

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A LOT LINE ADJUSTMENT FOR AN APPLICATION OF PEAK LAS POSITAS PARTNERS, 900-1100 BLOCK OF LAS POSITAS ROAD (VERONICA MEADOWS SPECIFIC PLAN) (MST99-00608)

WHEREAS, the City accepted an application from Peak-Las Positas Partners, in order to process a request for the following: 1) annexation of the subject property from the unincorporated area of Santa Barbara County to the City of Santa Barbara; 2) a General Plan Amendment upon annexation to add the property to the City's General Plan Map; 3) a Local Coastal Plan Amendment upon annexation to add the property to the City's Local Coastal Plan; 4) Zoning Map and Ordinance Amendments to adopt Specific Plan Number Nine (SP-9) upon annexation; (5) a lot line adjustment; and 6) other related approvals ("Veronica Meadows Project" or "Project");

WHEREAS, the Planning Commission initiated annexation of the subject parcels separately on November 18, 1993, and February 3, 2000, and held conceptual reviews of the project design then before the Commission (including nine speakers) on February 3, 2000;

WHEREAS, the City Planning Commission and the Architectural Board of Review held a joint work session on September 5, 2000, to take input (including comments from nine speakers) and make comments on the Project design concept;

WHEREAS, the Architectural Board of Review held a concept review of the proposed Project on September 25, 2000, and provided comments to the Planning Commission;

WHEREAS, the Planning Commission of the City of Santa Barbara initiated the Specific Plan process for the subject parcels and held a joint meeting with the Architectural Board of Review to review a revised project concept on February 20, 2003, and took comments from twelve members of the public;

WHEREAS, the Planning Commission held a Project concept review work session on March 6, 2003;

WHEREAS, the Planning Commission held an Environmental Impact Report (EIR) Scoping Hearing on October 16, 2003, and took comments from two people;

WHEREAS, the Planning Commission held a duly noticed public hearing to receive comments on the Draft EIR on October 21, 2004, and took comments from twelve people;

WHEREAS, in January 2005, the City of Santa Barbara completed a Final EIR for the project, consisting of the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and minor revisions to the Draft EIR; WHEREAS, the Park and Recreation Commission and the Creeks Advisory Committee held a joint meeting to consider recommendations to the Planning Commission regarding the proposed bridge and creek restoration elements of the Project;

WHEREAS, the Creeks Advisory Committee met on February 9, 2005, and made recommendations to the Planning Commission regarding the proposed bridge and creek restoration elements of the Project;

WHEREAS, the Park and Recreation Commission met on February 23, 2005, and made recommendations to the Planning Commission regarding the proposed bridge and creek restoration elements of the Project;

WHEREAS, the Transportation and Circulation Committee met on March 24, 2005, and made recommendations to the Planning Commission regarding the proposed bridge for the Project;

WHEREAS, the Planning Commission held a discussion of project issues on April 14, 2005, and nineteen people spoke regarding the Project;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the Project on July 21, 2005, and eleven people spoke regarding the Project. After substantial discussion, the Planning Commission continued its consideration indefinitely to allow the applicant to make project revisions in response to Planning Commission concerns;

WHEREAS, on December 1, 2005, the Planning Commission held a duly noticed public hearing and took public input from twenty-four people on the Project, and certified the Veronica Meadows Specific Plan Final EIR ("2005 Final EIR") as a complete, accurate, and good faith effort toward full disclosure and as being reflective of the independent judgment of the City of Santa Barbara under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.);

WHEREAS, on March 8, 2006, the Council of the City of Santa Barbara held a duly noticed public hearing, took public input, and continued its consideration of the Project;

WHEREAS, on March 21, 2006, the Council of the City of Santa Barbara continued its deliberations on the Project, and directed the applicant to prepare an alternative design for the Project;

WHEREAS, the applicant complied with the City Council's directive and prepared and submitted to City staff a conceptual site plan reflecting a revised project;

WHEREAS, the Creeks Advisory Committee met on April 26, 2006, and made recommendations to the City Council regarding the revised site plan and creek restoration element of the Project;

WHEREAS, the Architectural Board of Review met on May 1, 2006, and made recommendations to the City Council regarding the revised site plan for the Project;

WHEREAS, the City Park and Recreation Commission and City Creeks Advisory Committee held a joint meeting on July 10, 2006, to consider recommendations to the City Council regarding the revised site plan for the project;

