open Space and coastal beaches. Public pedestrian and bicycle access also would be provided through the Comstock Homes Development to the Ellwood Mesa Open Space. Hollister Avenue, which fronts the Open Space, is served by the Route 28 bus which runs daily and connects residents to Goleta shopping areas and downtown Santa Barbara. Currently the nearest bus-stop is at Hollister and Sandpiper Golf Course. Although a new bus-stop is not currently proposed, the City has expressed a desire that a bus-stop be located on Hollister, between the subdivision entrance and the entrance of the new parking lot. This bus-stop would serve the subdivision and Open Space visitors.

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**Coastal Plan Policy 7-4:** The County, or appropriate public agency, shall determine the environmental carrying capacity for all existing and proposed recreational areas sited on or adjacent to dunes, wetlands, streams, tidepools, or any other areas designated as "Habitat Areas" by the land use plan. A management program to control the kinds, intensities, and locations of recreational activities so that habitat resources are preserved shall be developed, implemented, and enforced. The level of facility development (i.e., parking spaces, camper sites, etc.) shall be correlated with the environmental carrying capacity.

**Potentially Consistent:** The City of Goleta is interested in monitoring the carrying capacity of the Open Space Plan area to ensure that sensitive coastal resources are protected and not adversely impacted by public use of the Open Space. If monitoring data suggests that public use is having a detrimental impact on sensitive resources, the City would consider limiting or eliminating access to those areas that are showing signs of degradation. Similarly, if the City of Goleta in the future determines to eliminate public on-street parking due to user conflicts, the City will seek options to provide replacement public parking in the area. The management framework for directing carrying capacity studies and for instituting corrective actions based on such studies has not yet been determined.

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**Section 5.0**  
**Consistency**  
**with Plans**  
**and Policies**

---

**Coastal Plan Policy 7-6:** Recreational uses on oceanfront lands, both public and private, that do not require extensive alteration of the natural environment (i.e., tent campgrounds) shall have priority over uses requiring substantial alteration (i.e., recreational vehicle campgrounds).

**Potentially Consistent:** The City's proposed Open Space Plan would protect coastal beaches. Much of the Ellwood Mesa area is privately owned and residentially zoned land. By relocating the Comstock Homes Development away from the center of the Mesa, and preserving the Ellwood Open Space Area in perpetuity, the City is assuring the long-term availability of this coastal property for public recreational use.

The Open Space and Habitat Management Plan recommends a Trail System that would support passive recreational uses along upland areas, coastal bluffs, and beaches. The Trail System would not require extensive alteration of the natural environment. Commercial recreational activities would not be compatible with the rustic, rural nature of the open space that the City is seeking to protect. Visitors to the area will be able to enjoy passive coastal recreation such as hiking, biking, horseback riding, and sunbathing.

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**Coastal Plan Policy 7-12:** New opportunities for beach access and coastal recreation shall be provided in the Goleta planning area.

**Implementing Actions:**

Provision of a public moderate use recreation area including parking, restrooms, blufftop hiking and biking trails, picnic tables, and appropriate access to the sandy beach shall be required as a condition of any future development on the Santa Barbara Shores property. In the interim, the County shall obtain a vertical easement across the eastern portion of the property to provide for public beach access. (Refer to Goleta Community Plan, Appendix H.) (*amended by 92-GP-25*)

**Potentially Consistent:** The Open Space Plan includes a parking lot for 40 vehicles, including three equestrian trailer spaces, sited next to Hollister Avenue on the Santa Barbara Shores property. A restroom may be constructed at this location in the future. Hiking, biking, and equestrian trails are accommodated in the Trail System. Two beach access points will be maintained providing access from the bluff top to the beaches below.

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**Coastal Plan Policy 9-1:** Prior to issuance of a development permit, all projects on parcel shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies or the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.

**Potentially Consistent:** The Open Space and Habitat Management Plan identifies sensitive habitat areas and the proposed Trail System has been designed to avoid them. Existing trails that encroach into these habitats have been recommended for closure. Restoration projects have been proposed that would improve degraded habitat locations.

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**Coastal Plan Policy 9-2:** Because of their Statewide significance, coastal dune habitats shall be preserved and protected from all but resource dependent, scientific, educational and light recreational uses. Sand mining and oil well drilling may be permitted if it can be shown that

**Potentially Consistent:** The Open Space Plan includes a number of recommendations for preserving coastal dune habitats. Well-defined trails and boardwalks are proposed for dunes within the Open Space to protect fragile vegetation and wildlife habitat,

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

---

no alternative location is feasible and such development is sited and designed to minimize impacts on dune vegetation and animal species. Disturbance or destruction of any dune vegetation shall be prohibited, unless no feasible alternative exists, and then only if re-vegetation is made a condition of project approval. Such re-vegetation shall be with native California plants propagated from the disturbed sites or from the same species at adjacent sites.

including nesting habitat for the western snowy plover. Boardwalks would prevent trampling of dune vegetation and accelerated erosion, while adherence to well-defined trails would limit impacts to specific areas and discourage uncontrolled access.

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**Coastal Plan Policy 9-3:** All non-authorized motor vehicles shall be banned from beach and dune areas.

**Potentially Consistent:** The Open Space Plan bans all motorized vehicles, except for emergency vehicles, from the area.

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**Coastal Plan Policy 9-4:** All permitted industrial and recreational uses shall be regulated both during construction and operation to protect critical bird habitats during breeding and nesting seasons. Controls may include restriction of access, noise abatement, restriction of hours of operations of public or private facilities.

**Potentially Consistent:** The Open Space Plan incorporates the COPR management practices for protecting critical habitat for the western snowy plover. Should these birds begin to breed and/or nest further west along the Ellwood Mesa shoreline, measures used in the COPR would be extended to protect the birds. These measures including closing portions of the beach and using docents to monitor public activity near the breeding/nesting sites.

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**Coastal Plan Policy 9-5:** For all permitted uses, including recreation, foot traffic on vegetated dunes shall be minimized. Where access through dunes is necessary, well-defined footpaths shall be developed and used.

**Potentially Consistent:** Foot traffic through the dunes would be directed to carefully designed boardwalks to protect dune vegetation and wildlife habitat.

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**Coastal Plan Policy 9-9:** A buffer strip, a minimum of 100 feet in width, shall be maintained in natural condition along the periphery of all wetlands. No permanent structures shall be permitted within the wetland or buffer area except structures of a minor nature, i.e., fences, or structures necessary to support the uses in Policy 9-10.

