

Save Elings Park South

Concerned Citizens' Issues Regarding Elings Park South Development Plan

Contact: SaveElingsParkSouth@gmail.com

Visit our Website: www.SaveElingsParkSouth.org

Sign our Online Petition: <http://www.ipetitions.com/petition/SaveElingsParkSouth/>

Summary of the Elings Park Foundation development plan for Elings Park South:

- A 55,000 sq. ft. BMX track w/ starting gates covering 1.57 acres of currently natural land
- Four 8' tall spectator bleachers, amplified PA system, and lights for night racing events
- 1,350 sq. ft. Park office building (16' tall)
- Individual picnic areas
- Frisbee golf course area
- A request to re-zone the land from "Undeveloped Parkland" to "Regional Park"
- A request to extinguish a SB County "Covenant Restricting Use" which limits park uses to "passive recreation" and prohibits "alteration of the natural land"

Summary of our position on these development plans:

- 1) **BMX track, Park Office Building, and expanded Parking Areas - WE ARE OPPOSED TO ANY NEW MAJOR CONSTRUCTION ON ELINGS PARK SOUTH**
 - a. **It is in violation of the County of SB "Covenant Restricting Use" which the park foundation agreed to in 1999**
 - i. The community and the Coastal Resource Enhancement Fund (CREF) came together in 1999 to save this part of the park from any form of development for 30 years.
 - ii. Now the Elings Park Foundation, with whom we entrusted the protection of this land, are the ones who are proposing new construction on it!
 - iii. The Foundation has every intention of pressuring the County Board of Supervisors to extinguish this "Covenant Restricting Use" in order to achieve their development plans. *Note: There is a recorded Memorandum of Understanding between Elings Park Foundation and the City of SB which confirms this.*
 - b. **It is in violation of the current zoning of Undeveloped Parkland which the park accepted as part of the land's annexation to the City of Santa Barbara**
 - i. The current zoning of *Undeveloped Parkland* allows for 2 uses:
 1. Trails and Parking Area (unpaved)
 - ii. Elings Park Foundation is requesting a zoning change to *Regional Park* which allows for 23 uses including:
 1. Carousels & similar amusements, concessions, buildings, meeting rooms, lighted formal ball fields, swimming pool complex, etc.
 2. See the City Municipal Code, Section 28.37 for a complete listing of the Park & Recreation zoning options
 - c. **Light pollution will be caused by proposed nighttime operations of BMX track**
 - i. Impact on ability to see stars in the night sky will be impaired, as exemplified with the current light pollution problem caused by the softball fields during nighttime operations on Elings Park North
 - ii. We want to continue to enjoy the beauty of the last place in the City where you can see the stars with no light pollution
 - iii. Park offices and parking facilities will have night security lights which will further add to the light pollution
 - d. **Noise pollution will be caused by the proposed amplified PA system at BMX track**
 - i. We do not want to hear amplified announcers in our neighborhood. Neighbors in the Allen Road area have voiced major disruption from the amplified PA system from the current location of the BMX track at Elings North.

