

I.0 INTRODUCTION

This document is a revision to several sections of the 2005 Final Environmental Impact Report for the Veronica Meadows Specific Plan, and has been prepared to provide updated information regarding the project. The California Environmental Quality Act (CEQA) Guidelines provide for such a revision in Section 15088.5 (Recirculation of an EIR Prior to Certification), and the rationale for this revision is discussed in Section 1.4 below. This introduction, prepared in March 2008, retains the language from the 2005 Final EIR Introduction as published, with a new Section 1.4 that describes events and project changes that have occurred since that time. Section 1.4 also lists the revised EIR chapters that are included in this document. Additional minor editorial changes due to the project revisions are also shown. These changes are shown with underlining and ~~strikeout~~ text to show additions and deletions, respectively.

The City of Santa Barbara Community Development Department (City) has received an application for a residential development project and annexation in the Las Positas Valley, called the Veronica Meadows Specific Plan (Figure 1-1, Appendix A). The Environmental Impact Report (EIR) evaluates the environmental effects of the proposed project. The EIR identifies significant impacts of the project, as well as feasible mitigation measures and alternatives to avoid or reduce such impacts. Pursuant to the California Environmental Quality Act (CEQA), the City decision makers will use the information in the EIR during their consideration of the application, which will involve a public hearing. The EIR is also used to inform the public about the project and to facilitate public input.

I.1 SUMMARY OF THE PROPOSED PROJECT

The following paragraphs summarize the project as originally proposed and analyzed in the 2005 Final EIR. An updated description for the Current 2008 project design is provided in a new Section 4.13.

The Veronica Meadows Project involves the annexation to the City of approximately 50.5 acres from an unincorporated portion of Santa Barbara County (Figure 1-1). Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential uses and public open space. Twenty four (24) residential lots would be created. The proposed residential lot sizes would range from approximately 5,520 to 14,140 square feet. The project would include seven house plans, all of which would be two-stories in height, and range in size from 1,800 to 4,500 square feet of living area. Each lot would also contain a 500 square-foot garage. The project also involves annexation of a 5.89-acre City-owned parcel, a portion of which would be used for the bridge to the project site, subject to City Council approval.

Site access to all but two lots would be provided via a concrete bridge over Arroyo Burro Creek (also known as simply “Arroyo Burro”) that would intersect with Las Positas Road. This bridge would be constructed over City-owned land and the applicant would have to obtain appropriate easements for the bridge. A stop controlled intersection would be constructed on Las Positas Road across from the entrance to Elings Park. No improvements are proposed for the 35.7-acre open space parcel.

The project provides a 100-foot buffer between the proposed residences and the top-of-bank of Arroyo Burro Creek. Development rights would be restricted within the first 50 feet of the buffer zone. A public pedestrian path is proposed along the western edge of the creek, and within the 50-foot creek buffer area, to provide access from the end of Alan Road to the new bridge across Arroyo Burro Creek. The pedestrian path would be five feet wide and constructed of pervious materials. Access to the southern two lots on the property would occur from Alan Road. The project also includes habitat restoration along both banks of Arroyo Burro Creek at, and adjacent to, the property. Much of the restoration would occur on a City-owned open space parcel, and would require City approval. There are several active and dormant landslides on the property that would be stabilized through the use of concrete caissons and earthen embankments placed at the toe of the landslide.

The Specific Plan site is located within the unincorporated area of the Las Positas Valley, between Arroyo Burro Creek (on the eastern boundary of site) and Campanil Hill (to the west) (Figure 1-1). The current City/County jurisdictional boundary runs along the southern property line of the site. The Specific Plan area is currently undeveloped, and access is taken from the end of Alan Road. Existing single-family development along Alan Road is located immediately south of the project site, and the Stone Creek Condominiums are located to the east.

I.2 REQUIRED APPROVALS

The required discretionary approvals, permits, and actions by the City and other agencies are listed below. [This summary has been updated to reflect changes in City review processes since publication of the 2005 Final EIR](#)

Actions by Planning Commission

- [Certification of the Final EIR.](#)

Actions by City Council

Approvals and Actions by Planning Commission

- A Coastal Development Permit for the subdivision and development (residences, roads, creek bank repair, landscaping, grading, etc.) of the portion of the project within the appealable and non-appealable jurisdictions of the Coastal Zone (SBMC §28.45.009).
- A Lot Line Adjustment to attach a 4.49-acre portion of APN 047-010-053 to APN 047-010-016 (Gov. Code §66412).
- A waiver of the requirement that newly created lots must front upon a public street, to allow proposed Lots 3, 4, ~~5, 6,~~ and ~~57~~ to be served by a private driveway (SBMC §22.60.300).
- ~~Neighborhood Preservation Ordinance Compliance to allow grading in excess of 500 cubic yards outside of a building footprint, and to allow the total aggregate floor area of all structures to exceed 6,500 sq. ft., within the Hillside Design District (SBMC §22.68.070).~~

