



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: April 4, 2017
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Glenn Russell, Ph. D., Director, Planning & Development
Director(s)
Contact Info: Jeff Wilson, Deputy Director, 568-2518

SUBJECT: Agreement for Long Term Maintenance and Monitoring for the Casa Dorinda Open Space Easement

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the Agreement for Long Term Maintenance and Monitoring (Casa Dorinda Open Space Easement) (Attachment 1); and
- b) Determine that this action is exempt from CEQA pursuant to Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment (Attachment 2).

Summary Text: Approval of the attached Agreement for Long Term Maintenance and Monitoring for the Casa Dorinda Open Space Easement (Agreement) is required by the conditions of case no. 14RVP-00000-00005, the Casa Dorinda Master Plan Conditional Use Permit Revision, which was approved by the Montecito Planning Commission on May 18, 2016. The conditions of this permit require Board approval of this Agreement prior to issuance of the first Zoning Clearance for the project.

Auditor-Controller Concurrence

As to form: Yes

Background:

The Montecito Planning Commission approved the Casa Dorinda Master Plan Conditional Use Permit Revision Project, case no. 14RVP-00000-00005 (2016 CUP), and adopted the Negative Declaration for the project (15NGD-00000-00003), on May 18, 2016. As part of the 2016 CUP, Casa Dorinda completed a real property exchange that resulted in an increase in the dedicated public open space on the Casa Dorinda property from approximately 18 acres to approximately 21 acres. This action was approved by the Board of Supervisors on September 20, 2016.

Conditions 14 and 36 of the 2016 CUP provide specific requirements pertaining to the public open space easement on the Casa Dorinda property. Condition 14 of the 2016 CUP requires Casa Dorinda to revise and update their existing Open Space Management Plan to define the actions required to restore and enhance the oak woodland habitat within the open space easement. Condition 36 requires Casa Dorinda to manage the open space easement area in accordance with the revised Open Space Management Plan. Condition 36 also requires Casa Dorinda to provide an agreement for long-term maintenance of the easement area, and establish a fund for P&D staff's monitoring costs for same, to be reviewed and approved by P&D and County Counsel and docketed with the Board of Supervisors prior to the issuance of the project's first Zoning Clearance. This Agreement is provided as Attachment 1 of this Board Letter.

Performance Measure: N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

The attached Agreement requires Casa Dorinda to fully reimburse P&D for staff costs associated with long-term monitoring of the condition of the open space easement area. As specified in the Agreement, prior to issuance of the Zoning Clearance for the 2016 CUP, Casa Dorinda will provide a deposit of \$5,000, and shall maintain this fund, with written instructions authorizing the County to draw on said funds in the event Casa Dorinda does not pay any County invoices for staff monitoring costs when they are due. This work is funded in the Planning and Development Permitting Budget Program, as shown on page D-289 of the adopted 2016-2018 FY budget. As a result, approval and execution of the Agreement will not have fiscal impacts to P&D or other departments. No budget revision is required.

Special Instructions:

Please forward a copy of the Agreement and Minute Order to P&D Development Review Division, attention Joyce Gerber.

Attachments:

1. Agreement for Long Term Maintenance and Monitoring (Casa Dorinda Open Space Easement)
2. CEQA Notice of Exemption

Authored by: Joyce Gerber, Senior Planner, 568-3518