

# COMSTOCK HOMES DEVELOPMENT AND ELLWOOD MESA OPEN SPACE PLAN FEIR

## 4.6 LAND USE

Section 4.6

Land Use

This section addresses existing and proposed land uses related to the proposed Comstock Homes Development, the Coronado Butterfly Preserve, the Phelps Ditch Trail, and the Ellwood Mesa Open Space areas that are under the jurisdiction of the City of Goleta. In addition, this section describes land uses within the overall project area. This section also discusses applicable land use policies and regulations; assesses impacts of the proposed uses; and recommends mitigation measures to reduce potential project impacts related to land use.

Section 5.0 of this EIR provides a detailed analysis of the project's consistency with applicable land use policies. The impact analysis presented in Section 4.6.3 incorporates the policy analysis in Section 5.0.

### 4.6.1 Existing Conditions

This section provides an overview of existing and proposed land uses in the overall project area as well as specific information regarding the proposed Comstock Homes Development and Ellwood Mesa Open Space Plan areas. Existing land use designations, including those lands under City of Goleta jurisdiction, are shown on Figure 4.6-1. As can be seen on the figure, the area proposed for the Ellwood Mesa Open Space area is currently designated Planned Residential Development and Recreation. The area proposed for Comstock Homes Development is currently designated Recreation, with an Environmentally Sensitive Habitat overlay for riparian corridor and monarch butterfly overwintering habitat.

#### 4.6.1.1 Regional Overview, Existing Jurisdictions, and Governing Land Use Plans

The project area is located at the southwest end of the City of Goleta, on the South Coast of the County of Santa Barbara, along the south-central coast of California. This area is part of the planning area described in the Joint Proposal for the Ellwood-Devereux Coast (County of Santa Barbara [County] et al., 2002). The project area is bounded by Hollister Avenue and the Ellwood and University Village neighborhoods to the north; the Pacific Ocean to the south; Storke Road, Storke Ranch subdivision, and the community of Isla Vista to the east; and the Ellwood Mesa to the west. The area consists of lands within three different land use jurisdictions: the University, the City of Goleta, and the County, with each jurisdiction having its own governing land use plans and policies. Figure 4.6-1 shows existing land use designations within each jurisdiction.

The proposed residential development and Open Space Plan components in the overall Joint Proposal area that are currently under review include: 1) the proposed Comstock Homes Development, the Coronado Butterfly Preserve, the Phelps Ditch Trail, and the Ellwood Mesa Open Space Plan areas within the jurisdiction of the City of Goleta; 2) the proposed Ocean Meadows Residences (on the existing Ocean Meadows Golf Course) and the proposed Open Space Plan components within the Camino Corto Open Space, Del Sol Vernal Reserve and the Isla Vista and Devereux School sites within the County of Santa Barbara's jurisdiction; and 3)

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**Section 4.6** the proposed development within the University’s jurisdiction including residential development  
**Land Use** in the North Campus (North Parcel and Storke-Whittier) and West Campus areas and Open Space Plan components in the North Campus – South Parcel, West Campus Mesa, West Campus Bluffs, and the Coal Oil Point and Coal Oil Point Reserve (COPR) areas. The relocated residential developments and resultant Open Space Plan area are identified on Figure 4.6-2.

The Open Space Plan area is within the Coastal Zone of the State of California, requiring that all new plans and development be consistent with the state Coastal Act. The City of Goleta is currently in the process of developing its Local Coastal Plan. Therefore, pending the California Coastal Commission’s certification of the City of Goleta’s Local Coastal Plan, the California Coastal Act is the only set of policies that apply to development projects within the City of Goleta’s Coastal Zone. Because the City of Goleta does not yet have an adopted Local Coastal Program, this project will be subject to review and approval by the California Coastal Commission.

The City of Goleta’s Coastal Zoning Ordinance and other implementing ordinances (including subdivision and grading ordinances) have not been certified by the California Coastal Commission. Therefore, the City of Goleta’s Article II Coastal Zoning Ordinance provides guidance for areas within the Coastal Zone.