WHEREAS, on August 19, 2006, the first Addendum to the 2005 Final EIR was prepared by City environmental staff. The Addendum considered a smaller Project with 15 homes, access from Alan Road rather than Los Positas Road, a smaller bridge over Arroyo Burro Creek for pedestrian and bicycle traffic only, and a setback area without pedestrian trails along Arroyo Burro Creek. The Addendum evaluated whether the revised Project was within the range considered in the 2005 Final EIR and determined it was;

WHEREAS, the Planning Commission held a duly noticed public hearing on August 24, 2006, took public input from thirteen people on the revised site plan, and offered comments to the City Council;

WHEREAS, on October 3, 2006, the City Council held the required noticed public hearing and took public input from twenty-seven people on the revised site plan, and continued consideration of the Project to a future meeting after indicating to the applicant that it preferred the Project as it was presented in March 2008, with either 23 or 25 dwelling units;

WHEREAS, the applicant subsequently submitted two development alternatives to the City Council based on direction from the October 3, 2006 City Council meeting;

WHEREAS, on November 17, 2006, the second Addendum to the 2005 Final EIR was prepared to evaluate two development alternatives developed by the applicant in response to the City Council's request. The Addendum evaluated whether the two development alternatives were within the range considered in the 2005 Final EIR and determined they were;

WHEREAS, on December 12 and 19, 2006, City Council approved the project and adopted environmental findings pursuant to CEQA;

WHEREAS, on January 29, 2007, the Citizens Planning Association and the Santa Barbara Urban Creeks Council sued the City to overturn the City Council approval of the project;

WHEREAS, in a judgment dated January 9, 2008, the Santa Barbara Superior Court issued its judgment stating that a writ of mandate should issue commanding the City Council to set aside its December 12 and 19, 2006 approvals concerning the Project;

WHEREAS, on February 5 and 26, 2008, pursuant to court directive, the City Council for the City of Santa Barbara repealed and rescinded the project approvals, including certification of the 2005 Final EIR;

WHEREAS, on March 14, 2008, the City prepared a Draft Revised EIR, which it circulated pursuant to CEQA Guidelines Section 15088.5. The City's purpose in preparing the revised EIR chapters was to document the events, project changes, and other information that is pertinent to understanding the issues involved with a re-evaluation of the project. CEQA Guidelines Section 15088.5 provide for recirculation of only the revised sections of the EIR and limitation of further public comment to the recirculated sections;

WHEREAS, on April 17, 2008, the Planning Commission held a duly noticed public hearing to receive comments on the Draft Revised EIR;

WHEREAS, on May 9, 2008, a Final Revised EIR was prepared in accordance with CEQA. The "2008 Final EIR" includes the Draft EIR, the Draft Revised EIR, comments on the Draft EIR and Draft Revised EIR, responses to oral testimony, written comments, e-mail messages, and phone messages on the Draft EIR and Draft Revised EIR, and minor changes to the Draft EIR and Draft Revised EIR;

WHEREAS, on May 15, 2008, the Planning Commission held a duly noticed public hearing on the 2008 Final EIR to consider its certification; and

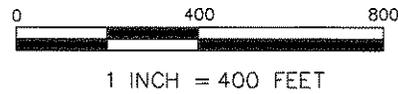
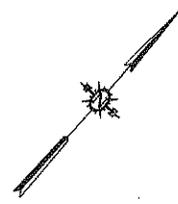
WHEREAS, on June 17, 2008, the City Council held a duly noticed public hearing on the 2008 Final EIR to consider its certification. After the public hearing, by separate resolution, the City Council certified the 2008 Final EIR and adopted the mitigation measures incorporated therein (see Resolution No. _____). At that time, the City Council also determined that the Current 2008 Project Design alternative was feasible and environmentally superior to the project, and adopted that alternative.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Santa Barbara as follows:

Section 1. The City conditionally approves a lot line adjustment with respect to the real property described in the attached exhibits and makes the following findings:

1. The proposed lot line adjustment, depicted in Exhibit A, is appropriate for the area and will create parcels that conform to the City's General Plan and Building and Zoning Ordinances, as amended. The lot line adjustment will form two parcels of 14.71 acres and of 82.10 acres. The 14.71 acre parcel will be located within the City boundaries and is of a size and configuration that is consistent with the applicable general plan and zoning requirements. The 82.10 acre parcel will remain in the County of Santa Barbara and will be consistent with the existing zoning (RR-20, 20 acre minimum size) and general plan regulations.
2. The lot line adjustment would transfer approximately 4.41 acres of previously disturbed and relatively flat land from a larger parcel that is primarily steep slopes to a 10.30-acre parcel with minimal slopes suitable for development.
3. The lot line adjustment map (as depicted in Exhibit A) is finally approved and it may be recorded in the official records of Santa Barbara County only subsequent to or concurrent with the recordation of the annexation of the involved real property into the City of Santa Barbara as approved by the Santa Barbara County LAFCO.