- [An update of the Neighborhood Protection Ordinance since the project was initiated, has changed this aspect of project review to the Single Family Design Board as inserted below.](#)
- A Tentative Subdivision Map to divide one parcel into 30 lots. Twenty-~~five~~^{four} lots would be developed with single-family homes, four would be open space lots, one lot would be for the public road (“A” Lane), and one lot is for the proposed cul-de-sac at the end of Alan Road (SBMC §27.07).
- [Request to Santa Barbara County Local Agency Formation Commission \(LAFCO\) for annexation of the subject parcels to the City of Santa Barbara.](#)

Approvals/Actions Requiring a Recommendation to City Council by Planning Commission

~~▪ Annexation of the subject parcels to the City of Santa Barbara:~~

- Adoption of the Specific Plan.
- General Plan Amendment, upon annexation, to add the subject parcels to the City’s General Plan Map, with designations as described in Section 2.2.
- Zoning Map Amendment, upon annexation, to designate the parcels as described in Section 2.2.
- Zoning Map Amendment, upon annexation, to add the subject parcels to the Hillside Design District (SBMC §28.68.110).
- Coastal Plan Amendment to add the portions of APNs 047-010-009 and 047-010-016 that are located within the Coastal Zone boundary to the City’s Local Coastal Program.

Actions by City Council

~~▪ Adoption of the Specific Plan:~~

- Approvals related to the bridge construction and creek restoration on City-owned lands adjacent to the project site.
- ~~Request to Santa Barbara County Local Agency Formation Commission (LAFCO) for annexation of the properties to the City of Santa Barbara.~~
- ~~General Plan Amendment upon annexation, as described above.~~
- ~~Zoning Map Amendments upon annexation, as described above.~~

Actions of the ~~Architectural Board of Review (ABR)~~ Single Family Design Board (SFDB)

- Design Review by the ~~Architectural Board of Review~~ Single Family Design Board (SBMC §22.68~~9.040~~). [This approval includes compliance with the Neighborhood Protection Ordinance to allow grading as proposed and to allow the proposed extent of buildings in the Hillside Design District \(SBMC §22.68.70\)](#)

Permits or Actions by Other Agencies

- LAFCO approval of the annexation to the City of Santa Barbara, and detachment from special districts.
- Approval of revised public easement locations for City water and sewer lines.
- Army Corps of Engineers Nationwide Permit for activities within waters of the U.S. (33 CFR 330).
- California Coastal Commission approval of amendments to the City's Local Coastal Program.
- Central Coast Regional Water Quality Control Board Section 401 Water Quality Certification.
- Santa Barbara County Flood Control District Letter of Map Revision (LOMR).
- California Department of Fish and Game Streambed Alteration Agreement (Section 1601 of the California Fish and Game Code).
- California Department of Transportation Encroachment Permit.
- City of Santa Barbara Building and Public Works Permits.

I.3 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

Issuance of City permits and approval for the proposed project represents a discretionary action subject to the environmental review requirements of the California Environmental Quality Act (CEQA). The Community Development Department completed a CEQA Initial Study Environmental Checklist and determined that there was a potential for the project to cause significant environmental impacts. Therefore, an Environmental Impact Report (EIR) has been prepared to evaluate the impacts of the project.

A Notice of Preparation (NOP) was issued in September 2003 for a 30-day public review period. An opportunity for public comments on the scope of the EIR was also provided at the October 29, 2003 Planning Commission scoping hearing. The City received written comments on the NOP from the following parties: County of Santa Barbara, Planning & Development Department; California Department of Fish and Game; Caltrans; Santa Barbara Urban Creeks Council; and Citizens Planning Association (see Appendix B).

On September 22, 2004, a Notice of Availability was issued, announcing that the Draft EIR was available to the public and agencies for review and comment. A 45-day public review period was provided to receive comments, ending on November 5, 2004. A total of 33 letters of comments from public agencies, community organizations, and the general public were received. They are presented in Appendix D. On October 21, 2004, the City Planning Commission conducted an environmental hearing on the Draft EIR to receive comments on the document. Comments were received from 13 individuals and community groups; the comments are summarized in Appendix D.

The City has reviewed the comments on the Draft EIR and prepared responses to the comments. The responses are presented in Appendix E. In the Proposed Final EIR, fFor some responses, the text of the EIR ~~has been~~was revised, as indicated by underlining.