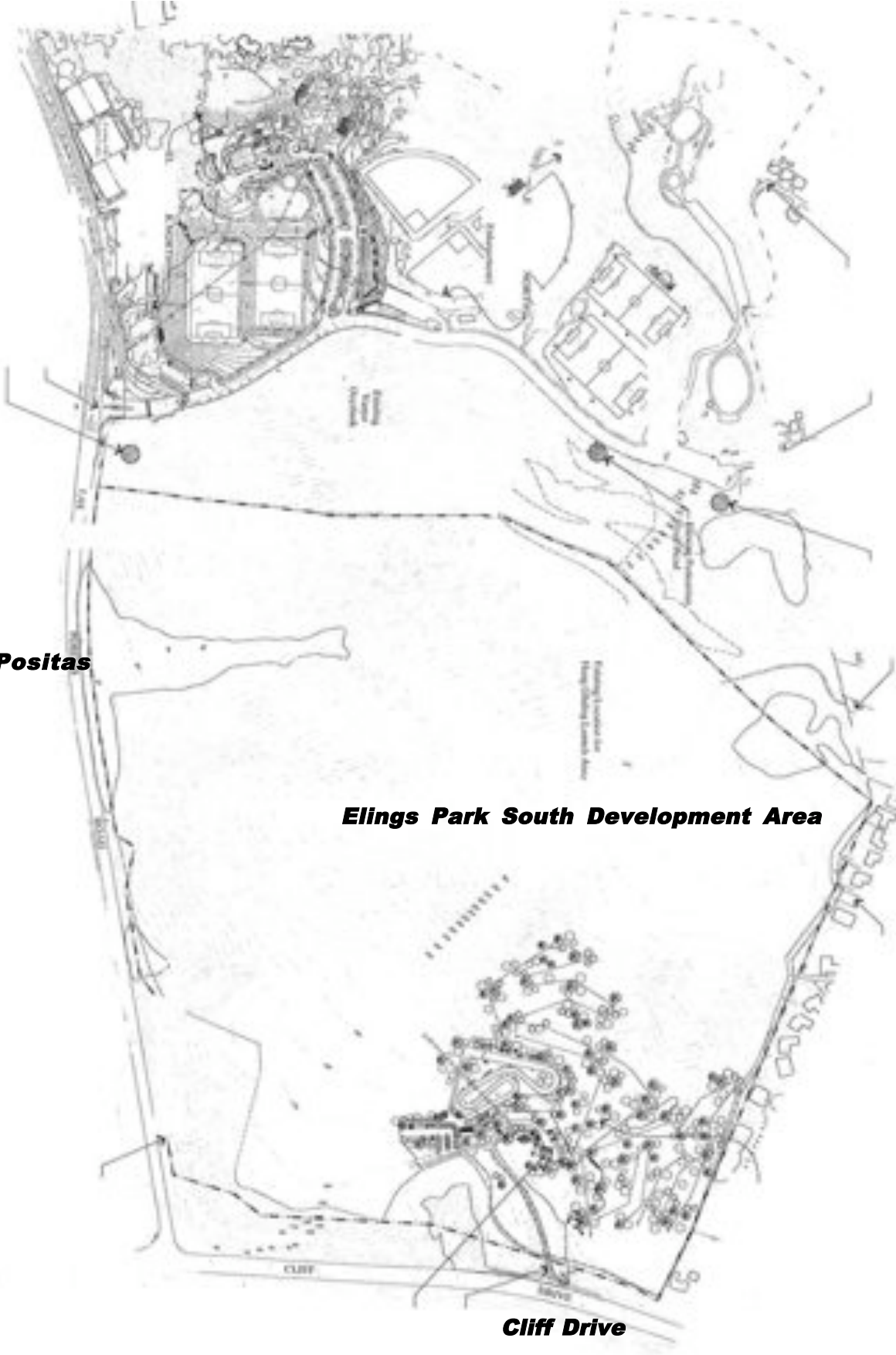
- 2) **Traffic - We are opposed to increasing traffic on Cliff Drive due to the increased use of Elings Park South**
 - a. Safety issue on entering and exiting to/from Cliff drive
 - b. **We are concerned about traffic safety and the increased use of Cliff Drive by the proposed development**

- 3) **Wildlife Impact – We are opposed to reducing habitat for native species such as: Burrowing Owls, Red-Tailed Hawks, Turkey Vultures, Songbirds, Foxes, Coyotes, Raccoons, Rabbits, Skunks, Reptiles, Riparian biology**
 - a. The Elings Park South property hosts all these species and more – it is the last natural area left under the protection of the City of Santa Barbara

- 4) **Future Developments – We are opposed to any future developments on Elings Park South to which the approval of this plan may “pave the way”. The rezoning effort will make it much easier to pass development plans in the future.**
 - a. We are concerned that the current proposed development is just a stepping stone to more development on the unspoiled natural beauty of Elings Park South
 - b. Most citizens who contributed funds during the *Save Las Positas Park* drive held the belief that it was going to be preserved as **Undeveloped Parkland** (the current zoning designation)
 - i. Our belief is similar to those held by supporters of the *Save the Wilcox Property* (now Douglas Family Preserve), which is currently under no threat of development. I am sure that many citizens would be outraged at any development projects occurring on the Douglas Family Preserve.
 - c. Regional Park zoning allows for 23 uses including:
 - i. Carousels & similar amusements, swimming pools, lighted ball fields, buildings, meeting rooms, child care centers.