Section 2. This resolution shall not take effect unless and until the Veronica Meadows Specific Plan ordinance (City Ordinance No. ____ as introduced on June 17, 2008) is duly adopted by the City Council.



PARCEL A
LANDS OF BOLLAG
APN 047-010-53
INSTRUMENT NO. 93-010157

SHEET 2

SHEET 3

ADJUSTED
PROPERTY LINE

SHEET 3

SHEET 4

PROPERTY
LINE TO BE
REMOVED

PARCEL B
LANDS OF PEAK
LAS POSITAS PARTNERS
APN 047-010-16
INSTRUMENT NO. 52674
BOOK 2025, PAGE 1198

LAS POSITAS ROAD

ALAN ROAD



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EXHIBIT LOT LINE ADJUSTMENT CITY OF SANTA BARBARA, CALIFORNIA		
DRAWN BY ERW	DATE 05-09-2008	CA JOB NO. 070125
CHECKED BY	SCALE 1" = 400'	SHEET 1 OF 4

F:\proj\2007\070125\Survey\Design\Construction Drawings\Lot Line Adjustment.thru City\legals\CE71250L0001.dwg 5-27-08 08:07:09 AM susarr

CAMPANIL HILLS
UNIT 3
(76 M 32)

S 48°05'20" W
838.35'

POINT OF
COMMENCEMENT OF
ADDED PARCEL AND
POINT OF BEGINNING
LANDS OF BOLLAG

N 65°05'40" W
96.76'

N 80°26'16" W
337.73'

EXCEPTED FROM BOLLAG
PARCEL BY LLA 99-0060278

PARCEL A
LANDS OF BOLLAG
APN 047-010-53
INSTRUMENT NO. 93-010157

EXCEPTED FROM BOLLAG
PARCEL BY LLA 88-42225

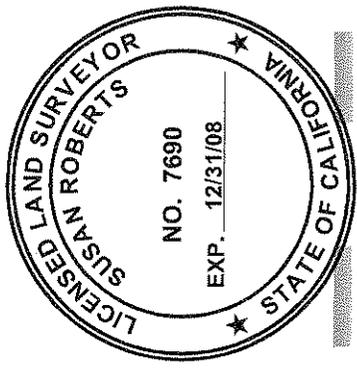
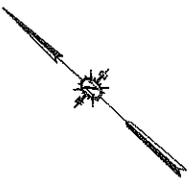
S 38°46'15" E 1487.71'

S 84°02'29" W
233.24'

N 74°55'31" W
157.55'

N 40°05'31" W
137.08'

N 58°57'07" W
507.68'



SEE SHEET 3

EXCEPTED FROM BOLLAG
PARCEL BY LLA REEL# 84-39437 O.R.