**Potentially Consistent:** Wetlands within the Open Space will be restored and protected through a number of management actions including: the establishment of buffers using natural barriers, the routing of trails away from the wetlands and wetland buffers, the prohibition of motorized vehicles or “active” recreation anywhere within the Open Space, improvement of water quality, the replacement of exotic and non-native vegetation with local genetic stock, and monitoring programs to ensure the effectiveness of restoration efforts. Buffer zones at least 100-feet wide would be maintained around all wetlands, including vernal pools, in the Open Space Area.

The upland limit of a wetland shall be defined as: 1) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; or 2) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or 3) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not.

Where feasible, the outer boundary of the wetland buffer zone should be established at prominent and essentially permanent topographic or man-made features (such as bluffs, roads, etc.). In no case, however, shall such a boundary be closer than 100 feet from the upland extent of the wetland area, nor provide for a lesser degree of environmental protection

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

---

than that otherwise required by the plan. The boundary definition shall not be construed to prohibit public trails within 100 feet of a wetland.

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**Coastal Plan Policy 9-10:** Light recreation such as birdwatching or nature study and scientific and educational uses shall be permitted with appropriate controls to prevent adverse impacts.

**Potentially Consistent:** Only activities not detrimental to the wetlands would be permitted in the wetland buffer zones. Permitted activities include passive education and recreation such as birdwatching, walking, resting, or nature study.

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**Coastal Plan Policy 9-13:** No unauthorized vehicle traffic shall be permitted in wetlands and pedestrian traffic shall be regulated and incidental to the permitted uses.

**Potentially Consistent:** No vehicular traffic other than emergency vehicles would be allowed in the Open Space Area.

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**Coastal Plan Policy 9-14:** New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.

**Potentially Consistent:** Within the Open Space Plan, no significant development is proposed adjacent to or in close proximity of wetlands. Boardwalks or bridge crossings may be constructed at appropriate locations to protect riparian and wetland habitats. If these structures are erected, they will be designed and installed so as to minimize impacts to wetlands. A professional biologist would review and approve the designs and would inspect construction activities.

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**Coastal Plan Policy 9-15:** Mosquito abatement practices shall be limited to the minimum necessary to protect health and prevent damage to natural resources. Spraying shall be avoided during nesting seasons to protect wildlife, especially the endangered light-footed clapper rail and Belding's savannah sparrow. Biological controls are encouraged.

**Potentially Consistent:** Mosquito abatement practices will use biological controls to the extent feasible. If necessary, use of chemicals will be strictly regulated and supervised by a professional biologist. No mosquito abatement activities will be allowed in any vernal pools.

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**Coastal Plan Policy 9-18:** Development shall be sited and designed to protect native grassland areas.

**Potentially Consistent:** The Open Space and Habitat Management Plan identifies the native grassland habitats and development in these areas is limited to a handful of trails that provide public access to the beach bluff tops, and other portions of the Open Space. Existing trails that adversely affect native grasslands are proposed to be closed.

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**Coastal Plan Policy 9-19:** No mosquito control activity shall be carried out in vernal pools unless it is required to avoid severe nuisance.

**Potentially Consistent:** No mosquito control would be carried out in the vernal pools.

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**Coastal Plan Policy 9-20:** Grass cutting for fire prevention shall be conducted to such a manner as to protect vernal pools. No grass cutting shall be allowed within the vernal pool area or within a buffer zone of five feet or greater.

**Potentially Consistent:** Buffers at least 100 feet wide would be established around each vernal pool using natural barriers. The buffers would exclude visitors from these areas and would preclude grass cutting from occurring too close to the pools.

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**Coastal Plan Policy 9-21:** Development shall be sited and designed to avoid vernal pool sites as depicted on the resource maps.

**Potentially Consistent:** Vernal pools will be avoided and protected.

Buffers at least 100 feet wide would be established around each vernal pool using natural barriers. The buffers would exclude visitors from these areas and

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0

Consistency  
with Plans  
and Policies

---

<p><b>Coastal Plan Policy 9-22:</b> Butterfly trees shall not be removed except where they pose a serious threat to life or property, and shall not be pruned during roosting and nesting season.</p>	<p>would preclude grass cutting from occurring too close to the pools.</p>
<p><b>Coastal Plan Policy 9-23:</b> Adjacent development shall be set back a minimum of 50 feet from the trees.</p>	<p><b>Potentially Consistent:</b> Only diseased eucalyptus trees will be removed so that they do not infect other trees or pose a threat to public safety. Pruning will be done under the supervision of a professional biologist and will be scheduled to avoid the breeding and nesting season for raptors (February through July) and the overwintering season for monarch butterflies (1 November-1 April).</p>
<p><b>Coastal Plan Policy 9-26:</b> There shall be no development including agricultural development, i.e., structures, roads, within the area used for roosting and nesting.</p>	<p><b>Potentially Consistent:</b> Proposed amenities such as benches will be at least 50 feet from the driplines of trees</p>
<p><b>Coastal Plan Policy 9-27:</b> Recreational use of the roosting and nesting area shall be minimal, i.e., walking, bird watching. Protective measures for this area should include fencing and posting so as to restrict, but not exclude, use by people.</p>	<p><b>Potentially Consistent:</b> Known raptor roosting and nesting sites and potential roosting and nesting habitat has been mapped and the Open Space and Habitat Management Plan includes management actions to keep trails, amenities, and visitors a minimum of 500 feet away from these locations to protect the raptors from disturbances. In addition, maintenance activities will be scheduled by a professional biologist to avoid impacts during the nesting season, which extends from 1 February to 1 July.</p>
<p><b>Coastal Plan Policy 9-30:</b> In order to prevent destruction of organisms which thrive in intertidal areas, no unauthorized vehicles shall be allowed on beaches adjacent to intertidal areas.</p>	<p><b>Potentially Consistent:</b> Known raptor roosting and nesting sites and potential roosting and nesting habitat has been mapped and the Open Space and Habitat Management Plan includes management actions to keep trails, amenities, and visitors a minimum of 500 feet away from these locations to protect the raptors from disturbances. In addition, maintenance activities will be scheduled by a professional biologist to avoid impacts during the nesting season, which extends from 1 February to 1 July.</p>
<p><b>Coastal Plan Policy 9-31:</b> Only light recreational use shall be permitted on public beaches which include or are adjacent to rocky points or intertidal areas.</p>	<p><b>Potentially Consistent:</b> No motorized vehicles other than emergency ones would be permitted in the Open Space Area.</p>
<p><b>Coastal Plan Policy 9-34:</b> Recreational activities near areas used for roosting and nesting shall be controlled to avoid disturbance to seabird populations, particularly during nesting season.</p>	<p><b>Potentially Consistent:</b> The Open Space and Habitat Management Plan is designed to promote passive recreational use of the bluffs and beaches.</p> <p><b>Potentially Consistent:</b> The Open Space and Habitat Management Plan incorporates the Coal Oil Point Reserve management program for western snowy plovers. Signs informing visitors of the need to avoid and respect areas used by the plovers will be located throughout the Open Space. Unleashed dogs are prohibited from COPR. If unleashed dogs are found to threaten seabird populations outside of the COPR, the County Leash Ordinance would be strictly enforced.</p>

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

---

**Coastal Plan Policy 9-36:** When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.

**Potentially Consistent:** The location, design, and construction methods for trails and related amenities would be reviewed by a professional biologist. BMPs would be used to reduce runoff, sedimentation, and erosion. Grading would avoid root zone areas. No paving is proposed.