Coastal Act Section 30108.5 contains the relevant portion of a local government’s general plan, or local coastal element, which is sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions. Once a decision on the proposed project is made by the City of Goleta, the California Coastal Commission will consider issuance of a Coastal Development Permit for the related projects.

**4.6.1.1.1 Airport Land Use Plan.** The project area is located within the planning boundary of the Airport Land Use Plan (ALUP) prepared by the Santa Barbara County Airport Land Use Commission (ALUC). The ALUP addresses compatible land uses in the vicinity of Santa Barbara Airport. The ALUP establishes protection zones and planning boundaries around each airport to ensure public safety and appropriate management of aircraft noise impacts. The area surrounding the Santa Barbara Airport is divided into three areas or “zones.” The first of these zones are the Runway Protection Zones (indicated as “RPZ” on Figure 4.6-3). The second zone is an extension of the RPZ referred to as the Approach Surface (indicated as “Approach Zone” on Figure 4.6-3). The third area, the General Airport Traffic Pattern Zone, is located in an oval area that encompasses the Runway Protection Zones and Approach Zones (i.e., the area indicated as “Horizontal Surface/Airport Traffic Pattern Area” on Figure 4.6-3). Building height restrictions, soundproofing standards and safety standards are linked to each protection zone. Various policies on building height, safety, and noise apply in each of these zones.

**Santa Barbara Airport Runway Relocation.** The Santa Barbara Airport is in the midst of a three-year Runway Safety and Runway Relocation Project. As a part of this project, the westernmost Approach Zone boundary would be extended 800 feet westward. The Comstock

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**Figure 4.6-1**

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**Existing Land Use Designation**

*Land Use*

**(8.5 x 11, color)**

**AND**

**Figure 4.6-2**

**Proposed Land Use Designations**

**(8.5 x 11, color)**

**AND**

**Figure 4.6-3**



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Homes Development site is located approximately 3,500 feet west of this existing boundary; therefore the proposed Approach Zone extension would not affect the Comstock site.

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In addition to the specific policies within the Approach Zone, all project proposals that would result in large concentrations of people more than one mile from the runway end shall be reviewed by airport planners on a case-by-case basis. A “large concentration” of people is defined in the ALUP as more than four units per acre in residential land. The current proposed project consists of 78 units on 36 acres, which is approximately equal to two units per acre. This is less than the prescribed threshold for project review; however, it is anticipated that the ALUC may nonetheless review the project. Section 4.13 discusses the impact of existing aircraft noise on the proposed Comstock Homes Development and the Ellwood Mesa Open Space Plan area.

The balance of the Land Use section of this EIR focuses on those lands within the City of Goleta’s land use planning jurisdiction.

### **4.6.1.2 City of Goleta Land Use Overview**

Under the proposed project, the City of Goleta would develop and implement currently proposed residential and Open Space Plan components in two primary sub-areas: Santa Barbara Shores and Ellwood Mesa. A third sub-area, the Coronado Butterfly Preserve, is an existing open space with an ongoing management plan. The Ellwood Mesa Open Space Plan would incorporate and supplement the existing management elements for the Coronado Butterfly Preserve. Access to the Open Space Plan area by way of the Phelps Ditch Trail will be retained.

### **4.6.1.3 Comstock Homes Development**

The proposed Comstock Homes Development site, as shown on Figure 4.6-2, is currently part of the City of Goleta Santa Barbara Shores Park. The proposed development on the 116.16-acre City of Goleta Santa Barbara Shores Park (APN 079-210-067) would be the subject of a parcel map that would create a 36-acre development envelope that would be rezoned from Recreation (REC) to Residential (7-R-1) to accommodate the proposed Comstock Homes Development (78 single-family homes and 6 parcels for subdivision improvements) and an 80.2-acre balance of APN 079-210-067 that would become part of the larger City of Goleta Ellwood Mesa Open Space.