On March 14, 2008, a Notice of Availability was issued, announcing that Draft Revisions to the Final EIR were available to the public and agencies for review and comment. A 45-day public review period is provided to receive comments, ending on April 28, 2008. On April 17, 2008, the City Planning Commission will conduct an environmental hearing on the Draft Revisions to the Final EIR to receive comments on the document.

In this Revised EIR – Selected Chapters, portions of the EIR text have been modified, as indicated by underlining and strikethrough. The original underlining showing changes in the 2005 Final EIR has been removed to avoid confusion with these more recent revisions.

The Planning Commission will conduct a public hearing to consider certifying that the Final EIR meets the requirements of the California Environmental Quality Act (CEQA). The City Council will ~~then~~also conduct one or more subsequent public hearings to consider approval of the project.

~~As noted earlier, a~~An EIR is an informational document to advise the public agency decision-makers and the public of the environmental effects of a project. CEQA Guidelines Section 15151 provides direction on the standard of adequacy for an EIR, stating the following:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

I.4 RECENT HISTORY AND CONTENTS OF REVISED EIR CHAPTERS

I.4.1 Recent History

After publication of the proposed Final EIR in early 2005, the Planning Commission held discussions and hearings regarding the project and, on December 1, 2005 the Planning Commission passed a motion certifying the EIR as complete, accurate and a good faith effort toward full disclosure and as being reflective of the independent judgment of the City of Santa Barbara under CEQA. The Planning Commission did not reach a decision on the project itself due to a 3-3 tie vote, so the project was forwarded to the City Council.

The main controversy with the project involves the provision of vehicle access to the development site. The issue requires balancing two concerns: (1) avoiding or minimizing impacts to the biological habitat along this portion of Arroyo Burro, and (2) avoiding or minimize the effects of increased vehicle traffic through existing neighborhoods and at nearby intersections. Both concerns

are important, as evidenced by the time and complexity of the Planning Commission and City Council hearing and approval process for this project.

On March 21, 2006 the project was presented to the City Council at a public hearing. The Council directed staff to return with a more formal presentation of an alternative project that had a lower density and used Alan Road exclusively for project access (no vehicle bridge across Las Positas Creek). This alternative, a variant of Alternative 4.5 discussed in the EIR, was presented to the Council on October 3, 2006. At the conclusion of that hearing, the Council directed staff to return with essentially the original project, with minor modifications.

In December, 2006 two project options were presented at a public hearing to the City Council. The City Council adopted environmental findings pursuant to CEQA (PRC Sections 21166 and 21081), and approved a 25 unit project that was only slightly different from the proposed project outlined in the 2005 EIR. (That approved project concept is now included in the EIR in Section 4.13, describing the Current 2008 Project design, for simplicity.)

In early 2007, the Citizens Planning Association and the Santa Barbara Urban Creeks Council sued the City to overturn the City Council approval of the project. In early 2008, the Santa Barbara Superior Court ruled in favor of the petitioners and directed the City to set aside its certification of the EIR and the approvals related to the Veronica Meadows project. In the decision, the Court noted that there was no challenge to the sufficiency of the EIR and that there was no argument that the EIR was inadequate as an informational document. Instead, the Court determined that the environmental findings adopted by the City Council to support project approval were not adequate because the Council did not find that mitigation measures or project alternatives (in this case, the Alan Road Access alternative) were infeasible.

On February 5 and 26, the City Council repealed and rescinded the project approvals. The current situation is now described in the CEQA Guidelines Section 15088.5: the draft EIR underwent public review, but the Final EIR has not yet been certified, and the City has determined that some revisions in the EIR are appropriate and should be recirculated for public review prior to final EIR certification. The City's purpose in preparing these revised EIR chapters is 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.

I.4.2 Contents of Revised EIR Chapters

The specific revisions in these EIR sections do the following: (1) update descriptions of biological effects based on minor project clarifications and more detailed project information, (2) clarify discussions of the Alan Road Access alternative; and (3) add a new alternative that slightly modifies the proposed project and encompasses the changes to the project requested by the City Council in October 2006. None of this information is "significant" as the term is used in Section 15088.5. That is, there are no new impacts identified from the project and; the severity of impacts from the project is not changed. Although it is not necessary to release this information for Public Review, the City has decided to do so in the interest of public disclosure and participation.

With this background in mind, the particular portions of the EIR that are being revised are:

- Section 3.0, the introduction for the Environmental Impacts and Mitigation
- Section 3.3, Biological Resources
- Section 4.0, Alternatives. These revisions are mainly in Section 4.5, Alan Road Access Alternative, and the addition of a new Section 4.13 to describe details of the current project design, and the minor differences in its effects compared to those of the original project.

Rather than reproduce the entire EIR to show these detail changes throughout the document, it should be understood that where there are minor differences between the original EIR text and the discussions in this revision, this more current information applies.