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EXHIBIT
LOT LINE ADJUSTMENT
CITY OF SANTA BARBARA, CALIFORNIA

DRAWN BY ERW	DATE 05-09-2008	CA JOB NO. 070125
CHECKED BY	SCALE 1" = 200'	SHEET 2 OF 4

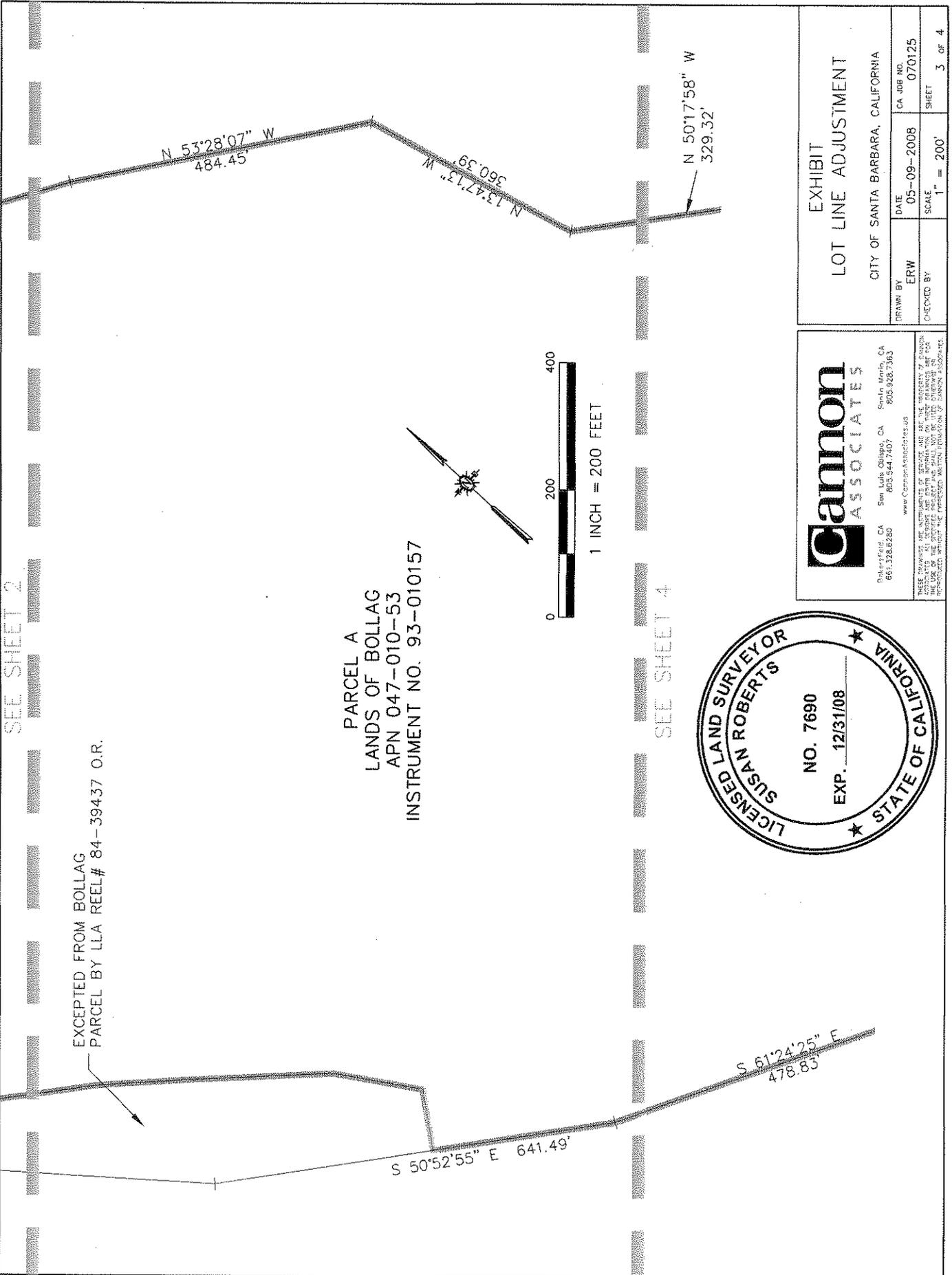
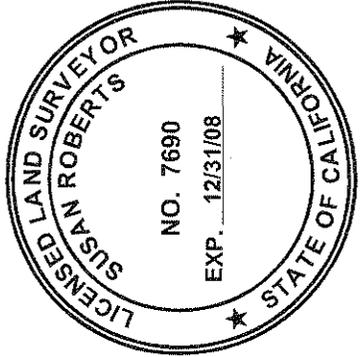


EXHIBIT LOT LINE ADJUSTMENT		DATE	05-09-2008	CA JOB NO.	070125
CITY OF SANTA BARBARA, CALIFORNIA		DRAWN BY	ERW	CHECKED BY	
		SCALE		SHEET	
		1" = 200'		3 OF 4	