This area is bounded on the north by Hollister Avenue, Ellwood Elementary School, a commercial storage facility, and an ExxonMobil overflow parking lot; to the south by the Pacific Ocean; to the east by the existing Santa Barbara Shores residential neighborhood; and to the west by Sandpiper Golf Course. The City of Goleta’s Santa Barbara Shores Park is vacant, undeveloped public open space except for a gated, unpaved 15-space off-street parking area at Hollister Avenue. The parcel is currently designated Recreation (REC) and falls within an Environmentally Sensitive Habitat (ESH) overlay for riparian corridors and monarch butterfly overwintering habitat as designated by the City of Goleta Zoning Ordinance, Article II.

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### Section 4.6 **4.6.1.4 Coronado Butterfly Preserve**

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The Land Trust for Santa Barbara County and the City of Goleta each own separate parcels within this 21.9-acre open space located along a long, narrow tributary to Devereux Creek (refer to Figure 4.6-1). The City of Goleta owns nine parcels on a total of 12.3 acres. These parcels extend from the Land Trust site north to Hollister Avenue and south of the Land Trust parcels to the Ellwood Mesa. The Land Trust owns three parcels on a total of 9.6 acres. These parcels were originally acquired by the County as part of the development of the Ellwood neighborhood. The Land Trust purchased the 9.6 acres of land declared surplus by the Goleta Union School District in 1998. The two open spaces are surrounded by the existing Ellwood single-family neighborhood, except to the south where the Land Trust site borders Ellwood Mesa. The site's eucalyptus groves are part of the historic Ellwood monarch butterfly habitat.

Existing uses are undeveloped open space, the "Neighborhood Trail," informal trails, seating areas, and limited play equipment. The City of Goleta Zoning Ordinance designates nine of the 12 parcels as REC (a 1.3-acre parcel owned by the Land Trust, and eight parcels owned by the City of Goleta on 11.2 acres). The remaining 6.8 acres owned by the Land Trust, and the remaining 1.2 acres owned by the City of Goleta are currently designated for residential use at 3.3 units per acre (DR-3.3), and 7-R-1, respectively.

### **4.6.1.5 Phelps Ditch Trail**

The Phelps Ditch trail is an existing County Flood Control District access road easement on private land (see Hydrology Figure 4.3-2). The road is not contiguous with the Ellwood Mesa Open Space Plan area. However, the road presently provides unrestricted non-vehicular public access to the proposed Open Space Plan area via Phelps Road. The City of Goleta proposes to maintain public access on the Phelps Ditch trail. Continued maintenance and possible future recreational trail improvements to this easement will ensure that it continues to provide an important connector to the Open Space Plan area. The trail would connect to trails that are proposed to be improved through and around the University's proposed Faculty Housing project. The Faculty Housing project is proposed to be located on the north side of Ocean Meadows Golf Course between the Ellwood Mesa Open Space Plan area and the general location of the Phelps Ditch trail. Additional information on this trail connection is provided in Section 4.10, Recreation.

### **4.6.1.6 Ellwood Mesa Open Space**

Under the proposal, areas to be included in the Ellwood Mesa Open Space include the 116.16-acre City of Goleta Santa Barbara Shores Park, and the 137-acre Ellwood Mesa parcels (APNs 079-210-013, -014, -015, -024, -051), owned by the Santa Barbara Development Partnership. Existing uses are largely undeveloped open space, but also include a 15-space gravel parking lot, several dirt trails, several abandoned wells enclosed by chain link fencing, major eucalyptus windrows and groves, numerous trails and three degraded coastal access ramps down the bluffs to the beach.

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This area is bounded on the north by Hollister Avenue; to the south by the Pacific Ocean; to the west by Sandpiper Golf Course; and to the east by Santa Barbara Shores residential neighborhood, the University's North Campus, the Venoco Ellwood Marine Terminal lease, and the COPR.

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Santa Barbara Shores Park is designated Recreation (REC) by the City of Goleta Zoning Ordinance, Article II. There is also an Environmentally Sensitive Habitat (ESH) overlay for riparian corridors and monarch butterfly overwintering habitat. The Ellwood Mesa property is currently designated under the City of Goleta Zoning Ordinance as Planned Residential Development (PRD) (up to 162 units allowed).

