



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: February 5, 2008
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Peak Las Positas Subdivision (900 – 1100 Las Positas) Veronica Meadows Project

RECOMMENDATION: That Council:

- A. Rescind the City Council certification of the Final Environmental Impact Report for the Peak Las Positas Subdivision Veronica Meadows Specific Plan dated January 2005;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Repealing City Ordinance No. 5403 Adopted on December 19, 2006, Initiating the Annexation of the Peak Las Positas Veronica Meadows Property and Approving the Peak Las Positas Veronica Meadows Specific Plan and Other Related Council Actions; and
- C. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Rescinding Resolution No. 06-100 Making Certain Environmental Findings and Approving a Lot Line Adjustment and Coastal Development Permit for the Peak Las Positas Veronica Meadows Project.

DISCUSSION:

On December 12 and 19, 2006, the City Council approved several actions approving the Peak Las Positas Veronica Meadows annexation and residential subdivision project by adopting City Ordinance No. 5403 and Council Resolution No. 06-100. These actions were all conditional on a review and approval of the annexation of the 50 acre Peak Las Positas Veronica Meadows property by the Santa Barbara County LAFCO.

The Council's decision to authorize the annexation and eventual subdivision of this property pursuant to a specific plan and general plan amendment was challenged by the Santa Barbara Urban Creeks Council in a Santa Barbara Superior Court writ action. The basis for this challenge was compliance with the California Environmental Quality Act. In a Statement of Decision issued on December 5, 2007, the Santa Barbara

REVIEWED BY: _____ Finance _____ Attorney _____ Name of Additional Department(s) That Need to Review CAR

Agenda Item No. _____

Superior Court indicated that it intended to issue a writ of mandate “directing that the City Council rescind certification of the EIR and all approvals associated with the Project.” The Court also indicated that it would remand those matters to the City Council “for further consideration in conformance with CEQA.”

The three recommendations listed above repealing the ordinance initiating the Peak Las Positas Veronica Meadows annexation and approving a proposed specific plan for the Project real property and repealing the resolution containing the required environmental findings for the project will fully comply with the Superior Court’s directive of December 2007.

At this point, the staff of the Community Development Department anticipates setting this Project for a reconsideration hearing by the Council at the Council meeting of February 26, 2008. This hearing will allow the City Council to review an addendum to the original Project EIR (which addendum will address the concerns identified in the Superior Court decision.) Upon acceptance of the addendum to the EIR, the Council may then reconsider the annexation application of Peak-Las Positas Partners for a general plan amendment, the Local Coastal Program amendment, the Specific Plan, Lot Line Adjustment, Coastal Development Permit, tentative subdivision map, and related land use approvals with regard to Peak Las Positas property located at 900-1100 Las Positas Road.

PREPARED BY: City Attorney’s Office

APPROVED BY: City Administrator’s Office