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**Coastal Plan Policy 9-38:** No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.

**Potentially Consistent:** Stream buffers have been identified, along with management actions for restoring native riparian vegetation in the Open Space and Habitat Management Plan. Some trails do cross or parallel Devereux Creek and its tributaries, but these will be improved and maintained in a manner that minimizes impacts to the streams. One or two bridges and/or boardwalks may be constructed to provide all-weather crossings and to protect riparian areas from soil erosion. These would be designed and installed with the supervision of a professional biologist to ensure that habitats are protected.

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**Coastal Plan Policy 9-40:** All development, including dredging, filling, and grading within stream corridors, shall be limited to activities necessary for the construction of uses specified in Policy 9-38. When such activities require removal of riparian plant species, revegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.

**Potentially Consistent:** Stream buffers have been identified, along with management actions for restoring native riparian vegetation in the Open Space and Habitat Management Plan. Some trails do cross or parallel Devereux Creek and its tributaries, but these will be improved and maintained in a manner that minimizes impacts to the streams. One or two bridges and/or boardwalks may be constructed to provide all-weather crossings and to protect riparian areas from soil erosion. These would be designed and installed with the supervision of a professional biologist to ensure that habitats are protected.

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**Coastal Plan Policy 9-41:** All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.

**Potentially Consistent:** Stream buffers have been identified, along with management actions for restoring native riparian vegetation in the Open Space and Habitat Management Plan. Some trails do cross or parallel Devereux Creek and its tributaries, but these will be improved and maintained in a manner that minimizes impacts to the streams. One or two bridges and/or boardwalks may be constructed to provide all-weather crossings and to protect riparian areas from soil erosion. These would be designed and installed with the supervision of a professional biologist to ensure that habitats are protected.

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

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**Coastal Plan Policy 9-42:** The following activities shall be prohibited within stream corridors: cultivated agriculture, pesticide applications, except by a mosquito abatement or flood control district, and installation of septic tanks.

**Potentially Consistent:** No prohibited activities are proposed within stream corridors.

*Section 5.0  
Consistency  
with Plans  
and Policies*

---

**Coastal Plan Policy 10-4:** Off-road vehicle use unauthorized collecting of artifacts, and other activities other than development which could destroy or damage archaeological or cultural sites shall be prohibited.

**Potentially Consistent:** No motorized vehicles with the exception of emergency vehicles are permitted in the Open Space area. The public will have access to the open space area so it is possible that unauthorized collecting of artifacts could occur.

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COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

**5.2.4 Preliminary Consistency Determination of Ellwood Mesa Open Space Plan – Santa Barbara County Goleta Community Plan (GCP)**

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**COMMUNITY DEVELOPMENT**

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**DevStd LUDS-GV-3.2:** Formal recreational development, either active or passive shall be concentrated on the County parcel north of Devereux Creek, with lower intensity uses allowed south of the creek based upon a demonstrated need to accommodate such uses and a lack of available area north of the Creek. Increased intensity of recreational and/or residential uses shall be permitted south of the Creek if consistent with habitat and visual resource protection. Recreational development outside of development envelopes shall be limited to trails, informal seating areas, minor natural resource interpretive facilities (e.g.: signs, overlooks, etc.).

**Potentially Consistent:** The Open Space and Habitat Management Plan calls for passive recreation throughout the Open Space Area. The recreation elements would consist of a Trail System for pedestrian, equestrian, and bicycle use; a parking lot for 40 cars and restroom located near the proposed Comstock Homes Development; scenic benches, and discrete signs at trailheads providing open space information.

Areas that have been degraded through overuse are proposed for restoration.

**DevStd LUDS-GV-3.4:** The Specific Plan shall protect unique, rare or fragile habitats to ensure their survival in the future. The Plan shall recognize and respect native grasses through a combination of preservation and active management (see Figure 12).

**Potentially Consistent:** The Open Space and Habitat Management Plan includes a number of recommendations for protecting sensitive habitats by proposing:

- closure of existing trails that degrade these habitats,
- use of vegetation screening as natural barriers to public access
- restoration measures that can be taken to restore habitat viability

Included in these proposals are specific measures for protecting and preserving native grasslands.

**DevStd LUDS-GV-3.12:** The Santa Barbara Shores Specific Plan shall provide the option of transferring permitted residential development to the developable portions of the Santa Barbara Shores portion of the Specific Plan, and transferring permitted recreational development to the developable portions of the Ellwood Beach portion of the Specific Plan area. The intent of this policy is to encourage County consideration of potential use and density transfer options, but the ability or final formal decision to actually transfer shall not constitute a pre-condition to final County action on a Coastal Development Permit application for either the Santa Barbara Shores parcel or the Ellwood Beach parcel, whichever project application is reviewed first.

**Potentially Consistent:** To reduce impacts and to create a larger, contiguous Open Space area, the City of Goleta and Comstock Homes agreed to consider relocation of the residential development to a 36-acre portion of the existing Santa Barbara Shores Park. Relocation of residential development to the proposed 36-acre site, and collaboration with the County and University, would help to create a permanent, contiguous open space totaling 650 acres that would provide passive recreational opportunities.

**DevStd LUDS-GV-3.13:** Preparation and Implementation of the Open Space and Habitat Management Program for the Santa Barbara Shores Specific Plan area shall be coordinated with the Specific Plan for the West Devereux properties to

**Potentially Consistent:** The Open Space and Habitat Management Plan was developed in concert with the County and University. Preparation and implementation of the Plan would be developed in coordination with these entities to ensure that

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

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ensure maximum protection of Devereux Creek, the Devereux Slough, and the adjacent upland and marine habitats.

Devereux Creek and Slough, adjacent upland and marine habitats received maximum protection.

Section 5.0  
Consistency  
with Plans  
and Policies

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**Policy PRT-GV-1:** Diverse outdoor and indoor recreational opportunities shall be encouraged to enhance Goleta's recreational resources and to ensure that current and future recreational needs of residents are met.