- 5) **Individual Picnic Areas – We are in support of the construction of individual picnic areas**
 - a. The general consensus is that Individual Picnic Areas offer a nice place for families to enjoy the natural surroundings of Elings Park South
 - b. **We are in favor of Individual Picnic Areas, with NO outdoor lighting**

- 6) **Frisbee Golf Course – We are in support of the construction of a Frisbee golf course**
 - a. The general consensus is that the Frisbee Golf Course is an excellent use of the natural land of Elings Park South
 - b. **We are in favor of a Frisbee Golf Course, with NO outdoor lighting**



**Las Positas
Road**

Elings Park South Development Area

Cliff Drive

1/8" = 1'-0"
1/4" = 3'-0"
1/2" = 6'-0"
3/4" = 9'-0"
1" = 12'-0"



RECORDING REQUESTED
BY AND RETURN TO:

CREF Administrator
County of Santa Barbara
Planning & Development Dept.
Energy Division
1226 Anacapa Street
Santa Barbara, CA 93101-2010

99-017301	:	Rec Fee	:	.00
Recorded	:	Total	:	.00
Official Records	:		:	
Co Santa Barbara	:		:	
Kenneth A Pettit	:		:	
Recorder	:		:	
Larry Herrera	:		:	
Assistant	:		:	
10:34am 3-Mar-99	:	PUBL	CC	5

COVENANT RESTRICTING USE

APN 047-010-49

Las Positas Park Expansion

**NO FEE PER
COV. CODE 6103**

This Covenant Restricting Use (this "Covenant") is made and entered into by and between the County of Santa Barbara ("County") and the Las Positas Park Foundation ("Foundation") pertaining to restrictions on the use of 130.650 acres of real property located in the County of Santa Barbara, State of California, as shown on a Map of Survey recorded in Book 112, Page 43 of Record of Surveys, in the office of the County Assessor of said County (also known as APN 047-010-49) and more particularly described in the legal description attached hereto as Exhibit 1 ("Property"). The Foundation makes this covenant as an expressed condition to its receipt of that certain CREF grant of Five Hundred Twenty-Five Thousand Dollars (\$525,000) provided by the County.

By this Covenant, the Foundation covenants and agrees that the uses of the Property shall be confined and restricted as follows for a period of thirty (30) years, commencing January 1, 1999:

- (a) One hundred twenty (120) acres of the one hundred thirty (130) acres subject to this Covenant shall be restricted to passive recreation and the preservation of wildlife habitat. This portion of Property cannot be used for active recreation without the prior written approval of County Board of Supervisors.
- (b) The remaining ten (10) acres of the Property, which is currently leased to and used by a third party for agriculture, may continue in its current agricultural use, may be converted to some other type of agricultural use, or may be converted to passive recreational uses or wildlife habitat. This portion of Property cannot be used for active recreation or other purposes without prior written approval of County Board of Supervisors.
- (c) For purposes of this Covenant, passive recreation shall include activities such as hiking trails, horseback riding, jogging, hand-gliding, operation of radio-operated airplanes, picnic grounds, park benches, restroom, open public gathering in meadows, a road, and no more than 60 parking spaces cumulatively. Passive recreation shall not include activities such as ball fields, tennis courts, outdoor auditoriums, and other activities that require alteration of the natural land.

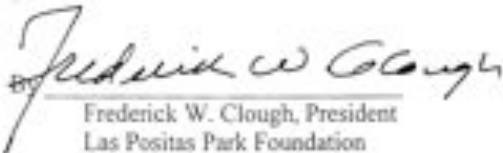
The Foundation further covenants that this Covenant shall be subject to previous covenants, conditions, restrictions, easements and rights-of-way of record, and shall supersede all rights recorded subsequent to this covenant, whether legal or equitable, whether voluntary or involuntary, to the Property in the next 30 years.

Upon any violation of the provisions of the Covenant, the County may apply to a court of competent jurisdiction for an injunction prohibiting any use of the Property in violation of this Covenant, or for any such other relief as may be appropriate. This Covenant shall be binding and effective upon its recordation.

IN WITNESS WHEREOF, the parties below agree to the terms and conditions set forth herein.

DATED: 2/3/99

THE LAS POSITAS FOUNDATION,
a California non-profit, public corporation



Frederick W. Clough, President
Las Positas Park Foundation
(signature must be notarized)

Dated: 2/3/99

COUNTY OF SANTA BARBARA

By 
Naomi Schwartz, Chair
Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By 
Deputy Clerk of the Board