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SEE SHEET 3

LANDS OF PEAK
LAS POSITAS PARTNERS
APN 047-010-11

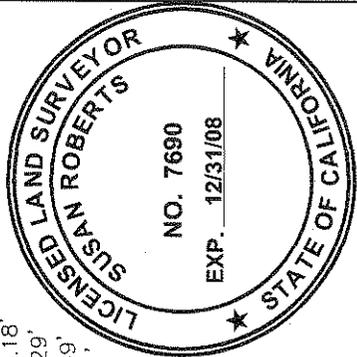
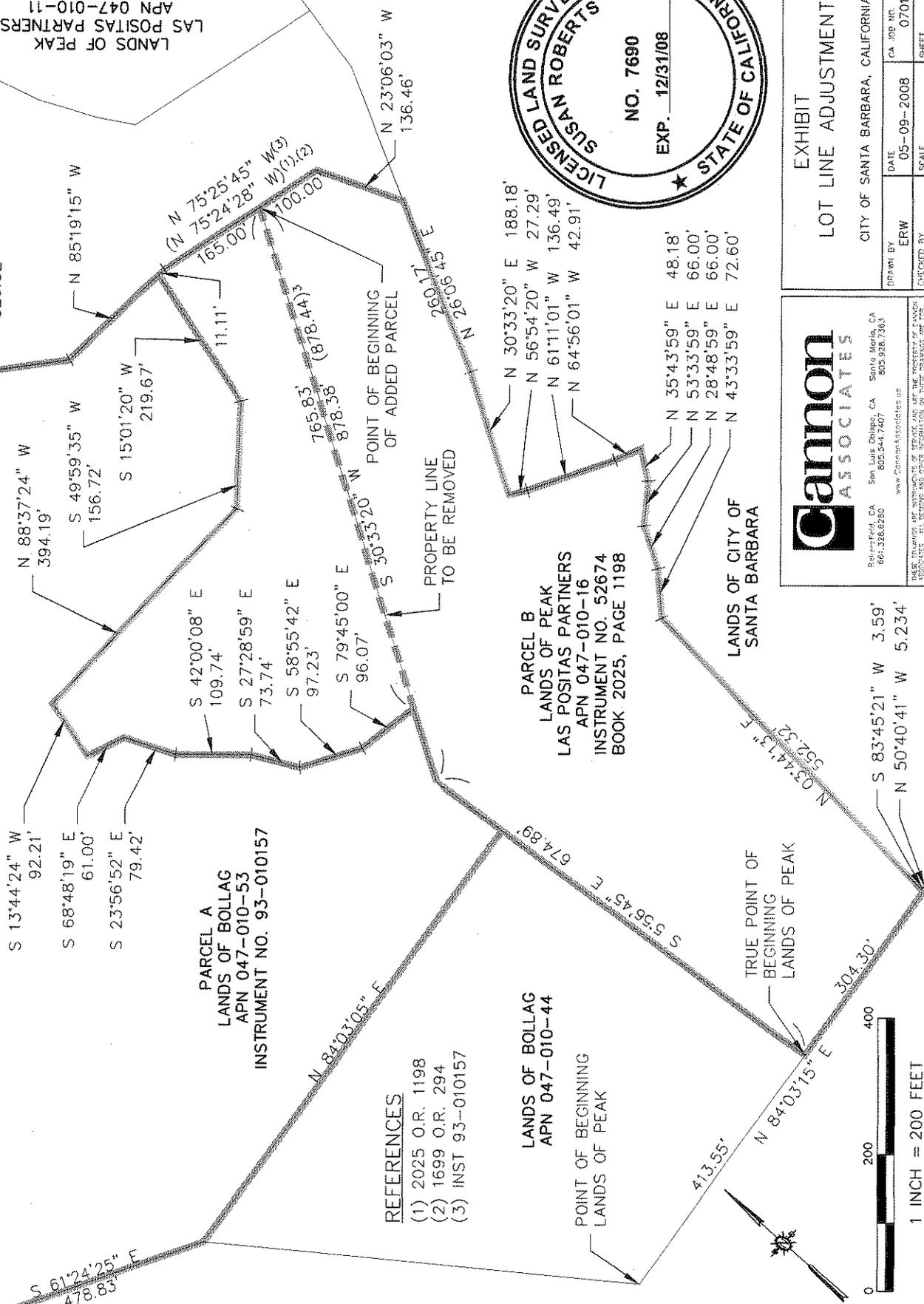
PARCEL A
LANDS OF BOLLAG
APN 047-010-53
INSTRUMENT NO. 93-010157

REFERENCES
(1) 2025 O.R. 1198
(2) 1699 O.R. 294
(3) INST 93-010157

LANDS OF BOLLAG
APN 047-010-44

PARCEL B
LANDS OF PEAK
LAS POSITAS PARTNERS
APN 047-010-16
INSTRUMENT NO. 52674
BOOK 2025, PAGE 1198

LANDS OF CITY OF
SANTA BARBARA



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EXHIBIT
LOT LINE ADJUSTMENT

CITY OF SANTA BARBARA, CALIFORNIA

DRAWN BY	ERW	DATE	05-09-2008	CA JOB NO.	070125
CHECKED BY		SCALE	1" = 200'	SHEET	4 OF 4