**Potentially Consistent:** Overall, the Open Space and Habitat Management Plan sets out recreational opportunities for Goleta residents. The Plan calls for passive recreation throughout the Open Space Area. The recreation elements would consist of a Trail System for pedestrian, equestrian and bicycle use; a parking lot for 40 cars and restroom located near the proposed Comstock Homes Development; scenic benches, and discrete signs at trailheads providing Open Space information.

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**TRAILS**

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**Policy PRT-GV-2:** In compliance with applicable requirements, all opportunities for public recreational trails within those general corridors adopted by the Board of Supervisors as part of the Parks, Recreation, and Trails (PRT) maps of the County Comprehensive Plan (and this Community Plan) shall be protected, preserved, and provided for during and upon the approval of any development, subdivision and/or permit requiring any discretionary review or approval, except as referenced in Agricultural Element Policy IA.

**Potentially Consistent:** The proposed Trail System reflects the general trail corridors adopted by the Board of Supervisors.

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**Policy PRT-GV-5:** The County shall actively pursue acquisition of interconnecting useable public trails within designated trail corridors through negotiation with property owners for purchase; through exchange for surplus County property as available; or through acceptance of gifts and other voluntary dedications of easements.

**Potentially Consistent:** To reduce impacts and to create a larger, contiguous Open Space area, the City of Goleta and Comstock Homes agreed to consider relocation of the residential development to a 36-acre portion of the existing Santa Barbara Shores Park. Relocation of residential development to the proposed 36-acre site, and collaboration with the County and University, would help set aside 650 acres of contiguous open space extending from Isla Vista in the east, to Sandpiper Golf Course in the west.

The City also has participated in the design of a Trail System that would interconnect with trails in both County and University jurisdictions. As part of the Comstock Homes Development, an easement through the development would be established with a public pathway for pedestrians and cyclists to access the Open Space Plan area.

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**Policy PRT-GV-6:** In the siting of trail corridors, primary consideration shall be given to publicly-owned lands.

**Potentially Consistent:** The proposed trails would run through lands under the City, County, or University jurisdiction. In certain areas, the trails would connect up with trails in existing preserves or reserves such as the Coal Oil Point Reserve and the Coronado Butterfly Preserve.

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**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0  
Consistency  
with Plans  
and Policies

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**Program PRT-GV-6.1:** The County shall study the potential for combining flood control easements with potential trail easements and the preservation of wildlife corridors and greenbelt buffer zones.

**Potentially Consistent:** The Open Space Plan and Trail System incorporate flood control easements within Ellwood Mesa.

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**Policy PRT-GV-8:** New trails shall be limited to non-motorized vehicle use. Trails shall be designed to keep hikers, bikes and equestrians on the cleared pathways, and shall be designed to minimize impacts to the maximum extent feasible to any sensitive habitat area. Trails shall be sited to avoid significant environmental constraints and to minimize user conflicts and conflicts with surrounding land uses, to the maximum extent feasible.

**Potentially Consistent:** The Open Space Plan area would exclude motorized vehicle use except for emergency vehicles. Trails have been designed to keep three user groups (hikers, bikers, and equestrians) on cleared pathways that avoid sensitive habitats. The trails have been designed to accommodate the three user groups safely on shared and separate pathways. Existing trailheads would be maintained to provide access to the Open Space Area as they do not conflict with surrounding land uses. The new trailhead at Comstock Homes would be integrated into the project to minimize land use conflicts.

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**Policy PRT-GV-9:** The County Parks Department shall be responsible for reviewing trail easement requirements, location, and design on a case-by-case basis. In addition, they shall be responsible for obtaining appropriate permits and environmental review prior to trail construction on publicly owned land.

**Potentially Consistent:** The City would review the trail easement through Comstock Homes and would obtain the necessary permits and environmental review prior to trail construction on publicly-owned land.

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**Policy PRT-GV-10:** All trails developed by and/or dedicated to the County shall be multi-use.

**Potentially Inconsistent:** The proposed Anza Trail would be a multi-use trail. Most of the trails within Ellwood Mesa Open Space would be restricted to pedestrians to protect sensitive resources. Other trails allow mixed use, such as bicycling and horseback riding.

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**OPEN SPACE**

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**Policy PRT-GV-14:** Acquisition of open space and passive recreational opportunities shall be based upon the following factors (not listed in order of importance):

1. parcels with good passive recreational opportunities
2. parcels with good visual qualities
3. parcels with significant natural resources
4. parcels with significant physical constraints
5. parcels which provide opportunities for public beach access

**Potentially Consistent:** The City's proposal to acquire 130 acres and dedicate it as permanent open space meets all of the criteria listed in this policy. This open space would provide passive recreational opportunities, exceptional visual settings, allow for protection and restoration of significant natural resources, and maintain public beach access.

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**Program PRT-GV-14.1:** The County shall develop a Comprehensive Open Space Implementation Program, which will coordinate the acquisition and development of open space, trails and park facilities, both involving passive and active forms of recreation, in addition to the resource preservation measures.

**Potentially Consistent:** The preparation of The Open Space and Habitat Management Plan fulfills the intent of this policy as it relates to the Ellwood-Devereux Coast.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

---

**Action PRT-GV-14.2:** The County shall pursue the purchase of vacant properties for potential use as parks or open space, where the purchase would serve as buffer zones for residential or commercial development, provide usable recreation space, or preserve wildlife habitats and migration corridors or sensitive biological resources.

**Potentially Consistent:** To reduce impacts and to create a larger, contiguous Open Space area, the City of Goleta and Comstock Homes agreed to consider relocation of the residential development to a 36-acre portion of the existing Santa Barbara Shores Park. Relocation of residential development to the proposed site, and collaboration with the County and University, would help set aside 650 acres of contiguous open space extending from Isla Vista in the east, to Sandpiper Golf Course in the west.

The City also has participated in the design of a Trail System that would interconnect with trails in both City and University jurisdictions. As part of the Comstock Homes Development, an easement through the development would be established with a public pathway for pedestrians and cyclist to access the Open Space Plan area.

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**Policy PRT-GV-15:** There shall be no motorized off-road recreational vehicle sites within the Goleta Planning Area.

**Potentially Consistent:** The Open Space Plan prohibits motorized vehicles, except for emergency vehicles, from the entire Open Space Plan area.

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**SEWER AND STORM DRAINAGE**

**Policy SD-GV-2:** The County shall work with the sewer districts to acquire grants and other funding to relocate untreated effluent lines out of Environmentally Sensitive Habitat and riparian areas.

**Potentially Consistent:** The City would work with the sanitary district to reduce future reliance on the Devereux Creek trunkline.

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**TRAFFIC, CIRCULATION, AND PARKING**

**Roadway and Intersection Standards for Determination of Project Consistency**

The following Goleta Community Plan standards define how acceptable capacity levels are identified for roadways in the GCP area, as defined in Appendix A of the GCP Compendium, as updated March 9, 1999.