Under the proposed project, the five Ellwood Mesa parcels owned by SBDP would be rezoned from PRD to REC. The purpose of the Recreation zone district is to provide open space for various forms of outdoor recreation of either a public or private nature. The intent is to encourage outdoor recreational uses that will protect and enhance areas that have recreation potential because of their beauty and natural features.

### **4.6.2 Regulatory Framework**

#### **4.6.2.1 Federal Authorities and Administering Agencies**

The Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451, et seq.) set out the statutory framework for land use within the coastal zone. Responsibility for implementation has been delegated to the State of California, which exercises its authority through the California Coastal Act of 1974 (see below).

#### **4.6.2.2 State Authorities and Administering Agencies**

**4.6.2.2.1 CEQA, Public Resources Code §2100 et seq.** The basic goal of the California Environmental Quality Act (CEQA) is to develop and maintain a high-quality environment now and in the future. The CEQA Guidelines provide a framework for the analysis of impacts to land use.

**4.6.2.2.2 California Coastal Act (California Public Resources Code §30000 et seq.)** The Coastal Act is the only set of policies that apply to development projects within the City of Goleta's Coastal Zone, pending certification of the City of Goleta's Local Coastal Plan. The Coastal Resources Planning and Management Policies Land Use Article 7 (30240-30244) does not identify any policies specific only to land use in the project area. Article 6, Development (30250), specifies: a) New residential, commercial, or industrial development, except as otherwise provided in this division, 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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be

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**Section 4.6** permitted only where 50 percent of the usable parcels in the area have been developed and the  
**Land Use** created parcels would be no smaller than the average size of surrounding parcels; b) Where feasible, new hazardous industrial development shall be located away from existing developed areas; c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

### **4.6.2.3 Local Authorities and Administering Agencies**

In addition to the permitting requirements and processes listed above, other permits or actions that may be required as part of the proposed Comstock Homes Development and Ellwood Mesa Open Space Plan area are listed below. Regulatory agencies may identify the need for additional permits as the implementation of the project progresses.

**4.9.2.3.1 City of Goleta Coastal Zoning Ordinance.** The County of Santa Barbara's Coastal Zoning Ordinance and other implementing ordinances (including subdivision and grading ordinances) were adopted by the City but have not been certified by the California Coastal Commission. The Coastal Zoning Ordinance provides guidance for those areas of the City of Goleta within the Coastal Zone. Applicable procedures require new development to conform with the scale and character of the existing community (35-59.1), require vertical and lateral access to the beach (35-61.2,3), and impose specific requirements on the Planned Residential Development (PRD) zoning district (35.75).

### **4.6.3 Project Impacts and Mitigation**

#### **4.6.3.1 Thresholds of Significance**

As suggested by Appendix G of the CEQA Guidelines, a project may have a significant impact related to Land Use and Planning if it will:

- a) Physically divide an established community
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan

Thresholds a) and c) do not apply to the proposed Comstock Homes Development and Ellwood Mesa Open Space Plan area, because the projects do not divide an established community, and there are no habitat conservation plans or natural community conservation plans applicable to the project site. With regard to Threshold b), Section 5.0 of this EIR presents an analysis of the Proposed Project's consistency with the aforementioned plans, policies, and regulations, as applicable to the project site.

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The consistency analysis presented in Section 5.0 is supplemented by the following five Thresholds of Significance for “Quality of Life,” as outlined in the City of Goleta’s adopted Environmental Thresholds and Guidelines Manual (Thresholds Manual):

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- Loss of privacy
- Neighborhood incompatibility
- Nuisance noise levels (not exceeding noise thresholds)
- Increased traffic in quiet neighborhoods (not exceeding traffic thresholds)
- Loss of sunlight/solar access

### 4.6.3.2 **Project Impacts**

Section 5.0 of this EIR provides a detailed analysis of the project’s consistency with “applicable land use plan, policy, or regulation ...adopted for the purpose of avoiding or mitigating an environmental effect.” To the extent that the Comstock Homes Development, as currently proposed, is inconsistent with adopted policies (i.e., specific Coastal Act policies and/or Coastal Zoning Ordinance policies and development standards), then the project may have a significant impact related to Land Use.

