



**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.:
For Agenda Of: 11/21/2006
Placement: Administrative
Estimate Time: N/A
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) John Baker, 568-2085
Contact Info: Dianne Black, 568-2086
SUBJECT: Amendment of the Tract Map and Development Plan Conditions for the Preserve at San Marcos Project

County Counsel Concurrence:

As to form: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Other Concurrence: N/A

As to form: Yes No N/A

Recommended Action(s):

That the Board of Supervisors:

1. Accept the CEQA exemption 15061(b)(3) (Attachment A).
2. Adopt the findings for the project, including the findings for approval as revised by your action below (Attachment B), and the CEQA findings.
3. Approve the amendments to TM 14,585 (01TRM-00000-00005) and 01DVP-00000-00071. (APNs 055-010-006, -007; 059-020-002, -011, -014, -016, -023, -024, -026, -028)

Summary:

The Board approved Tentative Tract Map (TM 14,585) and Development Plan 01DVP-00000-00071, along with the project Conditions of Approval, including Condition #1, the Project Description, on November 21, 2005. The Tentative Tract Map (TM 14,585) for the project has not been recorded. The project involves a 177.47 acre portion of a 377.47 acre site in the Santa Barbara Foothills. The project is known as the Preserve at San Marcos. The project would create 16 residential lots, one of which consists of 5 affordable condominiums, three lots comprising 10.14 acres for dedication to the county for a public park, a private open space lot of 20 acres to be held in common ownership by the Meadows Homeowner's Association, two open space parcels of 6.06 acres in aggregate to accommodate hang and para glider landings, and a 200 acre Designated Remainder.

Amendment **of the Tract Map and Development Plan Conditions for the Preserve at San Marcos Project**

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The applicant, Santa Barbara Foothills, LLC, has requested (see attached Letter) that the Board amend the language of Condition of Approval # 1 (the Project Description) for Vesting Tentative Map 14,585 and its associated Development Plan. Condition #1 states on the first page that "*Approval of the Vesting Tentative Map would create...a 200-acre Designated Remainder that is currently under separate contract for conveyance to a nonprofit land conservation organization concurrent with recordation*". A modified repetition of this language was also included later in the Project Description for the Vesting Tentative Tract Map, (Condition 1, page 2, Paragraph 1. This latter reference was removed by the Board during its hearing of November 21, 2005. The current request is to additionally delete the language identified on page one (1) of the Project Description (shown in italics above), as proposed in Attachment C and allow the map to record in a timely manner on December 5, 2006. As Condition of Approval #1 is currently written, the County Surveyor could not transmit the applicant's Final Map to the County Board of Supervisors for approval without first ensuring -- for example, through an escrow procedure -- the concurrent conveyance of the 200-acre Designated Remainder to a nonprofit land conservation organization.

Because the language in Development Plan Finding A-2.4.1 refers to the transfer of the Designated Remainder concurrent with recordation of the map, that finding should be amended to delete the language.

Fiscal and Facilities Impacts:

Budgeted: Yes No

Fiscal Analysis:

All costs will be borne by applicant.

Legal Positions:

N/A

FTEs:

N/A

Special Instructions:

N/A

Attachments:

- A. Applicant Letter
- B. CEQA Exemption
- C. Revised Findings for Approval
- D. Revised Condition of Approval #1

Authored by: Mark Walter, X2852

CC:

Planning and Development
County Counsel