**Roadway Standards:** A project's consistency with this section shall be determined as follows:

- A. For roadways where the Estimated Future Volume does not exceed the acceptable capacity, a project would be considered consistent with this section of the community plan if the number of ADTs contributed by the project would not cause an exceedance of acceptable capacity.
- B. For roadways where the Estimated Future Volume exceeds the acceptable capacity but does not exceed Design Capacity, a project would be considered consistent with this section of the community plan only if:
  - 1) the number of ADTs contributed by the project to the roadway does not exceed 150 ADTs, or
  - 2) if the project provides a substantial contribution to a high priority alternative transportation project (or projects) as identified in the GTIP that:

**Potentially Consistent.** The Open Space parking lot would generate a net increase of 4 to 5 trips during the P.M. peak hour period. This level of traffic would not trigger impacts at the area roadways and intersections based on the applied thresholds, therefore no project-specific mitigations are recommended at the area roadways and intersections. The parking area would be aligned with the existing Ellwood Elementary School entrance. The parking area would require reconfiguration of the intersection and modification of the existing signal. A new westbound left turn pocket is recommended to be installed on Hollister. Project impacts would remain significant unless the recommended frontage improvements are fully funded and implemented concurrent with development of the parking lot.

## COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

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### Section 5.0

#### Consistency with Plans and Policies

- a) substantially improves the alternative transportation network,
  - b) has a reasonable relationship to the project, and
  - c) is proportional to the size and extent of the project's impact on Goleta's transportation system.
- C. For roadways where the Estimated Future Volume exceeds the Design Capacity, a project would be considered consistent with this section of the community plan only if:
- 1) the number of ADTs contributed by the project to the roadway does not exceed 50 ADTs, or
  - 2) if the project constructs or funds operation of a high priority alternative transportation project (or projects) as identified in the GTIP that:
    - a) substantially improves the alternative transportation network,
    - b) has a reasonable relationship to the project, and
    - c) is proportional to the size and extent of the project's impact on Goleta's transportation system.

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**Intersection Standards:** Intersection capacity is stated in the terms of the proportion of the volume of traffic carried (V) to its design capacity (C); with a volume to capacity ratio (V/C) of 1.00 equal to gridlock, a V/C ratio of .90 equal to LOS E, on down to a V/C ratio of .70 equal to LOS C and a V/C ratio of .50 equal to LOS A.

A. Projects contributing Peak Hour Trips to intersections that operate at a Estimated Future Level of Service A shall be found consistent with this section of the Community Plan unless the project results in a change in V/C ratio greater than 0.20.

- For intersections operating at a estimated future Level of Service B, no project shall result in a change in V/C ratio greater than 0.15.
- For intersections operating at a estimated future Level of Service C, no project shall result in a change of V/C ratio greater than 0.10.
- For intersections operating at a estimated future Level of Service D, no project shall result in a change of V/C ratio greater than

**Potentially Consistent:** See discussion above.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0

*Consistency  
with Plans  
and Policies*

- 
- 0.03.
- For intersections operating at a estimated future Level of Service E, no project shall result in a change of V/C ratio greater than 0.02.
  - For intersections operating at a estimated future level of Service F, no project shall result in a change of V/C ratio greater than 0.01.
- B. Notwithstanding the standards in subdivision a, above, projects that send fewer than 15 peak hour trips to an intersection shall be considered consistent with the Community Plan.
- C. In order to make a finding of consistency with the Community Plan where a project's traffic contribution does result in a measurable change in V/C ratio and also results in a finding of inconsistency with the above intersection standards, the project shall be required to either:
- 1) construct intersection improvements that are sufficient to offset the project-associated change in V/C ratio, in excess of the applicable intersection standards above,
  - 2) if the project constructs or funds operation of a high priority alternative transportation project (or projects) as identified in the GTIP that:
    - a) substantially improves the alternative transportation network,
    - b) has a reasonable relationship to the project, and
    - c) is proportional to the size and extent of the project's impact on Goleta's transportation system.
  - 3) provide for a County-approved combination of the above.
- D. These intersection standards shall also apply to projects which generate Peak Hour Trips to intersections within incorporated cities that are operating at levels of service worse than those allowed by the City's Circulation Element.

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**AIR QUALITY**

**DevStd AQ-GV-1.2:** Project construction shall minimize the generation of pollution and fugitive dust during construction.

**Potentially Consistent:** The City would ensure that construction specifications for the proposed Trail System and related amenities would include dust suppression measures such as the use of water spray, the minimization of soil exposed at any one time, and the careful onsite storage and handling of trail surface materials.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**Section 5.0 BIOLOGICAL RESOURCES**

*Consistency with Plans and Policies*

**Policy BIO-GV-1:** The County shall designate and provide protection to important or sensitive environmental resources and habitats in the Goleta Planning Area.

**Potentially Consistent:** Implementation of the City's Open Space Plan would result in the protection of sensitive coastal resources within the Open Space Plan area.

**Policy BIO-GV-2:** Environmentally Sensitive Habitat (ESH) areas and Riparian Corridors within the Goleta Planning Area shall be protected and, where feasible and appropriate, enhanced.

**Potentially Consistent:** The Open Space Plan includes specific measures for protecting and restoring ESHAs and riparian habitats. These measures include plantings of native species to reduce erosion and to increase habitat appropriate vegetation; closing existing trails that degrade ESHAs and riparian corridors; and creating natural barriers to public access where necessary.

**DevStd BIO-GV-2.2:** New development within 100 feet of an Environmentally Sensitive Habitat (ESH), shall be required to include setbacks or undeveloped buffer zones from these habitats consistent with those detailed in specific habitat protection policies as part of the proposed development except where setbacks or buffer zones would preclude reasonable use of the parcel. In determining the location, width and extent of setbacks and buffer zones, the Goleta Biological Resources Map and other available data shall be used (e.g., maps, studies, or observations). If the project would result in potential disturbance to the habitat, a restoration plan shall be required. When restoration is not feasible onsite, offsite restoration may be considered.

**Potentially Consistent:** As part of the Open Space Plan preparation process, a professional biologist identified all ESHAs within the Open Space Plan area and mapped protective buffers around them. The proposed Trail System segments avoid these areas. Where necessary, trails would be closed to protect sensitive habitats. New trail alignments avoid sensitive habitats.

**Monarch Butterfly Habitats**

**Policy BIO-GV-6:** Monarch butterfly roosting habitats shall be preserved and protected.

**Potentially Consistent:** The Open Space Plan recognizes the importance of monarch butterfly roosting areas and has identified them. Trail construction, maintenance, or improvement activities would be restricted between the months of November 1 and April 1.