In general, mitigation measures identified throughout this EIR, including long-term management of the Open Space Plan area consistent with the Open Space Plan recommendations (e.g., conservation and restoration of sensitive habitats), ensure that the Comstock Homes Development and the Ellwood Mesa Open Space Plan area would be consistent with relevant land use policies and regulations. However for those impacts identified as Class I, mitigation measures would not reduce the impacts to less than significant levels, and consequently the project would likely remain inconsistent with certain policies. For example, as discussed in Section 5.0, the proposed project is inconsistent with certain policies related to sensitive species and habitats.

**Airport Land Use Plan.** As discussed in this section, to ensure public safety and land use compatibility between a Santa Barbara County airport and the surrounding areas, the Santa Barbara County ALUP imposes land use restrictions on defined areas adjacent to airports. As shown in Figure 4.6-3, the Comstock Homes site and the Ellwood Mesa Open Space Plan area would be located outside of the existing Approach Zone (with the exception of Phelps Ditch Trail), and would be located outside the expanded Approach Zone boundary, with the exception of the easternmost edge of the Ellwood Mesa. Based on discussions with ALUC officials, the Comstock Homes Development will likely be evaluated in terms of the expanded Approach Zone as part of the project review process. Issues such as height restrictions related to navigational and safety concerns, along with the applicability of noise proofing standards will be addressed at that time. There is a possibility that residents within the Comstock Homes Development will be affected by noise from aircraft overhead. To preclude this from becoming

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**Section 4.6** an issue, one mitigation measure is recommended to address aircraft noise in Section 4.6.3.4.  
**Land Use** The impact of aircraft noise on Comstock Homes residences is discussed in Section 4.13.1.3.1.

**Quality of Life Guidelines.** The “Quality of Life” indicators noted above are addressed in the impact assessment and recommended mitigation measures described throughout this EIR, including potential impacts related to visual resources (Section 4.9), traffic (Section 4.12), and nuisance noise (Section 4.13). The project’s potential effects on these quality of life indicators would be reduced to levels as described in each of the sections, provided that the mitigation measures are implemented. Moreover, impacts that can not be reduced to less than significant levels (Class I) are discussed in these sections. For example, the visual resources analysis (Section 4.9) prescribes landscaping and exterior lighting plans in accordance with established planning standards; these measures would address potential issues associated with loss of privacy, nuisance light and glare, and overall neighborhood compatibility. Despite these measures, the project would cause two Class I visual impacts (one direct and one cumulative). The traffic analysis (Section 4.12) prescribes traffic improvements in and near the project entrance and within the development itself; these measures would address issues related to increased traffic in the existing nearby residential neighborhoods. The noise analysis (Section 4.13) prescribes measures to minimize adverse effects of construction noise on the nearby school and residential areas (e.g., limits on the time of day for construction activities); these measures would address issues related to nuisance noise.

### **4.6.3.3 Cumulative Impacts**

**Impact Land-1.** From a cumulative land use perspective, the proposed Comstock Homes Development and Ellwood Mesa Open Space Plan area and rezone components, in combination with other residential developments and long-term implementation of the Open Space Plan, would improve the regional land use setting by balancing the need for additional housing with the need for coastal resource protection. This balance would be achieved by a) siting residential development further away from coastal resources, b) rezoning residentially-zoned land to recreation, thus setting aside several contiguous coastal parcels for permanent open space and recreation, and c) providing a management plan to guide the funding and implementation of long-term conservation and preservation of the open space lands. This is considered a *beneficial impact (Class IV)*.

