



November 1, 2019

Mayor Paula Perotte  
City Hall, City Council Chambers  
130 Cremona Drive, Suite B  
Goleta, California 93117

**Re: Local Groups and Residents Seek Strong Protections for Natural Resources in the City of Goleta's New Zoning Ordinance**

Dear Mayor Perotte and City Councilmembers,

The undersigned community organizations and residents advocate for a robust ordinance in the New Zoning Ordinance ("NZO") that adequately implements the City of Goleta's General Policy Conservation Element ("CE") 2.2 concerning streamside protection areas ("SPAs") and other policies protecting natural resources. Our organizations represent thousands of your constituents, and we speak with a unified voice. Our community groups support the Environmental Defense Center ("EDC") and Urban Creeks Council's ("UCC") recommendation for the City to adopt a standalone provision that effectively sets forth a process, the required findings, and evidentiary requirements to inform the City's determination of feasibility with regards to reductions in setbacks for SPAs and other important resources. This clarity and transparency will benefit not only City decisionmakers, but also applicants and interested members of the public.

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Setbacks from creeks, riparian habitat, ESHA, and wetlands provide a variety of important benefits to water quality, plants and wildlife, and people. Policy CE 2.2 establishes strong protections for SPAs, requiring a minimum SPA upland buffer of 100-feet on both sides of the creek. Studies, ordinances, and government publications indicate that a 100-foot creek setback is the bare minimum needed to protect water quality, creek and riparian habitats, and wildlife. However, Policy CE 2.2 allows reductions of the SPA buffer upon finding that the minimum 100-foot buffer is infeasible, and the project will not significantly impact riparian vegetation or stream habitat. For years, the City has struggled with the implementation of this Policy, approving projects with reduced setbacks without evaluating the feasibility of the minimum 100-foot setback. The City must adopt an ordinance to establish a process for determining whether the 100-foot minimum setback is infeasible and therefore can be reduced.

Our groups support the development of a standalone provision that would apply to any request to modify City zoning or policy requirements. The need for a clear process for assessing feasibility was echoed repeatedly by the City's Planning Commissioners at the NZO Workshops as well as at the Planning Commission hearings held on September 9, September 23, and October 7.

The provision proposed by EDC and UCC is based on standard language frequently recommended by the California Coastal Commission ("CCC"). The CCC's standard language establishes a detailed and clear process for determining feasibility. The County of Santa Barbara ("County") adopted the CCC's language as a general provision in its Coastal Zoning Ordinance and in the 2017 Eastern Goleta Valley Community Plan ("EGVCP"). It is logical for the City to adopt this same language in the NZO because it was recommended by the CCC for the EGVCP and the County adopted this language without controversy.

Additionally, adopting language recommended by the CCC in the City's NZO is strategic because the CCC is required to certify the City's proposed NZO. In order to avoid future delays and unexpected surprises, it is important for the City to consider what language the CCC will require later in the adoption process.

We urge the City Council to include in the NZO a general provision applicable to any request to modify City zoning or policy requirements based on the language recommended by the CCC. In order to protect and enhance the City's vital creeks and natural resources, the NZO must include a clear and adequate process for determining feasibility with regards to buffer reductions.

Sincerely,

Tara Messing, Staff Attorney  
Environmental Defense Center

Dan McCarter, President  
Urban Creeks Council

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Katherine Emery, PhD, Executive Director  
Santa Barbara Audubon Society

Kira Redmond, Executive Director  
Santa Barbara Channelkeeper

Hillary Hauser, Executive Director  
Heal the Ocean

Anushna Patel, Outreach and Education Coordinator  
Coastal Fund

Mark Morey, Chemistry PhD, Chair  
Santa Barbara Chapter of Surfrider Foundation

George Relles  
The Goodland Coalition

Richard Halsey, Director  
California Chaparral Institute

Marell Brooks, President  
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Cristina Sandoval, PhD  
Goleta resident