**DevStd BIO-GV-6.1:** Any construction, grading or development within 200 feet of known or historic butterfly roosts shall be prohibited between the months of November 1 and April 1. This requirement may be modified/deleted on a case-by-case basis where P&D concludes that one or more of these activities would not impact monarchs using the trees or where it would preclude reasonable use of the parcel.

**Potentially Consistent:** The Open Space and Habitat Management Plan recognizes the importance of monarch butterfly roosting areas and has identified them. Trail construction, maintenance or improvement would be restricted between the months of November 1 and April 1.

**Riparian Woodlands/Corridors**

**Policy BIO-GV-7:** Riparian vegetation shall be protected and shall not be removed except where clearing is necessary for the maintenance of free flowing channel conditions, the provision of essential

**Potentially Consistent:** The Open Space and Habitat Management Plan includes measures to protect and restore riparian habitat such as the use of native species plantings, the installation of span

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

---

public services, or where protection would preclude the reasonable use of a parcel. Degraded riparian areas shall be restored.

bridges or boardwalks to direct users away from riparian vegetation, and the restoration of severely eroded riparian areas.

**DevStd BIO-GV-7.1:** Riparian protection and reasonable riparian restoration measures shall be required in the review of a project requiring discretionary approval and shall be based on a project's proximity to riparian habitat and the project's potential to directly or indirectly damage riparian habitat through activities such as grading, brushing, construction, vehicle parking, supply/equipment storage, or the proposed use of the property. Damage could include, but is not limited to, vegetation removal/disturbance, erosion/sedimentation, trenching, and activities which hinder or prevent wildlife access and use of habitat.

**Potentially Consistent:** The Open Space and Habitat Management Plan includes measures to protect and restore riparian habitat such as the use of native species plantings, the installation of span bridges or boardwalks to direct users away from riparian vegetation, and the restoration of severely eroded riparian areas.

**Policy BIO-GV-10:** To the greatest extent feasible, natural stream channels shall be maintained in an undisturbed state in order to protect banks from erosion, enhance wildlife passageways, and provide natural greenbelts.

**Potentially Consistent:** The Open Space and Habitat Management Plan contains existing trails within riparian corridors. However, these will be designed and constructed to minimize impacts to riparian corridors. Where appropriate to protect riparian resources, boardwalks and or span bridges would be installed along trails.

**DevStd BIO-GV-10.1:** No structures shall be located within a riparian corridor except: public trails that would not adversely affect existing habitat; dams necessary for water supply projects; flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety; where alternative structures or developments have been approved by the Army Corps of Engineers pursuant to a Section 404 permit; and other development where the primary function is for the improvement of fish and wildlife habitat or where this policy would preclude reasonable use of a parcel. Culverts, agricultural roads and crossings in rural areas zoned for agricultural use, fences, pipelines, and bridges may be permitted when no alternative route or location is feasible, or where other environmental constraints or site design considerations (e.g., public safety) would require such structures. All development shall incorporate the best mitigation measures feasible to minimize the impact to the greatest extent.

**Potentially Consistent:** The Open Space and Habitat Management Plan contains existing trails within riparian corridors. However, these will be designed and constructed so as to minimize impacts to riparian corridors. Where appropriate to protect riparian resources, boardwalks and or span bridges would be installed along trails.

**DevStd BIO-GV-10.2:** When the activities permitted in stream corridors would require removal of riparian plants, revegetation with local native plants, obtained from within as close proximity to the site as feasible shall be required consistent with the

**Potentially Consistent:** The management actions related to biological resources address the use of local native plants in restoration of riparian habitats.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

Section 5.0 intent of this district.

Consistency  
with Plans  
and Policies

**DevStd BIO-GV-11.1:** Where such restoration is required, the goal shall be to re-establish a continuous riparian corridor along the affected section of stream, with appropriate native vegetation extending outward a minimum of 25 feet from the top of the bank.

**Potentially Consistent:** The biological management actions in the Open Space Plan support this standard.

**Policy BIO-GV-12:** All development, including dredging, filling, and grading within stream corridors, shall be limited to activities necessary for the construction of uses specified in DevStd. BIO-GV-10.1.

**Potentially Consistent:** The Open Space Plan does include trails within riparian corridors. However, these will be designed and constructed so as to minimize impacts to riparian corridors. Where appropriate to protect riparian resources, boardwalks and or span bridges would be installed along trails.

**Coastal Sage Scrub**

**Policy BIO-GV-13:** Areas of one or more acres of coastal sage scrub shall be preserved to the maximum extent feasible, consistent with reasonable use of a parcel.

**Potentially Consistent:** The biological management actions in the Open Space Plan protect coastal sage scrub. Measures include the removal of invasive weeds and/or exotics that impinge on sage scrub habitat; the restoration of severely eroded areas; and the replanting of degraded areas with local native stock.

**DevStd BIO-GV-13.1:** To the maximum extent feasible, development shall avoid impacts to coastal sage scrub that would isolate, interrupt, or cause a break in a contiguous habitat which would disrupt animal movement patterns, seed dispersal routes, or increase vulnerability of species to weed invasion or local extirpations such as fire, flooding, disease, etc.

**Potentially Consistent:** The biological management actions in the Open Space Plan protect coastal sage scrub. Measures include the removal of invasive weeds and/or exotics that impinge on sage scrub habitat; the restoration of severely eroded areas; and the replanting of degraded areas with local native stock.

**DevStd BIO-GV-13.2:** Impacts to coastal sage scrub shall be minimized by providing a minimum 10 foot buffer vegetated with native species and by placing the project outside of the buffer rather than in or through the middle of the habitat area, except where such an action would preclude reasonable use of a parcel.

**Potentially Consistent:** 10-foot buffers have been mapped as part of the Open Space Plan preparation process. These would be respected during construction, improvement or maintenance of trails and related amenities.

**DevStd BIO-GV-13.3:** Onsite mitigation such as revegetation, erosion and water quality protection, and other measures which would minimize the impact of development on coastal sage scrub shall be included in the project design as necessary.

**Potentially Consistent:** The biological management actions in the Open Space and Habitat Management Plan protect coastal sage scrub. Existing trails that degrade coastal scrub habitat are proposed for closure and any new trail alignments would be designed to minimize impacts to coastal sage scrub. Proposed restoration measures include the removal of invasive weeds and/or exotics that encroach into coastal sage scrub habitat; the restoration of severely eroded areas; and the replanting of degraded areas with native, locally collected stock.

