

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA ADOPTING THE 2013 SAFETY
ELEMENT UPDATE TO THE GENERAL PLAN AND
MAKING ENVIRONMENTAL FINDINGS PURSUANT
TO THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT

WHEREAS, Government Code Section 65300 requires that the City of Santa Barbara adopt a comprehensive, long-term General Plan for the physical development of the City, including a Safety Element;

WHEREAS, the City's Safety Element of the General Plan has not been comprehensively updated since the original adoption in 1979;

WHEREAS, in 2010-2011, the City applied for and received Disaster Recovery Initiative (DRI) funds to prepare the Safety Element Update;

WHEREAS, on July 7, 2011, the City Planning Commission reviewed the scope of work for the Safety Element Update;

WHEREAS, on May 22, 2012, the City Council directed staff to enter into a contract with Rodriguez Consulting Inc., to assist the City in preparing the Safety Element Update;

WHEREAS, on May 6, 2013, a draft Safety Element was released for a 30-day public review period ending June 6, 2013;

WHEREAS, on May 23, 2013, the City Planning Commission held a duly noticed public hearing on the draft Safety Element, received public comment and commented on the draft element;

WHEREAS, on September 12, 2013, a revised Safety Element was released for public review;

WHEREAS, on September 19, 2013, the Planning Commission held a duly noticed public hearing to review responses to comments, the revised Safety Element and errata sheet, made two additions to the Errata Sheet, and unanimously recommended that City Council adopt the 2013 Safety Element Update;

WHEREAS; on November 12, 2013, the Council held a duly noticed public hearing to adopt the General Plan 2013 Safety Element Update including errata sheet corrections;

WHEREAS, a Final Program Environmental Impact Report (EIR) was certified for the 2011 General Plan Update, and EIR Addenda were prepared and considered by City

Council as part of adoption of the final 2011 General Plan (12-1-11), Climate Action Plan (9-18-12), and Historic Resources Element (10-2-12);

WHEREAS, an EIR Addendum dated April 30, 2013 for the 2013 Safety Element Update has been prepared and documents that the update would result in no substantial changes in environmental impacts previously identified in the Program EIR for the 2011 General Plan Update; and

WHEREAS, the City Planner is the custodian of the records of proceedings for the 2011 General Plan Update, Final Program EIR for the General Plan Update and EIR Addenda, and the 2013 General Plan Safety Element Update. The documents and other materials which constitute the records of proceedings for these City actions are located at the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, California. Copies of these documents are available for public review during normal business hours upon request at the City Planning Division office.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

I. Adoption of 2013 Safety Element Update and Findings

The City Council hereby adopts the 2013 General Plan Safety Element Update (Exhibit A) making the following findings:

A. Charter Finding

The 2013 General Plan Map amendments meet the intent of Charter Section 1507, "living within our resource limits". The adoption of the 2013 Safety Element Update will not cause public services or resource capacities to be exceeded.

B. California Environmental Quality Act (CEQA) Findings:

1. CEQA Findings for City Council Consideration of Certified Final General Plan Program Environmental Impact Report (EIR) and EIR Addendum pursuant to CCR §§15090 and 15162.

The FEIR Addendum dated April 30, 2013 for the 2013 General Plan Safety Element Update together with the certified FEIR for the 2011 General Plan, were presented to the City Council, and the City Council has reviewed and considered the information contained therein prior to adopting the Safety Element Update. This CEQA documentation for the Safety Element Update constitutes adequate environmental review under CEQA and reflects the Lead Agency's independent judgment and analysis.

2. CEQA Findings for Use of Certified Final General Plan Program Environmental Impact Report (EIR) and EIR Addendum, pursuant to CEQA Guidelines §§ 15162, and 15164.

The 2013 General Plan Safety Element Update is consistent with and implements the 2011 General Plan policies, and is within the comprehensive scope of analysis of the Program EIR and Addenda for the 2011 General Plan update and 2012 Climate Plan.

The EIR Addendum dated April 30, 2013 documents that the 2013 Safety Element Update would not result in new environmental issues, circumstances, or information, additional significant environmental impacts beyond those identified in the General Plan Program EIR, a substantial increase in the severity of impacts identified in the EIR, or new mitigation measures. None of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR is applicable.

3. Council Resolutions 11-079 and 12-065 Findings per PRC Section 21081 and CCR 15091 Apply to this Action.

Findings regarding Class I significant impacts, Class 2 mitigated impacts, overriding considerations, and infeasibility of some mitigation measures and alternatives all remain applicable for adoption of the 2013 General Plan Safety Element Update and are incorporated herein by reference.

4. Findings for the Fish & Game Code pursuant to PRC Section 21089 (b) and Fish & Game Code Sections 711.4 and 753.5.

The General Plan Program EIR evaluated the potential for the 2011 General Plan to result in adverse impacts on wildlife resources. For this purpose, wildlife is defined as “all wild animals, birds, plants, fish, amphibians, and related ecological communities, including habitat upon which the wildlife depends for its continued viability.” The General Plan has the potential to result in adverse but not significant effects on upland, creek/riparian, and coastal habitats and associated species. Mitigation measures have been incorporated into the General Plan such that potential impacts will be less than significant.

As documented in the EIR Addendum dated April 30, 2013, the 2013 General Plan Safety Element Update will implement the 2011 General Plan policies and would not result in additional environmental effects beyond those identified in the EIR.. Pursuant to the Fish and Game Code Section 753.5 (e) (3), only one fee is required when an existing certified EIR is used for multiple project approvals that would result in no additional effect to fish and wildlife. Because the City paid the fee for the 2011 General Plan, no fee is required with the current implementing amendment for adoption of the Safety Element Update.

II. This Resolution shall become effective upon Council adoption.