**Impact Land-2.** The proposed project, in combination with other proposed projects and a general increase in population and use intensity in the Open Space Plan area, would cumulatively add to a long-term demographic trend of increased public use, access, or activities in the Open Space Plan area. From a cumulative land use perspective, this increase in public use, access, and activity could result in disturbance to sensitive habitats and cultural resources, and general deterioration of the recreational resources. The Comstock Homes Development project would add 78 residential units located immediately adjacent to the Ellwood Mesa Open Space Plan area. Residents of these homes would likely use the open space area on a regular basis. However, without additional baseline information on the level of current and projected use of the area by the general public, it is difficult to quantify the project’s contribution to the cumulative impact at

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this time. Because the project would incrementally add to the overall use of the area, the project's contribution to this cumulative impact is considered *significant but feasibly mitigated (Class II)*.

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### **4.6.3.4 Mitigation Measures**

Implementation of the mitigation measures for Class II impacts and the partial mitigation measures for Class I impacts (as presented in Sections 4.2 through 4.15), including long-term management of the Open Space Plan area consistent with the Open Space Plan recommendations (e.g., conservation and restoration of sensitive habitats), would be required to address land use related issues.

The following mitigation measures are recommended specifically for Land Use.

**Mitigation Land Use-I.** The Comstock Homes Development shall include measures designed to reduce potential long-term impacts to the Open Space Plan area. Specific measures shall include, at a minimum;

- Maintenance of the common open space areas within the development footprint
- Maintenance of the public trails connecting the development to the Open Space Plan area
- Installation and maintenance of interpretive signs and mutt-mitt stations at trailheads leading from the development to the Open Space Plan area
- Use of educational materials in project CCRs to promote appreciation of resource protection policies and practices within the Ellwood Mesa Open Space Plan area, and to ensure the maintenance of open space plan areas within the development footprint

As the Ellwood Mesa Open Space Plan site improvements are implemented over time, those improvements and the associated maintenance and management activities shall be implemented in accordance with the design guidelines of the Ellwood Mesa Open Space Plan. These guidelines include trail alignments that avoid or minimize impacts to sensitive resources, and measures such as habitat restoration, defined trail edges, trail maintenance, and interpretive/educational signs and trailhead information. Taken together, these guidelines are designed to improve and preserve habitats and habitat linkages, maintain and improve public coastal access and recreation, and increase public awareness and appreciation of natural, cultural, and recreational resources, thus diminishing the risk of unintentional or intentional deterioration of these resources.

**Plan Requirements and Timing.** This condition shall be printed on all building and grading plans for both the residential development and open space improvements. Educational materials shall be provided to the City of Goleta for review and approval prior to approval of Land Use Permits.

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**Section 4.6** **Monitoring.** The City of Goleta shall review educational materials developed for residential development, and shall review and approve development plans for site improvements within the Ellwood Open Space Plan area prior to approval of Land Use Permits.

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Long-term monitoring of the Open Space Plan area shall be conducted consistent with the Open Space Plan guidelines. As monitoring of the Open Space Plan area is conducted over time, further evaluations of cumulative impacts shall be made to assess whether and to what extent the Comstock Homes development may be contributing to degradation of the natural and/or recreational resources, and appropriate mitigations shall be developed and implemented at that time.

**Mitigation Land Use-2.** To address impacts to Comstock Homes residents from overhead aircraft noise, including overflights of the proposed residential development which is in the instrument approach path of Runway 7 beyond the one-mile marker, the following mitigation measure is recommended: A buyer notification shall be provided to potential home buyers in the form of a Department of Real Estate (DRE) Notice of Aircraft Overflights and through a notification of aircraft overflights and associated noise levels in the project's CC&Rs.

**Plan Requirements and Timing.** The applicant shall provide verification of filing of the required notification with the DRE prior to recordation of the tract map for the project. The applicant shall also provide the City of Goleta with a copy of the proposed CC&Rs for review and approval prior to the recordation of the subject tract map.

**Monitoring.** The City of Goleta shall review and approve the DRE notice and project CC&Rs prior to recordation of the tract map for the project.

### 4.6.3.5 **Residual Impacts**

The above mitigation measure, in addition to those identified in Sections 4.2 through 4.5, including long-term management of the Open Space Plan area consistent with the Open Space Plan, would have the following consequences:

- Class I impacts would be incrementally reduced but would still be significant adverse impacts.
- Class II impacts would be reduced to less than significant adverse impacts.