**Native Grasslands**

**DevStd BIO-GV-14.1:** To the maximum extent feasible, development shall avoid impacts to native

**Potentially Consistent:** The biological management actions in the Open Space and Habitat Management

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

grasslands that would isolate, interrupt, or cause a break in a contiguous habitat which would disrupt animal movement patterns, seed dispersal routes, or increase vulnerability of species to weed invasion or local extirpations such as fire, flooding, disease, etc.

Plan protect native grasslands. Existing trails that degrade native grassland habitat are proposed for closure and proposed new trail alignments are designed to minimize impacts to native grasslands. Proposed restoration measures include the removal of invasive weeds and/or exotics that impinge on native grassland habitat; the restoration of severely eroded areas; and the replanting of degraded areas with native locally collected stock.

**DevStd BIO-GV-14.2:** Impacts to native grasslands shall be minimized by providing a minimum 10-foot wide buffer vegetated with native species and by placing the project outside of the buffer rather than in or through the middle of the habitat area, except where such an action would preclude reasonable use of a parcel.

**Potentially Consistent:** 10-foot-wide buffers have been mapped as part of the Open Space Plan preparation process. These buffers would be respected during construction, improvement or maintenance of trails and related amenities.

**DevStd BIO-GV-14.3:** Onsite mitigation such as revegetation, erosion and water quality protection, and other measures that would minimize the impact of development on native grasslands shall be included in the project design as necessary.

**Potentially Consistent:** The biological management actions in the Open Space and Habitat Management Plan protect native grasslands. Existing trails that degrade native grassland habitat are proposed for closure and proposed new trail alignments are designed to minimize impacts to native grasslands. Proposed restoration measures include the removal of invasive weeds and/or exotics that impinge on native grassland habitat; the restoration of severely eroded areas; and the replanting of degraded areas with native, locally collected stock.

**GENERAL RESOURCE PROTECTION POLICIES**

**Policy BIO-GV-15:** Significant biological communities shall not be fragmented into small non-viable pocket areas by development.

**Potentially Consistent:** The Open Space and Habitat Management Plan includes protective measures such as fencing, natural barriers and signs to protect significant biological communities.

**DevStd BIO-GV-15.2:** The County shall require appropriate protective measures (e.g., fencing) where necessary to protect sensitive biological resources during construction.

**Potentially Consistent:** The Open Space and Habitat Management Plan includes protective measures such as fencing, natural barriers, and signs to protect significant biological communities.

**DevStd BIO-GV-15.4:** Where sensitive or valuable biological resources exist within or border a project site, a County approved biologist or other experienced individual acceptable to the County may be required to monitor construction within/bordering the resource area as determined necessary by P&D.

**Potentially Consistent:** The City would require that a professional biologist monitor construction projects and provide written confirmation of project compliance with resource protection measures.

**DevStd BIO-GV-15.5:** As determined necessary by P&D, prior to issuance of occupancy clearance a biologist shall provide written confirmation to P&D stating that the project has complied with all construction-related biological resource protection measures.

**Potentially Consistent:** The City would require that a professional biologist monitor construction projects and provide written confirmation of project compliance with resource protection measures.

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0  
Consistency  
with Plans  
and Policies*

<p><b>Policy BIO-GV-16:</b> To the maximum extent feasible, "protected trees" shall be preserved. Protected trees are defined for the purposes of this policy as mature native trees that are healthy and structurally sound and have grown into the natural stature particular to the species.</p>	<p><b>Potentially Consistent:</b> Existing healthy trees are protected under the Open Space and Habitat Management Plan guidelines.</p>
<p><b>DevStd BIO-GV-16.1:</b> All existing "protected trees" shall be protected from damage or removal by development to the maximum extent feasible.</p>	<p><b>Potentially Consistent:</b> Existing healthy trees are protected under the Open Space and Habitat Management Plan.</p>
<p><b>Policy BIO-GV-18:</b> Trees serving as known raptor nesting or key raptor roosting sites shall be preserved to the maximum extent feasible.</p>	<p><b>Potentially Consistent:</b> A professional biologist has identified raptor roosting sites and appropriate buffers around them. These sites would be protected within the Open Space and Habitat Management Plan. Moreover, construction in areas near such roosting sites would be restricted to times that would minimally disturb raptors.</p>
<p><b>DevStd BIO-GV-18.1:</b> A buffer (as determined by P&amp;D on a case by case basis) shall be established around trees serving as raptor nesting sites or key roosting sites except in cases where such a buffer would preclude reasonable use of a parcel.</p>	<p><b>Potentially Consistent:</b> A professional biologist has identified raptor roosting sites and appropriate buffers around them. These sites would be protected within the Open Space and Habitat Management Plan. Moreover, construction in areas near such roosting sites would be restricted to times that would minimally disturb raptors.</p>
<p><b>DevStd BIO-GV-18.2:</b> All trees serving as known raptor nesting or key raptor roosting sites shall be protected from damage or removal to the maximum extent feasible.</p>	<p><b>Potentially Consistent:</b> A professional biologist has identified raptor roosting sites and appropriate buffers around them. These sites would be protected within the Open Space and Habitat Management Plan. Moreover, construction in areas near such roosting sites would be restricted to times that would minimally disturb raptors.</p>
<p><b>Policy BIO-GV-19:</b> Pollution of streams, sloughs, drainage channels, underground water basins, estuaries, the ocean and areas adjacent to such waters shall be minimized.</p>	<p><b>Potentially Consistent:</b> The City would prepare and implement storm water and non-storm water BMPs during construction and long-term maintenance of trails and other amenities within the Open Space Plan area. BMPs would include measures such as silt fences, sedimentation ponds, and material handling requirements. The City would conduct periodic inspections of construction sites to enforce compliance with water quality protection measures.</p>
<p><b>Policy BIO-GV-21:</b> The use of locally occurring native plants propagated from plants in close proximity to the sites to be revegetated in landscaping shall be encouraged, especially in parks, buffers adjacent to native habitats and in designated open space.</p>	<p><b>Potentially Consistent:</b> Landscaping around the proposed parking lot would consist of locally occurring and locally grown plants. Restoration projects also would use plantings of locally grown native plants, as appropriate to meet the restoration program objectives.</p>
<p><b>Action BIO-GV-22.1:</b> Where sites proposed for new development contain sensitive or important habitats and areas to be preserved over the long term, the impacts to these habitats shall be avoided</p>	<p><b>Potentially Consistent:</b> The Open Space and Habitat Management Plan includes the dedication of 650 acres of coastal property as permanent open space. This action would protect existing habitats</p>

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

Section 5.0  
Consistency  
with Plans  
and Policies

or mitigated to the extent feasible. One method to assist in the long term protection of such areas is by means of requiring project applicants to dedicate open space easements covering such areas. Other methods include onsite restoration programs utilizing appropriate locally occurring native species propagated from plants in close proximity to the site, and/or contributions toward habitat acquisition and management. One or a combination of the above shall be required, as determined by the evaluating resource specialist and regulatory agency. Where onsite preservation is infeasible, or not desirable in terms of long-term preservation, an offsite easement and/or restoration which covers comparable habitat/area and will ensure long-term preservation may be considered.

from development. In addition the Plan calls for the restoration and protection of sensitive habitats. Restoration projects would use plantings of locally collected native plants.

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**FLOODING AND DRAINAGE**

**Policy FLD-GV-2:** No structures (except flood control) shall be allowed within creek channels or along creekbanks. Structural setbacks (usually a minimum of 50-feet from top-of-bank) which are adequate to protect life and property from potential flood hazards shall be provided.

**Potentially Consistent:** No structures are proposed except for boardwalks and/or bridges that would span creeks to protect riparian habitats. These structures would be designed so as not to create a flood hazard.

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**GEOLOGY, TOPOGRAPHY AND SOILS**

**Policy GEO-GV-1:** All new development on ocean bluff-top property shall be sited to avoid areas subject to erosion and designed to avoid reliance on future shoreline and/or bluff protection devices.

**Potentially Consistent:** Coastal Development Permits will be obtained prior to installation of Open Space Plan improvements, including trail construction, installation of the parking lot, and possible well abandonment, soil remediation, and debris removal activities.

**Action GEO-GV-1.2:** The County shall require all development proposed to be located on ocean bluff-top property to perform a site specific analysis, prior to project review and approval, by a registered or certified geologist to determine the extent of the hazards (including bluff retreat) on the project site and identify appropriate protective measures other than seawalls and revetments. These measures can include, but not be limited to restriction of irrigation, appropriate placement of drainage culverts, restriction of the use of septic tanks, use of appropriate landscaping on blufftop or face, etc.

**Potentially Consistent:** Coastal Development Permits will be obtained prior to installation of Open Space Plan improvements, including trail construction, installation of the parking lot, and possible well abandonment, soil remediation, and debris removal activities.

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**HISTORY AND ARCHAEOLOGY**

**DevStd HA-GV-1.5:** In the event that archaeological or paleontological remains are uncovered during construction, excavation shall be temporarily suspended and redirected until the provisions of Public Resources Code section 5097.5, 5097.9 et seq. are satisfied.

**Potentially Consistent:** Previously recorded cultural resources in the Open Space and Habitat Management Plan area will be avoided or mitigated through design. There are no sites on the National Register of Historic Places (NRHP) or the California State Historic Resources Inventory in the project

**COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR**

*Section 5.0*

*Consistency  
with Plans  
and Policies*

area. Work would stop if any cultural or archaeological resources are discovered during construction and a professional archaeologist would be brought onsite to identify actions that need to be taken.

**Action HA-GV-1.6:** All development within the boundaries of recorded archaeological sites shall be avoided to the maximum extent feasible by incorporating the site in open space. If avoidance is not possible, the site shall be covered with fill pursuant to County Regulations Concerning Heritage Resource Guidelines Studies. Residual impacts caused by the loss of scientific access to the site shall be mitigated pursuant to County Regulations Governing Archeological and Historical Projects.

**Potentially Consistent:** Previously recorded cultural resources in the Open Space and Habitat Management Plan area will be avoided or mitigated through design. There are no sites on the National Register of Historic Places (NRHP) or the California State Historic Resources Inventory in the project area. Work would stop if any cultural or archaeological resources are discovered during construction and a professional archaeologist would be brought onsite to identify actions that need to be taken.

**RISK OF UPSET/HAZARDOUS MATERIALS**

**Policy RISK-GV-2 & DevStd RISK-GV-2.1:** Before approval of a specific project in areas impacted by oil and gas development, old petroleum facilities shall be inspected by the Division of Oil and Gas (DOG) and Planning and Development to determine compliance with current abandonment standards. If the site has been improperly abandoned, the developer shall follow the recommendations of the DOG and P&D regarding proper cleanup, monitoring, and new development on the contaminated sites.

**Potentially Consistent:** The entire Open Space and Habitat Management Plan Area has had a preliminary assessment of locations onsite that might be affected by historic petroleum production activities. Additional fieldwork has been recommended to determine the extent and severity of such impacts. Once the scope of the impacts is fully understood, a remediation plan would be prepared in accordance with applicable regulations. Once approved, the remediation plan would be implemented.

**VISUAL/AESTHETICS/OPEN SPACE**

**Policy VIS-GV-2:** All new development projects along the Hollister Avenue corridor shall be reviewed by the County Board of Architectural Review. Structural development along Hollister Avenue should minimize impacts on existing view corridors from the Hollister corridor.

**Potentially Consistent:** The proposed parking lot near Comstock Homes Development would be adjacent to Hollister Avenue. The City Design Review Board would review building plans. Landscaping would be provided to reduce impacts to views from Hollister Avenue and from the Open Space.

**Policy VIS-GV-3:** Maintenance and expansion of Goleta's tree population shall be a high priority in the Goleta planning area. The County shall encourage projects which expand onsite and offsite provision of appropriate tree plantings, both in terms of quantity and species diversity.

**Potentially Consistent:** On-going riparian habitat restoration could involve appropriate tree plantings. In the non-riparian areas of the Open Space, tree planting is not proposed as these areas serve a greater function as vernal pool and native grassland habitats.

**Policy VIS-GV-6:** Outdoor lighting in Goleta shall be designed and placed so as to minimize impacts on neighboring properties and the community in general.

**Potentially Consistent:** The EIR recommends that any outdoor lighting proposed for the Open Space Area parking lot would be kept to the minimum number and wattage required for safety, be fully shielded, and would be set on a timer to go off 90 minutes after dusk.

COMSTOCK HOMES DEVELOPMENT AND  
ELLWOOD MESA OPEN SPACE PLAN FEIR

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**DevStd VIS-GV-6.1:** All new development with major outdoor lighting facilities should be illuminated with only fully shielded lighting with low glare design.

**Potentially Consistent:** The EIR recommends that any outdoor lighting proposed for the Open Space Area parking lot would be kept to the minimum number and wattage required for safety, be fully shielded, and would be set on a timer to go off 90 minutes after dusk.

*Section 5.0  
Consistency  
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**DevStd VIS-GV-6.2:** LPS lighting or other alternative methods used for street lighting, parking lot lighting and security lighting should be investigated by the Public Works Department.

**Potentially Consistent:** The EIR recommends that any outdoor lighting proposed for the Open Space Area parking lot would be kept to the minimum number and wattage required for safety, be fully shielded, and would be set on a timer to go off 90 minutes after dusk.

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